

CRIMINAL CODE OF THE REPUBLIC OF ARMENIA.....	19
SECTION 1. CRIMINAL LEGISLATION OF THE REPUBLIC OF ARMENIA.....	19
CHAPTER 1. GENERAL PROVISIONS.....	19
Article 1. Criminal Legislation of the Republic of Armenia.....	19
Article 2. Tasks of the Criminal Legislation of the Republic of Armenia.....	19
Article 3. Basic Concepts Used in this Code.....	19
CHAPTER 2. PRINCIPLES OF CRIMINAL LEGISLATION .....	23
Article 4. Principle of Legality .....	23
Article 5. Principle of Personal Liability.....	23
Article 6. Principle of Fault Based Liability .....	23
Article 7. Principle of Individualisation of Justice and Liability .....	23
CHAPTER 3. THE CRIMINAL LAW .....	24
Article 8. Operation of Criminal law in Time.....	24
Article 9. Retroactive Effect of Criminal Legislation.....	25
Article 10. Operation of the Criminal Law in Case When the Crime is Committed within the Territory of the Republic of Armenia .....	26
Article 11. Operation of Criminal Law with Regard to the Act Committed on the Ships or Flying Aircraft of the Republic of Armenia under the Criminal Law .....	26
Article 12. Operation of Criminal Law with Regard to Acts Prescribed under Criminal Law Committed Outside the Territory of the Republic of Armenia .....	27
Article 13. Legal Consequences Arising from Holding a Person Criminally Liable Outside the Territory of the Republic of Armenia .....	28
SECTION 2. GENERAL CONDITIONS FOR CRIMINAL LIABILITY.....	30
CHAPTER 4. GROUND FOR CRIMINAL LIABILITY .....	30
Article 14. Ground for Criminal Liability .....	30
Article 15. Criminal Liability Based on the Criminal Complaint of the Victim of Crime .....	30
CHAPTER 5. CRIMINAL OFFENCE AND ITS ELEMENTS .....	30
Article 16. The Notion of “Criminal offence” .....	30
Article 17. Types of Criminal offence .....	31
Article 18. An Act.....	31
Article 19. The Subject of Criminal Liability .....	32
Article 20. Special Subject of the Crime.....	32
Article 21. Sanity .....	33
Article 22. Limited Sanity.....	33
Article 23. Guilt .....	33
Article 24. Intentionality and Negligence.....	33
Article 25. Intentional Commission of a Criminal Offence.....	34
Article 26. Committing Criminal Offence Negligently .....	35
Article 27. Criminal Liability of a Person Who Has Committed an Act Prohibited by Threat of Punishment as Provided for by Criminal Code in Not Sober (Drunk) State as a Result of Alcohol Intoxication, Narcotic Drugs, Psychoactive (Psychotropic) Substances, Toxic and Other Narcotic Substances, Their Compounds or Equivalent Materials (Analogue).....	35
Article 28. Mistake (Error) in Factual Circumstances.....	36
CHAPTER 6. CIRCUMSTANCES EXCLUDING CRIMINAL LIABILITY .....	37
Article 29. Insanity .....	37
Article 30. Causing Harm without Guilt.....	37

Article 31. Causing Damage to Interests Protected by Criminal Law in the State of Neuropsychological Load.....	37
Article 32. Necessary Defence .....	38
Article 33. Inflicting Harm while Apprehending a Person Having Committed an Illegal Encroachment	39
Article 34. Extreme Necessity .....	40
Article 35. Force Majeure, Physical or Psychiatric (Mental) Coercion .....	41
Article 36. Justified Risk .....	41
Article 37. Performing Professional Functions .....	42
Article 38. Sport Risk.....	42
Article 39. Complying with the Requirements of the Law or other Legal Acts.....	42
Article 40. Execution of Order or Executive order .....	42
Article 41. Cooperating with Operative-Intelligence Bodies .....	43
<b>CHAPTER 7. STAGES OF CRIME</b> .....	<b>43</b>
Article 42. Completed and Inchoate Crimes .....	43
Article 43. Preparation of Crime .....	44
Article 44. Attempted Crime and its Types.....	44
<b>CHAPTER 8. COMPLICITY</b> .....	<b>45</b>
Article 45. Complicity .....	45
Article 46. Types of Accomplices .....	45
Article 47. Criminal Liability of Accomplices.....	46
Article 48. Complicity in Crimes Committed by a Special Subject of Crime .....	47
Article 49. Any Excess on the Part of the Accomplice .....	48
Article 50. Commission of Criminal Offence by a Group of Persons or a Criminal Organization .....	49
<b>CHAPTER 9. THE MULTIPLICITY OF CRIMES</b> .....	<b>50</b>
Article 51. The Concept of Multiplicity of Crimes and its Types .....	50
Article 52. Conflict of Criminal Legal Norms Established in the Special Part and its Types.....	51
Article 53. Combination of Crimes.....	51
Article 54. Recidivism.....	52
<b>CHAPTER 10 THE NOTION OF “PUNISHMENT”, ITS PURPOSES AND TYPES</b> .....	<b>52</b>
Article 55. The Notion of “Punishment” and its Purposes.....	52
Article 56. Types of Punishment .....	52
Article 57. Main and Supplementary Punishments .....	53
Article 58. Deprivation of Honourable or Military Rank, Category, Degree or Qualification Class or State Award.....	53
Article 59. Fine .....	54
Article 60. Public Works .....	56
Article 61. Deprivation of the Right to Hold Certain Positions or Exercise Certain Activities.....	57
Article 62. Deportation of a Foreign Citizen from the Territory of the Republic of Armenia .....	59
Article 63. Restriction in Military Service .....	60
Article 64. Restriction of Liberty.....	60
Article 65. Short-Term Imprisonment .....	61
Article 66. Confinement in a Disciplinary Battalion .....	62
Article 67. Imprisonment .....	62
Article 68. Life Imprisonment .....	62
<b>CHAPTER 11 IMPOSITION OF PUNISHMENT</b> .....	<b>62</b>
Article 69. General Principles for Imposition of Punishment .....	63
Article 70. Circumstances Mitigating the Criminal Liability or Punishment .....	63

Article 71. Circumstances Aggravating the Criminal Liability or the Punishment.....	64
Article 72. Imposition of Punishment Milder than that Provided for by Law.....	66
Article 73. Imposition of Punishment for an Inchoate Crime.....	66
Article 74. Imposition of Punishment in Case of Combination of Crimes.....	67
Article 75. Imposition of Punishment in Case of Combination of Criminal Judgments.....	69
Article 76. Imposition of Punishment in Case of Recidivism.....	70
Article 77. Imposition of Punishment in Case of Agreement or Cooperation Proceedings.....	71
Article 78. Determination of Terms of Punishment by Adding Them.....	72
Article 79. Calculation of Terms of Punishment and the Set-off Thereof.....	72
<b>SECTION 4. RELEASING FROM CRIMINAL LIABILITY AND PUNISHMENT.....</b>	<b>74</b>
<b>CHAPTER 12. RELEASING FROM CRIMINAL LIABILITY .....</b>	<b>74</b>
Article 80. Releasing from Criminal Liability Due to Voluntary Renunciation of Crime .....	74
Article 81. Releasing from Criminal Liability in the Event of Active Repentance .....	75
Article 82. Releasing from Criminal Liability on in the Event of Reconciliation of the Victim and the Person Having Committed a Criminal Offence .....	75
Article 83. Releasing from Criminal Liability as a Result of Expiry of the Statute of Limitations.....	76
<b>CHAPTER 13. RELEASING FROM PUNISHMENT .....</b>	<b>77</b>
Article 84. Conditional Non-Application of Punishment.....	77
Article 85. Early Conditional Release from Punishment.....	81
Article 86. Postponing the Serving of the Punishment .....	84
Article 87. Releasing from or Postponing of the Punishment Due to Illness.....	85
Article 88. Replacing the Punishment with a Milder One or Releasing from Punishment .....	87
Article 89. Releasing from Punishment Due to Extraordinary Circumstances .....	87
Article 90. Releasing from Punishment due to Expiry of the Statute of Limitations of the Criminal Judgment of Conviction.....	88
<b>CHAPTER 14. AMNESTY, PARDON, CONVICTION .....</b>	<b>89</b>
Article 91. Amnesty.....	89
Article 92. Pardon.....	89
Article 93. Conviction .....	89
<b>SECTION 5. PECULIARITIES OF CRIMINAL LIABILITY OF MINORS.....</b>	<b>92</b>
<b>CHAPTER 15. PURPOSES AND TYPES OF PUNISHMENT IMPOSED ON MINORS .....</b>	<b>92</b>
Article 94. Criminal Liability of Minors and the Purposes of Punishment Imposed on them .....	92
Article 95. Types of Punishment Imposed on Minors .....	92
Article 96. Fine Imposed on Minors.....	93
Article 97. Public Works Imposed on Minors.....	93
Article 98. Short-Term Imprisonment Imposed on Minors.....	94
Article 99. Imprisonment Imposed on Minors.....	94
<b>CHAPTER 16. IMPOSING A PUNISHMENT ON MINORS AND PERSONS NOT HAVING     ATTAINED THE AGE OF 21.....</b>	<b>94</b>
Article 100. General Principles of Imposing a Punishment.....	95
Article 101. Imposing a Punishment for an Inchoate Crime.....	95
Article 102. Imposing Punishment in Case of Combination of Crimes.....	95
Article 103. Imposition of Punishment in Case of Combination of Criminal Judgments .....	96
<b>CHAPTER 17. RELEASING FROM CRIMINAL LIABILITY OF MINORS AND PERSONS NOT     HAVING ATTAINED THE AGE OF 21 .....</b>	<b>96</b>
Article 104. Releasing from Criminal Liability through Imposing Educational Coercive Measures .....	97
Article 105. Content of Educational Coercive Measures .....	98

Article 106. Releasing from Liability due to Expiry of the Statute of Limitation .....	98
Article 107. Conviction of Minors and Persons Not having Attained the age of 21 .....	99
<b>CHAPTER 18. PECULIARITIES OF RELEASING MINORS AND PERSONS NOT HAVING ATTAINED THE AGE OF 21 FROM PUNISHMENT.....</b>	<b>100</b>
Article 108. Releasing from Punishment by Placing in a Rehabilitation Institution.....	100
Article 109. Early conditional Release from Punishment.....	100
Article 110. Conditional Non-Application of Punishment.....	100
<b>SECTION 6. PECULIARITIES OF APPLICATION OF SECURITY MEASURES AND CONFISCATION OF PROPERTY .....</b>	<b>102</b>
<b>CHAPTER 19. SECURITY MEASURES AND CONFISCATION OF PROPERTY .....</b>	<b>102</b>
Article 111. Notion and Purpose of Security Measures .....	102
Article 112. Conditions for Application of Security Measures .....	102
Article 113. Types of Security Measures .....	103
Article 114. Grounds for Application of Medical Coercive Measures .....	103
Article 115. Outpatient Surveillance by a Psychiatrist and Compulsory Treatment .....	104
Article 116. Compulsory Treatment in Psychiatric Institutions.....	104
Article 117. Imposing, Changing and Terminating Medical Coercive Measure .....	104
Article 118. Setting-off the Term of Application of the Medical Coercive Measure .....	105
Article 119. A Prohibition to Visit Certain Places .....	105
Article 120. An Obligation to Receive Psychological Assistance .....	105
Article 121. Confiscation of Property, Income, and other types of benefits, the Crime Tools, Means, and Objects having criminal origin.....	106
<b>SECTION 7. CRIMINAL LIABILITY OF A LEGAL ENTITIES.....</b>	<b>109</b>
<b>CHAPTER 20. GENERAL CONDITIONS OF CRIMINAL LIABILITY OF A LEGAL ENTITY ..</b>	<b>109</b>
Article 122. Legal Entities Subject to Criminal Liability .....	109
Article 123. The Ground for Criminal Liability of a Legal Entity .....	109
Article 124. Excluding the Criminal Liability of a Legal Entity .....	110
Article 125. Releasing a Legal Entity from Criminal Liability.....	111
<b>CHAPTER 21. CRIMINAL-LEGAL ENFORCEMENT MEASURES IMPOSED ON A LEGAL ENTITY .....</b>	<b>111</b>
Article 126. System of Criminal-Legal Enforcement Measures Imposed on a Legal Entity.....	111
Article 127. Circumstances Considered when Imposing Criminal-Legal Enforcement Measures on a Legal Entity .....	111
Article 128. Fine .....	112
Article 129. Temporary Suspension of the Right to Exercise Certain Activities.....	113
Article 130. A Ban on Conducting Activities within the Territory of the Republic of Armenia .....	113
Article 131. Compulsory Liquidation.....	114
Article 132. Conviction of Legal Entities .....	114
<b>SPECIAL PART .....</b>	<b>115</b>
<b>SECTION 8. CRIMES AGAINST PEACE AND HUMAN SECURITY.....</b>	<b>115</b>
<b>CHAPTER 22. CRIMES AGAINST PEACE AND HUMAN SECURITY .....</b>	<b>115</b>
Article 133. Genocide .....	115
Article 134. Direct and Public Provocation of Genocide.....	115
Article 136. Public Denial, Justification, Propaganda or Reducing the Danger of Genocide or Crimes against Humanity.....	117
Article 137. War Crimes Committed Against a Protected Person.....	118

Article 138. War crimes against property or other rights.....	119
Article 139. War Crimes Against Humanitarian Aid Or Distinctive Emblem .....	120
Article 140. War Crimes Using Prohibited Methods of Warfare .....	120
Article 141. War Crimes Using Prohibited Means of Warfare .....	122
Article 142. Marauding.....	123
Article 143. Outrageous Treatment of Dead Bodies of Those Killed on the Battlefield.....	123
Article 144. Destroying, Damaging, Illegal taking or Seizure of Cultural Property During the Time of War or an Armed Conflict or Changing Their Cultural Value.....	123
Article 145. Breaking the Rules of Protection of Cultural Property During the Time of War or an Armed Conflict .....	123
Article 146. Destroying or Damaging Cultural Property in Order to Provoke Racial, National, Ethnic, or Religious Hatred .....	124
Article 147. Mercenary.....	124
Article 148. Inaction During an Armed Conflict .....	125
Article 149. Aggression.....	126
Article 150. Initiating Aggressive Military Operations, Implementing and Not Terminating Them in a Situation Of Epidemic or Imminent Threat to the Security of Humanity .....	127
Article 151. Direct and Public to Perform Aggression .....	127
Article 153. Manufacturing, Providing, Testing or Applying Weapons of Mass Destruction .....	128
Article 154. Ecocide.....	128
Article 155. Murder .....	130
Article 156. Murder Committed in the Heat of Passion .....	131
Article 157. Murder of a Newborn Child by the Birth Giver .....	131
Article 158. Complicity in the Murder of a Newborn Child by the Birth Giver .....	131
Article 159. Murder in Excess of Necessary Defence.....	131
Article 160. Murder in Excess of Measures Necessary for Apprehending a Person Having Committed an Illegal Encroachment.....	131
Article 161. Murder upon the Victim's Request .....	131
Article 162. Causing Somebody to Commit Suicide.....	132
Article 163. Inducement to Suicide.....	133
Article 164. Contributing to Suicide .....	133
Article 165. Negligently Depriving of Life.....	134
<b>CHAPTER 24. CRIMES AGAINST HEALTH.....</b>	<b>134</b>
Article 166. Causing Grave Harm to Health .....	134
Article 167. Causing Medium Gravity Harm to Health.....	135
Article 168. Causing Grave or Medium Gravity Harm to Health in the Heat of Passion .....	136
Article 169. Causing Grave or Medium Gravity Harm to Health in Excess of Measures Necessary for Apprehending a Person having Committed an Illegal Encroachment.....	137
Article 170. Causing Grave or Medium Gravity Harm to Health in Excess of Necessary Defence .....	137
Article 171. Causing Light Harm to Health .....	138
Article 172. Negligently Causing Grave Harm to Health .....	138
Article 173. Negligently Causing Medium Gravity Harm to Health.....	139
<b>CHAPTER 25. CRIMES ENDANGERING LIFE AND HEALTH.....</b>	<b>139</b>
Article 174. Commission of Illegal Artificial Termination of Pregnancy (Abortion) .....	139
Article 177. Infecting with Human Immunodeficiency Virus .....	141
Article 178. Negligently Infecting with Human Immunodeficiency Virus .....	141
Article 179. Infecting with Sexually Transmitted Disease.....	141
Article 180. Negligently Infecting with Sexually Transmitted Disease.....	142

Article 181. Infection with a Disease Posing Danger to the Wider Public .....	142
Article 182. Leaving in Danger.....	143
Article 183. Illegal Traffic of Human Cell, Tissue, Organ, or Other Physiological or Biological Material .....	144
Article 184. Violation of Transplantation Rules .....	144
Article 185. Subjecting a Person to Medical, Scientific or Other Experiment without his/her Consent .	145
Article 186. Reproductive Cloning of a Person or Eugenic Experiments.....	146
Article 187. Failure to Perform or Improper Performance of Professional Duties by Medical Personnel .....	146
<b>CHAPTER 26. CRIMES AGAINST FREEDOM, HONOUR, DIGNITY, PHYSICAL OR MENTAL INTEGRITY .....</b>	<b>147</b>
Article 188. Human Trafficking or Exploitation.....	147
Article 189. Trafficking of a Minor or a Person in a Helpless Situation.....	148
Article 190. Using the Service of a Person in a state of exploitation .....	149
Article 191. Kidnapping.....	149
Article 192. Illegal Deprivation of liberty .....	150
Article 193. Illegal Placing or Keeping in a Psychiatric Institution .....	151
Article 195. Physical Pressure .....	153
<b>CHAPTER 27. CRIMES AGAINST SEXUAL FREEDOM AND SEXUAL INTEGRITY.....</b>	<b>154</b>
Article 198. Violent Actions of Sexual Nature .....	154
Article 199. Compelling to Actions of Sexual Nature .....	155
Article 200. Performance of Actions of Sexual Nature towards a Person not having Attained the Age of 16 years .....	156
Article 201. Committing a Lecherous Act.....	157
Article 202. Offering a Person under the Age of 16 Sexual Intercourse or Other Actions of Sexual Nature or Creation or Production of Child Pornography (grooming).....	158
<b>CHAPTER 28. CRIMES AGAINST CONSTITUTIONAL RIGHTS AND FREEDOMS.....</b>	<b>159</b>
Article 203. Discrimination .....	159
Article 204. Breach of Confidentiality of Personal or Family Life .....	159
Article 205. Disclosure of Medical Secret.....	160
Article 206. Violation of the Secrecy of Correspondence, Telephone Conversations and Other Forms of Communications.....	161
Article 207. Violating the Inviolability of Residence .....	162
Article 208. Refusal to Provide Information to a Person .....	162
Article 209. Obstructing Exercise of the Right to Freedom of Conscience or Belief .....	162
Article 210. Obstructing Exercise of the Right of Suffrage or Right to a Referendum, the.....	163
Activities of Election Commissions or Exercise of the Rights and Obligations of Persons Taking part in an Election or Referendum.....	163
Article 212. Rigging Election or Voting Results .....	165
Article 213. Violation of the Procedure for Drawing up Lists of Electors, Providing Them to Citizens and Political Parties and for Their Publication.....	165
Article 214. Voting More than Once or Instead of Another Person .....	166
Article 215. Breaching the Secrecy of Ballot.....	166
Article 216. Preparation of Forged Electoral Ballot Papers or Ballot Envelopes, Stamps and Coupons, or Delivery and Distribution of Obviously Forged Electoral Ballot Papers or Ballot Envelopes, Stamps and Coupons .....	166
Article 218. Receiving Electoral Bribe .....	167

Article 219. Giving Electoral Bribe .....	168
Article 220. Solicitation in Electoral Bribery .....	168
Article 222. Obstructing of Getting Acquainted with Referendum or Election Documents.....	169
Article 223. Failure to Perform or Improper Performance of Authorities of Chairman of the Election or Referendum Commission .....	169
Article 224. Entering a Polling Station with Weapon .....	170
Article 225. Compelling to Participate in a Strike or to Refuse to Participate in a Strike .....	170
Article 226. Refusal to Hire or Dismissal of a Pregnant Woman or a Person having Child Under the age of Three.....	170
Article 227. Infringement of Copyright and Related Rights.....	171
Article 228. Infringement of Patent Right .....	171
Article 229. Obstructing Exercise of the Right to Establish Association (Non-governmental or Trade Union) or Political Party, or Their Activities .....	172
Article 230. Compelling or Obstructing the Acquiring Membership or Terminating Membership in the Political Party .....	173
Article 231. Attracting Large Amounts of Illegal Donations to the Party.....	173
Article 232. Large-scale Circumventing of the Ban on Donating to the Political Party Not Exceeding the Amount Prescribed by Law or the Ban on Donations from Sources Not Authorized by Law.....	174
Article 233. Compelling to Donate for the Benefit of the Political Party .....	174
Article 234. Donating to a Political Party on Behalf of a Legal Entity .....	175
Article 236. Obstructing Holding Assembly or Participation Therein.....	175
Article 237. Obstructing a Journalist’s Lawful Professional Activities.....	176
<b>CHAPTER 29. CRIMES AGAINST THE INTERESTS OF A FAMILY AND A CHILD .....</b>	<b>177</b>
Article 238. Inducing or Making a Minor as an Accomplice of Committing a Crime .....	177
Article 239. Inducing or Engaging a Child in Committing Acts Related to Pornography or Preparation or Dissemination of Materials or Objects of Pornographic Nature.....	177
Article 240. Engaging a Child into Antisocial Activities .....	178
Article 241. Illegally Separating a Child from Parents or Persons Who Have Obligation to Upbring and Care the Child or Substituting a Child .....	178
Article 242. Purchase or Sale of a Child .....	179
Article 243. Impeding a Meeting of the Parent or other Close Relative and the Child .....	180
Article 244. Disclosing the Secret of Adoption .....	180
Article 245. Inducing or Forcing to Consent to Adoption.....	180
Article 246. Misstating Information to Civil Status Acts Registration Bodies.....	181
Article 247. Failing to Fulfil or Improperly Fulfilling the Duty to Upbring and Care the Child .....	181
Article 248. Failing to Fulfil or Improperly Fulfilling One’s Duties to Provide the Child’s Life Safety or Health Protection .....	182
Article 249. Abusing Foster Parent, Guardian or Trustee Rights .....	182
Article 250. Inducing or Forcing to Waive Parental Rights .....	182
Article 251. Avoiding to Pay Alimony (Support for Living).....	183
<b>SECTION 10. CRIMES AGAINST PROPERTY, ECONOMY AND ECONOMIC ACTIVITY.....</b>	<b>184</b>
<b>CHAPTER 30. ILLEGAL TAKING.....</b>	<b>184</b>
Article 252. Banditry .....	184
Article 253. Robbery.....	185
Article 254. Theft.....	185
Article 255. Swindling.....	186
Article 256. Illegal Taking of Entrusted Property.....	187

Article 257. Illegal Taking Committed by Means of Computer.....	187
<b>CHAPTER 31. OTHER CRIMES AGAINST PROPERTY .....</b>	<b>188</b>
Article 258. Extortion .....	188
Article 259. Inflicting Property Damage Through Deception, Abuse of Trust or Other Illegal Mean.....	189
Article 260. Inflicting Property Damage by Threat or Through the Use of Violence.....	190
Article 261. Inflicting Damage to the Pledgee .....	191
Article 262. Making Illegal Connections to Natural Gas, Oil, Water Pipes or Electric Network, or Telecommunication or Electronic Communication Means or Illegally Replacing the Figures of Their Measuring Devices Or Disrupting Their Normal Operation .....	192
Article 263. Illegal Use of Someone's Property .....	192
Article 264. Destruction or Damage of Property .....	193
Article 265. Failing to Perform or Improperly Performing the Property Preservation Or Protection Duties .....	194
Article 266. Appropriation of the Property that Came out of the Person's Disposal .....	194
<b>CHAPTER 32. ECONOMIC CRIMES.....</b>	<b>195</b>
Article 267. Preparing, Keeping, Transferring, Delivering, Acquiring False Currency, Foreign Currency, Securities, Other Payment and Settlement Documents or Payment Instruments with the Aim of their Realization, or Realisation Thereof .....	195
Article 268. Use of Inside Information Not In Good Faith.....	195
Article 269. Abuse of Prices in the Securities Market .....	196
Article 270. Deliberate False Advertising.....	197
Article 271. Withdrawing the Goods Within the Minimum Consumer Basket out of the Market.....	197
Article 272. Receiving a Bribe in Private Sector .....	198
Article 273. Giving a Bribe in Private Sector .....	199
Article 274. Receiving a Bribe by the Athlete, Referee, Team Leader, Coach, other Participant or Organizer of Professional Sport Competition, Participant or Organizer of Commercial Competition, or the Member of the Award Committee of the Republic of Armenia or Another State .....	200
Article 275. Giving a Bribe to the Athlet, Referee, Team Leader, Coach, other Participant or Organizer of Professional Sport Competition, Participant or Organizer of Commercial Competition, or the Member of the Award Committee of the Republic of Armenia or Another State.....	200
Article 276. Receiving or Demanding Illegal Payment for Performing Official or Professional Duties ..	201
Article 277. Abuse of Service Powers or the Influence Conditioned thereof in Private Sector .....	201
Article 278. Illegal Use of Commercial, Insurance, Tax, Customs, Pension, Official or Bank Confidential Information or Credit History or Credit Information Available at the Credit Bureau .....	202
Article 279. Illegally Publicizing Commercial, Insurance, Tax, Customs, Pension, Official or Bank Confidential Information or Credit History or Credit Information Available at the Credit Bureau.....	203
Article 280. Illegal Appropriation of Commercial, Insurance, Tax, Customs, Pension, Official or Bank Confidential Information or Credit History or Credit Information Available at the Credit Bureau.....	203
Article 281. Illegal Entrepreneurial Activity .....	204
Article 282. Creating, Organizing or Management a Financial Pyramid .....	205
Article 283. Abuses in Conducting Public Auctions or Procurement .....	206
Article 284. Anti-competitive activities .....	207
Article 285. Establishing or Using a Quasi Legal Entity, its Separated SubDivision or Institution or Registering as an Individual Entrepreneur for the Same Purpose.....	207
Article 286. Issuing False Documents Without Supplying Goods Or Providing Services, Drawing Up And Submitting False Documents On Expenditures Or Income.....	208
Article 287. Illegal Activity in the Process of Bankruptcy .....	209
Article 288. Deliberate Bankruptcy.....	210



Article 289. Preparing, Keeping, Transporting, Delivering, Acquiring or Using Fake Excise Stamps or Control Signs (Labels) for Purposes of Their Realization or Their Realization.....	210
Article 290. Failure to Pay Taxes, Duties or Other Fees .....	211
Article 291. Smuggling of Cash Means and (or) Payment Instruments.....	212
Article 292. Smuggling of Cultural Values and Strategically Important Raw Goods.....	213
Article 293. Failure to Return the Cultural Values Exported from the Republic of Armenia to the Republic of Armenia within the Prescribed Time Period .....	214
Article 294. Entering False Data Into a Declaration About the Real Owners or Concealing the Data Subject to Declaration.....	214
Article 295. Acquisition or Realization of Property Obtained in a Criminal Way or Assistance in Realization .....	214
Article 296. Money Laundering .....	215
<b>SECTION 11. CRIMES AGAINST PUBLIC ORDER AND MORALITY .....</b>	<b>217</b>
<b>CHAPTER 33. CRIMES AGAINST PUBLIC ORDER AND MORALITY .....</b>	<b>217</b>
Article 297. Hooliganism.....	217
Article 298. Pimping.....	217
Article 299. Facilitating Prostitution.....	218
Article 300. Preparing, Disseminating or Maintaining Pornographic Materials or Objects .....	219
Article 301. Destroying or Damaging Historical or Cultural Monuments or Objects or Documents of Special Value.....	220
Article 302. Negligently Destroying or Damaging the Historical or Cultural Monuments or Objects or Documents of Special Value .....	220
Article 303. Destroying or Damaging Archeological Objects or Committing Other Illegal Acts.....	221
Article 305. Outrageous Treatment of a Dead Body .....	221
Article 306. Outrageous Treatment of a Grave .....	222
Article 307. Cruel Treatment of Animals.....	222
<b>SECTION 12. CRIMES AGAINST PUBLIC SECURITY .....</b>	<b>224</b>
<b>CHAPTER 34. ....</b>	<b>224</b>
<b>CRIMES OF GENERAL NATURE AGAINST PUBLIC SECURITY .....</b>	<b>224</b>
Article 308. Terrorism .....	224
Article 309. Facilitating the Activity of Terrorist .....	224
Article 310. Financing the Activity of Terrorist .....	225
Article 311. Creating or Managing a Terrorist Organization.....	225
Article 312. Participation in a Terrorist Organization.....	226
Article 313. Justifying Terrorism, Preaching For It or Calls to Terrorism, as well as Disseminating Materials or Objects Containing Such Calls.....	226
Article 314. Disseminating False Information about Terrorism .....	227
Article 315. Taking or Keeping Hostages .....	227
Article 316. Capturing, Keeping or Hijacking an Aircraft, Ship or Railway Rolling Stock .....	228
Article 317. Piracy of a Ship or an Aircraft.....	229
Article 318. Creating or Managing a Criminal Organization.....	229
Article 319. Participating in a Criminal Organization.....	230
Article 320. Creating Armed Units Not Prescribed by the Law .....	230
Article 321. Participating in an Armed Unit not Prescribed by the Law .....	231
Article 322. Granting, Receiving or Maintaining a Higher Rank in Informal Hierarchy.....	231
Article 323. Forming or Managing a Criminal Sub-Culture Group.....	231
Article 324. Participation or Engagement in a Criminal Sub-Culture Group .....	232

Article 325. Applying to a Participant of a Criminal Sub-Culture Group or to a Person with the Highest Status of Criminal Hierarchy .....	233
Article 326. Organising or Holding an Assembly in Violation of the Procedure Prescribed by Law.....	233
Article 327. Participating in Mass Disorders.....	233
Article 328. Public Calls to Mass Disorders.....	234
Article 329. Public Speech Instigating or Propagating Hatred, Discrimination, Intolerance or Hostility, as well as Disseminating Materials or Objects for That Purpose .....	234
Article 330. Public Calls for Violence, Publicly Justifying or Advocating Violence, as well as Disseminating Materials or Objects for That Purpose .....	235
<b>CHAPTER 35. CRIMES AGAINST LEGITIMATE CIRCULATION OF WEAPON, FIREARM OR OTHER MATERIALS AND ARTICLES DANGEROUS FOR PUBLIC.....</b>	<b>236</b>
Article 331. Illegal Circulation of Radioactive or Nuclear Substances or Devices, as well as Destroying or Damaging Them .....	236
Article 332. Illegal Taking of Radioactive or Nuclear Substances or Devices or Weapon of Mass Destruction	236
Article 333. Extortion of Radioactive or Nuclear Substances or Devices or Weapon of Mass Destruction .....	237
Article 334. Illegally Carrying Civilian Smoothbore Firearm Gas, Air, Cold or Throwing Weapon	238
Article 335. Illegal Circulation of Firearm, Its Main Constituting Parts, Ammunition and Other Substances, Devices, Objects .....	238
Article 336. Illegally Preparing, Altering or Repairing Firearm, Its Main Constituting Parts, Ammunition, Explosive Substances or Explosive Devices.....	239
Article 337. Failing to Perform or Improperly Performing the Duty of Safekeeping of Firearm, Weapon, Ammunition, Explosive Substances or Explosive Devices.....	239
Article 338. Illegal Taking of Firearm, Its Main Constituting Parts, Ammunition, Explosive Substances or Explosive Devices.....	240
Article 339. Extortion of Firearm, Its Main Constituting Parts, Ammunition, Explosives Substances or Explosive Devices .....	240
Article 340. Smuggling of Strategically Important Raw Materials, Substances With a Strong Influence, Toxic, Toxic Materials .....	241
<b>CHAPTER 36. CRIMES AGAINST TRAFFIC SAFETY AND ESTABLISHED PROCEDURE OF VEHICLE OPERATION .....</b>	<b>242</b>
Article 341. Violating Requirements for Ensuring Traffic Safety or Rules Ensuring Traffic or Operation Safety of Air, Water, Rail, Magnetic (Maglev), Cable Transport or Metro .....	242
Article 342. Violating Requirements for Ensuring Road Traffic Safety or Rules Ensuring Safety of Road Traffic or Operation of Means of Transport.....	242
Article 343. Handing over Means of Transport to a Person in a State Of Intoxication (in a Drunken State), a Person Not Having Attained the Age of Sixteen or Having No Right to Drive that Type of Means of Transport, or a Person Deprived of the Right to Drive Means of Transport or Whose Right Was Suspended, or a Person Deprived From Ability to Safely Drive the Means of Transport.....	243
Article 344. Driving Means of Transport by a Person Deprived of the Right to Drive Means of Transport or a Person Whose Right Was Suspended or a Person Who Has No Such Right .....	244
Article 345. Poor-Quality Repairing of Means of Transport or Transportation Infrastructures or Releasing them to Operation with Technical Defects.....	245
Article 346. Spoiling Means of Transportation, Infrastructures or Communication Channels .....	245
Article 347. Violating Requirements or Rules Ensuring Safe Operation of Transport.....	246
Article 348. Captain's Failure to Help Persons Subjected to Disaster.....	246

Article 349. Violating the Rules of International Flights.....	246
Article 350. Violating the Rules on Use of Republic of Armenia Airspace .....	247
<b>CHAPTER 37. CRIMES AGAINST SPECIAL RULES OR REQUIREMENTS ESTABLISHED FOR SECURE PERFORMANCE OF WORKS AND ACTIVITIES .....</b>	<b>247</b>
Article 351. Violating Safety Rules or Requirements at Atomic Energy Facilities .....	247
Article 352. Violating Safety Rules or Requirements When Operating Sources of Ionizing Radiation ...	248
Article 353. Violating Safety Rules or Requirements When Operating Electron, Proton, Heavy Ion Accelerators .....	249
Article 354. Violating Safety Rules or Requirements When Constructing, Operating or Repairing Highway Pipelines.....	249
Article 355. Violating Rules or Requirements Ensuring Labour Protection or Safety When Carrying Out Construction, Mining or other Works .....	250
Article 356. Violating Safety or Labour Protection Rules or Requirements at Facilities with Explosion Hazard.....	250
Article 357. Violating Fire-Safety Rules or Requirements.....	251
Article 358. Violating Rules on Maintaining, Recording, Transporting, Delivering or Use of Flammable or Incendiary Substances.....	251
<b>CHAPTER 38. CRIMES AGAINST COMPUTER SYSTEM AND COMPUTER DATA SECURITY .....</b>	<b>252</b>
Article 359. Penetrating Into a Computer, Computer System or Computer Network.....	252
Article 360. Modification of Computer Data .....	252
Article 361. Computer Sabotage.....	253
Article 362. Illegal Appropriation or Phishing of Computer Data .....	254
Article 363. Illegal Circulation of Special Software or Hardware.....	255
Article 364. Computer Fraud.....	256
Article 365. Violating Rules or Requirements for Operation of a Computer, a Computer System or a Computer Network.....	257
<b>CHAPTER 39. CRIMES AGAINST ENVIRONMENTAL SAFETY.....</b>	<b>258</b>
Article 366. Violating Requirements of Environmental Protection Legislation when Performing Works .....	258
Article 367. Negligently Causing Harm by Violating the Requirements of Environmental Protection Legislation when Performing Works .....	258
Article 368. Illegal Circulation of Dangerous Chemical or Biological Substances or Waste.....	259
Article 369. Violating Safety Rules for Handling With Hazardous Chemical or Biological Substances or Waste .....	260
Article 370. Negligently Causing Damage in Violation of Safety Rules for Handling With Hazardous Chemical or Biological Material or Waste .....	260
Article 371. Violating Veterinary Rules or Rules for Struggling Against Plant Diseases or Pests .....	261
Article 372. Negligently Causing a Damage by Violating Veterinary Rules or Rules for Struggling against Plant Diseases or Pests .....	261
Article 373. Polluting Atmospheric Air .....	261
Article 374. Negligently Causing Damage by Polluting Atmospheric Air .....	262
Article 375. Polluting Waters.....	262
Article 376. Negligently Causing Damage by Pollution of Waters.....	262
Article 377. Pollution of Marine Environment.....	263
Article 378. Negligently Causing Damage by Pollution of Marine Environment.....	263
Article 379. Violating Rules for Protection of Fish Stocks .....	264

Article 380. Negligently Causing Damage by Violating Rule for Protection of Fish Stocks.....	264
Article 381. Spoiling the Soil.....	265
Article 382. Negligently Causing Damage by Spoilaing the Soil .....	265
Article 383. Violating Requirements for Protection or Usage of the Subsoil.....	265
Article 384. Negligently Causing Damage by Violating Requirements for Protection or Usage of the Subsoil .....	266
Article 385. Illegal Fishing or Illegal Extracting of Aquatic Flora or Fauna.....	266
Article 386. Illegal Hunting.....	267
Article 387. Illegally Cutting Trees, Bushes or Plant Cover or Moving Illegally Acquired Stumps, Trees or Bushes.....	268
Article 388. Destructing or Damaging Trees, Bushes or the Plant Cover by Negligence .....	269
Article 389. Extermination of Population of Species Registered in the Red Book of Animals or Red Book of Plants of the Republic of Armenia .....	269
Article 390. Negligent Extermination of Population of Species Registered in the Red Book of Animals or Red Book of Plants of the Republic of Armenia .....	270
Article 391. Violating the Regime of Specially Protected Natural Areas .....	270
Article 392. Causing Damage by Negligence by Violating the Regime of Specially Protected Natural Areas .....	271
<b>SECTION 13. CRIMES AGAINST HEALTH OF THE POPULATION.....</b>	<b>272</b>
<b>CHAPTER 40. CRIMES AGAINST LAWFUL CIRCULATION OF NARCOTIC DRUGS, PSYCHOTROPIC (PSYCHOACTIVE) SUBSTANCES, THEIR MIXTURES, PRECURSORS, STRONG OR TOXIC SUBSTANCES.....</b>	<b>272</b>
Article 393. Illegal Circulation of Narcotic Drugs, Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogue) for the Purpose of Their Realization or Illegal Realization Thereof.....	272
Article 394. Illegal Circulation of Precursors for Purposes of Realization of Narcotic Drugs, Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogue) or Illegal Realization Thereof .....	273
Article 395. Violating Rules of Lawful Circulation of Narcotic Drugs, Psychotropic (Psychoactive) Substances, their Mixtures, or Their Equivalents (Analogue), as well as Materials, Equipment or Tools Under Special Control Used to Prepare Them .....	274
Article 396. Illegal Circulation of Narcotic Drugs, Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogue) or Precursors Without a Purpose of Their Realization.....	275
Article 397. Illegal Taking of Narcotic Drugs, Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogue) or Precursors .....	276
Article 398. Extortion of Narcotic Drugs, Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogue) or Precursors .....	276
Article 399. Smuggling of Narcotic Drugs, Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogue) or Precursors .....	276
Article 400. Preparing, Using or Realizing False Document Entitling to Receive Narcotic Drugs, Psychotropic (Psychoactive) Substances, their Mixtures or their Precursors .....	277
Article 401. Illegally Providing Prescriptions or other Documents Entitling to Receive Narcotic Drugs or Psychotropic (Psychoactive) Substances .....	278
Article 402. Inducing to or Engaging in Usage of Narcotic Drugs, Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogue) .....	278
Article 403. Contributing to the Usage of Narcotic Drugs, Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogue).....	279

Article 404. Sowing or Growing Herbs Prohibited for Processing, Containing Narcotic Drugs, Psychotropic (Psychoactive), Strong or Toxic Substances.....	279
Article 405. Illegal Circulation of Strong or Toxic Substances for the Purpose of Their Realization or Illegal Realization Thereof .....	280
Article 406. Violating Rules for Lawful Circulation of Narcotic Drug, Psychotropic (Psychoactive) Substance, Strong or Toxic Substances not Considered as their Mixture, as well as Substances, Equipments or Tools Under Special Control Used to Prepare Them .....	281
<b>CHAPTER 41. OTHER CRIMES AGAINST HEALTH OF THE POPULATION .....</b>	<b>281</b>
Article 407. Illegally Providing Medical Assistance and Service.....	282
Article 408. Illegal Circulation of Medicines, Pharmaceutical Substances, Medicinal Plant Raw Materials, Excipients, Medical Products or Studied Pharmaceutical Products .....	282
Article 409. Circulation of Counterfeit Alcoholic Drinks, Baby Food, Biologically Active Supplements, Medicines, Pharmaceutical Substances, Medicinal Plant Raw Materials, Excipients, Medical Products or Studied Pharmaceutical Products for the Purpose of Their Realization or Illegal Realization Thereof...283	
Article 410. Preparing or Using Documents With a False Verification of Counterfeit Alcoholic Drinks, Baby Food, Biologically Active Supplements, Medicines, Pharmaceutical Substances, Medicinal Plant Raw Materials, Excipients, Medical Products or Studied Pharmaceutical Products .....	284
Article 411. Illegal Circulation of Authentic Documents Verifying Identity of Medicines, Pharmaceutical Substances, Medicinal Plant Raw Materials, Excipients, Medical Products or Studied Pharmaceutical Products .....	284
Article 412. Circulation of Raw Materials or Goods, Performance of Works or Provision of Services Not Meeting Safety Requirements.....	285
Article 413. Violating Sanitation Rules or Hygienic Standards.....	285
Article 414. Violating rules of isolation or self-isolation or other restrictions on the right of free movement during a state of emergency declared on the basis of emergency situation .....	286
Article 415. Violating Rules of Isolation (Self-isolation) or Other Individual Protective Measures During Quarantine .....	286
Article 416. Concealing Information about Circumstances Dangerous for Human Life or Health.....	287
Article 417. Falsifying or concealing results of clinical experiments of drugs .....	287
<b>SECTION 14. CRIMES AGAINST STATE POWER.....</b>	<b>289</b>
<b>CHAPTER 42. CRIMES AGAINST FUNDAMENTALS OF CONSTITUTIONAL ORDER AND THE STATE SECURITY .....</b>	<b>289</b>
Article 418. High Treason.....	289
Article 419. Usurpation of Power.....	289
Article 420. Overthrow of the Constitutional Order.....	289
Article 421. Actions Targeted at Violation of Territorial Integrity.....	290
Article 422. Public Calls to Seizure of Power, Breach of Territorial Integrity or Violent Overthrow of the Constitutional Order.....	290
Article 423. Compelling the President of the Republic, Member of National Assembly, Member of the Government, the Judge of the Constitutional Court.....	290
Article 424. Espionage .....	291
Article 425. Sabotage .....	291
Article 426. Publicizing Information Containing a State Secret by a Person Having Illegally Obtained It .....	291
Article 427. Publicizing Information Containing a State Secret.....	292
Article 428. Negligently Publicizing Information Containing a State Secret.....	292

Article 429. Destroying or Damaging Documents, Articles or Computer Data Containing a State Secret .....	292
Article 430. Violating Rules for Handling With Documents, Articles or Computer Data Containing a State Secret.....	293
Article 431. Violating Existing Measures or Temporary Restrictions During the Legal Regime of Martial Law.....	293
Article 432. Hindering the Activities of the Bodies and Forces Ensuring the Legal Regime of Martial Law .....	294
Article 433. Continuing Economic Activities Suspended as a Result of Violation of the Rules of Legal Regime of Martial Law .....	294
Article 434. Violating Rules of Publication or Dissemination of Information During Martial Law.....	294
<b>CHAPTER 43. CRIMES AGAINST THE INTERESTS OF PUBLIC SERVICE.....</b>	<b>294</b>
Article 435. Receiving a Bribe .....	295
Article 436. Giving a Bribe .....	295
Article 437. Solicitation of Bribery.....	296
Article 438. Using One’s Real or Supposed Influence Over an Official .....	296
Article 439. Giving Illegal Remuneration for the Use of One’s Influence over an Official .....	297
Article 440. Under The Pretext Of Receiving a Bribe, Solicitation of Bribery or Using One’s Real or Supposed Influence Out of Mercenary or Personal Motives or Group Interests, Receiving Property, Including Financial Means, Security, Other Payment Instrument, Property Right, Service or Any Other Advantage .....	298
Article 441. Abuse of Official or Service Powers, or the Influence Conditioned Thereof by an Official or Exceeding Powers .....	299
Article 442. Illegally Engaging in Entrepreneurial Activity by an Official.....	300
Article 443. Illicit Enrichment .....	300
Article 444. Provision of False Data in a Declaration or Concealing Data Subject To Declaration or Failure to File a Declaration by a Person Responsible to File a Declaration as Established by the Legislation of the Republic of Armenia.....	301
Article 445. Official Forgery.....	301
Article 446. Official Negligence .....	302
Article 447. Failure to Undertake Measures Prescribed by Law For Suspension of Unauthorised Seizure of Lands Falling Under the Ownership of The State or a Community, As Well As Unauthorised Construction of Buildings And Premises or for Imposing Administrative Liability On a Person .....	302
Article 448. Failure to stop unauthorised seizure of land falling under the ownership of the State or a community and to eliminate the consequences thereof, as well as failure to stop construction of unauthorised buildings, premises and demolition of illegal constructions .....	303
Article 449. Concealing Information Impeding the Acquisition or Retention of a Status of an Official..	303
Article 450. Torture .....	303
Article 451. Forced Disappearance.....	304
<b>CHAPTER 44. CRIMES AGAINST THE ORDER OF GOVERNANCE.....</b>	<b>305</b>
Article 452. Interfering with the Lawful Service or Political Activity of an Official .....	305
Article 453. Unwarranted Appropriation of the Title or Powers of an Official.....	306
Article 454. Hindering the Activities in a Penitentiary Institution, or the Arrest or Detention Facilities .....	306
Article 455. Damaging the Communication Lines.....	306
Article 456. Illegal Taking, Extortion, Destruction, Damaging or Concealing Documents, Seals, Stamps or Plates of Means of Transport .....	307

Article 457. Forging Documents, Stamps, Seals, Forms or Realizing, Preparing or Use of Forged Documents, Stamps, Seals, Forms.....	307
Article 458. Forging or Deleting Identification Elements of Means of Transport or Firearm .....	308
Article 459. Illegally Acquiring or Realizing Documents or State Awards or Honorary Titles.....	308
Article 460. Arrogation.....	308
Article 461. Evading from Compulsory Military or Alternative Service or Mobilization Conscription ..	309
Article 462. Evading from Military Training .....	309
Article 463. Evading from Service by an Alternative Labour Serviceman .....	310
Article 464. Wilful Abandonment of the Place of Service, as well as Failure to Appear for Service on Time by an Alternative Labour Serviceman .....	310
Article 465. Evading from Alternative Labour Service or Terminating Its Certain Duties by Damaging One's Health (Maiming Oneself), Simulation of Disease, or Other Illegal Manner by an Alternative Labour Serviceman .....	311
Article 466. Refusing to Perform Service Duties by an Alternative Labour Serviceman.....	311
Article 467. Evasion of Appearing to Military Commissariat after Serving the Punishment Related to Deprivation of Liberty .....	312
Article 468. Illegally Entering a Military Unit or Other Specially Protected Military Area .....	312
Article 469. Illegally Crossing the State Border .....	313
Article 470. Organizing Illegal Migration .....	314
Article 471. Taking, Removing or Destructing State Border Markers.....	314
Article 472. Contempt of State Symbols.....	315
<b>CHAPTER 45. CRIMES AGAINST THE INTERESTS OF JUSTICE .....</b>	<b>315</b>
Article 473. Failing to Report Crime .....	315
Article 474. Supporting the Person Who Has Committed a Criminal Offence.....	316
Article 475. Illegally Releasing Arrested or Detained Person or a Person Serving a Sentence in a Penitentiary Institution .....	317
Article 476. False Denunciaton .....	317
Article 477. Provocation of Bribery or Bribery in a Private Sector.....	318
Article 478. Illegal Detention or Arrest .....	318
Article 479. Forging, Changing, Destructing or Concealing Evidence, Explanations or Procedural Documents or Data or Objects Obtained as a Result of Operative-Intelligence Measure .....	319
Article 480. Subjecting an Obviously Innocent Person to Criminal Liability .....	319
Article 481. Unlawful Release From Criminal Liability .....	320
Article 482. Delivering an Obviously Unjust Judgment or Other Judicial Act .....	320
Article 483. Publicizing Data of Criminal Proceeding.....	321
Article 484. Publicizing Data of Examination.....	321
Article 485. Disclosing Information About the Measure of Defence Applied .....	321
Article 486. Intervention to Administration of Justice or Investigation of Case.....	322
Article 487. Breach of Secrecy of Questions Concerning Qualification Examination or Proficiency Examinations of Judges.....	323
Article 488. Breach of Secrecy of Questions Concerning Qualification Examination or Proficiency Examinations of Judges.....	323
Article 489. Contempt of court.....	324
Article 490. Threat Against a Judge, Prosecutor, Investigator, Head of Investigation Body, Inquiry Body, Lawyer, Representative, Expert or Compulsory Enforcement Officer or Publicizing Information about Them or Destructing or Damaging Their Property or Violence Against Them.....	324
Article 491. Impeding the Exercise of the Lawyer's Powers .....	326
Article 492. Impeding the Exercise of the Human Rights Defender's Powers.....	326

Article 493. Threat against the Human Rights Defender or Publicizing Information About Him/Her Or Destructing or Damaging His/Her Property or Violence Against Him/Her .....	327
Article 494. Insulting or Showing Undisguised Disrespect to The Human Rights Defender .....	328
Article 495. Impeding the Exercise of the Powers of Participants in Proceedings .....	328
Article 496. Giving a Bribe to Participants in Proceedings in Connection with their Powers.....	329
Article 497. Receiving a Bribe by Participants in Proceedings in Connection with their Powers.....	329
Article 498. Interfering in the Activities of a Notary .....	330
Article 499. Misstating Information to a Notary.....	330
Article 500. False oath to a notary.....	330
Article 501. Threat to Kill, Cause Harm to the Health of or Destroy or Damage the Property of a Whistleblower or of Persons Affiliated Thereto.....	331
Article 502. Illegally Publicizing Data of a Whistleblower .....	331
Article 503. Refusing to Give Testimony, Conclusion or Opinion or to Perform Interpretation.....	332
Article 504. Giving False Testimony or Conclusion, or Opinion or Performing Incorrect Interpretation .....	332
Article 505. Providing False Declaration During Examination .....	333
Article 506. Escape or Evasion from Serving the Punishment Related to Deprivation of Liberty by Apprehended, Arrested, Detained Person or Person Serving a Sentence in a Penitentiary Institution...	334
Article 507. Failing to Perform the Judicial Act or Hindering its Performance.....	334
Article 508. Avoiding to Perform the Immediate Interference Decision or the Defence Decision.....	335
Article 509. Illegal Treatment of Property under Arrest .....	335
Article 510. Avoiding by the Debtor to Submit a Declaration on His/Her Own Property, Composition, Number and Place of Property Rights, or Concealing Data in a Declaration or Providing False Data in It .....	336
Article 511. Failing to Perform Obligations Undertaken by the Guarantor.....	336
Article 512. Preparing, Acquiring, Maintaining, Realizing Articles Dangerous for Life or Health by a Person Kept in an Arrest or Detention Facility or in a Penitentiary Institution, or Transferring Such Articles .....	337
Article 513. Illegally Entering an Arrest or Detention Facility or a Penitentiary Institution .....	337
Article 514. Organizing Gambling or Participating in it by a Person Kept in an Arrest or Detention Facility or in a Penitentiary Institution .....	337
Article 515. Illegal Use of Narcotic Drugs or Psychotropic (Psychoactive) Substances or Their Mixtures or Their Equivalents (Analogue) by a Person Kept in an Arrest or Detention Facility or in a Penitentiary Institution .....	338
<b>SECTION 15. ....</b>	<b>339</b>
<b>CRIMES AGAINST THE ESTABLISHED ORDER OF MILITARY SERVICE.....</b>	<b>339</b>
<b>CHAPTER 46. CRIMES AGAINST MILITARY SUBORDINATION ORDER AND STATUTORY MILITARY RELATIONSHIPS .....</b>	<b>339</b>
Article 516. Failing to Carry out a Command.....	339
Article 517. Failing to Carry out a Command Due to Negligence or Bad Faith .....	340
Article 518. Resistance to Commander (Superior) or Hindering Performance of His Duties.....	341
Article 519. Violence or Threat of Violence Against the Commander (Superior).....	341
Article 520. Violence or a Threat of Violence Against the Subordinate (Inferior) .....	343
Article 521. Violating Rules on Relationships of Servicemen Established by Code of Conduct In the Absence of Subordination (Inferiority) Relationships Between Them .....	343
Article 522. Causing to Commit a Suicide by Negligence.....	344
Article 523. Causing to Commit a Suicide.....	345



Article 524. Insulting Serviceman .....	345
<b>CHAPTER 47. CRIMES AGAINST THE ORDER OF UNDERGOING MILITARY SERVICE ...</b>	<b>346</b>
Article 525. Wilful Abandonment of the Military Unit or the Place of Service, or Failure to Appear for Service on Time .....	346
Article 526. Desertion.....	347
Article 527. Evading from Military Service or Terminating Its Certain Duties by Inflicting an Injury to One's Health (Maiming Oneself), Simulation of Disease, or Other Illegal Manner.....	348
Article 528. Inflicting an Injury to One's Health (Maiming Oneself) Which Caused Or May Cause Temporary Termination of Military Service or Its Separate Duties .....	348
Article 529. Refusing To Perform Military Service or Certain Military Duties by a Serviceman.....	348
shall be punished by imprisonment for a term of five to ten years. ....	349
Article 530. Organizing or Participating in Gambling by a Serviceman .....	349
Article 531. Illegal Use of Narcotic Drugs or Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogues) by a Serviceman or Appearing Before Military Service While Used Them .....	350
<b>CHAPTER 48. ....</b>	<b>350</b>
<b>CRIMES AGAINST ORDER OF USE, MAINTENANCE, OPERATION OF OR HANDLING WITH WEAPON, AMMUNITION, MILITARY EQUIPMENT OR OTHER MILITARY PROPERTY, SUBSTANCES, EQUIPMENTS OR OBJECTS POSING INCREASED DANGER FOR THE SURROUNDING .....</b>	<b>350</b>
Article 532. Violating Rules for Handling with Weapon, Ammunition, Military Equipment or Other Military Property, Substances, Equipments or Objects Posing Increased Danger For the Surrounding..	350
Article 533. Handing over Weapon, Ammunition, Military Equipment or Other Military Property, Substances, Equipments or Objects Posing Increased Danger For the Surrounding to Another Person..	351
Article 534. Destructing or Damaging Weapon, Ammunition, Military Equipment or Other Military Property, Substances, Equipments or Objects Posing Increased Danger for the Surrounding .....	352
Article 535. Negligently Destructing or Damaging Weapon, Ammunition, Military Equipment or Other Military Property, Substances, Equipments or Objects Posing Increased Danger for the Surrounding...	352
Article 536. Illegal Taking of Entrusted Military Property .....	353
Article 537. Loss of Service Military Property .....	353
Article 538. Violating Rules for Driving or Operating Vehicles .....	354
Article 539. Violating Rules for Flights or their Preparation .....	354
<b>CHAPTER 49. CRIMES AGAINST THE PROCEDURE OF CARRYING OUT SPECIAL SERVICES AND PERFORMANCE OF COMBAT DUTY IN SPECIAL CIRCUMSTANCES.....</b>	<b>355</b>
Article 540. Violating Combat Duty or Combat Service Rules.....	355
Article 541. Violating Border-Guarding Rules.....	356
Article 542. Violating Guard or Garrison Service Code Rules.....	357
Article 543. Violating Internal Service Code Rules .....	357
Article 544. Violating Service Rules When Protecting Public Order or Ensuring Public Security.....	358
Article 545. Handing Over or Leaving Means of Warfare to the Adversary.....	358
Article 546. Wilful Abandonment of Battle Field or Refusal to Use Weapon .....	359
Article 547. Voluntary Surrendering as a Prisoner .....	359
Article 548. Criminal Actions of a Prisoner of War (POW).....	359
<b>CHAPTER 50. ....</b>	<b>360</b>
<b>OFFICIAL MILITARY CRIMES .....</b>	<b>360</b>
Article 549. Excess of Power or Abuse of Power .....	360
Article 550. Military Official Negligence .....	360

**SECTION 16. FINAL AND TRANSITIONAL PROVISIONS ..... 362**  
**CHAPTER 51. FINAL PROVISION ..... 362**  
**Article 551. Entry Into Force of the Code.....362**  
**Article 552. Enforcing the Code.....362**

# CRIMINAL CODE OF THE REPUBLIC OF ARMENIA

## GENERAL PART

### SECTION 1.

#### CRIMINAL LEGISLATION OF THE REPUBLIC OF ARMENIA

##### CHAPTER 1.

##### GENERAL PROVISIONS

#### **Article 1. Criminal Legislation of the Republic of Armenia**

1. Criminal legislation of the Republic of Armenia consists of this Code, International treaties of the Republic of Armenia and those legal acts of the Republic of Armenia which include provisions of criminal-legal norms or have significance for the application of the criminal law.
2. Norms envisaging corpus delicti or punishment or criminal-law enforcement measure may be applied only after being included in this Code.

#### **Article 2. Tasks of the Criminal Legislation of the Republic of Armenia**

1. Tasks of the Criminal Legislation of the Republic of Armenia include: protection of interests provided for by law from criminal encroachments; prevention of crimes; fairness of the liability of the legal entity subject to criminal liability and the person who has committed a criminal offence, ensuring the reintegration of the person who has committed a criminal offence in the society and his/her re-socialization.

#### **Article 3. Basic Concepts Used in this Code**

The concepts below used in this Code have the following meaning:

- 1) **Person in a helpless situation** — a person who due to his(her) physical or mental condition is not capable to show resistance, or control his (her) actions or realise the nature of actions performed towards him (her), as well as the person under twelve years;

- 2) **A person who has committed a criminal offence for the first time** — a person, who previously has not committed a criminal offence, or has committed it but has been released from criminal liability, or a person whose conviction has expired or cancelled as prescribed by this Code;
- 3) **Victim of crime** — a person, organization, society or a State, whose rights, freedoms or lawful interests were impaired by the crime or could have been impaired, if the crime was completed, regardless of whether that person has obtained the status of a victim within the procedural meaning or not;
- 4) **Vulnerability of situation**—a situation in which a person has no alternative acceptable for himself/herself but to be subjected to the abuse committed against him/her;
- 5) **Punishment related to deprivation of liberty** — restriction of liberty, short-term imprisonment, confinement in a disciplinary battalion, imprisonment, life imprisonment;
- 6) **Monthly income** — the 35 percent of average monthly income received by the person during the twelve months preceding the date of committal of the criminal offence. The monthly income includes the salary received and other payments equated to it, income received by a person from the activities of other persons through investing (providing) his/her assets (dividend, interest, royalty, rent). While calculating the monthly income, taxes, duties or other payments paid for them shall not be taken into account;
- 7) **Minimum salary** — the amount of the minimum monthly salary set by the Republic of Armenia Law on Minimum Monthly Salary;
- 8) **Residence** — premises, construction or a part thereof, which is intended or used for the residence, accordingly their adjacent veranda, gallery, balcony, cellar or attic or other premises or construction, from where there is an immediate unrestricted access to the premises, construction or a part thereof used for the residential purposes, as well as a hotel room, ship cabin, hospital room, isolated train cabin, river or sea vessel or other means of transport, if they are permanently or temporarily used for residence;
- 9) **Violence** – exertion of intentional physical harm towards another person against his/her will or ignoring it, or infliction of physical harm to the person in that manner;
- 10) **Use of official or service powers or influence conditioned thereof** — exercising regulatory powers or official powers or authority deriving from an official position in respect of persons not under official subordination;

- 11) **Deception** — intentional distortion of the reality through twisting concrete facts, or reporting false information that does not exist in reality, keeping silence about real intent, or failing to report information, which the person had an obligation to report;
- 12) **Abuse of trust** —misleading a person intentionally in connection with the future conduct (behaviour) of the criminal or other person or facts or circumstances expected in future through a specific behaviour, promises or the use of interpersonal relationship with the victim of crime;
- 13) **Blackmail**— a threat to reveal (publish) disgraceful information about the person, or the person's close relative or someone under the person's upbringing, care or control or a threat to reveal (publish) information otherwise damaging the rights or lawful interests of or is unpleasant for the above-mentioned persons, or a threat to deprive them of or limit their rights and freedoms or cause damage to their lawful interests;
- 14) **Mercenary motive**—a drive to receive a material benefit or avoid material expenses or liabilities for himself/herself or other person;
- 15) **Other grave consequences or other essential damage** – circumstances of danger equal or equivalent to consequences enumerated in the relevant Article of Special Part of this Code, in the corresponding Article;
- 16) **Illegal taking** — taking someone's property illegally, without compensation or making it the possession of the criminal or another person. Illegal taking shall be considered as completed, if the criminal has had an opportunity to possess or use that property;
- 17) **Amount of illegal taking, property damage inflicted or illegally obtained or received property or gains** – in this Code, by small amount of illegally taken property, inflicted property damage, criminally obtained or received property and gains the amount (value) not exceeding 500.000 Armenian drams shall be meant, by large amount the amount (value) not exceeding 5 million Armenian drams shall be meant, and by particularly large amount-the amount (value) exceeding 5 million drams shall be meant;
- 18) **Close relative**, irrespective of the fact of sharing the residence – spouse, ex-spouse, the parent, including the step parent, the adopting parent, the custodian parent, the child (including adopted, step, godchild), brother, sister (including stepbrother and stepsister) grandfather, grandmother, grandchild, the spouse or ex-spouse of the adopting parent or custodian parent, the parents of the spouse or ex-spouse, as well as the daughter or son in

laws for the spouse's or ex-spouse's parent. The spouse or ex-spouse is also considered to be a person who is or is in a de facto marital relationship;

19) **Close person** – any person, whose life, health, interests or well-being are important for the person, due to the personal relationships with the latter;

20) **An official** —

a) A public servant, person holding public position, or a person who is authorised to act on behalf of the non-profit organization or institution established by the state, public administration system or local self-government body, state or community, or is entitled to or has responsibility or liability to perform activities on behalf of them;

b) A person who holds a permanent, temporary or specially authorised position or performs a service in legislative, executive or judicial branch, in the sphere of public power of another state or has an authorisation or is entitled to or has a responsibility or liability to act on behalf of that institution;

c) A person who holds a permanent, temporary or specially authorised position or performs a service in an international or supranational public organisation or institution, or is authorised to act or has responsibility or liability to act, on behalf of that institution;

d) A representative of a representation body of an international or supranational international organization or an institution which performs a similar function;

e) A person who holds a permanent, temporary or specially authorised position or performs a service in an international court or is authorised to act on behalf of the court or has responsibility or liability in respect of the tribunal;

f) A jury member of another state or of an international court;

21) **Employee of a commercial or other organization** — a person who is authorized to act on behalf of commercial organization or on behalf of a non-commercial organization or institution that is not considered to be state or community lead, or performs ordering, administrative or supervisory functions on their behalf based on a permanent, temporary or special authority;

22) **Prostitution** — the periodical or intentional sexual acts committed by a person in return for a remuneration, other compensation or their promise;

- 23) **Child prostitution** — the use of a child for acts of sexual nature in return for remuneration, other compensation or their promise, regardless of the fact that the remuneration, other compensation or promise is given to the child or a third party;
- 24) **Continuous crime** — continuous implementation of the same criminal offence constantly;
- 25) **Continuing crime** — committing a criminal offence with one united intention, with the same actions against the same object;
- 26) **Periodically** — performing the same act two or more times;
- 27) **Document** — material or electronic carrier containing information of legal significance.

## CHAPTER 2.

### PRINCIPLES OF CRIMINAL LEGISLATION

#### **Article 4. Principle of Legality**

1. No one shall be subjected to criminal liability for an act, which at the time of its commitment was not considered a criminal offence.
2. Application of the Special part legal norms of criminal law by analogy shall be prohibited.
3. The norms of the General part of the criminal law can be applied by analogy, if it does not worsen the condition of the person.

#### **Article 5. Principle of Personal Liability**

1. Each natural person shall be subject to criminal liability only for the criminal offence committed by himself/herself.

#### **Article 6. Principle of Fault Based Liability**

1. Natural person, who has committed the act defined in this Code without fault or negligently, shall not be subject to criminal liability in the case, when the law provides for criminal liability only for an intentional committal of that act.

#### **Article 7. Principle of Individualisation of Justice and Liability**

1. Subjecting the person who has committed a criminal offence to criminal liability, punishment or other criminal-law enforcement measures or release of the person from criminal liability or punishment, must be fair - ensuring proportionality of both the legislation applied and the state counteraction to the committed criminal offence, the circumstances in which it was committed and the personality of the criminal.
2. Repeatedly subjecting a person to criminal liability for the committal of the same criminal offence is prohibited, except in cases of being subject to criminal liability by another state for committing criminal offences prescribed under Articles 133-154, 155, 308, 450 or 451 of this Code, when the person has been unreasonably released from criminal liability, or has been unfairly convicted to a milder punishment or has been unreasonably fully or partially released from serving the sentence.

### **CHAPTER 3.**

#### **THE CRIMINAL LAW**

##### **Article 8. Operation of Criminal law in Time**

1. Criminality, punishability and other criminal-legal consequences of the act shall be determined by the criminal law in force at the time of commission thereof.
2. Time of committing the criminal offence provided for in this Code shall be deemed to be the time of committing an action or inaction, irrespective of the moment the consequences ensue.
3. In case of a continuous crime a person shall be subject to criminal liability in accordance with the criminal law in force at the moment of being caught, pleading guilty or when otherwise the act is completed by force of other circumstances.
4. In case of continuing crime a person shall be subject to criminal liability under the criminal law in force at the moment of the last act included in his / her joint intent.
5. In case of committing a criminal offence in complicity with others, each of the accomplices shall be subject to criminal liability in accordance with the criminal law in force at the moment of the committal of the act conferred to him (her).



6. If the criminal law has been amended in the course of the committal of the act provided for in criminal law, the law in force at the moment of completing, terminating or averting the act shall be applied.

#### **Article 9. Retroactive Effect of Criminal Legislation**

1. The legislation defining criminality of an act, aggravating the punishment or otherwise deteriorating the condition of a person having committed a criminal offence or an act prescribed for by the criminal legislation shall not have a retroactive effect.

2. The legislation fully or partially removing criminality of an act or mitigating punishment shall have a retroactive effect. In this case it applies to those persons having committed a criminal offence or an act provided for by criminal legislation before it had entered into force, in regard to whom there is no final judicial act entered into legal force.

3. After the entry into legal force of the final judicial act the legislation fully or partially removing the criminality of an act shall have retroactive effect. After the entry into legal force of the final judicial act the legislation mitigating punishment shall have retroactive effect, if the punishment imposed is more severe than the maximum term of the punishment provided for by the legislation that has entered into force. In such cases, it shall apply to those persons having committed a criminal offence or an act prescribed for by criminal legislation before its entry into force, who have served or serve a punishment, but have a conviction.

4. The legislation otherwise improving the status of a person having committed a criminal offence or other act prescribed for by criminal legislation shall have a retroactive effect if it is provided for by law.

5. An interim criminal legislation that has entered into force after the committal of a criminal offence or an act prescribed for by the criminal legislation, but has been repealed before the final judicial act has been adopted by the competent body, shall be retroactively applied in accordance with the criteria provided for in this Article.

6. The law partially mitigating and, at the same time, partially aggravating the punishment, shall have a retroactive effect in accordance with the criteria provided for in this Article only in respect to the part that mitigates the punishment.

**Article 10. Operation of the Criminal Law in Case When the Crime is Committed within the Territory of the Republic of Armenia**

1. The issue of criminal liability of the person who has committed an act provided for by the criminal law within the territory of the Republic of Armenia shall be settled according to the Criminal code of the Republic of Armenia.
2. The act provided for by criminal law shall be considered to be committed within the territory of the Republic of Armenia, if any of components thereof has been committed within the territory of the Republic of Armenia. An act provided for by criminal law shall also be considered to be committed within the territory of the Republic of Armenia when a person, while being in the territory of the Republic of Armenia participated in the complicity of committing criminal offence outside of the territory of the Republic of Armenia.
3. The issue of criminal liability of a person enjoying the immunities set out for foreign diplomatic, consular or international organizations, for committing an act provided for by the criminal law within the territory of the Republic of Armenia, shall be settled in accordance to the international treaties of the Republic of Armenia.
4. If the person has committed the act provided for by the criminal law within such part of the territory of the Republic of Armenia, where the immunities set out for foreign diplomatic, consular or international organization are in effect, the issue of his/her criminal liability shall be settled in accordance with the Criminal Code of the Republic of Armenia, except for cases established by the international treaties of the Republic of Armenia.

**Article 11. Operation of Criminal Law with Regard to the Act Committed on the Ships or Flying Aircraft of the Republic of Armenia under the Criminal Law**

1. The issue of criminal liability of a person for the committal of an act provided for by the criminal law on a civil ship or flying civil aircraft or other flying device bearing the flag or carrying distinguishing emblem of the Republic of Armenia, regardless of its location, shall be settled in accordance with the Republic of Armenia Criminal Code, unless it is otherwise provided for by the international treaties of the Republic of Armenia.

2. The issue of criminal liability of a person for the committal of an act provided for by the criminal law on a military or government ship or state aircraft or other flying device (military, police, customs), regardless of its location, shall be settled in accordance with the Criminal Code of the Republic of Armenia.

**Article 12. Operation of Criminal Law with Regard to Acts Prescribed under Criminal Law Committed Outside the Territory of the Republic of Armenia**

1. The issue of criminal liability of citizens of the Republic of Armenia, including persons with dual citizenship, as well as stateless persons permanently residing in the Republic of Armenia, persons residing in the Republic of Armenia with a refugee status, asylum seekers or persons who have received an asylum, for committing an act provided for by criminal law outside of the territory of the Republic of Armenia shall be settled in accordance with the Criminal Code of the Republic of Armenia, if the act committed by them is considered to be a criminal offence by the legislation of the state where the act was committed, and if they have not been held criminally liable for that act. If the act provided for by the criminal law has been committed by the above-mentioned persons in a territory not belonging to any state, then the persons who have committed that act shall be subject to criminal liability in line with the Criminal Code of the Republic of Armenia, if imprisonment has been envisaged as a punishment for the committed act. Person having a refugee status, seeking asylum or having received asylum in the Republic of Armenia that have committed an act prescribed under the Criminal Code committed beyond the territory of the Republic of Armenia is not subject to criminal liability, if the conditions set by the international treaties of the Republic of Armenia are present.

2. In cases stipulated by the international treaties of the Republic of Armenia, the issue of criminal liability of the citizens of the Republic of Armenia, including persons with dual citizenship, as well as stateless persons permanently residing in the Republic of Armenia, persons residing in the Republic of Armenia with a refugee status, asylum seekers or persons who have received an asylum,, for committing an act provided for in criminal law outside the territory of the Republic of Armenia shall be settled in accordance with the Criminal Code of the Republic of Armenia, regardless whether the act is considered a criminal offence in the state on the territory of which it was committed or not.

3. The issue of criminal liability for an act provided for by criminal law that is committed outside the territory of the Republic of Armenia by foreign citizens that are in the territory of the Republic of Armenia, and persons permanently not residing in the Republic of Armenia and not having citizenship, shall be settled in accordance with the Criminal Code of the Republic of Armenia, if the act committed by them is considered to be a criminal offence according to international treaties of the Republic of Armenia and if they have not been held criminally liable for that act regardless whether the criminal offence is considered to be a criminal offence in the state on the territory of which it was committed or not.

4. The issue of criminal liability of a person who has committed an act provided for by criminal law outside the territory of the Republic of Armenia, shall be settled in accordance with the Criminal Code of the Republic of Armenia, if the committed act is directed against the interests of the Republic of Armenia or the rights and freedoms of the citizens of the Republic of Armenia, including persons with dual citizenship, as well as stateless person permanently residing in the Republic of Armenia, person residing in the Republic of Armenia with a refugee status, asylum seeker or person who has received an asylum in the Republic of Armenia, or legal entities.

**Article 13. Legal Consequences Arising from Holding a Person Criminally Liable Outside the Territory of the Republic of Armenia**

1. Legal consequences of having been held criminally liable outside the territory of the Republic of Armenia shall be taken into account when holding a person criminally liable, assigning a punishment and releasing him/her from criminal liability or punishment in the Republic of Armenia.

2. If the person has already been convicted for the committed criminal offence within the territory of another state or by an international tribunal and has served a full sentence or has been released from criminal liability or sentence, then the person cannot be subjected to criminal liability or a sentence for that act again in the Republic of Armenia, except for the cases provided under Part 2 of Article 7 of this Code. If the person has served a partial sentence for the committed criminal offence or has not yet served it, then when being held criminally liable in the Republic of Armenia, the term of the final sentence shall be

set-off; and for those types of punishments, in case of which the set-off is not possible, the part of the served punishment shall be taken into account when holding the person to criminal liability. The period during which according to criminal procedure the person has been confined before being convicted or sentenced shall also be subject to a set-off.

3. Grounds and conditions of release from sentence stipulated by the legislation of the Republic of Armenia shall be applied towards a person serving a sentence in the Republic of Armenia, imposed by a foreign state or international tribunal.

**SECTION 2.**  
**GENERAL CONDITIONS FOR CRIMINAL LIABILITY**

**CHAPTER 4.**  
**GROUND FOR CRIMINAL LIABILITY**

**Article 14. Ground for Criminal Liability**

1. The ground for criminal liability is the committal of a completed and inchoate criminal offence.

**Article 15. Criminal Liability Based on the Criminal Complaint of the Victim of Crime**

1. A person who has committed a criminal offence provided for by Part 1 of Article 167, Part 1 of Article 168, Part 1 of Article 169, Part 1 of Article 170, Part 1 of Article 171, Article 172, Article 173, Part 1 of Article 178, Part 1 of Article 180, Part 1 of Article 182, Part 1 of Article 194, Part 1 of Article 195, Part 1 of Article 227, Part 1 of Article 228, Part 1 of Article 253, Part 1 of Article 254, Part 1 of Article 255, Part 1 of Article 256, Part 1 of Article 257, Part 1 of Article 259, Part 1 of Article 262, Part 1 of Article 263, Part 1 of Article 264, Article 265, Article 266, Part 1 of Article 341 or Part 1 of Article 342 may be subject to criminal liability only on ground of a criminal complaint of the victim of crime, except of cases provided for by the Code of Criminal Procedure of the Republic of Armenia.

**CHAPTER 5.**  
**CRIMINAL OFFENCE AND ITS ELEMENTS**

**Article 16. The Notion of “Criminal offence”**

1. Criminal offence shall be deemed to be an act provided for by this Code, which is prohibited by the threat of punishment and is committed by the subject of crime with guilty mind (mens rea).
2. The act that, although, may formally contain elements provided for by Special part of this Code but due to its low risk has not caused and may not have caused any essential harm to a legal or natural person, the public or the State, shall not be deemed to be a criminal offence.

#### **Article 17. Types of Criminal offence**

1. Criminal offences are classified into four groups: minor gravity, medium gravity, grave and particularly grave.
2. Criminal offence of minor gravity shall be deemed to be acts provided for by this Code maximum punishment for which envisaged by the Special part of this Code shall not exceed 2 years of imprisonment or for which punishment not related to imprisonment is envisaged.
3. Criminal offence of medium gravity shall be deemed to be acts provided for in this Code, for which the maximum punishment envisaged by the Special part of this Code shall not exceed 5 years of imprisonment.
4. Grave criminal offences shall be deemed to be the acts provided for in this Code, for which the maximum punishment envisaged by the Special part of this Code shall not exceed 10 years of imprisonment.
5. Particularly grave criminal offences shall be deemed to be the acts provided for by this Code, for which the Special part of this Code envisages imprisonment for more than 10 years or a life imprisonment.

#### **Article 18. An Act**

1. An act provided for in this Code is the action or inaction prohibited by the threat of punishment.
2. An act committed through inaction shall cause criminal liability if an obligation to perform an action has been put on the person by a legal act, or that obligation has stemmed from the commitment undertaken by the person, or has stemmed from the

previous conduct of the person that has jeopardised the interests protected by the law or has caused damage to them.

3. An act committed through inaction shall cause criminal liability, if the person could have carried out his/her obligation in the given situation.

### **Article 19. The Subject of Criminal Liability**

1. A sane natural person, who at the moment of committal of the criminal offence has reached the age of 16, as well as the legal entity are subject to criminal liability.

2. The person who has reached the age of 14 before the moment of committing the criminal offence is subject to criminal liability for committing criminal offences prescribed under the Articles 155-161, Articles 166-170, Article 191, Article 198, Article 252, Parts 2 and 3 of the Article 253, Parts 2 and 3 of the Article 254, Article 258, Parts 2 and 3 of the Article 264, Article 297, Article 338, Article 339, Article 397 or Article 398 of this Code. 3. If a person has reached the age envisaged in Parts 1 and 2 of this Article, but due to mental retardation was not capable of realising the illegitimacy of his/her act or to control his/her act, then he/she shall not be subject to criminal liability.

4. If a person has reached the age envisaged in Parts 1 and 2 of this Article, but due to mental retardation was not capable to fully realise the illegitimacy of his/her act or to control his/her act, then this shall be taken as a mitigating circumstance when assigning the sentence.

### **Article 20. Special Subject of the Crime**

1. Special subject of the crime is the person who committed the criminal offence, who, in addition to the characteristic features of the general subject, has features defined in the Special Part of this Code, which provide grounds to hold him criminally liable for a respective crime provided for by the Special Part of this Code.

2. If the person has received the status of special subject groundless due to his or another person's illegal act, and has committed the special subject criminal offence, the person shall be subject to criminal liability for a crime with special subject, except for in the cases provided in Special part of this Code



3. If the objective side of the crime with a special subject of the Special Part of this Code has committed a person who is not endowed with the characteristics of a special subject, he / she is subject to criminal liability for the crime envisaged by the Special Part of this Code, which features are present in his/her actions.

4. The person is not subject to criminal liability for a special subject crime if he (she) had features of a special subject before the committal of the criminal offence, however these features were absent at the moment of the committal of the criminal offence.

#### **Article 21. Sanity**

1. Sanity is the ability of the person at the moment of committing a criminal offence to realize the illegal nature of his/her act and control it.

#### **Article 22. Limited Sanity**

1. A sane person, who, when committing the criminal offence has not fully realized the illegal nature of his/her act or was not able to fully control it due to mental health issues, shall be subject to criminal liability.

2. Limited sanity shall be taken into account as a mitigating circumstance when assigning the sentence and may serve as a ground for applying medical coercive measure on a person combined with the sentence.

#### **Article 23. Guilt**

1. A person who has committed the act forbidden by the threat of punishment as provided for by this Code with guilty mind (mens rea) shall be subject to criminal liability.

2. An act forbidden by the threat of punishment as provided for by this Code shall be considered as committed with guilty mind, if the person committing it has realized the illegality of his/her act, or, even if has not realized, however could have realized that.

3. This Code is based on the presumption of realizing an illegality of the act or ability to realize it.

#### **Article 24. Intentionality and Negligence**

1. The subjective side of criminal offence can be manifested intentionally or negligently.
2. An act committed negligently shall be deemed to be a criminal offence, if it is provided for in the Special Part of this Code.

#### **Article 25. Intentional Commission of a Criminal Offence**

1. The criminal offence shall be considered as committed intentionally, if the person realizes the factual circumstances of his/her act, which are features of corpus delicti.
2. Intention can be direct or indirect.
3. The criminal offence shall be considered as committed with direct intention, if the person realizes those factual circumstances of his/her act, which are features of corpus delicti, and committal of that act is the person's aim or means to achieve that aim.
4. The criminal offence shall be considered as committed with indirect intention, if the person realizes the factual circumstances of his/her act, which are features of the corpus delicti, and though performing the act and committing the criminal offence is not the person's aim, however the person commits it.
5. If the law links completion of the crime with the occurrence of dangerous consequences, the criminal offence shall be considered as committed with direct intention, if the occurrence of these consequences has been the aim of the person or means to reach that aim, or the person has foreseen their inevitability.
6. If the law links completion of the crime with the occurrence of dangerous consequences, the criminal offence shall be considered as committed with indirect intention, if the occurrence of those consequences has not been the aim of the person, however the person has foreseen the real possibility of their occurrence, and it has been indifferent for him/her whether or not they will occur.
7. If the person has foreseen the possibility of occurrence of any of more than one criminal consequences, and it was indifferent for him/her as to what the consequences would be, then the act shall be qualified according to the actually occurred consequence. If no consequence occurs, the act shall be qualified as an attempt of the lightest crime possible in the given circumstances, included in the intention.

8. Aggravating circumstances of the intentional crime as provided for by this Code shall be incriminated to the person only in the case when the person realized those circumstances.

9. If causing dangerous consequences negligently has been envisaged as an aggravating circumstance for an intentional crime, then it shall be incriminated to the person only in case, when negligence is present towards it. In such cases, the criminal offence shall be considered as committed intentionally.

#### **Article 26. Committing Criminal Offence Negligently**

1. Negligence is manifested in criminal self-confidence or criminal inadvertent negligence.

2. A criminal offence shall be deemed to be committed with criminal self-confidence, if the person foresees the possibility for the occurrence of dangerous consequences of his(her) act, however, without sufficient grounds, is sure that such circumstances shall be prevented.

3. A criminal offence shall be deemed to be committed with criminal inadvertent negligence, if the person does not foresee the possibility for the occurrence of dangerous consequences of his/her act though he/she was obliged and could foresee it in that given situation. A criminal offence shall be considered committed with inadvertent negligence in case of presence of conditions specified in Part 7 of Article 28 of this Code.

#### **Article 27. Criminal Liability of a Person Who Has Committed an Act Prohibited by Threat of Punishment as Provided for by Criminal Code in Not Sober (Drunk) State as a Result of Alcohol Intoxication, Narcotic Drugs, Psychoactive (Psychotropic) Substances, Toxic and Other Narcotic Substances, Their Compounds or Equivalent Materials (Analogue)**

1. A person who has committed a criminal offence in not sober (drunk) state as a result of alcohol intoxication, narcotic drug, psychoactive (psychotropic) substances, toxic and other narcotic substance, their compounds or equivalent materials (analogue), shall be subject to criminal liability.

2. The not sober (drunk) state that has been caused through physical or mental coercion, deception, as well as against the will or by ignoring the will of the person, shall be a

circumstance mitigating the criminal liability and punishment of the person committed criminal offence. If the person, whose not sober (drunk) state has been caused through the same ways, and he/she was deprived of the ability to realise the illegal nature of his/her act or control it, he/she shall not be subject to criminal liability.

3. The not sober (drunk)state is considered the not sober state as established by the Administrative Violations Code of the Republic of Armenia.

#### **Article 28. Mistake (Error) in Factual Circumstances**

1. If the person intentionally committing a criminal offence thinks that there is an aggravating circumstance established by law in his/her act, however that circumstance is absent, the act shall be qualified as an attempt of a crime with an aggravating circumstance. If the person intentionally committing the criminal offence thinks that an aggravating circumstance established by the law is absent in his/her act, however such circumstance is present, the act shall be qualified as a crime without an aggravating circumstance.

2. If a person thinks that there are aggravating circumstances in his/her action under different points of the same part of the same Article of this Code, but one or several of them are absent, then the act is qualified as a completed crime with such aggravating circumstance that was present in the person 's act.

3. If the person's intention is targeted at damaging a highly protected object, however in reality a mildly protected object is damaged, the act shall be qualified as an attempt of crime involved in the intention. If, by mistake, damage is caused to an equivalent object, the act shall be qualified according to the actually occurred consequence.

4. If the person's intention is targeted at damaging a mildly protected object, however in reality a highly protected object is damaged, he/she shall be criminally liable for the crime involved in his/her intention.

5. If the dangerous consequences involved in the person's intention occur not due to the act of the person, but due to other reasons, the person shall be subject to criminal liability for the crime involved in the person's intention.

6. If in addition to the consequences involved in the person's intention, other consequences also occur, the person shall be subject to criminal liability for those consequences only in cases, when there is negligence involved to respect to them.

7. If the person does not realize the factual circumstances of his/her act, however could have realized those, the person shall be subject to criminal liability for committing the criminal offence negligently, if so provided by this Code.

## **CHAPTER 6.**

### **CIRCUMSTANCES EXCLUDING CRIMINAL LIABILITY**

#### **Article 29. Insanity**

1. A person who has committed an act provided for by this Code in a state of insanity shall not be subject to criminal liability.

2. A person who, at the moment of committing the act as provided for by this Code, did not realize the illegal nature of his/her act or did not control it due to mental health issues, shall be considered as insane.

#### **Article 30. Causing Harm without Guilt**

1. A person committing a crime prohibited by threat of punishment as provided for by this Code shall not be subject to criminal liability if he/she has not foreseen the possibility of occurrence of dangerous consequences of his/her act, and ought not to have or could not have foreseen them in the situation concerned.

#### **Article 31. Causing Damage to Interests Protected by Criminal Law in the State of Neuropsychological Load**

1. A person who has foreseen the possibility for occurrence of dangerous consequences due to his /her action (inaction), did not desire the occurrence thereof, but due to his/her neuropsychological load was not able to prevent the occurrence thereof, shall not be subject to criminal liability.

2. If a person, foreseeing the possibility of occurrence of dangerous consequences, was not able to prevent those due to his/her neuropsychological load, however he/she has

personally put himself/herself in that situation, or by foreseeing the possibility for occurrence of dangerous consequences in such situation could have refrained from performing the action or inaction, he/she shall be subject to criminal liability.

### **Article 32. Necessary Defence**

1. The person who has committed the act in the state of necessary defence, i.e., when defending the life, health, rights and freedoms, lawful interests of the defending or other person, or lawful interests of society or state from illegal encroachments provided for by this Code or real threat thereof, defending oneself by inflicting damage to the perpetrator of the encroachment, shall not be subject to criminal liability, provided the necessary defence did not exceed the necessary limits.

2. A person shall be entitled to the right of necessary defence, regardless of the possibility to avoid the illegal encroachment or apply for help to other persons or competent bodies, as well as regardless of the person's professional or other special skills or official position.

3. Excess of necessary defence shall be deemed to be an intentional infliction of such a damage to the perpetrator of encroachment, which is inadequate to the nature and danger of the illegal encroachment and does not arise from the necessity of defence.

4. An intentional deprivation of the person who has committed an illegal encroachment of life is not considered an excess of necessary defence if in the given situation the defence from the encroachment was not possible through inflicting a lighter harm, or the person defending himself/herself ought not to have or could not have realized the possibility to inflict lighter harm.

5. Excess of necessary defence shall be deemed to be a crime, if it is prescribed in the Special Part of this Code.

6. If in the given situation due to fear, anxiety disorder, stress or other objective or subjective factors the defending person ought not to have and could not have realized that an illegal encroachment or its real threat were absent, then the act causing harm shall be considered as committed in a state of necessary defence. If in the given situation the defending person could have realised that the illegal encroachment was absent, he/she shall be subject to criminal liability for causing harm negligently. If in the given situation the defending person has exceeded the limits of the necessary defence, he/she shall be

subject to criminal liability for committing a criminal offence with excess of necessary defence.

7. The situation of necessary defence is absent, if there has been a provocation of necessary defence, that is when with the aim of causing harm to the person, the defending person has provoked the latter to commit an illegal encroachment.

### **Article 33. Inflicting Harm while Apprehending a Person Having Committed an Illegal Encroachment**

1. A person shall not be subject to criminal liability, if he/she has inflicted harm to a person having committed an illegal encroachment as provided for by this Code, when handing that person to the competent bodies or apprehending that person for the prevention of the new illegal act, if in that situation there were no other measures to apprehend that were not connected with the infliction of harm, or their availability ought not to have and could not be realized by the apprehending person, and the limits of necessary measures were not exceeded.

2. The measures necessary to apprehend the person who has committed illegal encroachment under this Code shall be considered excessive if there is inadequacy of the apprehending measures to the danger of the action and the person committing it, as well as to the circumstances of apprehension, as a result of which such harm was intentionally inflicted to the person that was not determined by the necessity to apprehend.

3. The act with excess of necessary measures to apprehend a person who has committed an illegal encroachment under this Code shall be deemed to be a crime, if this is envisaged in the Special Part of this Code.

4. If in the given situation due to fear, anxiety disorder, stress or other objective or subjective factors, the apprehending person ought not to have and could not realize that the encroachment was not illegal or has been performed not by the given person, such a situation shall be considered as a situation of inflicting harm to the person being apprehended who has performed an illegal encroachment. If the apprehending person could realize in that situation that the encroachment was not illegal or was performed not by the given person, then he/she shall be subject to criminal liability for inflicting harm negligently. If in the given situation the person has exceeded the limits of the measures

necessary to apprehend the person who has committed illegal encroachment provided for by this Code, then he/she shall be subject to criminal liability for committing a criminal offence of exceeding the measures necessary for the apprehension of the person who has performed and illegal encroachment.

5. In addition to the authorized persons, also any person shall have the right to apprehend a person who has committed an illegal encroachment under this Code.

#### **Article 34. Extreme Necessity**

1. The person who has inflicted harm to the interests protected by criminal law in the state of extreme necessity, i.e. eliminating of the imminent threat to the life, health, rights, freedoms and lawful interests of the given person or other persons, an imminent threat to the lawful interests of the society or the state, shall not be subject criminal liability provided in the given situation it was not possible to eliminate the threat by other means and no limits of extreme necessity have been exceeded.

2. Intentionally inflicted harm obviously inadequate to the nature and degree of the imminent threat, and the circumstances of elimination of the threat, shall be deemed to be exceeding the limits of extreme necessity, if the interests protected by criminal law suffered equal or greater harm compared to the prevented damage.

3. Exceeding the limits of extreme necessity is absent, provided in comparison to the prevented harm an equal or bigger harm was caused in case of a direct threat to the life or health of the person, his/her close relative or close person. This provision does not relate to persons, whose professional duties include protection of life, health, rights and freedoms or lawful interests of other persons, as well as the lawful interests of the society or the state.

4. The situation of extreme necessity is absent, if the threat has been created as a result of actions of the person preventing it. In that case, the efforts of the person aimed at the prevention of the threat shall be taken into account as a circumstance mitigating the criminal liability or punishment.

5. If in a situation of extreme necessity, the person inflicting harm fails to prevent the imminent threat, the person shall be subject to criminal liability for negligently inflicting



harm, if he/she could have realized that the measures undertaken by him/her were not sufficient to prevent the threat.

6. A situation of extreme necessity is absent if there has been a provocation of extreme necessity, that is when with a purpose of inflicting harm to interests protected by law the person creates a threat through his/her act for other interests protected by law, and then inflicts harm to interests protected by law as if being in a situation of extreme necessity.

#### **Article 35. Force Majeure, Physical or Psychiatric (Mental) Coercion**

1. The person who has inflicted harm to the interests protected by criminal law under the influence of force majeure shall not be subject to criminal liability.

2. The person who has inflicted harm to the interests protected by criminal law under the influence of physical or mental coercion shall not be subject to criminal liability, if due to it the person could not have realised or controlled his/her act.

3. When harm is inflicted to interests protected by law by such means of physical or mental coercion, which do not deprive the person of the possibility to realize or control his/her actions, the issue of criminal liability shall be resolved in consideration of the provisions of Article 34 of this Code.

4. A person shall not be released from criminal liability on the grounds provided for by this Article, if with the view of inflicting harm to interests protected by law, he/she personally has created a force majeure or has provoked another person to perform physical or mental coercion against himself/herself, in order to further justify his/her own infliction of harm to the interests protected by the law with force majeure and physical or mental coercion.

#### **Article 36. Justified Risk**

1. The person shall not be subject to criminal liability for inflicting harm to the interests protected by criminal law in case of justified risk undertaken to achieve useful and legitimate purpose for the sake of a person, public or state.

2. A risk shall be deemed to be justified, if the pursued aims could not be achieved without taking the risk, and the person having taken the risk undertakes necessary means to prevent the infliction of harm to the interests protected by criminal law.

3. A risk shall not be deemed to be justified, where it was obviously accompanied by danger of death of other person or by threat of state of emergency.

#### **Article 37. Performing Professional Functions**

1. The person who has inflicted harm to interests protected by criminal law shall not be subject to criminal liability, if done while fulfilling his/her professional functions, provided that the requirements for performance of that professional functions set out by legal acts have been complied with.

#### **Article 38. Sport Risk**

1. The person who has participated in the professional competition or training shall not be subject to criminal liability, if performed during professional sport competitions or trainings if the person has complied with the rules set out for the given type of sport.

2. A person, who has negligently caused death of a person or grave harm to health as a result of intentionally breaking the rules set out for the given type of sport, shall be subject to criminal liability.

3. A person, who has intentionally inflicted harm to the interests protected by criminal law through intentionally breaking the rules set out for the given type of sport, shall be subject to criminal liability.

#### **Article 39. Complying with the Requirements of the Law or other Legal Acts**

1. The person who has inflicted harm to interests protected by criminal law by committing an act permitted by law or other legal acts, or has performed duties conferred to him/her, shall not be subject to criminal liability, if the conditions set out by the law or other legal acts for their exercise have been met.

#### **Article 40. Execution of Order or Executive order**

1. The person who has inflicted harm to interests protected by criminal law while executing mandatory for him/her order or executive order issued in a due manner, shall not be subject to criminal liability. The person who gave such illegal order or executive order shall be subject to criminal liability for inflicting such harm.

2. If the person had realized, or did not realize but could have realized the illegal nature of the order or the executive order and executed it, he/she shall be subject to criminal liability for an intentional crime.

3. Refusal to execute obviously illegal order or executive order excludes the criminal liability.

#### **Article 41. Cooperating with Operative-Intelligence Bodies**

1. The person who has cooperated with the operative-intelligence bodies in accordance with the procedure established by law within the scope of the instructions issued to support the discovery, prevention of crime or obtaining evidence, shall not be subject to criminal liability for inflicting harm to the interests protected by criminal law, provided that there were no means available not inflicting harm.

2. While cooperating with operative-intelligence authorities the person shall be subject to criminal liability for the completed grave or particularly grave criminal offence committed against a person.

3. If the person while cooperating with operative-intelligence bodies participated in the criminal organization or committed a criminal offence being part of the criminal organization, which according to the Special part of this Code is considered as an aggravating circumstance, and due to that aggravating circumstance the criminal offence is considered as particularly grave, or if the criminal offence committed is considered particularly grave due to being “particularly large-scale”, these should not be incriminated to the person cooperating with operative-intelligence authorities.

### **CHAPTER 7.**

#### **STAGES OF CRIME**

#### **Article 42. Completed and Inchoate Crimes**

1. The intentional crime can have three stages: preparation of crime, attempted crime and completed crime.

2. Preparation of crime and attempted crime are considered inchoate crimes.

3. An intentional crime shall be deemed to be completed, if it contains all the elements of corpus delicti involved in the intention of the criminal.

4. Preparation of crime and attempted crime shall be qualified under the same Article of the Special Part of this Code, as the completed crime, by referring to the Articles 43 or 44 of this Code.

#### **Article 43. Preparation of Crime**

1. Preparation of crime shall be deemed to be the acquisition of means or tools or their adaptation for committal of a direct intentional criminal offence, as well as intentionally establishing other condition for committal of crime, if the person, due to the circumstances beyond his/her will is unable to start the committal of the objective side of the criminal offence involved in the intention.

2. If the acquisition of means or tools for performing the intentional criminal offence, adaptation of the means or tool or intentionally creating other condition contain elements of another completed crime, the act shall be qualified as a combination of crimes.

#### **Article 44. Attempted Crime and its Types**

1. Attempted crime is the intentional action or inaction directly aimed at the committal of criminal offence and containing the elements of corpus delicti provided for by the Special Part of this Code, when the crime involved in the person's intention is not committed due to reasons beyond his/her control because of the lack of some of the elements of corpus delicti in question.

2. If during an attempted crime, a lighter harm is caused in comparison to the harm involved in the criminal's intent, it shall be included in the person's intention.

3. If during the attempted crime, as a result of negligence a larger scale harm is caused to the object involved in the criminal's intention in comparison to the harm involved in the criminal's intent, or as a result of negligence or indirect intention harm is caused to another object, the act shall be qualified as a combination of crimes.

4. Attempted crime may be completed or inchoate.

5. Attempted crime shall be considered as completed, if the person performs the act which was necessary and sufficient to complete the crime involved in the intention and

realizes that the crime was completed, or there is no need to continue the act for completing the crime.

6. Attempted crime shall be considered as inchoate, if the person realizes that it is necessary to continue the act commenced or perform a new act for the crime to be completed.

## **CHAPTER 8.**

### **COMPLICITY**

#### **Article 45. Complicity**

1. Complicity shall be deemed to be intentional joint participation of two or more persons in a commission of intentional crime.
2. There is no joint perpetration in case of solicited committal of the crime, if the person committing a criminal offence (perpetrator) uses such a person who, according to law, is not subject to criminal liability or is not subject to criminal liability for that crime as a perpetrator.

#### **Article 46. Types of Accomplices**

1. The performer, the inciter, the organizer and the abettor shall be deemed to be accomplices.
2. The performer shall be deemed to be the person who has directly committed the criminal offence or participated in its committal with another person (joint perpetrator), as well as the one who committed the criminal offence through the use of a person who is not subject to criminal liability by force of law or is not subject to criminal liability for that particular criminal offence as a performer or has committed the crime negligently.
3. The inciter shall be deemed to be the person who incited another person to the commit the criminal offence through persuasion, financial incentive, threat or other means.
4. The inciter shall be deemed also the person who has incited another person to incitement or has incited another person to commit a criminal offence, while using for

incitement such a person who, according to law, is not subject to criminal liability or acted negligently.

5. The organizer shall be deemed to be the person who organized or directed the committal of the criminal offence. The organizer shall be deemed also the person who has incited another person to organize or direct the committal of criminal offence. The organizer shall be deemed also the person, who has organized or directed the committal of criminal offence through such a person who, according to law, is not subject to criminal liability or acted negligently.

6. The abettor shall be deemed to be the person who contributed to the commission of crime through advice, instructions, information or provided means, tools, or eliminated obstacles, as well as the person who had previously promised to conceal the criminal, means or instruments of crime, traces of crime or items obtained from crime, as well as the person who has initially promised to acquire or release such items.

7. The abettor is also the person who has:

- 1) abetted someone else to abetment;
- 2) initially agreed to participate in the crime as a joint perpetrator, however while committing the criminal offence by another joint perpetrator has not participated directly in the commission of criminal offence and by his presence has strengthened the determination of the performer to commit criminal offence;
- 3) abetted the crime through such a person who, according to law, is not subject to criminal liability or has acted negligently; or
- 4) at instigation of a special subject has committed the objective side of the special subject crime, to which he/she is not considered to be a subject, or together with the special subject participated in the commission of the objective side of the special subject crime, if the conditions specified in Parts 4, 5 and 6 of Article 48 of this Code, according to which the person is not considered as a abetter of a crime with special subject, were absent.

#### **Article 47. Criminal Liability of Accomplices**

1. Joint perpetrators shall be subject to criminal liability in line with the same Article of the Special Part of this Code. Dangerous consequences shall be incriminated to all the joint perpetrators, if causing those has been involved in their intent, regardless of

specifically whose actions have caused them. If the crime of the joint perpetrators is not completed due to circumstances beyond their will, then in addition to the article of the Special Part of this Code, also the Article 43 or the Article 44 of this Code shall be referred.

2. The organizer, inciter or abettor shall be subject to criminal liability in line with the Article from the Special Part that provides for liability for the crime involved in their intention by referring to Article 46 of this Code. The Article 46 of this Code shall not be referred if the organizer, inciter or abettor has participated in the crime also as joint perpetrators.

3. In case the performer does not complete the crime due to circumstances beyond his/her control, the other accomplices shall be liable for preparation of crime or attempted crime.

4. If acts directed to the organization, incitement or abetment of the crime fail due to circumstances beyond the person's will then the person shall be liable for the organization of a crime involved in his/her intention or for the criminal attempt, if certain part of the objective side of the crime has been committed.

5. The accomplices shall be subject to criminal liability only for such aggravating or mitigating circumstances of the crime, which they had realized. If an aggravating circumstance of an intentional crime is causing dangerous consequences negligently, the accomplices shall be subject to liability for that aggravating circumstance only when their negligence is present in respect to such circumstances.

#### **Article 48. Complicity in Crimes Committed by a Special Subject of Crime**

1. A person not considered to be a special subject of the crime, who has participated in the committal of a criminal offence with a special subject, can be subject to criminal liability for that crime only as an organizer, inciter or abettor.

2. If a person not considered to be a special subject has committed the objective side of the crime with a special subject by instigation of or together with a special subject, the person shall be subject to criminal liability for abetting that crime, if there is no other corpus delicti in his act.

3. If a person not considered to be a special subject has committed the objective side of a certain crime by instigation of the special subject or together with him/her and there is

other corpus delicti present in his/her act, the person shall be subject to criminal liability only for abetting the crime with a special subject, provided a more severe punishment is prescribed for the special subject crime, than for the crime elements of which are present in the act of the person not considered to be a special subject.

4. If a person not considered to be a special subject has committed the objective side of the crime with a special subject by instigation of or together with a special subject, and there is other corpus delicti present in his/her act, the person shall be subject to criminal liability only for the crime the elements of which are present in his/her act, provided a more severe punishment is established for that.

5. If a person not considered to be a special subject has committed the objective side of the crime with a special subject by instigation of or together with a special subject, and there is corpus delicti of crime with another special subject in his/her act, the subject of which is that person, the latter shall be subject to criminal liability only as the performer of that crime.

6. If the person who is not considered to be a special subject of crime prescribed under Article of Special Part of this Code has committed the objective side of the relevant crime upon his/her own initiative, he/she shall be subject to criminal liability for a crime provided for by the Special Part of this Code, the elements of which are present in his/her act.

#### **Article 49. Any Excess on the Part of the Accomplice**

1. Any excess on the part of an accomplice shall be deemed to be commission of such a criminal offence by the accomplice, which was not included in the intention of other accomplices.

2. Other accomplices shall not be subject to criminal liability for any excess on the part of the accomplice.

3. If the performer of the criminal offence inflicts harm to an object, harming of which has been agreed with the accomplices, however inflicts a higher harm than it was agreed or commits the agreed criminal offence with an aggravating circumstance, which has included in the intention of the other accomplices, or inflicts harm to the agreed object, but through committing a more grave criminal offence, through which the aim of the



accomplices is also realized, then the accomplices shall be subject to criminal liability for the complicity of crime involved in their intent.

4. If the performer of the criminal offence commits a criminal offence with a lower danger instead of the agreed one-inflicting harm to the agreed object, the other accomplices shall be subject to criminal liability for the attempted crime involved in their intent. If the performer of the criminal offence commits a criminal offence with a lower danger- inflicting harm to another object instead of the agreed one, the other accomplices shall be subject to criminal liability for preparation of crime involved in their intent.

5. If the performer of the criminal offence inflicts harm to an object other than the agreed one, the other accomplices shall be subject to liability for preparation of crime involved in their intent. In case of inflicting harm to an object other than the agreed one, the other accomplices shall be subject to liability for the complicity of crime involved in their intent, if the act of the performer is a graver, and the criminal offence of the accomplices involved in their intention is its component and is included in the crime of the performer.

#### **Article 50. Commission of Criminal Offence by a Group of Persons or a Criminal Organization**

1. A criminal offence shall be deemed to be committed by a group of persons without prior agreement, if the joint perpetrators participating in the crime, prior to commencing the criminal offence haven't had agreed to commit the criminal offence in complicity.

2. A criminal offence shall be deemed to be committed by a group of persons with prior agreement, if the joint perpetrators participating in the crime prior to commencing the criminal offence have had agreed to commit the criminal offence in complicity.

3. A criminal offence is deemed to be committed by a criminal organization, if it was committed by a stable group or united groups consisting of three or more persons to commit one or more criminal offences. A criminal offence is deemed to be committed by a criminal organization also in the case, when the criminal offence involved in the intention of its creator or leader was directly committed even by one of the members of the group or, upon the instruction of the group, by a person not being a member of that group.

4. A person who has created or has lead a criminal organization shall be subject to criminal liability for creating or leading a criminal organization, as well as for those criminal offences committed by the criminal organization, which have been involved in his/her intention.
5. A member of a criminal organization shall be subject to criminal liability for participating in a criminal organization as well as for criminal offences, in the committal or preparation of which he/she has participated.
6. When qualifying the acts of persons established in Parts 4 and 5 of this Article, no reference shall be made to Article 46 of this Code.
7. If under the article of the Special Part of this Code the committal of a criminal offence by a group of persons is prescribed to be an aggravating circumstance, without specifying its type, and other types are not specified as particularly aggravating circumstances, the act shall be qualified with an aggravating circumstance provided for by the article of the Special Part of this Code. If the committal of a criminal offence by a group of persons is provided for by the article of the Special Part of this Code as an aggravating circumstance, it shall not be incriminated to the minors participating in it.

## **CHAPTER 9.**

### **THE MULTIPLICITY OF CRIMES**

#### **Article 51. The Concept of Multiplicity of Crimes and its Types**

1. The multiplicity of crimes is deemed to be the committal of two or more criminal offences by the same person.
2. The types of multiplicity of crimes are: combination of crimes and recidivism.
3. Multiplicity of crime is absent, if a conviction for the former criminal offence has been expired or cancelled, or the person has been released from criminal liability in the manner prescribed by law.
4. Multiplicity of crimes is absent in case of a single continuous or continuing crime.
5. Multiplicity of crimes is absent in case of conflict of criminal legal norms established in the Special Part of this Code.

### **Article 52. Conflict of Criminal Legal Norms Established in the Special Part and its Types**

1. In case of conflict of criminal legal norms, the act shall be qualified under a single Article, or a single part or point of an Article of this Code.
2. If a single act of the person simultaneously includes both mitigating and aggravating circumstances of corpus delicti, the act shall be qualified only under the Article providing for corpus delicti with mitigating circumstances.
3. If a single act of the person simultaneously includes both aggravating and particularly aggravating circumstances of corpus delicti, the act shall be qualified only under the Article providing for corpus delicti with particularly aggravating circumstances.
4. If a single act of the person simultaneously includes both mitigating and particularly mitigating circumstances of corpus delicti, the act shall be qualified only under the Article providing for corpus delicti with particularly mitigating circumstances.
5. If a single act of the person is simultaneously stipulated by both general and special norms of the Special Part of this Code, the act shall be qualified only under the special norms.
6. If committing another criminal offence is deemed to be a component of the corpus delicti, the person shall be separately held criminally liable for that only in case this Code establishes an equal or more severe punishment for that crime, than for the corpus delicti to which the above-mentioned criminal offence constitutes a component of.

### **Article 53. Combination of Crimes**

1. The combination of crimes is deemed to be committal of two or more criminal offences prescribed in this Code through one or more acts committed by the same person, provided the person was not held criminally liable for any of them.
2. The combination of crimes is absent when the act of a person involves aggravating circumstances provided for by different points of the same part of the same Article of this Code. In that case, when qualifying the act, all the points which prescribe for the circumstances present in the person's act shall be specified.

3. The combination of crimes is absent also in case of committing the corpus delicti having two optional objective sides, when the same person commits more than one act included in the objective side of that corpus delicti with a united intention.

4. In case of combination of crimes, the person shall be subject to criminal liability for each of the crimes in accordance with the respective Article or a part of an Article of Special part of this Code.

#### **Article 54. Recidivism**

1. The committal of an intentional criminal offence by a person who has had a conviction for an intentional crime in the past is considered as recidivism.

2. When assessing the recidivism, the following convictions shall not be taken into consideration:

- 1) has been cancelled as prescribed by the law;
- 2) as a result of crimes committed before the person has attained the age of 18;
- 3) resulting from imposition of punishment not related to deprivation of liberty.

### **SECTION 3.**

### **PUNISHMENT**

#### **CHAPTER 10**

#### **THE NOTION OF “PUNISHMENT”, ITS PURPOSES AND TYPES**

#### **Article 55. The Notion of “Punishment” and its Purposes**

1. Punishment is a state coercive measure imposed upon the criminal judgment of the court on behalf of the State on a person found guilty of crime and is expressed by deprivation or restriction of the person’s rights and freedoms as provided for by this Code.

2. The purposes of punishment are: restoration of social justice, re-socialization of a person having been subject to punishment, and prevention of crimes.

#### **Article 56. Types of Punishment**

1. Types of punishment shall be as follows:

- 1) deprivation of honourable or military rank, category, degree or qualification class or state award;
- 2) fine;
- 3) public works;
- 4) deprivation of the right to hold certain positions or to exercise certain activities;
- 5) deportation of a foreign citizen from the territory of the Republic of Armenia;
- 6) restriction in military service;
- 7) restriction of liberty;
- 8) short-term imprisonment;
- 9) confinement in a disciplinary battalion;
- 10) Imprisonment;
- 11) life imprisonment.

#### **Article 57. Main and Supplementary Punishments**

1. Public works, restriction of liberty, short-term imprisonment, confinement in a disciplinary battalion, imprisonment and life imprisonment shall be applied only as main punishments.
2. Deprivation of honourable or military rank, category, degree or qualification class or state award or deportation of a foreign citizen from the territory of the Republic of Armenia shall be applied only as supplementary punishments.
3. Fine, deprivation of the right to hold certain positions or to exercise certain activities, and restriction in military service shall be applied both as main and supplementary punishments.
4. Only one main punishment may be imposed in respect of one crime. One or more supplementary punishments may be joined to the main punishment.

#### **Article 58. Deprivation of Honourable or Military Rank, Category, Degree or Qualification Class or State Award**

1. When convicting a person for the crime, the court, taking into account the nature and the circumstances of the crime, the data characterising the personality of criminal, may

deprive him/ her of honourable or military rank, category, degree, or qualification class or state award.

#### **Article 59. Fine**

1. Fine shall be a pecuniary penalty that is imposed in the cases and amounts provided for by this Code.
2. Fine can be imposed as a main punishment in cases provided for in the Special Part of this Code.
3. As a main punishment, fine shall be imposed for crimes of minor and medium gravity, in the amount of five-fold to fifty-fold of monthly income of the person having committed the criminal offence.
4. As a supplementary punishment, fine can be imposed for grave and particularly grave crimes connected to the infliction of property damage or committed out of mercenary motives, in the amount of two-fold to twenty-fold of the monthly income of the person having committed the criminal offence.
5. In case of absence of the income of person having committed a criminal offence or impossibility to determine its amount, the amount of fine shall be calculated based on the minimum salary as of the moment of the committal of the criminal offence. The amount of fine is also defined in the same manner if the income of the person having committed criminal offence occurred after the completion of the criminal offence. The amount of fine is also defined in the same manner when as the result of the calculation of a person's monthly income, its amount is less than the amount of the minimum salary.
6. Each year the state can implement social programs to compensate the damage caused to the victims of crime at the expense of funds raised in the state budget through the application of fines. The principles, priorities, procedure and amount of compensation for damage caused to victims of crime shall be established by the Government.
7. The court shall determine the possibility to impose fine and the amount of the fine, taking into account both the gravity of crime, the nature and extent of the damage caused by the crime, the property or non-property benefits received from the crime, and the property situation of the person condemned and his/her family, as well as the ability of

the person condemned to receive income, or availability of property owned by him/her, upon which confiscation can be applied.

8. If the person condemned is unable to immediately and fully pay the imposed fine, the court shall define a maximum of one-year term for paying the fine or shall allow to pay the fine in instalments within the same time limit. If after the imposition of fine, due to the deterioration of the financial situation of the convict the latter is deprived of possibility to pay the fine, the court, taking into account the observation of the convict, shall:

- 1) extend the deadline of payment of the fine for maximum of 1 year;
- 2) impose public works – by calculating 24 hours of public works as equivalent to the minimum salary at the moment of the committal of criminal offence.

9. If as a result of calculations made under Point 2 of Part 8 of this Article, public works duration counts more than 270 hours, then a 270-hour public works shall be imposed. If as a result of calculations, public works duration counts less than 60 hours, then the public works shall be imposed for as many hours as calculated.

10. In cases when fine is imposed as a supplementary punishment in conjunction with a punishment related to deprivation of liberty, or with accumulation of crimes or judgments, and the condemned person is not able to pay it immediately or during the course of serving the punishment, then the payment of fine can be extended until completion of the main punishment. If the convict is not able to pay the imposed fine after the completion of his/her main punishment, the issue shall then be resolved in the manner stipulated in Part 8 of this Article.

11. In case of evading to pay the fine, a property in the amount equal to the fine shall be confiscated by the court, provided such a property is available. In case such property is not available, the fine shall be substituted by imprisonment by calculating 3 days of imprisonment against the minimum salary.

12. When substituting the fine with imprisonment, the term of imprisonment cannot exceed the maximum term provided for by a sanction of the Article for the given type of punishment, according to which the person was convicted. If as the result of calculations, the term of imprisonment is less than the minimum term provided for by the sanction of the Article for the given type of punishment, according to which the person has been

convicted, the punishment shall be imposed according to the term resulted out of the calculations.

13. The calculations shall follow the rule established in Part 11 of this Article also in the case, when the sanction established in the Special Part of this Code does not provide for imprisonment. In that case the term of imprisonment cannot exceed 1 year.

14. The convict evading paying of the fine shall be deemed to be the one who:

1) has not submitted the receipt of payment of the fine to the authorized body within 10 working days upon due notification about the fine made by the probation services, except for cases provided for in Part 8 of this Article;

2) has violated the procedure and terms for postponing payment of the fine or paying the fine in instalments, except for cases provided for in Part 8 of this Article

#### **Article 60. Public Works**

1. Public works shall be deemed to be the implementation of such socially useful works free of charge by the convict imposed by the court and in the place determined by the competent body when the convict is free from work or classes, which do not endanger his/her physical or mental health.

2. Public works with the consent of the convict for the duration not exceeding 4 hours on daily basis shall be imposed for minor and medium gravity crimes for the term for 60 to 270 hours.

3. Minimum term of public works in cases provided for by this Code can be less than 60 hours.

4. Public works can be imposed in cases provided for in the Special Part and in point 2 of Part 8 of Article 59 of this Code.

5. Public works shall not be imposed on the person serving military service and a minor who has not yet attained the age of 15 at the moment of holding the judgment.

6. If after the imposition of public works, a consequence provided for in Part 5 of this Article has emerged, or the health condition of the convict has deteriorated to the extent that the person has been deprived from the ability to perform further public works, the person shall be released from serving the punishment further.



7. In case of evading from performing public works, it shall be substituted by imprisonment, by calculating 8 hours of public works against 1 day of imprisonment. When substituting public works with imprisonment, the term of imprisonment cannot exceed the maximum term provided for by the sanction of the Article for the given type of punishment, according to which the person has been convicted. If as a result of calculation, the term of imprisonment is less than the minimum term provided for by the sanction of the Article for the given type of punishment, according to which the person has been convicted, the punishment shall be imposed for the term resulted out of the calculation.

8. The calculation shall be carried out in accordance with the rule provided for in Part 7 of this Article also in case when the imprisonment is not prescribed for by the sanction of the Special Part of this Code. In that case, the prescribed term of imprisonment may not exceed 1 year.

9. The convict evading public works shall be deemed to be the convict who:

- 1) without a valid reason has performed less than 90% of the public works envisaged by the public working hours registration card within 1 month;
- 2) more than twice during one month of performing public works has grossly violated the working discipline rules;
- 3) being notified, two or more times in a row or in case provided for by law, has not appeared before the territorial body;
- 4) refused to perform public works.

#### **Article 61. Deprivation of the Right to Hold Certain Positions or Exercise Certain Activities**

1. Deprivation of the right to hold certain positions is the prohibition to hold certain positions and deprivation of the right to exercise certain activities is the prohibition to exercise certain activities connected to the nature of the criminal offence committed.

2. Deprivation of the right to hold certain positions or exercise certain activities can be imposed as a main punishment in cases prescribed for by the Special Part of this Code.

3. Deprivation of the right to hold certain positions or exercise certain activities shall be imposed as a main punishment in case of minor or medium gravity crimes for a term of 2 to 7 years.

4. Deprivation of the right to hold certain positions or exercise certain activities shall be imposed as a supplementary punishment in cases of minor or medium gravity crimes for a term of 1 to 3 years and in cases of grave and particularly grave crimes for a term of 1 to 5 years.

5. Deprivation of the right to hold certain positions or exercise certain activities can be imposed as a supplementary punishment in those cases, when the court, based on the nature of the criminal offence committed by the criminal during his/her term in the office or when practicing a certain activity, does not find it possible to further continue his/her holding certain positions or engaging in certain activities.

6. Deprivation of the right to hold certain positions or exercise certain activities imposed as a main or supplementary punishment in combination with punishment related to imprisonment shall apply to the whole term of punishment related to imprisonment, and calculation of its term starts to run after serving the term of punishment related to imprisonment. The term of depriving the right to hold certain positions or exercise certain activities imposed as a supplementary punishment in combination with the other types of punishment shall start to run on the day when the judgement enters into force.

7. In case the convict evades the punishment established in this Article, the punishment shall be replaced by imprisonment, by calculating 3 days of deprivation of the right to hold certain positions or exercise certain activities as one day of imprisonment. When substituting the deprivation of the right to hold certain positions or exercise certain activities by imprisonment, the term of imprisonment cannot exceed the maximum term provided for by the sanction of the Article for the given type of punishment, according to which the person has been convicted. If as a result of calculation, the term of imprisonment is less than the minimum term provided for by the sanction of the Article for the given type of punishment, according to which the person has been convicted, the punishment shall be imposed for the term resulted out of the calculation.

8. The calculation shall be carried out in accordance with the rule provided for in Part 7 of this Article also in case when the imprisonment is not prescribed for by the sanction of the Special Part of this Code. In that case, the term of imprisonment may not exceed 1 year.

## **Article 62. Deportation of a Foreign Citizen from the Territory of the Republic of Armenia**

1. Deportation of a foreign citizen from the territory of the Republic of Armenia is the expel of a foreign citizen subject to criminal liability in the Republic of Armenia out of the borders of the Republic of Armenia by forbidding him/her to stay in the Republic of Armenia.

2. Deportation of a foreign citizen from the territory of the Republic of Armenia as a supplementary punishment shall be imposed for the term of 5 to 10 years.

3. While imposing deportation of a foreign citizen from the territory of the Republic of Armenia as a supplementary punishment, its term starts from the moment of his/her expel from the territory of the Republic of Armenia.

4. This type of punishment cannot be imposed on:

1) a person who has obtained a refugee status or an asylum in the Republic of Armenia, except for the cases provided for by the international treaties of the Republic of Armenia;

2) to a foreign citizen enjoying the non-refoulement principle, except for the cases provided for by the international treaties of the Republic of Armenia;

3) a person who, before the committal of the criminal offence, has been married to a citizen of the Republic of Armenia or a person with a special residency status in the Republic of Armenia or a person permanently residing in the Republic of Armenia, or a person who has dependent children holding citizenship of the Republic of Armenia.

4) if the person is prosecuted in the territory of the deported state for an act that can be punished by a capital punishment;

5) if it is substantiated that the person may be persecuted in the territory of the deported state for belonging to a certain racial, religious, national, social group or his/her political views; or

6) if it is substantiated that a person may be subjected to torture or other cruel, inhuman or degrading treatment or punishment in the territory of the deported State.

5. Except for the cases prescribed under the international treaties of the Republic of Armenia, persons who have been sentenced under this Article, but before serving the sentence the convict has acquired the status of a refugee or asylum seeker in the Republic of Armenia, or the application of the principle of non-refoulement has been established, may not be deported from the Republic of Armenia

### **Article 63. Restriction in Military Service**

1. Restriction in military service is the deprivation of a serviceman with the rank of an officer or senior officer from the right to be appointed to a post that is higher than the one occupied by him/her (including a post with higher remuneration) and to receive a higher rank, for the criminal offence committed against the military service order, with retention from 10 to 20 percent from monetary compensation amount for the benefit of the state.
2. Restriction in military service can be imposed as a main punishment in cases prescribed for by the Special Part of this Code.
3. Restriction in military service shall be imposed as a main punishment for minor and medium gravity crimes for a term of 3 months to 3 years, and as a supplementary punishment for a term of 3 months to 2 years.
4. The court may impose an additional obligation to participate in educational or training courses during the term of the restriction in military service.
5. In the cases when the convict is released from military service in the manner prescribed by the law during the period when the punishment of restriction in military service is being served, the execution of this punishment shall be terminated. If a convict is retired from military service upon his / her request, the sentence shall be replaced by a fine, calculating 1 month of restriction in military service for the minimum salary, but not more than ten-fold of the fine.
6. When imposing a punishment as established by the rules of the Articles 74 or 75 of this Code, the punishment established by this Article shall not be imposed, if punishment related to deprivation of liberty is imposed for any of the crimes.

### **Article 64. Restriction of Liberty**

1. Restriction of liberty is deemed to be keeping the convict under control at home without keeping him/her away from studies or work.
2. Restriction of liberty shall be imposed for minor and medium gravity crimes for a term of 6 months to 3 years. By imposing the restriction of liberty, the court forbids the person who has committed the criminal offence, to visit different places of leisure or other institutions, organize, participate or visit certain events, gatherings or change the

residence without the consent of the competent body authorized to control the convict or be away from home for certain hours. By imposing restriction of liberty the court can impose one or a number of the above-mentioned limitations against the convict.

3. The prohibitions imposed by the court cannot restrict the liberty of persons cohabiting with the convict or the right to interact with others.

4. The prohibition of being absent from home during certain hours cannot be less than 8 hours and cannot exceed 12 hours on daily basis.

5. Restriction of liberty cannot be imposed towards the military servicemen in compulsory military service.

6. In case when the convict avoids the punishment provided for in this Article, it shall be replaced by imprisonment by calculating 2 days of restriction of liberty as 1 day of imprisonment. When substituting the restriction of liberty with imprisonment, the term of imprisonment cannot exceed the maximum term provided for by the sanction of the Article for the given type of punishment, according to which the person has been convicted. If as a result of calculation, the term of imprisonment is less than the minimum term provided for by the sanction of the Article for the given type of punishment, according to which the person has been convicted, the punishment shall be imposed for the term resulted out of the calculation.

7. The calculation shall be carried out in accordance with the rule provided for in Part 6 of this Article also in case when the imprisonment is not prescribed for by the sanction of the Special Part of this Code. In that case, the term of imprisonment may not exceed 1 year.

#### **Article 65. Short-Term Imprisonment**

1. Short-term imprisonment is deemed to be keeping the convict in penitentiary institution, strictly isolated from the society.

2. Short-term imprisonment shall be imposed on a person who has not previously served a punishment related to deprivation of liberty, and has committed minor and medium gravity crime, for a term of 15 days to 2 months.

3. Minimum term of short-term imprisonment in cases prescribed for by this Code can be less than 15 days.

### **Article 66. Confinement in a Disciplinary Battalion**

1. Confinement in a disciplinary battalion is the detention of a serviceman who has committed a criminal offence (except for officers and senior officers) in isolation.
2. A disciplinary battalion shall be imposed for a period of 3 months to 3 years towards a serviceman who has committed minor and medium-gravity crimes, as well as in cases when the court, taking into account the circumstances of the case and the personality of the convict previously not serving a punishment related to deprivation of liberty, instead of imprisonment for the period of maximum 3 years, shall find it appropriate to apply the confinement in the disciplinary battalion for the same term.

### **Article 67. Imprisonment**

1. Imprisonment is the isolation of the convict from public through placing the person in a penitentiary institution that can be imposed in cases stipulated by this Code.
2. Imprisonment shall be defined for a term of 3 months to 20 years.
3. Minimum term of imprisonment can be less than 3 months in cases prescribed by this Code.
4. Imprisonment may not exceed the term of 10 years for a negligent crime.
5. A person who has committed crime of minor gravity for the first time cannot be sentenced to imprisonment.

### **Article 68. Life Imprisonment**

1. Life imprisonment shall be considered as unlimited isolation of the convict from the society in the form of confinement in a penitentiary institution, which in cases provided for in this Code, may be imposed for particularly grave crimes.
2. Life imprisonment may not be imposed on persons below the age of 18 at the moment of committing the criminal offence.

## **CHAPTER 11**

### **IMPOSITION OF PUNISHMENT**

### **Article 69. General Principles for Imposition of Punishment**

1. A fair punishment shall be imposed on a person found guilty for a crime which shall be determined within the scope of sanction of the relevant Article of the Special Part of this Code, having regard to the provisions of the General Part of this Code.
2. The type and degree of punishment shall be determined by the nature and extent of the damage caused, the manner, venue, time, motivations and aims of the crime, the type of intention or negligence, the circumstances mitigating or aggravating the liability and the punishment, as well as the influence of the punishment being imposed, on the process of resocialization and shaping of the convict's lawful behaviour and living conditions of his/her family.
3. A punishment related to imprisonment can be imposed, if the court justifies that a milder punishment cannot ensure the fulfilment of the aims of punishment.
4. Procedures and conditions for execution of punishment shall be determined by the penitentiary legislation of the Republic of Armenia.

### **Article 70. Circumstances Mitigating the Criminal Liability or Punishment**

1. Circumstances mitigating the criminal liability or punishment shall be as follows:
  - 1) commission of a criminal offence for the first time by casual coincidence of circumstances;
  - 2) pregnancy of a criminal at the moment of the commission of a criminal offence or imposition of a punishment
  - 3) the criminal having attained the age of 65 when committing the criminal offence or when being imposed punishment;
  - 4) existence of a dependent minor or a person with disability under the custody of the person having committed a criminal offence at the moment when imposing the punishment, except for cases when the criminal offence was directed against the person under custody;
  - 5) commission of a criminal offence as a result of hard living conditions;
  - 6) commission of a criminal offence on the basis of compassion;

- 7) commission of a criminal offence by breaching the conditions of lawfulness of the circumstances excluding criminal liability;
  - 8) commission of a criminal offence under the influence of unlawful behaviour of the victim of crime;
  - 9) commission of a criminal offence under the influence of threat, coercion or a person from whom the criminal has material, official or other dependence;
  - 10) surrender of the person having committed a criminal offence by acknowledging guilt, assisting in disclosing the crime, other participant of the crime, searching property acquired through the crime and obtaining evidence in the case;
  - 11) provision of medical or other assistance immediately after the crime to the victim of crime by the person having committed a criminal offence;
  - 12) performance of actions by the person having committed a criminal offence intended to voluntarily compensate or otherwise settle the damage caused by the crime.
2. When imposing a punishment, the court may also take into account other mitigating circumstances which are not specified in Part 1 of this Article.
  3. Where any circumstance specified in Part 1 of this Article is envisaged by the relevant article of the Special Part of this Code as an element of crime, it may not be taken into account again as a circumstance mitigating the criminal liability or punishment.

#### **Article 71. Circumstances Aggravating the Criminal Liability or the Punishment**

1. Circumstances aggravating the criminal liability or punishment shall be as follows:
  - 1) commission of a criminal offence by a person who has a record of conviction;
  - 2) commission of a criminal offence being involved in a group or a criminal organization;
  - 3) particularly active role in the commission of a crime;
  - 4) involvement of persons who suffer from mental health issues or who are not sober (drunk), or who have not yet attained the age for criminal liability into the commission of a criminal offence, if the criminal realizes that the person has mental health issues, is not sober (drunk) or has not reached the age of criminal liability;
  - 5) commission of an intentional criminal offence against a minor, or together with minor, or in the presence of a minor realizing the nature of act of the criminal, when the criminal realizes that the person is a minor;



- 6) commission of a criminal offence by motives of hatred, intolerance or hostility conditioned by racial, national, ethnic, or social origin, religion, political or other views, other personal or social factors;
  - 7) commission of a criminal offence by a motive of revenge for other person's lawful actions;
  - 8) commission of a criminal offence for the purpose of concealing another crime or facilitating the commission thereof;
  - 9) commission of a criminal offence against a pregnant woman, a helpless or vulnerable person or a person dependent from the criminal, if the criminal realizes that the woman is pregnant or the person is in a helpless, or vulnerable situation or is dependent from him/her;
  - 10) commission of a criminal offence against a person or the person's close relative or close person that is connected with the discharge of official or professional activities or public duty thereby;
  - 11) commission of a criminal offence with particular cruelty, exposing the victim to mockery, torment or suffering;
  - 12) commission of a criminal offence by use of official or service powers or influence conditioned thereof;
  - 13) commission of a criminal offence in a manner dangerous to the public;
  - 14) commission of a criminal offence by use or threat of use of weapon, ammunition, explosive substances or explosive devices or radioactive substances;
  - 15) commission of a criminal offence by use of narcotic drugs, psychoactive (psychotropic) substances, or other drugs with a strong influence;
  - 16) commission of a criminal offence under the influence of alcohol, narcotic drugs, psychoactive (psychotropic) substances, or other drugs with a strong influence, if the criminal has put himself/herself in that situation;
  - 17) commission of a criminal offence by use of situation of martial law or emergency situation, emergency condition as well as mass disorder;
2. When imposing punishment the court may not take into account other aggravating circumstances, not envisaged in Part 1 of this Article.

3. When any circumstance specified in Part 1 of this Article, is envisaged by the relevant Article of the Special Part of this Code as an element of a crime, it may not be taken into account again as a circumstance aggravating liability or punishment.

4. In case of recidivism when imposing punishment in the manner prescribed under Article 76 of this Code, the aggravating circumstance specified in point 1 of Part 1 of this Article shall not be considered as an aggravating circumstance.

#### **Article 72. Imposition of Punishment Milder than that Provided for by Law**

1. In case of presence of exceptional circumstances related to motives and purposes of criminal offence, the role of a criminal, the behaviour thereof while and after committing the criminal offence and other circumstances, which reduced the level of public danger of the person or his/her act to the level when the court concludes that the minimum size or term of the punishment established in the sanction of the article of Special Part of this Code is too heavy for the given person, as well as where a member of a group committing criminal offence assists in detecting the crime committed by that group, the court may impose a size or term of punishment that is less than the minimum size or term of punishment provided for in the sanction of the relevant article of the Special Part of this Code or in a part thereof, or a milder type of punishment than it is provided for in that Article or its part. Separate mitigating circumstances, as well as the combination of those circumstances may be considered as exceptional.

2. In case of application of cooperation proceedings, the court may also impose a size or term of punishment that is less than the minimum size or term of punishment provided for in the sanction of relevant article of the Special Part of this Code or in a part thereof, or a milder type of punishment than it is provided for in that Article or its part.

3. Imposition of a milder punishment than prescribed by law does not prevent from imposing a supplementary punishment.

#### **Article 73. Imposition of Punishment for an Inchoate Crime**

1. When imposing punishment for an inchoate crime, the nature and the degree of danger of actions committed by the criminal, the degree of implementation of criminal

intention and the circumstances as a result of which the crime was not completed, shall be taken into consideration.

2. No imprisonment shall be imposed for the preparation of minor and medium gravity crimes.

3. The maximum term of punishment in the form of imprisonment for preparation of a grave or particularly grave crime may not exceed one third of the term of imprisonment established by the sanction of the appropriate Article of the Special Part of this Code or its Part, and the minimum term cannot be less than one third of the minimum term of imprisonment established by the sanction of the respective Article of the Special Part of this Code or its Part. If as a result of the application of the above-mentioned rules the term of imprisonment is less than 3 months, then the imprisonment shall be imposed for the term calculated as a result of application of the rules.

4. Life imprisonment shall not be imposed for the preparation of crime.

5. Limitations envisaged by Parts 2 and 3 of this Article shall not be applied when imposing a punishment for recidivism.

#### **Article 74. Imposition of Punishment in Case of Combination of Crimes**

1. By imposing individual punishment (main and supplementary) for each crime by combination of crimes, the court shall determine the final punishment by adding the imposed punishments in full or partially. When adding partially, the final punishment shall be more than the most severe punishment imposed for the crimes included in the combination of crimes. When determining the final punishment for combination of crimes, the partially added punishment may not be less than the minimum size or term provided for by this Code for the given type of punishment, however the final punishment shall not exceed the size or term envisaged in Parts 2, 3, 4, 5, 6 and 9 of this Article.

2. Where the combination of crimes includes only non grave criminal offences, then the final punishment in the form of imprisonment shall be imposed through adding the punishments in full or partially. When adding, the final punishment in the form of imprisonment shall not exceed 5 years.

3. Where the combination of crimes includes only medium gravity or medium gravity and non-grave criminal offences, or grave criminal offences committed negligently, then the final punishment in the form of imprisonment shall be imposed through adding the punishment in full or partially. When adding, the final punishment in the form of imprisonment shall not exceed 10 years.
4. Where the combination of crimes includes a grave criminal offence committed intentionally, then the final punishment in the form of imprisonment shall be imposed through adding the punishments in full or partially. When adding, the final punishment in the form of imprisonment shall not exceed 15 years.
5. Where the combination of crimes includes a particularly grave criminal offence, then the final punishment in the form of imprisonment shall be imposed through adding the punishments in full or partially. When adding, the final punishment in the form of imprisonment shall not exceed 20 years.
6. Where the combination of crimes includes such particularly grave criminal offence, which is related to the intentional deprivation of life, then the final punishment in the form of imprisonment shall be imposed through adding the punishments in full or partially. When adding, the final punishment in the form of imprisonment shall not exceed 25 years.
7. Where the combination of crimes includes two or more particularly grave criminal offences related to the intentional deprivation of life, then the court, taking into account the motivation, purpose and method of the crimes and the degree of implementation of the criminal intention, may impose life imprisonment as the final punishment, even if sanction of the article of the Special Part of this Code does not provide it for any of the committed criminal offences.
8. When the court imposes life imprisonment for one of the criminal offences included in the combination of crime, then the imposed final main punishment shall be life imprisonment.
9. The final punishment imposed as a result of adding other punishments in full or partially in case of combination of crimes, shall not exceed the maximum term or size provided for the given type of punishment by the General Part of this Code.

10. In case of combination of crimes, supplementary punishments imposed for the criminal offences constituting combination of crime may be added to the main punishment imposed. In case of adding the supplementary punishments in full or partially, the final supplementary punishment shall not exceed the maximum term or size provided for the given type of punishment by the General Part of this Code.

11. The punishment shall be imposed according to the rules provided for of this Article, if after the delivery of a criminal judgment, it is revealed that the convict is guilty also for another criminal offence, which he/she has committed before the criminal judgment was delivered in relation to the first case. In this case the term of the final punishment shall be set-off against the served part of the first one, and the start of serving the punishment shall be considered the start of serving the punishment imposed by the first criminal judgment.

#### **Article 75. Imposition of Punishment in Case of Combination of Criminal Judgments**

1. Where the convict has committed a new criminal offence, following the delivery of the criminal judgment, but prior to serving the punishment in full, the court shall add in full or partially the unserved part of the punishment imposed by the previous criminal judgment to the punishment imposed by the new criminal judgment.

2. The final punishment imposed by combination of criminal judgments, where it is not related to imprisonment, may not exceed the maximum size defined in the General Part of this Code with regard to the types of punishment concerned.

3. The final punishment in the form of imprisonment by combination of criminal judgments may not exceed 30 years, except for cases, when the person commits such a crime, for which also life imprisonment is prescribed.

4. The final punishment in the form of imprisonment by combination of criminal judgments should be more severe than both the punishment imposed for a new crime, and the unserved part of the punishment imposed by the previous criminal judgment.

5. When imposing a punishment by combination of criminal judgments, the cumulation of supplementary punishments shall be carried out by the rules defined by part 10 of the Article 74 of this Code.

6. When convict serving life imprisonment commits a new criminal offence, the newly imposed punishment shall be absorbed by life imprisonment.

#### **Article 76. Imposition of Punishment in Case of Recidivism**

1. When imposing punishment in case of recidivism, the quantity, nature and gravity of committed criminal offences, the circumstances due to which the punishment imposed previously has not proved sufficient for the re-socialization of the person, as well as the nature, gravity and consequences of the new criminal offence shall be taken into account.

2. If a person who has previously served a sentence or is currently serving a sentence in the form of imprisonment or life imprisonment for commission of intentional criminal offence and has a conviction, commits an intentional crime for which he/she is being sentenced to imprisonment, then the minimum term of the imposed punishment may not be less than the two-thirds of the maximum term of the punishment in the form of imprisonment provided for by the sanction of the relevant article of the Special Part of this Code. In any event, the imposed punishment may not be less than the minimum term of imprisonment established by sanctions of the relevant Article of the Special Part of this Code.

3. If a person who has previously served a sentence or is currently serving a sentence in the form of imprisonment or life imprisonment for commission of intentional crime and has a conviction, commits an intentional grave or particularly grave criminal offence, the minimum term of the imposed punishment shall be determined according to the rule of Part 2 of this Article and the maximum term of the punishment shall be considered the term, which exceeds the maximum term of imprisonment established by law for the given crime by one third of that term, however not more than 25 years.

4. If a person who has previously served or is currently serving a sentence in the form of imprisonment or life imprisonment for commission of an intentional crime and has a conviction, commits more than one criminal offences, than the punishment for each intentional criminal offence included in the combination of crimes shall be determined according to the rules stipulated by Part 2 or 3 of this Article. In that case, the final punishment in the form of imprisonment for the combination of crimes may not exceed 30 years.

5. Rules provided for in Parts 2 and 3 of this Article may not prevent from imposing a punishment milder than envisaged by law. In that case, a punishment envisaged by law shall be deemed to be the punishment which corresponds to the punishment calculated as a result of applying the procedure set for the imposition of punishment for recidivism.

**Article 77. Imposition of Punishment in Case of Agreement or Cooperation Proceedings**

1. In case of applying agreement proceeding, the punishment may not exceed two-third of the size or term of the most severe punishment provided for by the sanction of the respective Article of the Special Part of this Code. If the two-thirds of the most severe punishment is less than the minimum size or term of the most severe punishment provided for by the sanction of the relevant article of the Special Part of this Code, it may not be less than the minimum size or term.

2. In case of application for agreement proceedings to the inchoate crimes, the rule provided for in part 1 of this Article shall apply after the application of the rules for imposition of punishment provided for in Article 73 of this Code for inchoate crimes. If, as a result of the calculation, the size of punishment is less than the minimum size or term of the most severe punishment provided for by the sanction of the relevant article of the Special Part of this Code, the size or term obtained as a result of the calculation shall be determined.

3. In case of applying cooperation proceeding for not grave or medium gravity crimes, a milder type of punishment established by the sanction of the respective Article of the Special Part of this Code shall be imposed, or milder punishment then prescribed under law via application of part 2 Article 72 of this Code, or the imposed punishment shall not be applied conditionally.

4. In case of applying cooperation proceedings in aggravated or especially grave crimes, the minimum amount or term of the milder punishment provided for by the sanction of the relevant article of the Special Part of this Code, or milder punishment then prescribed under law via application of part 2 Article 72 of this Code, or the imposed punishment shall not be applied conditionally

5. The rules set forth in Article 76 of this Code shall not apply in the case of imposition of a punishment in accordance with the rules provided for in this Article.

6. When imposing a punishment in the case of combination of crimes, the rules stipulated in this Article shall apply separately to each of the crimes included in the combination of crime.

7. Application of agreement or cooperation proceeding shall not prevent the imposition of a supplementary punishment or security measure.

#### **Article 78. Determination of Terms of Punishment by Adding Them**

1. When adding punishments in full or partially by the combination of criminal offences and by combination of criminal judgments, 1 day of imprisonment shall be equal to:

- 1) 1 day of short-term imprisonment;
- 2) 1 day of confinement in a disciplinary battalion;
- 3) 2 days of restriction of liberty;
- 4) 8 hours of public works.

2. While adding punishments in the form of deprivation of honourable or military rank, category, degree or qualification class or state award; fine; deprivation of the right to hold certain positions or to exercise certain activities; deportation of a foreign citizen from the territory of the Republic of Armenia; as well as restriction in military service with public works, restriction of liberty, short-term imprisonment, confinement in disciplinary battalion, imprisonment or life imprisonment, they shall be executed separately.

#### **Article 79. Calculation of Terms of Punishment and the Set-off Thereof**

1. The terms of deprivation of the right to hold certain positions or to exercise certain activities, deportation of a foreign citizen from the territory of the Republic of Armenia, restriction in military service, restriction of liberty, confinement in disciplinary battalion, and imprisonment shall be calculated in months and years. The term of public works shall be calculated in hours. The term of short-term imprisonment shall be calculated in days and months.

2. When replacing or adding the punishments specified in Part 1 of this Article, as well as setting-off the punishment, the terms can be calculated in days.

3. Before the entry into force of the criminal judgement, irrespective of the jurisdiction of the Republic of Armenia, the term of actual custody shall be set-off against the



punishment imposed in the form of short-term imprisonment, confinement in the disciplinary battalion, imprisonment by calculating 1 day against 1 day; the punishment imposed in the form of restriction of liberty, by calculating 1 day against 2 days, and in case of public works, by calculating 1 day against 8 hours.

4. When imposing a fine, deprivation of the right to hold certain positions or exercise certain activities, restriction in the military service as a main punishment on an imprisoned person, the court, taking into account the term of factual imprisonment before holding the criminal judgment, regardless of the jurisdiction of the Republic of Armenia, shall mitigate the imposed punishment or release from serving the sentence.

5. The term of applying medical coercive measures on a person who has developed mental health issues after the commission of criminal offence, shall be set-off against the term of punishment in accordance with the procedure prescribed by this Code.

## SECTION 4.

### RELEASING FROM CRIMINAL LIABILITY AND PUNISHMENT

#### CHAPTER 12.

#### RELEASING FROM CRIMINAL LIABILITY

##### **Article 80. Releasing from Criminal Liability Due to Voluntary Renunciation of Crime**

1. The person shall be released from criminal liability if he/she voluntarily renounced of crime. If the factual act of the person involves another corpus delicti the person shall be subject to criminal liability for that crime.

2. Voluntary renunciation of crime means voluntarily and finally stopping the preparation of the crime or the criminal attempt or preventing the dangerous consequences of the act, if the person has realized the possibility to complete the crime in the given situation.

3. If voluntary renouncing the crime is manifested in the form of preventing the consequences of the act, then the person having committed the criminal offence shall be released from criminal liability only in case he/she has undertaken measures to prevent the dangerous consequences involved in his/her intention and has prevented those consequences. If the measures undertaken have not lead to the prevention of the dangerous consequences, then undertaking measures to prevent those by the person shall be considered as circumstances mitigating the criminal liability or punishment.

4. The organiser, inciter or abettor of crime shall be released from criminal liability in case of voluntary renunciation of crime, if he/she, prevents the completion of the crime by the performer through reporting to the competent bodies or by undertaking other measures. If the actions of the organiser, inciter or abettor do not lead to the prevention of commission of crime by the performer, then the measures undertaken shall be considered as a circumstance mitigating the criminal liability or punishment.

5. In case of assisting through provision of a tool or means or elimination of an obstacle, the person shall not be subject to criminal liability for abetting the crime, if he/she has taken back the provided tool or means or has restored the obstacles. In that case the

person shall be subject to criminal liability for not reporting about the crime, if elements of that corpus delicti are present in his/her action.

6. The joint perpetrator shall be released from criminal liability in case of voluntary renunciation of crime, if he/she prevents the completion of the crime by the performer through reporting to competent bodies or undertaking other means. If the measures undertaken by the joint perpetrator do not lead to the prevention of commission of crime by the performer, then the measures undertaken shall be taken into account as a circumstance mitigating the criminal liability and punishment.

#### **Article 81. Releasing from Criminal Liability in the Event of Active Repentance**

1. The person having committed a criminal offence for the first time, may be released from criminal liability, if the act committed by him/her is a minor or medium gravity criminal offence and he/she has been cooperating with the criminal prosecution bodies, not arguing the act incriminated to him/her and has compensated or otherwise remedied the damage caused by the crime, if such damage existed. 2. A person having previously been released from criminal liability based on the grounds stipulated in this Article, cannot again be released from criminal liability on the same ground.

#### **Article 82. Releasing from Criminal Liability on in the Event of Reconciliation of the Victim and the Person Having Committed a Criminal Offence**

1. The person having committed a criminal offence for the first time shall be released from criminal liability, if the act committed by him/her is a minor or a medium gravity criminal offence, and there is a mutual agreement between him/her and the victim on reconciliation based on independent and free expression of will, except for cases when the criminal offence includes elements of violence within the family.

2. The person having committed a criminal offence in complicity to minor or medium gravity crime for the first time, he/she shall be released from criminal liability in the event of reconciliation, if there is a mutual agreement between the victim and the given accomplice on reconciliation based on independent and free expression of will.

3. If a minor or a person with limited sanity has committed a criminal offence for the first time, he/she shall be released from criminal liability, if the act committed by him/her is a

minor or a medium gravity criminal offence, and there is a mutual agreement on reconciliation between the victim and the person responsible for protection of interests of the person accused of committing the crime, based on their independent and free expression of will.

4. If the victim of crime has not attained the age of 14 years or is fully or partially deprived from the possibility to realize the nature and consequences of the crime committed against himself/herself or to control his/her behaviour due to mental health issues or mental retardation, then the person who has committed a criminal offence against him/her cannot be released from criminal liability based on the reconciliation.

### **Article 83. Releasing from Criminal Liability as a Result of Expiry of the Statute of Limitations**

1. A person shall be released from criminal liability, if the following terms have elapsed since the day following the day of committing the criminal offence:

- 1) 5 years, in case of a minor criminal offence;
- 2) 10 years, in case of medium gravity criminal offence;
- 3) 15 years, in case of a grave criminal offence;
- 4) 20 years, in case of particularly grave criminal offence.

2. The statute of limitations shall be calculated from the day following the completion of criminal offence till the delivery of a decision to involve the person as an accused.

3. In case of continuous crime, the statute of limitations shall be calculated from the day following the termination of act, and in the case of continuing crime- from the day following the last act.

4. In case of inchoate crime, the statute of limitations shall be calculated from the termination of act considered to be preparation of crime or attempted crime.

5. A person who has committed criminal offence in complicity shall be released from criminal liability, if the terms established in Part 1 of this Article have expired on the day following the completion of the criminal offence by the performer.

6. The running of statute of the limitations shall be interrupted, if before the expiry of the mentioned terms the person commits a new criminal offence. In that case, the calculation

of the statute of limitations for each crime shall start from the moment when the new criminal offence is completed.

7. The running of statute of limitations shall be suspended, if the person evades investigation. In this case the running of statute of limitations resumes from the moment the person is arrested or surrenders by acknowledging guilt. Moreover, the person cannot be subjected to criminal liability, if 15 years have passed since the day of committing a minor or medium gravity criminal offence, and 25 years have passed since the day of committing a grave or a particularly grave criminal offence, and the running of the statute of limitations was not interrupted by a new crime.

8. No statute of limitations shall apply in connection with criminal offences, for which also life imprisonment is established in this Code as a punishment.

9. No statute of limitations shall apply to persons committing criminal offences prescribed under Articles 133-154, Article 308, point 1 of part 2 of Article 441, or Article 450 of this Code, notwithstanding the venue of commission of criminal offence.

10. No statute of limitation shall be applied also towards persons who have committed crimes provided for by international treaties of the Republic of Armenia, provided these treaties prohibit application of statute of limitations.

11. Calculation of the statute of limitations with respect to persons who have committed criminal offences stipulated by Articles 189; 198-202; 241 and 242 of this Code shall start from the moment when the victim of crime attains the age of 18.

## **CHAPTER 13.**

### **RELEASING FROM PUNISHMENT**

#### **Article 84. Conditional Non-Application of Punishment**

1. If the court while imposing a punishment on a person who committed a criminal offence in the form of short-term imprisonment, confinement in the disciplinary battalion or imprisonment, concludes that it is possible to realize the aims of the punishment

without serving the sentence, it may decide on conditional non-application of punishment.

2. A person on whom a milder punishment has been imposed according to Article 72 of this Code, or an agreement or cooperation proceeding has been applied, can be released based on the conditional non-application of punishment.

3. In case of combination of crimes, the issue of conditional non-application of punishment shall be decided after imposing the final punishment in combination.

4. When holding a decision on conditional non-application of punishment, the court shall take into account the following circumstances:

- 1) nature and danger of criminal offence incriminated to the person;
- 2) circumstances mitigating and aggravating the punishment;
- 3) personality of the person having committed a criminal offence;
- 4) absence of a claim to compensate the inflicted damage or otherwise remedy it, or circumstance of having it already compensated or otherwise remedied, if damage has been caused by the crime.

5. In case of conditional non-application of the punishment, the court shall establish a probation period from 1 to 5 years, during which the person is placed under the supervision of a competent authority carrying out surveillance over a convict's conduct and shall be obliged to perform the duties imposed by the court. Duties imposed by the court for the period of probation are as follows:

- 1) participation in educational and cultural programmes, including learning of a new craft or profession;
- 2) not leaving the territory of the Republic of Armenia without the agreement of the competent body carrying out surveillance over a convict's conduct;
- 3) in case of changing the place of residence, within short period of time informing the new residence address to the competent body carrying out surveillance over the convict's conduct;
- 4) undergoing a rehabilitation treatment from addiction to alcoholic beverages (alcohol), narcotic drugs, Psychoactive (Psychotropic) substances, toxic or other narcotic substances;
- 5) engagement in socially useful works;

- 6) undergoing a treatment from a sexually transmitted disease or disease posing danger to public;
- 7) the prohibition to have any contact with the victim, the victim's family member, the victim's dependent or other persons as defined by the court;
- 8) the prohibition to visit certain places;
- 9) undergo a psychological-rehabilitation treatment.

6. The court shall impose one or several duties mentioned in part 5 of this Article on the convict or, upon the motion of competent authority carrying out surveillance over the convict's conduct or by its own initiative, other duties contributing to the person's re-socialization.

7. Duties not impeding service duties in the respective battalion of the armed forces may be imposed on the serviceman.

8. While the conditional non-application of the punishment the court may also impose a supplementary punishment as well as a security measure.

9. If during the probation period the convict avoids from carrying out the duties and supervision set by the court, carrying out the security measure or supplementary punishment imposed by the court, then the court subjecting the reasons for avoidance to comprehensive assessment, eliminates the conditional non-application of the punishment imposed on the person or, upon the motion of the competent body carrying out surveillance over the convict's or the convict, extends the probation period set for up to 1 year, including the imposed 5 year maximum period of probation.

10. If, after extending the probation period, the person continues to avoid carrying out the duties set for by the court, the supervision or carrying out the security measure or supplementary punishment imposed by the court, then upon the motion of competent body carrying out surveillance over the convict's conduct the court shall annul the conditional non-application of the punishment imposed on the person.

11. If a punishment related to deprivation of liberty has been imposed by a combination of crimes, which was conditionally not applied, or a punishment not related to deprivation of liberty was imposed, then in case the convict evades it, the court shall, upon the motion of competent body carrying out surveillance over the convict's conduct, annul the decision on conditional non-application of the punishment.

12. If during the probation period person commits a new intentional criminal offence, then the decision of conditional non-application of punishment on him/her shall be annulled. In that case, the court shall impose a punishment on a person according to the procedure stipulated by Article 75 of this Code.

13. If during the probation period, the person commits a negligent criminal offence, the issue of annulling the decision on conditional non-application of the punishment shall be resolved by the court. If the court as a result of comprehensive assessment of the circumstances of the case decides not to annul the decision of conditional non-application of punishment and imposes punishment related to deprivation of liberty for the newly committed criminal offence, the punishment is conditionally not applied and the probation period is prolonged for up to 5 years. If during the probation period the person commits more than one negligent criminal offences, the decision of conditional non-application of the punishment is annulled. If the court annuls the decision of conditional non-application of the punishment, a punishment shall be imposed according to the procedure prescribed by Article 75 of this Code

14. If during the probation period it is discovered that before being convicted the person has committed another criminal offence, for which he/she was not held criminally liable or was not released from criminal liability or punishment in the manner prescribed for by law, the court shall impose a punishment for the combination of crimes in the manner stipulated by Article 74 of this Code. Imposing the final punishment for the combination of crimes, the court, taking into account the circumstances established by Part 4 of this Article, can decide to conditional non-application of the punishment. If the court does not consider it appropriate to conditionally not apply the punishment, then the 2 days of the previous probation period shall be counted as 1 day of short-term imprisonment, confinement in the disciplinary battalion or imprisonment.

15. If the person commits a new criminal offence prior to the decision on conditional non-application of punishment enters into force, the court annuls the decision on conditional non-application of punishment and imposes a punishment in accordance with the rules established in Article 75 of this Code.



16. If during the probation period the person commits a new criminal offence, which is revealed after the expiration of the probation period, the person shall bear separate punishment for that.

#### **Article 85. Early Conditional Release from Punishment**

1. A person who serves his/her punishment in the form of confinement in the disciplinary battalion or imprisonment, can benefit from early conditional release from punishment by the court, if the convict has already served the relevant minimum term of punishment established by Part 4 of this Article, and the court, based on the examination of the reports submitted by the competent bodies on the proper conduct of the convict and circumstances assessing the probability of him/her committing a new criminal offence, is being convinced that the resocialization of the convict is possible without serving the remaining part of the punishment, because:

- 1) he / she behaved properly while serving the punishment; and
- 2) the probability of him committing a new criminal offence is low.

2. The following circumstances shall be taken into account when assessing the proper conduct of a convict:

- 1) existence of incentive or penalty while serving the punishment;
- 2) participation in educational programs, sport or cultural events or participation in the handmade associations, provided there was such opportunity;
- 3) participation in educational programmes, athletic and cultural events or amateur unions of convicts while serving the punishment, where there has been such a possibility;
- 4) other circumstances for assessing the proper conduct of the convict.

3. The following circumstances shall be taken into account when assessing the probability of the convict to commit new criminal offence:

- 1) the age of the convict at the time of serving the punishment, as well as at the time of committing the criminal offence;
- 2) the nature and danger of the criminal offence;
- 3) existence of recidivism;
- 4) his/her attitude towards the criminal offence committed;

- 5) compensation of damage caused by the crime or settlement in any other way or undertaking obligation in written to compensate or otherwise settle the damage;
- 6) his/her attitude towards criminal subculture;
- 7) certain inclinations, possible addictions, preferences;
- 8) participation in re-socialization, including personal development activities;
- 9) contacts with the family or outside world or the existence of persons under care;
- 10) social environment;
- 11) state of health, being under the compulsory medical treatment and treatment outcome;
- 12) changes in the circumstances leading to the commitment of criminal offence;
- 13) other circumstances assessing the possibility of the convict to commit a new criminal offence.

4. A convict may benefit from early conditional release from punishment, if he/she has served:

- 1) not less than one third of the punishment imposed in the form of imprisonment for a term not exceeding 5 years;
- 2) not less than one third of the sentence imposed in the form of imprisonment for a term not exceeding 15 years;
- 3) not less than two-thirds of the sentence imposed in the form of imprisonment for a term not exceeding 30 years;
- 4) not less than three quarters of the sentence imposed for a new crime, in case of previous early conditional release from the punishment and its annulment;
- 5) not less than 20 years of imprisonment, if sentenced to life imprisonment.

5. The term of the sentence actually served in the form of confinement in a disciplinary battalion or imprisonment may not be less than 3 months.

6. When delivering a decision on early conditional release from punishment, the unserved part of the punishment shall be considered as a probation, during which the person shall be under supervision of competent body carrying out surveillance over the convict's conduct. A probation period of 10 years shall be defined when a person sentenced to life imprisonment is early conditional released.

7. When delivering a decision on early conditional release from punishment, the court shall impose on the person one or several duties established in Part 5 of Article 84 of this Code. If the convict has not yet compensated or otherwise settled the actual damage caused to the victim, the court imposes such an obligation on the convict.
8. In case the person benefited from early conditional release from punishment evades from performing the duties or supervision imposed by the court, the court shall, upon the motion of the competent body carrying out surveillance over the convict's conduct, annul the decision on early conditional release from punishment.
9. If the convict commits a new criminal offence during the probation, or it is revealed that he/she has committed a new criminal offence while serving the punishment, the court shall annul the decision on early conditional release of a person from punishment and impose a punishment in the procedure provided for in Article 75 of this Code.
10. If during the probation period it becomes clear that before being convicted, the person has committed another criminal offence, for which he hasn't been held criminally liable or hasn't been released from criminal liability in accordance with law, the court shall annul the decision on early conditional release from punishment and impose punishment in accordance with procedure provided for in Article 74 of this Code. In that case, the calculation of the term of early conditional release from punishment shall resume again from the moment when the convict has resumed serving his/her punishment.
11. In case the convict commits a new criminal offence during the period of serving the punishment, the running of the term established by Part 4 of this Article for early conditional release from punishment shall be interrupted. In this case, the calculation of the term of early conditional release from punishment shall resume again from the moment the convict resumes serving his/her main punishment.
12. If a person serving life imprisonment has committed such a new criminal offence, for which a punishment in the form of imprisonment or life imprisonment is prescribed, the term established by point 5 of Part 4 of this Article shall be suspended till the expiry of the term of punishment imposed in the form of imprisonment, and in case of imposing life imprisonment, till expiry of 20 years.
13. In case of early conditional release from punishment the person shall not be released from the supplementary punishment imposed on him/her.

14. When replacing another punishment with imprisonment, the convict cannot benefit from early conditional release from punishment.

#### **Article 86. Postponing the Serving of the Punishment**

1. Serving the punishment of imprisonment for up to 5 years or a milder punishment imposed on a pregnant woman or a person who has a dependent child under the age of 6 years, can be postponed until the child attains the age of 6 years, provided the court finds that there is no need to immediately serve the punishment in order to achieve the purposes of punishment.

2. When delivering a decision on postponing the serving of the punishment, the court shall take into consideration the following circumstances:

- 1) nature and danger of the criminal offence incriminated to a person;
- 2) circumstances mitigating and aggravating the punishment;
- 3) personality of the person having committed criminal offence;
- 4) absence of a claim to compensate the inflicted damage or otherwise remedy it, or circumstance of having it already compensated or otherwise remedied, if damage has been caused by the crime.

3. In case of delivering a decision to postpone the serving the punishment, the postponed term of punishment is deemed to be a probation, during which the person is under the supervision of competent body carrying out surveillance over the convict's conduct and is obliged to perform the duties imposed by the decision of the court as prescribed for by Part 5 of Article 84 of this Code.

4. When postponing the serving of punishment, the court shall impose on the person one or several duties envisaged by Part 5 of Article 84 of this Code. The court may impose such duties upon a pregnant woman or a person who has a dependent child under the age of 6 years, which are feasible for him/her.

5. In the event, when a pregnant woman, or a person having a dependent child under the age of 6 years, avoids performing his/her duties imposed by the court, or commits a new criminal offence during the period of probation, the court shall, upon the motion of the competent body carrying out surveillance over the convict's conduct, annul the decision on postponing the serving of the punishment. When committing a new criminal offence

during the probation period, the court shall impose a punishment on a person in the manner prescribed for by Article 75 of this Code.

6. If during the probation period it is revealed that before being convicted the person has committed another criminal offence, for which he/she was not held criminally liable or was not released from criminal liability or punishment in the manner prescribed for by the law, the court shall impose a punishment for combination of crime in the manner stipulated by Article 74 of this Code. If the final punishment for the combination of crimes does not exceed the imprisonment of 5 years, the court can, based on conditions stipulated in Parts 1 and 2 of this Article, decide to postpone serving the punishment.

7. If the pregnant woman interrupts the pregnancy without medical indication prescribed for by law for its interruption or refuses from the child or hands over the child to an orphanage or avoids from taking care of and upbringing the child, then upon the motion of the competent body carrying out surveillance over the convict's conduct, the court shall annul the decision on postponing the serving of the punishment.

8. In case of child's death, the court shall not annul the decision on postponing the serving of the punishment, if during the probation period, the person has performed the duties imposed by the court in good faith.

9. If the decision on postponing the serving of the punishment has not been annulled by any of the grounds provided for in this Article, the person shall be released from serving he punishment upon the end of the probation.

#### **Article 87. Releasing from or Postponing of the Punishment Due to Illness**

1. If after the commission of criminal offence but before the delivery of a criminal judgment, the person acquires such mental health issue that makes the imposition of the punishment impossible, then based on the forensic psychological expert conclusion the imposition of the punishment shall be postponed. Medical coercive measure is imposed on the person, and in case of changes in health conditions, when according to the conclusion of the psychiatric committee, the person can serve his/her punishment, the court annuls the medical coercive measure and imposes the punishment.

2. If after the delivery of a criminal judgment, the person acquires such mental health issue which makes the serving of punishment impossible, the court, based on the forensic

psychological expert conclusion, shall release the person from serving the punishment. Medical coercive measure shall be imposed on that person, and in case of changes in health conditions, when according to the conclusion of the psychiatric committee, the person can serve his/her punishment, the court annuls the medical coercive measure and delivers a decision on sending the person to serve his/her punishment.

3. If after the commission of criminal offence but before the delivery of a criminal judgment the person acquires such other disease, which makes the imposition of the punishment impossible, based on the forensic medical expert conclusion, the imposition of the punishment shall be postponed. In case of such changes in health conditions, when according to the conclusion of the medical committee, the person can serve his/her punishment, the court shall impose the punishment.

4. If after the delivery of a criminal judgment, the person acquires such other disease, which makes serving the punishment impossible, then based on the forensic medical expert conclusion, the court shall release the person from serving the punishment. In case of such changes in health conditions, when according to conclusion of the medical committee the person can serve his/her punishment, the court shall deliver a decision to send the person to serve his/her punishment.

5. In cases established in this Article the issue of changing of medical condition of the person shall be considered by the medical committee on every 6 months basis.

6. In case of such a change in medical condition of a person mentioned in Parts 1 and 2 of this Article, which makes the serving of the punishment possible, the person shall be subject to punishment, provided the statute of limitations established in Article 83 of this Code have not expired. Persons referred to in Parts 2 and 4 of this Article, shall, upon recovery, be subjected to punishment, provided that the statute of limitations laid down in Article 90 of this Code have not expired.

7. If the person referred to in Parts 1 and 3 of this Article commits a new criminal offence before the expiration of the statute of limitations stipulated by Article 83 of this Code, the court shall impose a punishment in the manner stipulated by Article 74 of this Code. If the person mentioned in Parts 2 and 4 of this Article commits a new criminal offence before the expiration of statute of limitations stipulated in Article 90 of this Code, the court shall impose a punishment in the manner stipulated by Article 75 of this Code.

8. A serviceman sentenced to confinement in a disciplinary battalion shall be released from serving his punishment in case of such an illness due to which he is considered ineligible for military service.

**Article 88. Replacing the Punishment with a Milder One or Releasing from Punishment**

1. If after the delivery of a criminal judgment certain circumstances arise due to which serving the imposed type of punishment objectively becomes impossible, the court shall replace the imposed main or supplementary punishment or the unserved part of it with a milder punishment, and in case of impossibility to replace the punishment by a milder punishment, releases the convict from serving the punishment.

**Article 89. Releasing from Punishment Due to Extraordinary Circumstances**

1. The person having committed criminal offence who is sentenced to maximum 5 years of imprisonment or a milder punishment established by this Code, may be released from punishment, where further serving of the punishment may result in grave consequences for the sentenced person or his/her family due to illness or death of the only member of the family capable to work or other extraordinary circumstances.

2. In case of delivering a decision to release from punishment related to deprivation of liberty due to extraordinary circumstances, the term of the imposed or the unserved part of the punishment is deemed to be a probation period, during which the person shall be under the supervision of the competent body carrying out surveillance over the convict's conduct. During the probation the court shall impose on the convict one or several duties established in Part 5 of Article 84 of this Code.

3. In case the person, who has been released from punishment due to extraordinary circumstances, avoids performing the duties, supervision imposed on him/her by the court, or commits a new criminal offence during the probation period, the court shall annul the decision on releasing the person from punishment due to extraordinary circumstances.

4. In case of annulling the decision on releasing the person from punishment due to extraordinary circumstances on grounds that the person has committed a criminal offence

during the probation, the court shall impose a punishment on the person in the manner stipulated by Article 75 of this Code.

5. If during the probation period it is revealed that before being convicted the person has committed another criminal offence for which he/she was not held criminally liable or was not released from criminal liability or punishment in the manner prescribed for by law, the court shall impose a punishment in the manner stipulated by Article 74 of this Code and resolve the issue of annulling the decision on releasing the person from punishment due to extraordinary circumstances.

**Article 90. Releasing from Punishment due to Expiry of the Statute of Limitations of the Criminal Judgment of Conviction**

1. By the decision of the court the person convicted for a crime shall be released from serving the punishment related to deprivation of liberty, if after entering into legal force the criminal judgment of conviction was not enforced during the period equal to the length of the sentence established by the criminal judgment.

2. A person convicted to a punishment not related to deprivation of liberty shall be released from punishment by the decision of the court, if after entering into force the criminal judgment of conviction was not enforced during 1 year.

3. In case of postponing the serving of sentence imposed by the criminal judgment of conviction, the calculations of the statute of limitations of the criminal judgment of conviction shall commence after the court decision to postpone the serving of punishment is annulled.

4. The term of the statute of limitations is terminated, if before expiration of the terms specified in Parts 1 and 2 of this Article the person commits a new crime. In such case the calculation of the statute of limitations starts on the day following the commission of the new crime.

5. The term of the statute of limitations is suspended, if the convict evades from serving the main punishment. In such case the term of the statute of limitations is renewed from the moment of arresting the person, his/her surrender by acknowledging guilt, or when the evasion is ended. In case of suspension, the terms established by Parts 1 and 2 of this Article are prolonged by one third.



6. No statute of limitations shall apply to persons sentenced to life imprisonment.
7. No statute of limitations shall apply to persons, who have committed criminal offences established under Articles 133-154, Article 308, point 1 of Part 2 of Article 441 or Article 450 of this Code, regardless of the time of the commission of criminal offence. No statute of limitations shall apply also to persons, who have committed criminal offences established by international treaties of the Republic of Armenia, provided such agreements establish a prohibition for application of the status of limitations.

## **CHAPTER 14.**

### **AMNESTY, PARDON, CONVICTION**

#### **Article 91. Amnesty**

1. A person allegedly having committed a criminal offence may, upon the law on amnesty, be released from criminal liability, and a convict may be released from both the main and supplementary punishments in full or in part, or the unserved part of a punishment may be replaced by a milder form of punishment, or the conviction may be cancelled.
2. Amnesty shall not be applied with respect to persons having committed criminal offences established under Articles 133-154, Article 308, point 1 of Part 2 of Article 441 or Article 450 of this Code.

#### **Article 92. Pardon**

1. A person convicted of a crime may, upon an act of pardon, be released from both main and supplementary punishments in full or in part, or the unserved part of the punishment may be replaced with a milder punishment.
2. Pardon shall not be applied with respect to a person having committed criminal offences established under Articles 133-154, Article 308, point 1 of Part 2 of Article 441 or Article 450 of this Code.

#### **Article 93. Conviction**

1. The person is deemed to be having a conviction from the day when the criminal judgment of conviction enters into legal force until the moment when the conviction is cancelled. Grounds for cancellation of the conviction are: the expiry of conviction, the law on amnesty, and decriminalisation of the act.

2. According to this Code, the conviction shall be taken into account in case of recidivism, imposition of punishment, release from criminal liability or punishment.

3. Shall be considered as having no conviction:

1) a person who, in the manner established by this Code has been released from criminal liability or was convicted without imposition of punishment or was released from serving the punishment in the manner prescribed for by Article 90 of this Code;

2) a person, whose conviction has been expired;

3) a person, whose conviction has been cancelled by a law on amnesty; or

4) a person who has served or is serving a punishment for an act that has been decriminalized.

4. The calculation of the term of expiry of the conviction shall commence after the main punishment has been served. In case of imposing a supplementary punishment combined with the main punishment, the calculation of the term of expiry of the conviction shall be commenced after the main and supplementary punishments have been served.

5. Conviction shall be considered as having been expired:

1) in cases of releasing from the punishment established by Articles 84; 85; 88; 89 of this Code, as well as in the case of postponing the punishment as established by Article 86, after the completion of the probation period;

2) after the person serves the punishment not related to imprisonment;

3) to a person having been convicted to imprisonment for maximum of 2 years, after 1 year following the serving of punishment;

4) to a person having been convicted to imprisonment for maximum of 5 years, after 3 years following the serving of punishment;

5) to a person having been convicted to imprisonment for maximum of 10 years, after 5 years following the serving of punishment;

6) to a person having been convicted to imprisonment for maximum of 20 years, after 8 years following the serving of punishment;

- 7) to a person having been convicted to imprisonment for maximum of 30 years, after 10 years following the serving of punishment;
- 8) in case of having been convicted to life imprisonment, upon expiry of the probation period as established by part 6 of Article 85 of this Code.
6. If the person is released from serving the punishment on grounds established by Article 87 of this Code, the issue of expiry of the conviction shall be resolved in the manner established by Part 5 of this Article. In that case the calculation of the term of expiration commences from the moment of expiration of the term of the punishment imposed.
7. If the unserved part of the punishment has been replaced with a milder punishment, the term of the expiration of the conviction shall be calculated after the milder punishment has been served, in the manner prescribed for the expiry of conviction for that type of punishment.
8. The expiry or cancellation of the conviction on the grounds provided for by this Article, shall lead to elimination of criminal legal consequences of conviction.

**SECTION 5.**  
**PECULIARITIES OF CRIMINAL LIABILITY OF MINORS**

**CHAPTER 15.**  
**PURPOSES AND TYPES OF PUNISHMENT IMPOSED ON MINORS**

**Article 94. Criminal Liability of Minors and the Purposes of Punishment Imposed on them**

1. Within the meaning of this Code, a minor who has committed a criminal offence is a person who has attained the age of 14 but is under the age of 18 at the moment of committing the crime.
2. A minor who committed a criminal offence shall be subject to criminal liability according to provisions of this Code, taking into account the rules established by this Section.
3. Educational coercive measures, a security measure or a punishment can be imposed on a minor who has committed a criminal offence, and in case of being released from punishment by the court, the minor can be placed in a rehabilitation centre for minors.
4. In addition to the general purposes of punishment, the punishment imposed on a minor who has committed a criminal offence, shall pursue also purposes to ensure the minor's physical, mental, spiritual, moral and social natural development, to educate the minor and to protect him/her from negative influence of other persons.

**Article 95. Types of Punishment Imposed on Minors**

1. Types of punishment imposed on minors shall be as follows:
  - 1) Fine;
  - 2) Public works;
  - 3) Deprivation of the right to exercise certain activities;
  - 4) Restriction of liberty;
  - 5) Short-term imprisonment;
  - 6) Imprisonment.

2. The minimum and maximum term or size of punishment imposed on a minor having committed a criminal offence before attaining the age of 16 shall not exceed one-third of the minimum and maximum term or size of punishment established by the relevant Article or Part of the Article of the Special Part of this Code. The minimum and maximum term or size of punishment imposed on a minor having attained the age of 16 but being under the age of 18, who committed a criminal offence, shall not exceed one half of the minimum and maximum term or size of punishment established by the relevant Article or Part of the Article of the Special Part of this Code. If in the result of the application of the above-mentioned rules the term or size of the punishment is less than the minimum term or size established for that type of punishment, a punishment shall be imposed in the calculated term or size.

#### **Article 96. Fine Imposed on Minors**

1. A fine shall be applied if the minor has individual income or such property, on which a confiscation can be applied.

#### **Article 97. Public Works Imposed on Minors**

1. Duration of public works imposed on minors who have attained the age of 15 at the time of delivering the judgement shall not exceed 2 hours per day, and shall not exceed 3 hours per day for the minors from 16 years who have not attained the age of 18 at the time of delivering the judgement.

2. Minors shall not be engaged in works which are dangerous for their physical or spiritual development or health.

3. In case of evasion from performing public works, it shall be replaced by imprisonment in the manner established by Part 7 of Article 60 of this Code, if within 10 business days after being notified about the consequences of avoiding public works, he/she does not start or resume the performance of public works. When substituting public works with imprisonment, 4 hours of public works is calculated against 1 day of imprisonment for the minors who have attained the age of 15, and 6 hours of public works for the minors from 16 years who have not attained the age of 18.

4. When substituting public works with imprisonment, if imprisonment is not established by the sanction of Special Part of this Code, then the term of imprisonment shall not exceed 4 months for the minors who have attained the age of 15 at the time of delivering the judgement, and 6 months for the minors from 16 years who have not attained the age of 18 at the time of delivering the judgement.

**Article 98. Short-Term Imprisonment Imposed on Minors**

1. Short-term imprisonment shall be imposed on the minor only in case when a milder type of punishment cannot contribute to achieving the purposes of the punishment.
2. In case of a minor crime, as well as when committing a criminal offence, for the first time that is of medium gravity criminal offence, no short-term imprisonment shall be imposed on a minor.

**Article 99. Imprisonment Imposed on Minors**

1. Imprisonment with respect to a minor is exceptional means of punishment that shall be imposed only in case when no other means can ensure achieving the purposes of the punishment.
2. In case of a minor crime, as well as when committing a criminal offence for the first time that is of medium gravity criminal offence and is not accompanied with violence, no imprisonment shall be imposed on a minor. If the relevant Article of Special Part of this Code provides for no punishment other than imprisonment in case of a minor or medium gravity crime, the court shall apply a milder punishment type applicable on a minor, which is available in the punishment system and is not related to deprivation of liberty.

**CHAPTER 16.**

**IMPOSING A PUNISHMENT ON MINORS AND PERSONS NOT HAVING ATTAINED  
THE AGE OF 21**

#### **Article 100. General Principles of Imposing a Punishment**

1. When imposing punishment on a minor or a person not having attained the age of 21, the principles set by the Article 69 of this Code, as well as the conditions of life and upbringing, degree of psychological development, health condition, other specific characteristics and influence of other people over them shall be considered.
2. Provisions set in the Section 5 of this Code exclude considering the fact of being a minor or person not having attained the age of 21 as circumstances mitigating the punishment.

#### **Article 101. Imposing a Punishment for an Inchoate Crime**

1. Maximum term of punishment in the form of imprisonment for preparation of grave or particularly grave criminal offences cannot exceed the one-fourth of the maximum term of imprisonment, and the minimum term of imprisonment cannot be less than one-fourth of the minimum term of imprisonment as established by the sanction of the respective Article or a Part of the Article of the Special Part of this Code. If by applying the above-mentioned rules the term of imprisonment is less than 3 months, an imprisonment of less than 3 months shall be imposed.

#### **Article 102. Imposing Punishment in Case of Combination of Crimes**

1. Imprisonment of persons not having attained the age of 16, by combination of crimes shall not exceed 3 years for committing only medium gravity or minor and medium gravity criminal offences, and shall not exceed 7 years for grave and particularly grave criminal offences.
2. Imprisonment of persons from 16 years up to attaining the age of 18, by combination of crimes shall not exceed 5 years for committing only medium gravity or minor and medium gravity criminal offences, and shall not exceed 10 years for grave and particularly grave criminal offences.
3. If the combination of crimes committed before attainment of the age of 18 involves a particularly grave criminal offence which is linked to the intentional deprivation of life, the final punishment in the form of imprisonment on the minor cannot exceed 12 years.

4. Imprisonment of persons from the age of 18 and before attaining the age of 21, by combination of crimes shall not exceed 5 years for persons who have committed only minor criminal offences, 8 years for persons who have committed only medium gravity or minor and medium gravity criminal offences, and 20 years for persons who have committed grave and particularly grave criminal offences. If for one of the criminal offences included in the combination of crime, the court imposes a life imprisonment, then the final main punishment is imposed in the form of life imprisonment.

5. If one or several of the criminal offences included in the combination of crimes have been committed at an age younger, and the other or others were committed at the age elder than established for in this Article, the final punishment for the combination of crimes shall be decided through the application of the rule established for an elder age.

6. If one or several criminal offences included in the combination of crimes have been committed before attaining the age of 21, and the other or others were committed at an elder age, the final punishment for the combination of crimes shall be decided through the application of the rule established for an elder age.

### **Article 103. Imposition of Punishment in Case of Combination of Criminal Judgments**

1. Final punishment by combination of criminal judgments, if not related to imprisonment, shall not exceed the maximum size established for the specific type of punishment in this Code.

2. Final punishment by combination of criminal judgments in the form of imprisonment to persons who have not attained the age of 16 at the moment of committing the last criminal offence, cannot exceed the term of 10 years, to persons who have not attained the age of 18 at the moment of committing the last criminal offence-cannot exceed 12 years, and for the persons who have not attained the age of 21 at the time of committing the last crime- cannot exceed 25 years, except for the cases when person commits such a criminal offence, for which a life sentence is prescribed.

## **CHAPTER 17.**

### **RELEASING FROM CRIMINAL LIABILITY OF MINORS AND PERSONS NOT HAVING ATTAINED THE AGE OF 21**



#### **Article 104. Releasing from Criminal Liability through Imposing Educational Coercive Measures**

1. If the minor or a person not having attained the age of 21 is accused of committing a minor or medium gravity criminal offence for the first time, he/she shall be released from criminal liability, if the court justifies that the purposes of the punishment is possible to achieve through imposing of educational coercive measure.

2. The court can impose the following educational coercive measures to a minor or a person not having attained the age of 21:

1) handing over for the supervision of a local self-government body or a competent body carrying out surveillance over the convict's conduct for a maximum term of 1 year;

2) imposing a duty to settle the damage caused, for a maximum term of up to 6 months;

3) restricting the freedom to leisure and imposing special conduct requirements, for a maximum term of one year;

4) proceeding to education, continuing education, and for a person having committed a criminal offence from the age of 18 and before attaining the age of 21, proceeding to work upon the motion of the local self-government body;

5) participation in a special educational, sport, cultural or public project or event or in a rehabilitation program implemented in a special rehabilitation centre.

3. Several educational coercive measures may be simultaneously imposed on a person not having attained the age of 21.

4. In case of avoiding an imposed education coercive measure or violating its terms, the court can, upon the motion of the local self-government body or competent body carrying out surveillance over the convict's conduct, annul the imposed measure and subject the minor or the person not having attained the age of 21 to the security measure as established in points 2 or 3 of parts 1 of Article 113 of this Code.

5. When committing a new criminal offence a minor or a person not having attained the age of 21 shall not be criminally liable for the former crime if educational coercive measure was applied to him/her.

6. The person released from liability through imposing educational coercive measure cannot be released from a new crime by way of applying educational coercive measure.

7. Within a meaning of this chapter, the local self-government body shall be deemed to be the head of the community.

#### **Article 105. Content of Educational Coercive Measures**

1. Placing under the supervision of the local self-government body or competent body carrying out surveillance over the convict's conduct means imposing a duty to perform the requirements of the mentioned bodies.

2. The duty to settle the caused damage shall be imposed, taking into account the property status of the minor or the person not having attained the age of 21 and his/her family, as well as his/her relevant skills or working capacities.

3. Restricting the leisure freedom and imposing special requirements for the conduct of a minor or a person not having attained the age of 21, can envisage a prohibition to visit certain places, exercise certain types of leisure, including a ban to contact certain persons, to drive certain means of transport, or restriction to be out of home during certain hours of the day, and to travel without authorization of the local self-government body or competent body carrying out surveillance over the convict's conduct.

4. Proceeding to education, continuing the education, and, for a person having committed a criminal offence at the age from 18 and before attaining the age of 21, proceeding to work upon the motion of the local self-government body, are the duties of proceeding to education, continuing the education or proceeding to work defined by the court.

5. Involvement in special educational, sport, cultural or public projects or events is the duty to get involved in special educational, sport, cultural or public projects, and participation in the rehabilitation programme in a special rehabilitation centre is the duty to participate in the rehabilitation programme conducted in the above-mentioned centre.

#### **Article 106. Releasing from Liability due to Expiry of the Statute of Limitation**

1. When releasing a person having committed a criminal offence before attaining the age of 18 from criminal liability due to expiration of the statute of limitations, the statute of limitations provided for in Article 83 of this Code shall be respectively reduced by half.

2. When releasing a person having committed a criminal offence from the age of 18 and before attaining the age of 21, from criminal liability due to expiration of the statute of limitations, the statute of limitations provided for in Article 83 of this Code shall be respectively reduced by one-third.

**Article 107. Conviction of Minors and Persons Not having Attained the age of 21**

1. After serving a punishment milder than imprisonment, the conviction of the minor shall be considered to have expired.

2. Terms of the expiry of conviction as provided for in Article 93 of this code shall be reduced for persons having committed a criminal offence before attaining the age of 18 and shall be respectively equal to:

- 1) 6 months after serving an imprisonment for a maximum term of 3 years;
- 2) 1 year after serving an imprisonment for a maximum term of 5 years;
- 3) 3 years after serving an imprisonment for a maximum term of 10 years;
- 4) 5 years after serving an imprisonment for a term of more than 10 years.

3. Terms of the expiry of conviction as provided for in Article 93 of this code shall be reduced for persons having committed a criminal offence from the age of 18 and before attaining the age of 21 and shall be respectively equal to:

- 1) 1 year, after serving an imprisonment for a maximum term of 3 years;
- 2) 2 years, after serving an imprisonment for a maximum term of 5 years;
- 3) 4 years, after serving an imprisonment for a maximum term of 10 years;
- 4) 7 years, after serving and imprisonment for a term of more than 10 years.

## CHAPTER 18.

### PECULIARITIES OF RELEASING MINORS AND PERSONS NOT HAVING ATTAINED THE AGE OF 21 FROM PUNISHMENT

#### **Article 108. Releasing from Punishment by Placing in a Rehabilitation Institution**

1. When imposing a punishment to a minor, who committed a minor or medium gravity criminal offence, the court releases him/her from punishment, if it justifies that the purpose of the punishment can be achieved through placing him/her in a rehabilitation institution.
2. Placement in a rehabilitation institution shall be imposed for a maximum term of 3 years.
3. Staying in the rehabilitation institutions can be early terminated, where the court finds that the person does not need to further serve the measure concerned.
4. In case of avoiding the coercive measure imposed in the form of placement in rehabilitation institution, the coercive measure shall be replaced with the punishment imposed by the criminal judgment.

#### **Article 109. Early conditional Release from Punishment**

1. Conditional early release from punishment can be applied in relation to a person having committed a criminal offence before attaining the age of 21 and being sentenced to imprisonment, if the convict has actually served:
  - 1) Not less than one-quarter of the imprisonment imposed for a term of not exceeding 3 years;
  - 2) Not less than one-third of the imprisonment imposed for a term of not exceeding 5 years;
  - 3) Not less than the half of the imprisonment imposed for a term of not exceeding 10 years;
  - 4) Not less than the two-thirds of the imprisonment imposed for a term exceeding 10 years.

#### **Article 110. Conditional Non-Application of Punishment**

1. In case of conditional non-application of the punishment imposed on a minor or a person not having attained the age of 21, the court shall consider both the nature of crime, circumstances mitigating or aggravating the punishment, and the moral and psychological features arising from the age of the criminal, conditions of his/her life and upbringing.
2. In case of conditional non-application of punishment, the court shall establish a probation period from 1 to 3 years.

**SECTION 6.**  
**PECULIARITIES OF APPLICATION OF SECURITY MEASURES AND**  
**CONFISCATION OF PROPERTY**

**CHAPTER 19.**  
**SECURITY MEASURES AND CONFISCATION OF PROPERTY**

**Article 111. Notion and Purpose of Security Measures**

1.The security measure is a criminal-law enforcement measure ensured by a state coercion, which is applied by a criminal judgment or a decision of a court on a person having committed an act prohibited by threat of punishment, and is expressed in deprivation of that person’s rights or freedoms provided for in this Chapter or restriction thereof.

2.The purpose of security measures is to prevent the commitment of acts prohibited under the threat of punishment.

**Article 112. Conditions for Application of Security Measures**

1. The court may apply a security measure, if it finds that the person having committed an act prohibited under this Code by the threat of punishment, can again commit such act, or the imposition of the security measure is necessary to ensure his/her or other person’s safety. When delivering a decision on imposing a security measure as established under Article 120 of this Code, the court shall take into account the expert conclusion on the necessity and appropriateness of imposing it on a specific person and the most efficient ways of its execution, and in case of imposition of security measures provided for by Articles 115 and 116 of this Code- expert conclusion of the specialized medical commission.

2. A security measure can be applied combined with punishment, if the court justifies that through the imposition of punishment only it is not possible to eliminate the probability of the person committing a new criminal offence. A security measure can be

applied separately from the punishment- as an independent enforcement measure, including when releasing the person from criminal liability or punishment.

3. More than one security measures can be applied for committed single act prohibited under by the threat of punishment.

#### **Article 113. Types of Security Measures**

1. Following security measures can be applied on the person having committed an act prohibited by the threat of punishment:

1) Medical coercive measures:

a/ outpatient supervision and forced treatment by a psychiatrist;

b/ forced treatment in a psychiatric unit of general supervision;

c/ forced treatment in a special type if psychiatric unit;

2) a prohibition to visit certain places;

3) an obligation to receive psychological assistance.

#### **Article 114. Grounds for Application of Medical Coercive Measures**

1. The court shall apply a medical coercive measure on a person who:

1) was in state of insanity state when committing an act prohibited for by threat of punishment;

2) was in a state of limited sanity when committing the criminal offence;

3) was sane at the moment of committing the criminal offence, however acquired mental health issue afterwards;

4) has committed a criminal offence and needs a rehabilitation treatment to recover from alcoholism, drug addiction, medicine addiction or toxicomania.

2. The court shall impose a medical coercive measure on a person, if it concludes, that the person due to his/her health condition needs medical intervention, which shall ensure his or other person's safety, as well as achievement of the purpose of application of security measures provided for in Part 2 of Article 111 of this Code.

3. After the end of the term of medical coercive measure, the issue of imposing medical measures to a person shall be resolved in line with the legislation regulating the health sector of the Republic of Armenia.

4. The Court shall sent the necessary materials about a person mentioned in Part 1 of this Article, who by its mental state is not dangerous for himself/herself or other person, to the respective healthcare body to resolve the issue of treatment of that person.

**Article 115. Outpatient Surveillance by a Psychiatrist and Compulsory Treatment**

1. The court shall impose outpatient oversight and compulsory treatment by a psychiatrist for the person, who has committed an act prohibited for by the threat of punishment, if the person by his/her mental state does not need a hospital treatment.

2. A person sentenced to punishment related to imprisonment, to whom an outpatient surveillance by a psychiatrist and compulsory treatment is imposed, shall serve it according to the place related to venue of serving punishment not related to imprisonment, and the person sentenced to punishment not related to imprisonment, shall serve it in psychiatric institutions providing outpatient psychiatric care and services.

**Article 116. Compulsory Treatment in Psychiatric Institutions**

1. The court shall impose a compulsory treatment in a general psychiatric department of psychiatric organizations on a person having committed an act prohibited for by the threat of punishment, whose mental state requires such conditions for treatment, care and surveillance which can be implemented only in an inpatient setting.

2. The court shall impose a compulsory treatment in a special-type department of a psychiatric organization ton a person having committed an act prohibited by the threat of punishment, who is dangerous by his/her mental state for himself/herself or another person and requires a permanent surveillance.

**Article 117. Imposing, Changing and Terminating Medical Coercive Measure**

1. When imposing a medical coercive measure, the court shall take into account the expression and nature of the mental health issue of the person having committed an act prohibited for by threat of punishment and the nature, degree of danger and the nature of the committed act, the factors that contributed to its commission, probability of committing the act prohibited for by threat of punishment again by the person, being dangerous to himself/herself or other person. When delivering a decision on imposing a



specific type of medical coercive measure, the court shall be based on the conclusion issued by the medical-professional commission.

2. The court shall, in the manner prescribed for by law, decide on continuing the application of medical coercive measure, its termination of changing its type.

#### **Article 118. Setting-off the Term of Application of the Medical Coercive Measure**

1. In case of recovery of the person, who has not yet been convicted for committing the criminal offence, or has not served the term of the punishment in full or in part and has been sent to compulsory treatment in a psychiatric institution, when imposing the punishment or restoring the serving of the punishment, the term of compulsory treatment in the psychiatric institution shall be set-off to the term of punishment, by calculating 1 day in the psychiatric hospital as equal to 1 day of imprisonment.

#### **Article 119. A Prohibition to Visit Certain Places**

1. If the court finds that in case of presence in certain places of the person having committed an act prohibited for by threat of punishment, increases the probability of committing such an act again, may decide to prohibit the person to visit certain places for a term of 3 months to 2 years.

2. The court shall define the places, where the person is prohibited to visit, taking into account the of the committed act, factors that had contributed to its commission, the personality of a person having committed an act prohibited for by threat of punishment.

3. If the prohibition to visit certain places was imposed in combination with a punishment related to deprivation of liberty, its term shall be calculated from the moment of finishing serving the punishment or releasing the person from punishment.

4. If the person avoids to meet the requirements of the prohibition to visit certain places, this security measure shall be replaced with a short-term imprisonment, by calculating 1 month of the enforced security measure against 3 days of short-term imprisonment. If the term of short-term imprisonment formulated as a result of calculation exceeds the term of 2 months, a short-term imprisonment of 2 months shall be imposed.

#### **Article 120. An Obligation to Receive Psychological Assistance**

1. If the court finds that commission of an act prohibited for by threat of punishment was conditioned by the psychological state, mental health issues or complexes, it can deliver a decision to impose an obligation on a person to receive psychological assistance in competent bodies established by the state for a period from 3 months to 2 years. When delivering a decision on imposition of an obligation to receive psychological assistance, the court shall be based on the conclusion issued by an expert psychologist.
2. If the obligation to receive psychological assistance is imposed in combination with a punishment related to deprivation of liberty, its term shall be calculated from the moment when psychological assistance is actually received and, in case of conditional non-application of punishment- from the moment when probation starts.
3. If the person refuses or avoids complying with the obligation to receive psychological assistance, this security measure shall be replaced by a short-term imprisonment, in accordance with procedure prescribed in Part 4 of Article 119 of this Code.
4. In accordance with the procedure prescribed for by law the court may reduce or extend the duration of the obligation to receive psychological assistance, within the terms established in Part 1 of this Article, or to terminate the obligation to receive psychological assistance.

**Article 121. Confiscation of Property, Income, and other types of benefits, the Crime Tools, Means, and Objects having criminal origin**

1. The property, income or other types of benefits obtained directly or indirectly in result of crime, the crime tools and means used or intended to be used, the object of crime are subject to free of charge compulsory confiscation by court, except for the cases provided in this Article.
2. Confiscation of property can be applied both towards natural persons, and legal entities.
3. The termination of criminal prosecution by the court based on a non-rehabilitation ground, shall not prohibit the confiscation of property, income or other type of benefit, the crime tool, means and objects having criminal origin.
4. If the property, income or other types of benefits obtained directly or indirectly in result of crime, the crime tools and means used or intended to be used, are mixed with

lawfully obtained property, belong to a bona fide third party, or haven't been detected, then an equivalent property shall be confiscated.

5. The tools or means of a crime used for the commission of criminal offence or withdrawn from circulation, as well as items, substances, documents, property, objects that have been objects of crime are subject to compulsory confiscation, except for the cases when their confiscation is manifestly disproportionate, taking into account the nature of the criminal offence and a the level of severity.

6. The property deemed to be an object banned for circulation or posing a danger for people and society, is subject to compulsory confiscation, despite the fact to whom it belongs.

7. The property necessary for the person having committed a criminal offence or the person under his/her care, if it is included in the list established by law, the property of bona fide third party, the property to be returned to the victim, as well as the property necessary for compensation of damages inflicted by the crime to the victim, shall not be subject to confiscation.

8. In cases, when there is a dispute between the victim and the bona fide third party over the property subject to confiscation, the confiscation of that property may be performed within civil proceedings.

9. In the case of application of agreement and cooperation proceedings, the rules set out in this Article shall be applicable, unless otherwise is prescribed in regard to the property subject to confiscation or its size in the agreement protocol or the agreement on pretrial cooperation, except for in cases provided for in Part 6 of this Article. The size of property subject to confiscation agreed upon as a result of negotiations may not be less than 75% of the total value of the property subject to confiscation.

10. Within the meaning of this Article, property, income or other types benefits are any material goods, movable or immovable objects of civil law, including financial (monetary) means, payment instruments, securities and property rights, documents or other means verifying the property rights, the interest received out of the property or interests accrued on it, the dividends or other income, as well as related rights and patent rights.

11. Within the meaning of this Article, a bona fide third party person is the person, who has acquired property having a criminal origin or has encumbered it with his rights, who

ought not to have and could not know that the property is a property directly or indirectly generated or received as a result of crime, an income or other type of benefit received from using that property, the crime tools and means used or intended to be used, or the object of crime. bona fide third party. A bona fide third person is also a person, whose property, by circumstances beyond his/her control has been taken out of his possession, or who has transferred the property to another person if he did not know and could not know that the property would be used or intended to be used for a crime.

## SECTION 7.

### CRIMINAL LIABILITY OF A LEGAL ENTITIES

#### CHAPTER 20.

#### GENERAL CONDITIONS OF CRIMINAL LIABILITY OF A LEGAL ENTITY

##### **Article 122. Legal Entities Subject to Criminal Liability**

1. A legal entity incorporated according to the legislation of the Republic of Armenia or in foreign state shall be subject to criminal liability in the Republic of Armenia.
2. The state bodies, bodies of state administration, self-government bodies and their institutions, the Central Bank of the Republic of Armenia shall not be subject to criminal liability.
3. A legal entity incorporated according to the legislation of the Republic of Armenia shall be subject to criminal liability according to the Criminal Code of the Republic of Armenia for a criminal offence committed beyond the territory of the Republic of Armenia against the interests protected by criminal law, if it was not held criminally liable for that crime in a foreign state.
4. A legal entity incorporated in a foreign state shall be subject to criminal liability for a criminal offence committed beyond the territory of the Republic of Armenia in accordance with Criminal Code of the Republic of Armenia, if the crime was directed against the interests of the Republic of Armenia, its citizen, the person without citizenship permanently residing in the territory of the Republic of Armenia, or a legal entity incorporated in the Republic of Armenia or other organization and if it was not held criminally liable in a foreign state for that crime.
5. More than one criminal-legal enforcement measure can be imposed on a legal entity.
6. A legal entity shall be subject to liability according to provisions of this Code taking into account the rules provided for in this Section.

##### **Article 123. The Ground for Criminal Liability of a Legal Entity**

1. A legal entity shall be subject to criminal liability if:
  - 1) The criminal offence has been committed by a person, who is authorized to influence the activities or decisions made by the legal entity, or by a person representing the legal

entity with the permission or instigation of such a person, acting on behalf of the legal entity and acting for the benefit of the legal entity;

2) The legal entity has not ensured the fulfilment of the obligations provided for by law or other legal act regulating its activity, which has led to committing a criminal offence by a person authorized to influence the activities or decisions made by the legal entity, or by a person representing the legal entity or an employee of a legal entity;

3) The criminal offence has been committed by a person, who is authorized to influence the activities or decisions made by the legal entity, or by a person representing the legal entity, acting on behalf of the legal entity or through the legal entity (using it);

2. Within the meaning of Part 1 of this Article, the person representing the legal entity is the person who is authorized to represent the legal entity based on law, other legal act, a contract, a charter, a special power of attorney or a decision of the legal entity.

3. Within the meaning of Part 1 of this Article, the person authorized to influence the activities or decisions made by the legal entity is the person, who by the force of direct or indirect participation in the statutory capital of that organization is entitled to give binding instructions for that organization or otherwise influence the activities of legal entity or decisions made.

4. Within the meaning of Part 1 of this Article, the criminal offence shall be considered committed for the benefit of a legal entity, if the aims of the crime included gaining property or non-property benefits for the legal entity, including increasing the revenues, reducing expenses or losses, getting released from liabilities established by legal acts, gaining rights or releasing from duties.

5. Subjecting a natural person to criminal liability does not exclude the criminal liability of the legal entity for the same crime. Release of a natural person from criminal liability is not a ground for releasing a legal entity from criminal liability.

#### **Article 124. Excluding the Criminal Liability of a Legal Entity**

1. A legal entity is not subject to criminal liability, if participants or shareholders of a legal entity have taken all reasonably necessary steps to prevent the commission of criminal offence by persons specified in Part 1 of Article 123 of this Code, however there was no real possibility to prevent the crime.

**Article 125. Releasing a Legal Entity from Criminal Liability**

1. A legal entity shall be released from criminal liability on grounds prescribed in the Chapter 12 of this Code insofar as they are in their nature applicable to legal entity.
2. A legal entity shall also be released from criminal liability if it has eliminated the causes and conditions contributing to committing the criminal offence, if any, compensated the damage caused and settled the other consequences of the alleged crime, returned the property acquired as a result of commission of criminal offence, including income received.
3. A legal entity shall also be released from criminal liability in cases stipulated in the Special Part of this Code.

**CHAPTER 21.**

**CRIMINAL-LEGAL ENFORCEMENT MEASURES IMPOSED ON A LEGAL ENTITY**

**Article 126. System of Criminal-Legal Enforcement Measures Imposed on a Legal Entity**

1. The criminal-legal enforcement measures imposed on a legal entity are:
  - 1) fine;
  - 2) temporary suspension of the right to exercise certain type of activity;
  - 3) compulsory liquidation;
  - 4) a ban to conduct activity within the territory of the Republic of Armenia.
2. The criminal-legal enforcement measures imposed on a legal entity are not established by the sanctions of the Special Part of this Code and are imposed in consideration of the types and sizes of criminal-legal enforcement measures established in this Chapter.

**Article 127. Circumstances Considered when Imposing Criminal-Legal Enforcement Measures on a Legal Entity**

1. When deciding on the type and size of the criminal-legal enforcement measure imposed on a legal entity, the nature and degree of dangerousness of the committed

criminal offence, the nature and size of damage caused by the crime, causes and conditions that have contributed to the crime, the measures undertaken by the legal entity aimed at the neutralization of the consequences of the crime, actions of the persons prescribed in Part 1 of Article 123 of this Code, legal interests of bona fide participants or shareholders of legal entity who were not and could not be aware of the criminal offence being committed or already committed, circumstances characterising the legal entity, including its role in financial market and conviction shall be taken into account.

2. If non criminal-legal measure of property nature has already been applied previously to legal entity in connection with the same fact, the court shall take into account its nature and severity when resolving the issue of imposing a fine.

3. When imposing criminal remedies on financial institutions, the court, for the purpose of ensuring the stability of financial system and assessing the risks of ensuring the financial activities, shall take into account the opinion of the Central Bank of the Republic of Armenia on the application of this measure of criminal influence and its consequences.

#### **Article 128. Fine**

1. The court shall determine the possibility to impose fine and the amount of fine, taking into consideration the gravity of the crime, property or non-property benefits received from the crime, property situation of the legal entity, the ability of the legal entity to receive income or the availability of such a property owned by it which can be confiscated. The amount of the fine shall be proportionate to the gravity of the crime and cannot exceed 20 per cent of the legal entity's gross income during the year preceding the completion of the crime.

2. Amount of the fine cannot be the size to directly lead to bankruptcy or termination of operations of the legal entity.

3. If the legal entity is not able to immediately and fully pay the imposed fine, the court shall define a maximum of 3 years term for paying the fine or shall allow to pay the fine by instalments within the same time period. If after imposing of the fine, due to the deterioration of the financial situation of the legal entity the latter is deprived of possibility to pay the fine, the court, upon motion of the legal entity, shall extend the deadline of payment of the fine for maximum of 3 years.



4. In case of evading to pay the fine, a property in the amount equal to the fine shall be confiscated by the court, provided such a property is available. In case such property is not available, the fine shall be substituted by temporary suspension of the right to exercise certain activities in the terms prescribed under article 129 of this Code.

5. Each year the state may implement social programs to compensate the victims of crime at the expense of the funds generated through imposing the fines. The principles, priorities, procedure and amount of compensation for the damage caused to victims of crime shall be established by the Government.

#### **Article 129. Temporary Suspension of the Right to Exercise Certain Activities**

1. Temporary suspension of the right to exercise certain activities is the ban to exercise certain type or several types of economic, included business, or other activity for a period from 2 months to 2 years.

2. Temporary suspension of the right to exercise certain activities shall be imposed in connection to the type of activity during the exercise of which the criminal offence was committed or the exercise of which the crime was linked to. If the crime was linked to several types of activities, the court shall temporarily suspend the right to exercise such type of activity that was directly linked to committing the criminal offence.

3. Temporary suspension of the right to exercise certain activities shall be imposed if it will not directly lead to the liquidation of the legal entity.

4. In case of avoiding from temporary suspension of the right to exercise certain activities, it shall be replaced by compulsory liquidation.

5. Temporary suspension of the right to exercise certain activities may not be imposed on a legal entity that provides public services, as well as to the legal entities for suspension of which a special procedure is established by the Constitution or other legal acts.

#### **Article 130. A Ban on Conducting Activities within the Territory of the Republic of Armenia**

1. A ban on conducting activities within the territory of the Republic of Armenia can be imposed only to legal entities incorporated in foreign state who perform their activity in

the territory of the Republic of Armenia, unless otherwise is provided in the international treaties of the Republic of Armenia.

2. A ban on conducting activity within the territory of the Republic of Armenia can be imposed only for grave or particularly grave criminal offences.

#### **Article 131. Compulsory Liquidation**

1. Compulsory liquidation is an exceptional criminal-legal measure that shall be imposed on a legal entity for a particularly grave crime, in consideration of the nature and size of the crime and damage caused, the existence of conviction, causes and conditions that contributed to the crime, which prove the impermissibility for the given legal entity to continue further operation.

2. Compulsory liquidation cannot be imposed on the legal entity incorporated in foreign state, to the legal entity providing public services, as well as to the legal entities for suspension of which a special procedure is established by the Constitution or other legal acts.

#### **Article 132. Conviction of Legal Entities**

1. Conviction of a legal entity shall be quashed:

1) 1 year after the expiry of the term of criminal-legal measures imposed for a minor gravity crime;

2) 2 years after the expiry of the term of criminal-legal measures imposed for a medium gravity crime;

3) 3 years after the expiry of the term of criminal-legal measures imposed for a grave crime.

4) 5 years after the expiry of the term of criminal-legal measures imposed for a particularly grave crime, provided no compulsory liquidation or deprivation from the right to operate within the territory of the Republic of Armenia has been imposed.

2. If a new criminal offence is committed on any of the grounds provided in Part 1 of Article 123 of this Code during the term of the conviction being quashed, then the term of conviction shall be interrupted and shall be calculated after the expiry of the term of criminal measure imposed for the new crime.

**SPECIAL PART**  
**SECTION 8.**  
**CRIMES AGAINST PEACE AND HUMAN SECURITY**

**CHAPTER 22.**  
**CRIMES AGAINST PEACE AND HUMAN SECURITY**

**Article 133. Genocide**

1. Actions aimed at complete or partial extermination of any national, ethnic, racial or religious group by means of killing the members of the group, causing grave harm to health or serious mental disorder or, inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; including forced displacement, imposing measures intended to prevent births within the group, or forcibly transferring children of the group to another group—  
shall be punished by imprisonment for a term of sixteen to twenty years or by life imprisonment.

**Article 134. Direct and Public Provocation of Genocide**

1. A direct and public provocation of a genocide—  
shall be punished by imprisonment for a term of six to twelve years

2. The acts provided for in Part 1 of this Article, which have been committed:

- 1) through publicly demonstrated works or mass media or information or communication technologies; or
- 2) by a group of persons with prior agreement—

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

3. The acts provided for in Part 1 or Part 2 of this Article, which have been committed:

- 1) by a criminal organisation; or
- 2) by use of official or service powers or influence conditioned thereof —

shall be punished by imprisonment for a term of fourteen to twenty years or by life imprisonment.

### **Article 135. Crimes Against Humanity**

1. Committing any of the following actions during a large-scale or regular attack on civilians:

- 1) murder;
- 2) extermination;
- 3) enslavement;
- 4) deportation of society or forced displacement;
- 5) deprivation of liberty with a violation of general requirements of international law;
- 6) torture;
- 7) violent action of sexual nature, sexual enslavement, compelling to prostitution, forced pregnancy or sterilized or compelling to violent actions of sexual nature;
- 8) persecution of any identifiable group or community based on political, racial, national, ethnic, cultural, religious or gender affiliation or by other ground generally recognized unacceptable by international law;
- 9) forced disappearance of people;
- 10) apartheid;
- 11) other equivalent inhuman act that has caused grave harm to person's health or severe suffering—

shall be punished by imprisonment for a term of twelve to twenty years or by life imprisonment.

2. The terms used in Part 1 of this Article shall have the following meaning:

- 1) attack on civilians - multiple performance of acts prescribed under part 1 of this Article, committed against civilians which are undertaken to pursue or support a policy of a state or organization to carry out such an attack;
- 2) extermination- the creation of such living conditions that are aimed at the complete or partial destruction of the population;
- 3) enslavement- the exercise of any or all forms of property rights in regard to a person as an object of property, including the same act committed in the context of human trafficking;

- 4) deportation or forced displacement of the population- forced transfer of people from their lawful place of residence through exile or other coercive actions without grounds provided for by international law;
- 5) Torture - inflicting severe physical pain or severe mental suffering to a person deprived of liberty or being under the control of a criminal;
- 6) forced pregnancy - the unlawful deprivation of liberty a woman who is forcibly pregnant for the purpose of changing the ethnic composition of the nation or committing other gross violations of international law;
- 7) persecution - deprivation of fundamental rights in violation of international law on the grounds of belonging to a particular group or community;
- 8) forced disappearance of people - the arrest, detention or abduction of persons by the State or a political organization or with their permission, support or consent, not considering it as a deprivation of liberty or by refusing to disclose information about their fate or whereabouts in order to deprive them of their possibility to legal protection for a long time;
- 9) apartheid - inhumane acts equivalent to the acts referred to in part 1 of this Article, committed by a racial group in the context of an institutionalized regime of regular pressure and domination on another racial group or groups in order to maintain that regime.

**Article 136. Public Denial, Justification, Propaganda or Reducing the Danger of Genocide or Crimes against Humanity**

1. Public Denial, Justification, Propaganda or Reducing the Danger of Genocide or Crimes against Humanity, where those have been committed on the basis of racial background, skin colour, national or ethnic origin or religious background, for the purpose of provoking hatred, discrimination or violence against a person or a group of persons — shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of one hundred fifty hours to two hundred fifty hours, or by restriction of liberty for a maximum term of three years, or by short-term imprisonment for a term of one to two months, or by imprisonment for a maximum term of four years.

2. The act provided for in Part 1 of this Article, which have been committed:

1) through publicly demonstrated works, or mass media or using information or communication technologies;

2) by use of official or service powers or influence conditioned thereof —

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

### **Article 137. War Crimes Committed Against a Protected Person**

1. Committing during an international armed conflict or armed conflict not having international nature any of the following acts, which is considered to be serious violation of international humanitarian law or of the laws or customs of war, towards person protected under the international humanitarian law or a person benefiting from the protection of international law:

1) inflicting light or medium gravity harm to health;

2) imposing or executing a sentence without conducting a fair trial for the person;

3) humiliation of honor and dignity —

shall be punished with imprisonment for the term of six to twelve years.

2. Committing any of the following acts, which are considered to be other serious violations of the international humanitarian law or laws or customs of war, towards persons stipulated in Part 1 of this Article:

1) murder;

2) torture, inhuman treatment, illegal medical, biological, scientific or other experiment, removal of a body part or tissue or performing a transplantation surgery on them;

3) inflicting grave harm or severe suffering to a person's health, or, causing physical mutilation as a result of medical or other intervention not conditioned by need to provide medical care to a person due to his/her health condition;

4) violent action of sexual nature, sexual enslavement, compelling to prostitution, forced pregnancy or sterilized or compelling to violent actions of sexual nature;

5) enslavement;

6) taking or keeping hostages;

7) conscription or recruitment of children into the armed forces or using their active participation in hostilities; or

8) illegal deportation, transfer, forced disappearance or other form of deprivation of liberty—

shall be punished by an imprisonment for a term of twelve to twenty years or life imprisonment.

3. Committing any of the following acts, which are considered to be other serious violations of the international humanitarian law or laws or customs of war, towards persons stipulated in Part 1 of this Article:

1) compelling the persons provided for in Part 1 of this article to serve in the armed forces of the adversary state; or

2) obstructing or unreasonably delaying the repatriation of a prisoner of war or a civilian after the end of hostilities—

shall be punished by an imprisonment for a term of twelve to twenty years or life imprisonment.

4. Within the meaning of this Article, the protected persons are:

1) in regard to the international armed conflicts- persons protected by the 1949 Geneva Conventions or the First Additional Protocol relating to the International Armed Conflict, in particular wounded, sick, shipwrecked, prisoners of war, civilians, as well as other persons enjoying international protection during armed conflict under international treaties with the participation of the Republic of Armenia;

2) in regard to the armed conflicts not having international nature- wounded, sick, shipwrecked or persons not directly involved in hostilities that are under the control of the adversary;

3) members or combatants of the adversary armed forces who have laid down their arms or are deprived of any opportunity to defend themselves.

#### **Article 138. War crimes against property or other rights**

1. Illegal, arbitrary, large-scale destruction of the adversary's property or illegal taking of trusted property in an international armed conflict or armed conflict not having international nature, which is not due to military necessity; or annulment, suspension or inadmissibility of the rights or claims of the citizens of the adversary in court during an international armed conflict—

shall be punished with imprisonment for the term of four to eight years.

**Article 139. War Crimes Against Humanitarian Aid Or Distinctive Emblem**

1. In the event of an international armed conflict or an armed conflict not having international nature,

1) attacking personnel, objects, materials, units or vehicles involved in peacekeeping mission in accordance with United Nations Charter or the provision of humanitarian assistance, as long as they enjoy the right of protection of civilians or civilian objects under international humanitarian law, as long as they enjoy the right of protection of civilians or civilian objects provided for under the international humanitarian law; or

2) attacking buildings, materials, medical institutions, vehicles or their personnel bearing distinctive emblem and being under the protection of international treaties ratified by the Republic of Armenia—

shall be punished with imprisonment for the term of three to seven years.

2. In the event of an international armed conflict or an armed conflict not having international nature, the unlawful use of distinctive emblems of Red Cross, Red Crescent or Red Crystal , envoy flag or flag of the armed forces of an adversary or neutral State, uniform or national emblem or national flag or United Nations uniform, military distinctive emblems, flag or distinctive emblems for the protection of cultural property or other emblems protected under the international law —

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

3. The acts provided for in Part 1 or Part 2 of this Article which negligently caused death of a person or infliction of grave harm to health—

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

**Article 140. War Crimes Using Prohibited Methods of Warfare**

1. In the event of an international armed conflict or an armed conflict not having international nature:

1) attack on a civilian population or individual civilians who are not directly participating in hostilities or who have apparently for the criminal stopped directly participating in hostilities;



- 2) attack on civilian objects, including buildings intended for religious, educational, artistic, scientific or charitable purposes, historical monuments, medical institutions, places of concentration of the sick or wounded persons or demilitarized zones or unprotected or other non-military settlements, buildings or premises;
  - 3) an attack, if it obviously will result in the accidental death or mutilation of civilians or damage to civilian facilities or large-scale, long-term or serious damage to the environment if causing such damage is clearly disproportionate to a specific or directly expected overall military advantage; or
  - 4) attacking structures or devices containing dangerous forces if it is clear that such an attack will result in excessive losses or injuries among civilians or damage to civilian objects or the environment, where causing such damages is clearly disproportionate to a specific or directly expected general military advantage—
- shall be punished by imprisonment for a term of five to eight years.

2. In the event of an international armed conflict or an armed conflict not having international nature:

- 1) cause the starvation of civilian population, as a method of waging war, depriving them of the means necessary for their survival, including obstructing the provision of assistance provided for by the relevant international documents;
- 2) adopting an order not to leave anyone alive or threatening with such an order ,
- 3) using of the presence of the protected persons referred to in Part 4 of Article 137 to make certain places, territories or armed forces inviolable from hostilities;
- 4) the resettlement of part of its own civilian population by the occupying State in the occupied territory or the displacement or relocation of the entire population of the occupied territory or part of it within or outside the occupied territory;
- 5) Making the historical monuments, works of art, places of worship being under special protection, clearly defined, and considered to be the cultural or spiritual heritage of peoples, as well as other cultural values defined by international documents regulating the protection of cultural values, object of attack, and causing large-scale damage as a result of the attack, if they are not in the immediate vicinity of military objects, and if there is no data on the use of that historical monuments, works of art, places of worship or other

cultural values defined by international documents regulating the protection of cultural values, to facilitate hostilities by the adversary, or

6) the use of methods of warfare that cause excessive injury or cause unnecessary suffering or are considered non-elective in nature, in violation of international law on armed conflicts, provided that such methods are subject to a comprehensive prohibition—  
shall be punished by imprisonment for a term of eight to twelve years.

3. The act provided for in Part 1 or Part 2 of this Article which negligently caused death of a person or infliction of grave harm to health—  
shall be punished by imprisonment for a term of ten to fifteen years, or by life imprisonment.

4. The treacherous killing or wounding of a member of the armed forces of an adversary State or a combatant of the adversary—  
shall be punished by imprisonment for a term of eight to twelve years

#### **Article 141. War Crimes Using Prohibited Means of Warfare**

1. In the event of an international armed conflict or an armed conflict not having international nature:

1) use of or poisonous weapons,  
2) use of suffocating, toxic or other gases or similar liquids, substances or means;  
3) the use of easily detonating or compressible bullets in the human body, including the use of casing bullets, hard case of which does not cover the entire core, or which have cuts, or

4) the use of a weapon, ammunition or device which causes undue injury or causes excessive suffering or is considered non-elective in nature, in violation of the international law of armed conflicts, provided that such weapon, ammunition or device is subject to a comprehensive prohibition—  
shall be punished by imprisonment for a term of five to eight years, or by life imprisonment.

2. The act provided for in Part 1 of this Article, which negligently caused death of a person or infliction of grave harm to health —

shall be punished by imprisonment for a term of ten to fifteen years, or by life imprisonment.

**Article 142. Marauding**

1. The illegal taking of the belongings of those killed or wounded on the battlefield— shall be punished by imprisonment for a term of four to eight years.

**Article 143. Outrageous Treatment of Dead Bodies of Those Killed on the Battlefield**

1. Mutilation, amputation or otherwise abusing the dead bodies of those killed on the battlefield—

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

2. The act provided for in Part 1 of this Article, committed by a person in military service —

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

3. The act provided for in Part 1 or Part 2 of this Article accompanied by photo or video recording of the process of mutilation, amputation or otherwise abusing the corps of those killed—

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

**Article 144. Destroying, Damaging, Illegal taking or Seizure of Cultural Property During the Time of War or an Armed Conflict or Changing Their Cultural Value**

1. Destroying, damaging, illegal taking of cultural properties defined in international documents regulating the protection of cultural property during an international armed conflict or armed conflict not having international nature, as well as their illegal move from their location, including from the territory of one state to another, and refusal to return the illegally moved cultural property or changing the cultural value or its intended use with a purpose of destroying or concealing historical, cultural or scientific proof—

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

**Article 145. Breaking the Rules of Protection of Cultural Property During the Time of War or an Armed Conflict**

Breaking the rules of protection of cultural property defined in international documents regulating the protection of cultural property in an occupied territory or during the time of war or an armed conflict, in the absence of elements of criminal offences established in Articles 139, 140 or 144 of this Code — shall be punished by imprisonment for a term of two to five years.

**Article 146. Destroying or Damaging Cultural Property in Order to Provoke Racial, National, Ethnic, or Religious Hatred**

1. Destroying or damaging cultural property, including buildings or premises of religious or worship significance, in order to provoke racial, national, ethnic, or religious hatred— shall be punished by imprisonment for a term of six to twelve years.

**Article 147. Mercenary**

1. Recruitment of mercenaries, organizing mercenary training camps, teaching or learning skills to act as a mercenary, financing of mercenary, using mercenary during an armed conflict or military activities, or being a mercenary at an armed conflict or military activities or the agreed act of violence — shall be punished by imprisonment for a term of six to twelve years.

2. The act provided for in Part 1 of this Article, committed:

- 1) by use of official or service powers or influence conditioned thereof, or
- 2) by involvement of a minor—

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

3. A mercenary is any person who is specifically recruited within the territory of the Republic of Armenia or outside of the territory of the Republic of Armenia in order to fight in an armed conflict; or who actually takes part in the hostilities, driven by a desire for personal gain, to whom a material remuneration has been promised by one of the parties to the conflict or on behalf of it, which exceeds the remuneration promised or paid to the fighters of the same class of Armed Forces of that party; is not a citizen of either party to the conflict, or a permanent resident of the territory under the control of any party; is not a member of the armed forces of the conflicting parties; and has not been sent by a State which is not a party to the conflict as a member of its armed forces to carry out

official assignment .A mercenary is also any person who, in any other situation within the territory of the Republic of Armenia or outside the territory of the Republic of Armenia has been specially recruited for the purpose of participating in an agreed act of violence, aimed at overthrowing a Government or otherwise undermining the constitutional order of a State, undermining the territorial integrity of a State, or is actually participating in it by the desire for significant private gain and is prompted by the promise or payment of material remuneration, who is neither a citizen nor a resident of the State against which such an act is directed, has not been sent by a State to carry out on official assignments, and is not a member of the armed forces of the State on whose territory the act is initiated.

#### **Article 148. Inaction During an Armed Conflict**

1. Failure by the chief, commander, superior or official, for ensuring the responsibility of the criminal or the investigation of the criminal offence, to inform the competent authorities on the subordinate committing a criminal offence prescribed under Articles 133, 135 or 137-146 of this Code during an international armed conflict or an armed conflict not having international nature—

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

2. Failure of the chief, commander, superior or an official to take all possible measures within his/her authority during an international armed conflict or an armed conflict not having international nature to prevent committing the criminal offence provided for in Articles 133, 135, or 137-146 of this Code by the subordinate, if he/she did not know, but was obliged to know that his/her subordinate has been committing or intending to commit any of the mentioned criminal offences, including when he/she possessed information, based on which he/she could conclude or had to conclude in the given circumstances on the subordinate committing or having an intention to commit a criminal offence, or if within his/her competences he/she, due to criminal self-confidence or criminal inadvertent negligence did not undertake all possible measures to disrupt or prevent that crime—

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

4. Failure of the chief, commander, superior or an official to take all possible measures within his/her authority during an international armed conflict or an armed conflict not having international nature or in the occupied territory to prevent committing the criminal offence provided for in Articles 133, 135, or 137-146 of this Code by the subordinate, if he/she knew that his/her subordinate has been committing or intending to commit any of the mentioned criminal offences, and if within his/her competences he/she did not undertake all possible measures to disrupt or prevent that crime— shall be punished by imprisonment for a term of four to eight years.

#### **Article 149. Aggression**

1. Planning, preparing, initiating or carrying out aggression by a person actually leading, controlling or directing the political or military activities of the state— shall be punished by imprisonment for a term of twelve to twenty years, or life imprisonment.

2. In this section, aggression is considered as one of the following acts, if it is manifestly grave violation of the Charter of the United Nations in its nature, seriousness and scope:

1) the invasion or attack of the armed forces of one state on the territory of another state or the occupation of the territory or part of that state as a result of such invasion or attack, regardless of its duration, as well as the annexation of the territory of that state or its part by force;

2) the bombing of the territory of one state by the armed forces of another state or the use of any weapon against that territory;

3) blockade of ports or shores of another state by the armed forces of one state

4) attack by military forces of one state on land, naval or air force or naval fleet or air fleet of another state

5) the use by one state of the armed forces situated in the territory of another state upon the latter's agreement, in a manner contrary to the terms of the agreement or their continued presence after the termination of such agreement

6) Permission given by a state to use its territory provided to another State, to use it for carrying out aggression against a third State;

- 7) sending armed groups or groupings, irregular military units or mercenaries by the state or on its behalf, who carry out such military operations against another State, which in their seriousness are equivalent to the acts provided for in points 1-6 of Part 2 of this Article, or the substantial involvement of that State in such acts;
- 8) other acts that are considered aggression under international law.

**Article 150. Initiating Aggressive Military Operations, Implementing and Not Terminating Them in a Situation Of Epidemic or Imminent Threat to the Security of Humanity**

1. Initiating aggressive military operations, carrying out and not terminating them by a person actually leading, controlling or directing the political or military activities of the state, in a situation of epidemic or imminent threat to the security of the whole humanity declared by the United Nations or its specialized organization— shall be punished by imprisonment for a term of fourteen to twenty years, or by life imprisonment.

**Article 151. Direct and Public to Perform Aggression**

1. A direct and public call to initiate or participate in aggression — shall be punished by an imprisonment for a term of three to six years.
2. The act provided for in Part 1 of this Article, that has been committed by use of publicly demonstrated works, or mass media or the information or communication technologies— shall be punished by an imprisonment for a term of four to eight years.

**Article 152. International Terrorism**

1. International terrorism – kidnapping, unlawful deprivation of liberty, taking hostage or imposing violence against the representative of a foreign state or international organization or the person acting on behalf of it or carrying out an explosion or arson or other acts dangerous for the public in the territory of a foreign state or in the territory of the representation of international organization for the purpose of provoking international tension or a war or destabilizing the internal situation of that foreign state—

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

2. Murder of a person provided for in Part 1 of this Article —

shall be punished by imprisonment for a term of twelve to twenty years, or by life imprisonment.

### **Article 153. Manufacturing, Providing, Testing or Applying Weapons of Mass Destruction**

1. Manufacturing, producing, processing, acquiring, possessing, accumulating, transferring or realization of chemical, biological, nuclear weapons or other types of weapons of mass destruction prohibited under an international treaty, as well as any component that complements them or a substance used in their composition, or special device or measures for transfer thereof, or using special measures for transfer of a weapon of mass destruction prohibited under an international treaty—

shall be punished by imprisonment for the term of four to eight years.

2. Provision of weapons of mass destruction or other weapons prohibited by the international agreements of the Republic of Armenia, or component necessary for its production or the control over them to another state, group of states, an international or other organization, or group or a person —

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

3. Illegal testing of a weapon of mass destruction or other weapon or means prohibited by an international treaty —

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

4. Applying of a weapon of mass destruction or other weapon or means prohibited by an international treaty

shall be punished by imprisonment for a term of twelve to twenty years, or by life imprisonment.

### **Article 154. Ecocide**

Ecocide- mass destruction of flora or fauna, contamination of the atmosphere, soil, lithosphere or water resources, polluting or otherwise causing an ecological catastrophe, which severely restricts the possibility or makes it impossible for a human to live in that area —



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

**SECTION 9.**  
**CRIMES AGAINST THE PERSON**

**CHAPTER 23.**  
**CRIMES AGAINST LIFE OF THE PERSON**

**Article 155. Murder**

1. Murder – unlawfully depriving another person of life — shall be punished by imprisonment for a term of eight to fifteen years.
2. Murder-
  - 1) of a person or his/her close relative or close person in connection with performing his/her official, political, service, professional or public activity or duty;
  - 2) of a pregnant woman;
  - 3) of a person in a helpless situation;
  - 4) of person being in a vulnerable situation due to family condition or disability;
  - 5) of a minor;
  - 6) with particular cruelty;
  - 7) in a way dangerous to the life of other persons;
  - 8) by a group of persons;
  - 9) by a close relative;
  - 10) out of mercenary motives;
  - 11) upon an order;
  - 12) out of hooliganism;
  - 13) to conceal or facilitate the commission of another criminal offence;
  - 14) using the conditions of martial law or state of emergency or emergency situation or mass disorders;
  - 15) with motives of hatred, intolerance or hostility based on racial, national, ethnic or social origin, religion, political or other views or other personal or social circumstances; or
  - 16) for the purpose of taking the cell, tissue, organ, or biological materials or liquids of the victim of crime—

shall be punished by imprisonment for a term of fourteen to twenty years or by life imprisonment.

**Article 156. Murder Committed in the Heat of Passion**

1. Murder of a person committed in the sudden heat of passion(affect) caused by illegal action or conduct of the person —  
shall be punished by imprisonment for a term of maximum four years.

**Article 157. Murder of a Newborn Child by the Birth Giver**

1. Murder of her newborn child under three months by the birth giver during a delivery or immediately thereafter, in the state of depression or mental disorder not excluding sanity —  
shall be punished by imprisonment for a term of maximum four years.

**Article 158. Complicity in the Murder of a Newborn Child by the Birth Giver**

1. Organizing, or inciting or abetting the crime established in Article 157 of this Code —  
shall be punished by imprisonment for a term of five to ten years.

**Article 159. Murder in Excess of Necessary Defence**

1. Murder in excess of Necessary Defence—  
shall be punished by imprisonment for a term of maximum three years.

**Article 160. Murder in Excess of Measures Necessary for Apprehending a Person Having Committed an Illegal Encroachment**

1. Murder in excess of measures necessary to apprehend a person having committed an illegal encroachment as established by this Code —  
shall be punished by imprisonment for a term of maximum three years.

**Article 161. Murder upon the Victim's Request**

1. Murder of a person having attained the age of eighteen by that person's consciously and voluntarily expressed request with a purpose of relieving him/her from strong physical pain or suffering—

shall be punished by imprisonment for a term of maximum four years.

#### **Article 162. Causing Somebody to Commit Suicide**

1. Negligently causing a person to commit suicide or attempted suicide by means of threat, cruel treatment or humiliation of dignity —

shall be punished by restriction of liberty for a term of maximum two years, or a short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act provided for in Part 1 of this Article, committed:

- 1) towards a pregnant woman;
- 2) towards a minor;
- 3) by a close relative;
- 4) towards a person being in material or other dependence from the criminal;
- 5) towards a person having mental health issues; or
- 6) towards a person who is arrested, detained or serving a sentence in a penitentiary institution or a military servant—

shall be punished by imprisonment for a term of one to four years.

3. Causing a person to commit suicide or attempted suicide by means of threat, cruel treatment or humiliation of dignity—

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

4. The act provided for in Part 3 of this Article, committed:

- 1) towards a pregnant woman;
- 2) towards a minor;
- 3) by a group of persons with prior agreement;
- 4) by a close relative;
- 5) towards a person being in material or other dependence from the criminal;
- 6) out of mercenary motives;
- 7) towards a person having mental health issues; or

8) towards a person who is arrested, detained or serving a sentence in a penitentiary institution or a military servant—  
shall be punished by imprisonment for a term of five to ten years.

#### **Article 163. Inducement to Suicide**

1. Stimulating decisiveness in person to commit suicide through convincing, persuading or deception, where the person has committed suicide or attempted suicide —  
shall be punished by imprisonment for a term of maximum four years.

2. The act provided for in Part 1 of this Article, committed:

- 1) towards a pregnant woman;
- 2) towards a minor;
- 3) by a group of persons with prior agreement;
- 4) towards a person being in material or other dependence from the criminal;
- 5) out of mercenary motives; or
- 6) towards a person having mental health issues—

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

#### **Article 164. Contributing to Suicide**

1. Providing a tool or means for suicide or otherwise contributing to suicide of a person determined to commit suicide, if the person has committed suicide or attempted suicide and if the elements of criminal offence established in Article 161 of this Code are absent —

shall be punished by restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months or imprisonment for a term of maximum two years.

2. The act provided for in Part 1 of this Article, committed:

- 1) towards a pregnant woman;
- 2) towards a person in a helpless situation;
- 3) towards a minor;
- 4) out of mercenary motives; or
- 5) towards a person having mental health issues—

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

**Article 165. Negligently Depriving of Life**

1. Negligently depriving another person of life—

shall be punished by restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. Negligently depriving two or more persons of life—

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

**CHAPTER 24.**

**CRIMES AGAINST HEALTH**

**Article 166. Causing Grave Harm to Health**

1. Causing bodily injury to another person or other harm to his/her health, which is:

- 1) dangerous to the life;
- 2) has resulted in the loss of eye-sight, speech, hearing or any other organ or its function;
- 3) was expressed by irreversible defacement of face, head, ear or chin;
- 4) has resulted in disruption of health accompanied by constant loss of not less than one third of the general working capacity or full loss of professional working capacity; or
- 5) has resulted in mental disorder, drug or toxic addiction —

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

2. Causing bodily injury to another person or other harm to the person's health, which negligently caused termination of pregnancy—

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

3. The act provided for in Part 1 of this Article, committed:

- 1) against a person or his/her close relative or close person in connection with performing his/her official, political, service, professional or public activity or duty;
- 2) towards a pregnant woman;
- 3) towards a person in a helpless situation;
- 4) towards a minor;

- 5) with particular cruelty;
  - 6) in a way dangerous to the life and health of other persons;
  - 7) by a group of persons;
  - 8) by use of weapon or object or means prepared or adjusted in advance to cause bodily injury;
  - 9) by a close relative;
  - 10) out of mercenary motives;
  - 11) upon an order;
  - 12) out of hooliganism;
  - 13) to conceal or facilitate the commission of another criminal offence;
  - 14) using the conditions of martial law or state of emergency or emergency situation or mass disorders;
  - 15) with motives of hatred, intolerance or hostility based on racial, national, ethnic or social origin, religion, political or other views or other personal or social circumstances;
  - 16) for the purpose of taking the cell, tissue, organ, or biological materials or liquids of the victim of crime; or
  - 17) negligently causing death to the victim of crime—
- shall be punished by imprisonment for a term of five to ten years.

#### **Article 167. Causing Medium Gravity Harm to Health**

1. Causing bodily injury or any other harm to health of another person, which is not dangerous for life and has not caused consequences established in Article 166 of this Code, but has caused:

- 1) persistent health disruption; or
  - 2) significant constant loss of less than one third of the general working capacity—
- shall be punished by restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act provided for in Part 1 of this Article, committed:

- 1) towards a person or his/her close relative or close person in connection with performing his/her official, political, service, professional or public activity or duty;

- 2) towards a pregnant woman;
  - 3) towards a person in a helpless situation;
  - 4) towards a minor;
  - 5) with particular cruelty;
  - 6) in a way dangerous to the life and health of other persons;
  - 7) by a group of persons;
  - 8) by use of weapon or object or means prepared or adjusted in advance to cause bodily injury;
  - 9) by a close relative;
  - 10) out of mercenary motives;
  - 11) upon an order;
  - 12) out of hooliganism;
  - 13) to conceal or facilitate the commission of another criminal offence;
  - 14) using the conditions of martial law or state of emergency or emergency situation or mass disorders;
  - 15) with motives of hatred, intolerance or hostility based on racial, national, ethnic or social origin, religion, political or other views or other personal or social circumstances; or
  - 16) for the purpose of taking the cell, tissue, organ, or biological materials or liquids of the victim—
- shall be punished by imprisonment for a term of two to five years.

**Article 168. Causing Grave or Medium Gravity Harm to Health in the Heat of Passion**

1. Causing medium gravity harm to health of another person committed in the sudden heat of passion (affect) caused by illegal action or conduct of the victim of crime— shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or restriction of liberty for a term of maximum one year or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.
2. Causing grave to health of another person committed in the sudden heat of passion (affect) caused by illegal action or conduct of the victim of crime —



shall be punished by restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 169. Causing Grave or Medium Gravity Harm to Health in Excess of Measures Necessary for Apprehending a Person having Committed an Illegal Encroachment**

1. Causing medium gravity harm to health of the person having committed an illegal encroachment provided for in this Code - in excess of measures necessary for apprehending him/her—

shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.

2. Causing grave harm to health of the person having committed an illegal encroachment provided for in this Code - in excess of measures necessary for apprehending him/her—

shall be punished by restriction of liberty for a term of maximum two years or short-term imprisonment for a term of maximum two months or imprisonment for a term of maximum two years.

**Article 170. Causing Grave or Medium Gravity Harm to Health in Excess of Necessary Defence**

1. Causing medium gravity harm to health of another person in excess of necessary defence —

shall be punished by a fine in the maximum amount of ten-fold, or public works for a term of maximum one hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.

2. Causing grave harm to health of another person in excess of necessary defence —

shall be punished by restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

### **Article 171. Causing Light Harm to Health**

1. Causing bodily injury or other harm to health of another person, which has resulted in

- 1) short-term health disruption; or
- 2) insignificant constant loss of general working capacity —

shall be punished by a fine in the maximum amount of ten-fold or public works for a term of maximum one hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.

2. The act provided for in Part 1 of this Article, committed :

- 1) towards a person or his/her close relative or close person in connection with performing his/her official, political, service, professional or public activity or duty;
- 2) towards a pregnant woman;
- 3) towards a person in a helpless situation;
- 4) towards a minor;
- 5) by a group of persons;
- 6) by a close relative; or
- 7) out of hooliganism—

shall be punished by a fine in the maximum amount of twenty-fold, or public works from eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

3. Causing a light harm in the heat of passion to health of another person in excess of necessary defence or measures necessary for apprehending a person having committed an illegal encroachment shall not be considered as a crime.

### **Article 172. Negligently Causing Grave Harm to Health**

1. Negligently causing grave harm to the health of another person—

shall be punished by a fine for the maximum amount of twenty-fold, or public works from eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. Negligently causing grave harm to health of two or more people — shall be punished by a fine in the amount of ten-fold to thirtyfold, or public works from one hundred to two hundred hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum three years.

**Article 173. Negligently Causing Medium Gravity Harm to Health**

1. Negligently causing medium gravity harm to health of another person — shall be punished by a fine in the maximum amount of ten-fold, or public works for a term of maximum one hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month.

2. Negligently causing medium gravity harm to health of two or more people — shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**CHAPTER 25.**

**CRIMES ENDANGERING LIFE AND HEALTH**

**Article 174. Commission of Illegal Artificial Termination of Pregnancy (Abortion)**

1. Performing illegal artificial termination of pregnancy (abortion) by a person having appropriate higher medical education—

shall be punished by a fine in the maximum amount of twenty-fold, or public works from eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or engage in certain activities for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum one year.

2. The act provided for in Part 1 of this Article:

- 1) negligently caused the death of the victim of crime or other grave consequences; or
- 2) committed with the aim of taking a human embryo or fetus—  
shall be punished by imprisonment for a term of one to four years.
3. Performing illegal artificial termination of pregnancy (abortion) by a person not having appropriate higher medical education—  
shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or short-term imprisonment from one to two months, or imprisonment for a term of maximum three years.
4. The act provided for in Part 3 of this Article which:
  - 1) negligently caused the death of the victim of crime or other grave consequences; or
  - 2) committed with the aim of taking a human embryo or fetus—  
shall be punished by imprisonment from two to five years.

**Article 175 Commission of Artificial Termination of Pregnancy (Abortion) or Sterilization**

1. Commission of artificial termination of pregnancy abortion or sterilization of a person, without the latter's prior, notified and duly formulated consent —  
shall be punished by imprisonment for a term of two to five years.
2. The act provided for in Part 1 of this Article which negligently caused the death of the victim of crime or resulted in the suicide of the victim or his/her close relative or close person or resulted in other grave consequences —  
shall be punished by imprisonment for a term of four to eight years.

**Article 176. Compelling to commit artificial termination of pregnancy (commission of abortion) or Sterilization**

1. Compelling a woman to artificially terminate her pregnancy (commit abortion) or a person to sterilization through the use of violence or threat of use thereof, blackmail or other means of coercion —  
shall be punished by imprisonment for a term of three to seven years.
2. The act provided for in Part 1 of this Article:
  - 1) committed by a close relative or partner or ex-partner, or

2) negligently caused death of the victim of crime or resulted in the suicide of the victim or his/her close relative or close person or resulted in other grave consequences — shall be punished by imprisonment for a term of five to ten years.

**Article 177. Infecting with Human Immunodeficiency Virus**

1. Infecting another person with human immunodeficiency virus — shall be punished by imprisonment for a term of maximum five years.

2. The act provided for in Part 1 of this Article, committed:

- 1) towards a pregnant woman;
- 2) towards a person in a helpless situation; or
- 3) towards a minor—

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

**Article 178. Negligently Infecting with Human Immunodeficiency Virus**

1. Infecting another person with human immunodeficiency virus with criminal self-confidence —shall be punished by imprisonment for a term of maximum three month.

2. The act provided for in Part 1 of this Article, committed:

- 1) towards a pregnant woman;
- 2) towards a person in a helpless situation; or
- 3) towards a minor—

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

**Article 179. Infecting with Sexually Transmitted Disease**

1. Infecting another person with sexually transmitted disease — shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to hundred fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a maximum term of two months, or imprisonment for a maximum term of one year.

2. The act provided for in Part 1 of this Article, committed:

- 1) towards a pregnant woman;
- 2) towards a person in a helpless situation; or

3) towards a minor —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a maximum term of three years.

#### **Article 180. Negligently Infecting with Sexually Transmitted Disease**

1. Infecting with criminal self-confidence anyone with sexually transmitted disease— shall be punished by a fine in the maximum amount of ten-fold, or public works for a term of maximum hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month.

2. The act provided for in Part 1 of this Article, committed :

- 1) towards a pregnant woman;
- 2) towards a person in a helpless situation; or
- 3) towards a minor —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two month.

3. A person shall not be subject to criminal liability for commission of criminal offences prescribed under article 177, 178 or 179 of this Code, if the partner in sexual relationship has been aware of his/her disease and has given conscious and voluntary consent to have sexual relationship.

#### **Article 181. Infection with a Disease Posing Danger to the Wider Public**

1. Infection of another person with a disease posing danger to the wider public— shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two month, or imprisonment for a term of maximum two years.

2. The act provided for in Part 1 of this Article, committed:

- 1) towards a pregnant woman;

2) towards a person in a helpless situation; or

3) towards a minor —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

3. The act prescribed for in Part 1 or Part 2 of this Article which has negligently caused death of a person—

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

### **Article 182. Leaving in Danger**

1. Failure to render necessary and obviously urgent assistance to a person in a situation dangerous to life or health who is deprived of possibility to undertake measures of self-protection, if the criminal had a real possibility to render assistance to that person, or failure to inform the appropriate authorities of the necessity to provide assistance, where the criminal was not obliged to take care of the victim and he/she was not the one to put the person in a situation dangerous to life —

shall be punished by a fine in the maximum amount of ten-fold, or public works for a term of maximum hundred hours,

2. Leaving in a helpless situation of a person being in a situation dangerous to life or health, who is deprived of possibility to undertake measures of self-protection, if the criminal had a real possibility to render assistance to that person and was obliged to take care of him/her, or he/she has put a person in a situation dangerous for health and life, if there was no intention to deprive of life or cause harm—

shall be punished by a fine in the maximum amount of twenty-fold , or public works for a term of eighty to one hundred fifty hours, deprivation of the right to hold certain positions or engage in certain activities for a term of maximum three years or restriction of liberty for a term of maximum two years.

3. The act provided for in Part 2 of this Article, committed:

1) towards a pregnant woman;

2) towards a person in a helpless situation; or

3) towards a person being in material or other dependence from the criminal— shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred fifty to two hundred seventy hours, or deprivation of the right to hold certain positions or engage in certain activities for a term of three to seven years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a maximum term of two months.

**Article 183. Illegal Traffic of Human Cell, Tissue, Organ, or Other Physiological or Biological Material**

1. Illegal acquisition, sale, storage, transportation or delivery of the human embryo or fetus, human or corpse cell, tissue, organ, biological material or liquids — shall be punished by an imprisonment for a term of three to seven years.

2. The act provided for in Part 1 of this Article, committed:

1) by a group of persons with prior agreement;

2) by use of official or service powers or influence conditioned thereof;

3) negligently caused death of a person, infliction of grave harm to health or other grave consequences —

shall be punished by imprisonment for a term of six to twelve years.

**Article 184. Violation of Transplantation Rules**

1. Violation of the rules for taking or transplanting human cell, tissue, organ, or other biological material or liquid from a person or a corpse, which negligently caused grave or medium gravity harm to the health of the donor or recipient of cell, tissue, organ, or other biological material or liquid—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a maximum term of two months, or imprisonment for a term of maximum three years.

2. The act provided for in Part 1 of this Article that negligently caused death of a person—



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

3. The act provided for in Part 1 of this Article that negligently caused death of two or more persons—

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

**Article 185. Subjecting a Person to Medical, Scientific or Other Experiment without his/her Consent**

1. Subjecting a person to medical, scientific or other experiment containing a threat to damaging his/her life or health—without the free expression of his/her will and informed and properly formulated consent —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years.

2. The act provided for in Part 1 of this Article, committed:

- 1) under a threat of violence;
- 2) towards a pregnant woman;
- 3) towards a person in a helpless situation;
- 4) towards a minor;
- 5) by a group of people;
- 6) towards a person being in material or other dependence from the criminal; or
- 7) out of mercenary motives —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum three years or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years or short-term imprisonment for a maximum term of two months, or imprisonment for a term of maximum three years.

3. The act provided for in Parts 1 and 2 of this Article, which:

- 1) were committed through the use of violence; or
- 2) negligently caused death of a person or other grave consequences—

shall be punished by short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum five years.

#### **Article 186. Reproductive Cloning of a Person or Eugenic Experiments**

1. Reproductive cloning of a person — performing any action aimed at genetically creating a clone of a deceased or living person by artificial means — and Eugenic experiments — performing any action aimed at selection of a person—

shall be punished by deprivation of the right to hold certain positions or to exercise certain activities for a term of three to seven years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act provided for in Part 1 of this Article, committed:

- 1) under a threat of using violence;
- 2) by a group of people;
- 3) towards a minor;
- 4) towards a pregnant woman;
- 5) towards a person in a helpless situation;
- 6) towards a person being in material or other dependence from the criminal; or
- 7) out of mercenary motives—

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

3. The act provided for in Parts 1 and 2 of this Article, which:

- 1) were committed by a criminal organization; or
- 2) negligently caused death of a person or other grave consequences—

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

#### **Article 187. Failure to Perform or Improper Performance of Professional Duties by Medical Personnel**

1. Failure to perform or improper performance of professional duties by medical personnel, if due to his/her negligence it was not possible to prevent the further course of the disease or occurrence of complications, or if it negligently resulted in inflicting grave or medium gravity harm to a person's health, or injury was caused to embryo or fetus—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act provided for in Part 1 of this Article, which negligently caused the death of a person or other grave consequences—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred fifty to two hundred seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

## CHAPTER 26.

### CRIMES AGAINST FREEDOM, HONOUR, DIGNITY, PHYSICAL OR MENTAL INTEGRITY

#### **Article 188. Human Trafficking or Exploitation**

1. Human trafficking -recruitment, transportation, transfer, harbouring, or receipt of persons, as well as human exploitation or putting in or keeping under the situation of exploitation, by use of violence or threat of use thereof or other forms of coercion, through abduction, deception or abuse of trust, using one's influence deriving from the person's post or service position or authorities, or the personal dependence or vulnerability of situation of the victim of crime, or providing, promising or offering material or other profit with the aim of obtaining agreement of the victim of crime with the person supervising the victim, or accepting a similar proposal from the person supervising the victim to give such an agreement—

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

2. The act provided for in Part 1 of this Article, committed:

1) towards a pregnant woman;

- 2) by a group of persons with prior agreement;
- 3) by use of official or service powers or influence conditioned thereof; or
- 4) by moving a person to another state—

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

3. The act provided for in Part 1 or Part 2 of this Article, which:

- 1) has been committed by a criminal organization; or
- 2) has negligently caused death of a victim of crime or grave harm to his/her health or has led to suicide of the victim or his/her close relative or close person, or resulted in other grave consequences—

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

4. Within the meaning of this Article, as well as the Articles 188 and 189 of this Code, exploitation is deemed to be exploitation of prostitution of other person, or other forms of sexual exploitation, forced labour, or enforcement to provide services or perform illegal acts, putting into slavery or in a situation similar to slavery, purchase or sale (trade), taking the cell, organ, tissue or other biological material or liquid.

5. The victim of crimes prescribed in this Article, as well as Articles 188 and 189 of this Code, shall be released from criminal liability for committing minor or medium gravity criminal offences, in the commitment whereof they were involved in the course of trafficking or exploitation and has committed those criminal offences under coercion.

#### **Article 189. Trafficking of a Minor or a Person in a Helpless Situation**

1. Trafficking of a Minor or a Person in a helpless situation - recruitment, transportation, transfer, harbouring, or receipt of a child or a person in a helpless situation, as well as exploitation of such persons or putting them in or keeping them under the situation similar to exploitation —

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

2. The act provided for in Part 1 of this Article, committed:

- 1) by use of violence or threat of use thereof ;
- 2) towards a pregnant woman;
- 3) by a group of persons with prior agreement;

- 4) by a close relative;
- 5) by use of official or service powers or influence conditioned thereof; or
- 6) by moving the person to another state—

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

3. The act provided for in Part 1 or Part 2 of this Article, which:

- 1) has been committed by a criminal organization; or
- 2) has negligently caused death of a victim of crime or grave harm to his/her health or has led to suicide of the victim or his/her close relative or close person, or resulted in other grave consequences—

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

#### **Article 190. Using the Service of a Person in a state of exploitation**

1. Using the service of a person in a state of exploitation, if the service recipient has realised the fact that the person is in the state of exploitation, and elements of criminal offences provided for in Articles 188 and 189 of this Code are absent—

shall be punished by a fine in the maximum amount of twenty-fold, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act provided for in Part 1 of this Article, committed:

- 1) towards a pregnant woman;
- 2) towards a person in a helpless situation; or
- 3) towards a minor—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

3. A person, having voluntarily informed the competent bodies about the exploitation and the place of the victim of crime shall be exempted from the liability established by this Article. If the actually committed act by the person entails an element of another crime, the person shall be subject to criminal liability for that crime.

#### **Article 191. Kidnapping**

1. Kidnapping – transferring a person to another place against his/her will or ignoring his/her will or using his/her helpless situation, if the elements of criminal offence established in Article 315 of this Code are absent —

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

2. The act provided for in Part 1 of this Article, committed:

- 1) towards a person or his/her close relative or close person in connection with performing his/her official, political, service, professional or public activity or duty;
  - 2) towards a pregnant woman;
  - 3) towards a minor;
  - 4) in a manner dangerous for the life and health of other people;
  - 5) by a group of people;
  - 6) by use of weapon or object or means prepared or adjusted in advance to cause bodily injury;
  - 7) out of mercenary motives;
  - 8) submitting a demand as a condition to release the kidnapped person; or
  - 9) by motives of hatred, intolerance or hostility conditioned by racial, national, ethnic, or social origin, religion, political or other views, other personal or social factors—
- shall be punished by imprisonment for a term of four to eight years.

3. The act provided for in Part 1 or Part 2 of this Article, which:

- 1) has been committed by a criminal organization; or
- 2) has negligently caused death of the victim of crime or a infliction of grave harm to the victim's health or other grave consequences—

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

or grave harm to his/her health

### **Article 192. Illegal Deprivation of liberty**

1. Illegal deprivation of liberty, if elements of criminal offences established in Articles 188 and 189, 191 and 315 of this Code are absent—

shall be punished by a fine in the maximum amount of twenty-fold, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act provided for in Part 1 of this Article, committed:

- 1) towards a person or his/her close relative or close person in connection with performing his/her official, political, service, professional or public activity or duty;
- 2) towards a pregnant woman;
- 3) towards a person in a helpless situation;
- 4) towards a minor;
- 5) by a group of persons with prior agreement;
- 6) by a close relative;
- 7) by use of weapon or object or means prepared or adjusted in advance to cause bodily injury;
- 8) out of mercenary motives;
- 9) submitting a demand as a condition to release the kidnapped person; or
- 10) by motives of hatred, intolerance or hostility conditioned by racial, national, ethnic, or social origin, religion, political or other views, other personal or social factors—  
shall be punished by imprisonment for a term of two to five years.

3. The act provided for in Parts 1 and 2 of this Article, which:

- 1) has been committed by a criminal organization; or
- 2) has been committed negligently by causing the death of the victim or infliction of grave harm to the victim's health or other grave consequences—  
shall be punished by imprisonment for a four to eight years.

### **Article 193. Illegal Placing or Keeping in a Psychiatric Institution**

1. Placing or keeping in psychiatric institution in violation of procedure prescribed by law—

shall be punished by restriction of liberty for a term of maximum three years, or short-term imprisonment for the term of maximum two months, or imprisonment for a term of maximum three years.

2. The act provided for in Part 1 of this Article, committed:

- 1) by a group of persons with prior agreement;
- 2) out of mercenary motives; or
- 3) by use of official or service powers or influence conditioned thereof—

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

3. The act provided for in Parts 1 and 2 of this Article, which:

- 1) has been committed by a criminal organization; or
- 2) has negligently caused death of the victim or a infliction of grave harm to the victim's health or other grave consequences —

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

#### **Article 194. Psychological Pressure**

1. Threat to murder, inflicting harm to health, torture, committing criminal offence against sexual freedom or immunity, kidnapping, illegally depriving from liberty, as well as destruction of large or particularly large-scale property, if there has been a real danger to perform the threat, as well as the social isolation or periodically degrading the honour and dignity—

shall be punished by a fine in the maximum amount of twenty-fold, or restriction of liberty for a term of maximum one year or a short-term imprisonment for a term of maximum one month.

2. The act provided for in Part 1 of this Article, committed:

- 1) towards a person or his/her close relative or close person in connection with performing his/her official, political, service, professional or public activity or duty;
- 2) towards a pregnant woman;
- 3) towards a minor;
- 4) by a close relative;
- 5) towards a person being in material or other dependence from the criminal;
- 6) by use of weapon or object or means prepared or adjusted in advance to cause bodily injury;
- 7) out of hooliganism; or
- 8) by motives of hatred, intolerance or hostility conditioned by racial, national, ethnic, or social origin, religion, political or other views, other personal or social factors—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months.



### **Article 195. Physical Pressure**

1. Hitting or performing other violent actions, in the absence of the consequences established in Article 171 of this Code —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty hours to one hundred fifty hours, or restriction of liberty for a term of maximum one year, and or short-term imprisonment for a term of maximum one month.

2. The act provided for in Part 1 of this Article, committed:

1) towards a person or his/her close relative or close person in connection with performing his/her official, political, service, professional or public activity or duty;

2) towards a pregnant woman;

3) towards a minor;

4) with a particular cruelty;

5) by a group of persons;

6) by a close relative;

7) towards a person being in material or other dependence from the criminal;

8) out of mercenary motives;

9) out of hooliganism; or

10) by motives of hatred, intolerance or hostility conditioned by racial, national, ethnic, or social origin, religion, political or other views, other personal or social factors—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for the term of one hundred to two hundred hours, or restriction of liberty up to two years, or short-term imprisonment for a term of maximum two months.

### **Article 196. Causing Severe Physical Pain or Severe Mental Suffering**

1. Causing severe physical pain or severe mental suffering, if it does not led to consequences provided for in Article 166 or 167 of this Code, and if the elements of criminal offence provided for in Article 450 of this Code are absent—

shall be punished by imprisonment for the term of maximum three years.

2. The act provided for in Part 1 of this Article, committed:

- 1) towards a person or his/her close relative or close person in connection with performing his/her official, political, service, professional or public activity or duty;
  - 2) towards a pregnant woman;
  - 3) towards a minor;
  - 4) with a particular cruelty;
  - 5) by a group of persons;
  - 6) towards a person being in material or other dependence from the criminal;
  - 7) towards a person being kidnapped or being a hostage;
  - 8) by motives of hatred, intolerance or hostility conditioned by racial, national, ethnic, or social origin, religion, political or other views, other personal or social factors—
- shall be punished by an imprisonment for the term of three to seven years.

**Article 197. Coercion to Marry, Divorce or have a Child**

1. The use of violence, threats of use thereof, blackmail, defamation, threatening to destroy, damage or seize property, or using the material or other dependence of the victim of crime or other forms of coercion to force a person to marry, divorce, or have a child— shall be punished by restriction of liberty for a term of maximum two years or a short-term imprisonment for the term of maximum two months or imprisonment for a term of maximum two years.

**CHAPTER 27.**

**CRIMES AGAINST SEXUAL FREEDOM AND SEXUAL INTEGRITY**

**Article 198. Violent Actions of Sexual Nature**

1. Sexual intercourse or other acts of sexual nature, including imitation of sexual intercourse or satisfying sexual needs, which have been committed against the will of the victim of crime, or by disregarding the will of the victim of crime, by use of violence or threat of use thereof, or abuse of the helpless situation of the victim of crime or other person— shall be punished by imprisonment for a term of three to six years.

2. The act provided for in Part 1 of this Article, committed:
- 1) towards a pregnant woman;
  - 2) towards a minor;
  - 3) committed by a close relative or partner or ex-partner;
  - 4) towards a person being in a vulnerable situation due to family condition or disability;
  - 5) towards a person being in material or other dependence from the criminal;
  - 6) towards a person taken into custody, arrested or detained or serving a sentence in a penitentiary institution, against a military servant in the battalion or other place of service, or against a person undergoing treatment or examination in a medical institution—by an employee of the respective institution or facility;
  - 7) by a group of people;
  - 8) with particular cruelty; or
  - 9) by use of weapon or object or means prepared or adjusted in advance to cause bodily injury—

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

3. The act provided for in Parts 1 or 2 of this Article, which:

- 1) has been committed towards a person not having attained the age of 18, by an upgoing relative or a person who has an obligation of upbringing, care or treatment of the child;
- 2) has been committed towards a person having attained the age of 16 years and under the age of 18; or
- 3) has negligently caused death of the victim of crime or grave harm to his/her health or has led to suicide of the victim or his/her close relative or close person, or resulted in other grave consequences—

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

4. Within the meaning of this Article, a person in the helpless situation is the person deprived of the possibility to show resistance to the criminal or realize the nature of the act committed towards oneself, or a person under the age of 12 years.

### **Article 199. Compelling to Actions of Sexual Nature**

1. Sexual intercourse or other sexual actions, including imitation of sexual intercourse or satisfaction of sexual needs, that have been committed through blackmail, or under the

threat of destruction, damage or seizure of property or by using the material or other dependence of the victim of crime, or without reasonable belief in his/her consent or his/her compelling to sexual intercourse or other actions of sexual nature in the same manner, if the elements of criminal offences established in Articles 188 and 189 of this Code were absent —

shall be punished by restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

2. The act provided for in Part 1 of this Article, committed:

- 1) towards a pregnant woman;
- 2) towards a minor;
- 3) by a close relative or a partner or an ex-partner,
- 4) towards a person being in a vulnerable situation due to family condition or disability;
- 5) towards a person taken into custody, arrested or detained or serving a sentence in a penitentiary institution, towards a military servant in the battalion or other place of service, or towards a person undergoing treatment or examination in a medical institution —by an employee of the respective institution or facility;
- 6) by a group of people—

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

3. The act provided for in Parts 1 or 2 of this Article, which:

- 1) has been committed towards a person not having attained the age of 18, by an upgoing relative or a person who has an obligation of upbringing, care or treatment of the child;
- 2) has been committed towards a person having attained the age of 12 years and under the age of 16; or
- 3) has negligently caused grave harm to the health or mental disorder or has led to suicide of the victim of crime or his/her close relative or close person, or resulted in other grave consequences—

shall be punished by imprisonment for a term of six to twelve years.

**Article 200. Performance of Actions of Sexual Nature towards a Person not having Attained the Age of 16 years**

1. Sexual intercourse or other actions of sexual nature, including imitation of sexual intercourse or satisfaction of sexual needs, in case they were committed by a person having attained 18 years towards a person not having attained 16 years, if the elements of criminal offences established in the Articles 189, 198 and 199 of this Code were absent— shall be punished by restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months or imprisonment for a term of maximum three years.

2. The act provided for in Part 1 of this Article, committed:

- 1) towards a person having attained the age of 12 years and not having attained the age of 14 years;
- 2) by a close relative or a partner or an ex-partner;
- 3) by a group of people; or
- 4) with particular cruelty—

shall be punished by restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

3. The act provided for in Part 1 or Part 2 of this Article which:

- 1) has been committed by an upgoing relative or a person who has an obligation of upbringing, care or treatment of the child;
- 2) has negligently caused grave harm to the health or mental disorder or has led to suicide of the victim or his/her close relative or close person, or resulted in other grave consequence—

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

4. Natural sexual intercourse or other actions of sexual nature provided for in this Article, including imitation of sexual intercourse or satisfaction of sexual needs, which have been committed by the same person towards the same person for more than once shall be qualified as one (single) crime.

#### **Article 201. Committing a Lecherous Act**

1. Disseminating, showing pornographic material or object, including printed edition, movie or video material, material kept in electronic media, image or other object of

pornographic nature by a person having attained the age of 18 years among persons under the age of 16, as well as sexual intercourse, unclothing or performing other activity of sexual nature in the presence of a person under the age of 16, having sexual conversation with a person under the age of 16, or other acts inspiring sexual desire among a person under 16, in the absence of elements of criminal offences specified in Articles 198, 199 and 200 of this Code—

shall be punished by short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act provided for in Part 1 of this Article, committed:

- 1) towards the person under the age of 14;
- 2) by a group of people; or
- 3) using information or communication technologies —

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

3. The act provided for in Part 1 or Part 2 of this Article which:

- 1) has been committed by an upgoing relative or a person who has an obligation of upbringing, care or treatment of the child;
- 2) has been committed towards the person under the age of 12;
- 3) has been committed towards a person deprived of possibility to resist the criminal or realize the nature of the act committed towards oneself or a person with mental disorder;
- 4) has been committed by a criminal organization; or
- 5) negligently caused mental injury or other grave consequence—

shall be punished by imprisonment for the term of three to six years.

**Article 202. Offering a Person under the Age of 16 Sexual Intercourse or Other Actions of Sexual Nature or Creation or Production of Child Pornography (grooming)**

1. Offering a meeting using information or communication technologies to a person under the age of 16 by a person having attained the age of 18 and performing actions in regard to the meeting with the aim of sexual intercourse or other actions of sexual nature, including imitation of sexual intercourse or satisfaction of sexual needs, or creating or producing child pornography, in the absence of elements of criminal offences provided for in Articles 189, 198-201 of this Code—

shall be punished by short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

## CHAPTER 28.

### CRIMES AGAINST CONSTITUTIONAL RIGHTS AND FREEDOMS

#### **Article 203. Discrimination**

1. Discrimination – a manifestation of a differential treatment, which violates the person’s honour and dignity or the rights and freedoms or by which the person is given advantages, absent of any objective grounds or legitimate purpose, on the basis of sex, race, skin colour, ethnic or social origin, genetic features, language, religion, world vision, political or other opinions, being a national minority, property situation, birth, health, disability, age or other circumstances of personal or social nature —

shall be punished by a fine in the maximum amount of ten-fold, or public works for the term of maximum hundred hours, or restriction of liberty for a term of maximum one year or short-term imprisonment for a term of maximum one month.

2. Act established in Part 1 of this Article, that has been exercised by use of official or service powers or influence conditioned thereof—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for the term of eighty to one hundred hours, or deprivation of the right to hold certain positions or to exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

#### **Article 204. Breach of Confidentiality of Personal or Family Life**

1. Use, realization or disclosure of information constituting personal or family secret of a person without his/her consent, or acquisition or storage of that information with the aim of using, realizing or disclosing that information in violation of the manner established by law—

shall be punished by a fine in the maximum amount of ten-fold, or public works for the term of maximum one hundred hours, or restriction of liberty for a term of maximum one

year, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.

2. Dissemination of the information specified in Part 1 of this Article through public speeches, publicly demonstrated works or mass media or through the information or communication technologies—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for the term of eighty to one hundred fifty hours, or restriction of freedom for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

3. The act provided for in Part 1 or Part 2 of this Article, committed:

1) by use of official or service powers or influence conditioned thereof; or

2) using special technical means for collecting secret information—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for the term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or to exercise certain activities for a term of maximum five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum three years.

#### **Article 205. Disclosure of Medical Secret**

1. Illegal transfer of an information constituting medical secret by a personal data processor provided for by law, without the written consent of a person or his/her legal representative —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for the term of eighty to one hundred fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. Illegal transfer of an information constituting medical secret by a personal data processor provided for by law, without the written consent of a person or his/her legal representative, through public speeches, publicly demonstrated works or mass media or through the information or communication technologies—



shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for the term of one hundred to two hundred hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

3. The act provided for in Part 1 or Part 2 of this Article, committed by a medical personnel—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for the term of one hundred fifty to two hundred fifty hours, or deprivation of the right to hold certain positions or to exercise certain activities for a term of two to five years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

4. The act provided for in Part 1, Part 2 or Part 3 of this Article, which negligently lead to committing a suicide or an attempted suicide, degrading the person's honour, dignity or reputation, or other grave consequences —

shall be punished by a fine in the amount of thirty-fold to fifty-fold, or deprivation of the right to hold certain positions or to exercise certain activities for a term of three to seven years, or imprisonment for a term of two to five years.

#### **Article 206. Violation of the Secrecy of Correspondence, Telephone Conversations and Other Forms of Communications**

1. Illegal violation of secrecy of person's correspondence, telephone conversations and other forms of communications—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for the term of eighty to one hundred fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act provided for in Part 1 of this Article, committed:

1) by use of official or service powers or influence conditioned thereof; or

2) using special technical means for collecting secret information

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for the term of one hundred to two hundred hours, or deprivation of the right to hold certain

positions or to exercise certain activities for a term of maximum five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum three years.

#### **Article 207. Violating the Inviolability of Residence**

1. Illegal entry into the person's residence against his/her will or ignoring it— shall be punished by a fine in the maximum amount of twenty-fold, or public works for the term of eighty to one hundred fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act provided for in Part 1 of this Article, committed:

- 1) by use of official or service powers or influence conditioned thereof; or
- 2) by use of violence or threat of use thereof—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works from one hundred to two hundred hours, or deprivation of the right to hold certain positions or to exercise certain activities for a term of maximum five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum three years.

#### **Article 208. Refusal to Provide Information to a Person**

1. Illegal refusal by an authorised person to provide information or materials to a person concerning his/her rights and lawful interests, or provision of such information in an incomplete or distorted manner, where this has caused to large-scale or substantial damage the rights and lawful interests of the person concerned—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for the term of eighty to one hundred fifty hours, or deprivation of the right to hold certain positions or to exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

#### **Article 209. Obstructing Exercise of the Right to Freedom of Conscience or Belief**

1. Obstructing exercise of the right to freedom of conscience or belief, including the lawful activities of religious organisations or the performance of religious rites — shall be punished by a fine in the maximum amount of ten-fold, or public works for the term of maximum one hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.

2. The act provided for Part 1 of this Article, committed by use of official or service powers or influence conditioned thereof—

shall be punished by a fine in the maximum amount of twenty-fold, or public works from eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or to exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 210. Obstructing Exercise of the Right of Suffrage or Right to a Referendum, the Activities of Election Commissions or Exercise of the Rights and Obligations of Persons Taking part in an Election or Referendum**

1. Obstructing free exercise of person's right of suffrage or right to a referendum, or obstructing the activities of electoral or referendum commissions, as well as obstructing the exercise of rights and obligations of a member of electoral or referendum commissions, or of an initiative group, candidate, visitor, authorised representative, representative of initiative group of referendum, proxy, observer, representative of the mass media, authorised person of the political party (alliance of political parties), person in charge of the technical equipment —

shall be punished by a fine in the maximum amount of twenty-fold, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act provided for in Part 1 of this Article, committed:

1) by blackmail;

2) by threat of using violence against a person or his close relative or close person or destructing or damaging property;

- 3) by motivating materially;
- 4) by the chairman or member of the election or referendum commission;
- 5) by use of official or service powers or influence conditioned thereof; or
- 6) by a group of persons with prior agreement—

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

3. Forcing to vote in a certain manner in the referendum or elections or to refusing to participate in the referendum or elections or to participate more than once or on behalf of another person, committed:

- 1) by threat of using violence against a person or his close relative or close person or destructing or damaging property;
- 2) by use of official or service powers or influence conditioned thereof; or
- 3) by use of material or other dependence—

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

4. The act provided for in Part 1, Part 2 and Part 3 of this Article, committed by a criminal organization —

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

#### **Article 211. Compelling to Perform a Campaign or to Refuse to Perform a Campaign or Otherwise Obstructing the Performance of a Campaign**

1. Compelling to perform a pre-election or referendum campaign or to refuse to perform a campaign or otherwise obstructing the performance of pre-election or referendum a campaign —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or by restriction of liberty for a term of maximum three years, or by short-term imprisonment for a term of maximum two months, or by imprisonment for a term of maximum three years.

2. The act provided for in Part 1 of this Article, committed:

- 1) by blackmail;
- 2) by threat of using violence against a person or his close relative or close person or destructing or damaging property;
- 3) by use of official or service powers or influence conditioned thereof;
- 4) by use of material or other dependence; or

5) by a group of persons—

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

#### **Article 212. Rigging Election or Voting Results**

1. Obviously miscalculation of votes during a referendum or elections, or approval of election results, including protocols, the copies thereof, other election documents or excerpts thereof with obvious incorrect data, entry of obviously incorrect data into a computer, change of the entered data, as well as rigging election or voting results in other way, or failure— for that purpose— to provide election documents to higher election authorities within the prescribed period —

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

2. The act provided for in Part 1 of this Article, committed by a group of persons with prior agreement—

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

#### **Article 213. Violation of the Procedure for Drawing up Lists of Electors, Providing Them to Citizens and Political Parties and for Their Publication**

1. Violation of the procedure established for providing lists of electors to citizens or political parties, failure to provide them, or failure to publish them though the established procedure by the person responsible for drawing up lists of electors —

shall be punished by a fine in the maximum amount of twenty-fold, or deprivation of the right to hold certain positions or to exercise certain activities for a term of maximum five years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. Forgery in drawing up the lists of electors or forging in the list of by the person responsible for drawing up lists of electors —

shall be punished by restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

**Article 214. Voting More than Once or Instead of Another Person**

1. Voting more than once or instead of another person by submitting false data, false documents or in any other illegal manner—

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

2. The act provided for in Part 1 of this Article, committed by a group of persons with prior agreement—

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

**Article 215. Breaching the Secrecy of Ballot**

1. Voting by the elector in an open manner visible for other persons (except for the person helping the elector), as well as breaching the secrecy of ballot out of mercenary motives through publishing the information obtained through photographing or video recording the documents disclosing the results of the voting—

shall be punished by a fine in the maximum amount of twenty-fold

2. Compelling an elector to disclose the result of voting or for the purpose of breaching the secrecy of ballot, checking a ballot paper cast for the purpose of disclosing the result of voting, entering a polling booth (room), as well as otherwise breaching the secrecy of ballot —

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or restriction of liberty for the term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

**Article 216. Preparation of Forged Electoral Ballot Papers or Ballot Envelopes, Stamps and Coupons, or Delivery and Distribution of Obviously Forged Electoral Ballot Papers or Ballot Envelopes, Stamps and Coupons**

1. Preparation of forged electoral ballot papers or ballot envelopes, stamps, coupons or deliver or distribution of obviously forged ballot papers or ballot envelopes, stamps, coupons in any other manner with personal motives or out of group interests —

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

2. The act provided for in Part 1 of this Article, which:

1) Impacted the results of elections or referendum; or

2) was committed by a group of persons with prior agreement—  
shall be punished by imprisonment for a term of five to ten years.

3. The act provided for in Part 1 and Part 2 of this Article, committed by criminal organization:

1) Impacted the results of national elections or referendum, or

2) Were committed by a criminal organization—

shall be punished by imprisonment for a term of six to twelve years.

### **Article 217. Illegal Taking of Subjects Necessary for Due Organization of Election Process**

1. Illegal taking-on the personal motives or in the interests of the group- of the ballot box, voters' signed list, register of territorial election commission, seal of the commission, the individual seal of the territorial election commission member, the self-adhesive stamp, election coupon with information about the voter or the listed coupon, technical equipment for electronic registration of voters, video camera installed by the professional organization selected by government, one-time use bag of election documents or the package of election documents—

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

2. The act provided for in Part 1 of this Article, committed by a group of persons with prior agreement—

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

3. The act provided for in Part 1 of this Article, committed by use of official or service powers or influence conditioned thereof—

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

### **Article 218. Receiving Electoral Bribe**

1. On the condition of participating in the referendum or election, voting in particular manner in the referendum or election, invalidating the ballot or refusing to participate in the referendum or election— personally or through the intermediary receiving, demanding or offering to give or accepting an offer or promise of electoral bribe— property, including monetary means, securities, other payment instruments, property rights, services or any other advantage for himself/herself or another person —

shall be punished by restriction of liberty for a term of one to three years, or by short-term imprisonment for a term of one to two months, or by imprisonment for a term of one to three years.

2. The act provided for in Part 1 of this Article, committed by a group of persons with prior agreement—

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

#### **Article 219. Giving Electoral Bribe**

1. On the condition of participating in the referendum or election, voting in particular manner in the referendum or election, invalidating the ballot or refusing to participate in the referendum or election— personally or through the intermediary offering, promising or giving electoral bribe—property, including monetary means, securities, other payment instruments, property rights, services or any other advantage —

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

2. The act provided for in Part 1 of this Article, committed by a group of persons with prior agreement—

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

#### **Article 220. Solicitation in Electoral Bribery**

1. Electoral bribery solicitation — contributing to reaching an agreement between the electoral bribe giver and electoral bribe receiver on the electoral bribery, taking an initiative in case of presence of an agreement between the electoral bribe giver and electoral bribe receiver to transfer the subject of electoral bribe to the voter or the person he/she points out, or promising to transfer or transferring it or otherwise contributing to the implementation of the agreement between the electoral bribe giver and electoral bribe receiver—

shall be punished by a fine from ten-fold to thirty-fold, or restriction of liberty for the term of one to three years, or short-term imprisonment for the term of one to two months, or imprisonment for a term of one to three years.

2. The act provided for in Part 1 of this Article, committed by use of official or service powers or influence conditioned thereof —



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

**Article 221. Violation of the Ban on Charity During a Referendum or Election**

1. Giving (promising) to voters and participants of the referendum money, food, securities, goods (except for the campaigning publication and other material or subject containing the name or symbols of the political party or the name or surname or image of the candidate and not exceeding the three-fold of the minimum salary) free of charge or on preferential terms or providing services (promising) or implementing pre-election or referendum campaign in conjunction with charity from the date of entry into force of the decision on appointing referendum or election until summarizing the results of the referendum or election (and in case of National Assembly elections, the decision of being elected to the National Assembly) of the candidate, political party (alliance of parties) member or authorised person, proxy, member or authorized person of the initiative group of the referendum personally or on their behalf (including the political party or alliance) or through other means or in the name of charity—

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

**Article 222. Obstructing of Getting Acquainted with Referendum or Election Documents**

1. Obstructing a proxy, member of the electoral or referendum commission, observer or mass media representative to get acquainted with an election or referendum document in the procedure prescribed by law, or failure to provide a copy of extract or protocol of the election or referendum commission—

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

**Article 223. Failure to Perform or Improper Performance of Authorities of Chairman of the Election or Referendum Commission**

1. Failure to perform or improper performance of authorities of chairman of the election or referendum commission which resulted in impossibility for the commission to summarise the election or referendum results—

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

**Article 224. Entering a Polling Station with Weapon**

1. Demonstratively entering a polling station with a weapon, without an official exigency —

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

**Article 225. Compelling to Participate in a Strike or to Refuse to Participate in a Strike**

1. Compelling to participate in a strike or to refuse to participate in a strike by threat of blackmail, or a threat of using violence against a person or his/her close relative or close person, or to seize or damage or destruct the property of the person or the person's close relative or close person —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works from one hundred to two hundred hours, or deprivation of the right to hold certain positions or to exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. Compelling to participate in a strike or to refuse to participate in the strike, committed by:

- 1) by a group of persons with prior agreement;
- 2) by use of official or service powers or influence conditioned thereof;
- 3) by use of violence against a person or his close relative or close person or destructing or damaging property —

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for one hundred fifty hours to two hundred seventy hours, or deprivation of the right to hold certain positions or to exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

**Article 226. Refusal to Hire or Dismissal of a Pregnant Woman or a Person having Child Under the age of Three**

1. Refusal to hire or dismissal of a pregnant woman for the reason of pregnancy or a person having a child under the age of three—for that reason —

shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or deprivation of the right to hold certain positions or to exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.

#### **Article 227. Infringement of Copyright and Related Rights**

1. Misappropriation of authorship, or illegal use of the object of copyright or related rights or its realization without the consent of the copyright or related right holder, if it caused large-scale property damage to the author or other rights holder —

shall be punished by a fine in the maximum amount of twenty-fold, or public works from eighty to one hundred fifty hours, or deprivation of the right to hold certain positions or to exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act provided for in Part 1 of this Article, which:

- 1) caused a particularly large-scale property damage to the author or other rights holder;
- 2) was committed using information or communication technologies,
- 3) was committed through compelling to co-authorship;
- 4) was committed by use of official or service powers or influence conditioned thereof; or
- 5) was committed by a group of persons with prior agreement—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works from one hundred to two hundred hours, or deprivation of the right to hold certain positions or to exercise certain activities from two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum three years.

#### **Article 228. Infringement of Patent Right**

1. Illegal use of an object of patent right, or dissemination —without the applicant's consent — of information concerning its essence before the official recognition of that right, or misappropriation of authorship, if it caused large-scale property damage—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for eighty to one hundred fifty hours, or deprivation of the right to hold certain positions or to exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act provided for in Part 1 of this Article, which:

- 1) caused a particularly large-scale property damage;
- 2) was committed using information or communication technologies;
- 3) was committed through compelling to co-authorship;
- 4) was committed by use of official or service powers or influence conditioned thereof; or
- 5) was committed by a group of persons with prior agreement—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works from one hundred to two hundred hours, or deprivation of the right to hold certain positions or to exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum three years.

**Article 229. Obstructing Exercise of the Right to Establish Association (Non-governmental or Trade Union) or Political Party, or Their Activities**

1. Obstructing exercise of the right to establish an association (non-governmental or trade union) or political party or lawful activities of an association (non-governmental or trade union) or political party—

shall be punished by a fine in the maximum amount of twenty-fold, or deprivation of the right to hold certain positions or to exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act provided for in Part 1 of this Article, which:

- 1) was committed by use of official or service powers or influence conditioned thereof; or
- 2) led to the disruption of activities of an association (non-governmental or trade union) or a political party —

shall be punished by a fine in the amount of ten-fold to thirtyfold, or deprivation of the right to hold certain positions or to exercise certain activities from two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum three years.

**Article 230. Compelling or Obstructing the Acquiring Membership or Terminating Membership in the Political Party**

1. Compelling or obstructing acquiring membership or terminating membership in the political party—

shall be punished by a fine in the maximum amount of ten-fold, or deprivation of the right to hold certain positions or to exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum two months.

2. The act provided for in Part 1 of this Article, committed:

1) by a group of persons; or

2) by use of official or service powers or influence conditioned thereof—

shall be punished by a fine in the maximum amount of twenty-fold, or deprivation of the right to hold certain positions or to exercise certain activities from two to five years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum two years.

**Article 231. Attracting Large Amounts of Illegal Donations to the Party**

1. Attracting donations by the member of political party in favour of the political party in large amounts from a source not authorized by law or in excess of large amounts of maximum amount prescribed by law—

shall be punished by a fine in the maximum amount of twenty-fold, or deprivation of the right to hold certain positions or to exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months. or imprisonment for a term of maximum of one year.

2. The act provided for in Part 1 of this Article, committed by use of official or service powers or influence conditioned thereof —

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

3. Within the meaning of this Article and Articles 232, 234 and 235 of this Code, large amount is considered to be the donation exceeding thousand-fold of the minimum salary.

**Article 232. Large-scale Circumventing of the Ban on Donating to the Political Party Not Exceeding the Amount Prescribed by Law or the Ban on Donations from Sources Not Authorized by Law**

1. Large-scale circumventing of the ban on donating to the party not exceeding the amount prescribed by law or the ban on donations from sources not authorized by law through making a donation on behalf of another person, which was done in large amounts—

shall be punished by a fine in the maximum amount of twenty-fold, or deprivation of the right to hold certain positions or to exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months. or imprisonment for a term of maximum of one year.

2. The act provided for in Part 1 of this Article, committed by use of official or service powers or influence conditioned thereof —

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

**Article 233. Compelling to Donate for the Benefit of the Political Party**

1. Compelling to donate for the benefit of the political party —

shall be punished by a fine in the maximum amount of ten-fold, or deprivation of the right to hold certain positions or to exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum two months.

2. The act provided for in Part 1 of this Article, committed by use of official or service powers or influence conditioned thereof —

shall be punished by a fine in the maximum amount of twenty-fold, or deprivation of the right to hold certain positions or to exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of one to two months or imprisonment for a term of maximum two years.

**Article 234. Donating to a Political Party on Behalf of a Legal Entity**

1. Making a donation to the party on behalf of a legal entity in large amounts — shall be punished by a fine in the maximum amount of twenty-fold, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months.

**Article 235. Exceeding the Maximum Amount of Donation to the Political Party by the Donor Defined by Law.**

1. Exceeding the maximum amount of donation to the political party by the donor defined by law in large amounts— shall be punished by a fine in the maximum amount of twenty-fold, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months.

**Article 236. Obstructing Holding Assembly or Participation Therein**

1. Obstructing holding of lawful assembly or participation therein— shall be punished by a fine in the maximum amount of twenty-fold, or public works from eighty to one hundred fifty hours, or deprivation of the right to hold certain positions or to exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months or imprisonment for a term of maximum two years.

2. Compelling to participate in lawful or unlawful assembly by threat of using violence against a person or his/her close relative or close person, or to destruct, damage or seize the property or through blackmail—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works from one hundred to two hundred hours, or deprivation of the right to hold certain positions or to exercise certain activities from two to five years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two month, or imprisonment for a term of maximum three years.

3. The acts provided for in the Parts 1 or 2 of this Article, committed by use of official or service powers or influence conditioned thereof — shall be punished by imprisonment for the term of two to five years.

### **Article 237. Obstructing a Journalist's Lawful Professional Activities**

1. Compelling a journalist to disseminate information or to refuse dissemination of information or otherwise obstructing his/her lawful professional activities — shall be punished by a fine in the maximum amount of twenty-fold, or public works for the term of eighty to one hundred fifty hours, or deprivation of the right to hold certain positions or to exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The acts provided for in the Part 1 of this Article, committed by use of official or service powers or influence conditioned thereof — shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works from one hundred fifty to two hundred seventy hours, or deprivation of the right to hold certain positions or to exercise certain activities from three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two month, or imprisonment for a term of two to five years.

3. The acts provided for in the Parts 1 or 2 of this Article, which were committed by using violence or threat of using violence towards a journalist or the journalist's close relative or close person — shall be punished by imprisonment for a term of three to six years.



## CHAPTER 29.

### CRIMES AGAINST THE INTERESTS OF A FAMILY AND A CHILD

#### **Article 238. Inducing or Making a Minor as an Accomplice of Committing a Crime**

1. Teaching the minor crime skills, instilling criminal ideology in a minor, traditions of criminal sub-culture, rules of criminal conduct or enrutting criminal habits, preaching to commit crimes, as well as on a minor's initiative making a minor as an accomplice in a crime committed by himself/herself or another person by a person above the age of eighteen—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed:

1) by a person who has obligation to upbringing, take care of or treat the child,

2) by use of information or communication technologies —

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

1) by engaging a minor in a criminal organization, or

2) making a minor as an accomplice of committing grave or particularly grave crime—

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

#### **Article 239. Inducing or Engaging a Child in Committing Acts Related to Pornography or Preparation or Dissemination of Materials or Objects of Pornographic Nature**

1. Inducing or engaging a minor in committing act related to pornography or preparation or dissemination of material or object of pornographic nature by a person above the age of

eighteen, if the elements of criminal offence specified in Article 189 of this Code are absent —

shall be punished by restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of two to five years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a person who has obligation to upbringing, take care of or treat the child;
- 2) by use of information or communication technologies —

shall be punished with imprisonment for a term of four to eight years.

#### **Article 240. Engaging a Child into Antisocial Activities**

1. Engaging a child into regular use of alcoholic drinks or non-medical uses of substances with a strong influence or other narcotic substances or vagrancy or beggary by a person above the age of eighteen, if elements of criminal offence established in Article 189 of this Code are absent —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a person who has obligation to upbringing, care or treat the child, or
- 2) by use of information or communication technologies —

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

#### **Article 241. Illegally Separating a Child from Parents or Persons Who Have Obligation to Upbring and Care the Child or Substituting a Child**

1. Illegally separating a child from parents or persons who have obligation to upbringing and care the child or substituting a child, if the elements of criminal offence established in Article 189 of this Code are absent—

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

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) use of official or service powers or influence conditioned thereof, or
- 3) by transferring the child to another state—

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

3. The act prescribed for in Parts 1 or 2 of this Article, which:

- 1) was committed by a criminal organization, or
- 2) negligently caused the death of the child or a grave harm to the child's health, or led to a suicide or an attempt to suicide of the child or the parent or other grave consequence

—

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

#### **Article 242. Purchase or Sale of a Child**

1. Purchase or sale of a child, if elements of criminal offence established in Article 189 of this Code are absent—

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

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) by use of official or service powers or influence conditioned thereof;
- 3) by transferring the child to another state, or
- 4) through fake adoption —

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

3. The act prescribed for in Parts 1 or 2 of this Article, which:

- 1) was committed by a criminal organization, or
- 2) negligently caused the death of the child or a grave harm to the child's health, or led to a suicide or an attempt to suicide of the child or the parent or other grave consequence

—

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

**Article 243. Impeding a Meeting of the Parent or other Close Relative and the Child**

1. Impeding the meeting of the parent not residing with the child or other close relative with the child, established by a court order, for three or more times during a month, as well as impeding for five or more times during one year or relocating the child during the meeting hours without prior agreement of the visiting parent or other close relative by a parent residing with the child—

shall be punished by a fine in the maximum amount of ten-fold, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum two months.

**Article 244. Disclosing the Secret of Adoption**

1. Disclosing the secret of adoption against the will of the adopter or by ignoring the will of the adopter by the person, who was obligated to protect the secret of adoption as an official or professional secret, or disclosing the secret by other person out of mercenary or other dishonest motives—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. Disclosing the secret of adoption after the adopted attained the age of maturity and upon his/her consent excludes criminal liability.

**Article 245. Inducing or Forcing to Consent to Adoption**

1. Inducing or forcing the legal representative of the person to be adopted to give a consent to adoption out of mercenary or dishonest motives —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain

positions or exercise certain activities for a term of maximum five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

**Article 246. Misstating Information to Civil Status Acts Registration Bodies**

1. Misstating information to civil status acts registration body—  
shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 247. Failing to Fulfil or Improperly Fulfilling the Duty to Upbring and Care the Child**

1. Failing to fulfil or improperly fulfilling the duty to upbringing and care the child by the parent, teacher, or by other person who is in charge of bringing up and caring the child, which has led to deterioration of the child's health —

shall be punished by a fine in the maximum amount of ten-fold, with deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum one year.

2. The act prescribed for in Part 1 of this Article, which:

- 1) was combined with cruel attitude towards a minor, or
- 2) negligently caused a death of the child or infliction of grave or medium gravity harm to the health of the child or other grave consequence—

shall be punished by deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

**Article 248. Failing to Fulfil or Improperly Fulfilling One's Duties to Provide the Child's Life Safety or Health Protection**

1. Failing to fulfil or improperly fulfilling of duty to provide the child's life safety or health protection, if this negligently caused medium gravity harm to the child's health— shall be punished by deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which negligently caused the child's death or grave harm to the health of the child or other grave consequence— shall be punished with imprisonment for a term of two to five years.

**Article 249. Abusing Foster Parent, Guardian or Trustee Rights**

1. Use of foster care, guardianship or trusteeship out of mercenary or other dishonest motives, or abandonment of the ward or the foster child, without supervision or necessary support, which resulted in violation of the ward's or foster child's rights and lawful interests—

shall be punished by deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 250. Inducing or Forcing to Waive Parental Rights**

1. Inducing or forcing to waive one's parental rights through convincing, deception or abuse of trust or using one's vulnerable condition, by a threat of violence or other means —

shall be punished with a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a medical worker;
- 2) by use of violence;
- 3) by use of official or service powers or influence conditioned thereof;
- 4) by a group of persons with a prior agreement, or
- 5) out of mercenary motives—

shall be punished by deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

**Article 251. Avoiding to Pay Alimony (Support for Living)**

1. Avoiding to pay alimony (support for living) by decision of the court for three and more months during one year—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of one to two months.

**SECTION 10.**

**CRIMES AGAINST PROPERTY, ECONOMY AND ECONOMIC ACTIVITY**

**CHAPTER 30.**

**ILLEGAL TAKING**

**Article 252. Banditry**

1. Banditry – illegal taking, committed by use of violence or under the threat of violence—

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

2. Banditry, committed:

1) towards a pregnant woman;

2) towards a person in a helpless situation;

3) by a group of persons with a prior agreement;

4) with particular cruelty;

5) by use of weapon or object or means prepared or adjusted beforehand to cause bodily injury;

6) by destroying, damaging or bypassing the equipment, system, structure or other mean foreseen for the protection or preservation of property with the use of technical mean, specially adjusted equipment or other item or mean or through other mean, or

7) in large amounts—

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

3. Banditry, committed:

1) by a criminal organization;

2) by trespassing the residence;

3) by stealing object of special historical, artistic or cultural value, or

4) in particularly large amounts—

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



### **Article 253. Robbery**

1. Robbery - overt illegal taking when the criminal is aware of committing the act overtly—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum three years.

2. Robbery, committed:

- 1) by a group of persons with a prior agreement;
- 2) by destroying, damaging or bypassing the equipment, system, structure or other mean foreseen for the protection or preservation of property with the use of technical mean, specially adjusted equipment or other item or mean or through other mean;
- 3) in large amounts—

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

3. Robbery, committed:

- 1) by a criminal organization;
- 2) by trespassing residence;
- 3) by stealing object of special historical, artistic or cultural value;
- 4) in particularly large amounts—

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

### **Article 254. Theft**

1. Theft - secret illegal taking—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. Theft, committed:

- 1) by a group of persons with a prior agreement;
- 2) from the body of the victim, clothes, bag, other storage or object;

3) by destroying, damaging or bypassing the equipment, system, structure or other mean foreseen for the protection or preservation of property with the use of technical mean, specially adjusted equipment or other item or mean or through other mean;

4) in large amounts—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty hours to two hundred and seventy hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

3. Theft, committed:

1) by a criminal organization;

2) by trespassing residence;

3) by stealing object of special historical, artistic or cultural value, or

4) in particularly large amounts—

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

### **Article 255. Swindling**

1. Swindling - illegal taking through deception or abuse of trust —

shall be punished by a in the maximum amount of twenty-fold, or public works for a term of eighty to hundred and fifty hours, or limitatoin of freedom for a term of maximum two years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum two years.

2. Swindling, committed:

1) by a group of persons with a prior agreement;

2) by use of official or service powers or influence conditioned thereof, or

3) in large amounts—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty hours to two hundred and seventy hours, or restriction of liberty for a term of one to three years, or imprisonment for a term of two to five years.

3. Swindling, committed:

1) by a criminal organization;

2) by stealing object of special historical, artistic or cultural value;

3) in particularly large amounts—

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

#### **Article 256. Illegal Taking of Entrusted Property**

1. Illegal taking of property entrusted to the criminal, i.e. transferred actually or by a free legal will to him/her for possession, disposal or use if wilfulness to take property illegally has arisen after legally receiving it—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum two years.

2. Illegal taking of entrusted property, committed:

1) by a group of persons with a prior agreement;

2) by use of official or service powers or influence conditioned thereof; or

3) in large amounts—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or imprisonment for a term of two to five years.

3. Illegal taking of entrusted property, committed:

1) by a criminal organization,

2) by stealing object of special historical, artistic or cultural value, or

3) in particularly large amounts—

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

#### **Article 257. Illegal Taking Committed by Means of Computer**

1. Illegal taking by means of computer, i.e. illegal taking of someone's property, which has been committed by entering, altering, destructing, blocking (isolating) computer data

without permission provided by law or contract or other legitimate ground, or by influencing the operation of the computer, computer system or computer network in any other way —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The illegal taking, committed by means of computer, committed:

- 1) by a group of persons with a prior agreement,
- 2) by use of official or service powers or influence conditioned thereof, or
- 3) in large amounts—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of two hundred to two hundred and seventy hours, or restriction of liberty for a term of one to three years, or imprisonment for a term of two to five years.

3. The illegal taking, committed by means of computer, committed:

- 1) by a criminal organization,
- 2) by stealing object of special historical, artistic or cultural value, or
- 3) in particularly large amounts—

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

## **CHAPTER 31.**

### **OTHER CRIMES AGAINST PROPERTY**

#### **Article 258. Extortion**

1. Extortion, i.e. the demand to surrender the person's or other's property or property rights to the criminal or another person, or provide property related action for the benefit of the criminal or another person, or assume property related obligation, or refrain from obtaining a property right, committed:

- 1) under a threat of violence towards a person or the person's close relative or relative or the one under the upbringing, care or control of the person;

2) under a threat to destruct, damage, take or not to return a property of a person or the person's close relative or relative or the property under their legal possession, disposal or use or preservation;

3) by blackmail, or

4) by other coercive methods—

shall be punished by short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum four years.

2. Extortion, committed:

1) by exercise of violence towards a person or the person's close relative or relative or the one under the upbringing, care or control of the person;

2) towards a person in a helpless situation;

3) towards a person in a vulnerable situation due to marital status or disability,

4) towards a person being in material or other dependence from the criminal,

5) towards a minor,

6) towards an apprehended, arrested or detained person or a person, serving a sentence in a penitentiary institution,

7) towards an army conscript.

8) by a group of persons with a prior agreement;

9) by use of official or service powers or influence conditioned thereof;

10) in large amounts—

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

3. Extortion, committed:

1) committed by a criminal organization;

2) by negligently causing a human death or grave harm to health, or

3) in particularly large amounts—

shall be punished by imprisonment for a term of six to twelve years.

### **Article 259. Inflicting Property Damage Through Deception, Abuse of Trust or Other Illegal Mean**

1. Inflicting a large-scale property damage to another person through deception, abuse of trust or dissemination of false information or other illegal mean, which was reflected

through loss of incomes, property depreciation or other costs that the person was obligated to incur —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) was committed by a group of persons with a prior agreement,
- 2) was committed by use of official or service powers or influence conditioned thereof or
- 3) inflicted a particularly large-scale property damage—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of one to three years, or imprisonment for a term of one to three years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed by a criminal organization—

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

#### **Article 260. Inflicting Property Damage by Threat or Through the Use of Violence**

1. Forcing a person to conclude a transaction or refuse from concluding it, to undertake an obligation or perform any other act, which caused large-scale property damage, if the elements of extortion or illegal taking are absent, and committed:

- 1) by exercise of violence towards a person or the person's close relative or relative or the one under the upbringing, care or control of the person;
- 2) under a threat to destruct, damage, take or not to return a property of a person or the person's close relative or relative or the property under their legal possession, disposal or use or preservation;
- 3) by blackmail, or
- 4) by other coercive methods—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of one to

three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) towards a person in a helpless situation;
- 2) towards a person in a vulnerable situation due to marital status or disability;
- 3) towards a person being in material or other dependence from the criminal,
- 4) by a group of persons with a prior agreement;
- 5) by use of official or service powers or influence conditioned thereof, or
- 6) by inflicting a particularly large-scale property damage—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed by a criminal organization—

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

#### **Article 261. Inflicting Damage to the Pledgee**

1. Destruction, hiding, alienation, damaging the pledged property or making it non-good for use by any other mean, which impeded realizing the property right by the pledgee and inflicted him/her large-scale property damage —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) was committed by a group of persons with a prior agreement;
- 2) caused particularly large-scale property damage to the pledgee—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum three years.

3. The person, who committed the crime established in this Article, shall be exempted from criminal liability if he/she has compensated the damage caused by the crime.

**Article 262. Making Illegal Connections to Natural Gas, Oil, Water Pipes or Electric Network, or Telecommunication or Electronic Communication Means or Illegally Replacing the Figures of Their Measuring Devices Or Disrupting Their Normal Operation**

1. Making illegal connections to natural gas, oil, water pipes or electric network or telecommunication or electronic communication mean belonging to someone else or illegal replacement of the figures of the device foreseen for the measurement of natural gas, oil, water pipes or electric network or telecommunication or electronic communication mean belonging to someone else, or disturbance of its normal work, that caused a large-scale property damage

shall be punished with a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) was committed by a group of persons with a prior agreement, or
- 2) by use of official or service powers or influence conditioned thereof, or
- 3) inflicted a particularly large-scale damage—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed by a criminal organization—

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

**Article 263. Illegal Use of Someone's Property**

1. Use of property against or ignoring the will of the owner or other legal possessor or through a threat without the intention of making his/her own, which has resulted in a large-scale property damage —



shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) towards a person in a helpless situation;
- 2) towards a person in a vulnerable situation due to marital status or disability;
- 3) towards a person being in material or other dependence from the criminal;
- 4) by use of official or service powers or influence conditioned thereof;
- 5) inflicted a particularly large-scale property damage—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years

#### **Article 264. Destruction or Damage of Property**

1. Destruction or damage of other's property, which caused a large-scale property damage shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) was committed by a group of persons with a prior agreement;
- 2) was committed by arson, explosion or other publicly dangerous manner;
- 3) was committed, in relation to the person's or the person's close relative's or close person's state, political, official, professional or other public activity or duty;
- 4) was committed by motives of hatred, intolerance or hostility based on racial, national, ethnic or social origin, religion, political or other views or other personal or social circumstances;
- 5) out of hooliganism;
- 6) inflicted a particularly large-scale property damage—

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

3. The act prescribed for in Parts 1 or 2 of this Article, which:

- 1) was committed by a criminal organization, or
- 2) negligently caused a destruction of or damage to the objects of special historical, artistic or cultural value—

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

**Article 265. Failing to Perform or Improperly Performing the Property Preservation Or Protection Duties**

1. Failing to perform or improperly performing the property preservation or protection duties by a person in charge due to negligent and careless attitude towards them, if due to the person's negligence illegal taking of a large-scale amount of that property, damage or loss has occurred, and if elements of criminal offence against public service are absent— shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hour, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.

**Article 266. Appropriation of the Property that Came out of the Person's Disposal**

1. Illegal appropriation of the property that came out of someone's disposal accidentally or by mistake, as well as making that property one's own or someone's property by a person who had knowledge about the real possessor of the property and has not taken reasonably necessary steps to return the property to its real possessor— shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum one year.

**CHAPTER 32.**  
**ECONOMIC CRIMES**

**Article 267. Preparing, Keeping, Transferring, Delivering, Acquiring False Currency, Foreign Currency, Securities, Other Payment and Settlement Documents or Payment Instruments with the Aim of their Realization, or Realisation Thereof**

1. Preparing, keeping, transferring, delivering or acquiring false currency, foreign currency, securities, other payment and settlement document or payment instrument with the aim of their realization, or realisation thereof—

shall be punished by restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) by use of official or service powers or influence conditioned thereof;
- 3) in large amounts—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

- 1) by a criminal organization, or
- 2) in particularly large amounts—

shall be punished by imprisonment for a term of six to twelve years.

4. Within the meaning of this Article, large amount is considered the amount exceeding 5 million Armenian drams, and particularly large amount is considered the amount exceeding 30 million Armenian drams.

**Article 268. Use of Inside Information Not In Good Faith**

1. Purchase or sale by an insider of security or derivative instrument at his or her expense or at the expense of another person based on inside information, or unlawful provision of inside information to third party, as a result of which he or she has received profit of small amounts —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement, or
- 2) as a result of which large-scale profit has been received —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

- 1) by a criminal organization;
- 2) by use of official or service powers or influence conditioned thereof;
- 3) as a result of which particularly large-scale profit has been received —

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

4. Within the meaning of this Article and Article 269 of this Code, small amount is considered the amount (value) exceeding 20 million Armenian drams.

5. Within the meaning of this Article and Article 269 of this Code, large amount is considered the amount (value) exceeding 30 million Armenian drams.

6. Within the meaning of this Article and Article 269 of this Code, particularly large amount is considered the amount (value) exceeding 40 million Armenian drams.

#### **Article 269. Abuse of Prices in the Securities Market**

1. Abuse of prices in the securities market prescribed in paragraphs 1-4, part 2 of Article 171 of the Law “On Securities Market”, which caused small property damage to the rights, freedoms or lawful interests of a person or an organization or the interests of a person or lawful interests of public or state—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement, or
- 2) inflicted a large-scale property damage—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

- 1) committed by a criminal organization;
- 2) inflicted a particularly large-scale property damage, or
- 3) by use of official or service powers or influence conditioned thereof —

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

#### **Article 270. Deliberate False Advertising**

1. Misleading the consumer by the advertiser, advertising producer or advertisement carrier concerning the quality, price or other specific feature of the raw material, product, service delivered, as a result of which a large-scale property damage to the rights, freedoms or lawful interests of a person or an organization or to the lawful interests of public or state was inflicted—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

#### **Article 271. Withdrawing the Goods Within the Minimum Consumer Basket out of the Market**

1. Withdrawing the good within the minimum consumer basket out of the market, including out of commercial stores and or places conducting trading by the producer, supplier, seller or the importer of that product, for the purpose of causing a rise in prices —

shall be punished by restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) by use of official or service powers or influence conditioned thereof, or
- 3) during the time of war or emergency state or emergency situation —

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed by a criminal organization—

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

#### **Article 272. Receiving a Bribe in Private Sector**

1. Receiving a bribe in private sector, i.e. receiving, demanding, offering to give or accepting the offer or promise to give a property, including financial means, security, other payment instrument, property right, service or any other advantage by an employee of a commercial or other organization of the Republic of Armenia or other state, arbitrator, auditor, depositor, administrator, notary or attorney personally or through an intermediary for oneself or a third person, with the aim of performing or not performing an action for the benefit of the person giving a bribe or a person indicated by him, by using one's service powers or the influence conditioned thereof—

shall be punished by short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part of this Article, which was performed:

- 1) by a group of persons with a prior agreement;
- 2) in large amounts;

3) for connivance or patronage or performing other illegal action or inaction in favour of the person giving a bribe or a person indicated by him, or

4) by a threat to infringe person's rights, freedoms or lawful interests—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

1) by a criminal organization; or

2) in particularly large amounts—

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

### **Article 273. Giving a Bribe in Private Sector**

1. Giving a bribe in private sector, i.e. promising, offering or providing a property, including financial means, security, other payment instrument, property right, service or any other advantage to the employee of a commercial or other organization of the Republic of Armenia or other state, arbitrator, auditor, depositor, administrator, notary or attorney, or a person indicated by them, personally or through an intermediary, with the aim of performing or not performing an action for the benefit of the person giving a bribe or a person indicated by him, by using one's service powers or the influence conditioned thereof

shall be punished short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

1) by a group of persons with a prior agreement;

2) in large amounts;

3) for connivance or patronage or performing other illegal action or inaction in his favour or in favour of a person giving a bribe or a person indicated by him, or—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

1) by a criminal organization;

2) in particularly large amounts—

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

**Article 274. Receiving a Bribe by the Athlete, Referee, Team Leader, Coach, other Participant or Organizer of Professional Sport Competition, Participant or Organizer of Commercial Competition, or the Member of the Award Committee of the Republic of Armenia or Another State**

1. Receiving, demanding, offering to give or accepting the offer or promise to give a property, including financial means, security, other payment instrument, property right, service or any other advantage by the athlete, referee, team leader, coach, other participant or organizer of professional sport competition, participant or organizer of commercial competition, or the member of the award committee of the Republic of Armenia or another state personally or through an intermediary for oneself or a third person, with the aim of influencing the results of that competition—  
shall be punished by short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum four years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) in large amounts;
- 3) by a threat to person's rights, freedoms or lawful interests—  
shall be punished by imprisonment for a term of two to five years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

- 1) by a criminal organization; or
- 2) in particularly large amounts—  
shall be punished by imprisonment for a term of three to six years.

**Article 275. Giving a Bribe to the Athlete, Referee, Team Leader, Coach, other Participant or Organizer of Professional Sport Competition, Participant or Organizer of Commercial Competition, or the Member of the Award Committee of the Republic of Armenia or Another State**

1. Promising, proposing or providing a property, including financial means, security, other payment instrument, property right, service or any other advantage to the athlete, referee, team leader, coach, other participant or organizer of professional sport competition, participant or organizer of commercial competition, or member of the award committee



of Republic of Armenia or another state or a person indicated by them, personally or through an intermediary, with the aim of influencing the results of that competition— shall be punished by short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed by:

- 1) by a group of persons with a prior agreement;
- 2) in large amounts—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

- 1) by a criminal organization;
- 2) in particularly large amounts—

shall be punished by imprisonment for a term of two to four years.

#### **Article 276. Receiving or Demanding Illegal Payment for Performing Official or Professional Duties**

1. Illegally receiving or demanding property, including financial means, security, other payment instrument, property right, service or any other advantage by an employee working in the sphere of education, health, utility or other sphere of public service, who is not a public servant, personally or through an intermediary for oneself or a third person, for performing one's official or professional duty or providing service—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) in large amounts;
- 3) by a threat to person's rights, freedoms or lawful interests—

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

#### **Article 277. Abuse of Service Powers or the Influence Conditioned thereof in Private Sector**

1. Use of the powers vested by the legislation or the influence conditioned thereof to the detriment of the interests of that organization by an employee of a commercial or other organization of the Republic of Armenia or other state, arbitrator, auditor, depositor, administrator, notary, or failing to perform one's official duties, or performing them not properly, or committing act not deriving from one's vested powers or beyond the scope of one's powers, which has caused a significant damage to the rights, freedoms or lawful interests of a person or an organization or lawful interests of public or state—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) was committed by use of violence, or under a threat of violence;
- 2) causing particularly large-scale property damage;
- 3) by a group of officials with a prior agreement;
- 4) negligently caused other grave consequence—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of fifty to two hundred and fifty hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum four years.

3. Within the meaning of Part 1 of this Article, in case of property damage the large-scale property damage is considered as a significant damage.

**Article 278. Illegal Use of Commercial, Insurance, Tax, Customs, Pension, Official or Bank Confidential Information or Credit History or Credit Information Available at the Credit Bureau**

1. Illegal use of the information by an employee of a commercial or other organization, arbitrator, auditor, depositor, administrator, notary which became known or was entrusted to them as a result of exercising the powers vested onto them by legislation or due to the use of influence conditioned thereof, which has caused large-scale property

damage to the rights, freedoms or lawful interests of a person or an organization, or lawful interests of public or state —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 279. Illegally Publicizing Commercial, Insurance, Tax, Customs, Pension, Official or Bank Confidential Information or Credit History or Credit Information Available at the Credit Bureau**

1. Illegally publicizing commercial, insurance, tax, pension, official or bank confidential information, which became known or was entrusted as a result of exercising the powers vested by legislation or due to the use of influence conditioned thereof —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) was committed out of mercenary motives, or
- 2) caused a large-scale property damage—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of one hundred and fifty to two hundred and fifty hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

**Article 280. Illegal Appropriation of Commercial, Insurance, Tax, Customs, Pension, Official or Bank Confidential Information or Credit History or Credit Information Available at the Credit Bureau**

1. Illegal collection, use or publicizing of commercial, insurance, tax, customs, pension, official or bank confidential information by a person, with no authorised access to that secret—

shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for maximum two months, or imprisonment for a term of maximum one year.

2. The act prescribed for in Part 1 of this Article, which:

- 1) was committed out of mercenary motives, or
- 2) caused a large-scale property damage —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum two years.

#### **Article 281. Illegal Entrepreneurial Activity**

1. Conduct of entrepreneurial activity without state record-registration or registration, or conduct of entrepreneurial activity subject to notification, permit or licensing, without notification, permit or licencing, or conduct of entrepreneurial activity prohibited by law, or unauthorized use of the subsoil or natural resources which has caused a large-scale property damage to the rights, freedoms or lawful interests of a person or an organization or lawful interests of public or state —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) was committed by a criminal organization, or
- 2) caused particularly large-scale property damage—

shall be punished by restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

3. The calculation of damage caused to the state as specified in this Article, should also include the amount of the state duty payable for state registration as well as for provision of special permit, licence, permit, for the right to conduct entrepreneurial activity subject to notification .

4. A person who committed the crime specified in this Article shall be exempted from criminal liability, if he/she has fully compensated the property damage caused by the crime and calculated penalties.

#### **Article 282. Creating, Organizing or Management a Financial Pyramid**

1. Creating, organizing or managing of the financial pyramid or the part thereof— shall be punished by restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article:

- 1) committed by use of official or service powers or influence conditioned thereof;
  - 2) which inflicted a large-scale property damage, or
  - 3) due to which large amounts of property were involved in the financial pyramid —
- shall be punished by imprisonment for a term of two to five years.

3. The act prescribed for in Parts 1 or 2 of this Article:

- 1) committed by a criminal organization;
  - 2) which caused particularly large-scale property damage, or
  - 3) due to which particularly large amounts of property were involved in the financial pyramid—
- shall be punished by imprisonment for a term of four to eight years.

4. Within the meaning of this Code, financial pyramid is an action targeted at the involvement of property (with the exception of activity performed based on a special permit (licence)), by which the material benefit proposed to the person investing in property or making a payment for a property or service offered in the financial pyramid is conditioned solely at the expense of the property received due to the attraction of the new investors without the intention of using the mentioned property for the real entrepreneurial activity.

5. Within the meaning of this Article, property damage shall include the total amount of damage caused to all the persons engaged in the pyramid, including the organizations and the state.

6. The person creating, organizing or managing the financial pyramid or the part thereof shall be exempted from criminal liability established by Part 1 of this Article, in case of voluntarily informing competent bodies about creating, organizing or managing the financial pyramid, assisted the prevention of activities of the financial pyramid and compensated the damages caused due to the activities of the part of financial pyramid created, organized or managed by him/her. If his/her actions involve elements of another crime, the person shall be subject to criminal liability for that crime.

7. Within the meaning of this Article, large amount or large-scale property damage is considered the amount (value) from 2 million to 15 million Armenian drams, and particularly large amount is considered the amount (value) exceeding 15 million Armenian drams.

### **Article 283. Abuses in Conducting Public Auctions or Procurement**

1. Infliction of a large-scale property damage to the rights, freedoms or lawful interests of the property owner, organizer of the auctions or procurement, the buyer, other economic entity, person or organisation, lawful interests of public or state by violating the procedure of public auctions or procurement, or becoming auction or procurement winner through concluding an illegal agreement with another person, through deception or other illegal mean—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) Was committed by use of official or service powers or— influence conditioned thereof; or
- 2) Caused a particularly large-scale property damage

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

**Article 284. Anti-competitive activities**

1. Coordinating the economic activities or concluding an anti-competitive agreement or abusing the monopolistic or dominant position or not declaring the concentration or practicing prohibited concentration, which led to limitation, prevention or prohibition of competition, and caused a large-scale property damage to the rights, freedoms or lawful interests of a person or an organization, lawful interests of public or state, or as a result of which the economic entity obtained large-scale profit —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one to two hundred hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by blackmail; or
- 2) by use of official or service powers or influence conditioned thereof—

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

3. The act prescribed for in Parts 1 or 2 of this Article, which:

- 1) was committed by a criminal organization;
- 2) by use of violence or under the threat of violence;
- 3) caused a particularly large property damage, or
- 4) by obtaining particularly large-scale profit—

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

4. Within the meaning of this Article, large-scale profit is considered the amount (value) up to 5 million Armenian drams, and particularly large-scale profit is considered the amount (value) exceeding 5 million Armenian drams.

**Article 285. Establishing or Using a Quasi Legal Entity, its Separated SubDivision or Institution or Registering as an Individual Entrepreneur for the Same Purpose**

1. Performing illegal activity through establishing or reorganizing legal entity, its separated subdivision or institution or through a fake (puppet) person, or by their use, aimed at obtaining loans, evading from taxes, raising overpayments, obtaining other property benefits or hiding prohibited activity, which has caused a large-scale property damage—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) by use of official or service powers or influence conditioned thereof; or
- 3) caused particularly large-scale property damage—

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

3. A person who committed the crime specified in this Article shall be exempted from criminal liability, if he/she has fully compensated the property damage caused by the crime and calculated penalties.

**Article 286. Issuing False Documents Without Supplying Goods Or Providing Services, Drawing Up And Submitting False Documents On Expenditures Or Income**

1. Issuing false documents without supplying goods or providing services, drawing up and submitting false documents on expenditures or income, which has caused large-scale property damage—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of one to four years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) by use of official or service powers or influence conditioned thereof; or
- 3) caused particularly large-scale property damage—

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



3. A person who committed the crime specified in this Article shall be exempted from criminal liability, if he/she has fully compensated the property damage caused by the crime and calculated penalties.

**Article 287. Illegal Activity in the Process of Bankruptcy**

1. Illegal activity in the process of bankruptcy or insolvency prediction by an individual entrepreneur or a person empowered to act on his/her behalf, legal entity founders (participants), person or body that has the possibility to perform on behalf of a legal entity in the manner stipulated by the law, or to give binding instructions or determine its decision, which has caused a large-scale property damage to the rights, freedoms or lawful interests of a person or an organization, lawful interests of public or state and was displayed in the case when insolvency elements were present:

- 1) by concealing the property or income, property rights or obligations;
- 2) transferring the property to the possession of someone else without a legal basis, destroying, damaging or alienating the property on obviously non-profitable conditions;
- 3) avoiding filing a declaration by the debtor;
- 4) concealing or distorting the information about the property, income, their place, or property rights or obligations towards them or other information;
- 5) hindering inventory;
- 6) concealing, destroying, damaging or falsifying the accounting or other documents that reflect the property situation of the physical person debtor, property or economic activity of the individual entrepreneur or legal entity;
- 7) by illegally satisfying the property claim of separate creditor to the detriment of the other creditor, or
- 8) by interfering with the activity of the bankruptcy administrator, the person performing similar functions in the process of bankruptcy or the bankruptcy committee

—  
shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

### **Article 288. Deliberate Bankruptcy**

1. Deliberate bankruptcy, i.e. deliberate creation of insolvency features or increasing the extent of such features in favour of one's own interests or the interests of other person by a physical person, an individual entrepreneur or a person empowered to act on his/her behalf, legal entity founders (participants), person or body that has the possibility to perform on behalf of a legal entity in the manner stipulated by the law, or to give binding instructions or determine its decision, if as a result of which the person was recognized as bankrupt, which caused a large-scale property damage to the rights, freedoms or lawful interests of a person or an organization, lawful interests of public or state — shall be punished by restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of one to four years.
2. A person who committed the crime specified in this Article shall be exempted from criminal liability, if he/she has fully compensated the property damage caused by the crime and calculated penalties.

### **Article 289. Preparing, Keeping, Transporting, Delivering, Acquiring or Using Fake Excise Stamps or Control Signs (Labels) for Purposes of Their Realization or Their Realization**

1. Realizing fake excise stamp or control sign (label) or preparing, keeping, transporting, delivering, acquiring or using fake excise stamp or control sign (label) for purposes of its realization— shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.
2. The act prescribed for in Part 1 of this Article, committed by:
  - 1) use of official or service powers or influence conditioned thereof, or
  - 2) in large amounts—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of one hundred and fifty to two hundred and fifty hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

3. Within the meaning of this Article, large amount is considered the amount of excise stamps or control signs (labels) exceeding 500.

### **Article 290. Failure to Pay Taxes, Duties or Other Fees**

1. For the purpose of failure to pay taxes, duties or other fees in large amounts failure to submit, within the terms or time limits prescribed by law, a report, calculation or declaration or other mandatory document entailing obligation to calculate or pay tax, duty or other mandatory fee as foreseen by the legislation or entering false data into a report, calculation or declaration or other mandatory document entailing obligation to calculate or pay tax, duty or other mandatory fee or concealing the object of taxation or by other form of deception by a director of legal entity, individual entrepreneur, physical person or other competent person —

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

2. The act prescribed for in Part 1 of this Article, committed by a person, having possibility to give binding instructions to the competent person or to determine his/her decisions or factually managing his/her activities, on behalf of or through the competent person—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) in particularly large amounts—

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

4. For the purpose of this Article, large amount is the amount exceeding 5 million Armenian drams, and particularly large amount is the amount exceeding 15 million

Armenian drams at the time of committing the crime.

5. A person who committed the crime specified in this Article shall be exempted from criminal liability, if he/she has fully paid the unpaid taxes, duties or other payments and penalties for non-payment.

#### **Article 291. Smuggling of Cash Means and (or) Payment Instruments**

1. Smuggling of cash means and (or) payment instruments, i.e. illegal transfer of cash mean and (or) payment tool through the state border of the Republic of Armenia or the customs border of the Eurasian Economic Union, committed without customs control or by concealing from it, or by not declaring accurate information concerning them in the prescribed manner or by declaring those on some other person's name, or by breaching the rule, including ban or restriction established for their transportation, or by fraudulent use of customs or other documents, committed in large amounts—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by use of official or service powers or influence conditioned thereof;
- 2) by a group of persons with a prior agreement;
- 3) by a blackmail—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed by a criminal organization—

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

4. The act prescribed for in this Article is considered to be committed in large amounts, if the amount of the illegally transported cash means and (or) the value of the illegally transported payment instruments exceeds the two folds of the permissible threshold value set for the transportation of cash means and or payment instruments without a written declaration by the Eurasian Economic Union customs legislation, and is considered to be

committed in particularly large amounts if the amount of the illegally transported cash means and (or) the value of the illegally transported payment instruments exceeds the five-fold of the permissible threshold value set for the transportation of cash means and (or) payment instruments without a written declaration by the Eurasian Economic Union customs legislation. When calculating the total amount of the illegally transported cash means and (or) payment instruments, the amount which is allowed to transport without declaration in accordance with the Eurasian Economic Union customs legislation shall be deducted from the amount of the illegally transported cash means and (or) the value of the illegally transported payment instruments.

5. Within the meaning of this Article:

1) Cash means are considered the currency in the form of banknotes and treasury notes, coins, with the exception of the coins made from precious metals, which are in circulation and are a legal payment means in the Eurasian Economic Union member countries or foreign countries (group of foreign countries), including those banknotes that are taken out or are being taken out from circulation but are subject to be exchanged with the ones in circulation;

2) Payment instruments are considered the traveller checks, promissory notes, checks (including banking), as well as bearer bonds, document securities.

#### **Article 292. Smuggling of Cultural Values and Strategically Important Raw Goods**

1. Smuggling of cultural values included in the list approved by the Government or strategically important raw goods in large amounts, i.e. the illegal transportation of the above-mentioned value or good through the customs border of the Eurasian Economic Union or the state border of the Republic of Armenia, which was performed without customs control or by concealing from customs control, or by failing to declare accurate information about those in the prescribed manner, or by declaring on some other person's name, or by breaching the rule, including the ban or restriction established for their transportation, or by using the customs or other documents in a fraudulent manner — shall be punished by imprisonment for a term of two to five years.

2. The act prescribed for in Part 1 of this Article, committed by:

1) a group of persons with a prior agreement;

2) use of official or service powers or influence conditioned thereof, or

3) by blackmail—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed by a criminal organization—

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

4. In Part 1 of this Article, a large amount of strategically important raw goods is the amount (value) exceeding 8 million Armenian drams, and the amount (value) exceeding 800.000 Armenian drams in case of cultural values.

**Article 293. Failure to Return the Cultural Values Exported from the Republic of Armenia to the Republic of Armenia within the Prescribed Time Period**

1. Failure to return to the Republic of Armenia the cultural value registered or is subject to registration in the preservation list of cultural values exported from the Republic of Armenia within the prescribed period, if their return is mandatory in accordance with the law of the Republic of Armenia—

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

**Article 294. Entering False Data Into a Declaration About the Real Owners or Concealing the Data Subject to Declaration**

1. Entering false data into a declaration or concealing the data subject to declaration by a person

submitted declaration about the real owners to the competent state body registering legal entities —

shall be punished by fine in the maximum amount of ten-fold, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum one year.

**Article 295. Acquisition or Realization of Property Obtained in a Criminal Way or Assistance in Realization**

1. Acquisition, realization or assistance in realization of property obtained in criminal way by another person out of mercenary motives by a person, if this had not been previously promised, in the elements of criminal offence established in Article 296 of this Code are absent—

shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum two months.

2. The act prescribed for in Part 1 of this Article, committed:

1) by a group of persons with a prior agreement;

2) by use of official or service powers or influence conditioned thereof;

3) in large amounts—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum two years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

1) by a criminal organization;

2) in particularly large amounts—

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

### **Article 296. Money Laundering**

1. Converting or transferring property obtained in a criminal way (where it is known that the property has been derived from a criminal activity) which aimed to conceal or distort the criminal origin of that property or support any person to evade from liability for one's committed crime, or concealment or distortion of the true nature, origin, location, manner of disposition, movement, allocation, rights or ownership of property (where it is known that the property has been derived from a criminal activity) or acquiring or possessing or using or disposing of property (where it was known, at the time of receiving the property, that it has been derived from criminal activity) —

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

2. The act prescribed for in Part 1 of this Article, committed:

1) by a group of persons with a prior agreement;

2) in large amounts—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

1) by a criminal organization;

2) by use of official or service powers or influence conditioned thereof;

3) in particularly large amounts —

shall be punished by imprisonment for a term of six to twelve years.

4. In this Article, large amount means the amount (value) exceeding 5 million Armenian drams, and particularly large-scale means the amount (value) exceeding 10 million Armenian drams.

5. Within the meaning of this Article, property obtained in a criminal way is considered as the

property provided in Part 10 of Article 121 of this Code, which was received or emerged directly or indirectly as a result of the commission of crimes established in this Code.



**SECTION 11.**  
**CRIMES AGAINST PUBLIC ORDER AND MORALITY**

**CHAPTER 33.**  
**CRIMES AGAINST PUBLIC ORDER AND MORALITY**

**Article 297. Hooliganism**

1. Hooliganism is a rowdy behaviour to the society or an ignoring behaviour to legal or moral norms, which is expressed by humiliating a person or distructing the peace of people by rioting or bullying or disrupting events or ceremonies in the same manner, impeding the ordinary work of institutions or organizations —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

1) by a group of persons;

2) towards a person in a helpless situation, or

3) by use of information or communication technologies —

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed by use of weapon or object or means prepared or adjusted beforehand to cause bodily injury or by threat of its usage

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

**Article 298. Pimping**

1. Primping, i.e. engaging or inducing someone to practice prostitution out of mercenary or other dishonest motives, if elements of criminal offences specified in Articles 188 or 189 of this Code are absent—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

2. The act prescribed for in Part 1 of this Article, committed:

1) towards a pregnant woman;

2) towards a person being in material or other dependence from the criminal;

3) by a group of persons with a prior agreement, or

4) by use of official or service powers or influence conditioned thereof—

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

3. The act prescribed for in Parts 1 or 2 of this Code, committed by a criminal organization—

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

### **Article 299. Facilitating Prostitution**

1. Facilitating prostitution, i.e. creating, managing or maintaining an establishment to practice prostitution, or exploiting any public facility for the same purpose, or providing a residence, a building, a car, or other accommodation to another person for practicing prostitution, if elements of criminal offence established in Article 298 of this Code are absent —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Code, committed:

1) by a group of persons with a prior agreement;

2) by use of official or service powers or influence conditioned thereof—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

3. The act prescribed for in Parts 1 or 2 of this Code, committed by a criminal organization—

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

### **Article 300. Preparing, Disseminating or Maintaning Pornographic Materials or Objects**

1. Proposing pornographic material or object, including a hard copy publication, movie or video material, material kept on electronic carriers, image or other object of pornographic nature or making it accessible through information or communication technologies to an indefinite scope of people or advertising such material or object among indefinite scope of people—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for maximum two years, or a short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. Creating, producing, acquiring, disseminating, realizing, exporting, importing, proposing, advertising, making accessible, possessing, getting access through information or communication technologies, to child pornography, or keeping of child pornography in the computer, computer system, computer network or other computer devices or in any other way or watching child pornography—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for maximum three years, or a short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

1) by a close relative or a person who has obligation to upbringing, care or treat the child or by an employee of an educational or health organization, who was under the obligation to take care of the child or to supervise the child's behaviour; or

2) was combined with cruel attitude towards a minor—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

4. The act prescribed for in Parts 1 or 2 or 3 of this Article, committed by a criminal organization—

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

5. Within the meaning of this Article, child pornography is considered each material, where the child is depicted performing a real or simulated action of sexual nature or sexually motivated display of a child's genital.

#### **Article 301. Destroying or Damaging Historical or Cultural Monuments or Objects or Documents of Special Value**

1. Destroying or damaging historical or cultural monument under state protection, as well as object or document of special historical or cultural value —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Code, committed by arson, explosion or other publicly dangerous manner—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

#### **Article 302. Negligently Destroying or Damaging the Historical or Cultural Monuments or Objects or Documents of Special Value**

1. Negligently destroying or damaging historical or cultural monument under state protection, as well as object or document of special historical or cultural value—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum two years.

**Article 303. Destroying or Damaging Archeological Objects or Committing Other Illegal Acts**

1. Carrying out illegal archeological work, which caused destruction, damage or loss of archeological object or committing such illegal act, which resulted in loss of archeological or paleontological information or illegal possession of archeological or paleontological finding —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed:

1) by arson, explosion or other publicly dangerous manner, or

2) towards archeological object of particular value —

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

**Article 304. Negligently Destroying or Damaging Archeological Objects or Committing Other Illegal Acts**

1. Carrying out illegal archeological work, which negligently caused destruction, damage or loss of archeological object or committing such illegal act, which negligently resulted in loss of archeological or paleontological information —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 305. Outrageous Treatment of a Dead Body**

1. Outrageous treatment of a dead body, i.e. desecration, illegal exhumation of a dead body, taking the clothes or other item on the body or otherwise dishonouring the memory of the deceased—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

1) by motives of hatred, intolerance or hostility based on racial, national, ethnic or social origin, religion, political or other views or other personal or social circumstances, or

2) by a group of persons with a prior agreement—

shall be punished by imprisonment for a term of one to four years.

#### **Article 306. Outrageous Treatment of a Grave**

1. Destruction, damage or desecration of the place for burial of the deceased or the construction or item on the grave—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed:

1) by motives of hatred, intolerance or hostility based on racial, national, ethnic or social origin, religion, political or other views or other personal or social circumstances,

2) by a group of persons with a prior agreement;

3) by arson, explosion or other publicly dangerous way —

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

#### **Article 307. Cruel Treatment of Animals**

1. Cruel treatment of animal, including interrupting the animal's life through throttling, hanging, slicing, interrupting the animal's life through injecting toxic or other substance, which results in a death in suffering, removing the skin when still alive, amputating, organizing or conducting fight of animals, or collecting or catching of homeless animal in

such a manner, which results in distortion or interruption of life of the animal, as well as use of animal for scientific, medical or experimental purposes in violation of the established norms, or other cruel treatment—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or a short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) with particular cruelty;
- 3) in the presence of a person not having attained the age of 12, or
- 4) out of mercenary motives —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or a short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

**SECTION 12.**  
**CRIMES AGAINST PUBLIC SECURITY**

**CHAPTER 34.**  
**CRIMES OF GENERAL NATURE AGAINST PUBLIC SECURITY**

**Article 308. Terrorism**

1. Committing of explosion, arson or other publicly dangerous act, or the real threat of that act, or seizure or keeping of a building, transportation, communication mean or communication facility, other communication channel, combined with the risk of infliction of death of a civilian person or a person having not actively participated in armed conflicts, infliction of grave or medium gravity harm to the person's health, infliction of a large-scale property damage or other grave consequence, the aim of which is to terrorize the population or its separate group, disrupt the activity of public authority bodies, force a representative of a public authority, state or public servant or a representative of an international organization or any person serving in other organization to commit any act, or to fulfil other demand of the criminal, as well as any other act considered as terrorism by international agreements of the Republic of Armenia —

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

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a criminal organization, or
- 2) by an attack on atomic energy object or with use of nuclear or radioactive substance or other ionising radiation source or weapon of mass destruction, toxic, chemical or biological substance —

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

**Article 309. Facilitating the Activity of Terrorist**

1. Facilitating the Activity of Terrorist, i.e. recruitment of persons for committing crimes established in Articles 308, 311, 312, 315, 316 or 317 of this Code, or organization a terrorist training camp, teaching or learning skills to commit crimes established in Articles



308, 311, 312, 315, 316 or 317 of this Code, otherwise facilitating the committal of terrorism, or travelling to commit the mentioned acts, or journey for the purpose of committing the abovementioned acts or crimes established in Articles 308, 311, 312, 315, 316 or 317 of this Code, or facilitating it in other manner—

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

2. The act prescribed for in Part 1 of this Article, committed:

1) by a criminal organization, or

2) by use of official or service powers or influence conditioned thereof—

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

3. The person who has committed the act prescribed for in Parts 1 or 2 of this Article shall be exempted from criminal liability, if he/she has voluntarily informed the competent bodies about facilitating terrorism by himself/herself, which has provided an opportunity to prevent the committal of crimes established in Articles 308, 310, 311, 312, 315, 316 or 317 of this Code. If in fact the act of the person involves elements of another crime, he/she shall be subject to liability for that crime.

#### **Article 310. Financing the Activity of Terrorist**

1. Financing the activity of terrorist, i.e. provision or recruitment of property directly or indirectly, by realizing that it will be or may be completely or partially used by an individual terrorist or a terrorist organization or for committing crimes established in Articles 308, 309, 311, 315, 316 or 317 of this Code, or provision of financial service, by realizing that the service or its outcome will be used by an individual terrorist or a terrorist organization or is directed or may be directed to the commission of crimes established in Articles 308, 309, 311, 315, 316 or 317 of this Code—

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

2. The act prescribed for in Part 1 of this Article, committed:

1) by a criminal organization, or

2) by use of official or service powers or influence conditioned thereof—

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

#### **Article 311. Creating or Managing a Terrorist Organization**

1. Creating a terrorist organization or managing a terrorist organization — shall be punished by imprisonment for a term of ten to fifteen years.
2. The organization that was created commit crimes established in Articles 308, 309, 310, 315, 316 or 317 of this Code is considered a terrorist organization.
3. The person committed the act prescribed for in Part 1 of this Article, who assisted the prevention of activities of the terrorist organization, shall be exempted from criminal liability established by this Article. If in fact the act of the person involves elements of another crime, he/she shall be subject to liability for that crime.

#### **Article 312. Participation in a Terrorist Organization**

1. Participation in a terrorist organization — shall be punished by imprisonment for a term of five to ten years.
2. The person committed the act prescribed for in Part 1 of this Article, who assisted the prevention of activities of the terrorist organization, shall be exempted from criminal liability established by this Article. If in fact the act of the person involves elements of another crime, he/she shall be subject to liability for that crime.

#### **Article 313. Justifying Terrorism, Preaching For It or Calls to Terrorism, as well as Disseminating Materials or Objects Containing Such Calls**

1. Publicly justifying terrorism or preaching for it, which was accompanied by incitement to terrorism, or public call to commit crimes established in Articles 308, 309, 310, 311, 312, 315, 316 or 317 of this Code, as well as disseminating material or object containing such call— shall be punished by a fine ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.
2. The act prescribed for in Part 1 of this Article, committed:
  - 1) by a group of persons with a prior agreement;
  - 2) by use of official or service powers or influence conditioned thereof;

3) with the use of publicly displayed creative works, mass media or information or communication technologies—  
shall be punished by imprisonment for a term of two to five years.

#### **Article 314. Disseminating False Information about Terrorism**

1. Disseminating false information about terrorism —  
shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or a short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which:

1) negligently caused a large-scale property damage, or disruption of public or state event, disruption of the activity of an organization, or other grave consequence, or

2) was committed with the use of publicly displayed creative works, mass media or information or communication technologies—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum three years.

#### **Article 315. Taking or Keeping Hostages**

1. Taking or keeping a hostage, with the aim of forcing a representative of public authority, state or public servant or a representative of international or other organization to perform an act connected with their official or public activity or to refrain from performing such act in exchange to the release of the hostage—

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

2. The act prescribed for in Part 1 of this Article, committed:

1) towards a pregnant woman;

2) towards a person in a helpless situation;

3) towards a minor;

4) by a group of persons with a prior agreement, or

5) by use of weapon or object prepared or adjusted in advance for causing a bodily injury—

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

3. The act prescribed for in Parts 1 or 2 of this Article, which:

- 1) Was committed by a criminal organization;
- 2) Negligently caused a death of person, infliction of grave harm to health, mass disorders, international complications or a conflict, a particularly large property damage or other grave consequence, or —

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

4. A person who abandoned one's demands and voluntarily released the hostage, shall be exempted from criminal liability specified in this Article, if he/she was not formerly exempted from criminal liability on the ground envisaged by this Article or Article 316 of this Code. If in fact the act of the person involves elements of another crime, he/she shall be subject to liability for that crime.

#### **Article 316. Capturing, Keeping or Hijacking an Aircraft, Ship or Railway Rolling Stock**

1. Capturing, keeping or hijacking an aircraft, a ship or a railway rolling stock—  
shall be punished by imprisonment for a term of five to ten years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement, or
- 2) by use of weapon or object prepared or adjusted in advance to cause bodily injury—  
shall be punished by imprisonment for a term of six to twelve years.

3. The act prescribed for in Parts 1 or 2 of this Article, which:

- 1) was committed by a criminal organization, or
- 2) negligently caused a death of person, infliction of grave harm to health, mass disorders, international complications or a conflict, a particularly large property damage or other grave consequence—

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

4. The person who voluntarily freed the captured means shall be exempted from the criminal liability established in this Article, if he/she was not formerly exempted from criminal liability on the ground envisaged by this Article or Article 315 of this Code. If in

fact the act of the person involves elements of another crime, he/she shall be subject to liability for that crime.

#### **Article 317. Piracy of a Ship or an Aircraft**

1. Capture of another ship or an aircraft by a passenger or crew of a private ship or aircraft in an open sea or neutral air space or in a place beyond the jurisdiction of any state, violence against a passenger or crew of the captured ship or aircraft or illegal taking of the property of those people through robbery or banditry—

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

2. Participating in the operation of a pirate ship or an aircraft by a person, who realized that the ship or the aircraft was a pirate one, as well as otherwise supporting the act established in Part 1 of this Article —

shall be punished by restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

3. The crew of a military ship, aircraft, state ship or state aircraft that rebelled and established a control over that ship or aircraft, as well as the passenger or crew of a military ship, aircraft, state ship or state aircraft that illegally captured that ship or aircraft and established a control over that ship or aircraft, shall be subject to criminal liability for the act prescribed for in Part 1 of this Article.

4. The ship or the aircraft is considered as a pirate one, if it is intended by the persons exercising control over it, for the committal of any act prescribed for in Part 1 of this Article, or was already used for those purposes and is still under the control of the criminals.

#### **Article 318. Creating or Managing a Criminal Organization**

1. Creating or managing a criminal organization—

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

2. The act established in Part 1 of this Article, committed:

- 1) by use of official or service powers or influence conditioned thereof;
- 2) by engaging a minor;

- 3) by a person with the highest status of criminal hierarchy, or
  - 4) by organizing an assault, or other act endangering the life or health of a person by use of weapon or object or mean prepared or adjusted in advance to cause bodily injury— shall be punished by imprisonment for a term of ten to fifteen years.
3. The person who has contributed to the prevention of the activity of a criminal organization shall be exempted from criminal liability established in this Article. If in fact the act of the person involves elements of another crime, he/she shall be subject to criminal liability for that crime.

#### **Article 319. Participating in a Criminal Organization**

1. Participating in a criminal organization — shall be punished by imprisonment for a term of four to eight years.
2. The act prescribed for in Part 1 of this Article, committed:
  - 1) by use of official or service powers or influence conditioned thereof;
  - 2) by a person with the highest status of criminal hierarchy, or
  - 3) by organizing an assault, or other act endangering the life or health of a person by use of weapon or object or mean prepared or adjusted in advance to cause bodily injury— shall be punished by an imprisonment for a term of six to twelve years.
3. The person who contributed to the prevention of the activity of a criminal organization shall be exempted from criminal liability established in this Article. If in fact the act of the person involves elements of another crime, he/she shall be subject to criminal liability for that crime.

#### **Article 320. Creating Armed Units Not Prescribed by the Law**

1. Creating or managing an armed unit not prescribed by the law, if elements of criminal offence established in Article 318 of this Code are absent — shall be punished by imprisonment for a term of three to six years.
2. The act prescribed for in Part 1 of this Article, committed:
  - 1) by use of official or service powers or influence conditioned thereof;
  - 2) by engaging a minor;
  - 3) by a person with the highest status of criminal hierarchy—

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

**Article 321. Participating in an Armed Unit not Prescribed by the Law**

1. Participating in an armed unit not prescribed by the law, if elements of criminal offence established in Article 319 of this Code are absent —

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

2. The act prescribed for in Part 1 of this Article, committed:

1) by use of official or service powers or influence conditioned thereof;

2) by a person with the highest status of criminal hierarchy —

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

**Article 322. Granting, Receiving or Maintaining a Higher Rank in Informal Hierarchy**

1. Granting, receiving or maintaining a higher rank in informal hierarchy—

shall be punished by imprisonment for a term of six to twelve years.

2. Within the meaning of this Chapter, the person maintaining the highest status of criminal hierarchy (thief in law or criminal authority) is the person who, in accordance with the rules of behaviour defined and recognized by of a criminal sub-culture group, is considered to be an authority and gives instructions for achieving the goals pursued by a criminal sub-culture group, organizes or participates in the gatherings of a criminal sub-culture group, or organizes or carries out fundraising (including through gambling) or manages the illegal benefit obtained through a criminal subculture group or performs other actions aimed at achieving the goals pursued by a criminal subculture group.

3. Within the meaning of this Article, the person receiving the highest status of criminal hierarchy (thief in law or criminal authority) is the person who, having acquired that status, had a real opportunity to perform the actions provided in Part 2 of this Article.

**Article 323. Forming or Managing a Criminal Sub-Culture Group**

1. Forming or managing a criminal sub-culture group, if elements of criminal offences established in Article 318 or Article 320 of this Code are absent—

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

2. The act prescribed for in Part 1 of this Article, committed by:

- 1) a person kept in a penitentiary institution;
  - 2) use of official or service powers or influence conditioned thereof;
  - 3) a military officer serving in the armed forces or other troops;
  - 4) engaging a minor, or
  - 5) by a person with the highest status of criminal hierarchy—
- shall be punished by imprisonment for a term of eight to twelve years.

3. Within the meaning of this Chapter, a criminal sub-culture group (thieves' world) is the union of people empowered with criminal hierarchy and interpersonal hierarchic relationships, which acts according to the rules of behaviour defined and recognized by it, which do not comply with the mandatory rules of behaviour and the lawful means of their enforcement defined by the state and the purpose of which is to commit a crime or sponsor committing a crime or engage other persons in committing criminal acts or through violence, threat, coercion or other illegal actions to resolve the disputes (issues) relevant to the public or private matters or to receive illegal gains or other benefit.

#### **Article 324. Participation or Engagement in a Criminal Sub-Culture Group**

1. Participating in a criminal sub-culture group or being engaged in the achievement of the goals pursued by it or organizing or participating the gatherings of a criminal sub-culture group, if elements of criminal offences established in Article 319 and Article 321 of this Code —

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

2. Engaging in a criminal sub-culture group through violence, threat or other means of coercion —

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

3. The act prescribed for in Part 1 or Part 2 of this Article, committed by:

- 1) a person kept in a penitentiary institution;
- 2) use of official or service powers or influence conditioned thereof;
- 3) a military officer serving in the armed forces or other troops;
- 4) engaging a minor, or
- 5) by a person with the highest status of criminal hierarchy—



shall be punished by imprisonment for a term of six to twelve years.

4. A person having voluntarily informed the competent bodies about having participated or engaged in a criminal sub-culture group and contributed to the prevention of its activities shall be exempted from criminal liability. If in fact the act of the person involves elements of another crime, he/she shall be subject to criminal liability for that crime

**Article 325. Applying to a Participant of a Criminal Sub-Culture Group or to a Person with the Highest Status of Criminal Hierarchy**

1. Applying to a participant of a criminal sub-culture group or to a person with the highest status of criminal hierarchy for purposes of getting material or non-material benefit or other advantage or exercising real or supposed right by using his/her illegal influence—

shall be punished by fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

**Article 326. Organising or Holding an Assembly in Violation of the Procedure Prescribed by Law**

1. Organising or holding an assembly in violation of the procedure prescribed by law— shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or short-term imprisonment for a term of maximum two months.

2. Call for disobeying a lawful decision of a representative of a competent body to stop an assembly —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or short-term imprisonment for a term of one to two months.

**Article 327. Participating in Mass Disorders**

1. Participating in mass disorders, which threaten the public security, if the participant's action was accompanied with violence, or other acts endangering the life or health of a person, or by arson, destruction or damage to property, using firearm, explosive substance or explosive device, or organizing or managing such actions — shall be punished by imprisonment for a term of four to eight years.

#### **Article 328. Public Calls to Mass Disorders**

1. Public call to mass disorders — shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. Call not to obey the legitimate demand of a representative of the authorities or to exercise violence against a person during mass disorders— shall be punished by a fine in the amount of ten to thirty, or public works for a term of one hundred to two hundred hours, or short-term imprisonment for a term of one to two months, or restriction of liberty for a term of one to three years, or imprisonment for a term of maximum three years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) by use of official or service powers or influence conditioned thereof;
- 3) with the use of publicly displayed creative works, mass media or information or communication technologies—

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

#### **Article 329. Public Speech Instigating or Propagating Hatred, Discrimination, Intolerance or Hostility, as well as Disseminating Materials or Objects for That Purpose**

1. Public speech instigating or propagating hatred, discrimination, intolerance or hostility towards a person or a group of persons based on racial, national, ethnic or social origin, religion, political or other views, or other personal and social circumstances, as well as disseminating material or object for that purpose —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed by:

- 1) by a group of persons with a prior agreement;
- 2) by use of official or service powers or influence conditioned thereof, or
- 3) with the use of publicly displayed creative works, mass media or information or communication technologies—

shall be punished by imprisonment for a term of one to four years.

**Article 330. Public Calls for Violence, Publicly Justifying or Advocating Violence, as well as Disseminating Materials or Objects for That Purpose**

1. Public call for violence, publicly justifying or advocating such violence towards a person or a group of persons based on racial, national, ethnic or social origin, religion, political or other views, or other personal and social circumstances, as well as disseminating material or object for that purpose, if elements of criminal offences established in Articles 136, 151, 313, 328, 329 or 422 of this Code are absent—

shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.

2. The act prescribed for in Part 1 of this Article, committed by:

- 1) by a group of persons with a prior agreement;
- 2) by use of official or service powers or influence conditioned thereof, or
- 3) with the use of publicly displayed creative works, mass media or information or communication technologies—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of

liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

## CHAPTER 35.

### CRIMES AGAINST LEGITIMATE CIRCULATION OF WEAPON, FIREARM OR OTHER MATERIALS AND ARTICLES DANGEROUS FOR PUBLIC

#### **Article 331. Illegal Circulation of Radioactive or Nuclear Substances or Devices, as well as Destroying or Damaging Them**

1. Illegally preparing, acquiring, maintaining, realizing, using, transporting or delivering radioactive or nuclear substance, as well as destroying or damaging them—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

2. Illegally preparing, processing, acquiring, maintaining, realizing, using, transporting or delivering a nuclear reactor, a nuclear device, presenting a substantial danger for human life, health or environment or a complementary part thereof, as well as destroying or damaging them—

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

3. The act prescribed for in Parts 1 or 2 of this Article, which negligently caused a death of a person, infliction of grave or medium gravity harm to health, a particularly large property damage or other grave consequence —

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

#### **Article 332. Illegal Taking of Radioactive or Nuclear Substances or Devices or Weapon of Mass Destruction**

1. Illegal taking of radioactive or nuclear substance—

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

2. Illegal taking of a nuclear reactor, a nuclear device, presenting a substantial danger for human life, health or environment, or a weapon of mass destruction or a complementary part thereof —

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed by:

- 1) a group of persons with a prior agreement;
- 2) use of violence or under the threat of violence;
- 3) use of official or service powers or influence conditioned thereof, or
- 4) by destroying, damaging or bypassing the equipment, system, structure or other mean foreseen for the protection or preservation of property with the use of technical mean, specially adjusted equipment or other item or mean or through other mean—

shall be punished by imprisonment for a term of six to twelve years.

4. The act prescribed for in Part 1 or 2 or 3 of this Article, committed by a criminal organization—

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

### **Article 333. Extortion of Radioactive or Nuclear Substances or Devices or Weapon of Mass Destruction**

1. Extortion of radioactive or nuclear substance—

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

2. Extortion of a nuclear reactor, a nuclear device, presenting a substantial danger for human life, health or environment, or a weapon of mass destruction a complementary part thereof —

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed by:

- 1) a group of persons with a prior agreement, or
- 2) use of official or service powers or influence conditioned thereof—

shall be punished by imprisonment for a term of six to twelve years.

4. The act prescribed for in Part 1 or 2 or 3 of this Article, committed by a criminal organization—

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

**Article 334. Illegally Carrying Civilian Smoothbore Firearm Gas, Air, Cold or Throwing Weapon**

1. Illegally carrying a civilian smoothbore firearm, gas, air, cold or throwing weapon — shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed by a group of persons with a prior agreement—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, imprisonment for a term of one to three years.

3. The act prescribed for in Part 1 of this Article, committed by a criminal organization— shall be punished by imprisonment for a term of two to five years.

**Article 335. Illegal Circulation of Firearm, Its Main Constituting Parts, Ammunition and Other Substances, Devices, Objects**

1. Illegally obtaining, realizing, maintaining, transporting, delivering or carrying of firearm (with the exception of the civilian smoothbore firearm, its cartridges or constituting parts), its main component part, ammunition, cartridge of rifled bore firearm, explosives substance or explosive device—

shall be punished by restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum five years.

2. The act prescribed for in Part 1 of this Article, committed by a group of persons with a prior agreement—

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

3. The act prescribed for in Part 1 of this Article, committed by a criminal organization— shall be punished by imprisonment for a term of five to ten years.

4. The person who voluntarily surrendered the items mentioned in this Article or in Article 334 of this Code, before the competent bodies learn about their location, shall be exempted from criminal liability established by this Article or Article 334 of this Code. If in fact the act of the person involves elements of another crime, he/she shall be subject to criminal liability for that crime

**Article 336. Illegally Preparing, Altering or Repairing Firearm, Its Main Constituting Parts, Ammunition, Explosive Substances or Explosive Devices**

1. Illegally preparing, altering or repairing firearm, its main component, ammunition, explosive substance or explosive device—

shall be punished by restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed by a group of persons with a prior agreement—

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

3. The act prescribed for in Part 1 of this Article, committed by a criminal organization— shall be punished by imprisonment for a term of four to eight years.

4. The person who voluntarily surrendered the items mentioned in this Article shall be exempted from criminal liability established by this Article. If in fact the act of the person involves elements of another crime, he/she shall be subject to criminal liability for that crime.

**Article 337. Failing to Perform or Improperly Performing the Duty of Safekeeping of Firearm, Weapon, Ammunition, Explosive Substances or Explosive Devices**

1. Failing to perform or improperly performing the duty of safekeeping of firearm, ammunition, explosive substance or explosive device, if due to the negligence of the criminal, illegal taking, destruction or damage of the mentioned article, or death of a person or infliction of grave or medium gravity harm to the health of a person occurred— shall be punished by imprisonment for a term of two to five years.

2. Failing to perform or improperly performing the duty of safekeeping of a material or device used in or supporting the creation of nuclear, chemical, biological or other weapon of mass destruction, if due to the negligence of the criminal, illegal taking, destruction or damage of the mentioned articles, or death of a person or infliction of grave or medium gravity harm to the health of a person or other grave consequence occurred— shall be punished by imprisonment for a term of five to ten years.

**Article 338. Illegal Taking of Firearm, Its Main Constituting Parts, Ammunition, Explosive Substances or Explosive Devices**

1. Illegal taking of firearm, its main constituting part, ammunition, explosive material or explosive device—

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

2. The act prescribed for in Part 1 of this Article, committed by:

- 1) a group of persons with a prior agreement;
- 2) use of violence or under the threat of violence;
- 3) use of official or service powers or influence conditioned thereof, or
- 4) destroying, damaging or bypassing the equipment, system, structure or other mean foreseen for the protection or preservation of property with the use of technical mean, specially adjusted equipment or other item or mean or through other mean—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed by a criminal organization—

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

**Article 339. Extortion of FireArm, Its Main Constituting Parts, Ammunition, Explosives Substances or Explosive Devices**

1. Extortion of firearm, its main constituting part, ammunition, explosive substance or explosive device —

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

2. The act prescribed for in Part 1 of this Article, committed:

- 1) a group of persons with a prior agreement;



2) use of official or service powers or influence conditioned thereof—  
shall be punished by imprisonment for a term of four to eight years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed by a criminal organization —  
shall be punished by imprisonment for a term of six to twelve years.

**Article 340. Smuggling of Strategically Important Raw Materials, Substances With a Strong Influence, Toxic, Toxic Materials**

1. Smuggling of product of military significance, technical mean, explosive substance or explosive device, firearm or its component part, ammunition, radioactive substance or radioactive source, nuclear substance, substance with a strong influence, toxic substance, weapon of mass destruction or material and device used for the creation of missile systems for transportation of weapon of mass destruction, nuclear, chemical, biological or other weapon of mass destruction or dual-use good, i.e. their illegal transfer through the Eurasian Economic Union's customs border, or the state border of the Republic of Armenia, committed without customs control or by concealing from it, or by not declaring accurate information concerning them in the prescribed manner or by declaring those on some other person's name, or by breaching the rule, including ban or restriction established for their transportation, or by fraudulent use of customs or other documents—  
shall be punished by imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed by:

- 1) use of official or service powers or influence conditioned thereof;
- 2) by a group of persons with a prior agreement;
- 3) by a blackmail—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed by a criminal organization—  
shall be punished by imprisonment for a term of six to twelve years.

## CHAPTER 36.

### CRIMES AGAINST TRAFFIC SAFETY AND ESTABLISHED PROCEDURE OF VEHICLE OPERATION

#### **Article 341. Violating Requirements for Ensuring Traffic Safety or Rules Ensuring Traffic or Operation Safety of Air, Water, Rail, Magnetic (Maglev), Cable Transport or Metro**

1. Violating requirement for ensuring traffic safety or a rule ensuring traffic or operation safety of air, water, rail, magnetic (maglev), cable transportation or metro by a person, who according to contract or official position, was obligated to observe the requirement or the rule, if that act negligently caused a grave or medium gravity harm to a human health—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which negligently caused death of a person—

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

3. The act prescribed for in Part 1 of this Article, which negligently caused death of two or more persons —

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

4. Committing the act prescribed for in Parts 2 or 3 of this Article in a state of intoxication (in a drunken state) —

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

#### **Article 342. Violating Requirements for Ensuring Road Traffic Safety or Rules Ensuring Safety of Road Traffic or Operation of Means of Transport**

1. Violating requirement for ensuring safety of road traffic or a rule ensuring safety of road traffic or operation of means of transport by the driver of a car or other mechanical

means of transport, which negligently caused a grave or medium gravity harm to a human health —

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred to two hundred and seventy hours, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which negligently caused death of a person—

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

3. The act prescribed for in Part 1 of this Article, which negligently caused death of two or more persons —

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

4. The act prescribed for in Parts 2 or 3 of this Article, committed by a person in a state of intoxication (in a drunken state) or a person who has no right to drive the respective means of transport —

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

**Article 343. Handing over Means of Transport to a Person in a State Of Intoxication (in a Drunken State), a Person Not Having Attained the Age of Sixteen or Having No Right to Drive that Type of Means of Transport, or a Person Deprived of the Right to Drive Means of Transport or Whose Right Was Suspended, or a Person Deprived From Ability to Safely Drive the Means of Transport**

1. Handing over the means of transport to a person in a state of intoxication (in a drunken state), a person not having attained the age of sixteen or having no right to drive that type of means of transport, or a person deprived of the right to drive means of transport or whose right was suspended or to a person, who, obviously for the delivering person, in the given situation, could not safely drive the means of transport due to his/her physical or mental state, if due to the negligence of the delivering person a grave or medium gravity harm is caused to a human health —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which negligently caused death of a person—

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

3. The act prescribed for in Part 1 of this Article, which negligently caused deaths of two or more persons—

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

**Article 344. Driving Means of Transport by a Person Deprived of the Right to Drive Means of Transport or a Person Whose Right Was Suspended or a Person Who Has No Such Right**

1. Driving a means of transport in a state of intoxication (in a drunken state) by a person deprived of the right to drive means of transport or a person whose right was suspended or a person who has no such right or refusing to refusing or evading examination of the state of soberness by that person —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum two years.

2. Within the meaning of this Code, the person is considered to be a person deprived of the right to drive means of transport, if he/she has been deprived of the right to drive means of transport in the manner prescribed by the law and the term of deprivation has not expired.

3. Within the meaning of this Code, the person is considered to be a person whose right to drive means of transport was suspended, if his/her right to drive means of transport has been suspended in the manner prescribed by the law and the term of suspension has not expired.

4. Within the meaning of this Code, the person is considered to be a person who has no right to drive means of transport if he/she has not received the right to drive that type of means of transport in the manner prescribed by the law, or has received the right in the prescribed manner but has been deprived of the right to drive means of transport according to the law and after the expiry of the term of deprivation has not recovered that right in the prescribed manner, with the exception of the training cases.

**Article 345. Poor-Quality Repairing of Means of Transport or Transportation Infrastructures or Releasing them to Operation with Technical Defects**

1. Poor-quality repairing of means of transport, communication route, signalling or communication means, or other transportation equipment or releasing them to operation with technical defects by a person who is responsible for the technical state of means of transport or transportation infrastructures, if that act negligently caused a grave or medium gravity harm to a human health —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which negligently caused death of a person—

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

3. The act prescribed for in Part 1 of this Article, which negligently caused deaths of two or more persons—

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

**Article 346. Spoiling Means of Transportation, Infrastructures or Communication Channels**

1. Destructing, damaging, blocking or spoiling in any other way means of transportation, infrastructure, communication channel, signalling or communication facility, other transportation equipment and installing a false signal regulating the traffic, if that act negligently caused a grave or medium gravity harm to a human health—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part of this Article, which negligently caused a human death—

shall be punished by imprisonment from two to five years.

3. The act prescribed for in Part 1 of this Article, which negligently caused deaths of two or more persons—  
shall be punished by imprisonment for a term of from four to eight years.

**Article 347. Violating Requirements or Rules Ensuring Safe Operation of Transport**

1. Violating requirement for ensuring safety of road traffic or a rule ensuring safety of road traffic or operation of means of transport by a passenger, a pedestrian, a bicyclist or other participant of traffic (except for persons mentioned in Articles 341 and 342 of this Code), if that act negligently caused grave or medium gravity harm to a human health—  
shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which negligently caused a human death—  
shall be punished by imprisonment for a term of two to five years.

3. The act prescribed for in Part 1 of this Article, which negligently caused deaths of two or more persons—  
shall be punished by imprisonment for a term of four to eight years.

**Article 348. Captain's Failure to Help Persons Subjected to Disaster**

1. Captain's failure to help a person who is or has been subjected to a disaster in the sea or other water route, if such help could be offered without exposing the ship, the life or health of its passenger or crew to danger —  
shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years, or short-term imprisonment for a term of maximum two months.

**Article 349. Violating the Rules of International Flights**

1. Failure to observe the established flight route, landing place, flight altitude permitted in the prescribed manner or violating other rule of international flights by a person, who is responsible to follow that rule —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or short-term imprisonment for a term of maximum two months.

#### **Article 350. Violating the Rules on Use of Republic of Armenia Airspace**

1. The use of the Republic of Armenia airspace without a permit, in cases, when the above-mentioned permit is mandatory according to legislation of the Republic of Armenia, if that act negligently caused grave or medium gravity harm to a human health—

shall be punished by a fine in the amount of thirty-fold to fifty-fold, or public works for a term of one hundred to two hundred and seventy hours, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which negligently caused human death—

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

3. The act prescribed for in Part 1 of this Article, which negligently caused two or more deaths—

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

### **CHAPTER 37.**

#### **CRIMES AGAINST SPECIAL RULES OR REQUIREMENTS ESTABLISHED FOR SECURE PERFORMANCE OF WORKS AND ACTIVITIES**

#### **Article 351. Violating Safety Rules or Requirements at Atomic Energy Facilities**

1. Violating safety rule or requirement when locating, designing, constructing, repairing, reconstructing, operating or decommissioning, re-commissioning of atomic energy

facilities, transporting, preserving or using nuclear or radioactive substances by a person, who according to the contract or due to his/her official status was obligated to follow that rule or requirement, if as a result of which grave or medium gravity harm to a human health was negligently caused—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

2. The act prescribed for in Part 1 of this Article, which negligently caused human death, radioactive contamination of the environment, or other grave consequence — shall be punished by imprisonment for a term of four to eight years.

#### **Article 352. Violating Safety Rules or Requirements When Operating Sources of Ionizing Radiation**

1. Violating safety rule or requirement established by legislation when operating or decommissioning or transporting sources of ionizing radiation by a person, who according to the contract or due to his/her official status was obligated to follow that rule or requirement, if as a result of which grave or medium gravity harm to a human health was negligently caused—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

2. The act prescribed for in Part 1 of this Article, which negligently caused human death, radioactive contamination of the environment or other grave consequence— shall be punished by imprisonment for a term of four to eight years.



**Article 353. Violating Safety Rules or Requirements When Operating Electron, Proton, Heavy Ion Accelerators**

1. Violating safety rule or requirement established by legislation when locating, designing, constructing, repairing, reconstructing, operating or decommissioning electron, proton, heavy ion accelerators by a person, who according to a contract or due to his/her official position was obligated to follow that rule or requirement, if as a result of which grave or medium gravity harm to a human health was negligently caused —

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

2. The act prescribed for in Part 1 of this Article, which negligently caused human death, radioactive contamination of the environment or other grave consequence— shall be punished by imprisonment for a term of four to eight years.

**Article 354. Violating Safety Rules or Requirements When Constructing, Operating or Repairing Highway Pipelines**

1. Violating safety rule or requirement established by legislation when constructing, operating or repairing highway pipelines by a person responsible for carrying out those works, if that act negligently caused grave or medium gravity harm to a human health—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which negligently caused a human death—

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

**Article 355. Violating Rules or Requirements Ensuring Labour Protection or Safety When Carrying Out Construction, Mining or other Works**

1. Violating rule or requirement ensuring labour protection or safety or work established by legislation when carrying out construction, mining or other works by a person, who according to a contract or due to his/her official position was obligated to follow that rule or requirement, if as a result of which grave or medium gravity harm to a human health was negligently caused—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

2. The act prescribed for in Part 1 of this Article, which negligently caused human death or other grave consequence—

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

**Article 356. Violating Safety or Labour Protection Rules or Requirements at Facilities with Explosion Hazard**

1. Violating safety or labour protection rule or requirement established by legislation at facilities with explosion hazard by a person, who according to a contract or due to his/her official position was obligated to follow that rule or requirement, if as a result of which grave or medium gravity harm to a human health was negligently caused—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

2. The act prescribed for in Part 1 of this Article, which negligently caused human death or other grave consequence—

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

**Article 357. Violating Fire-Safety Rules or Requirements**

1. Violating fire-safety rule or requirement established by legislation by a person, who has obligation to follow that rule or requirement, if as a result of which grave or medium gravity harm to a human health was negligently caused—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

2. The act prescribed for in Part 1 of this Article, which negligently caused human death or other grave consequence—

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

**Article 358. Violating Rules on Maintaining, Recording, Transporting, Delivering or Use of Flammable or Incendiary Substances**

1. Violating rule or requirement established by legislation on maintaining, recording, transporting, delivering or use of flammable or incendiary substances by a person, who has obligation to follow that rule or requirement, or illegal transportation or delivering of the mentioned substances, if as a result of which grave or medium gravity harm to a human health was negligently caused —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which negligently caused human death or other grave consequence—

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

## CHAPTER 38.

### CRIMES AGAINST COMPUTER SYSTEM AND COMPUTER DATA SECURITY

#### **Article 359. Penetrating Into a Computer, Computer System or Computer Network**

1. Penetrating without permission into a computer or a computer system or a computer network, committed by a person with no entitlement due to law or a contract or another legitimate basis and the act negligently caused alteration, copying, blocking (isolation), destruction, damage, distortion of computer data, a large-scale property damage or other significant damage—

shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.

2. The act prescribed for in Part of this Article, which was:

- 1) accompanied by breaking the protection system;
- 2) committed by use of special technical means;
- 3) committed by use of official or service powers or influence conditioned thereof;
- 4) committed by a group of persons with a prior agreement;
- 5) committed towards data protected by law, or
- 6) negligently caused particularly large-scale property damage, disruption of activity of institution or enterprise, an accident or a disaster, destruction, modification, blocking (isolation) or copying of data with a special value or other grave consequences —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

#### **Article 360. Modification of Computer Data**

1. Modification of the data stored in a computer, computer system, computer network or other computer device without a permission established by law, or a contract, or any other legitimate ground, which caused damage to the rights, freedoms or lawful interests of a person or an organization, or lawful interests of the public or the state—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which was:

1) accompanied with penetrating without permission into a computer or a computer system or a computer network;

2) accompanied with inputting false data or otherwise distorting the data;

3) committed with use of official or service powers or influence conditioned thereof;

4) committed by a group of persons with a prior agreement, or

5) negligently caused particularly large-scale property damage, disruption of the activity of institution or enterprise, an accident or a disaster, modification of data with a special value, or other grave consequence—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of hundred and fifty to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of maximum two months, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

### **Article 361. Computer Sabotage**

1. Destruction, damage, distortion or blocking (isolation) the data stored in a computer, a computer system, computer network or other computer device, without a permission established by law, or a contract, or any other legitimate ground —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain

positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which:

1) was accompanied with penetrating without permission into a computer or a computer system or a computer network, or

2) negligently caused particularly large-scale property damage, disruption of activity of institution or enterprise, an accident or a disaster, destruction, modification, blocking (isolation), copying of data with a special value or other grave consequence—  
shall be punished by imprisonment for a term of three to six years.

3. The act prescribed for in Parts 1 or 2 of this Article, which caused particularly large-scale property damage, disruption of activity of institution or enterprise, an accident or a disaster, destruction, modification, blocking, copying of data with a special value or other grave consequence  
shall be punished by imprisonment for a term of four to eight years.

### **Article 362. Illegal Appropriation or Phishing of Computer Data**

1. Appropriation or phishing of the data not for general use stored in a computer, computer system, computer network or other computer device without a permission established by law, or a contract, or any other legitimate ground, committed with the purpose of using that data or making it available for the use of other people or realizing it in other manner—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years..

2. The act prescribed for in Part 1 of this Article, which was:

1) accompanied with penetrating without permission into a computer or a computer system or a computer network;

2) committed for the purpose of getting data protected by law;

- 3) committed for out of mercenary motives;
- 4) committed by use of official or service powers or influence conditioned thereof;
- 5) was committed by phishing of the information transmitted through computer communication means;
- 6) committed by a group of persons with a prior agreement, or
- 7) negligently caused particularly large-scale property damage, disruption of activity of institution or enterprise, an accident, a disaster, destruction, modification, blocking (isolation) of the data with a special value, or other grave consequence —

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

3. The act prescribed for in Parts 1 or 2 of this Article, which:

- 1) was committed by a criminal organization, or
- 2) caused particularly large-scale property damage, disruption of activity of institution or enterprise, an accident, a disaster, destruction, modification, blocking (isolation) of the data with a special value, or other grave consequence —

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

### **Article 363. Illegal Circulation of Special Software or Hardware**

1. Producing, preparing, developing, importing, acquiring, maintaining, transporting, delivering or exporting of special software or hardware or special malware (virus programme) intended for penetrating a computer, or a computer system or a computer network without a permission, or destructing, destroying, deteriorating or blocking (isolating) the computer data or illegally appropriating or phishing it in order to use or realize it, or the usage or realization of such software or hardware —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of

liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) out of mercenary motives;
  - 2) by a group of persons with a prior agreement;
  - 3) for the purpose to conceal or facilitate the commitment of another crime, or
  - 4) negligently caused particularly large-scale property damage, disruption of the activity of institution or enterprise, an accident or a disaster, destruction, modification, blocking (isolation), copying of the data with a special value or other grave consequence—
- shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

3. The act prescribed for in Parts 1 or 2 of this Article, which:

- 1) was committed by a criminal organization, or
  - 2) caused particularly large-scale property damage, disruption of activity of institution or enterprise, an accident, a disaster, destruction, modification, blocking (isolation) of the data with a special value, or other grave consequence —
- shall be punished by imprisonment for a term of three to six years.

4. The person who voluntarily surrendered the software or hardware or programme specified in Part 1 of this Article to the competent bodies, shall be exempted from criminal liability established in this Article. If in fact the act of the person involves elements of another crime, he/she shall be subject to criminal liability for that crime.

#### **Article 364. Computer Fraud**

1. Illegally inputting, modifying, deleting or blocking (isolating) computer data for the purpose of causing legal consequences, which led to creating unreliable data — shall be punished by a fine for maximum, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise



certain activities for a term of two to five years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed by:

- 1) use of official or service powers or influence conditioned thereof;
- 2) by a group of persons with a prior agreement, or
- 3) negligently causing particularly large-scale property damage, disruption of the activity of institution or enterprise, an accident or a disaster, destruction, modification, blocking (isolation) of the data with a special value or other grave consequence—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

**Article 365. Violating Rules or Requirements for Operation of a Computer, a Computer System or a Computer Network**

1. Violating rule or requirement for operation of a computer, a computer system or a computer network by a person who is entitled to access the computer, computer system or computer network, if the act negligently caused modification, copying, destruction, damage or blocking (isolation) of the data maintained in the computer, computer system, computer network or other computer device and protected by the law, or disruption of the operation of computer equipment —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which negligently caused a particularly large-scale property damage, disruption of the activity of institution or enterprise, an

accident or a disaster, destruction, modification, blocking (isolation) or copying of the data with a special value or other grave consequence—  
shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

## CHAPTER 39.

### CRIMES AGAINST ENVIRONMENTAL SAFETY

#### **Article 366. Violating Requirements of Environmental Protection Legislation when Performing Works**

1. Violating requirement of environmental protection legislation by the authorized person when designing, locating, constructing, reconstructing, repairing, operating, commissioning or decommissioning of industrial, agricultural, urban-planning, scientific and other facilities, if it caused a significant excess in chemical or biological pollution and increase of the permissible level of negative physical impact on the environment, mass destruction of fauna or flora, fauna or flora objects or other grave consequence—  
shall be punished by imprisonment for a term of four to eight years.

#### **Article 367. Negligently Causing Harm by Violating the Requirements of Environmental Protection Legislation when Performing Works**

1. Violating requirement of environmental protection legislation by the authorized person when designing, locating, constructing, reconstructing, repairing, operating, commissioning or decommissioning of industrial, agricultural, urban-planning, scientific and other facilities, if it caused grave or medium gravity harm to a human health was negligently caused, or a significant excess in chemical or biological pollution or increase of the permissible level of negative physical impact on the environment, mass destruction of fauna or flora, fauna or flora objects or other grave consequence—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

2. The act prescribed for in Part 1 of this Article, which negligently caused death of a person—

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

### **Article 368. Illegal Circulation of Dangerous Chemical or Biological Substances or Waste**

1. Producing, preparing, acquiring, maintaining, storing, transporting, delivering, importing, exporting, use or realizing chemical or biological substance or waste, biological agent or stimulus, or a product or other object containing the substance, agent or stimulus mentioned in their composition, presenting hazard for the environment or human life or human health in violation of the manner established by legislation—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed by:

- 1) use of official or service powers or influence conditioned thereof;
- 2) negligently causing a grave or medium gravity harm to a human health, or
- 3) negligently caused an excess in chemical or biological pollution, increase of the permissible level of negative physical impact on the environment, intoxication or poisoning of the environment, mass destruction of fauna or flora, fauna or flora objects or other grave consequence —

shall be punished by a fine in the maximum amount of fifty-fold, or public works for maximum two hundred and seventy hours, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

3. The act prescribed for in Parts 1 or 2 of this Article, which negligently caused a human death—

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

**Article 369. Violating Safety Rules for Handling With Hazardous Chemical or Biological Substances or Waste**

1. Violating safety rule for using, maintaining, transporting, destructing chemical or biological substance or waste, biological agent, stimulus or toxic substance, presenting hazard for the environment and for human life and health, or other safety rule for handling those by an authorized person, if it caused an excess in chemical or biological pollution, increase of the permissible level of negative physical impact on the environment, intoxication or poisoning of the environment, mass destruction of fauna or flora, fauna or flora objects or other grave consequence — shall be punished by imprisonment for a term of four to eight years.

**Article 370. Negligently Causing Damage in Violation of Safety Rules for Handling With Hazardous Chemical or Biological Material or Waste**

1. Violating safety rule for using, maintaining, transporting, destructing chemical or biological substance or waste, biological agent, stimulus or toxic substance, presenting hazard for the environment and for human life and health, or other safety rule for handling those by an authorized person, if it negligently caused grave or medium gravity harm to a human health, or an excess in chemical or biological pollution, increase of the permissible level of negative physical impact on the environment, intoxication or poisoning of the environment, spread of epidemics among people, animals or plants, mass destruction of fauna or flora, fauna or flora objects or other grave consequence— shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) was committed in ecological disaster or ecological emergency zone, or
- 2) negligently caused human death—

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

**Article 371. Violating Veterinary Rules or Rules for Struggling Against Plant Diseases or Pests**

1. Violating veterinary rule or rule for struggling against plant diseases or pests as established by legislation of the Republic of Armenia by an authorized person, if it caused a large-scale property damage, spread of epidemics among humans, animals or plants or other grave consequence—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of one hundred and fifty to two hundred and fifty hours, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum four years.

**Article 372. Negligently Causing a Damage by Violating Veterinary Rules or Rules for Struggling against Plant Diseases or Pests**

1. Violating veterinary rule or rule for struggling against plant diseases or pests as established by legislation of the Republic of Armenia by an authorized person, if it negligently caused a large-scale property damage, spread of epidemics among humans, animals or plants or other grave consequence—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

**Article 373. Polluting Atmospheric Air**

1. Polluting atmospheric air by emissions exceeding the established norms, by violating rule on operation of equipments, facilities or other objects or another manner, or changing its natural features in another way, which caused a large-scale property or other significant damage to agriculture, constructions, cultural values, the flora and the fauna, the soil or the waters or caused other grave consequence—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of one hundred and fifty to two hundred and fifty hours, or short-term

imprisonment for a term of one to two months, or imprisonment for a term of maximum four years.

#### **Article 374. Negligently Causing Damage by Polluting Atmospheric Air**

1. Polluting atmospheric air, if it negligently caused grave or medium gravity harm to a human health, or a large-scale property or other significant damage to agriculture, constructions, cultural values, the flora and the fauna, the soil or the waters, or negligently caused other grave consequence—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) was committed in ecological disaster or ecological emergency zone, or
- 2) negligently caused a death—

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

#### **Article 375. Polluting Waters**

1. Polluting water, i.e. polluting, littering, blocking or consumption of natural or artificial surface or ground waters, drinking water supply sources, or changing their natural properties or qualitative composition in other way, or depletion of water resource, which caused a large-scale property damage or pollution of waters with radioactive, chemical, biological or other hazardous substance or wastes or caused other significant damage to the water resources —

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for maximum one hundred and fifty to two hundred and fifty hours, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum four years.

#### **Article 376. Negligently Causing Damage by Pollution of Waters**

1. Polluting waters, which negligently caused a grave or medium gravity harm to a human health, or a large-scale property or other significant damage to agriculture, constructions, cultural values, the flora or the fauna or their resources, the soil or the waters, or negligently caused other grave consequence—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act established in Part 1 of this Article, which:

1) was committed in a specially protected area of nature or in ecological disaster or ecological emergency zone;

2) impeded water supply of residents, or

3) negligently caused a human death—

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

#### **Article 377. Pollution of Marine Environment**

1. Pollution of marine environment as a result of violation of rule for emission or dumping of substance or raw material dangerous for human health or natural sea stocks, or hindering the lawful use of the marine environment, from an object on land, means of transport, or from artificial facility built in the sea, or polluting the marine environment, which caused a large-scale property damage or other significant damage to the fauna or flora or their resources, the soil or waters, or caused other grave consequence —

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of one hundred and fifty to two hundred and fifty hours, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum four years.

#### **Article 378. Negligently Causing Damage by Pollution of Marine Environment**

1. Polluting marine environment, which negligently caused grave or medium gravity harm to a human health, or a large-scale or other significant damage to fauna and flora or their resources, the soil or the water, or negligently caused other grave consequence— shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) was committed in ecological disaster or ecological emergency zone, or
- 2) negligently caused a human death—

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

#### **Article 379. Violating Rules for Protection of Fish Stocks**

1. Violating rules for protection of fish stocks, i. e. lumber rafting, construction of bridges, dams, shipment of wood or other wood products, blasting or other works, operation of damming (reservoir) facilities and pumping units, by violating fish stock protection rule, which caused mass destruction of fish or aquatic fauna, destruction of significant amounts of fodder stocks or other grave consequence—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of one hundred and fifty to two hundred and fifty hours, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum four years.

#### **Article 380. Negligently Causing Damage by Violating Rule for Protection of Fish Stocks**

1. Violating rule for protection of fish stocks, which negligently caused a mass destruction of fish or other aquatic fauna, destruction of significant amounts of fodder stocks or other grave consequence—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of



liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

#### **Article 381. Spoiling the Soil**

1. Spoiling the soil, i.e. polluting, poisoning, or otherwise spoiling the soil by violating the rule for its removal, transport, maintaining or usage or otherwise, which caused a large-scale property or other significant damage to fauna or flora or their resources, the soil or the water, or caused other grave consequence—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for one hundred and fifty to two hundred and fifty hours, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum four years.

#### **Article 382. Negligently Causing Damage by Spoiling the Soil**

1. Spoiling the soil, if it negligently caused a grave or medium gravity harm to a human health, or a large-scale property or other significant damage to fauna or flora or their resources or waters, or negligently caused other grave consequence —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which:

1) was committed in a specially protected natural area or in ecological disaster or ecological emergency zone, or

2) negligently caused a human death—

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

#### **Article 383. Violating Requirements for Protection or Usage of the Subsoil**

1. Violating the requirement established by legislation of the Republic of Armenia for the protection or usage of subsoil, which caused a large-scale property or other significant

damage to the rights, freedoms or lawful interests of a person or an organization, the public or the state, or to the environment or caused other grave consequence— shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of one hundred and fifty to two hundred and fifty hours, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum four years.

**Article 384. Negligently Causing Damage by Violating Requirements for Protection or Usage of the Subsoil**

1. Violating the requirement established by legislation of the Republic of Armenia on protection or usage of subsoil, which negligently caused grave or medium gravity harm to a human health, a large-scale property or other significant damage to the rights, freedoms or lawful interests of a person or an organization, or lawful interests of the public or the state, or to the environment or negligently caused other grave consequence — shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) was committed by use of official or service powers or the influence conditioned thereof;
- 2) was committed in a specially protected natural area or in ecological disaster or ecological emergency zone, or
- 3) negligently caused a human death—

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

**Article 385. Illegal Fishing or Illegal Extracting of Aquatic Flora or Fauna**

1. Illegally fishing of fish or other water animal or illegally extracting of fish or other water animal or water plant, committed by:

- 1) usage of a method of their mass destruction or extraction;

2) causing a large-scale property damage during a time when their fishing or extracting is forbidden, or

3) causing a large-scale property damage, in a forbidden place —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed:

1) by use of official or service powers or influence conditioned thereof;

2) by a group of persons with a prior agreement;

3) towards a fish, water animal or plant registered in the red book of plants or red book of animals of the republic of armenia, or led to elimination of a certain fish, aquatic flora or fauna population, or

4) in a specially protected natural area or in a zone of ecological disaster or ecological emergency zone —

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of one hundred and fifty to two hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

### **Article 386. Illegal Hunting**

1. Illegal hunting of a wild animal or a bird, committed:

1) during the time period when their hunting is forbidden by causing a large-scale property damage;

2) in a forbidden place, by causing a large-scale property damage;

3) by use of explosives, gas, electric power, or other method of mass destruction of wild animals, or other forbidden form of hunting, forbidden instrument or tool, or

4) towards such wild animal or bird, hunting of which is completely forbidden—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by use of official or service powers or influence conditioned thereof;
- 2) by a group of persons with a prior agreement;
- 3) towards a wild animal or bird registered in the red book of animals of the republic of armenia, or led to elimination of a certain animal or bird population, or
- 4) in a specially protected natural area or in an ecological emergency zone—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of one hundred and fifty to two hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

#### **Article 387. Illegally Cutting Trees, Bushes or Plant Cover or Moving Illegally Acquired Stumps, Trees or Bushes**

1. Illegally cutting or destructing the tree, bush or the plant cover under the ownership of the state or a community or other persons, or damaging them to a level of stopped growth, or moving illegally acquired stump or deciduous, snow-covered, uprooted or fragmented tree or bush, which caused a large-scale property damage exceeding one hundred thousand Armenian drams or other significant damage to the rights, freedoms or lawful interests of a person or an organization, lawful interests of the public or the state — shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by use of official or service powers or influence conditioned thereof;
- 2) by a group of persons with a prior agreement;
- 3) towards the tree, bush or other plant cover registered in the red book of plants of the republic of armenia;
- 4) was committed in a specially protected natural area or in ecological disaster or ecological emergency zone;
- 5) was committed by arson or other publicly dangerous manner, or
- 6) caused a particularly large-scale property damage —

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

- 1) by a criminal organization;
- 2) in particularly large-scale property amounts —

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

#### **Article 388. Destructing or Damaging Trees, Bushes or the Plant Cover by Negligence**

1. Destructing or damaging the tree, bush or the plant cover under the ownership of the state or a community or other persons, committed as a result of careless treatment to fire, explosives or other source of higher danger, and negligently caused a large-scale property damage to the rights, freedoms or lawful interests of a person or an organization, lawful interests to the public or the state—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

#### **Article 389. Extermination of Population of Species Registered in the Red Book of Animals or Red Book of Plants of the Republic of Armenia**

1. Destructing, damaging or changing of habitats of endangered or rare species registered in in the Red Book of Plants or Red Book of Animals of the Republic of Armenia, which caused extermination of population of those species—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of one hundred and fifty to two hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

**Article 390. Negligent Extermination of Population of Species Registered in the Red Book of Animals or Red Book of Plants of the Republic of Armenia**

1. Destructing, damaging or changing of habitats of endangered or rare species registered in the Red Book of Animals or Red Book of Plants of the Republic of Armenia, which negligently caused extermination of population of those species —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

**Article 391. Violating the Regime of Specially Protected Natural Areas**

1. Violating the regime of stae reserve, sanctuary, national park, natural monument or other natural area or object specially protected by the state, which caused a large-scale property or other significant damage —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 392. Causing Damage by Negligence by Violating the Regime of Specially Protected Natural Areas**

1. Violating the regime of state reserve, sanctuary, national park, natural monument or other natural area or object specially protected by the state, which negligently caused a large-scale property or other significant damage—  
shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.

**SECTION 13.**  
**CRIMES AGAINST HEALTH OF THE POPULATION**

**CHAPTER 40.**  
**CRIMES AGAINST LAWFUL CIRCULATION OF NARCOTIC DRUGS, PSYCHOTROPIC  
(PSYCHOACTIVE) SUBSTANCES, THEIR MIXTURES, PRECURSORS, STRONG OR  
TOXIC SUBSTANCES**

**Article 393. Illegal Circulation of Narcotic Drugs, Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogue) for the Purpose of Their Realization or Illegal Realization Thereof**

1. Illegally producing, preparing, processing, acquiring, maintaining, transporting, delivering, disseminating, advertising of narcotic drug, psychotropic (psychoactive) substance, their mixture, or their equivalent (analogue) for the purpose of realization or illegally realizing them or illegally acquiring narcotic drug, psychotropic (psychoactive) substance, their mixture or their equivalent (analogue) at the instigation of someone else for the latter—

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

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) out of mercenary motives;
- 3) in large amounts;
- 4) in a place of entertainment or a festive reception or an institution;
- 5) in an arrest or detention facility or in a penitentiary institution;
- 6) in a military unit or other place of military service, or
- 7) in an educational institution or in its surrounding area—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

- 1) by a criminal organization, or
- 2) in particularly large amounts —



shall be punished by imprisonment for a term of six to twelve years.

4. In this Code substantial amounts of narcotic drugs and psychotropic (psychoactive) substances are considered the amounts from five-fold to twenty-fold of the minimum threshold of small amounts of narcotic drugs and psychotropic (psychoactive) substances established by Government of the Republic of Armenia according to the Administrative Violations Code of the Republic of Armenia.

5. In this Code large amounts of narcotic drugs and psychotropic (psychoactive) substances are considered the amounts from twenty-five-fold to one hundred and twenty-five fold of the minimum threshold of small amounts of narcotic drugs and psychotropic (psychoactive) substances established by Government of the Republic of Armenia according to the Administrative Violations Code of the Republic of Armenia.

6. In this Code particularly large amounts of narcotic drugs and psychotropic (psychoactive) substances are considered the amounts exceeding one hundred and twenty-five-fold of the minimum threshold of small amounts of narcotic drugs and psychotropic (psychoactive) substances established by Government of the Republic of Armenia according to the Administrative Violations Code of the Republic of Armenia.

7. The person, who voluntarily surrendered the articles established in Part 1 of this Article and supported to the disclosure of the crime connected with the illegal circulation thereof, shall be exempted from criminal liability for the illegal circulation of voluntarily surrendered articles established by this Article. If in fact the act of the person involve elements of another crime, s/he shall be subject to liability for that crime.

**Article 394. Illegal Circulation of Precursors for Purposes of Realization of Narcotic Drugs, Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogue) or Illegal Realization Thereof**

1. Illegally producing, preparing, processing, acquiring, maintaining, transporting, delivering, disseminating, advertising or illegally realizing precursor for the purpose of preparing narcotic drug, psychotropic (psychoactive) substance, their mixture or their equivalent (analogue) —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of

maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. Illegally producing, preparing, processing, acquiring, maintaining, transporting, delivering, disseminating, advertising of precursor for the purpose of realization or illegally realizing precursor, committed:

- 1) by a group of persons with a prior agreement, or
- 2) out of mercenary motives, or
- 3) in large amounts—

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

3. The act prescribed for in Part 2 of this Article, committed:

- 1) by a criminal organization;
- 2) in particularly large amounts—

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

4. Large and particularly large amounts of precursors shall be established by the Government.

5. The person, who voluntarily surrendered the precursors and supported to the disclosure of the crime connected with the illegal circulation thereof, shall be exempted from criminal liability for illegal circulation of voluntary surrendered articles established by this Article. If in fact the act of the person involves elements of another crime, he/she shall be subject to criminal liability for that crime.

**Article 395. Violating Rules of Lawful Circulation of Narcotic Drugs, Psychotropic (Psychoactive) Substances, their Mixtures, or Their Equivalents (Analogue), as well as Materials, Equipment or Tools Under Special Control Used to Prepare Them**

1. Violating rule of lawful circulation of narcotic drug, psychotropic (psychoactive) substance, their mixture, or their equivalent (analogue), as well as material, equipment or tool under special control used to prepare them by the person, who has obligation to follow that rule, if as a result of negligence of the offender illegal taking or illegal circulation of the above-mentioned substance, equipment or tool occurred—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or

deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

**Article 396. Illegal Circulation of Narcotic Drugs, Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogue) or Precursors Without a Purpose of Their Realization**

1. Illegally producing, preparing, processing, acquiring, maintaining, transporting or delivering of narcotic drug, psychotropic (psychoactive) substance, their mixture or their equivalent (analogue) or precursor of significant amounts without a purpose of their realization—

shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.

2. The act prescribed for in Part 1 of this Article, committed in large amounts—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

3. The act prescribed for in Part 1 of this Article, committed in particularly large amounts—

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

4. The person who voluntarily surrendered the articles established in Part 1 of this Article and assisted to discovery of the crime connected with their illegal circulation, shall be exempted from criminal liability established in this Article, if he/she was not previously exempted from criminal liability for the same ground or for the grounds established by Articles 393 and 394 of this Code. If in fact the act of the person involves elements of another crime, he/she shall be subject to criminal liability for that crime.

**Article 397. Illegal Taking of Narcotic Drugs, Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogue) or Precursors**

Illegal taking of narcotic drug, psychotropic (psychoactive) substance, their mixtures or their equivalent (analogue) or precursor —

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

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) by use of violence or under a threat of violence, or
- 3) by use of official or service powers or influence conditioned thereof —

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed by a criminal organization—

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

**Article 398. Extortion of Narcotic Drugs, Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogue) or Precursors**

Extortion of narcotic drug, psychotropic (psychoactive) substance, their mixtures or their equivalent (analogue) or precursor —

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

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) by use of violence or under a threat of violence, or
- 3) by use of official or service powers or influence conditioned thereof —

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed by a criminal organization

shall be punished by imprisonment for a term of six to twelve years.

**Article 399. Smuggling of Narcotic Drugs, Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogue) or Precursors**

1. Smuggling of narcotic drug, psychotropic (psychoactive) substance, their mixture, their equivalent (analogue) or their precursor or substance, equipment or tool under special control used to prepare them or plant, containing narcotic drug, psychotropic (psychoactive) substance, strong or toxic substance, the procession of which is forbidden, i.e. their illegal transportation through the state border of the Republic of Armenia or the customs border of the Eurasian Economic Union, without customs control or by concealing it from customs control or failing to declare accurate information about them in the established manner or declaring them on some other person's name, or violating the rule, including ban or restriction towards their transportation, or through fraudulent use of custom or other document —

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

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) by use of official or service powers or influence conditioned thereof;
- 3) in large amounts, or
- 4) by a blackmail —

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

- 1) by a criminal organization, or
- 2) in particularly large amounts—

shall be punished by imprisonment for a term of six to twelve years.

**Article 400. Preparing, Using or Realizing False Document Entitling to Receive Narcotic Drugs, Psychotropic (Psychoactive) Substances, their Mixtures or their Precursors**

1. Preparing, using or realizing of a document entitling to receive drugs, psychotropic substances, their mixtures, or precursors for their production or preparation —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed by:

- 1) a group of persons with a prior agreement;
- 2) out of mercenary motives—

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

**Article 401. Illegally Providing Prescriptions or other Documents Entitling to Receive Narcotic Drugs or Psychotropic (Psychoactive) Substances**

1. Illegally providing a prescription or other document entitling to receive a narcotic drug or psychotropic (psychoactive) substance by an authorized person—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty hours to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of two to five years.

**Article 402. Inducing to or Engaging in Usage of Narcotic Drugs, Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalent (Analogue)**

1. Inducing to or engaging in the usage of a narcotic drug, psychotropic (psychoactive) substance, their mixture or their equivalent (analogue) —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) towards a minor;
- 2) out of mercenary motives;
- 3) under the threat of violence;
- 4) through deception or abuse of trust, or
- 5) by use of the power, authority over the victim, victim's vulnerability or material or other dependency—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

1) by use of violence, or

2) negligently caused death or a grave harm to the health of the victim of a crime —  
shall be punished by imprisonment for a term of five to ten years.

4. The act prescribed for in Parts 1 or 2 or 3 of this Article, committed by a criminal organization —  
shall be punished by imprisonment for a term of six to twelve years.

**Article 403. Contributing to the Usage of Narcotic Drugs, Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogue)**

1. Establishing, managing or maintaining a facility for the usage of a narcotic drug, psychotropic (psychoactive) substance, their mixture or their equivalent (analogue), or usage of a public facility for the same purpose, or providing a residence, a building, a car or other residence for the usage of narcotic drug, psychotropic (psychoactive) substance, their mixture—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

1) by a group of persons with a prior agreement;

2) by use of official or service powers or influence conditioned thereof;

3) in a detention or arrest facilities or in a penitentiary institution;

4) in a military unit or other place of military service, or

5) in an educational institution or in its surrounding area —

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed by a criminal organization;

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

**Article 404. Sowing or Growing Herbs Prohibited for Processing, Containing Narcotic Drugs, Psychotropic (Psychoactive), Strong or Toxic Substances**

1. Sowing or growing herb prohibited for processing, containing narcotic drug, psychotropic (psychoactive), strong or toxic substance in large amounts—  
shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.
2. The act prescribed for in Part 1 of this Article committed:
  - 1) by a group of persons with a prior agreement, or
  - 2) in particularly large amounts—shall be punished by imprisonment for a term of two to five years.
3. Committing The act prescribed for in Part 1 of this Article by a criminal organization shall be punished by imprisonment for a term of four to eight years.
4. The list, large and particularly large amounts of herbs prohibited for processing, containing narcotic drugs, psychotropic (psychoactive), strong or toxic substances shall be established by the Government.

**Article 405. Illegal Circulation of Strong or Toxic Substances for the Purpose of Their Realization or Illegal Realization Thereof**

1. Illegally producing, preparing, processing, acquiring, maintaining, transporting, delivering, disseminating, advertising narcotic drug, psychotropic (psychoactive) substance, strong or toxic substances not considered as their mixture for the purpose of realization or illegally realizing them—  
shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.
2. The act prescribed for in Part 1 of this Article, committed:
  - 1) by a group of persons with a prior agreement;
  - 2) in large amounts;
  - 3) in a detention or arrest facility or in a penitentiary institution;
  - 4) in a military unit or other place of military service, or



- 5) in an educational institution or in its surrounding area—  
shall be punished by imprisonment for a term of two to five years.
3. Committing the act prescribed for in Parts 1 or 2 of this Article by a criminal organization  
shall be punished by imprisonment for a term of four to eight years.
4. The list, as well as large amounts of strong substances shall be established by the Government.
5. The list of toxic substances shall be established by the Government.
6. The person who voluntarily surrendered the articles established in Part 1 of this Article and actively supported to the disclosure of the crime connected with the illegal circulation thereof, shall be exempted from criminal liability established by this Article. If in fact the act of the person involves elements of another crime, he/she shall be subject to criminal liability for that crime.

**Article 406. Violating Rules for Lawful Circulation of Narcotic Drug, Psychotropic (Psychoactive) Substance, Strong or Toxic Substances not Considered as their Mixture, as well as Substances, Equipments or Tools Under Special Control Used to Prepare Them**

1. Violating rules for lawful circulation of narcotic drug, psychotropic substance, strong or toxic substance not considered as their mixture, as well as substance, equipment or tool under special control used to prepare them, by a person who has obligation to follow that rule, if as a result of negligence of the offender illegal taking or illegal circulation of the above-mentioned substance, equipment or tool occurred—  
shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**CHAPTER 41.**

**OTHER CRIMES AGAINST HEALTH OF THE POPULATION**

#### **Article 407. Illegally Providing Medical Assistance and Service**

1. Providing medical assistance and service without special permit (licence) established by the law, if it negligently caused a medium gravity or light harm to a human health — shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. Performing a medical function by an action not based on the principles of probative medicine or by circumventing professional knowledge or technology for providing the respective type of medical assistance or service, if it negligently caused a medium gravity or light harm to a human health—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of one hundred and fifty to two hundred and fifty hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

3. The act prescribed for in Parts 1 or 2 of this Article, which negligently caused a human death or a grave harm to a human health or other grave consequence— shall be punished by imprisonment for a term of three to six years.

#### **Article 408. Illegal Circulation of Medicines, Pharmaceutical Substances, Medicinal Plant Raw Materials, Excipients, Medical Products or Studied Pharmaceutical Products**

1. Preparing, producing, maintaining, transporting, delivering, importing, exporting, supplying, offering for supply, entering the market for the purpose of realization or realizing medicine, pharmaceutical substance, medicinal plant raw material, excipient, medical product, parts thereof or studied pharmaceutical product without state registration established by law, or in case of registration suspended, terminated or revoked in accordance with the law, without record-registration or special permit (licence) — shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which:
  - 1) negligently caused medium gravity or light harm to a human health;
  - 2) was committed by abuse of trust in relation to performing professional or service duties of the criminal or when acting as a producer or supplier;
  - 3) was expressed in such measures, which can secure mass supply, its offer or realization— shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.
3. The act prescribed for in Parts 1 or 2 of this Article, which negligently caused a human death, grave harm to health or other grave consequence— shall be punished by imprisonment for a term of two to five years.

**Article 409. Circulation of Counterfeit Alcoholic Drinks, Baby Food, Biologically Active Supplements, Medicines, Pharmaceutical Substances, Medicinal Plant Raw Materials, Excipients, Medical Products or Studied Pharmaceutical Products for the Purpose of Their Realization or Illegal Realization Thereof**

1. Preparing, manufacturing, maintaining, transporting, delivering, importing, exporting, supplying, offering for supply, entering the market for the purpose of realization or realizing counterfeit alcoholic drink, baby food, biologically active supplement, medicine, pharmaceutical substance, medicinal plant raw material, excipient, medical product, parts thereof or studied pharmaceutical product for the purpose of their realization or realization thereof— shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.
2. The act prescribed for in Part 1 of this Article, which:
  - 1) negligently caused medium gravity or light harm to a human health;
  - 2) was committed by abuse of trust in relation to performing professional or service duties of the criminal or when acting as a producer or supplier;

3) was expressed in such measures, which can secure mass supply, its offer or realization—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of one hundred and fifty to two hundred and fifty hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment from one to four years.

3. The act prescribed for in Parts 1 or 2 of this Article, which negligently caused a human death, grave harm to health or other grave consequence—

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

**Article 410. Preparing or Using Documents With a False Verification of Counterfeit Alcoholic Drinks, Baby Food, Biologically Active Supplements, Medicines, Pharmaceutical Substances, Medicinal Plant Raw Materials, Excipients, Medical Products or Studied Pharmaceutical Products**

1. Preparing or using a false document verifying identity or place of origin or concerning production, allocation or supply of counterfeit alcoholic drink, baby food, biologically active supplement, medicine, pharmaceutical substance, medicinal plant raw material, excipient, medical product, parts thereof or studied pharmaceutical product —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 411. Illegal Circulation of Authentic Documents Verifying Identity of Medicines, Pharmaceutical Substances, Medicinal Plant Raw Materials, Excipients, Medical Products or Studied Pharmaceutical Products**

1. Illegal use of an authentic document verifying identity or place of origin or concerning production, allocation or supply of medicine, pharmaceutical substance, medicinal plant raw material, excipient, medical product, parts thereof or studied pharmaceutical product —

shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.

**Article 412. Circulation of Raw Materials or Goods, Performance of Works or Provision of Services Not Meeting Safety Requirements**

1. Manufacturing, maintaining, transporting, delivering, acquiring of raw material or good for the purpose of realization or realizing them, performance of work or provision of service not meeting safety requirements for human life or health, if the act negligently caused medium gravity or light harm to a human health—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works one hundred and fifty to two hundred and fifty hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) was committed in connection with good, work or service intended for minors, or
- 2) negligently caused a human death, grave harm to a human health or other grave consequence —

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

**Article 413. Violating Sanitation Rules or Hygienic Standards**

1. Violating sanitation rule or hygienic standard by a person who is responsible to follow that rule or standard, which negligently caused medium gravity or light harm to a human health—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum one year.

2. The act prescribed for in Part 1 of this Article, which:

- 1) negligently caused a grave harm to a human health, or

2) negligently caused disease or poisoning of two or more persons—  
shall be punished by imprisonment for a term of two to five years.

3. The act prescribed for in Part 1 of this Article, which negligently caused a human death  
shall be punished by imprisonment for a term of two to five years.

**Article 414. Violating rules of isolation or self-isolation or other restrictions on the right of free movement during a state of emergency declared on the basis of emergency situation**

1. Violating rule of isolation or self-isolation or other restriction on the right of free movement during a state of emergency declared on the basis of emergency situation, which negligently caused infection of a person—  
shall be punished by a fine in the maximum amount of ten-fold, or short-term imprisonment for a term of maximum one month.

2. The act prescribed for in Part 1 of this Article, which:

1) negligently caused a grave harm to a human health, or

2) negligently caused infection of two or more persons—

shall be punished by a fine in the maximum amount of twenty-fold, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum two years.

3. The act prescribed for in Part 1 of this Article, which negligently caused a human death shall be punished by imprisonment for a term of one to four years.

4. Within the meaning of this Article, isolation is separation of persons, including the sick or infected persons or persons having contact with them (contacts) in a designated area, to exclude direct contact with other persons and to prevent the spread of infection.

5. Within the meaning of this Article, self-isolation is separation of persons, including the sick or infected persons or persons having contact with them (contacts) in their permanent residence or in another place of their choice, to exclude direct contact with other persons and to prevent the spread of infection.

**Article 415. Violating Rules of Isolation (Self-isolation) or Other Individual Protective Measures During Quarantine**

1. Violating rule of isolation (self-isolation) or other individual protective measures during quarantine, which negligently caused infection of a person—  
shall be punished by a fine in the maximum amount of ten-fold, or short-term imprisonment  
for a term of maximum one month.
2. The act prescribed for in Part 1 of this Article, which:
  - 1) negligently caused a grave harm to a human health, or
  - 2) negligently caused infection of two or more persons—shall be punished by a fine in the maximum amount of forty-fold, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum two years.
3. The act prescribed for in Part 1 of this Article, which negligently caused a human death shall be punished by imprisonment for a term of one to four years.

**Article 416. Concealing Information about Circumstances Dangerous for Human Life or Health**

1. Concealing or distorting information on events, happenings, facts or phenomena creating danger for human life or health by a person in charge of ensuring such information—  
shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.
2. The act prescribed for in Part 1 of this Article, which negligently caused a human death, disease or poisoning of two or more persons, mass destruction of animals or other grave consequence —  
shall be punished by imprisonment for a term of two to five years.

**Article 417. Falsifying or concealing results of clinical experiments of drugs**

1. Falsifying or concealing result of clinical experiments of drug—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which negligently caused grave or medium gravity harm to a human health—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum three years.

3. The act prescribed for in Part 1 of this Article, which negligently caused a human death—

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



**SECTION 14.**

**CRIMES AGAINST STATE POWER**

**CHAPTER 42.**

**CRIMES AGAINST FUNDAMENTALS OF CONSTITUTIONAL ORDER AND THE STATE  
SECURITY**

**Article 418. High Treason**

1. High treason, i.e. deserting to the enemy, espionage, handing over information containing a state secret to a foreign state, a foreign or international organization, or their representative, or creating conditions so that the above-mentioned persons can learn that secret, or assisting otherwise in carrying out hostile activities, committed by a citizen of the Republic of Armenia, to the detriment of the sovereignty, territorial inviolability or external security of the Republic of Armenia —

shall be punished by imprisonment for a term of fifteen to twenty years or life imprisonment.

**Article 419. Usurpation of Power**

1. Seizure of power, i.e. taking possession of the powers of the President of the Republic, the National Assembly, the Government, the Constitutional Court through violence or under the threat of violence, or by other means not established by Constitution of the Republic of Armenia —

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

2. Retention of the power, i.e. continuing to exercise the powers after the term of office of the President of Republic, Member of the National Assembly, Prime Minister or Minister has expired—

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

**Article 420. Overthrow of the Constitutional Order**

1. Overthrow of the constitutional order, i.e. factual termination of action of the norm established in Article 1, 2, 3, 4 or 5 or Part 1 of Article 6 or Article 7 of the Republic of Armenia Constitution —

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

**Article 421. Actions Targeted at Violation of Territorial Integrity**

1. Actions targeted at violation of territorial integrity, i.e. separation a part of territory of the Republic of Armenia, or surrender of the Republic of Armenia territory or its part to another state through violence or under the threat of violence—  
shall be punished by imprisonment for a term of ten to fifteen years.

**Article 422. Public Calls to Seizure of Power, Breach of Territorial Integrity or Violent Overthrow of the Constitutional Order**

1. Public call to seizure of power, breach of the territorial integrity or violent overthrow of the constitutional order—  
shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed by using publicly demonstrated works or mass media or information or communication technologies—  
shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

**Article 423. Compelling the President of the Republic, Member of National Assembly, Member of the Government, the Judge of the Constitutional Court**

1. Compelling the President of the Republic, the National Assembly, the Government or the Constitutional Court to perform or not perform any action deriving from their powers, through violence or under the threat of violence against them, which is not targeted at seizure of the power—  
shall be punished by imprisonment for a term of five to ten years.

2. The act established in Part 1 of this Article, which caused a grave consequence —

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

#### **Article 424. Espionage**

1. Handing over information containing a state secret to a foreign state, a foreign or an international organization, or a foreign NGO or their representative, or collecting, illegal taking, extortion, maintaining of such information with the purpose of handing over, or creating condition for getting acquainted with that information, as well as handing over or collecting other information by instruction of a foreign intelligence service, to be used against the sovereignty, territorial inviolability or external security of the Republic of Armenia, if that act was committed by a foreign citizen or a stateless person —

shall be punished by imprisonment for a term of twelve to twenty years or life imprisonment.

2. The person, who committed a crime established in this Article or Article 418 of this Code, shall be exempted from criminal liability for the crime established in this Article or Article 418, if he/she voluntarily informed the competent bodies, or otherwise contributed to the prevention of further damage, if the damage was prevented. If in fact the act of the person involves elements of another crime, he/she shall be subject to criminal liability for that crime.

#### **Article 425. Sabotage**

1. Explosion, arson or other publicly dangerous act for the purpose of weakening the State targeted at the mass extermination of people, harming their health, destructing or damaging facilities, communication ways or means, communication facilities or other property or mass poisoning or spread of epidemy or animal epidemy

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

#### **Article 426. Publicizing Information Containing a State Secret by a Person Having Illegally Obtained It**

1. Publicizing information containing a state secret by a person, who obtained it by illegal taking, threat, violence, deception, or other illegal means, if elements of criminal offences established in Articles 418, 424 or 427 of this Code are absent—

shall be punished by restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

**Article 427. Publicizing Information Containing a State Secret**

1. Publicizing information containing a state secret by a person, who was entitled to get acquainted with it, if elements of criminal offence established in Articles 418 of this Code are absent—

shall be punished by restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

2. The act prescribed for in Part 1 of this Article, which negligently caused particularly large-scale property damage or other grave consequence—

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

**Article 428. Negligently Publicizing Information Containing a State Secret**

1. Negligently publicizing information containing a state secret by a person, who was entitled get acquainted with it—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which negligently caused particularly large-scale property damage or other grave consequence—

shall be punished by restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

**Article 429. Destroying or Damaging Documents, Articles or Computer Data Containing a State Secret**

1. Illegally destroying or damaging document containing a state secret, or other articles that contain information about a state secret, or illegally destroying, damaging or blocking (isolating) computer data containing a state secret, which caused loss of that data or article —

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

2. The act prescribed for in Part 1 of this Article, which negligently caused particularly large-scale property damage or other grave consequence —

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

**Article 430. Violating Rules for Handling With Documents, Articles or Computer Data Containing a State Secret**

1. Violating rule for handling with document, other article or computer data containing a state secret by a person, who was obligated to follow that rule, if it negligently caused loss of that document, other article or computer data —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which negligently caused particularly large-scale property damage or other grave consequence—

shall be punished by a fine in the amount of twenty-fold to thirty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

**Article 431. Violating Existing Measures or Temporary Restrictions During the Legal Regime of Martial Law**

1. Violating Existing Measure or Temporary Restriction During the Legal Regime of Martial Law, which negligently caused a human death or other grave consequence—

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

**Article 432. Hindering the Activities of the Bodies and Forces Ensuring the Legal Regime of Martial Law**

1. Hindering the Activities of the Bodies and Forces Ensuring the Legal Regime of Martial Law, which negligently caused a human death or other grave consequence—  
shall be punished by imprisonment for a term of three to six years.

**Article 433. Continuing Economic Activities Suspended as a Result of Violation of the Rules of Legal Regime of Martial Law**

1. Continuing Economic Activities Suspended as a Result of Violation of the Rules of Legal Regime of Martial Law—  
shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

**Article 434. Violating Rules of Publication or Dissemination of Information During Martial Law**

1. Violating rule of publication or dissemination of information during martial law, which caused significant damage to the rights, freedoms or lawful interests of a person or an organization or lawful interests of the public or the state—  
shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**CHAPTER 43.**

**CRIMES AGAINST THE INTERESTS OF PUBLIC SERVICE**

### **Article 435. Receiving a Bribe**

1. Receiving a bribe, i.e. receiving, demanding, offering to give or accepting the offer or promise to give a property, including financial means, security, other payment instrument, property right, service or any other advantage, by an official personally or through an intermediary for oneself or a third person, with the aim of performing or not performing an action for the benefit of the person giving a bribe or a person indicated by him, by using one's official or service powers or influence conditioned thereof—

shall be punished by short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum five years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of officials;
- 2) in large amounts;
- 3) for connivance or patronage or performing other illegal action or inaction in favour of the person giving a bribe or a person indicated by him, or
- 4) with a threat to infringe rights, freedoms or legitimate interests of a person —

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

- 1) by a criminal organization;
- 2) by a prosecutor, investigator or inquiry body, or
- 3) in particularly large amounts—

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

### **Article 436. Giving a Bribe**

1. Giving a bribe, i.e. promising, offering or providing a property, including financial means, security, other payment instrument, property right, service or any other advantage, to an official or a person indicated by him, personally or through an intermediary, with the aim of performing or not performing an action for the benefit of the person giving a bribe or a person indicated by him, by using official's official or service powers or influence conditioned thereof —

shall be punished by a short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed:
  - 1) by a group of persons with a prior agreement,
  - 2) in large amounts, or
  - 3) for connivance or patronage or performing other illegal action or inaction in one's favour or in favour of a person indicated by him—shall be punished by a short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.
3. the act prescribed for in parts 1 or 2 of this article, committed:
  - 1) by a criminal organization, or
  - 2) in particularly large amounts—shall be punished by imprisonment for a term of three to seven years.

#### **Article 437. Solicitation of Bribery**

1. Bribery solicitation, i.e. facilitation to the agreement between the bribe giver and bribe receiver, or if there is an agreement between the bribe giver and bribe receiver, the initiative or promise to transfer the object of the bribe to an official or a person indicated by him, or transfer of the bribe or otherwise facilitation to the implementation of existing agreement between the bribe giver and bribe receiver — shall be punished by a fine form ten-fold to thirty-fold, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.
2. The act prescribed for in Part 1 of this Article, committed by:
  - 1) use of official or service powers or influence conditioned thereof, or
  - 2) by a group of persons with a prior agreement—shall be punished by a fine in the amount of twenty-fold to fifty-fold, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of five to ten years.

#### **Article 438. Using One's Real or Supposed Influence Over an Official**

1. Using one's influence over an official out of mercenary or personal motives or group interests, i.e. receiving, demanding, proposing to give or accepting an offer or promise to



give a property, including financial means, security, other payment instrument, property right, service or any other advantage for oneself or another person personally or through an intermediary in order to use one's real or supposed influence over an official, with the aim of performing or not performing an action for the benefit of the person giving a remuneration or a person indicated by him, by using official's official or service powers or influence conditioned thereof —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum three years.

2. The act established in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) in large amounts;
- 3) for allowing or patronage or illegal act or inaction in favour of the person who provided illegal remuneration or a person designated by him, or
- 4) for connivance or patronage or performing other illegal action or inaction in favour of a person giving a remuneration or a person indicated by him, or
- 5) by a threat to infringe person's rights, freedoms, or legitimate interests—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

- 1) by a criminal organization, or
- 2) in particularly large amounts—

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

#### **Article 439. Giving Illegal Remuneration for the Use of One's Influence over an Official**

1. Giving illegal remuneration to use one's influence over an official, i.e. proposing, promising or giving a property, including financial means, security, other payment instrument, property right, service or any other advantage, to a person having real or supposed influence over an official or a person indicated by him, personally or through an intermediary, in order to use one's real or supposed influence over an official, with the aim of performing or not performing an action for the benefit of the person giving a

remuneration or a person indicated by him, by using official's official or service powers or influence conditioned thereof —

shall be punished by a fine in the maximum amount of twenty-fold, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

1) by a group of persons with a prior agreement;

2) in large amounts,

3) for connivance or patronage or performing other illegal action or inaction in favour of a person giving a remuneration or a person indicated by him—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

1) by a criminal organization, or

2) in particularly large amounts—

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

**Article 440. Under The Pretext Of Receiving a Bribe, Solicitation of Bribery or Using One's Real or Supposed Influence Out of Mercenary or Personal Motives or Group Interests, Receiving Property, Including Financial Means, Security, Other Payment Instrument, Property Right, Service or Any Other Advantage**

1. Under the pretext of receiving a bribe, receiving property, including financial means, security, other payment instrument, property right, service or any other advantage—

shall be punished by short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

2. Under the pretext of solicitation of bribery, receiving property, including financial means, security, other payment instrument, property right, service or any other advantage —

shall be punished by restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of one to four

years.

3. The act prescribed for in Part 2 of this Article, committed by use official or service powers, or the influence conditioned thereof—

shall be punished by short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

4. Under the pretext of using one's real or supposed influence out of mercenary or personal motives or group interests, receiving property, including financial means, security, other payment instrument, property right, service or any other advantage—

shall be punished by restriction of liberty for a term of maximum three years, short-term imprisonment for a term of maximum two months, or imprisonment for a term of one to four years.

**Article 441. Abuse of Official or Service Powers, or the Influence Conditioned Thereof by an Official or Exceeding Powers**

1. Use of official or service powers, or the influence conditioned thereof to the detriment of state or official interests, or failing to perform one's official duty, or performing it not properly, or performing an act, which does not derive from one's powers or is beyond the scope of powers, by an official, which caused a significant damage to the rights, freedoms or lawful interests of a person or an organization or legitimate interests of public or state —

shall be punished by a fine twenty-fold to forty-fold, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

2. The act prescribed for in Part 1 of this Article, committed by:

- 1) use of violence, or under a threat of violence;
- 2) causing particularly large-scale property damage;
- 3) using weapon or special mean;
- 4) by a group of officials with a prior agreement, or
- 5) negligently causeing other grave consequence—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed by a criminal

organization—

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

4. Within the meaning of Part 1 of this Article, in case of property damage, a large-scale property damage shall be considered as significant damage.

#### **Article 442. Illegally Engaging in Entrepreneurial Activity by an Official**

1. Incorporating an entrepreneurial organization, participating in the management of such organization personally or through a trusted person by an official, despite of the ban specified by the law, which was carried out by holding a position in the governing body of such an organization or otherwise supervising the management of such an organization, if that is linked to provision of privilege or advantage to that organization or sponsoring it in other way —

shall be punished by deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed by a group of officials with a prior agreement—

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

#### **Article 443. Illicit Enrichment**

1. Illicit enrichment, i.e. increase in property and/or reduction in liabilities and/or cost during the reporting period, exceeding substantially the lawful income of a person having the obligation to submit a declaration prescribed by the legislation of the Republic of Armenia, and are not reasonably justified thereby if elements of criminal offence serving as a ground for illicit enrichment are absent—

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

2. Within the meaning of this Article, the amount exceeding three million Armenian drams shall be considered as significant.

**Article 444. Provision of False Data in a Declaration or Concealing Data Subject To Declaration or Failure to File a Declaration by a Person Responsible to File a Declaration as Established by the Legislation of the Republic of Armenia**

1. Providing false data in a declaration or concealing data subject to declaration or failing to file a declaration within 30 days after the application of the responsibility defined by law, by a person responsible to file a declaration as established by legislation of the Republic of Armenia—

shall be punished by a fine in the amount of ten-fold to twenty-fold, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment up for a term of maximum three years.

2. Providing false data in a declaration or concealing data subject to declaration by a person responsible to file a declaration as established by legislation of the Republic of Armenia, which caused non declaring property or income or cost of particularly large amounts— shall be punished by imprisonment for a term of three to six years.

**Article 445. Official Forgery**

1. Distortion of the content of an official document which is in or subject to official circulation, entering false data into it, forging the document in another way, preparing or providing a false document, or entering false data in the documents registration information system by an official—

shall be punished by a fine in the maximum amount of twenty-fold, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

1) by a group of officials with a prior agreement;

2) out of mercenary or personal motives or group interests—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a

term of one to two months, or imprisonment for a term of one to four years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed by a criminal organization—

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

#### **Article 446. Official Negligence**

1. Failing to perform or improperly performing service duties by an official, as a result of mala fide or negligent attitude to service, which negligently caused a significant damage to the rights, freedoms or lawful interests of a person or an organization or lawful interests of public or state —

shall be punished by a fine in the maximum amount of twenty-fold, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which negligently caused a human death or grave harm to health, particularly large-scale property damage or other grave consequence— shall be punished by imprisonment for a term of two to five years.

3. Within the meaning of Part 1 of this Article, in case of property damage, a grave property damage— shall be considered as significant damage.

#### **Article 447. Failure to Undertake Measures Prescribed by Law For Suspension of Unauthorised Seizure of Lands Falling Under the Ownership of The State or a Community, As Well As Unauthorised Construction of Buildings And Premises or for Imposing Administrative Liability On a Person**

1. Failure to undertake measures aimed at suspending unauthorised seizure of lands, unauthorised construction of buildings and premises, as well as intentional failure to impose administrative liability, established by legislation on a person having carried out unauthorised seizure of lands, carrying out or having carried out unauthorised constructions, by the official who, by virtue of legislation, is in charge of suspending unauthorised seizure of lands falling under the ownership of the State or a community or unauthorised

construction of buildings and premises—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

**Article 448. Failure to stop unauthorised seizure of land falling under the ownership of the State or a community and to eliminate the consequences thereof, as well as failure to stop construction of unauthorised buildings, premises and demolition of illegal constructions**

1. Failure to stop unauthorised seizure of lands falling under the ownership of the State or a community and to eliminate the consequences thereof, as well as failure to stop construction or reconstruction of buildings, premises on lands, not allocated for that purpose as prescribed by legislation, or with essential violations of granted authorisation or condition provided by authorisation or urban construction standard or rule, and/or failure to demolish illegal constructions, committed within one year after imposing liability prescribed by law— shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours.

**Article 449. Concealing Information Impeding the Acquisition or Retention of a Status of an Official**

1. Failing to inform the competent body about the information on having or having had foreign citizenship impeding the acquisition or retention of an official status in the established manner, or concealing such information — shall be punished by a fine in the amount of ten-fold to thirty-fold, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum three years, a short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

**Article 450. Torture**

1. Intentionally inflicting severe physical pain or severe mental suffering on any person by

an official or at his/her instigation, upon his/her order or with his/her knowledge for the purpose of obtaining from that person or a third person information or confession or for punishing for an act which that person or a third person has committed or is suspected or accused of having committed, as well as for intimidating or coercing that person or a third person to act or abstain from acting or for any reason based on discrimination of any kind — shall be punished by imprisonment for a term of four to eight years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) towards a person or the person's close relative or close person due to their state, political, official, professional or other public activity or duty
- 2) towards a pregnant woman,
- 3) towards a person in a helpless situation;
- 4) towards a person being in material or other dependence from the criminal;
- 5) towards a minor;
- 6) with particular cruelty;
- 7) by a group of persons; or
- 8) negligently caused a human death or grave harm to a human health or other grave consequence—

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

3. The act prescribed for in Parts 1 and 2 of this Article, committed by a criminal organization —

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

#### **Article 451. Forced Disappearance**

1. Forced disappearance, i. e. denying or hiding by an official, another person, or by a group of persons, authorised or supported by the state, with the agreement or allowed by the state, the fact of deprivation of liberty of a person, deprived of liberty on a legal or illegal basis, or concealing information concerning the person's status or whereabouts, as a result of which the disappeared person appears beyond protection of the law—

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

2. The crime established in Part 1 of this Article committed:

- 1) towards a pregnant woman;



2) towards a minor;

3) towards a person in a helpless situation—

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

3. The act prescribed for in Parts 1 or 2 of this Article, which negligently caused a human death or other grave consequence—

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

## CHAPTER 44.

### CRIMES AGAINST THE ORDER OF GOVERNANCE

#### **Article 452. Interfering with the Lawful Service or Political Activity of an Official**

1. Threat of violence, destruction or damaging property against an official or his/her close relative or close person or a person under their upbringing, care or control with the purpose of interfering with the lawful service or political activity of the official —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or short-term imprisonment for maximum two months, or imprisonment for a term of maximum two years.

2. Destructing or damaging the property of the official or his/her close relative or close person or a person under their upbringing, care or control with the purpose of interfering with the lawful service or political activity of the official —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or or public works for a term of one hundred to two hundred hours, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

3. Use of violence against an official or his/her close relative or close person or a person under their upbringing, care or control with the purpose of interfering with the lawful service or political activity of the official —

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

4. The act prescribed for in Part 1, 2 or 3 of this Article, committed:

1) by a criminal organization, or

2) by use of weapon or object or means prepared or adjusted in advance to cause bodily injury—  
shall be punished by imprisonment for a term of five to ten years.

**Article 453. Unwarranted Appropriation of the Title or Powers of an Official**

1. Unwarranted appropriation of a title or powers of an official, or use of uniform or certificate of an official, accompanied by committing a criminal offence based thereon shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 454. Hindering the Activities in a Penitentiary Institution, or the Arrest or Detention Facilities**

1. Threat of violence towards an employee of a penitentiary institution or arrest or detention facilities, or another person present in that institution with the purpose of hindering the normal activities of that institution —  
shall be punished by imprisonment for a term of maximum two years.

2. Use of violence against person established in Part 1 of this Article, with the same purpose—  
shall be punished by imprisonment for a term of two to five years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed by:

1) a criminal organization, or

2) by use of weapon or other object or means prepared or adjusted in advance to cause bodily injury—  
shall be punished by imprisonment for a term of five to ten years.

**Article 455. Damaging the Communication Lines**

1. Violating rules for maintaining communication lines, which negligently damaged the international communication cable lines, if it caused a disruption of communication —  
shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum one year.

**Article 456. Illegal Taking, Extortion, Destruction, Damaging or Concealing Documents, Seals, Stamps or Plates of Means of Transport**

1. Illegal taking, extortion, destruction, damaging or concealing someone's passport, or ID card, or a document entitling a right, exempting from a duty or liability, containing information of legal significance, stamp or seal or plate of means of transport—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of officials with a prior agreement;
- 2) out of mercenary motives, or
- 3) caused particularly large-scale property damage—

shall be punished by a fine in the amount of twenty-fold to, or public works for a term of one hundred to two hundred hours, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

**Article 457. Forging Documents, Stamps, Seals, Forms or Realizing, Preparing or Use of Forged Documents, Stamps, Seals, Forms**

1. Forging a document, verifying fact of legal significance, or entitling a right or exempting from a duty or liability, issued by a state or local self-government body or organizations thereof, commercial or other organization, private entrepreneur, notary, auditor, or a person authorised to develop, issue or certify its authenticity, with the purpose of use or realization personally by the forger or another person, as well as realizing such a document, or preparing or realizing a forged seal, stamp or form for the same purpose, as well as use of a fake document—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed by a group of persons with a prior agreement—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

3. This Article shall not apply to an asylum seeker who forged or used a forged document for the purpose of entering the Republic of Armenia.

**Article 458. Forging or Deleting Identification Elements of Means of Transport or Firearm**

1. Forging or deleting a plate number of means of transport or other element of its identification, or forging or deleting element of identification of firearm with the purpose of use or realization personally by the forger or another person, or realizing or use of it — shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed by a group of persons with a prior agreement—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

**Article 459. Illegally Acquiring or Realizing Documents or State Awards or Honorary Titles**

1. Illegally acquiring or realizing a document entitling a right or exempting from duty or liability, as well as a form of such a document, or a state award or a honorary title — shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 460. Arrogation**

1. Arrogation, i.e. wilful exercise of one's real or supposed right in violation of the procedure prescribed by legislation, which caused significant damage to the rights, freedoms or lawful interests of a person or an organization or to the lawful interests of the state or public —

shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.

2. The act prescribed for in Part 1 of this Article, committed by use of violence or under the threat of violence —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for one hundred to two hundred hours, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

3. Within the meaning of Part 1 of this Article, in case of property damage the large-scale property damage is considered as a significant damage.

#### **Article 461. Evading from Compulsory Military or Alternative Service or Mobilization Conscription**

1. Evading from the compulsory military or alternative service conscription, in the absence of legal grounds for receiving a deferment from conscription or dismissal, established by legislation—

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

2. The act prescribed for in Part 1 of this Article, committed by:

1) inflicting bodily injury to himself or simulation of illness, or

2) forging documents or by other way of deception—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed at the time of martial law or war, as well as evading from mobilization conscription—

shall be punished by imprisonment for a term of six to twelve years.

4. The person committed criminal offence established in Parts 1 or 2 of this Article shall be exempted from criminal liability, if he voluntarily presented himself and was drafted into compulsory military or alternative service.

#### **Article 462. Evading from Military Training**

1. Evading from military training, in the absence of legal grounds for dismissal from military training, established by legislation—

shall be punished by a fine in the maximum amount of twenty-fold, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 463. Evading from Service by an Alternative Labour Serviceman**

1. Wilful abandonment of the place of service for the purpose of completely evading from service, or failure to appear for service for the same purpose by an alternative labour serviceman—

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

2. The act prescribed for in Part 1 of this Article, committed by a group of persons with a prior agreement—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed at the time of martial law or war—

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

4. An alternative labour serviceman, who committed the act prescribed for in Parts 1 or 2 of this Article for the first time, shall be exempted from criminal liability, if he committed the act as a result of accompanying grave circumstances, or if he surrendered by acknowledging guilt to the place of service or competent body within three days after avoiding the service and expressed readiness to continue the service.

**Article 464. Wilful Abandonment of the Place of Service, as well as Failure to Appear for Service on Time by an Alternative Labour Serviceman**

1. Wilful abandonment of the place of service, as well as failure to appear for service on time without good reasons for a period more than 72 hours, but not exceeding 240 hours, or for three and more times within a period of three months, for a duration of one to 72 hours, by an alternative labour serviceman—

shall be punished by short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum one year.

2. The act prescribed for in Part 1 of this Article, if the wilful absence lasted more than 240 hours—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed by a group of persons with a prior agreement—

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

4. The act prescribed for in Parts 1 or 2 or 3 of this Article, committed at the time of martial law or war—

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

5. The alternative labour serviceman, who committed The act prescribed for in Parts 1 or 2 or 3 of this Article for the first time, shall be exempted from criminal liability, if he committed the crime as a result of accompanying grave circumstances.

**Article 465. Evading from Alternative Labour Service or Terminating Its Certain Duties by Damaging One's Health (Maiming Oneself), Simulation of Disease, or Other Illegal Manner by an Alternative Labour Serviceman**

1. Evading from alternative labour service or temporarily terminating its certain duties by an alternative labour serviceman by causing harm to his health (maiming) or simulation of disease or use of false document or through deception or other illegal manner—

shall be punished by short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed with the purpose of completely evading from the alternative labour service—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed at the time of martial law or a war —

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

**Article 466. Refusing to Perform Service Duties by an Alternative Labour Serviceman**

1. Refusing to perform service or its certain duties by an alternative labour serviceman, which was accompanied by failure to perform them or actual termination thereof —

shall be punished by short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed by a group of persons — shall be punished by short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed at the time of martial law or a war shall be punished by imprisonment for a term of five to ten years.

**Article 467. Evasion of Appearing to Military Commissariat after Serving the Punishment Related to Deprivation of Liberty**

1. Evasion of appearing to military commissariat of the place of registration or actual residence for the purpose of continuing the unserved term of compulsory military service, without good reason by a person convicted during compulsory military service and served punishment related to deprivation of liberty, within a period defined by legislation following release from the punishment, in case of absence of grounds for release from the armed forces and other troops as prescribed by legislation —

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

2. The act prescribed for in Part 1 of this Article, committed at the time of martial law, war or under combat conditions —

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

**Article 468. Illegally Entering a Military Unit or Other Specially Protected Military Area**

1. Entering into a military unit or specially protected other military area in violation of the prescribed procedure —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or short-term imprisonment for a term of maximum two months.

2. The act prescribed for in Part 1 of this Article, committed by a group of persons— shall be punished by short-term imprisonment for a term of one to two months, or imprisonment for a maximum term of two years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed by use of weapon or object or means prepared or adjusted in advance to cause bodily injury—



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

4. The act prescribed for in Parts 1 or 2 or 3 of this Article, which negligently caused grave or medium gravity harm to the human health or other grave consequence —

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

5. The act prescribed for in Parts 1 or 2 or 3 or 4 of this Article, committed at the time of martial law, war or under combat conditions —

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

#### **Article 469. Illegally Crossing the State Border**

1. Crossing the state border of the Republic of Armenia without a defined document or a proper permit —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. Assisting to or organizing the crossing of the Republic of Armenia state border without a defined document or a proper permit for a person under the age of criminal liability or fully or partially deprived of capability to realize the nature or meaning of one's act or control it due to mental disorder—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of one hundred and fifty to two hundred and fifty hours, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

1) by use of violence or under the threat of violence;

2) by a group of persons with prior agreement—

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

4. The act prescribed for in Parts 1, 2 or 3 of this Article, committed by a criminal organization—

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

5. This Article does not apply to a victim of trafficking, who cooperates with the competent bodies, as well as to an asylum seeker, who, coming directly from the area

where his life or liberty was endangered, without delay applies to the competent authority, stating the reason for his illegal entry.

#### **Article 470. Organizing Illegal Migration**

1. Organizing the entry and stay of a foreign citizen or a stateless person in the Republic of Armenia, or organizing the transit (transportation) via the territory of the Republic of Armenia out of mercenary motives, committed in violation of the procedure for entry, stay or transit established by legislation of the Republic of Armenia, or by presenting false document or false data to obtain a proper permit for entry, stay or transit —

shall be punished by a fine in the amount of twenty-fold to forty-fold, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

2. Organizing the exit of a person from the Republic of Armenia, his/her entry and stay in a foreign state out of mercenary purposes, committed in violation of the procedure for exit, entry or stay, as established by legislation, or by presenting false document or false data to obtain a proper permit for exit, entry or stay—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of one to four years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

1) by a group of persons with a prior agreement;

2) under conditions dangerous for human life or health, or degrading human honour and dignity, or

3) use of official or service powers or influence conditioned thereof—

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

#### **Article 471. Taking, Removing or Destructing State Border Markers**

1. Taking, removing or destructing state border marker of the Republic of Armenia shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or imprisonment for a term of maximum one year.

2. The act prescribed for in Part 1 of this Article which negligently caused grave consequence shall be punished by imprisonment for a term of one to three years.

**Article 472. Contempt of State Symbols**

1. Contempt of the Coat of Arms of the Republic of Armenia, the State Flag of the Republic of Armenia, the State Anthem of the Republic of Armenia — shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or short-term imprisonment for a term of maximum two months.

**CHAPTER 45.**

**CRIMES AGAINST THE INTERESTS OF JUSTICE**

**Article 473. Failing to Report Crime**

1. Failing to report to authorized body about a clearly known crime in the stage of preparation or attempt as established by Article 133, 149, 153, 155, 166, 188, 189, 198, 252, 258, 291, 292, 308, 309, 310, 315-318, 320, 323, 331-333, 335, 336, 338, 340, 393, 394, 397-399, 418-420, 423-425, 450 or 451 during the time period, when it was possible to prevent the crime or its consequences

shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month.

2. The person, who failed to report an authorized body about a clearly known crime in the stage of preparation or attempt, shall be exempted from criminal liability, if by his/her actions he/she prevented committing the crime or its publicly dangerous consequences.

3. The perpetrator or the accomplice of the given crime shall not be subject to criminal liability for not reporting to the competent body about a clearly known crime in the stage of preparation or attempt.

4. A person shall not be subject to criminal liability for not reporting about a crime being prepared or attempted by his/her spouse or close relative.

**Article 474. Supporting the Person Who Has Committed a Criminal Offence**

1. Concealing a crime with no prior promise, or otherwise supporting the person who has committed a criminal offence with the purpose to impede discovering the crime or the person who has committed a criminal offence, subjecting the person who has committed a criminal offence to criminal liability or punishment, or enforcing the sentence or the unserved part of it, to prevent applying a security or education coercive measure —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. the act prescribed for in part 1 of this article, committed:

1) by a group of persons with a prior agreement;

2) out of mercenary motives, or

3) by use of official or service powers or the influence conditioned thereof —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

3. The close relative of the person who has committed a criminal offence or the accomplice to a given crime shall not be subject to criminal liability for the crime established in this Article.

4. A person shall be exempted from criminal liability established by this Article, if he/she supported such a person, against whom the criminal procedure was terminated on rehabilitative ground, or acquitting judgment was delivered.

**Article 475. Illegally Releasing Arrested or Detained Person or a Person Serving a Sentence in a Penitentiary Institution**

1. Illegally releasing arrested or detained person or a person serving a sentence in a penitentiary institution by a person with no empowerment to do so, committed by use of violence, threat, deception or other illegal manner—

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of one hundred and fifty to two hundred and fifty hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

2. The act prescribed for in Part 1 of this Article, committed by a group of persons with a prior agreement —

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

1) by a criminal organization, or

2) by use of weapon or object or means prepared or adjusted in advance to cause bodily injury or by use of explosive substance or explosive device —

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

**Article 476. False Denunciaton**

1. False denunciation, i. e. providing false information to the authorized body about an incident of crime or about committing crime by a person—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which:

1) was committed by a group of persons with a prior agreement;

2) was committed out of mercenary motives, or

3) was accompanied with accusing a person in grave or particularly grave crime;

4) was accompanied by creating artificial evidence of charge—

shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

3. the act prescribed for in parts 1 or 2 of this article, which negligently led to:

1) suicide or mental disorder, or

2) person's detention, sentence or placing in a psychological organization —

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

#### **Article 477. Provocation of Bribery or Bribery in a Private Sector**

1. Provocation of bribery or bribery in a private sector, i.e. the attempt to propose or provide property, including financial means, security, other payment instrument, property right, service or any other advantage for the purpose of creating artificial evidence about a crime or the person's engagement in that crime or with the aim of blackmail to the bribery or private sector bribery subject without the latter's consent — shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works one hundred and fifty to two hundred and fifty hours, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum four years.

2. The provocation of a bribe is not considered to be the performance of the act described in Part 1 of this article in order to check virtue in case prescribed by law.

#### **Article 478. Illegal Detention or Arrest**

1. Illegal arrest, detention, or not releasing the arrested or detained person subject to release by a competent person—

shall be punished by deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum five years.

2. The act prescribed for in Part 1 of this Article, which negligently led to a suicide, mental disorder or particularly large-scale property damage — shall be punished by imprisonment for a term of four to eight years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed by:

- 1) a group of persons with a prior agreement, or
- 2) out of mercenary motives—

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

**Article 479. Forging, Changing, Destructing or Concealing Evidence, Explanations or Procedural Documents or Data or Objects Obtained as a Result of Operative-Intelligence Measure**

1. Forging, changing, destructing or concealing evidence, explanation, or procedural document, or data, or data or object obtained as a result of operative-intelligence measure in a civil, administrative or criminal proceeding—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) out of mercenary motives;
- 3) by use of official or service powers, or influence conditioned thereof;
- 4) in a case concerning a grave or particularly grave crime —

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

3. The act prescribed for in Parts 1 or 2 of this Article, which:

- 1) was committed by a criminal organization;
- 2) negligently caused grave consequence—

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

**Article 480. Subjecting an Obviously Innocent Person to Criminal Liability**

1. Subjecting a person to criminal liability for an uncorroborated incident of crime or without factual data confirming or insufficiently confirming the participation of the person in the incident or without factual data confirming the existence of corpus delicti in his or her act —

shall be punished by a fine in the amount of twenty-fold to forty-fold, or public works for a term of one hundred and fifty to two hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) was accompanied with accusing a person in grave or particularly grave crime;
- 2) was accompanied by creating artificial evidence of charge, or
- 3) was committed out of mercenary motives or personal motives or group interests—

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

#### **Article 481. Unlawful Release From Criminal Liability**

1. Releasing from criminal liability a person suspected or accused of committing a criminal offence by a prosecutor or investigator out of mercenary motives or personal motives or group interests—

shall be punished by deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

#### **Article 482. Delivering an Obviously Unjust Judgment or Other Judicial Act**

1. Delivering an obviously unjust judgment or other judicial act by a judge out of mercenary motives or other personal motives or group interests—

shall be punished by deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.



**Article 483. Publicizing Data of Criminal Proceeding**

1. Publicizing data of the pre-trial or trial proceeding not subject to publication, without permission of a competent body or person—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to seven years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
  - 2) out of mercenary motives;
  - 3) by a person who learned the information in connection with performing his/her service powers, or
  - 4) caused the escape, ungrounded release from criminal liability, destruction of evidence, or impossibility to obtain evidence or otherwise impeding investigation of the case —
- shall be punished by imprisonment for a term of two to five years.

**Article 484. Publicizing Data of Examination**

1. Publicizing data about the existence of examination carried out based on the Law “On Confiscation of Property of Illegal Origin”, its process or results without permission of the competent body—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 485. Disclosing Information About the Measure of Defence Applied**

1. Publicizing information about protection measure during the criminal proceeding by a person, who learned the information in connection with performing his/her service

powers, or by a person, who was advised that it was impermissible to make the information public —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for maximum two months, or imprisonment for maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) out of mercenary motives—

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

3. The act prescribed for in Parts 1 or 2 of this Article, which negligently led to death, kidnapping or causing grave harm to health of the person towards whom the protection measure was applied —

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

#### **Article 486. Intervention to Administration of Justice or Investigation of Case**

1. Any intervention to the activity of court with the purpose of hindering administration of justice or other powers of court provided by law or any intervention to the activity of prosecutor, investigator, head of the investigation body, inquiry body, lawyer or representative for the purpose of hindering investigation of the case—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement, or
- 2) by use of official or service powers or influence conditioned thereof—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of to one hundred to two hundred hours, or restriction of liberty for a term of one to

three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed by:

- 1) a criminal organization, or
- 2) use of weapon or object or means prepared or adjusted in advance to cause bodily injury—

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

**Article 487. Breach of Secrecy of Questions Concerning Qualification Examination or Proficiency Examinations of Judges**

1. Breach of secrecy of the question concerning qualification examination of judges shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month.

2. Breach of secrecy of the question concerning the examination taken during the professional training at the Academy of Justice— shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month.

3. The act prescribed for in Parts 1 or 2 of this Article, committed by use of official or service powers or influence conditioned thereof— shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum one year.

**Article 488. Breach of Secrecy of Questions Concerning Qualification Examination or Proficiency Examinations of Judges**

1. Interference in the process of distribution of cases among judges performed via computer programme for the purpose of modification of the data on the results of the

distribution—

shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons with a prior agreement;
- 2) out of mercenary motives;
- 3) by use of official or service powers or influence conditioned thereof—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of to one hundred to two hundred hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

#### **Article 489. Contempt of court**

1. Contempt of court expressed by insulting the person participating in proceedings

shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or short-term imprisonment for a term of maximum one month.

2. Contempt of court expressed by insulting the judge in relation to exercising official powers shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or short-term imprisonment for a term of maximum two months.

#### **Article 490. Threat Against a Judge, Prosecutor, Investigator, Head of Investigation Body, Inquiry Body, Lawyer, Representative, Expert or Compulsory Enforcement Officer or Publisizing Information about Them or Destructing or Damaging Their Property or Violence Against Them**

1. The threat to publisize discrediting information or information otherwise damaging the

rights and lawful interests of a judge, prosecutor, investigator, head of investigation body, lawyer, representative, expert or compulsory enforcement officer or their close relative or close person or the one under their upbringing, care or control, or a threat to exercise violence against them, or to destruct or damage the property, in connection with the lawful service or professional activities of the above-mentioned persons or exclusively in connection with the circumstance of being judge, prosecutor, investigator, head of investigation body, lawyer, representative, expert or compulsory enforcement officer or their close relative or close person or the one under their upbringing, care or control— shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. Publicizing defamatory information or information otherwise damaging the rights and lawful interests of the persons established in Part 1 of this Article, or destruction or damage of their property in connection with their lawful official or professional activities— shall be punished by restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

3. Use of violence towards persons established in Part 1 of this Article in connection with mentioned persons' lawful official or professional activities— shall be punished by imprisonment for a term of four to eight years.

4. The act prescribed for in Parts 1, 2 or 3 of this Article, committed by:

- 1) a group of persons with a prior agreement, or
- 2) use of official or service powers, or influence conditioned thereof

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

5. The act prescribed for in Parts 1, 2, 3 or 4 of this Article, committed by:

- 1) a criminal organization;
- 2) use of weapon or object or means prepared or adjusted in advance to cause bodily injury, or
- 3) causing grave harm to health —

shall be punished by imprisonment for a term of six to twelve years.

**Article 491. Impeding the Exercise of the Lawyer's Powers**

1. Impeding the exercise of the lawyer's powers by illegally preventing him/her from entering to any place of deprivation of liberty for the purpose of visiting his/her client— shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month.

**Article 492. Impeding the Exercise of the Human Rights Defender's Powers**

1. Impeding the activities of the Human Rights Defender or a person acting in his/her name in any way, including interfering in his or her activities in any way or not permitting his/her entry to any place— shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed by:

- 1) a group of persons with a prior agreement, or
- 2) use of official or service powers or the influence conditioned thereof—

shall be punished by a fine in the amount of ten-fold to thirt-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

3. The act prescribed for in Parts 1 or 2 of this Article, which was committed by:

- 1) a criminal organization, or
- 2) use of weapon or object or means prepared or adjusted in advance to cause bodily injury—

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

**Article 493. Threat against the Human Rights Defender or Publicizing Information About Him/Her Or Destructing or Damaging His/Her Property or Violence Against Him/Her**

1. Threat to publicize discrediting information or information otherwise damaging the rights and lawful interests of the Human Rights Defender or a person acting on his/her name or his/her close relative or close person or the one under upbringing, care or control of the mentioned persons or a threat to exercise violence against them, or to destruct or damage their property, in connection with the official activities of the Human Rights Defender—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

2. Publicizing of defamatory information or other information damaging the rights and lawful interests of persons established in Part 1 of this Article, or destructing or damaging the property of the mentioned persons, in connection with the official activities of the Human Rights Defender—

shall be punished by restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

3. Violence against the persons established in Part 1 of this Article, in connection with the official activities of the Human Rights Defender —

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

4. The crime established in Parts 1, 2 or 3 of this Article, committed by:

- 1) a group of persons with a prior agreement, or
- 2) use of official or service powers, or influence conditioned thereof—

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

5. The act established in Part 1, 2, 3 or 4 of this Article, committed by:

- 1) a criminal organization;
- 2) use of weapon or object or means prepared or adjusted in advance to cause bodily injury—

shall be punished by imprisonment for a term of six to twelve years.

**Article 494. Insulting or Showing Undisguised Disrespect to The Human Rights Defender**

1. Insulting or showing undisguised disrespect to the Human Rights Defender, in connection with his/her official activities

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum two months.

**Article 495. Impeding the Exercise of the Powers of Participants in Proceedings**

1. Impeding the appearance before the preliminary investigation body, or appearance before the court, participating in investigative or judicial actions of the participant in proceedings, or forcing to give false explanation, testimony, false expert conclusion or false opinion, or provide incorrect interpretation, or forcing to provide or not to provide report, explanation, testimony, expert conclusion or opinion or interpretation, by a threat to publicize discrediting information or information otherwise damaging the rights and lawful interests of the participant in proceedings or his/her close relative or close person or the one under upbringing, care or control, or a threat to violence, or with a threat to destroy or damage their property, or in other illegal manner, if elements of the crime established in Article 490 of this Code are absent—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. Impeding the appearance before the preliminary investigation body or the court, participating in investigative or judicial actions of the persons established in Part 1 of this Article, or forcing them to give false explanation, testimony, false expert conclusion or false opinion, or provide incorrect interpretation, or forcing to provide or not to provide report, explanation, testimony, expert conclusion or opinion or interpretation, which was done by use of violence —



shall be punished by a fine in the amount of twenty-fold to fifty-fold, or public works for a term of one hundred and fifty to two hundred and seventy hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of three to seven years, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of two to five years.

3. The act established in Parts 1 or 2 of this Article, committed by:

- 1) a group of persons with a prior agreement;
- 2) use of official or service powers or influence conditioned thereof —

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

4. The act prescribed for in Part 1, 2 or 3 of this Article, committed by:

- 1) a criminal organization, or
- 2) use of weapon or object or means prepared or adjusted in advance to cause bodily injury

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

#### **Article 496. Giving a Bribe to Participants in Proceedings in Connection with their Powers**

1. Giving a bribe to a participant in proceeding in order not to appear before the competent body, not to participate in the investigative or judicial actions or not to provide report, explanation, testimony, conclusion or interpretation or to give false explanation, testimony, false expert conclusion or opinion or provide incorrect interpretation, if the elements of criminal offences established in Articles 273 or 436 are absent—

shall be punished by short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

#### **Article 497. Receiving a Bribe by Participants in Proceedings in Connection with their Powers**

1. Receiving a bribe by a participant in proceeding in order not to appear before the competent body, not to participate in the investigative or judicial actions or not to provide report, explanation, testimony, conclusion or interpretation or to give false explanation, testimony, false expert conclusion or opinion or provide incorrect interpretation, if the elements of criminal offences established in Articles 273 or 435 are absent—

shall be punished by short-term imprisonment for a term of one to two months, or imprisonment for a term of one to four years.

**Article 498. Interfering in the Activities of a Notary**

1. Compelling a notary to carry out notarial activities or interfering in the activities of a notary in any other way—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed by a threat towards a notary to kill, cause harm to the health of or destroy or damage the property —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed by use of official or service powers or the influence conditioned thereof—

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

**Article 499. Misstating Information to a Notary**

1. Misstating information to a notary—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 500. False oath to a notary**

1. False oath in respect of truthfulness of oral statement made to a notary for the purpose of submitting to the court or other state body—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed out of mercenary motives— shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of one to three years.

3. A person shall not be subject to criminal liability for committing the act established by this Article, if the lack of truthfulness of his or her oral statement could not be of any significance in court or other state body.

#### **Article 501. Threat to Kill, Cause Harm to the Health of or Destroy or Damage the Property of a Whistleblower or of Persons Affiliated Thereto**

1. The threat to kill, cause harm to the health of or destroy or damage the property of large or particularly large amounts of a whistleblower or of a person affiliated thereto, which is connected with the reporting on a case of corruption or a violation in respect of conflict of interests, or rules of ethics or incompatibility requirements, or other restrictions or declaration, or other harm to public interests or the threat thereof, where there has been a real risk of realising that threat— shall be punished by a fine in the amount of ten-fold to thirty-fold, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum three years.

2. Within the meaning of this Article, the spouse, children, parents, sisters and brothers of the reporting person shall be considered as affiliated persons.

#### **Article 502. Illegally Publicizing Data of a Whistleblower**

1. Illegally publicizing data of a whistleblower by a person, who was entrusted with the information or learned it in connection with his/her official activities —

shall be punished by a fine in the maximum amount of twenty-fold, or deprivations of the right to hold certain positions or exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 503. Refusing to Give Testimony, Conclusion or Opinion or to Perform Interpretation**

1. Illegally refusing to give testimony by the witness or the victim, refusing to provide a conclusion or an opinion by an expert without good reasons, or refusing to interpret by the interpreter without good reasons, in case of being warned in advance about the criminal liability for that—

shall be punished by a fine in the maximum amount of ten-fold, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum two months.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) out of mercenary motives, or
- 2) in connection with a grave or particularly grave crime—

shall be punished by a fine in the maximum amount of twenty-fold, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of one to two months, or imprisonment for a term of maximum two years.

3. A person shall not be subject to criminal liability for refusing to testify against himself/herself, his/her spouse or a close relative, if it can be reasonably assumed that the testimony can be used against him/her or them in the future.

**Article 504. Giving False Testimony or Conclusion, or Opinion or Performing Incorrect Interpretation**

1. Giving a false statement in a civil or administrative case or an administrative proceeding or giving a false testimony, or providing a false conclusion or opinion by an expert, or performing incorrect interpretation by the interpreter in a criminal, civil or administrative case or proceeding or giving a false testimony by a witness in a case of

confirmation of a legally significant fact by a notary, if that had a significant outcome for resolving the case or undermined the case proceeding—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) out of mercenary motives, or
- 2) in connection with a grave or particularly grave crime—

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

3. The person, who gave false testimony, explanation or false conclusion, or a person, who provided incorrect translation, shall be exempted from the liability established by this Article, if he/she voluntarily informed about the false testimony, explanation, conclusion or incorrect translation provided by him/her during the preliminary investigation or court examination of the main case or administrative proceeding and before passing of the judgement, verdict or other final (concluding) decision by the body performing the proceeding.

4. For the purpose of this Article, the main case shall be considered the criminal, civil or administrative case, in the framework of which the false testimony, false conclusion or opinion was provided or incorrect translation was performed.

#### **Article 505. Providing False Declaration During Examination**

1. Providing false or untrue data in a declaration submitted to the competent body by a person notified about the examination carried out based on the Law “On Confiscation of Property of Illegal Origin” —

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 506. Escape or Evasion from Serving the Punishment Related to Deprivation of Liberty by Apprehended, Arrested, Detained Person or Person Serving a Sentence in a Penitentiary Institution**

1. Escape or Evasion from Serving the Punishment Related to Deprivation of Liberty by Apprehended, Arrested, Detained Person or Person Serving a Sentence in a Penitentiary Institution—

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

2. Evasion from serving the punishment related to deprivation of liberty after the expiry of a short-term leave or the term of adjournment of punishment by a person, who has been granted a short-term leave from the place of imprisonment, or in regard of whom the execution of a judgment has been adjourned—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed by a group of persons with a prior agreement—

shall be punished by imprisonment for a term of one to four years.

4. The act prescribed for in Parts 1 or 2 or 3 of this Article, committed by:

- 1) a criminal organization;
- 2) use of violence or under the threat of violence;
- 3) use of weapon or object or means, prepared or adjusted in advance to cause bodily injury or by use of explosive substance or explosive device—

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

5. The escaped person shall be exempted from criminal liability, if the criminal proceeding against him/her was discontinued on rehabilitation ground, or an acquittal was made in the case, for which the person was sentenced to imprisonment, arrested or detained.

**Article 507. Failing to Perform the Judicial Act or Hindering its Performance**

1. Hindering performance of the lawfully enforced court judgment or other court, as well as failure to perform the lawfully enforced court judgment or other court act within the established terms, or in case the term was not established, within one month after its enforcement, or terms established by the compulsory enforcement officer within execution of the given act by the debtor or his/her competent person, if it is not possible

to enforce it by means of compulsory enforcement measures, or performing an action prohibited by the given act during the period of validity of that prohibition— shall be punished by a fine in the maximum amount of ten-fold, or public works for maximum one hundred hours, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.

2. The act prescribed for in Part 1 of this Article, committed by use of official or service powers or the influence conditioned thereof — shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 508. Avoiding to Perform the Immediate Interference Decision or the Defence Decision**

1. Failure to follow the requirement established by Paragraphs 1-4 of Part 3 of Article 7, as well as Paragraphs 1-4 of Part 5 of Article 8 of the Law of the Republic of Armenia “On Prevention of Domestic Violence, Protection of Victims of Domestic Violence and Restoring Solidarity in the Family” by the person, committed domestic violence — shall be punished by a fine in the maximum amount of ten-fold, or restriction of liberty for a term of maximum one year, or short-term imprisonment for a term of maximum one month, or imprisonment for a term of maximum one year.

**Article 509. Illegal Treatment of Property under Arrest**

1. Illegal act against property under arrest in a civil or an administrative case or an administrative proceeding or a criminal, a civil or an administrative case or proceeding in any stage of the proceeding, which was reflected by:

1) Destroying, damaging, or otherwise neutralizing the seal or lock fixed by an authorized person to ensure the isolation or identification of the property;

- 2) Appropriating, alienating, concealing, destructing, damaging, changing, illegally transferring to another person, otherwise possessing or illegal use by the person, to whom the property was officially entrusted, as well as by the owner of the property or other possessor, if they were aware of arrest of the property;
- 3) Failing to perform the duty of property maintenance by a person, who was entrusted with such a duty;
- 4) Performing bank transactions with financial means under arrest by a servant of a lending organization, or
- 5) Avoidance from complying with a lawfully enforced judgement in other illegal manner —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or public works for a term of one hundred to two hundred hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of two to five years, or restriction of liberty for a term of maximum three years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum three years.

**Article 510. Avoiding by the Debtor to Submit a Declaration on His/Her Own Property, Composition, Number and Place of Property Rights, or Concealing Data in a Declaration or Providing False Data in It**

1. Avoiding by the debtor to submit a declaration on his/her own property, composition, number and place of property rights, when filing the declaration is mandatory, as well as concealing data or providing false data about property, composition, number and place of property rights, which led to impossibility of compulsory enforcement of the large-scale liability—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or deprivation of the right to hold certain positions or exercise certain activities for a term of maximum three years, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term fo maximum two months.

**Article 511. Failing to Perform Obligations Undertaken by the Guarantor**



1. Failing to perform obligation undertaken by the guarantor, as a result of which the accused failed to perform his/her obligation—

shall be punished by a fine in the maximum amount of twenty-fold, or public works for a term of eighty to one hundred and fifty hours, or restriction of liberty for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum two years.

**Article 512. Preparing, Acquiring, Maintaining, Realizing Articles Dangerous for Life or Health by a Person Kept in an Arrest or Detention Facility or in a Penitentiary Institution, or Transferring Such Articles**

1. Preparing, acquiring, maintaining, carrying or realizing weapon, cutting or stabbing or other tool, substance or object for depriving of life or causing harm to health, by a person kept in an arrest or detention facility or in a penitentiary institution, or transferring such article to him/her—

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

**Article 513. Illegally Entering an Arrest or Detention Facility or a Penitentiary Institution**

1. Entry to an arrest or detention facility or a penitentiary institution without a relevant permission or in violation of the manner established by legislation —

shall be punished by a fine in the amount of ten-fold to thirty-fold, or restriction of liberty for a term of one to three years, or short-term imprisonment for a term of one to two months.

**Article 514. Organizing Gambling or Participating in it by a Person Kept in an Arrest or Detention Facility or in a Penitentiary Institution**

1. Participating in gambling by a person kept in an arrest or detention facility or in a penitentiary institution —

shall be punished by short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum one year.

2. Organizing gambling by a person kept in an arrest or detention facility or in a penitentiary institution —

shall be punished by imprisonment for a term of maximum two years.

3. Within the meaning of this Article and Article 530 of this Code, gambling is considered any game not organized by the authorized body, to gain property or other advantage for himself/herself or another person.

**Article 515. Illegal Use of Narcotic Drugs or Psychotropic (Psychoactive) Substances or Their Mixtures or Their Equivalents (Analogue) by a Person Kept in an Arrest or Detention Facility or in a Penitentiary Institution**

1. Illegal use of narcotic drug or psychotropic (psychoactive) substance or their mixture or their equivalent (analogue) by a person kept in an arrest or detention facility or in a penitentiary institution —

shall be punished by short-term imprisonment for a term of maximum two months, or imprisonment for a term of maximum one year.

2. The act prescribed for in Part 1 of this Article, committed by a group of persons —

shall be punished by short-term imprisonment for a term of to two months, or imprisonment for a term of maximum two years.

The person, who in connection with use without prescription by a doctor of drugs or psychotropic substances, voluntarily applied to receive medical help, shall be exempted from criminal liability established in this Article.

SECTION 15.

CRIMES AGAINST THE ESTABLISHED ORDER OF MILITARY SERVICE

CHAPTER 46.

CRIMES AGAINST MILITARY SUBORDINATION ORDER AND STATUTORY  
MILITARY RELATIONSHIPS

**Article 516. Failing to Carry out a Command**

1. Failing to carry out the lawful and properly given command of the commander, which negligently caused a medium gravity harm to a human health, or negligently led to large scale destruction or damage to military property, equipment or other property, or has caused a significant damage to the interests of the service —

shall be punished by short-term imprisonment for a term of maximum two months, or confinement in a disciplinary battalion for a term of maximum two years, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed by:

- 1) a group of persons, or
- 2) an officer or senior non-commissioned officer;
- 3) negligently caused a grave harm to a human health, or
- 4) negligently caused destruction or damage to military property, equipment or other property in particularly large amounts—

shall be punished by restriction in military service from one to three years, or short-term imprisonment for a term of one to two months, or confinement in a disciplinary battalion from one to three years, or imprisonment for a term of two to five years.

3. The act prescribed for in Part 1 or 2 of this Article, committed at the time of martial law, war or under combat conditions, or negligently caused human death or interruption of a combat mission or military exercise or other military activity, or other grave consequence —

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

4. The subject of crime against the established order of military service established in this section is the person who is considered to be a serviceman within the meaning of the law “On military service and the status of the serviceman” (hereinafter referred to as the serviceman).

5. In this section, the commander (superior) is the person, who is higher than the serviceman by official position or military rank, or the person performing his duties of military service, who was the superior of the serviceman in question within the scope of that legal relationship, namely had the competence to give commands or orders deriving from one's powers, or to ensure the compliance thereof.

6. If the conscript has received the status of serviceman nor legitimately because of illegal act of other person, he shall not be subject to criminal liability for the criminal offences provided by this Chapter.

**Article 517. Failing to Carry out a Command Due to Negligence or Bad Faith**

1. Failing to carry out or improperly carrying out the command due to negligence or bad faith towards the service, which negligently caused a medium gravity harm to a human health, or negligently caused destruction or damage to military property, equipment or other property in large amounts, or caused significant damage to service interests— shall be punished by short-term imprisonment for a term of maximum one month, or confinement in a disciplinary battalion for a term of maximum one year, or imprisonment for a term of maximum one year.

2. The same act prescribed for in Part 1 of this Article that was committed:

- 1) by an officer or senior non-commissioned officer;
- 2) negligently caused a grave harm to human health. or
- 3) negligently caused destruction or damage to military property, equipment or other property in particularly large amounts—

shall be punished by restriction in military service for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or confinement in a disciplinary battalion for a term of maximum two years, or imprisonment for a term of maximum three years.

3. The act prescribed for in Parts 1 or Part 2 of this Article, committed at the time of martial law, war or under combat conditions, or which negligently caused human death or interruption of a combat mission or military exercise or other military activity, or other grave consequence —

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

**Article 518. Resistance to Commander (Superior) or Hindering Performance of His Duties**

1. Resisting to commander (superior), or hindering performance of his service duties, or forcing him not to perform or improperly perform that duties, which was expressed by a threat to exercise violence against the commander (superior) or his close relative or close person, or under the threat to destroy or damage property of the commander (superior) or his close relative or close person or by blackmail—

shall be punished by short-term imprisonment for a term of maximum two months, or confinement in a disciplinary battalion for a term of maximum two years, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed by:

1) a group of persons, or

2) by an officer or senior non-commissioned officer —

shall be punished by restriction in military service from one to three years, or short-term imprisonment for a term of one to two months, or confinement in a disciplinary battalion from one to three years, or imprisonment for a term of one to four years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed by use of weapon or object or means prepared or adjusted in advance to cause bodily injury—

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

4. The act prescribed for in Parts 1 or 2 or 3 of this Article, committed at the time of martial law, war or under combat conditions —

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

**Article 519. Violence or Threat of Violence Against the Commander (Superior)**

1. Use of violence or a threat of violence against the commander (superior) in a military unit or other place of military service, if it is not related to performing the duties of military service—

shall be punished by short-term imprisonment for a term of maximum one month, or confinement in a disciplinary battalion for a term of maximum one year, or imprisonment for a term of maximum one year.

2. Use of violence or a threat of violence against the commander (superior) or his close relative or close person in connection with performing duties of military service—

shall be punished by short-term imprisonment for a term of maximum two months, or confinement in a disciplinary battalion for a term of maximum two years, or imprisonment for a term of maximum two years.

3. the act prescribed for in parts 1 or 2 of this article, committed:

- 1) by a group of persons;
- 2) by an officer or senior non-commissioned officer, or
- 3) caused a medium gravity harm to the human health —

shall be punished by restriction in military service from one to three years, or short-term imprisonment for a term of one to two months, or confinement in a disciplinary battalion from one to three years, or imprisonment for a term of two to five years.

4. The act prescribed for in Parts 1, 2 or 3 of this Article, committed:

- 1) by use of weapon or object or means prepared or adjusted in advance to cause bodily injury, or
- 2) negligently caused a grave harm to a human health —

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

5. The act prescribed for in Parts 1 or 2 or 3 or 4 of this Article, committed at the time of martial law, war or under combat conditions, or which negligently caused human death —

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

6. Within the meaning of this Article, Articles 520 and 521 of this Code, a crime is considered to have been committed by a group of persons if it was committed by two or more servicemen, regardless of their subordination to the victim of the crime.

**Article 520. Violence or a Threat of Violence Against the Subordinate (Inferior)**

1. Use of violence or a threat of violence against subordinate (inferior) in a military unit or other place of military service, if it is not related to performing the duties of military service—

shall be punished by short-term imprisonment for a term of maximum two months, or confinement in a disciplinary battalion for a term of maximum two years, or imprisonment for a term of maximum two years.

2. Use of violence or a threat of violence against subordinate (inferior) or his close relative or close person in relation to the performing duties of military service—

shall be punished by short-term imprisonment for a term of one to two months, or confinement in a disciplinary battalion from one to three years, or imprisonment for a term of maximum three years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

- 1) by a group of persons;
- 2) by an officer or senior non-commissioned officer, or
- 3) caused a medium gravity harm to a human health —

shall be punished by restriction in military service from one to three years, or short-term imprisonment for a term of one to two months, or confinement in a disciplinary battalion from one to three years, or imprisonment for a term of two to five years.

4. the act prescribed for in part 1 or 2 or 3 of this article, committed:

- 1) by use of weapon or object or means prepared or adjusted in advance to cause bodily injury, or
- 2) negligently caused a grave harm to a human health —

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

5. The act prescribed for in Part 1 or 2 or 3 or 4 of this Article, committed at the time of martial law, war or under combat conditions, or which negligently caused human death— shall be punished by imprisonment for a term of five to ten years.

**Article 521. Violating Rules on Relationships of Servicemen Established by Code of Conduct In the Absence of Subordination (Inferiority) Relationships Between Them**

1. Violating rule on relationships of servicemen established by code of conduct in the absence of subordination (inferiority) relationships, expressed in battery or other violent actions against the person or regularly degrading his honor and reputation —

shall be punished by short-term imprisonment for a term of maximum two months, or confinement in a disciplinary battalion for a term of maximum two years, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed by:

1) a group of persons;

2) by an officer or senior non-commissioned officer, or

3) caused a medium gravity harm to a human health —

shall be punished by restriction in military service from one to three years, or short-term imprisonment for a term of one to two months, or confinement in a disciplinary battalion from one to three years, or imprisonment for a term of two to five years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed:

1) by use of weapon or object or means prepared or adjusted in advance to cause bodily injury, or

2) negligently caused a grave harm to a human health —

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

4. The act prescribed for in Parts 1 or 2 or 3 of this Article, committed at the time of martial law, war or under combat conditions, or which negligently caused a human death—

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

#### **Article 522. Causing to Commit a Suicide by Negligence**

1. Causing serviceman to commit a suicide or make an attempt of suicide by negligence, by means of threat, cruel treatment or humiliation of one's dignity in a military unit or other place of military service by another serviceman—

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

2. The act prescribed for in Part 1 of this Article, committed:

1) by a group of persons;

2) by a commander (superior) towards a subordinate (inferior)



3) while on military duty or on military service—  
shall be punished by imprisonment for a term of five to ten years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed at the time of martial law, war or under combat conditions —  
shall be punished by imprisonment for a term of six to twelve years.

#### **Article 523. Causing to Commit a Suicide**

1. Causing serviceman to commit a suicide or make an attempt of suicide, by means of threat, cruel treatment or humiliation of one's dignity in a military unit or other place of military service by another serviceman—  
shall be punished by imprisonment for a term of five to ten years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons;
- 2) by a commander (superior) towards a subordinate (inferior), or
- 3) while on combat duty or on combat service—

shall be punished by imprisonment for a term of six to twelve years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed at the time of martial law, war or under combat conditions—  
shall be punished by imprisonment for a term of eight to fifteen years.

#### **Article 524. Insulting Serviceman**

1. Insulting serviceman, i.e. humiliation of serviceman's honour and dignity by another serviceman in a military unit or other place of military unit—  
shall be punished by restriction in military service for a term of maximum one year, or short-term imprisonment for a term of maximum two months, or confinement in a disciplinary battalion for a term of maximum one year, or imprisonment for a term of maximum one year.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a subordinate (inferior) towards a commander (superior);
- 2) by a commander (superior) towards a subordinate (inferior), or

3) towards two or more servicemen—

shall be punished by restriction in military service from one to two years, or short-term imprisonment for a term of one to two months, or confinement in a disciplinary battalion for a term of maximum two years, or imprisonment for a term of maximum two years

## CHAPTER 47.

### CRIMES AGAINST THE ORDER OF UNDERGOING MILITARY SERVICE

#### **Article 525. Wilful Abandonment of the Military Unit or the Place of Service, or Failure to Appear for Service on Time**

1. Temporary evasion by a serviceman from military service, i. e. wilful abandonment of the military unit or the place of service, or failure to appear for service on time without good reasons for a period more than 72 hours, but not exceeding 240 hours, as well as for three and more times within a period of three months, each for a duration of one to 72 hours —

shall be punished by short-term imprisonment for a term of maximum one month, or confinement in a disciplinary battalion for a term of maximum one year, or imprisonment for a term of maximum one year.

2. The act prescribed for in Part 1 of this Article, committed by an officer or senior non-commissioned officer —

shall be punished by restriction in military service for a term of maximum two years, or short-term imprisonment for a term of one to two months, or confinement in a disciplinary battalion for a term of maximum two years, or imprisonment for a term of maximum two years.

3. The act prescribed for in Parts 1 or 2 of this Article, if the wilful absence lasted more than 240 hours—

shall be punished by restriction in military service from one to three years, or confinement in a disciplinary battalion from one to three years, or imprisonment for a term of two to five years.

4. The act prescribed for in Parts 1 or 2 or 3 of this Article, committed by:

1) a group of persons with a prior agreement, or

2) with a weapon—

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

5. The act prescribed for in Parts 1 or 2 or 3 or 4 of this Article, committed at the time of martial law, war or under combat conditions—

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

6. The serviceman, who committed The act prescribed for in Parts 1 or 2 or 3 or 4 of this Article for the first time, shall be exempted from criminal liability, if he committed the crime as a result of accompanying grave circumstances.

### **Article 526. Desertion**

1. Desertion, i.e. wilful abandonment of the military unit or place of service for the purpose of completely evading from military service, or failure to appear for service for the same purpose —

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

2. The act prescribed for in Part 1 of this Article, committed by an officer or senior non-commissioned officer—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed by:

- 1) a group of persons with a prior agreement;
- 2) by a serviceman on combat duty or combat service
- 3) with a weapon—

shall be punished by imprisonment for a term of six to twelve years.

4. The act prescribed for in Part 1 or 2 or 3 of this Article, committed at the time of martial law, war or under combat conditions—

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

5. A serviceman, who committed the act prescribed for in Part 1 or 2 or 3 of this Article for the first time, shall be exempted from criminal liability, if he committed the act as a result of accompanying grave circumstances, or if he surrendered by acknowledging guilt to the military unit, place of service or competent body within three days after avoiding the service and expressed readiness to continue the service.

**Article 527. Evading from Military Service or Terminating Its Certain Duties by Inflicting an Injury to One's Health (Maiming Oneself), Simulation of Disease, or Other Illegal Manner**

1. Evading from military service or temporarily terminating its certain duties by a serviceman by inflicting an injury to his health (maiming) or simulation of disease or use of false document or through deception or other illegal manner—  
shall be punished by limitation of military service for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or confinement in a disciplinary battalion for a term of maximum three years, or imprisonment for a term of maximum three years.
2. The act prescribed for in Part 1 of this Article with the purpose of completely evading from military service —  
shall be punished by imprisonment for a term of three to six years.
3. The act prescribed for in Parts 1 or 2 this Article, committed at the time of martial law, war or under combat conditions —  
shall be punished by imprisonment for a term of five to ten years.

**Article 528. Inflicting an Injury to One's Health (Maiming Oneself) Which Caused Or May Cause Temporary Termination of Military Service or Its Separate Duties**

1. Inflicting an injury to one's health (maiming oneself) by a serviceman which caused or may cause temporary termination of military service or its certain duties, which is not related to performing duties of military service —  
shall be punished by limitation of military service for a term of maximum one year, or short-term imprisonment for a term of maximum two months, or confinement in a disciplinary battalion for a term of maximum one year, or imprisonment for a term of maximum one year.

**Article 529. Refusing To Perform Military Service or Certain Military Duties by a Serviceman**

1. Refusing by a serviceman to perform military service or its certain duties, which was accompanied by failure to perform them or actual termination thereof —

shall be punished by short-term imprisonment for a term of maximum two months, or confinement in a disciplinary battalion for a term of maximum two years, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed:

- 1) by a group of persons, or
- 2) by an officer or senior non-commissioned officer—

shall be punished by restriction in military service for a term of maximum three years, or short-term imprisonment for a term of one to two months, or confinement in a disciplinary battalion for a term of maximum one year or imprisonment for a term of one to four years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed at the time of martial law, war or under combat conditions, or which caused interruption of a combat mission or military exercise or other military activity, or caused a disturbance in a military unit or caused other grave consequence—

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

### **Article 530. Organizing or Participating in Gambling by a Serviceman**

1. Participating in gambling by a serviceman in a military unit, other place of military service or during performing duties of military service —

shall be punished by restriction in military service for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or confinement in a disciplinary battalion for a term of maximum one year, or imprisonment for a term of maximum one year.

2. Organizing gambling by a serviceman in a military unit, other place of military service or during performing duties of military service —

shall be punished by restriction in military service from one to three years, or confinement in a disciplinary battalion for a term of maximum two years, or imprisonment for a term of maximum two years.

**Article 531. Illegal Use of Narcotic Drugs or Psychotropic (Psychoactive) Substances, Their Mixtures or Their Equivalents (Analogues) by a Serviceman or Appearing Before Military Service While Used Them**

1. Illegal use of narcotic drug or psychotropic (psychoactive) substance, their mixture or their equivalent (analogue) by a serviceman in a military unit, other place of military service or during performing duties of military service or appearing before military service while used them—

shall be punished by restriction in military service for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or confinement in a disciplinary battalion for a term of maximum one year, or imprisonment for a term of maximum one year.

2. The act prescribed for in Part 1 of this Article, committed by a group of persons—

shall be punished by restriction in military service for a term of maximum three years, or short-term imprisonment for a term of one to two months, or confinement in a disciplinary battalion for a term of maximum two years, or imprisonment for a term of maximum two years.

**CHAPTER 48.**

**CRIMES AGAINST ORDER OF USE, MAINTENANCE, OPERATION OF OR HANDLING  
WITH WEAPON, AMMUNITION, MILITARY EQUIPMENT OR OTHER MILITARY  
PROPERTY, SUBSTANCES, EQUIPMENTS OR OBJECTS POSING INCREASED DANGER  
FOR THE SURROUNDING**

**Article 532. Violating Rules for Handling with Weapon, Ammunition, Military Equipment or Other Military Property, Substances, Equipments or Objects Posing Increased Danger For the Surrounding**

1. Violating rule for handling with weapon, ammunition, military equipment or other military property, radioactive substance or explosive or other substance, equipment or

object posing increased danger for the surrounding, which negligently caused a medium gravity harm to a human health, or large-scale property damage or destruction or damage to the mentioned object —

shall be punished by restriction in military service for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or confinement in a disciplinary battalion for a term of maximum two years, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) negligently caused a grave harm to a human health, or
- 2) negligently caused particularly large-scale property damage—

shall be punished by restriction in military service from one to three years, or confinement in a disciplinary battalion from one to three years, or imprisonment for a term of one to three years.

3. The act prescribed for in Parts 1 or 2 of this Article, which negligently caused a human death

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

4. The act prescribed for in Parts 1 or 2 of this Article, which negligently caused death of two or more persons —

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

**Article 533. Handing over Weapon, Ammunition, Military Equipment or Other Military Property, Substances, Equipments or Objects Posing Increased Danger For the Surrounding to Another Person**

1. Handing over to another person by the serviceman entrusted to him the weapon, ammunition, military equipment or other military property, radioactive substance, explosive or other substance, equipment or object posing increased danger for the surrounding in breach of the established procedure, if the act negligently caused a human death or a grave or medium gravity harm to a human health, or destruction of the mentioned object or other grave consequence —

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

2. The act prescribed for in Part 1 of this Article, which negligently caused death of two or more persons —  
shall be punished by imprisonment for a term of four to eight years.

**Article 534. Destructing or Damaging Weapon, Ammunition, Military Equipment or Other Military Property, Substances, Equipments or Objects Posing Increased Danger for the Surrounding**

1. Destructing or damaging weapon, ammunition, military equipment or other military property, radioactive substance, explosive or other substance, equipment or object posing increased danger for the surrounding—

shall be punished by restriction in military service for a term of maximum three years, or confinement in a disciplinary battalion for a term of maximum three years, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which:

1) negligently caused a medium gravity harm to a human health, or

2) negligently caused large-scale property damage —

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

3. The act prescribed for in Parts 1 or 2 or 3 of this Article, committed at the time of martial law, war or under combat conditions, or which negligently caused a human death or interruption of a combat mission or military exercise or other military activity—

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

**Article 535. Negligently Destructing or Damaging Weapon, Ammunition, Military Equipment or Other Military Property, Substances, Equipments or Objects Posing Increased Danger for the Surrounding**

1. Destructing or damaging weapon, ammunition, military equipment or other military property, radioactive substance, explosive or other substance, equipment or object posing increased danger for the surrounding, which negligently caused a medium gravity harm to a human health or negligently caused large-scale property damage —

shall be punished by restriction in military service for a term of maximum two years, or short-term imprisonment for a term of maximum two months, or confinement in a



disciplinary battalion for a term of maximum two years, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) negligently caused a grave harm to a human health;
- 2) negligently caused particularly large-scale property damage, or
- 3) negligently caused interruption of a combat mission or military exercise or other military activity—

shall be punished by imprisonment for a term of one to four years.

3. The act prescribed for in Parts 1 or 2 of this Article, which negligently caused a human death —

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

4. The act prescribed for in Parts 1 or 2 of this Article, which negligently caused death of two or more persons —

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

#### **Article 536. Illegal Taking of Entrusted Military Property**

1. Illegal taking of the uniform or item of military clothing or other military property, entrusted to a serviceman, i.e. transferred for personal or service use actually or by a free legal will to him for possession, disposal or use, if wilfulness to take illegally the property has arisen after legally receiving it—

shall be punished by a fine in the amount of ten-fold to thirty-fold, or confinement in a disciplinary battalion for a term of maximum three years, or imprisonment for a term of maximum three years.

2. Illegal taking of the weapon or ammunition, entrusted to a serviceman, i.e. transferred for personal or service use actually or by a free legal will to him for possession, disposal or use, if wilfulness to take illegally the property has arisen after legally receiving it—

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

#### **Article 537. Loss of Service Military Property**

1. Loss, by a serviceman, of weapon, ammunition, military equipment or other military property, radioactive substance, explosive or other substance, equipment or object posing

increased danger for the surrounding, entrusted to him for service use, which committed in violation of the rule for their maintenance —

shall be punished by a fine in the maximum amount of twenty-fold, or short-term imprisonment for a term of maximum two months, or confinement in a disciplinary battalion for a term of maximum two years, or imprisonment for a term of maximum two years.

2. The act prescribed for in Part 1 of this Article, committed at the time of martial law, war or under combat conditions —

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

### **Article 538. Violating Rules for Driving or Operating Vehicles**

1. Violating rule for driving or operating combat, special or transportation vehicle, which negligently caused medium gravity harm to a human health, or large-scale property damage —

shall be punished by or confinement in a disciplinary battalion for a term of maximum three years, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which:

1) negligently caused a grave harm to a human health, or

2) negligently caused particularly large-scale property damage—

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

3. The act prescribed for in Parts 1 or 2 of this Article, which negligently caused a human death— shall be punished by imprisonment for a term of three to six years.

4. The act prescribed for in Parts 1 or 2 of this Article, which negligently caused death of two or more persons —

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

### **Article 539. Violating Rules for Flights or their Preparation**

1. Violating rule for flights of military aircraft, their preparation or operation, which negligently caused medium gravity harm to a human health or a large-scale property damage—

shall be punished by confinement in a disciplinary battalion for a term of maximum three years, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) negligently caused a grave harm to a human health, or
- 2) negligently caused particularly large-scale property damage—

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

3. The act prescribed for in Parts 1 or 2 of this Article, which negligently caused a human death —

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

4. The act prescribed for in Parts 1 or 2 of this Article, which negligently caused death of two or more persons —

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

#### **CHAPTER 49.**

#### **CRIMES AGAINST THE PROCEDURE OF CARRYING OUT SPECIAL SERVICES AND PERFORMANCE OF COMBAT DUTY IN SPECIAL CIRCUMSTANCES**

##### **Article 540. Violating Combat Duty or Combat Service Rules**

1. Violating combat duty or combat service rule, if that action could lead to a failure to timely detect the attack against the State or to resist it, or if that act led to disruption of the normal process of carrying out combat duty or combat service—

shall be punished by confinement in a disciplinary battalion for a term of maximum three years,

or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, committed by:

- 1) a group of persons with a prior agreement;
- 2) by an officer or senior non-commissioned officer, or
- 3) with a weapon—

shall be punished by restriction in military service from one to three years, or confinement in a disciplinary battalion from one to three years, or imprisonment for a term of two to five years.

3. The act prescribed for in Parts 1 or 2 of this Article, which:

- 1) negligently caused a medium gravity harm to a human health, or
- 2) negligently caused large-scale property damage —

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

4. The act prescribed for in Part 1 or 2 or 3 of this Article, which:

- 1) negligently caused a grave harm to a human health, or
- 2) negligently caused particularly large-scale property damage—

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

5. The act prescribed for in Parts 1 or 2 of this Article, which led to a failure to timely detect the attack against the State or to resist it (in the absence of elements of another crime) —

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

6. The act prescribed for in Parts 1 or 2 or 3 or 4 or 5 of this Article, committed at the time of martial law, war or under combat conditions, or which negligently caused a human death —

shall be punished by imprisonment for a term of six to twelve years.

#### **Article 541. Violating Border-Guarding Rules**

1. Violating border-guarding rule by a person on border-guarding duty or performing other duties of border-guarding service, if that act negligently caused crossing the state border of the Republic of Armenia, or absence of proper control over a certain section of the border, or if negligently caused medium gravity harm to a human health or a large-scale property damage or other significant damage —

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

2. Committing The act prescribed for in Part 1 of this Article, which:

- 1) Negligently caused a grave harm to a human health, or
- 2) Negligently caused particularly large-scale property damage—

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

3. The act prescribed for in Parts 1 or 2 of this Article, which caused crossing the state border of the Republic of Armenia, or absence of proper control over a certain section of the border (in the absence of elements of another crime) —

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

4. The act prescribed for in Parts 1 or 2 or 3 of this Article, committed at the time of martial law, war or under combat conditions, or which negligently caused a human death —

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

#### **Article 542. Violating Guard or Garrison Service Code Rules**

1. Violating guard or garrison service rule by a person included in a guard or patrol group, if the act negligently caused medium gravity harm to a human health, or destruction or damage of the protected facility, illegal taking from protected facility or other grave consequence —

shall be punished by restriction in military service for a term of maximum three years, or confinement in a disciplinary battalion for a term of maximum three years, or imprisonment for a term of maximum five years.

2. The act prescribed for in Part 1 of this Article, which negligently caused grave harm to a human health or other grave consequence—

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed at the time of martial law, war or under combat conditions, or which negligently caused a human death—

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

#### **Article 543. Violating Internal Service Code Rules**

1. Violating internal service code rule by a person on daily duty of a military unit (except for guard and patrol groups), if that act negligently caused an offence in the territory of the military unit, interruption of daily routine, interruption of a military activity or combat mission or illegal taking from the territory of the military unit—

shall be punished by restriction in military service for a term of maximum two years, or confinement in a disciplinary battalion for a term of maximum three years, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which negligently caused grave harm to a human health or other grave consequence—  
shall be punished by imprisonment for a term of two to five years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed at the time of martial law, war or under combat conditions, or which negligently caused a human death —  
shall be punished by imprisonment for a term of three to six years.

#### **Article 544. Violating Service Rules When Protecting Public Order or Ensuring Public Security**

1. Violating service rule when protecting public order or ensuring public security by a serviceman on duty of protecting public order or ensuring public security, if that act negligently caused medium gravity harm to a human health, violation of public order, or large-scale property damage, or other significant damage —  
shall be punished by restriction in military service for a term of maximum three years, or confinement in a disciplinary battalion for a term of maximum three years, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which negligently caused grave harm to a human health, disruption of the activities of state body or local self-government body, or its or other organization, mass disorder, or a particularly large-scale property damage or other grave consequence —  
shall be punished by imprisonment for a term of three to six years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed at the time of martial law, war or under combat conditions, or which negligently caused a human death —  
shall be punished by imprisonment for a term of four to eight years.

#### **Article 545. Handing Over or Leaving Means of Warfare to the Adversary**

1. Handing over or leaving fortifications, combat equipment or other means of warfare to the adversary by a commander (superior) without being compelled by combat conditions, in the absence of elements of criminal offence established in Article 418 of this Code— shall be punished by imprisonment for a term of ten to fifteen years.

**Article 546. Wilful Abandonment of Battle Field or Refusal to Use Weapon**

1. Wilful abandonment of battle field or refusing to use weapons during the combat — shall be punished by imprisonment for a term of eight to twelve years.
2. The act prescribed for in Part 1 of this Article, committed by a group of persons with a prior agreement — shall be punished by imprisonment for a term of ten to fifteen years.

**Article 547. Voluntary Surrendering as a Prisoner**

1. Voluntary surrendering as a prisoner without being compelled by combat conditions— shall be punished by imprisonment for a term of eight to fifteen years.

**Article 548. Criminal Actions of a Prisoner of War (POW)**

1. Voluntary participation of a POW in works of military significance or other such activities, which obviously can cause damage to the Republic of Armenia or its allies, in the absence of elements of criminal offence established in Article 418 of this Code— shall be punished by imprisonment for a term of four to eight years.
2. Committing such action by a POW of out of mercenary purposes or for ensuring the adversary's indulgent attitude towards him, which is directed against the rights or lawful interests of other POWs — shall be punished by imprisonment for a term of maximum five years.
3. Use of violence against other POWs by a POW, or cruel treatment against them by a POW in a senior position— shall be punished by imprisonment for a term of four to eight years.

**CHAPTER 50.**  
**OFFICIAL MILITARY CRIMES**

**Article 549. Excess of Power or Abuse of Power**

1. Use of official or service powers or the influence conditioned thereof by a commander (superior) or an official to the detriment of state or official interests, failing to perform one's service duty, or performing it not properly, or performing an act, which does not derive from his powers or is beyond the scope of his powers, which caused concealment of criminal offence or other offence, or caused significant damage to the rights, freedoms or lawful interests of a person or an organization or lawful interests of public or state— shall be punished by imprisonment for a term of maximum five years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) was committed by use of violence, under a threat of violence or by use of weapon or special means;
- 2) by a group of officials with a prior agreement, or
- 3) negligently caused grave harm to a human health, or
- 4) negligently caused destruction or damage of military property, equipment and other property of particularly large amounts, or interruption of a combat mission or military exercise or other military activity, or other grave consequence — shall be punished by imprisonment for a term of five to ten years.

3. The act prescribed for in Parts 1 or 2 of this Article, committed at the time of martial law, war or under combat conditions, or which negligently caused a human death — shall be punished by imprisonment for a term of six to twelve years.

4. Within the meaning of Part 1 of this Article, in case of property damage the large-scale property damage is considered as a significant damage.

**Article 550. Military Official Negligence**

1. Failing to perform improperly performing service duties thereof by a commander (superior) or an official, as a result of mala fide or negligent attitude to service, which



negligently caused a significant damage to the rights, freedoms or lawful interests of a person or an organization or lawful interests of public or state —

shall be punished by restriction in military service for a term of maximum two years, or confinement in a disciplinary battalion for a term of maximum three years, or imprisonment for a term of maximum three years.

2. The act prescribed for in Part 1 of this Article, which:

- 1) negligently caused grave harm to a human health, or
- 2) negligently caused destruction or damage of military property, equipment and other property of particularly large amounts, or interruption of a combat mission or military exercise or other military activity, or other grave consequence —

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

3. The act prescribed for in Parts 1 or 2 of this Article, committed at the time of martial law, war or under combat conditions, or which negligently caused a human death —

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

4. Within the meaning of Part 1 of this Article, in case of property damage the large-scale property damage is considered as a significant damage.

**SECTION 16.**  
**FINAL AND TRANSITIONAL PROVISIONS**

**CHAPTER 51.**  
**FINAL PROVISION**

**Article 551. Entry Into Force of the Code**

1. This Code shall enter into force from the 1<sup>st</sup> of July, 2022, except for the cases prescribed by Parts 2-5 of this Article.
2. The provisions prescribed by this Code on criminal liability of legal entities shall enter into force from the 1<sup>st</sup> of January, 2023.
3. The provisions prescribed by this Code on restriction of liberty as a type of punishment shall enter into force from the 1<sup>st</sup> of July, 2023.
4. The provisions prescribed by this Code on confinement in a disciplinary battalion as a type of punishment shall enter into force after the establishment and commissioning of the disciplinary battalions in accordance with the criteria established by the legislation, but not later than 1<sup>st</sup> of July, 2023.
5. The Law “On Enforcement of the Criminal Code of the Republic of Armenia” may set other terms for the entry into force of certain legal relations envisaged by this Code.

**Article 552. Enforcing the Code**

1. This Code is enacted by the Law “On Enforcement of the Criminal Code of the Republic of Armenia”.

**LIST OF  
CORRUPTION CRIMES**

- Article 218. Receiving Electoral Bribe**
- Article 219. Giving Electoral Bribe**
- Article 220. Solicitation in Electoral Bribery**
- Article 221. Violation of the Ban on Charity During a Referendum or Election**
- Article 231. Attracting Large Amounts of Illegal Donations to the Party**
- Article 232. Large-scale Circumventing of the Ban on Donating to the Political Party Not Exceeding the Amount Prescribed by Law or the Ban on Donations from Sources Not Authorized by Law**
- Article 255. Part 2, Paragraph 2. Swindling**, by use of official or service powers or influence conditioned thereof
- Part 3**, if committed by use of official or service powers or influence conditioned thereof
- Article 256. Part 2, Paragraph 2. Illegal Taking of Entrusted Property**, by use of official or service powers or influence conditioned thereof
- Part 3**, if committed by use of official or service powers or influence conditioned thereof

- Article 258. Part 2, Paragraph 9. Extortion**, by use of official or service powers or influence conditioned thereof
- Part 3**, if committed by use of official or service powers or influence conditioned thereof
- Article 268. Part 3, Paragraph 2. Use of Inside Information Not In Good Faith**, by use of official or service powers or influence conditioned thereof
- Article 269. Part 3, Paragraph 3. Abuse of Prices in the Securities Market**, by use of official or service powers or influence conditioned thereof
- Article 272. Receiving a Bribe in Private Sector**
- Article 273. Giving a Bribe in Private Sector**
- Article 274. Receiving a Bribe by the Athlete, Referee, Team Leader, Coach, other Participant or Organizer of Professional Sport Competition, Participant or Organizer of Commercial Competition, or the Member of the Award Committee of the Republic of Armenia or Another State**
- Article 275. Giving a Bribe to the Athlete, Referee, Team Leader, Coach, other Participant or Organizer of Professional Sport Competition, Participant or Organizer of Commercial Competition, or the Member of the Award Committee of the Republic of Armenia or Another State**
- Article 276. Receiving or Demanding Illegal Payment for Performing Official or Professional Duties**
- Article 277. Abuse of Service Powers or the Influence Conditioned thereof in Private Sector**
- Article 282. Part 2, Paragraph 1. Creating, Organizing or Management a Financial Pyramid**, by use of official or service powers or influence conditioned thereof

**Part 3**, if committed by use of official or service powers or influence conditioned thereof

**Article 284. Part 2, Paragraph 2. Anti-competitive activities**, by use of official or service powers or influence conditioned thereof

**Part 3**, if committed by use of official or service powers or influence conditioned thereof

**Article 296. Money Laundering**

**Article 435. Receiving a Bribe**

**Article 436. Giving a Bribe**

**Article 437. Solicitation of Bribery**

**Article 438. Using One's Real or Supposed Influence Over an Official**

**Article 439. Giving Illegal Remuneration for the Use of One's Influence over an Official**

**Article 440. Under The Pretext of Receiving a Bribe, Solicitation of Bribery or Using One's Real or Supposed Influence Out of Mercenary or Personal Motives or Group Interests, Receiving Property, Including Financial Means, Security, Other Payment Instrument, Property Right, Service or Any Other Advantage**

**Article 441. Abuse of Official or Service Powers, or the Influence Conditioned Thereof by an Official or Exceeding Powers**

**Article 442. Illegally Engaging in Entrepreneurial Activity by an Official**

**Article 443. Illicit Enrichment**

**Article 444. Provision of False Data in a Declaration or Concealing Data Subject To Declaration or Failure to File a Declaration by a Person Responsible to File a Declaration as Established by the Legislation of the Republic of Armenia**

**Article 445. Official Forgery**

- Article 477. Provocation of Bribery or Bribery in a Private Sector**
- Article 480. Subjecting an Obviously Innocent Person to Criminal Liability**
- Article 481. Unlawful Release From Criminal Liability**
- Article 482. Delivering an Obviously Unjust Judgment or Other Judicial Act**
- Article 486. Part 2, Paragraph 2. Intervention to Administration of Justice or Investigation of Case, by use of official or service powers or influence conditioned thereof**  
**Part 3, if committed by use of official or service powers or influence conditioned thereof**
- Article 496. Giving a Bribe to Participants in Proceedings in Connection with their Powers**
- Article 497. Receiving a Bribe by Participants in Proceedings in Connection with their Powers**
- Article 549. Excess of Power or Abuse of Power**