



CRIMINAL CODE OF THE KYRGYZ REPUBLIC

from October 28, 2021 No. 127

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GENERAL PART

SECTION I

CRIMINAL LAW

Chapter 1. Criminal law, its goals, objectives and principles

Article 1. Criminal law, its goals and objectives

1. The criminal law of the Kyrgyz Republic consists of this Code, based on [the Constitution](#) of the Kyrgyz Republic, generally recognized principles of international law and norms, international treaties that have entered into force in accordance with the legislation of the Kyrgyz Republic.

2. Other legislative acts providing for criminal liability for crimes shall be applied after their inclusion in this Code.

3. The purposes of this Code are to protect the rights and freedoms of the individual, property, public order, society, the state, the environment, and the constitutional order of the Kyrgyz Republic from criminal attacks, to ensure peace and security for mankind, to prevent crimes, and to restore justice violated by crimes.

4. The objectives of the Criminal Code of the Kyrgyz Republic are to define the principles of criminal liability, the grounds for criminal liability, the characteristics of the general concept of a crime, the range of socially dangerous acts recognized as crimes, types of punishments and other measures of a criminal-legal nature applied to persons who have committed crimes.

Article 2. Principle of legality

The criminality of an act and its punishability, as well as other criminal-legal consequences, are determined only by this Code.

Article 3. Principle of legal certainty

1. Legal certainty means the possibility of precisely establishing by this Code the grounds for criminal liability for a crime, as well as all the elements of the crime.

2. The criminal law must clearly and distinctly define the punishable act (action or inaction) and is not subject to broad interpretation.

3. The application of criminal law by analogy is prohibited.

Article 4. Principle of equality of citizens before the law

Persons who have committed acts provided for by this Code are equal before the law and are subject to criminal liability regardless of gender, race, language, disability, ethnicity, religion, age, political or other beliefs, education, origin, property, official or other status, as well as other circumstances that may be grounds for discrimination.

Article 5. Principle of guilt

1. A person shall be subject to criminal liability only for those actions (inactions) and the consequences resulting from their commission for which his guilt has been established.

2. No one may be found guilty of committing a crime and subjected to criminal punishment until his guilt has been proven in accordance with the law and established by a guilty verdict of a court that has entered into legal force.

Article 6. Principle of justice

1. Punishment and other criminal-law measures applied to a person who has committed an act provided for by this Code must correspond to the severity of the crime, as well as the circumstances of its commission.

2. No one may be subject to criminal liability for the same crime twice.

Article 7. Principle of individualization of criminal liability and punishment

When deciding on criminal liability and sentencing, the court must take into account the nature and severity of the crime committed, the motives and goals of the act, the identity of the perpetrator, the extent of the damage caused, the circumstances that

mitigate or aggravate the punishment, the opinion of the victim, and justify the chosen punishment in the sentence.

Article 8. Principle of the personal nature of criminal responsibility and punishment

Only a person who intentionally or through negligence committed an act provided for by this Code shall be subject to criminal liability and punishment for a crime.

Article 9. The principle of humanism

1. This Code ensures the protection of the individual, his life and health, honor and dignity, inviolability and security as the highest social values.

2. The court shall impose on the person who has committed a crime a punishment that is necessary and sufficient for the purposes of his correction, resocialization and prevention of new crimes, as well as for the purpose of restoring social justice. Punishment and other measures of criminal-legal influence must not cause physical suffering or humiliate human dignity.

3. This Code may not be amended in a way that would unreasonably increase the punishability and other criminal consequences of the acts provided for therein.

Article 10. Principle of inevitability of criminal liability

A person who has committed an act provided for by this Code is subject to punishment and (or) other measures of criminal-legal influence. Release from criminal liability, punishment or its serving, as well as replacement of punishment with a more lenient one are permitted only in cases provided for by this Code.

Chapter 2. Limits of the criminal law

Article 11. The effect of criminal law in time

1. The criminality and punishability of an act shall be determined by the law in force at the time the act was committed.

2. The time of commission of a crime is recognized as the time of the person's performance of an action or inaction provided for by law.

Article 12. Retroactive effect of criminal law in time

1. A law that abolishes the criminality of an act or mitigates the criminal consequences of a criminal act has retroactive effect, that is, it applies to persons who committed the relevant act before such law came into force, including persons serving a sentence or who have served one.

2. A law establishing the criminality of an act or increasing the criminal consequences of a criminal act shall not have retroactive effect.

3. A law that partially mitigates and partially toughens the criminal consequences of an act has retroactive effect in time only to the extent that it mitigates these consequences.

4. If the criminal law has changed several times between the time the crime was committed and the time the sentence was passed, the most lenient law is applied.

5. Compulsory measures of an educational and medical nature shall be applied only on the basis of the law in force at the time the case is being resolved in court.

Article 13. Application of criminal law to crimes committed on the territory of the Kyrgyz Republic

1. A person who has committed a crime on the territory of the Kyrgyz Republic shall be subject to liability in accordance with this Code.

2. A crime is considered to have been committed on the territory of the Kyrgyz Republic in cases where it was:

- 1) started, ended or stopped on the territory of the Kyrgyz Republic;
- 2) committed on the territory of the Kyrgyz Republic, and the consequences occurred outside its borders;
- 3) constitutes, in combination or together with other acts, a crime, one of the stages of which was committed on the territory of the Kyrgyz Republic.

3. The issue of criminal liability of diplomatic representatives of foreign states and other citizens who, according to current laws and international treaties, are not subject to the jurisdiction of the courts of the Kyrgyz Republic, in the event that these persons commit a crime on the territory of the Kyrgyz Republic, is resolved through diplomatic channels on the basis of international law.

Article 14. Application of criminal law to persons who have committed a crime outside the Kyrgyz Republic

Citizens of the Kyrgyz Republic, as well as stateless persons permanently residing in the Kyrgyz Republic, who have committed a crime outside the Kyrgyz Republic, shall be subject to liability in accordance with this Code, unless they have been punished by a court sentence in another state.

Article 15. Extradition of persons who have committed a crime

1. Citizens of the Kyrgyz Republic who have committed a crime on the territory of another state are not subject to extradition.

2. Foreign citizens and stateless persons who have committed a crime outside the Kyrgyz Republic and are located on its territory may be extradited to another state for criminal prosecution or to serve a sentence if such extradition is provided for by an

international treaty , and in the absence of an international treaty, on the basis of the principle of reciprocity .

3. Cases when a person cannot be extradited to another state are determined by the Criminal Procedure Code of the Kyrgyz Republic. The issue of criminal liability of such a person is decided in accordance with this Code.

Article 16. Transfer of convicted persons to serve their sentences

Foreign citizens who have committed a crime on the territory of the Kyrgyz Republic and are convicted of it on the basis of this Code may be transferred to serve their sentence in the state of which they are citizens if such transfer is provided for by an international treaty, and in the absence of an international treaty, on the basis of the principle of reciprocity.

Article 17. Criminal-legal consequences of conviction of a person outside the Kyrgyz Republic

The criminal-legal consequences of a crime committed by a person on the territory of another state do not have criminal-legal significance for deciding the issue of criminal liability of this person for an act committed on the territory of the Kyrgyz Republic if:

- 1) otherwise not provided by an international treaty that has entered into force in accordance with the legislation of the Kyrgyz Republic;
- 2) a crime committed on the territory of another state does not affect the interests of the Kyrgyz Republic.

SECTION II

CRIME

Chapter 3. Concept and classification of crimes.

Basis of liability for a crime

Article 18. Concept of crime

1. A crime is a socially dangerous, guilty and punishable act (action or inaction) provided for by criminal law.

2. An action or inaction that, although formally falling under the characteristics of an act provided for in the Special Part of this Code, but due to its insignificance does not pose a public danger, is not considered a crime.

Article 19. Classification of crimes

1. Crimes, depending on the nature and degree of public danger, are divided into crimes of minor gravity, less serious, serious and especially serious.

2. The severity of the crime is determined by the maximum term of punishment provided for by the sanction of the article:

1) minor crimes include intentional and careless crimes for which punishment in the form of imprisonment is not provided;

2) less serious crimes include intentional crimes for which the law provides for a punishment in the form of imprisonment for a term of not more than five years, as well as negligent crimes for which the punishment in the form of imprisonment for a term of not more than ten years is provided;

3) serious crimes include intentional crimes for which the law provides for punishment in the form of imprisonment for a term of more than five years, but not more than ten years;

4) Particularly serious crimes include intentional crimes for which the law provides for punishment in the form of imprisonment for a term exceeding ten years or life imprisonment.

Article 20. Continuing crime

1. A continuing crime is an act provided for in the Special Part of this Code, the commission of which begins with an action or inaction, which is then carried out continuously.

2. A continuing crime is considered complete from the moment of cessation of action or inaction.

Article 21. Aggregate of crimes

A combination of crimes is recognized as the commission by a person of two or more crimes. In this case, crimes for which the person has already been convicted on the basis of a court sentence that has entered into legal force, or was acquitted or released from criminal liability, or released from punishment are not taken into account.

Article 22. Rules of criminal-legal qualification in the case of competition between general and special norms and competition between the whole and a part

1. A special norm is one that provides for liability for the same act as a general norm, but contains additional elements of a crime that are not present in the general norm.

2. If an act provided for by articles (parts of articles) of this Code creates competition between general and special norms, then only the article (part of an article) of this Code containing the special norm shall be applied. The simultaneous application of articles (parts of articles) of this Code that provide for a general and corresponding special norm is not permitted.

3. An article (part of an article) of this Code containing a norm that covers the committed act as a whole shall have priority in application over an article (part of an article) of this Code containing a norm that covers a part of the committed act.

Such an advantage is enjoyed by the norm on a completed crime over the norm on an unfinished crime, the norm on the execution of a crime over the norm on the complicity of an organizer, instigator or accomplice, the norm on a composite crime (a set of crimes taken into account by law) over the norm providing for a component of such a crime.

Article 23. Basis of criminal liability for a crime

The basis for criminal liability for a crime is the commission of an unlawful act that contains all the elements of a crime provided for by this Code.

Chapter 4. Person subject to criminal liability (subject of the crime)

Article 24. Subject of the crime

1. The subject of a crime is a sane individual who has committed a crime at the age at which criminal liability occurs in accordance with this Code.

2. A special subject is a person who possesses the characteristics specified in Part 1 of this article and who has committed a crime, the subject of which can only be a specific person.

3. A legal entity is not a subject of crime, criminal liability and punishment.

Article 25. Insanity

1. A person who, at the time of committing an act provided for by this Code, was in a state of insanity, i.e. was unable to understand the actual nature and harm of his action (inaction) or control it due to chronic mental illness, temporary mental disorder, feeble-mindedness or other morbid mental state, shall not be subject to criminal liability.

2. A person who committed a crime in a state of sanity, but before the court passed a sentence, became mentally ill, depriving him of the ability to be aware of his actions (inactions) or to control them, shall not be subject to punishment. Compulsory medical measures shall be applied to such a person by a court decision, and upon recovery, such a person shall be subject to punishment.

Article 26. Limited sanity

1. A person may be recognized by the court as having limited sane capacity if, due to his mental disorder, at the time of committing a crime he was unable to fully understand the actual nature and social harm of his actions (inactions) or control them.

2. Recognition of a person as having limited sane capacity may be grounds for applying compulsory medical measures to him, but does not exempt him from punishment.

Article 27. Criminal liability for a crime committed while intoxicated

A person who commits a crime while intoxicated by the use of psychoactive substances is subject to criminal liability.

Note : *The classifier of psychoactive substances is defined by the World Health Organization.*

Article 28. Age of criminal liability

1. A person who has reached the age of sixteen before committing a crime shall be subject to criminal liability.

2. A child who has reached the age of fourteen before the commission of a crime shall be subject to criminal liability in accordance with this Code for murder ([Article 122](#)), causing serious bodily harm ([Article 130](#)), causing less serious bodily harm ([Article 131](#)), rape ([Article 154](#)), violent acts of a sexual nature ([Article 155](#)), kidnapping ([Article 165](#)), human trafficking ([Article 166](#)), theft ([Article 205](#)), cattle rustling (Parts 2, 3 and 4 [of Article 205](#) ¹), robbery ([Article 206](#)), armed robbery ([Article 207](#)), extortion ([Article 208](#)), theft of a motor vehicle ([Article 211](#)), destruction of or damage to someone else's property (Parts 2, 3 [of Article 216](#)), an act of terrorism (Parts 2 and 3 [of Article 252](#)), hostage-taking ([Article 257](#)), theft or extortion of firearms ([Article 271](#)), hooliganism (Part 2 [of Article 280](#)), illegal production of narcotic drugs, psychotropic substances and their analogues for the purpose of sale ([Article 282](#)), theft or extortion of narcotic drugs or psychotropic substances (Article 286), rendering transport vehicles or communication routes unusable ([Article 314](#)).

(As amended by the Law of the Kyrgyz Republic of [January 25, 2024 No. 27](#))

Chapter 5. Guilt

Article 29. Guilt

1. Guilt is the mental attitude of a person to the act (action or inaction) committed by him, provided for by this Code, and its illegal consequences. Forms of guilt may be intent or negligence.

2. Harmful consequences are recognized as harm to an individual, society, the state or the security of humanity, as well as the creation of a threat of causing it.

3. If an article (part of an article) of the Special Part of this Code does not directly indicate causing harm through negligence, then liability shall only arise for intentional causing of harm.

Article 30. Intentional crime

1. An intentional crime is an unlawful act committed with direct or indirect intent.
2. A crime is considered to be committed with direct intent if the person was aware of the criminal illegality of his act, foresaw the possibility of causing harm and desired its causing, or foresaw the inevitability of causing it.
3. A crime is considered to be committed with indirect intent if the person was aware of the criminal illegality of his act, foresaw the possibility of causing harm, did not want it, but consciously allowed it to be caused (was indifferent to its causing).

Article 31. Negligent crime

1. A careless crime is an unlawful act committed through recklessness or negligence.
2. A crime is considered to have been committed through recklessness if the person, without considering his act to be criminally unlawful, nevertheless realized the need to exercise caution and foresaw the possibility of causing harm, but groundlessly hoped that harm would not be caused.
3. A crime is considered to be committed through negligence if a person, due to a disregard for the need to exercise caution, was not aware of such a need and did not foresee the possibility of causing harm, although he should have and could have been aware of and foreseen them.
4. The need to exercise caution may be due to the requirements of regulatory legal acts and (or) the interests of other persons.

Article 32. Innocent causing of harm (case)

Harm is considered to be caused without fault if the person was not aware of the nature and significance of his action or inaction, did not foresee the possibility of causing harm and, given the circumstances of the case, should not have and (or) could not have foreseen it.

Chapter 6. Completed and unfinished crime (stages of committing a crime)

Article 33. Completed crime

A crime is considered completed if it has all the characteristics of an act provided for by this Code.

Article 34. Continuous crime

1. A crime that is continued is one provided for by one of the articles (one of the parts of an article) of this Code, which includes two or more similar acts committed with a single intent.

2. A continuing crime is considered complete from the moment the last act is committed.

Article 35. Unfinished crime

An unfinished crime is considered to be preparation for a crime and an attempt to commit a crime.

Article 36. Preparation for a crime

1. Preparation for a crime shall be recognized as the intentional search or adaptation by a person of the means or instruments of a crime, the search for accomplices, a conspiracy to commit a crime, or other intentional creation of conditions for the commission of a crime, if the crime was not completed by the person for reasons beyond his control.

2. Criminal liability occurs only for preparation for a serious or especially serious crime.

3. Criminal liability for preparation for a crime occurs under the same article of this Code as for a completed crime, with reference to this article.

Article 37. Attempted crime

1. An attempt to commit a crime is recognized as the commission by a person with direct intent of an act (action or inaction) directly aimed at committing a crime provided for in the relevant article of the Special Part of this Code, if the crime was not completed by the person for reasons beyond his control.

2. Criminal liability for an attempted crime shall be determined by the relevant article of this Code providing for liability for a completed crime, with reference to this article.

Article 38. Voluntary refusal to commit a crime

1. Voluntary abandonment of a crime is recognized as the cessation by a person of preparatory actions or the cessation of an action or inaction directly aimed at committing a crime, if the person was aware of and had a real opportunity to complete the crime.

2. An act in respect of which a voluntary refusal has been made does not entail criminal liability. A person who has voluntarily refused to complete a crime is subject to criminal liability only if the act actually committed by him contains the elements of another crime.

3. Voluntary refusal by the organizer of a crime, instigator or accomplice excludes criminal liability if these persons took all measures in a timely manner within their power to prevent the commission of the crime and socially dangerous consequences did not occur.

4. The organizer, instigator or accomplice shall not be subject to criminal prosecution in the event of voluntary refusal if they prevented the commission of a crime or promptly notified the relevant state authorities of the crime being prepared or committed. Voluntary refusal by an accomplice shall also include failure to provide the means or instruments for committing the crime or failure to remove obstacles to the commission of the crime.

5. In the event of a voluntary refusal by any of the accomplices, the perpetrator shall be subject to criminal liability for preparation for a crime or an attempt to commit a crime, depending on at which of these stages his act was interrupted.

Chapter 7. Complicity in a Crime

Article 39. Concept of complicity

Complicity in a crime is recognized as the intentional joint participation of two or more persons in the commission of an intentional crime.

Article 40. Perpetrator of a crime

The perpetrator is a person who directly committed a crime or directly participated in its commission together with another person (co-perpetrator), as well as a person who committed a crime through another person who, in accordance with this Code, is not subject to criminal liability due to age, insanity or other circumstances.

Article 41. Types of accomplices to a crime

1. Along with the perpetrators, the organizers, instigators and accomplices of a crime are recognized as accomplices.

2. An organizer is a person who organized the commission of a crime or directed its execution, as well as a person who created an organized group or criminal community or directed them.

3. An instigator is a person who has persuaded another accomplice to commit a crime.

4. An accomplice is a person who has knowingly assisted, through advice, instructions, provision of funds, or removal of obstacles to the commission of a crime by other accomplices, as well as a person who has promised in advance to conceal the criminal, the instruments or means of committing the crime, traces of the crime, or items obtained by criminal means, to acquire or sell such items, or to otherwise assist in the concealment of the crime.

5. Concealment of a criminal, the instruments or means of committing a crime, traces of a crime or items obtained by criminal means, or the acquisition or sale of such items, without a prior promise, shall not constitute complicity. Persons who have committed these acts shall be subject to criminal liability only in the cases provided for in [Article 36 7](#) of this Code.

Article 42. Forms of complicity in a crime

1. A group of persons is two or more persons who have jointly committed a crime without prior agreement.

2. A group of persons by prior conspiracy are two or more persons who jointly committed a crime and, in advance, that is, before the commission of the crime, agreed to commit it jointly.

3. An organized group is a group characterized by the following features:

- 1) consists of two or more persons;
- 2) there is a prior agreement between all its participants to commit a crime (crimes);
- 3) is a stable association;
- 4) the purpose is to commit one or more crimes;
- 5) functions are pre-distributed among the participants.

4. Criminal community is a group characterized by the following features:

- 1) consists of three or more persons;
- 2) there is a prior agreement between all its participants to commit a crime (crimes);
- 3) is a stable and hierarchical association;
- 4) the purpose is to commit several serious or especially serious crimes;
- 5) functions are pre-distributed among the participants.

Article 43. Liability of perpetrators and accomplices of a crime committed by a group of persons and a group of persons by prior conspiracy

1. The perpetrator and other accomplices of a crime committed by a group of persons or a group of persons by prior conspiracy shall be subject to criminal liability only on the basis of their personal guilt in a joint unlawful act, taking into account the nature and degree of participation of each of them in the commission of the crime.

2. The perpetrator (co-perpetrator) shall be subject to criminal liability under the article (part of the article) of the Special Part of this Code that provides for the crime committed by him.

3. The organizer, instigator and accomplice shall be subject to criminal liability under the same article of the Special Part of this Code as the perpetrator, with reference to the relevant part of Article 41 of this Code.

4. In the event that the perpetrator commits an unfinished crime, other accomplices are subject to criminal liability for complicity in the unfinished crime.

5. A person who, due to circumstances beyond his control, failed to persuade other persons to commit a crime shall be subject to criminal liability for preparation for a crime.

Article 44. Responsibility of the organizers and participants of an organized group, criminal community

1. A person who created an organized group or criminal community or led them shall be subject to criminal liability for all crimes committed by them, if they were covered by his intent.

2. Other participants in an organized group or criminal community shall be subject to criminal liability for the crimes in the preparation or commission of which they participated, regardless of the role that each of them played in the crime, if they were covered by their intent and were part of the goals of creating the organized group or criminal community.

Article 45. Excess of the perpetrator of the crime

An excess of the perpetrator is recognized as the commission by the perpetrator of a crime that goes beyond the agreement of the accomplices and is not covered by their intent.

SECTION III

ACTS THAT ARE NOT CRIME

Chapter 8. Circumstances excluding criminal illegality of an act

Article 46. Necessary defense

1. An action for which this Code provides for liability, but committed in a state of necessary defense, that is, for the purpose of protecting the person, property of a person, home and other objects owned or otherwise held by him, as well as other rights of the defender or another person, the interests of society and the state protected by law from a socially dangerous attack, is not a crime if this attack was associated with violence dangerous to the life and health of the defender or another person, or with an immediate threat of using such violence.

2. Defense against an attack not involving violence that is dangerous to the life and health of the defender or another person, or with an immediate threat of using such violence, as well as defense against an attack on someone else's property, are lawful if the limits of necessary defense have not been exceeded, that is, deliberate actions that do not correspond to the nature and danger of the attack.

3. Exceeding the limits of necessary defense is recognized as the discrepancy between the defense and the nature and degree of public danger of the attack, as a result of which the attacker suffers excessive, serious harm not caused by the situation.

4. The actions of a defending person shall not be considered an excess of the limits of necessary defense if this person, due to the unexpectedness of the attack, could not objectively assess the degree and nature of the danger of the attack. Causing bodily harm

to the attacker, including causing his death due to an unexpected attack or due to negligence, shall not entail criminal liability.

5. The actions of a defending person when defending against the illegal and violent entry of an intruder into a home, committed against the will of a person living (staying) there on legal grounds, causing bodily harm to the attacker, including causing his death, shall not be considered an excess of the limits of necessary defense.

6. Regardless of the severity of the harm caused to the attacker, the use of weapons or any other means or tools for:

- 1) protection from attack by an armed person;
- 2) protection from group attacks.

A group attack in this article is considered to be an attack by two or more persons, with the exception of attacks by pregnant women or children under the age of fourteen.

7. The provisions of this article shall apply equally to all persons, regardless of their professional or other special training and official position, and also regardless of the possibility of avoiding a socially dangerous attack or seeking assistance from other persons or authorities.

Article 47. Extreme necessity

1. It is not a crime for a person to cause harm to protected interests in a state of extreme necessity, that is, to eliminate a danger threatening the person and rights of the given person or other persons, the interests of society, the state or humanity, if this danger, under the given circumstances, could not be eliminated by other means.

2. A state of extreme necessity is also recognized in the event that actions taken with the aim of preventing danger did not achieve their goal and harm occurred despite the efforts of the person who in good faith hoped to prevent it.

3. Exceeding the limits of extreme necessity is recognized as intentional causing of harm that does not correspond to the nature and degree of the threatening danger and the circumstances under which the danger was eliminated, when harm was caused to the protected interests. Causing harm through negligence does not entail criminal liability.

4. A person shall not be subject to criminal liability for exceeding the limits of extreme necessity if, as a result of strong mental agitation caused by a threatening danger, he could not assess the proportionality of the harm caused to this danger.

Article 48. Physical or mental coercion

1. An action (inaction) of a person who has caused harm to protected interests, committed under the direct influence of physical coercion, as a result of which the given person could not control his actions (inaction), shall not be considered a crime.

2. The issue of criminal liability for causing harm to protected interests as a result of mental and (or) physical coercion, as a result of which the person retained the ability to control his actions, shall be decided taking into account the provisions of Article 47 of this Code.

Article 49. Detention of a person who has committed a crime

1. The actions of the victim or other persons that cause harm to a person during his detention at the time of or immediately after the commission of a criminal offense (a crime or illegal act of a person who, in accordance with this Code, cannot bear criminal liability due to age, insanity or other circumstances) shall not be considered a crime if they are committed for the purpose of handing over the detainee to the authorities and if it was not possible to detain such a person in any other way, and at the same time there was no discrepancy between the measures of detention and the nature and severity of the criminal offense committed by the detainee and the circumstances of the detention of this person.

2. Excess of measures necessary for the detention of a person who has committed an act, as provided for by this Code, shall be recognized as a discrepancy between the means and methods of detention and the nature and severity of the criminal-unlawful offense committed by the detained person and the circumstances of the detention of this person, as a result of which the person is intentionally harmed, not caused by the need for detention. Excess of measures necessary for the detention of a person shall entail liability for a crime only in the cases provided for in Articles 124 and 132 of this Code. In this case, harm caused through negligence shall not entail liability.

Article 50. Execution of the law, order (instruction), duties of the position

1. It is not a crime to cause harm when a person lawfully executes a law, order (instruction), or duties stipulated by his position.

2. A person who has committed a crime in execution of a criminal order (instruction) shall be subject to criminal liability on a general basis.

3. A person shall not be subject to criminal liability for failure to comply with or other violation of an order (instruction) or official duties if they were imposed on him unlawfully.

Article 51. Justified risk

1. Causing harm to protected interests in the event of a justified risk to achieve a socially useful goal is not a crime.

2. A risk is considered justified if the stated goal could not be achieved by actions (inaction) not related to the risk and the person who allowed the risk took sufficient measures to prevent harm to the interests protected by this Code.

3. A risk is not considered justified if it was obviously associated with the threat of loss of life, an environmental disaster or the occurrence of other serious consequences.

Article 52. Carrying out a special task

1. It is not a crime for a person who was carrying out a special task, taking part in an organized group or criminal community with the purpose of preventing or exposing their criminal activity, to cause harm to protected interests under duress.

2. The person specified in Part 1 of this Article shall be subject to criminal liability only for committing, as part of an organized group or criminal community, an intentional grave or especially grave crime that resulted in death or grave harm.

3. In the case specified in Part 2 of this Article, the court may not impose a sentence of life imprisonment. A sentence of imprisonment may not be imposed on such a person for a term longer than half of the maximum term of imprisonment provided by law for this crime.

Chapter 9. Other acts that are not a crime

Article 53. Acts that do not constitute a crime

In accordance with this Code, a minor act ([Article 54](#)), voluntary refusal to commit a crime (Article 38), preparation for a minor crime or a less serious crime (Part 2 [of Article 36](#)) are not considered a crime.

Article 54. Minor act

An insignificant act is an action (inaction) which, although formally containing the characteristics of any act provided for by this Code, did not cause and could not cause insignificant harm.

SECTION IV

MEASURES OF CRIMINAL LAW INFLUENCE AND THEIR APPLICATION

Chapter 10. Criminal-legal measures of non-compulsory nature

Article 55. Release from criminal liability in connection with decriminalization of the act

A person shall be immediately released from criminal liability in the event of decriminalization of the act, that is, the entry into force of a law that eliminates the criminal punishability of the act provided for by this Code.

Article 56. Exemption from criminal liability based on the provisions of the Special Part of this Code

A person may be released from criminal liability in cases provided for in the Special Part of this Code.

Article 57. Release from criminal liability upon reaching an agreement with the victim

1. A person who has committed a minor crime and/or a less serious crime shall be released from criminal liability if he has reconciled with the victim and compensated for the damage caused, with the exception of cases affecting the interests of society and the state.

2. A person who has committed a crime as part of an organized group or criminal community or who has committed a crime provided for in Part 4 of Article 312 of this Code shall not be subject to release from criminal liability under Part 1 of this Article.

(As amended by the Law of the Kyrgyz Republic of [January 22, 2024 No. 24](#).)

Article 58. Release from criminal liability due to expiration of the statute of limitations for criminal prosecution

1. A person shall be released from criminal liability if the following periods have expired from the day he committed the crime until the day the sentence comes into legal force:

1) two years - in case of committing a minor crime;

2) three years - in the case of committing a less serious crime;

3) seven years - in case of committing a serious crime;

4) ten years - in the case of committing a particularly serious crime, as well as if the crime was committed as part of an organized group or criminal community.

2. The limitation period is suspended if the person who committed the crime evaded investigation or trial. In these cases, the limitation period is resumed from the day the person was detained. In this case, the person is released from criminal liability if ten years have passed since the commission of a minor or less serious crime.

3. The limitation period shall be interrupted if, before the expiration of the periods specified in parts 1 and 2 of this article, a person commits a new crime. In this case, the limitation period shall be calculated from the date of the new crime. In this case, the limitation period shall be calculated separately for each crime.

4. The question of applying the statute of limitations to a person who has committed a particularly serious crime for which, according to the law, life imprisonment may be imposed, shall be decided by the court. If the court does not find it possible to apply the statute of limitations, life imprisonment may not be imposed and shall be replaced by imprisonment for a term of fifteen to twenty years.

5. If a criminal case is initiated against a person who has immunity and it is suspended due to the presence of immunity, the limitation period is suspended.

6. The limitation period shall not apply in cases of committing crimes provided for in Part 2 of [Article 122](#), Articles [137](#), [154](#), [155](#), Parts 2 and 3 [of Article 156](#), [Article 158](#), Part 3 [of Article 159](#), Part 2 [of Article 160](#), Articles [162](#), [252](#), [331](#), [402](#), [403](#), [404](#), [405](#), [406](#), [407](#), [408](#), [409](#), [410](#), [411](#), [414](#) of this Code.

(As amended by the Law of the Kyrgyz Republic of [August 9, 2022 No. 89](#), [January 22, 2024 No. 24](#).)

Chapter 11. Punishment for crime and its purposes.

Types of Punishment for Crime

Article 59. Concept and purposes of punishment for a crime

1. Punishment for a crime is one of the types of compulsory measures of criminal-legal influence, applied by a court sentence to a person found guilty of committing a crime, and consists of the restriction of the rights and freedoms of the convicted person provided for by this Code, and the imposition of certain obligations on him.

2. The goals of punishing a person are the correction and resocialization of the guilty party, the prevention of the commission of new crimes, and the restoration of social justice.

Article 60. Types of punishment for a crime

1. The court may apply the following types of primary punishments to persons found guilty of committing a crime, with their gradation from less severe to more severe:

1) not associated with isolation from society:

a) community service;

b) restriction of freedom;

c) deprivation of the right to hold certain positions or engage in certain activities;

d) correctional labor;

d) fine.

In this case, the severity of correctional labor and fine is determined by their specific size;

2) associated with isolation from society:

a) detention in a disciplinary military unit;

b) imprisonment for a specified period;

c) life imprisonment.

2. The court may apply the following additional types of punishment:

1) in the event of a crime committed using official position or opportunities provided by official position – deprivation of a special, military, honorary title, diplomatic rank or class rank;

2) in the event of committing a serious or especially serious crime – deprivation of state awards.

A person shall also be deprived by the court of a special, military, honorary title, diplomatic rank, class rank, or state award if the relevant title, rank, or award was awarded as a result of official forgery or another crime;

3) confiscation of property;

4) expulsion.

Deprivation of the right to hold certain positions or engage in certain activities may be applied as not only the main types, but also additional types of punishment.

3. For one crime, only one main punishment may be assigned, as provided for in the sanction of the article (part of the article) of the Special Part of this Code. One or more additional types of punishment may be added to the main type of punishment in the cases and in the manner provided for by this Code.

4. For intentional crimes that resulted in the death of a person, community service, correctional labor, deprivation of the right to hold certain positions or engage in certain activities, as well as a fine as the main types of punishment are not established by law and are not applied by the court.

Article 61. Community service

1. Community service consists of the performance by a convicted person, in his free time from his main job or study, of free work for the benefit of society, the specific type of which is determined by local government bodies together with probation authorities in accordance with the Criminal Executive Code of the Kyrgyz Republic.

2. Community service is assigned for a duration of forty to three hundred hours. It is served by convicted persons free of charge in their free time from their main work and studies for no more than four hours a day, and for those who do not work – no more than eight hours a day.

3. Punishment in the form of community service is assigned taking into account the health, profession, qualifications, and level of education of the convicted person.

4. Community service is not assigned to military personnel, persons recognized as disabled of groups I and II, pregnant women, women and men on maternity leave, persons who have reached retirement age, as well as persons who must reach retirement age before the end of the community service period.

5. In the event of failure of the convicted person to appear before the probation agency within ten days after the sentence has entered into legal force or evasion of community service, the court, upon the submission of the probation agency, may replace the punishment with restriction of freedom, correctional labor, a fine, or imprisonment within the time limits provided for by Articles 62, 64, 65, and 67 of this Code, respectively. In this case, the term of correctional labor, restriction of freedom, or imprisonment shall be set at up to one year.

The time during which the convicted person served community service is calculated at the rate of one day of restriction of freedom, correctional labor, or imprisonment for eight hours of community service.

6. With respect to a person sentenced to community service who, after the court's verdict, is recognized as a disabled person of group I or II, as well as with respect to a pregnant woman, if the pregnancy occurred after the court's verdict, the provisions of Article 91 of this Code shall apply.

Article 62. Restriction of freedom

1. Restriction of freedom consists of the imposition by the court on a person found guilty of committing a minor or less serious crime of certain obligations that restrict his freedom for a period of six months to three years and is served at his place of residence without isolation from society under the supervision of a probation agency.

2. The following duties are imposed on persons sentenced to restriction of liberty by the court:

1) appear at the probation office at the place of residence within ten days from the moment the court sentence comes into legal force;

2) appear twice a month at the probation office for registration and participation in preventive talks;

3) do not travel outside the country;

4) notify the probation authorities of their place of residence, work and study, as well as of any changes thereto;

5) obtain permission from the probation authorities for a short-term departure from the place of residence;

6) do not use psychoactive substances;

7) participate in resocialization programs appointed by probation authorities.

3. When imposing a punishment in the form of restriction of liberty, the court has the right to impose on a person one or more of the following obligations:

1) do not visit certain places;

2) refrain from a certain type of action or activity;

3) be at the place of residence at the time of day determined by the court;

4) start work or study by the deadline set by the court;

5) compensate for the damage caused to the victim within a period determined by the court;

6) do not contact certain persons;

7) undergo a course of treatment for alcohol, drug, psychotropic, toxic addiction or for a disease that poses a danger to the health of other persons, to which they have previously given consent;

8) at the request of the probation authority, notify it of the performance of duties imposed by the court.

4. In the event of failure to appear before the probation agency within ten days after the sentence has entered into legal force and evasion of serving the sentence by a person sentenced to restriction of freedom, the court, upon the proposal of the probation agency, may replace the unserved term of restriction of freedom with a punishment in the form of imprisonment for the remaining term. In this case, the time spent serving the restriction of freedom shall be counted towards the term of imprisonment at the rate of one day of imprisonment for two days of restriction of freedom.

5. Restriction of liberty shall not be imposed on persons who do not have a permanent place of residence, foreign citizens and stateless persons temporarily residing in the Kyrgyz Republic, as well as military personnel.

Article 63. Deprivation of the right to hold certain positions or engage in certain activities

1. Deprivation of the right to hold certain positions or engage in certain activities means that a person who has committed a crime is prohibited from holding a position in

the civil service or municipal service or from engaging in certain professional or other activities.

2. Deprivation of the right to hold certain positions or engage in certain activities shall be assigned as the main type of punishment for a term of one to three years.

3. Deprivation of the right to hold certain positions or engage in certain activities shall be imposed as an additional type of punishment for a period of six months to three years in cases where this punishment is not provided for by an article (part of an article) of the Special Part of this Code, based on the nature of the crime committed by the person, which the person could not have committed without holding a certain position or without engaging in a certain activity.

4. Deprivation of the right to hold certain positions or engage in certain activities as an additional type of punishment is necessarily imposed by the court in cases of a special subject committing an intentional crime against the life and health or sexual inviolability of a child, committed using an official position. In this case, the maximum term of this type of punishment is increased fourfold, but for a total term of no more than twelve years.

5. When community service or a fine is assigned as the main type of punishment, as well as when releasing from punishment with the application of probation conditions, the period of deprivation of the right to hold certain positions or engage in certain activities, assigned as an additional type of punishment, shall be calculated from the moment the court sentence comes into legal force.

6. When this punishment is imposed as an additional punishment to imprisonment or detention in a disciplinary military unit, it shall extend to the entire period of serving the main punishment, but its term shall be calculated from the moment of serving the punishment in the form of imprisonment and detention in a disciplinary military unit. In the event of deprivation of the right to hold certain positions or engage in certain activities as an additional punishment to other main punishments, as well as in the event of a deferment of serving the punishment or the application of probation, its term shall be calculated from the moment the sentence comes into legal force.

7. In the event that a convicted person fails to comply with a court sentence and continues to hold positions or activities for which a ban has been established, he shall be liable in accordance with Article 370 of this Code.

8. Officials of enterprises, organizations or institutions who are entrusted with the responsibility of enforcing the sentence shall, in the event of failure to do so, bear liability in accordance with Article 370 of this Code.

Article 64. Correctional labor

1. Correctional labor is a type of punishment imposed by the court for minor and less serious crimes for a term of two months to three years, which is served at the convicted person's place of work, and in the case of part-time work, at the main place of work.

2. From the amount of earnings (monetary allowance) of a person sentenced to correctional labor, a deduction is made to the state in the amount established by the court verdict, within the range of 10 to 25 percent.

3. Correctional labor shall not be assigned to persons recognized as incapacitated or studying in educational institutions with time off from work, military personnel, persons who must reach retirement age before the end of the term of corrective labor, pregnant

women, as well as women with children under the age of three, men who are single parents of children under the age of three, disabled persons of groups I and II, and persons who do not have a permanent place of residence or place of work.

4. In the event of failure of the convicted person to appear before the probation authority within ten days after the sentence has entered into legal force, as well as malicious evasion of serving a sentence in the form of correctional labor, the court, upon the submission of the probation authority, shall replace the sentence in the form of correctional labor with a sentence in the form of a fine within the period stipulated by the relevant article of the Special Part of this Code, under which the person was found guilty.

5. For a person who has lost his job after a court verdict and has not found employment voluntarily within one month, the court shall replace correctional labor with community service for a period of forty to three hundred hours.

6. With respect to a person sentenced to correctional labor who, after the court's verdict, is recognized as a disabled person of group I or II, as well as with respect to a pregnant woman, if the pregnancy occurred after the court's verdict, the provisions of [Article 91](#) of this Code shall apply.

7. Officials of enterprises, organizations or institutions who are entrusted with the duties of enforcing the sentence, in the event of their failure to do so, shall bear liability in accordance with Article 370 of this Code.

Article 65. Fine

1. A fine is a punishment imposed by a court in monetary form in the cases, amount and manner established by this Code.

2. The fine is established depending on the nature and severity of the crime committed, taking into account the financial status of the accused or convicted person.

3. A fine, with the exception of the commission of crimes provided for in Articles 337–346 of this Code, is calculated in calculated indicators and is set at a rate of 200 to 2000 calculated indicators.

4. The fine for committing crimes provided for in Articles 337–346 of this Code shall be set in the amount of 3,000 to 25,000 calculated indicators.

5. If the convicted person fails to pay the fine voluntarily within three months from the entry into force of the sentence or other judicial act, in the event of replacement of the punishment, the enforcement agency shall submit to the court that issued the sentence or other judicial act a motion to replace the fine with imprisonment within the period provided for in the relevant article of the Special Part of this Code under which the person was found guilty. If the sanction of the article under which the person was found guilty does not provide for imprisonment, the person shall be brought to criminal liability on the basis of Article 370 of this Code.

Article 66. Detention in a disciplinary military unit

Detention in a disciplinary military unit shall be applied to conscripts for a period of three months to one year in cases provided for by this Code.

Article 67. Deprivation of liberty for a specified period

1. Deprivation of liberty consists of the forced isolation of a convicted person from society by sending him to a correctional or educational colony of various types of regime.

2. Deprivation of liberty is established for a term of six months to fifteen years.

3. In the event of partial or complete addition of terms of imprisonment when assigning punishments for a combination of crimes and for a combination of sentences, the maximum term of imprisonment may not exceed twenty years.

4. Persons sentenced to imprisonment shall be assigned to serve their sentence:

1) persons sentenced for the first time to imprisonment for a specified term, persons whose punishment in the form of correctional and community service, restriction of freedom and a fine has been replaced by imprisonment, as well as persons whose probation supervision has been cancelled and sentenced to imprisonment - in general regime penal colonies;

2) persons who have previously served a sentence of imprisonment and have been re-sentenced to imprisonment for a specified term – in strict regime penal colonies;

3) persons sentenced to life imprisonment, as well as persons whose sentence in the form of life imprisonment was replaced by imprisonment by way of pardon – in special regime penal colonies;

4) a male child sentenced to imprisonment for the first time, a female child, as well as children whose probationary supervision has been cancelled and sentenced to imprisonment – in general regime educational colonies;

5) a male child who has previously served a sentence of imprisonment and has been re-sentenced to imprisonment – in high-security correctional colonies.

5. For men over fifty-five years of age and women over fifty years of age sentenced to imprisonment, the term of punishment may not exceed three-quarters of the maximum term of imprisonment provided for in the relevant article of the Special Part of this Code.

6. The change in the type of correctional institution assigned to a convicted person is made by the court on the grounds and in the manner established by the legislation of the Kyrgyz Republic.

Article 68. Life imprisonment

1. Life imprisonment consists of the forced isolation of a convicted person from society by sending him to a special regime penal colony and is established for the commission of crimes provided for in Part 2 of [Article 122](#), Parts 3, 4 [of Article 154](#), Parts 3, 4 [of Article 155](#), Part 3 [of Article 156](#), Part 3 [of Article 252](#), Articles [402](#), [403](#), [405](#), Part 3 [of Article 410](#) of this Code, if the court does not find it possible to apply imprisonment for a specified period.

2. Life imprisonment shall not be imposed on women, persons who committed a crime at the age of under eighteen, or men who reached the age of sixty at the time of the crime.

3. Life imprisonment may be replaced by imprisonment for a term of twenty years by way of pardon.

(As amended by the Law of the Kyrgyz Republic of [August 9, 2022 N 89](#))

Article 69. Confiscation of property

1. Confiscation of property is the gratuitous seizure with subsequent conversion into state ownership on the basis of a guilty verdict of the following property:

- 1) money, valuables and other property obtained as a result of committing a crime;
- 2) money, valuables and other property used or intended to finance the commission of a crime;
- 3) money, valuables and other property obtained as a result of the commission of a crime, and (or) the income from this property were partially or completely converted or transformed;
- 4) tools, equipment or other means of committing a crime.

2. If property obtained as a result of committing a crime and/or income from this property was added to property acquired legally, that part of the property that corresponds to the value of the added property and income from it is subject to confiscation.

3. The property specified in paragraph 3 of part 1 of this article, transferred by a person who has committed a crime to another person (organization), is subject to confiscation if the person who accepted the property knew or, given the circumstances of the case, should have known that it was obtained as a result of criminal acts.

4. The procedure for the conversion of confiscated property into state revenue or the destruction of it shall be determined by the Cabinet of Ministers of the Kyrgyz Republic.

5. If the confiscation of a specific item included in the property specified in Part 1 of this Article is impossible at the time the court makes a decision to confiscate the item due to its use, sale, impossibility of separating it from legally acquired property, or for another reason, the court shall make a decision to confiscate a sum of money that corresponds to the value of the item.

6. In the event of the absence or insufficiency of funds subject to confiscation in exchange for an item included in the property specified in paragraphs 1–3 of Part 1 of this Article, the court shall issue a decision on the confiscation of other property, the value of which corresponds to the value of the item subject to confiscation, or is comparable to the value of this item, with the exception of property that, in accordance with the law, cannot be subject to collection.

7. When deciding on the confiscation of property, the issue of compensation for damage caused to the victim is resolved first.

8. If the guilty party does not have any other property that may be subject to recovery, other than that specified in paragraphs 1–4 of Part 1 of this Article, the damage caused to the legal owner shall be compensated from its value, and the remaining portion shall be transferred to the state.

Article 70. Expulsion

A foreign citizen or stateless person, after serving their sentence, shall be expelled from the Kyrgyz Republic in accordance with the procedure provided for by international treaties that have entered into force in accordance with the legislation of the Kyrgyz Republic.

Chapter 12. Compulsory measures of criminal-legal influence

Article 71. Compensation for material damage and compensation for moral harm

1. Compensation for material damage and compensation for moral harm shall be applied by the court regardless of the release of a person from criminal liability or punishment on the grounds provided for by this Code.

1¹. In the event of unauthorized seizure of land, the court shall take the following measures as compensation for material damage:

1) to ensure the return of the illegally seized land plot and the elimination of the consequences of the illegal seizure;

2) to eliminate the consequences of rendering lands unsuitable for use in agricultural production.

2. In case of compensation for moral damage, the court shall establish monetary compensation. Compensation is assigned depending on the severity of the moral damage.

3. When applying the provisions of this article, the limitation periods established by the Civil [Code](#) of the Kyrgyz Republic shall not apply.

(As amended by the Laws of the Kyrgyz Republic of [July 7, 2023 No. 133](#), [July 14, 2023 No. 135](#))

Chapter 13. Assignment of Punishment

Article 72. General principles of sentencing

1. The court shall impose a punishment within the limits established by the relevant article of the Special Part of this Code, which provides for liability for the crime committed, subject to the provisions of the General Part of this Code.

2. When sentencing, the court must take into account that the punishment is proportionate to the degree of guilt and the degree of harm caused by the act, taking into account the preventive purposes of the punishment.

3. A more severe type of punishment, as provided for in Article 60 of this Code, may be imposed only in cases where a less severe type of punishment cannot ensure the achievement of the goals of the punishment.

4. If an article (part of an article) of the Special Part of this Code, under which a person is brought to criminal liability, provides for a mitigating or aggravating

circumstance as a feature of the elements of a crime, the same circumstance shall not be taken into account when assigning a sentence.

Article 73. Mitigating circumstances

1. When assigning a punishment, the following circumstances are recognized as mitigating the punishment:

- 1) sincere repentance or assistance in solving a crime;
- 2) voluntary compensation for damage caused or elimination of harm caused;
- 3) the commission of a crime due to a combination of personal, family, material or other circumstances;
- 4) committing a crime due to official or other dependence;
- 5) the commission of a crime by a child between the ages of fourteen and eighteen;
- 6) the commission of a crime by a woman in a state of pregnancy.

2. When sentencing, the court may recognize as mitigating other circumstances not specified in Part 1 of this article.

Article 74. Aggravating circumstances

1. When assigning a punishment, the following circumstances are recognized as aggravating the punishment:

- 1) committing a crime as part of a group of persons, a group of persons by prior conspiracy, an organized group or a criminal community;
- 2) committing a crime on the basis of racial, ethnic, national, religious or interregional hostility (dissension);
- 3) causing serious harm by a crime;
- 4) committing a crime against a child, a disabled person, an elderly person or a person in a helpless state;
- 5) committing a crime against a woman who is pregnant;
- 6) committing a crime against a person who is materially or officially dependent on the perpetrator;
- 7) committing a crime with particular cruelty;
- 8) committing a crime under a state of emergency or martial law or in a state of public disaster;
- 9) committing a crime in a generally dangerous manner;
- 10) committing a crime with the purpose of concealing another crime or facilitating its commission;
- 11) commission of a crime by a person in a state of intoxication.

The court has the right, depending on the nature of the crime, not to recognize this circumstance as an aggravating factor.

2. When sentencing, the court may not recognize as aggravating circumstances that are not provided for in this article.

Article 75. Imposition of punishment for preparation for a crime and attempted crime

1. When assigning punishment for an unfinished crime, the court takes into account the degree of realization of the criminal intent and the reasons why it was not completed, as well as the nature of the acts committed by the guilty party.

2. The term or amount of punishment for preparation for a crime may not be more than half of the maximum term or amount of the most severe type of punishment provided for by the relevant articles (parts of articles) of the Special Part of this Code for a completed crime. At the same time, the minimum term or amount of this same punishment may not be less than the minimum of this type of punishment provided for by this Code.

3. The term or amount of punishment for an attempted crime may not exceed three-quarters of the maximum term or amount of the most severe type of punishment provided for by the relevant articles (parts of articles) of the Special Part of this Code for the completed crime. At the same time, the minimum term or amount of this same punishment may not be less than the minimum of this type of punishment provided for by this Code.

4. Life imprisonment may not be imposed for the preparation or attempt to commit a crime.

Article 76. Assignment of punishment to accomplices to a crime

1. When sentencing accomplices to a crime, the court shall take into account the nature of the complicity and the role of each accomplice in the commission of the crime.

2. When sentencing accomplices, the court shall take into account the aggravating and mitigating circumstances relating to each accomplice.

3. The organizer and leader of an organized group or criminal community shall be given a more severe punishment than the rest of its members.

Article 77. Assignment of punishment for a combination of crimes

1. A set of criminal acts shall be recognized as the commission by one person of two or more crimes provided for by different articles (parts of an article) or by one article (part of an article) of the Special Part of this Code, for none of which the person has been convicted and the statute of limitations for criminal prosecution has expired.

2. In the case of a combination of crimes, the court shall assign a punishment (primary and additional) for each crime separately in accordance with the provisions of this chapter, after which it shall determine the final punishment by fully or partially adding together the assigned punishments.

3. If life imprisonment is imposed for at least one of the crimes committed, then the final punishment for the totality of the crimes is determined by absorbing any less severe punishments into life imprisonment.

4. In the case of a combination of crimes, an additional punishment may be imposed along with the main punishment. The final term and amount of the additional punishment imposed in the case of partial or complete addition of punishments must not exceed the maximum term or amount provided for this type of additional punishment by the General Part of this Code.

5. The same procedure shall be followed when, after the verdict has been passed, it is established that the convicted person is also guilty of another crime committed before the verdict was passed on the first case. In this case, the final punishment for the aggregate of crimes shall include the punishment served in full or in part under the first verdict.

Article 78. Assignment of punishment based on a combination of sentences

1. When assigning a punishment based on a combination of sentences, the court shall partially or fully add to the punishment assigned under the last sentence the unserved portion of the punishment assigned under the previous sentence.

2. The term or amount of the final punishment imposed on the basis of a combination of sentences, if it is more lenient than imprisonment, must not exceed the maximum term or amount provided for this type of punishment by the General Part of this Code.

3. The final punishment imposed on the basis of a combination of sentences must be greater than both the punishment imposed for the newly committed crime and the unserved portion of the punishment imposed on the basis of the previous sentence.

4. When adding together sentences in the form of life imprisonment and any less severe sentences, the total term of the sentence finally imposed on the basis of the aggregate of sentences is determined by absorbing the less severe sentences into life imprisonment.

5. In the event of two or more sentences in the form of life imprisonment, it shall be served once.

6. The addition of additional types of punishment to a combination of sentences is carried out in the manner provided for in Article 68. of this Code.

Article 79. Assignment of punishment upon conclusion of a plea agreement

1. When a person enters into an agreement to admit guilt and fully compensate for material damage, the court shall impose a punishment not involving imprisonment within the minimum penalty provided for by the article under which the person was found guilty. In the event that the sanction of the article does not include punishments not involving imprisonment, a punishment in the form of imprisonment shall be imposed for a term of no less than half the minimum term of punishment provided for by the article under which the person was found guilty.

2. When a person enters into an agreement to plead guilty, probation supervision shall not be applied.

Article 80. Rules for adding up sentences and counting time spent in custody

1. When assigning a punishment for a crime committed, as well as when fully or partially adding up punishments for a combination of crimes and a combination of sentences, one day of imprisonment corresponds to:

- 1) three days of correctional labor;
- 2) eight hours of community service;
- 3) two days of restriction of freedom;
- 4) one day of detention in a disciplinary military unit.

2. When assigning a punishment for a combination of crimes and a combination of sentences in the form of correctional labor, only the terms of these punishments are subject to addition. The amounts of deductions from the earnings (monetary allowance) of the convicted person are not subject to addition and are calculated for each sentence independently.

3. Punishments in the form of a fine and deprivation of the right to hold certain positions or engage in certain activities when sentencing for a combination of crimes and a combination of sentences cannot be added to other types of punishment and are executed independently.

4. Additional punishments of various types are carried out independently in all cases.

5. The period of detention before the sentence comes into legal force shall be counted at the rate of one day in custody for one day of imprisonment.

6. The period of house arrest before the sentence comes into legal force is calculated based on:

- 1) five days to one day of imprisonment and detention in a disciplinary military unit;
- 2) one day of correctional labor and restrictions freedom;
- 3) one day of two hours of community service.

7. If a person held in custody prior to trial is sentenced to a fine or deprivation of the right to hold certain positions or engage in certain activities, community service or correctional labor as the main punishment, the court, taking into account the length of detention, shall mitigate the sentence imposed on him or completely release him from serving it.

Article 81. Calculation of terms of punishment

1. The terms of punishment are calculated in days, months and years.
2. The period of involvement in community service is calculated in hours.

Chapter 14. Probation supervision

Article 82. Release from punishment with the use of probation supervision

1. When imposing a sentence of imprisonment for a less serious and/or serious crime, the court, taking into account the identity of the offender, his consent to the

application of probation supervision, as well as other circumstances of the case, comes to the conclusion about the possibility of the convicted person's rehabilitation without serving the sentence, and may decide to release him from serving the sentence with the application of probation supervision (probation), which is a compulsory-incentive measure of criminal-legal influence.

2. Probation supervision does not apply to persons:

- 1) convicted of particularly serious crimes;
- 2) convicted of corruption and other crimes against the interests of state and municipal service;
- 3) convicted of crimes against public safety;
- 4) convicted of crimes against the foundations of the constitutional order and state security;
- 5) convicted of a crime committed as part of an organized group or criminal community;
- 6) convicted of a crime against sexual inviolability and sexual freedom.
The specified restriction does not apply to children who have committed a crime against the sexual inviolability of children aged fourteen to eighteen years;
- 7) convicted of crimes provided for in Articles [137](#), [157](#), [158](#), [166](#), [167](#), [168](#) of this Code;
- 8) those who do not have a permanent place of residence, as well as foreign citizens and stateless persons temporarily residing in the Kyrgyz Republic.

3. When appointing probation supervision, the court may take into account the opinion of the victim.

4. Probation supervision is established for a period of one to three years for a less serious crime, and for a serious crime - from three to five years. The calculation of the term of probation supervision begins on the day the convicted person appears before the probation agency. When the court announces the sentence, the court is obliged to explain the probation obligations to the convicted person in writing.

5. When establishing probation supervision, additional penalties provided for in Part 2 of Article 60 of this Code may be imposed.

6. The establishment of probation supervision does not exempt the convicted person from the imposition of additional punishment provided for by this Code.

(As amended by the Law of the Kyrgyz Republic of [January 22, 2024 No. 24](#))

Article 83. Supervisory requirements and probationary duties

1. The court shall impose the following supervisory requirements on a convicted person who is subject to probation supervision:

- 1) appear at the probation office at the place of residence within ten days from the moment the court sentence comes into legal force;
- 2) do not travel outside the country;
- 3) notify the probation authority of the place of residence, work or study, as well as of any changes thereto;

4) appear twice a month at the probation office to register and participate in a preventive conversation.

2. In the event of a person being released from serving a sentence in the form of imprisonment with the application of probationary supervision measures, the court shall impose on the convicted person one or more of the following obligations:

1) undergo a course of treatment for alcoholism, drug addiction, substance abuse or a disease that poses a danger to the health of other persons, to which they have previously given consent before the court's sentencing;

2) do not use psychoactive substances;

3) do not contact certain persons;

4) compensate, within a period determined by the court, for damage caused to the victim as a result of the crime;

5) do not visit certain places;

6) be at the place of residence at the time of day determined by the court;

7) start work or study by the deadline set by the court;

8) participate in resocialization programs appointed by the probation authority;

9) fulfill obligations to support dependent persons;

10) at the request of the probation authority, notify about the performance of duties imposed by the court.

3. The court, at its discretion, may impose on the convicted person the performance of other probationary duties that contribute to the convicted person's rehabilitation.

4. Probation supervision is carried out by the probation authority.

5. During the probation period, the court, upon the submission of the probation authority, may fully or partially cancel or supplement the probation obligations previously established for the convicted person. At the request of the convicted person, the court may fully or partially cancel the probation obligations provided for in paragraphs 3, 5 and 6 of Part 2 of this Article.

Article 84. Legal consequences of probation supervision

1. Upon expiration of the probation period, a convicted person who has fulfilled the supervisory requirements and probationary obligations imposed on him and has not committed a new crime is considered to have served his sentence.

2. In the event of failure to appear without good reason at the probation office within ten days after the sentence has entered into legal force, or violation of supervisory requirements and probationary duties two or more times, the probation office shall submit a motion to the court to cancel probationary supervision.

3. If the convicted person commits a new crime during the probation period, the court shall cancel the probation supervision and impose a punishment in accordance with Article 78 of this Code.

4. If, before the expiration of half of the term of probation supervision, the convicted person has conscientiously fulfilled the conditions of probation supervision, achieved positive results in correction and resocialization, and fully compensated for the damage

caused by the crime, the court, upon the submission of the probation authority, may make a decision to cancel probation supervision.

Chapter 15. Other types of release from punishment and its serving.

Mitigation of punishment and its replacement with a more lenient one

Article 85. Grounds for release from punishment and its serving, mitigation of punishment

1. The release of a convicted person from punishment or its further serving, as well as the mitigation of the imposed punishment, except for the mitigation of punishment or its replacement with a more lenient one on the basis of an act of pardon, shall be applied by the court only in cases provided for by this Code.

2. Release from punishment or its further serving may be carried out on the basis of the amnesty law.

Article 86. Release from punishment and mitigation of punishment in case of decriminalization of an act and mitigation of the sanction of the law

1. A person convicted of an act provided for by this Code, whose criminal punishability has been eliminated by a law that has entered into force, shall be subject to immediate release by the court from the punishment imposed.

2. The punishment imposed on the convicted person, which exceeds the sanction of the new law, shall be reduced by the court to the maximum limit of punishment established by the sanction of the new law.

Article 87. Deferral of serving a sentence for convicted persons with children under the age of fourteen

1. The court may defer the serving of the sentence of an accused or convicted pregnant woman, a woman with a child under the age of fourteen, except for one sentenced to imprisonment for committing a particularly serious crime, as well as a man with a child under the age of fourteen and who is the only parent, except for an accused or convicted person for a serious or particularly serious crime, until the child reaches the age of fourteen.

2. In case failure to appear before the probation office without good reason within ten days after the sentence has entered into legal force, If the convicted persons specified in Part 1 of this Article have abandoned the child or continue to evade their responsibilities for raising the child after a warning issued by the body exercising control over the behavior of convicted persons for whom serving the sentence has been deferred, the court may, upon the submission of this body, revoke the deferment of serving the sentence and send the convicted persons to serve their sentence in the place designated in accordance with the court's verdict.

3. Upon reaching the age of fourteen by a child, the court shall release the convicted persons specified in Part 1 of this Article from serving their sentence or the remaining part of the sentence, or replace the remaining part of the sentence with a more lenient type of punishment, or make a decision to send the convicted persons to the appropriate

institution to serve the remaining part of the sentence in accordance with the criminal procedure legislation of the Kyrgyz Republic.

4. If, during the period of deferment of serving the sentence, the convicted persons specified in Part 1 of this Article commit a new crime, the court shall sentence them according to the rules provided for in Article 78 of this Code.

Article 88. Conditional early release from serving a sentence

1. Persons sentenced to imprisonment or detention in a disciplinary military unit, with the exception of persons specified in Article 89 of this Code, may be conditionally released from serving their sentence by the court.

2. Conditional early release is applied to a convicted person if all of the following conditions are met:

- 1) who has achieved positive results of correction and resocialization;
- 2) who has compensated for at least half of the damage caused by the crime;
- 3) does not have an outstanding disciplinary sanction;
- 4) conscientiously engaged in work and study while serving a sentence;

5) who has undergone treatment for alcoholism, drug, psychotropic or toxic addiction, if such addiction exists.

3. Conditional early release from punishment is applied by the court at the place where the convicted person is serving his sentence, based on his personal application or on the submission of the administration of the institution of the penal system.

4. Conditional early release from punishment is applied after the convicted person has actually served:

1) not less than two-thirds of the term of punishment imposed for committing a less serious crime;

2) not less than three-quarters of the term of punishment assigned for the commission of a serious or especially serious crime, as well as three-quarters of the term of punishment assigned to a person previously released on parole, if the parole was revoked;

3) having reached an agreement with the injured party within the framework of mediation – not less than half of the term of punishment imposed for committing a less serious crime;

4) not less than twenty-five years in the case of a sentence of life imprisonment, with the exception of the restrictions provided for in Article 89 of this Code.

Article 89. Non-application of parole

Conditional early release from serving a sentence does not apply to a person convicted:

1) to imprisonment for committing an attack on the life of a child or the sexual inviolability of a child;

- 1-1) for crimes against the spiritual and moral health of the child;
- 2) for torture;
- 3) for crimes against the peace and security of mankind, as well as war crimes;
- 4) for committing a crime as part of an organized group or criminal community;
- 5) for an act of terrorism or the creation of an extremist organization;
- 6) for crimes against public safety, the foundations of the constitutional order and state security.

(As amended by the Law of the Kyrgyz Republic [of August 9, 2022 N 89](#))

Article 90. Appointment of a probationary period upon conditional early release from serving a sentence

1. In the event of conditional early release from serving a sentence, the probationary period begins from the moment the judicial act comes into force.

2. The court shall assign a probationary period to a person released on parole from serving a sentence within the unserved portion of the sentence, but not more than three years.

3. The court shall decide to establish supervision of the person released on parole for the duration of the probationary period, carried out by the probation authority.

4. When establishing supervision over a convicted person, the court shall impose supervision requirements on him for the duration of the probationary period, and may also impose the obligations provided for in Article 8 3 of this Code.

5. If the convicted person does not comply with the established supervisory requirements and obligations imposed on him during the probationary period, the court, on the basis of a submission from the probation authority, may issue a ruling to revoke the parole and to enforce the remaining unserved portion of the sentence assigned to him.

6. If the convicted person commits a new crime during the probationary period, the court shall sentence him in accordance with Article 78 of this Code based on the aggregate of sentences.

Article 91. Release from serving a sentence due to illness and pregnancy

1. A person sentenced to imprisonment for a certain term who, after the sentence (order) has been passed, falls ill with a serious illness that prevents the execution of the sentence, may be released by the court from further serving the sentence on the basis of the conclusion of the medical commission. In this case, the court takes into account the severity of the crime committed, the personality of the convicted person, the nature of the illness and the actual term of punishment served. The list of relevant illnesses is approved by the Cabinet of Ministers of the Kyrgyz Republic.

A person sentenced to community service or correctional labor is released by the court from further serving the sentence if he is recognized as a disabled person of group I or II. The court also releases a pregnant woman from further serving the sentence in the

form of community service and correctional labor if the pregnancy occurred after the court sentence was passed.

A person sentenced to a fine may be released by the court from further serving the sentence if he is recognized as a disabled person of group I or II. In this case, the court takes into account the severity of the crime committed, the personality of the convicted person and the actual possibility of serving the sentence given the disability received.

2. If a person becomes mentally ill after a sentence has been passed, the court shall release him from serving his sentence on the basis of the conclusion of a medical commission of psychiatrists, guided by the provisions of Chapter 16 of this Code.

3. The time during which compulsory medical measures were applied to a person shall be counted towards the term of punishment at the rate of one day of imprisonment for one day of application of compulsory medical measures.

4. A serviceman sentenced to be sent to a disciplinary military unit, if he is subsequently found unfit for military service due to health reasons, shall be released from serving his sentence.

Article 92. Limitation period for execution of a guilty verdict

1. A convicted person shall be released from serving both the main and additional punishment if the guilty verdict that has entered into legal force has not been executed within the following time periods:

- 1) two years – if convicted of a minor crime;
- 2) three years – if convicted of a less serious crime;
- 3) five years – if convicted of a serious crime;
- 4) ten years – if convicted of a particularly serious crime.

2. The limitation period is calculated from the date the judgment comes into legal force.

3. The running of the statute of limitations for crimes is suspended if the convicted person evades serving his sentence. In this case, the running of the statute of limitations is resumed from the moment of detention. The statute of limitations that have expired by the time the convicted person evades serving his sentence are subject to offset. In this case, a guilty verdict cannot be executed if twenty years have passed since it was issued and the statute of limitations has not been interrupted by the commission of a new crime. In the event of a deferment of serving the sentence, the running of the statute of limitations is suspended until the expiration of the deferment.

4. The running of the limitation period for crimes shall be interrupted if, before the expiration of the periods specified in Part 1 of this Article, a person commits a new intentional crime. In such cases, the calculation of the limitation period shall begin anew from the date of the commission of the new crime.

5. The question of applying the statute of limitations to a person sentenced to life imprisonment shall be decided by the court. If the court does not find it possible to apply the statute of limitations, life imprisonment shall be replaced by imprisonment for a term of fifteen to twenty years.

6. When committing crimes against the peace or security of mankind or war crimes, against the sexual inviolability and sexual freedom of the individual in relation to children,

as well as crimes of torture, corruption, acts of terrorism, the creation of an extremist organization, the statute of limitations does not apply.

Article 93. Amnesty

1. The Zhogorku Kenesh of the Kyrgyz Republic issues an act of amnesty in relation to an individually indefinite circle of persons.

2. Persons who have committed crimes may be released from criminal liability by an act of amnesty. Persons convicted of committing crimes may be released from punishment, or the punishment imposed on them may be reduced or replaced with a more lenient type of punishment, or such persons may be released from an additional type of punishment.

Article 94. Pardon

1. In relation to an individually determined convicted person, pardon is granted by the President of the Kyrgyz Republic.

2. An act of pardon may replace the sentence imposed by the court in the form of life imprisonment with imprisonment for a term of twenty years, or may mitigate the sentence in the form of imprisonment for a certain term, except in cases where the court has imposed a sentence with the use of probation supervision or conditional early release from punishment.

3. A convicted person has the right to apply for pardon from the moment the sentence comes into legal force. A repeated petition for pardon for a person sentenced to life imprisonment in the absence of new circumstances worthy of attention may be submitted after ten years, and for a person sentenced to imprisonment for a certain term - after half of the sentence imposed by the court has expired.

Chapter 16 . Criminal record and its expungement

Article 95. Criminal record and its expungement

1. A person convicted of committing a less serious, serious or especially serious crime shall be considered to have a criminal record from the date the court's guilty verdict enters into legal force until the moment of expiration.

2. A person convicted of committing a minor crime shall be deemed to have no criminal record from the moment the sentence is executed.

3. In the event of sentencing with the use of probation supervision, the conviction is expunged on the day the probation supervision ends.

4. A person who has committed a crime is considered to have no criminal record, and the criminal record is considered to be expunged if, after serving or completing his sentence, the following period has passed:

- 1) three years – in case of conviction for a less serious crime;
- 2) seven years – in case of conviction for a serious crime;

3) ten years – in case of conviction for a particularly serious crime.

5. The register of convicted persons and persons whose convictions have been expunged shall be maintained in accordance with the procedure established by law.

6. Expungement of a criminal record eliminates the criminal consequences of committing a crime.

SECTION V

FEATURES OF CRIMINAL-LEGAL MEASURES IN RELATION TO CERTAIN CATEGORIES OF PERSONS

Chapter 1 7. Peculiarities of criminal liability of children

Article 96. Criminal liability of children from fourteen to eighteen years of age

1. Children are persons who have not reached the age of eighteen at the time of committing a crime.

2. A child between the ages of fourteen and eighteen who has committed a crime may be sentenced to a punishment, or may be subject to compulsory educational measures, or may be placed under probation supervision.

Article 97. Release of a child aged sixteen to eighteen years from criminal liability in connection with the application of measures to divert from the criminal justice system

1. A child between the ages of sixteen and eighteen who has committed a minor crime and/or a less serious crime for the first time, has no previous criminal record, has not participated in a program to divert him/her from the criminal justice system and has confessed to committing the crime, shall be released from criminal liability by the investigator within the framework of pre-trial proceedings with the use of measures to divert him/her from the criminal justice system, which are aimed at promoting the proper development and resocialization of a child between the ages of sixteen and eighteen and preventing the re-commission of a crime, the list of which is established in an agreement in accordance with the Criminal Procedure Code.

2. In the event of a child between the ages of sixteen and eighteen years intentionally failing to comply with measures to divert him from the criminal justice system, the investigator has the right to change the measures applied, extend the term of the agreement, or cancel the decision to divert him from the criminal justice system.

Article 98. Release from punishment with the use of compulsory educational measures

A child between the ages of fourteen and eighteen who has committed a minor crime and/or a less serious crime for the first time shall be released from punishment by the court if it is recognized that his or her correction can be achieved through the application of compulsory educational measures.

Article 99. Types of compulsory educational measures

1. The court may order the following compulsory educational measures:

- 1) transfer under supervision with a warning;
- 2) restriction of behavior with a warning.

2. A child between the ages of fourteen and eighteen may be assigned two compulsory educational measures at the same time, as provided for in paragraphs 1 and 2 of Part 1 of this Article. The period for applying compulsory educational measures provided for in Part 1 of this Article shall be set at a duration of six months to three years.

3. If a child between the ages of fourteen and eighteen violates the condition provided for by a compulsory educational measure two or more times, the court, upon the submission of an authorized state body, shall replace such measure with a more severe compulsory educational measure or decide on the application of punishment.

Article 100. Transfer to supervision with warning

1. Transfer to supervision with a warning means the imposition on parents or persons replacing them, or an authorized state body, of duties to supervise the behavior of a child between the ages of fourteen and eighteen.

2. A child between the ages of fourteen and eighteen is warned that if violations are committed during the period of supervision, a more severe compulsory educational measure will be applied to him.

Article 101. Restriction of behavior with warning

1. A child between the ages of fourteen and eighteen years may be prohibited:

- 1) visit certain places;
- 2) leave the home for a certain period of time;
- 3) communicate with certain persons;
- 4) use certain forms of leisure.

2. A child between the ages of fourteen and eighteen may be entrusted with:

- 1) resume studies at an educational institution;
- 2) find employment with the help of an authorized government agency within the timeframes established by the court.

3. In addition to the prohibitions and obligations provided for in this article, the court, at its own discretion, may otherwise restrict the behavior of a child between the ages of fourteen and eighteen years.

4. A child between the ages of fourteen and eighteen is warned that in the event of failure to comply with the established prohibitions and obligations, a more severe compulsory educational measure or criminal punishment will be applied to him.

5. After half of the term of the compulsory educational measure in the form of behavioral restriction with a warning established by the court for the convicted person has expired, if the conditions of the criminal-legal measure of influence are fulfilled in good faith, positive results are achieved in correction and resocialization, and the damage caused by the crime is fully compensated, the probation agency has the right to submit to the court a motion to cancel the compulsory educational measure in the form of behavioral restriction with a warning.

Article 102. Assignment of punishment to a child

1. When sentencing a child, in addition to the circumstances provided for in Article 72 of this Code, the conditions of his life and upbringing, level of mental development, other personality traits, as well as the influence of older persons on him shall be taken into account.

2. The age of the child, as a mitigating circumstance, is taken into account in conjunction with other mitigating and aggravating circumstances.

Article 103. Types of punishment applied to children aged fourteen to eighteen years

1. Only the following types of punishment may be applied to children between the ages of fourteen and eighteen who have committed crimes:

- 1) community service;
- 2) fine;
- 3) restriction of freedom;
- 4) correctional labor;
- 5) deprivation of liberty.

2. If a convicted child between the ages of fourteen and eighteen, who has been assigned probation supervision, commits a new crime during the probation period that is not particularly serious, the court, taking into account the circumstances of the case and the personality of the offender, may again make a decision to apply probation supervision, establishing a new probation period and assigning to the convicted person the performance of probationary duties provided for in Article 83 of this Code.

Article 104. Community service assigned to children

Community service is assigned for a period of twenty to one hundred and twenty hours, consists of performing work taking into account the child's physical capabilities, and is performed by him in his free time from school or main work. The duration of this type of punishment for children aged fourteen to sixteen years may not exceed two hours a day, and for children aged sixteen to eighteen years - three hours a day.

Article 105. Fine imposed on a child

The fine is applied to children who have reached the age of sixteen. The fine is imposed if the convicted child has independent earnings or property that can be subject to recovery.

The fine is set at a level from 50 to 1400 calculated indicators.

Article 106. Restriction of freedom assigned to a child

Restriction of freedom is imposed on children for a minor crime or a less serious crime, at the age of fourteen to sixteen years for a period of two to six months. months, at the age of sixteen to eighteen years – from six months to one year.

Article 107. Correctional labor

1. Correctional labor is assigned to employed children aged sixteen to eighteen years at their place of work for a period of one month to one year.

2. From the earnings of a child sentenced to correctional labor, a deduction is made to the state in the amount established by the court verdict, within the range of 5 to 10 percent.

Article 108. Deprivation of liberty imposed on a child

1. Punishment in the form of imprisonment for children who have not reached the age of eighteen at the time of the commission of a crime may be assigned for a term of six months to ten years.

2. For a child between the ages of fourteen and eighteen who committed a crime at the age of under eighteen, the term of imprisonment shall be established:

- 1) for a less serious crime – up to two years;
- 2) for a serious crime – from two to five years;
- 3) for a particularly serious crime – from five to ten years.

3. When assigning punishments for a combination of crimes or sentences, the maximum term of imprisonment may not exceed ten years.

4. A sentence of imprisonment may not be imposed on a convicted child between the ages of fourteen and eighteen who has committed a less serious crime for the first time at the age of under sixteen.

5. A person who has not reached the age of eighteen at the time of sentencing shall be sentenced to serve a sentence in a general or enhanced regime correctional colony.

6. Serving a sentence in educational colonies is assigned:

1) a male child sentenced to imprisonment for the first time, a female child, as well as children whose probationary supervision has been cancelled and sentenced to imprisonment, in general regime educational colonies;

2) a male child who has previously served a sentence of imprisonment – in high-security educational colonies.

7. Depending on the nature and degree of public danger of the crime committed, the personality of the perpetrator and other circumstances of the case, the court, with an indication of the reasons for the decision taken, may order convicted male children to serve their sentences in general regime correctional colonies.

8. When assigning a child between the ages of fourteen and sixteen years a sentence in the form of imprisonment for committing a grave or especially grave crime, the lower limit of punishment provided for in the relevant article of the Special Part of this Code shall be reduced by half.

Article 109. Release from punishment with the use of probation supervision in relation to the child

1. When imposing a sentence in the form of imprisonment for a less serious and/or serious crime, the court, taking into account the personality of the offender, as well as other circumstances of the case, may decide to release him from serving the sentence with the application of probationary supervision and the imposition of probationary duties provided for in Article 83 of this Code, if it comes to the conclusion that it is possible to correct a convicted child aged fourteen to eighteen years without serving the sentence.

2. During the probation period, the court, in the manner determined by Article 83 of this Code, may fully or partially cancel or supplement the probationary obligations previously established for a convicted child aged fourteen to eighteen years.

3. Probationary supervision is established for a period of six months to one year.

Article 110. Legal consequences of probation

1. Upon expiration of the probationary period, a convicted child between the ages of fourteen and eighteen who has fulfilled the probationary obligations imposed on him and has not committed a new crime is considered to have served his sentence.

2. If a convicted child between the ages of fourteen and eighteen years violates the probationary obligations imposed on him without good reason, the court, upon the submission of the probation authority, shall cancel the probationary supervision and send him to serve the assigned sentence.

3. If a convicted child between the ages of fourteen and eighteen commits a new crime during the probation period, the court shall cancel the probation supervision and sentence him in accordance with [Article 78](#) of this Code.

4. If, before the expiration of half of the probationary supervision period, a convicted child aged fourteen to eighteen years has conscientiously fulfilled the conditions of probationary supervision, achieved positive results in correction and resocialization, and fully compensated for the damage caused by the crime, the court, upon the submission of the probation authority, may decide to cancel the probationary supervision. In this case, probationary supervision may be cancelled after the expiration of at least half of the established probationary period.

Article 111. Release from criminal liability and serving a sentence due to expiration of the statute of limitations

The limitation periods provided for in Articles [58](#) and [92](#) of this Code, when releasing children aged fourteen to eighteen years from criminal liability or from serving a sentence, shall be reduced by half.

Article 112. Conditional early release from serving a sentence

1. Persons sentenced to imprisonment for a crime committed at the age of under eighteen years may be granted parole from serving their sentence under the conditions and in the manner provided for in Parts 2 and 4 [of Article 88](#) and [Article 90](#) of this Code.

2. Conditional early release from serving a sentence is applied after a child aged between fourteen and eighteen years has actually served:

- 1) not less than one quarter of the term of punishment imposed for a less serious crime;
- 2) not less than one third of the term of punishment imposed for a serious crime;
- 3) not less than half of the term of punishment assigned for a particularly serious crime.

Article 113. Expungement of criminal records of convicted children

For persons who committed a crime before reaching the age of eighteen, the periods for expunging a criminal record, as provided for in Article 95 of this Code, shall be reduced by half.

Chapter 1 8. Compulsory medical measures and compulsory treatment

Article 114. Concept and purposes of compulsory medical measures

1. Compulsory medical measures include the provision of outpatient psychiatric care and the placement of a person who has committed an act that falls under the elements of a crime provided for by this Code in a special medical institution, as well as the compulsory treatment of a person who has committed a crime.

2. The purposes of compulsory medical measures are mandatory treatment and prevention of the commission of new crimes by the person.

Article 115. Persons to whom compulsory medical measures are applied

Compulsory medical measures may be applied by the court to a person:

- 1) having committed an unlawful act provided for by this Code while in a state of insanity;

- 2) committed a crime in a state of limited sanity;
- 3) who committed a crime in a state of sanity, but fell ill with mental illness or temporary mental disorder before sentencing or while serving a sentence.

Article 116. Types of compulsory medical measures

Based on the nature and severity of the person's illness, as well as the severity of the act committed by him, as provided for by this Code, taking into account the degree of danger of the mentally ill person to himself or to other persons, the court may apply the following compulsory medical measures:

- 1) provision of outpatient psychiatric care on a compulsory basis (compulsory medical examination);
- 2) hospitalization in a psychiatric institution with routine observation;
- 3) hospitalization in a psychiatric institution with enhanced supervision;
- 4) hospitalization in a psychiatric institution with strict supervision.

Article 117. Grounds for the appointment of compulsory medical measures

1. Mandatory outpatient observation and treatment by a psychiatrist (compulsory medical examination) may be prescribed for mentally ill persons who do not show signs of exacerbation of the disease, as well as persons who have suffered a temporary painful mental disorder, for active observation, prevention of relapses of the disease and the commission of new acts provided for by this Code.

2. Hospitalization in a psychiatric hospital with routine observation may be assigned to a sick person who, due to his mental state and the nature of the act committed, as provided for by this Code, requires hospital care.

3. Hospitalization in a psychiatric hospital with enhanced supervision is assigned to a sick person who has committed an act provided for by this Code, not related to an encroachment on the lives of citizens, but due to his mental state may pose a threat to others.

4. Hospitalization in a psychiatric hospital with strict supervision is assigned to a sick person who, due to his mental state and the nature of the act committed, as provided for by this Code, poses a particular danger to others and society.

5. Persons placed in psychiatric hospitals with enhanced and strict supervision shall be kept in conditions that exclude the possibility of them committing a new act provided for by this Code.

Article 118. Extension, modification, termination of the application of compulsory medical measures

1. Extension, modification, and termination of the application of compulsory medical measures shall be carried out by the court on the basis of the conclusion of a commission of psychiatrists.

2. Persons to whom compulsory medical measures are applied by a court decision must be examined by a commission of psychiatrists at least once every six months to decide on the possibility of filing a petition with the court to terminate the application of compulsory medical measures or change their type. In the absence of grounds for changing or canceling a compulsory medical measure, the commission of psychiatrists issues a conclusion on extending the application of this measure, which is sent by the administration of the medical institution at least once a year to the court for consideration.

Article 119. Counting the time of application of compulsory medical measures

1. A person who, after committing a crime or while serving a sentence, falls ill with a mental illness or temporary mental disorder that deprives him of the ability to understand the significance of his actions or control them, after the restoration of the ability to understand the significance of his actions and control them, may be subject to punishment by the court, if the limitation period has not expired or there are no other grounds for releasing him from criminal liability and punishment. If punishment is applied to such a person, the time during which compulsory medical measures were applied shall be counted towards the term of the sentence at the rate of one day spent in a psychiatric hospital for one day of deprivation of liberty.

2. A person who has committed a crime against the sexual inviolability and/or spiritual and moral health of children, who after committing the crime or while serving a sentence became ill with a mental illness or temporary mental disorder that deprives him of the ability to understand the significance of his actions or control them, shall be punished by the court after the restoration of the ability to understand the significance of his actions and control them. The time for the application of compulsory medical measures shall be counted in the manner established by Part 1 of this Article.

(As amended by the Law of the Kyrgyz Republic of [August 9, 2022 N 89](#))

Article 120. Application of compulsory medical measures to persons with mental disorders that do not exclude sanity

Compulsory medical measures applied to persons with a mental disorder that does not exclude sanity, sentenced to imprisonment, include outpatient observation by a psychiatrist, treatment in a psychiatric hospital, and the creation of conditions conducive to psychotherapeutic and psychocorrectional measures during the sentence. Inpatient treatment is carried out on the recommendation of a psychiatrist in the event of an unfavorable change in the mental state of the person. When the said persons are sentenced to punishments not involving imprisonment, treatment is carried out on a general basis.

Article 121. Treatment of persons suffering from alcoholism, drug addiction, toxicomania, tuberculosis

1. In the event of a crime committed by persons suffering from alcoholism, drug addiction, toxicomania, tuberculosis, the court, in the presence of a medical report, along with punishment, shall assign such persons compulsory treatment. The attitude of convicted persons to treatment shall be taken into account by the court when deciding on their release from serving their sentence in accordance with Part 1 [of Article 91](#) of this Code.

2. The said persons sentenced to measures of punishment not involving deprivation of liberty shall be subject to treatment in medical institutions. In the event that such persons are sentenced to deprivation of liberty, they shall be subject to treatment at the place of serving the sentence, and after release, if there is a need to continue treatment, in medical institutions.

SPECIAL PART

SECTION VI

CRIMES AGAINST THE PERSON

Chapter 19 . Crimes against life

Article 122. Murder

1. Murder is the taking of another person's life,
shall be punishable by imprisonment for a term of eight to twelve years.

2. Murder:

- 1) two or more persons;
- 2) women who are pregnant;
- 3) a person in a helpless state, or a child;
- 4) a person or his relatives in connection with the performance by this person of official, professional activities or the fulfillment of public duty;
- 5) for hooligan reasons;
- 6) committed in a manner dangerous to the lives of many persons;
- 7) with particular cruelty;
- 8) associated with rape or violent satisfaction of sexual passion in other forms;
- 9) involving the kidnapping of a person or the taking of a hostage;
- 10) associated with robbery, extortion or an act of terrorism;
- 11) committed on the basis of racial, ethnic, national, religious or interregional enmity (dissension);
- 12) for selfish reasons or for hire;
- 13) for the purpose of obtaining an organ or tissue from the victim;
- 14) with the purpose of concealing another crime or facilitating its commission;
- 15) committed by a group of persons;

16) committed by a group of persons by prior conspiracy;

17) committed by an organized group;

18) committed as part of a criminal community, –

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

Article 123. Murder in a state of passion

1. Murder committed in a state of sudden strong emotional distress (affect) caused by unlawful violence or insult on the part of the victim, other unlawful actions of the victim, as well as a prolonged psychologically traumatic situation that arose in connection with the unlawful behavior of the victim,

shall be punishable by imprisonment for up to three years.

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

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

Article 124. Murder in excess of the limits of necessary defense or in excess of the measures necessary to detain a person who has committed a crime

Murder committed in excess of the limits of necessary self-defense, as well as in excess of the measures necessary to detain a person who has committed a crime,

shall be punishable by imprisonment for up to five years.

Article 125. Murder of a newborn child by a mother

The murder of a newborn child by a mother during or immediately after childbirth, as well as the murder of a newborn child by a mother in a traumatic situation or in a state of mental disorder that does not exclude sanity,

shall be punishable by imprisonment for up to five years.

Article 126. Mercy killing (euthanasia)

Murder at the urgent request of the victim and in accordance with his will, committed for the purpose of relieving the dying person from physical pain,

shall be punishable by imprisonment for up to six years.

Article 127. Causing death by negligence

1. Causing death by negligence –

shall be punishable by imprisonment for up to three years.

2. The same act committed:

- 1) by a person in the performance of his professional duties;
- 2) in relation to two or more persons, –

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

Article 128. Incitement to suicide

1. The threat of using violence dangerous to life and health, cruel treatment or humiliation of the personal dignity of a person, which through negligence resulted in the victim committing suicide or attempting to commit suicide,

shall be punishable by imprisonment for up to six years.

2. The same acts committed against a person who was in material or other dependence on the perpetrator, or against a child, as well as through the use of telecommunications networks, including the Internet,

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

3. The threat of using violence dangerous to the life and health of a person, cruel treatment or humiliation of the personal dignity of a person, committed with the purpose of driving a person to suicide, which resulted in the victim committing suicide,

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

Article 129. Incitement to suicide

1. Incitement to suicide, that is, inciting in another person the determination to commit suicide by persuasion, deception or other means, which resulted in the victim committing suicide or attempting to commit suicide,

shall be punishable by imprisonment for up to six years.

2. The same act committed against a person who was in material or other dependence on the perpetrator, or against a child, as well as through the use of telecommunications networks, including the Internet,

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

Chapter 20. Crimes against health

Article 130. Causing serious bodily harm

1. Causing serious harm to health in the form of physical injury that is life-threatening at the time of infliction; or causing harm to health that results in the loss of sight, speech, hearing, or any organ, or the loss of an organ's functions, mental illness, or other health disorder, combined with a permanent loss of working capacity of at least one third, or with a knowingly complete loss of professional working capacity, or permanent disfigurement of the face, –

shall be punishable by imprisonment for a term of five to seven years.

2. The same act committed:

1) in relation to a family member;

2) in relation to two or more persons;

3) in relation to a woman who is pregnant;

4) in relation to a person in a helpless state or a child;

5) in relation to a person or his relatives in connection with the performance by this person of official, professional activities or the fulfillment of public duty;

6) on the basis of racial, ethnic, national, religious and interregional enmity (discord);

7) with the kidnapping of a person or the taking of a hostage;

8) with robbery or extortion;

9) with rape or violent satisfaction of sexual passion in other forms;

10) with particular cruelty;

11) with the purpose of concealing another crime or facilitating its commission;

12) for hooligan reasons;

13) for selfish reasons or for hire;

14) for the purpose of obtaining an organ or tissue from the victim;

15) a group of persons;

16) by a group of persons by prior conspiracy, –

shall be punishable by imprisonment for a term of six to eight years.

3. Acts provided for in parts 1 and 2 of this article:

1) causing, through negligence, the death of a person, including as a result of suicide, or the death of two or more persons (especially grave harm);

2) committed under a combination of two or more aggravating circumstances provided for in Part 2 of this article;

3) committed by an organized group;

4) committed as part of a criminal community, –

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

Article 131. Causing less serious harm to health

1. Causing harm to health that is not life-threatening and does not entail the consequences provided for in Article 130 of this Code, but that causes a long-term health disorder or a significant, persistent loss of general working capacity of less than one third, shall be punishable by correctional labor from two months to one year, or a fine from 200 to 500 calculated units, or imprisonment for up to three years.

2. The same act committed:

- 1) in relation to two or more persons;
- 2) in relation to a person who is obviously in a helpless state for the guilty party;
- 3) for hooligan reasons;
- 4) with particular cruelty;
- 5) a group of persons;
- 6) by a group of persons by prior conspiracy, –

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of three to five years.

3. The same act committed:

- 1) in relation to a person or his relatives in connection with the performance by this person of official, professional activities or the fulfillment of public duty;
 - 2) in the event of a combination of two or more aggravating circumstances provided for in Part 2 of this article;
 - 3) an organized group;
 - 4) as part of a criminal community, –
- shall be punishable by imprisonment for a term of five to eight years.

Article 132. Causing serious bodily harm by exceeding the limits of necessary defense, as well as by exceeding the measures necessary to detain a person who has committed a crime

Causing serious bodily harm by exceeding the limits of necessary defense, as well as by exceeding the measures necessary to detain a person who has committed a crime, shall be punishable by correctional labor for a term of two months to one year or a fine of 200 to 500 calculated units.

Article 133. Causing serious bodily harm in a state of passion

Causing serious bodily harm in a state of sudden strong emotional distress (affect) caused by violence or serious insult on the part of the victim, as well as a prolonged psychotraumatic situation that arose in connection with the unlawful behavior of the victim,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to two years.

Article 134. Causing serious bodily harm through negligence

Causing serious bodily harm through negligence –

shall be punishable by correctional labor for a term of two months to one year , or a fine of 200 to 500 calculated units, or imprisonment for a term of up to three years.

Article 135. Causing less serious harm to health through negligence

1. Causing less serious harm to health through negligence –

shall be punishable by a fine of 200 to 500 calculated indicators or correctional labor for a term of two months to one year.

2. The same act committed as a result of improper performance of professional duties by a person due to frivolity or negligence,

shall be punishable by a fine of 500 to 1000 calculated indicators or by correctional labor for a term of one to three years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of one to three years.

Article 136. Causing minor bodily harm

Causing minor bodily harm resulting in a short-term health disorder or minor permanent loss of working capacity,

shall be punishable by a fine of 200 to 500 calculated indicators or by community service of forty to one hundred hours.

Article 137. Torture

1. Causing physical or mental suffering to any person with the purpose of obtaining from him or another person information or confession; punishing him for an act which he or another person has committed or of which he is suspected; as well as intimidating or forcing him or another person to commit certain acts, or for a reason based on discrimination of any nature, committed by an official or at his instigation, with his knowledge or tacit consent,

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

2. The same act committed:

- 1) in relation to a woman who is pregnant or a child;
- 2) in relation to a disabled person or other person in a helpless state;
- 3) a group of persons;
- 4) by a group of persons by prior agreement;
- 5) with particular cruelty, –

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

3. The same act, which resulted in causing serious bodily harm or, through negligence, the death of the victim,

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

Article 138. Torture

1. Causing physical or mental suffering by beating two or more times or by other violent actions, if this did not entail the consequences provided for in Articles 130 and 131 of this Code,

shall be punishable by correctional labor for a term of one to three years, or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to three years.

2. The same act committed:

1) in relation to a woman who is pregnant;

2) in relation to a child or a person in a helpless state or in material or other dependence on the perpetrator, as well as a person kidnapped or taken hostage;

3) a group of persons;

4) by a group of persons by prior conspiracy, –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for three to five years.

3. The same act committed:

1) in relation to two or more persons;

2) for hire;

3) on the basis of social, national, racial, religious hatred or enmity;

4) an organized group;

5) as part of a criminal community, –

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

Article 139. Threat of violence dangerous to life and health

1. The threat of using violence dangerous to life and health, in the presence of sufficient grounds to fear the implementation of this threat,

shall be punishable by community service from forty to one hundred hours, or correctional labor for a term of two months to one year, or a fine of 200 to 500 calculated units.

2. The same act committed:

1) in relation to a person or his relatives in connection with the performance by this person of official, professional activities or the fulfillment of public duty;

2) an organized group;

3) as part of a criminal community , –

shall be punishable by correctional labor for a term of one to three years, or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to five years.

Chapter 2 1. Crimes that endanger human life and health

Article 140. Coercion to remove human organs or tissues for transplantation

1. Forcing a person to have organs or tissues removed from him or his relatives for transplantation, committed with the use of violence that is not dangerous to the life and health of the person, or with the threat of its use, or by deception, in the absence of the consequences provided for in Articles 130 and 131 of this Code,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to three years with or without deprivation of the right to hold certain positions or engage in certain activities for up to three years.

2. The same act committed against a person who is materially or otherwise dependent on the perpetrator,

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

Article 141. Violation of the procedure established by law for transplanting human organs or tissues, as well as illegal trade in them

1. Intentional or careless violation of the conditions and procedure for the removal of human organs and (or) tissues or the conditions and procedure for transplantation provided by law, which, through negligence, resulted in significant harm , -

shall be punishable by a fine of 200 to 500 calculated units or by deprivation of the right to hold certain positions or engage in certain activities for a period of one to three years.

2. The same acts that caused serious harm through negligence,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for up to two years.

3. The same acts committed:

1) in relation to two or more persons;

2) in relation to a child aged between fourteen and eighteen years;

3) in relation to a person who is obviously in a helpless state;

4) in relation to a woman who is known to the perpetrator to be pregnant;

5) by deception or abuse of trust;

- 6) using the material or other dependence of the victim;
- 7) for the purpose of illegal trade in human organs or tissues;
- 8) by a person using his official position;
- 9) with movement across the State border of the Kyrgyz Republic or with illegal detention of a person abroad;
- 10) a group of persons;
- 11) by a group of persons by prior conspiracy;
- 12) an organized group;
- 13) as part of a criminal community;
- 14) and resulting through negligence in the death of a person, –

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

Article 142. Illegal termination of pregnancy

1. Termination of pregnancy at the will of the pregnant woman, performed by a gynecologist later than the period permitted by law, as well as termination of pregnancy at the will of the pregnant woman, performed by a person who, according to the law, does not have the right to terminate the pregnancy, if this, through negligence, resulted in significant harm,

shall be punishable by a fine of 200 to 500 calculated units or by deprivation of the right to hold certain positions or engage in certain activities for a period of one to three years.

2. Termination of pregnancy at the will of the pregnant woman, performed by a gynecologist later than the period permitted by law, if this, through negligence, resulted in serious harm,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

3. Termination of pregnancy at the will of the pregnant woman, committed by a person who, according to the law, does not have the right to terminate the pregnancy, resulting through negligence in serious harm,

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

Article 143. Infection with a venereal or incurable infectious disease

1. Intentional infection of another person with a venereal disease by a person who knew that he had this disease,

shall be punishable by a fine of 200 to 300 calculated indicators.

2. Placing another person at risk of infection with the human immunodeficiency virus or another incurable infectious disease that is dangerous to human life, if infection has not occurred,

shall be punishable by correctional labor for a term of two months to one year, or a fine of 300 to 500 calculated units, or imprisonment for a term of up to two years.

3. Infection of another person with the human immunodeficiency virus or another incurable infectious disease by a person who knew that he had this disease, committed through negligence,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years.

4. Infection of another person with the human immunodeficiency virus or another incurable infectious disease that is dangerous to human life,

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

Note : A person shall be exempt from criminal liability for the acts provided for in parts 1, 2 or 3 of this article if another person placed at risk of contracting HIV infection was promptly warned of the presence of this disease in the first and voluntarily agreed to commit acts that created the risk of infection.

Article 144. Abandonment in danger

1. Deliberately abandoning without assistance a person who is in a life-threatening or health-threatening condition and who is deprived of the ability to take measures for self-preservation due to infancy (under fourteen years of age), old age, illness or helplessness, if the guilty party himself put him in a life-threatening condition, including as a result of a traffic accident, or for other reasons was obliged to take care of the victim and could provide him with assistance,

shall be punishable by correctional labor for a term of two months to one year or a fine of 200 to 500 calculated units with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

2. An act provided for in Part 1 of this Article, which through negligence has resulted in serious harm,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 145. Failure to provide assistance

Failure to provide assistance to a person who is in a life-threatening or health-threatening condition and who is unable to take measures for self-preservation due to infancy (under fourteen years of age), old age, illness or helplessness, if the guilty party could have provided assistance to the victim, or failure to report such a condition of the victim to the appropriate institutions or persons, which has resulted in serious harm through negligence,

shall be punishable by correctional labor for a term of two months to one year, or a fine of 200 to 500 calculated units, or imprisonment for a term of up to three years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Chapter 2. Crimes in the field of medical and pharmaceutical services to individuals

Article 146. Improper performance of professional duties by a medical or pharmaceutical worker

1. Failure to provide medical care to a patient without good reason by a medical worker who was obligated and had the opportunity to provide such care, as well as failure to perform or improper performance, due to frivolity or negligence, of professional duties by a medical or pharmaceutical worker, which, through negligence, resulted in significant harm,

shall be punishable by a fine of 200 to 300 calculated units or by deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years.

2. The same act, which caused serious harm through negligence,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 147. Illegal conduct of experiments on humans

1. Clinical trials of medicinal products, as well as medical-biological, psychological or other experiments or research on humans, committed without the written consent of a person (his legal representative) or otherwise illegally conducted, which has resulted through negligence in significant harm,

shall be punishable by a fine of 200 to 500 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years or by community service from forty to one hundred hours.

2. The same act, which caused serious harm through negligence,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to three years.

3. The same act committed against a child or an incapacitated person, or a person who is obviously in a helpless state for the perpetrator,

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

Article 148. Illegal removal of tissue or organs of a deceased person

The illegal removal of tissue or organs from a deceased person for the purpose of using them in medicine, committed by a medical worker,

shall be punishable by community service from forty to one hundred hours, or by deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years, or by correctional labor for a period of two months to one year , or by a fine of 200 to 500 calculated units.

Article 149. Implantation of another woman's egg into a woman

1. Implantation of someone else's egg or creation of an embryo from it in a woman, committed in violation of the established rules, as well as private mediation in the implantation of someone else's egg or an embryo created from it, –

shall be punishable by community service from forty to one hundred hours, or by deprivation of the right to hold certain positions or engage in certain activities for up to three years, or by correctional labor from two months to one year , or by a fine from 200 to 500 calculated units.

2. Implantation of someone else's egg or creation of an embryo from it into a woman, committed without her consent,

shall be punishable by community service from one hundred to three hundred hours, or by deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years, or by correctional labor for a period of one year to three years, or by a fine from 500 to 1000 calculated indicators.

Article 150. Prohibited actions with an embryo

Committed during acts performed on artificial insemination of a woman or with a human embryo preserved outside the body:

1) artificial insemination of a female egg with a sperm selected based on the sex chromosome it contains, except in cases where the sex cell is selected for the purpose of preventing the child from contracting a serious hereditary disease transmitted by sex, or

2) replacing the nucleus of a fertilized egg with a cell from the body of another embryo, fetus, living or deceased human being with the aim of creating a human embryo with genetic information identical to that embryo, fetus, living or deceased human being, or

3) the combination of embryos with different hereditary information, if at least one of them is a human embryo, as well as the combination with a human embryo of a cell that contains hereditary information that differs from that contained in the cells of the embryo and is capable of further development together with it, or

4) the creation of an embryo capable of development by fertilizing a human egg with an animal sperm or an animal egg with a human sperm,

shall be punishable by community service from forty to one hundred hours, or by deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years, or by correctional labor for a period of two months to one year , or by a fine of 200 to 500 calculated units.

Article 151. Forced donation

1. The forcible or fraudulent extraction of blood from a person for the purpose of using him as a donor,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of two months to one year , or a fine of 200 to 500 calculated units, or imprisonment for a term of up to three years.

2. The same act committed against a child, an incapacitated person or a person who is obviously in a helpless state for the perpetrator,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of three to five years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Article 152. Illegal medical activity

1. Medical activity carried out without a special permit, as well as illegal medical activity carried out by a person who does not have a medical education, which, through negligence, has resulted in significant harm,

shall be punishable by a fine of 5,000 to 10,000 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years.

2. The same acts that, through negligence, resulted in serious harm,

shall be punishable by imprisonment for up to three years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 153. Disclosure of medical confidentiality

Disclosure of a medical secret by a person to whom it became known in connection with the performance of professional or official duties, which, through negligence, resulted in serious harm,

shall be punishable by correctional labor for a term of one to three years, or a fine of 500 to 1,000 calculated units, or imprisonment for a term of up to five years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Chapter 23 . Crimes against sexual inviolability and sexual freedom

Article 154. Rape

1. Rape, that is, sexual intercourse with the use of violence that is not dangerous to life and health, or the threat of its use against the victim or other persons, as well as taking advantage of the helpless state of the victim, -

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

2. The same act:

- 1) committed by a group of persons;
 - 2) committed by a group of persons by prior conspiracy;
 - 3) associated with the threat of violence dangerous to life or health;
 - 4) committed with particular cruelty towards the victim or her relatives, -
- shall be punishable by imprisonment for a term of eight to eleven years.

3. Acts provided for in parts 1 or 2 of this article:

- 1) resulting in pregnancy;
- 2) committed against a child between the ages of fourteen and eighteen;
- 3) committed by an organized group;
- 4) committed as part of a criminal community;
- 5) causing serious harm through negligence, -

shall be punishable by imprisonment for a term of fifteen years or by life imprisonment.

4. Acts provided for in parts 1, 2 or 3 of this article, committed against a child under the age of fourteen, -

shall be punishable by imprisonment for a term of fifteen years or by life imprisonment.

(As amended by the Law of the Kyrgyz Republic of [August 9, 2022 N 89](#))

Article 155. Violent acts of a sexual nature

1. Sodomy, lesbianism or other acts of a sexual nature in a perverted form, committed with the use of violence that is not dangerous to life and health, or with the threat of its use against the victim or other persons, or by taking advantage of the helpless state of the victim, -

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

2. The same acts:

- 1) committed by a group of persons;
 - 2) committed by a group of persons by prior conspiracy;
 - 3) associated with the threat of violence dangerous to life and health;
 - 4) committed with particular cruelty towards the victim or other persons, -
- shall be punishable by imprisonment for a term of eight to eleven years.

3. Acts provided for in parts 1 or 2 of this article, committed:

- 1) causing serious harm through negligence;
- 2) in relation to a child aged between fourteen and eighteen years;

3) an organized group;

4) as part of a criminal community, -

shall be punishable by imprisonment for a term of fifteen years or by life imprisonment.

4. Acts provided for in parts 1, 2 or 3 of this article, committed against a child under the age of fourteen, -

shall be punishable by imprisonment for a term of fifteen years or by life imprisonment.

(As amended by the Law of the Kyrgyz Republic of [August 9, 2022 N 89](#))

Article 156. Coercion to commit acts of a sexual nature

1. Coercion of a person into sexual intercourse, sodomy, lesbianism or the commission of other acts of a sexual nature by means of blackmail or by exploiting the material or other dependence of the victim, in the absence of elements of the crimes provided for in Articles [154](#) and [155](#) of this Code, -

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of one to three years, or correctional labor for a term of one to three years, or a fine of 1,000 to 2,000 calculated units, or imprisonment for a term of up to five years.

2. The same acts committed:

1) in relation to a child aged between fourteen and eighteen years;

2) a parent or other person who is legally responsible for raising a child, as well as a teacher or other employee of an educational, training, medical or other institution who is legally responsible for supervising a child,

shall be punishable by imprisonment for a term of ten to fifteen years with deprivation of the right to hold certain positions or engage in certain activities for a term of one to three years.

3. The same acts committed against a child under the age of fourteen years,

shall be punishable by imprisonment for a term of fifteen years or by life imprisonment with deprivation of the right to hold certain positions or engage in certain activities for a term of one to three years.

(As amended by the Law of the Kyrgyz Republic of [August 9, 2022 N 89](#))

Chapter 24. Crimes against the spiritual and moral health of the individual

Article 157. Sexual acts with a child under the age of sixteen

Sexual intercourse, sodomy, lesbianism or other acts of a sexual nature committed by a person who has reached the age of eighteen with a child who has not reached the

age of sixteen, in the absence of elements of the crimes provided for in Articles [154](#), [155](#) and [156](#) of this Code, -

shall be punishable by imprisonment for a term of eight to ten years.

(As amended by the Law of the Kyrgyz Republic of [August 9, 2022 N 89](#))

Article 158. Indecent acts

Committing indecent acts without sexual contact in relation to a person under the age of sixteen, in the absence of elements of the crimes provided for in Articles [154](#), [155](#) and [157](#) of this Code, -

shall be punishable by imprisonment for a term of seven to ten years.

(As amended by the Law of the Kyrgyz Republic of [August 9, 2022 N 89](#))

Article 159. Involvement in prostitution

1. Involvement in prostitution or coercion to engage in prostitution, committed through the use of violence that is not dangerous to life and health, or the threat of its use, destruction or damage to property, blackmail or fraud, in the absence of elements of the crimes provided for in Articles [154](#), [155](#) of this Code, -

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years.

2. The same act committed:

1) *(repealed in accordance with [the Law](#) of the Kyrgyz Republic dated August 9, 2022 N 89)*

2) a group of persons;

3) by a group of persons by prior conspiracy;

4) causing serious harm through negligence;

5) an organized group;

6) as part of a criminal community, -

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

3. The same act committed against a child, -

shall be punishable by imprisonment for a term of ten to fifteen years with confiscation of property.

(As amended by the Law of the Kyrgyz Republic of [August 9, 2022 N 89](#))

Article 160. Promoting prostitution and debauchery

1. Organization or maintenance of brothels for prostitution or pimping for debauchery or pimping, -

shall be punishable by a fine of 1,000 to 2,000 calculated units or by imprisonment for up to seven years with or without confiscation of property.

2. The same acts committed with the use of children, -

shall be punishable by imprisonment for a term of seven to fifteen years with confiscation of property.

(As amended by the Law of the Kyrgyz Republic of [August 9, 2022 N 89](#))

Article 161. Distribution of pornographic materials

The import, production, transportation or other movement or advertising of works, images or other items of a pornographic nature, committed for the purpose of sale, as well as the sale or other distribution of such items,

shall be punishable by community service from forty to one hundred hours, or by deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years, or by correctional labor for a period of two months to one year , or by a fine of 200 to 500 calculated units.

Article 162. Involvement of a child in the pornography business

1. Involvement of a child in actions related to the production of objects or works of a pornographic nature or copies of such an object or work, -

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to three years.

2. Involving a child as a performer in events or works of a pornographic nature, -

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

3. The same acts committed with the use of violence that is not dangerous to life and health, or the threat of its use, destruction or damage to property, blackmail or deception, -

shall be punishable by imprisonment for a term of six to ten years, with or without confiscation of property.

4. Acts provided for in parts 1 or 2 of this article, committed:

1) a parent or other person who is legally responsible for raising a child, as well as a teacher or other employee of an educational, training, medical or other institution who is legally responsible for supervising children;

2) a group of persons;

3) by a group of persons by prior agreement;

4) in relation to a child under the age of fourteen years;

5) causing serious harm through negligence;

6) an organized group;

7) as part of a criminal community, -

shall be punishable by imprisonment for a term of ten to fifteen years with deprivation of the right to hold certain positions or engage in certain activities for a term of one to three years with confiscation of property.

(As amended by the Law of the Kyrgyz Republic of [August 9, 2022 N 89](#))

Article 163. Cruelty to animals

1. Cruel treatment of an animal for the purpose of causing it pain and (or) suffering, as well as for hooligan motives or for selfish motives, resulting in its death or injury, as well as torture, -

shall be punishable by community service from forty to one hundred hours, or by deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years, or by correctional labor for a period of two months to one year , or by a fine of 200 to 500 calculated units.

2. The same act committed:

1) in relation to several animals;

2) a group of persons;

3) using sadistic methods;

4) in the presence of a child under the age of fourteen;

5) with a public demonstration in the media or on the Internet, –

shall be punishable by community service from one hundred to three hundred hours, a fine from 500 to 1000 calculated indicators, or correctional labor for a period of one year to three years with or without deprivation of the right to hold certain positions or engage in certain activities for a period of one year to three years.

Article 164. Desecration of the body of the deceased and the burial place

Desecration of the body of a deceased person or destruction, damage or desecration of a burial place or grave structure, as well as theft of objects located in a grave or on a grave,

shall be punishable by a fine of 200 to 500 calculated units, or by restriction of freedom for a period of six months to one year, or by community service for forty to one hundred hours.

Chapter 2 5. Crimes against personal freedom of man

Article 165. Kidnapping

1. Kidnapping a person against his will, accompanied by removal from his place of permanent or temporary residence with subsequent detention in a place other than his place of residence, in the absence of elements of the crime provided for in Article 257 of this Code, committed by means of seizure, deception or with the use of violence that is not dangerous to life and health, or the threat of using such violence, -

shall be punishable by imprisonment for a term of five to seven years.

2. The same act committed:

- 1) in relation to two or more persons;
- 2) in relation to a child;
- 3) in relation to a woman who is pregnant;
- 4) for the purpose of removing organs or tissues from a person for transplantation;
- 5) for the purpose of removing organs or tissues from a deceased person for transplantation;
- 6) for the purpose of obtaining a ransom or other personal interest;
- 7) a group of persons ;
- 8) by a group of persons by prior agreement;
- 9) causing serious harm through negligence, –

shall be punishable by imprisonment for a term of seven to ten years, with or without confiscation of property.

3. The acts provided for in Part 1 or paragraphs 1–5 of Part 2 of this Article, if the perpetrator voluntarily released the kidnapped person,

shall be punishable by community service from one hundred to three hundred hours, or correctional labor for a term of one to three years, or a fine from 500 to 1000 calculated indicators.

4. Acts provided for in Part 1 of this article committed:

- 1) in relation to a child under the age of fourteen years;
- 2) using his official position;
- 3) using weapons or objects used as weapons;
- 4) causing particularly serious harm;
- 5) an organized group;
- 6) as part of a criminal community, –

shall be punishable by imprisonment for a term of ten to twelve years with confiscation of property.

Article 166. Human trafficking

1. Human trafficking, that is, their recruitment, transportation, harboring, acceptance or transfer, carried out with their consent or without consent, by means of threat, use of force or other forms of coercion, blackmail, kidnapping, fraud, deception, for the purpose of exploitation,

shall be punishable by imprisonment for a term of three to six years, with or without confiscation of property.

2. The same act committed:

- 1) in relation to two or more persons;
- 2) a group of persons;
- 3) by a group of persons by prior agreement;
- 4) by a person using his official position;

5) with the movement of the victim across the State border of the Kyrgyz Republic or his illegal detention abroad;

6) in relation to a person who is materially or otherwise dependent on the guilty party,

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

3. The same act committed:

- 1) in relation to a woman who is pregnant;
- 2) for the purpose of removing organs or tissues from a person or a deceased person for transplantation;
- 3) causing serious harm through negligence;
- 4) an organized group;
- 5) as part of a criminal community, –

shall be punishable by imprisonment for a term of eight to eleven years with confiscation of property.

4. Recruitment, transportation, concealment, acceptance or transfer of a child, carried out with or without consent, without the use of force or other forms of coercion, blackmail, abduction, fraud, deception, for the purpose of exploitation,

shall be punishable by imprisonment for up to five years.

Note: Recruitment is understood as the activity of individuals or legal entities in the search, selection, acceptance and hiring of people for material compensation to perform any work or provide services in the interests of the employer or other persons.

Exploitation means the coercion of persons into prostitution or other forms of sexual exploitation, forced labor or services, slavery, participation in armed conflicts, including through the use of debt obligations, material or other dependence, as well as their servitude.

A person who has become a victim of human trafficking shall be exempt from criminal liability for committing acts that constitute a minor crime or a less serious crime if such an act was committed by the victim as a result of his or her involvement in the process of human trafficking.

Article 167. Child trafficking

1. Trafficking in a child, with or without the purpose of obtaining benefit, –

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

2. The same act committed:

- 1) in relation to two or more persons;
- 2) a group of persons;
- 3) by a group of persons by prior agreement;
- 4) by a person using his official position;
- 5) causing significant harm through negligence;

6) with the movement of the victim across the State border of the Kyrgyz Republic or his illegal detention abroad, –

shall be punishable by imprisonment for a term of eight to eleven years.

3. The same act committed:

- 1) in relation to a child under the age of fourteen years;
- 2) for the purpose of removing organs or tissues from a person for transplantation;
- 3) causing, through negligence, serious or especially serious harm;
- 4) an organized group;
- 5) as part of a criminal community, –

shall be punishable by imprisonment for a term of eleven to fifteen years with confiscation of property.

Article 168. Organization of illegal migration, illegal import (export) of migrants

1. Organization of illegal migration, illegal import, export of migrants, foreign citizens and stateless persons or provision of vehicles or forged documents, residential or other premises, as well as provision of other services to citizens for illegal entry, exit, movement through the territory of the Kyrgyz Republic, transit through the territory of the Kyrgyz Republic with the purpose of obtaining a benefit or without it, –

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

2. The same act committed:

- 1) in relation to a child;
- 2) a group of persons;
- 3) by a group of persons by prior agreement;
- 4) by a person using his official position;
- 5) in relation to a person who is materially or otherwise dependent on the guilty party;
- 6) causing, through negligence, serious or especially serious harm;
- 7) an organized group;
- 8) as part of a criminal community, –

shall be punishable by imprisonment for a term of five to eight years with confiscation of property.

Note: Illegal import (export) of migrants means the activity of individuals or legal entities to ensure the illegal entry, exit, or movement of a person, where the person does not have the status of a citizen or the right to permanent residence, or where these rights were obtained by providing false information to government agencies for the purpose of directly or indirectly obtaining financial or other material benefits.

Article 169. Illegal deprivation of liberty

1. Restriction of freedom of movement of a person with his/her forcible detention in the absence of signs of an official crime, –

shall be punishable by imprisonment for up to two years .

2. The same act, if it is committed:

- 1) in relation to two or more persons;
- 2) in relation to a child aged between fourteen and eighteen years;
- 3) in relation to a woman who is pregnant;
- 4) with the use of violence dangerous to life and health;
- 5) with the use of weapons or other objects used as weapons;
- 6) a group of persons;
- 7) by a group of persons by prior conspiracy, –

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

3. Acts provided for in parts 1 and 2 of this article :

- 1) committed against a child under the age of fourteen;
- 2) committed by an organized group;
- 3) committed as part of a criminal community;
- 4) resulting through negligence in particularly serious harm, –

shall be punishable by imprisonment for a term of five to ten years with confiscation of property.

4. The acts provided for in parts 1 or 2 of this article, if the perpetrator released the victim voluntarily, within 72 hours, –

shall be punishable by community service from one hundred to three hundred hours, or correctional labor for a term of one to three years, or a fine from 500 to 1000 calculated indicators.

Article 170. Forced use of labor (slave labor)

1. Forced use of the labor of a person in relation to whom powers inherent in the right of ownership are exercised, if the person, for reasons beyond his control, cannot refuse to perform the work (services),

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

2. The same act committed:

- 1) in relation to two or more persons;
- 2) in relation to a child aged between fourteen and eighteen years;
- 3) with the seizure, concealment or destruction of documents certifying the identity of the victim;
- 4) using blackmail, violence that is not dangerous to life and health, or the threat of using such violence;
- 5) using official position, –

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

3. Acts provided for in parts 1 or 2 of this article:

- 1) committed against a child under the age of fourteen;
- 2) causing, through negligence, serious or especially serious harm;
- 3) committed by an organized group;
- 4) committed as part of a criminal community, –

shall be punishable by imprisonment for a term of eight to twelve years with confiscation of property.

Article 171. Illegal placement in a psychiatric hospital

1. Illegal placement of a person in a psychiatric hospital, –

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of two months to one year, or a fine of 200 to 500 calculated units, or imprisonment for a term of three to six years.

2. The same act, if it is committed by a person using his official position or has resulted through negligence in causing grave or especially grave harm, or is committed against a child,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of six to eight years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Chapter 2 6. Crimes against the structure of family relations and the interests of children

Article 172. Kidnapping a person for the purpose of marriage

1. Kidnapping a person for the purpose of entering into marriage, –

shall be punishable by imprisonment for a term of five to seven years.

2. Abduction of a child for the purpose of entering into a de facto marital relationship or for entering into a marriage, –
shall be punishable by imprisonment for a term of seven to ten years.

Article 173. Coercion to enter into de facto marital relations

Coercion to enter into a de facto marital relationship with a child, -
shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of three to five years.

Article 174. Coercion of a person to enter into marriage

Forcing a person to enter into marriage, as well as forcing a person to continue a marriage concluded by force, or forcing a person to enter into cohabitation without concluding a marriage, or forcing a person to continue such cohabitation, as well as preventing a person from entering into marriage, -

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of three to five years.

Article 175. Violation of the law on marriage age during religious ceremonies

Parents (persons replacing them) of a child in respect of whom a religious marriage ceremony was performed, the person who performed the religious marriage ceremony, as well as an adult in respect of whom a religious marriage ceremony was performed with a child in violation of the legislation on the age of marriage,

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

Article 176. Bigamy or polygamy

Bigamy or polygamy, that is, the cohabitation of a man with two or more women while maintaining a common household,

shall be punishable by community service from one hundred to three hundred hours or correctional labor for a term of one to three years, or a fine from 500 to 1000 calculated indicators.

Article 177. Domestic violence

Any intentional actions of one family member against another family member or a person equivalent to him, violating the constitutional and other rights and freedoms of the victim, as well as causing him physical or mental suffering, or causing harm to physical or mental development, resulting in less serious harm to health, -

shall be punishable by correctional labor for a term of two months to one year, or by community service for forty to one hundred hours, or by imprisonment for a term of up to five years.

Article 178. Evasion of parents from supporting their children

Evasion by parents of payment of funds for the maintenance of a child or adult children, but incapacitated and in need of financial assistance, based on a court decision, shall be punishable by a fine of 200 to 500 calculated units, or community service from forty to one hundred hours, or correctional labor for a term of two months to one year .

Article 179. Evasion of children from supporting their parents

Evasion by adult children of payment of funds for the maintenance of disabled parents and those in need of financial assistance, based on a court decision –

shall be punishable by a fine of 200 to 500 calculated units, or community service from forty hours to one hundred hours, or correctional labor for a term of two months to one year .

Article 180. Involvement of a child in the commission of a crime

1. Involvement of a child in the commission of a crime by any means, committed by a person who has reached the age of eighteen,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years , or correctional labor for a term of two months to one year , or a fine of 200 to 500 calculated units, or imprisonment for a term of up to two years.

2. The same act committed by a parent, teacher or other person who is legally obligated to care for a child,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

3. Acts provided for in parts 1 or 2 of this article, related to the involvement of a child in an organized group or in a criminal community , or in the commission of a serious or especially serious crime, -

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

Article 181. Involvement of a child in the commission of antisocial acts

1. Involvement of the child in the use of alcohol, narcotics or other intoxicating substances, vagrancy or begging, or the use of it in vagrancy or begging,

shall be punishable by community service from forty to one hundred hours or correctional labor for a term of two months to one year , or a fine of 200 to 500 calculated units.

2. The same act committed by a parent, teacher or other person who is legally obligated to care for a child,

shall be punishable by correctional labor from one year to three years, or a fine from 500 to 1000 calculated units, or imprisonment for up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for up to three years.

Article 182. Removal of children to a zone of armed conflict or military operations on the territory of a foreign state

1. Taking a child to a zone of armed conflict or military operations on the territory of a foreign state, –

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

2. The same act committed by a parent or other person who is legally responsible for raising a child, as well as by a teacher or other employee of an educational, training, medical or other institution who is legally responsible for supervising a child,

shall be punishable by imprisonment for a term of six to eight years.

3. The acts provided for in parts 1 and 2 of this article, committed by an organized group or as part of a criminal community , –

shall be punishable by imprisonment for a term of eight to eleven years with confiscation of property.

Article 183. Substitution of a child

Substitution of a newborn child, committed out of selfish or other personal interest,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of three to six years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Article 184. Disclosure of the secret of adoption

Disclosure of the secret of adoption against the will of the adopter, causing significant harm through negligence,

shall be punishable by correctional labor from two months to one year , or a fine from 200 to 500 calculated units, or imprisonment for up to three years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 185. Illegal actions related to adoption of children

Actions to select and transfer a child for adoption on behalf of or in the interests of a person wishing to adopt him/her, carried out by a person not authorized to do so by law, as well as inducement by this person to consent to the adoption of children for selfish reasons,

shall be punishable by a fine in the amount of 200 to 500 calculated indicators or by correctional labor for a term of two months to one year with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Article 186. Abuse of guardianship rights

The use of guardianship or trusteeship knowingly to the detriment of the ward or leaving him without supervision and necessary financial assistance,

shall be punishable by a fine in the amount of 200 to 500 calculated indicators.

Article 187. Failure to fulfill responsibilities for raising a child

Failure to perform or improper performance of duties to raise a child by a parent or other person to whom these duties are assigned, as well as by a teacher or other employee of an educational, upbringing, medical or other institution obligated to supervise a child, if this act is combined with cruel treatment of the child,

shall be punishable by a fine in the amount of 200 to 500 calculated indicators, or by correctional labor for a term of two months to one year, or by restriction of freedom for a term of six months to one year with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Article 188. Illegal removal of a child

Illegal removal of a child outside the Kyrgyz Republic –

shall be punishable by a fine of 200 to 500 calculated units, or community service from forty hours to one hundred hours, or correctional labor for a term of two months to one year.

Chapter 27. Crimes against civil and other human rights

Article 189. Violation of human equality

1. Violation of human equality, namely direct or indirect restriction of rights or establishment of direct or indirect privileges depending on gender, race, nationality, language, disability, ethnicity, religion, age, political or other beliefs, education, origin, property or other status, which has caused significant harm through negligence,

shall be punishable by correctional labor from two months to one year, or a fine from 200 to 500 calculated units, or imprisonment for up to two years with or without deprivation of the right to hold certain positions or engage in certain activities for up to two years.

2. The same act, which caused serious harm through negligence,

shall be punishable by a fine of 500 to 1,000 calculated units or imprisonment for a term of two to five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Article 190. Violation of privacy

1. Illegal collection, storage, use and dissemination of confidential information about a person's private life without his consent, except in cases established by law, –

shall be punishable by community service from forty to one hundred hours or correctional labor for a term of two months to one year, or a fine of 200 to 500 calculated units.

2. Illegal use or dissemination of a personal or family secret in a work, during a speech in the media or other public appearance, as well as committed by a person using his official position,

shall be punishable by correctional labor from one year to three years, or a fine from 500 to 1000 calculated units, or imprisonment for up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 191. Illegal detention or imprisonment

1. Knowingly unlawful detention, –

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

2. Knowingly unlawful detention or holding in custody, –

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

3. Acts provided for in parts 1 or 2 of this article, which through negligence resulted in serious harm, –

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

4. Intentional failure to notify relatives of a suspect who have the right to receive such information about the fact of his detention and whereabouts, unlawful refusal to provide information about the place of detention of a person, as well as falsification of the time of drawing up a protocol of actual detention or the time of actual detention, -

shall be punishable by imprisonment for up to two years.

Article 192. Obstructing a medical worker in conducting an examination and other actions to prevent torture

Obstructing a medical worker in conducting an examination, examination or medical expertise at the pre-trial, trial or sentence stage –

shall be punishable by imprisonment for up to five years.

Article 193. Violation of the secrecy of correspondence

1. Violation of the privacy of correspondence, telephone and other conversations, postal, telegraphic, electronic and other messages transmitted by means of communication or using a computer,

shall be punishable by community service from forty to one hundred hours, or correctional labor from two months to one year , or a fine from 200 to 500 calculated indicators, or imprisonment for up to one year.

2. The same act committed using one's official position or special technical means intended for the covert acquisition of information,

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

Article 194. Violation of the inviolability of the home

1. Illegal entry into a home or other objects owned or otherwise held by a person against the will of that person –

shall be punishable by imprisonment for up to two years.

2. The same act committed with the use of physical violence or the threat of its use, shall be punishable by imprisonment for up to five years.

Article 195. Obstruction of the exercise of electoral rights

1. Obstruction of the free exercise by a citizen of his electoral rights or the right to participate in a referendum, violation of the secrecy of voting,

shall be punishable by community service from forty to one hundred hours, or correctional labor from two months to one year , or a fine from 200 to 500 calculated indicators.

2. Obstruction of the work of election commissions, referendum commissions by interfering in the activities of an election commission, referendum commission, or in the activities of a member of an election commission, referendum commission, related to the performance of their duties, including by using an official or service position with the aim of influencing their decisions, namely, a demand or instruction from an official on issues

of registration of candidates, lists of candidates, counting of votes of voters, referendum participants and on other issues, or a deliberate attempt to disrupt the work or falsify data of state information systems used in the election process,

shall be punishable by community service from one hundred to three hundred hours, or correctional labor for a term of one to three years, or a fine from 500 to 1000 calculated indicators.

3. The same acts provided for in parts 1 and 2 of this article:

1) combined with deception, coercion, the use of violence or the threat of its use;

2) committed by a person using his official position;

3) committed by a group of persons;

4) committed by a group of persons by prior conspiracy;

5) committed by an organized group;

6) committed as part of a criminal community;

7) committed by violating the established procedure for the functioning of the electronic electoral system, –

shall be punishable by correctional labor for a term of one to three years, or a fine of 1,000 to 2,000 calculated units, or imprisonment for a term of up to five years.

Article 196. Bribing of voters' votes

1. Bribing voters' votes by paying or distributing money, handing over material assets or assisting in obtaining any position or other benefits, as well as their public promise during the election period –

shall be punishable by a fine of 500 to 1000 calculated indicators.

2. The same act committed by a candidate for President of the Kyrgyz Republic, a candidate for deputy of the Zhogorku Kenesh of the Kyrgyz Republic or a local kenesh, a candidate for other elected bodies of state power and local self-government bodies, as well as the spouse, close relatives of the candidate and their authorized representatives, trusted persons, -

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years.

Article 197. Violation of the procedure for financing an election campaign

Violation of the procedure for financing the election campaign of a candidate, a political party, or the activities of an initiative group for holding a referendum, committed by:

1) the transfer of monetary or other material resources in large amounts to a candidate, political party, or initiative group for holding a referendum in order to achieve a certain result in an election or referendum, bypassing the relevant fund;

2) spending large amounts of money, not transferred to election funds or referendum funds, for the purpose of achieving a certain result in elections or a referendum;

3) performance of paid work, sale of goods, provision of paid services, directly or indirectly related to elections or a referendum and aimed at obtaining a certain result in elections or a referendum or at putting forward an initiative to hold a referendum, in large amounts without payment from the relevant fund or with payment from the relevant fund at unreasonably low rates;

4) making large-scale donations through front men, prohibited by legislation on elections or referendums, to an electoral fund or referendum fund,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of one to three years, or a fine of 1,000 to 2,000 calculated indicators, or imprisonment for a term of up to five years.

Note . A large amount in Articles 197 and 198 of this Code is recognized as the amount of money, the value of property or benefits of a property nature that exceed one tenth of the maximum amount of all expenses of the election fund of a candidate, political party, referendum fund, established by the legislation on elections and referendums at the time of the commission of the acts provided for by the said articles, but at the same time constitutes no less than 5,000 calculated indicators.

Article 198. Illegal use of funds during elections or referendums

Actions of a candidate, a candidate of a political party or an authorized representative of an initiative group for holding a referendum, their authorized representatives on financial matters, carried out by:

1) the use on a large scale of financial or material resources that have not been received into the electoral fund or referendum fund for the purpose of conducting an election campaign or putting forward an initiative to hold a referendum;

2) spending large amounts of donations prohibited by the legislation on elections and referendums and transferred to a special electoral account, a special referendum fund account,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of one to three years, or a fine of 1,000 to 2,000 calculated units, or imprisonment for a term of up to five years.

Article 199. Falsification of electoral documents

1. Falsification of election documents, referendum documents, knowingly incorrect vote counting or knowingly incorrect establishment of the results of elections, referendum, if these acts are committed by a member of the election commission, referendum commission, candidate or his authorized representative, authorized person, as well as an authorized representative of a political party, initiative group for holding a referendum, -

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

2. The same acts committed:

- 1) the chairman, deputy chairman, secretary of the election commission or referendum commission;
- 2) a group of persons;
- 3) by a group of persons by prior agreement;
- 4) by violating the established procedure for the functioning of the electronic electoral system, –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of five to eight years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Article 200. Organization of an illegal religious group

1. The organization or management of a group whose activities are carried out under the guise of preaching religious doctrines and performing religious rites, if it is associated with causing significant harm to the rights of citizens or with inciting citizens to refuse public activity or the performance of civic duties, as well as with the involvement of children in this group,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of two months to one year , or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to five years.

2. Active participation in the activities of the group specified in Part 1 of this Article, as well as systematic propaganda of the activities of such a group,

shall be punishable by correctional labor for a term of one to three years, or a fine of 1,000 to 2,000 calculated units, or imprisonment for a term of five to eight years.

Article 201. Obstruction of a peaceful assembly or participation in it

1. Unlawful obstruction of the holding of a peaceful assembly or participation in it, or coercion to participate in it –

are punishable by a fine of 200 to 500 calculated indicators.

2. The same act committed with the use of violence that is not dangerous to life and health, or the threat of using such violence,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of two months to one year , or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to five years.

Article 202. Obstruction of the lawful professional activities of a journalist

Obstruction of the lawful professional activity of a journalist by forcing him to disseminate or to refuse to disseminate information, committed by a person using his official position,

shall be punishable by a fine in the amount of 300 to 600 calculated units, or by correctional labor for a term of two months to one year, or by deprivation of the right to hold certain positions or engage in certain activities for a term of one to three years.

Article 203. Non-payment of wages, pensions, benefits

The use by an official of an enterprise, institution or organization, regardless of the form of ownership, of funds intended for the payment of wages, pensions, benefits and other social payments for other purposes, which resulted in their untimely payment for more than sixty days,

shall be punishable by community service from one hundred to three hundred hours, or by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or by correctional labor for a term of one year to three years , or by a fine from 500 to 1000 calculated indicators.

Article 204. Violation of copyright, related rights and rights of patent holders

1. Illegal use of objects of copyright, related rights, licensed software and information systems, as well as the acquisition, storage, movement or production of counterfeit copies of works, phonograms, licensed software and information systems for the purpose of sale, as well as illegal use of an invention, utility model or industrial design, disclosure without the consent of the author or applicant of the essence of an invention, utility model or industrial design before the official publication of information about them, if these acts are committed with the infliction of major damage or with the purpose of obtaining income on a large scale, -

are punishable by a fine of 200 to 500 calculated indicators .

2. The acts provided for in Part 1 of this Article, committed by a group of persons by prior conspiracy or by an organized group, or with the infliction of particularly large-scale damage, or with the purpose of obtaining income on an especially large scale,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Note. The acts provided for in this article are considered to be committed on a large scale if the cost of copies of works and (or) phonograms or the cost of rights to use objects of copyright and related rights is five hundred times higher than the calculated indicator, and on an especially large scale - one thousand times higher than the calculated indicator established by the legislation of the Kyrgyz Republic on the day the crime was committed.

SECTION VII

CRIMES AGAINST PROPERTY AND THE PROCEDURE FOR CARRYING OUT ECONOMIC ACTIVITIES

Chapter 2 8 . Crimes against property

Article 205. Theft

1. Theft, that is, the secret theft of someone else's property in an insignificant amount,

shall be punishable by a fine of 200 to 500 calculated indicators or by community service of forty to one hundred hours.

2. The same act committed on a significant scale –

shall be punishable by correctional labor for a term of two months to one year, or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to two years.

3. The same act committed:

1) on a large scale;

2) a group of persons;

3) by a group of persons by prior agreement;

4) with penetration into a residential, office or other premises or a vehicle;

5) from a bank account, as well as in relation to electronic funds (in the absence of signs of fraud);

6) by illegal access to an information system or by changing information transmitted over telecommunications networks,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for two to five years.

4. Acts provided for in parts 2 or 3 of this article, committed:

1) on an especially large scale;

2) an organized group;

3) as part of a criminal community, –

shall be punishable by imprisonment for a term of five to eight years with confiscation of property.

Article 205¹. Cattle theft

1. Cattle theft, that is, the secret theft of someone else's cattle, committed in an insignificant amount, -

shall be punishable by community service from one hundred to one hundred and eighty hours, or correctional labor for a term of two to six months, or a fine in the amount of 200 to 500 calculated indicators, or imprisonment for a term of six months to two years.

2. Cattle theft committed on a significant scale -

shall be punishable by correctional labor for a term of two months to three years, or a fine in the amount of 1,000 to 2,000 calculated units, or imprisonment for a term of three to five years.

3. Cattle theft committed:

1) on a large scale;

2) a group of persons;

3) by a group of persons by prior agreement;

4) with penetration into the courtyard of a residential building, enterprise, organization, institution or cattle yard, pen, -
shall be punishable by imprisonment for a term of five to eight years with confiscation of property.

4. Cattle theft committed:

- 1) on an especially large scale;
- 2) an organized group;
- 3) as part of a criminal community, -

shall be punishable by imprisonment for a term of eight to twelve years with confiscation of property.

Note: In this article, cattle means small cattle, cattle, horses, donkeys and mules, camels, and pigs.

(As amended by the Law of the Kyrgyz Republic of [January 25, 2024 No. 27](#))

Article 206. Robbery

1. Robbery, that is, the open seizure of someone else's property,
shall be punishable by correctional labor for a term of two months to one year , or a fine of 200 to 500 calculated units, or imprisonment for a term of up to two years.

2. The same act committed:

- 1) in a significant amount;
- 2) a group of persons;
- 3) by a group of persons by prior conspiracy, –

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years.

3. Acts provided for in parts 1 and 2 of this article committed:

- 1) on a large scale;
- 2) with penetration into the dwelling;

3) with the use of violence that is not dangerous to life and health, or with the threat of using such violence,

are punishable by imprisonment for a term of five to eight years.

4. Acts provided for in parts 1–3 of this article committed:

- 1) on an especially large scale;
- 2) an organized group;
- 3) as part of a criminal community, –

shall be punishable by imprisonment for a term of eight to twelve years with confiscation of property.

Article 207. Robbery

1. Robbery, that is, an attack with the purpose of seizing someone else's property, committed with the use of violence dangerous to life and health, or with the threat of using such violence,

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

2. The same act committed:

1) for the purpose of taking possession of property on a large scale;

2) a group of persons;

3) by a group of persons by prior conspiracy, –

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

3. Acts provided for in parts 1 or 2 of this article, committed:

1) for the purpose of seizing property on an especially large scale;

2) with penetration into the dwelling;

3) using weapons or objects used as weapons;

4) causing serious bodily harm through negligence, –

shall be punishable by imprisonment for a term of seven to eleven years with confiscation of property.

4. Acts provided for in parts 1, 2 or 3 of this article, committed:

1) an organized group;

2) as part of a criminal community, –

shall be punishable by imprisonment for a term of eleven to fifteen years with confiscation of property.

Article 208. Extortion

1. Extortion, that is, the demand for the transfer of someone else's property, the right to property, or the commission of actions of a property nature using blackmail or the threat of violence that is not dangerous to the life or health of the victim or his relatives,

shall be punishable by correctional labor for a term of two months to one year, or a fine of 200 to 500 calculated units, or imprisonment for a term of up to two years.

2. The same act committed:

1) using violence that is not dangerous to life and health;

2) a group of persons;

3) by a group of persons by prior agreement;

4) for the purpose of obtaining property on a large scale, –

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for two to five years.

3. Acts provided for in parts 1 or 2 of this article, committed:

1) causing serious harm through negligence;

2) for the purpose of obtaining property on an especially large scale, – shall be punishable by imprisonment for a term of five to seven years, with or without confiscation of property.

4. Acts provided for in parts 1, 2 or 3 of this article, committed:

1) an organized group;

2) as part of a criminal community, –

shall be punishable by imprisonment for a term of seven to ten years with confiscation of property.

Article 209. Fraud

1. Fraud, that is, the taking possession of someone else's property or the acquisition of the right to property by deception or abuse of trust, in an insignificant amount, shall be punishable by a fine of 200 to 500 calculated indicators.

2. The same act committed:

1) in a significant amount;

2) a group of persons;

3) by a group of persons by prior conspiracy, –

shall be punishable by correctional labor for a term of two months to one year, or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to three years.

3 Acts provided for in parts 1 or 2 of this article, committed on a large scale, –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of three to five years.

4. Acts provided for in parts 1 or 2 of this article, committed:

1) on an especially large scale;

2) an organized group;

3) as part of a criminal community;

4) using official position, –

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

Article 210. Misappropriation or embezzlement of entrusted property

1. Misappropriation or embezzlement of entrusted property in an insignificant amount –

are punishable by a fine of 200 to 500 calculated indicators.

2. The same acts committed:

1) in a significant amount;

2) a group of persons;

3) by a group of persons by prior conspiracy, –

shall be punishable by correctional labor for a term of two months to one year , or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to three years.

3. Acts provided for in parts 1 or 2 of this article, committed on a large scale, –

shall be punishable by a fine of 1,000 to 2,000 calculated indicators with deprivation of the right to hold a certain position or engage in a certain activity for a term of up to three years or imprisonment for a term of three to five years with confiscation of property.

4. Acts provided for in parts 1 or 2 of this article, committed:

1) on an especially large scale;

2) a person who has been entrusted with property and/or funds in connection with the performance of his official duties;

3) an organized group;

4) as part of a criminal community, –

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

Note. In the event of voluntary compensation for damage caused to the owner or other possessor, the person shall be released from criminal liability and punishment for committing the acts provided for in Articles 210 and 215 of this Code.

Article 211. Theft of a motor vehicle

1. Unlawful seizure of a car or other motor vehicle without the purpose of theft (hijacking) –

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years.

2. The same act committed:

1) a group of persons;

2) by a group of persons by prior agreement;

3) with the use of violence that is not dangerous to life and health, or with the threat of using such violence, -

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

3. Acts provided for in parts 1 or 2 of this article, committed:

1) causing serious harm through negligence;

2) with the use of violence dangerous to life or health, or the threat of using such violence;

3) an organized group;

4) as part of a criminal community, –

shall be punishable by imprisonment for a term of eight to ten years with confiscation of property.

Article 212. Unauthorized seizure of someone else's land plot and unauthorized construction on agricultural lands in violation of their intended purpose

1. Unauthorized seizure of someone else's land plot -

shall be punishable by a fine of 1,000 to 2,000 calculated indicators.

2. Unauthorized seizure of someone else's land plot, with the exception of objects subject to land amnesty in accordance with the legislation of the Kyrgyz Republic, associated with the use of violence that is not dangerous to life and health, or with the threat of its use, and (or) unauthorized construction on agricultural lands in violation of the intended purpose -

shall be punishable by imprisonment for a term of five to seven years.

3. Acts provided for in parts 1 or 2 of this article, committed:

1) using weapons or other objects used as weapons;

2) causing serious harm through negligence, -

shall be punishable by imprisonment for a term of seven to ten years.

4. Organization or management of the unauthorized seizure of a land plot and unauthorized construction on lands in violation of their intended purpose -

shall be punishable by imprisonment for a term of ten to twelve years.

(As amended by the Laws of the Kyrgyz Republic of [April 1, 2022 No. 22](#), [July 7, 2023 No. 133](#))

Article 212¹. Failure to take measures to prevent unauthorized seizure of land

1. Failure of an official or landowner to take measures to prevent the unauthorized seizure of land -

shall be punishable by a fine of 300 to 700 calculated units or imprisonment for up to three years with deprivation of the right to hold a certain position or engage in certain activities for up to three years.

2. The same act committed by prior conspiracy by a group of persons, -

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

Note: A person who has committed a crime shall be released from liability if he has ensured the return of the illegally seized land plot and eliminated the consequences of the illegal seizure.

(As amended by the Law of the Kyrgyz Republic of [July 7, 2023 No. 133](#))

Article 212². Bringing lands into a state unsuitable for use in agricultural production

1. Bringing land into a state unsuitable for use in agricultural production and (or) violating the integrity of a land plot for the subsequent change of its intended purpose - shall be punishable by imprisonment for a term of five to seven years.

2. The same action, which resulted in the withdrawal of irrigated lands from agricultural circulation, -

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

(As amended by the Law of the Kyrgyz Republic of [July 7, 2023 No. 133](#))

Article 213. Unauthorized occupation or seizure of premises, buildings or structures

1. Unauthorized occupation or seizure of residential and (or) non-residential premises, buildings or structures, regardless of the form of ownership, with the use of violence that is not dangerous to life and health, or with the threat of its use,

shall be punishable by correctional labor for a term of one to three years or a fine of 500 to 1000 calculated indicators .

2. The same acts committed:

1) a group of persons;

2) by a group of persons by prior agreement;

3) with damage to premises, buildings or structures, –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years.

3. Acts provided for in parts 1 or 2 of this article, committed:

1) using weapons or other objects used as weapons;

2) an organized group;

3) as part of a criminal community;

4) causing serious harm through negligence, –

shall be punishable by imprisonment for a term of five to seven years.

4. Organization or management of the illegal seizure of residential and (or) non-residential premises, building or structure –

shall be punishable by imprisonment for a term of seven to ten years.

Article 214. Arbitrariness

1. Arbitrariness, that is, unauthorized, contrary to the established procedure, commission of any actions, the legality of which is disputed by another person, if such actions have caused significant harm,

shall be punishable by community service from one hundred to three hundred hours or correctional labor for a term of one to three years, or a fine from 500 to 1000 calculated indicators .

2. The same acts committed with the use of violence or the threat of its use, shall be punishable by imprisonment for up to five years.

Article 215. Causing property damage by deception or abuse of trust

1. Causing property damage to the owner or other possessor of property through the unauthorized use of gas, electric or thermal energy without metering devices (if their use is mandatory) or as a result of intentional damage to metering devices, as well as through other deception or abuse of trust in the absence of signs of theft in a significant amount,

shall be punishable by a fine of 200 to 500 calculated indicators.

2. The same act committed:

1) causing major damage;

2) a group of persons;

3) by a group of persons by prior conspiracy, –

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years.

3. Acts provided for in parts 1 or 2 of this article that caused particularly large-scale damage –

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

Article 216. Destruction or damage of another's property

1. Destruction of or damage to another's property, causing significant damage, as well as the destruction of or damage to a historical or cultural monument or natural object taken under state protection –

shall be punishable by correctional labor from one to three years or a fine from 500 to 1000 calculated indicators.

2. The same acts committed by arson or other generally dangerous means, or causing major damage,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years.

3. Acts provided for in parts 1 or 2 of this article that caused particularly large-scale damage –

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

Article 217. Acquisition or sale of property known to have been obtained by criminal means

1. The acquisition or sale of property, knowingly obtained by criminal means, without a prior promise, in the absence of signs of legalization (laundering) of criminal proceeds,

– shall be punishable by a fine of 500 to 1000 calculated units or restriction of freedom for up to two years .

2. The same acts committed on a large or especially large scale, as well as in the form of a trade,

shall be punishable by a fine of 1,000 to 2,000 calculated units or correctional labor for a term of one to three years or imprisonment for a term of two to five years.

Chapter 2 9. Crimes against the procedure for carrying out economic activity

Article 218. Illegal business or banking activities

1. Carrying out entrepreneurial or banking activities or banking operations without registration, or without a special license and (or) permit in cases where such a license and (or) permit are mandatory, or in violation of licensing conditions, if this act is associated with the extraction of income on a large scale, -

shall be punishable by community service from forty to one hundred hours or a fine from 200 to 300 calculated units.

2. The same act, associated with the extraction of income on an especially large scale, –

shall be punishable by community service from one hundred to three hundred hours, or by deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years, or by correctional labor for a period of one to two years , or by a fine from 500 to 1000 calculated indicators.

Note: In the event of voluntary compensation for damage caused, the person shall be released from criminal liability and punishment for committing the acts provided for in Articles 218, 220, 223, 225, 227 and 228 of this Code.

Article 219. Organization or maintenance of a gambling den, conducting gambling

(Repealed in accordance with [the Law](#) of the Kyrgyz Republic dated June 30, 2022 No. 51)

Article 219¹. Illegal organization of gambling activities

1. Organization, conduct of gambling and provision of access to them in casinos, slot machines, computer simulators, interactive establishments, electronic (virtual) casinos, bookmakers, totalizators without a license -

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

2. The same act committed:

- 1) an organized group;
- 2) as part of a criminal community;
- 3) by a person using his official position;
- 4) involving children, -

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

Note: Gaming equipment, valuables that constitute the stake and winnings in the game, as well as other income received as a result of participation in such games, are subject to confiscation in accordance with the established procedure and conversion into state revenue.

(As amended by the Law of the Kyrgyz Republic of [October 10, 2023 No. 186](#))

Article 220. False entrepreneurship

1. False entrepreneurship, that is, the creation of a legal entity without the intention of carrying out entrepreneurial activity, for the purpose of obtaining loans, tax exemption, obtaining other property benefits, or to cover up prohibited activities, if this act is associated with the extraction of income on a large scale,

shall be punishable by correctional labor for a term of one to three years or a fine of 500 to 1000 calculated units or imprisonment for a term of up to two years.

2. The same act:

- 1) associated with the extraction of income on an especially large scale;
- 2) committed by a group of persons;
- 3) committed by a group of persons by prior conspiracy, –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years.

Article 221. Organization of financial pyramids

1. Creation of a financial pyramid, that is, creation of a system for obtaining profits at the expense of attracted funds, assets and property of citizens by redistributing these funds according to the structure of the financial pyramid, as well as organization or management of a financial pyramid, if this is associated with causing damage on a large scale, -

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

1¹. Advertising a financial pyramid publicly using mass media and Internet resources, associated with causing damage on a large scale, -

shall be punishable by a fine of 1,500 to 2,000 calculated indicators.

2. The same acts:

- 1) associated with the extraction of income on an especially large scale;
 - 2) committed through the implementation of illegal transactions using computer, information or telecommunications systems or networks or electronic payment systems;
 - 3) committed by a group of persons;
 - 4) committed by a group of persons by prior conspiracy, -
- shall be punishable by imprisonment for a term of five to eight years with confiscation of property.

Note: A financial pyramid scheme in this article is defined as the creation, use, operation or promotion of sales systems in which the consumer pays for the opportunity to receive compensation (income) provided primarily through the recruitment of other consumers to such a scheme, rather than through the sale or consumption of products.

(As amended by the Law of the Kyrgyz Republic of [May 11, 2023 No. 99](#).)

Article 222. Legalization (laundering) of criminal proceeds

1. Legalization (laundering) of criminal proceeds, that is, giving a legal appearance to the possession, use or disposal of criminal proceeds by committing any actions (operations or transactions) to transform (convert) or transfer property, if it is known that the property represents the proceeds of crime, for the purpose of concealing or disguising the criminal source of the property or providing assistance to a person participating in the commission of a crime in order to evade liability for the acts; or concealing or disguising the true nature of the source, location, method of disposal and movement of property, as well as rights to the property or its ownership, if it is known that the property represents the proceeds of crime; or concealing or continuously retaining property by a person who did not participate in the commission of a crime, if the person knows that the property was obtained as a result of the commission of a crime; or acquiring, owning or using property, if at the time of its receipt the person knows that the property represents the proceeds of crime,

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

2. The same act committed:

- 1) a group of persons;
- 2) by a group of persons by prior agreement;
- 3) by a person using his official position, –

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

3. Acts provided for in parts 1 and 2 of this article committed:

- 1) an organized group;
- 2) as part of a criminal community;
- 3) on a large scale, –

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

Note: In this article, a large amount is defined as an amount that is ten thousand times greater than the calculated indicator established by the legislation of the Kyrgyz Republic at the time the crime was committed.

In this article, criminal proceeds mean any economic benefit or property obtained or derived, directly or indirectly, as a result of the commission of a crime.

In this article, property means property of any kind: tangible or intangible (material or intangible), movable or immovable, as well as legal documents or acts in any form (paper or electronic), certifying the right or interest in such property or a share in this property, including bank loans, traveller's checks, bank checks, postal orders, securities.

Criminal liability under this article occurs regardless of whether a person is brought to criminal liability for the main (predicate) crimes as a result of which criminal proceeds were received.

Article 223. Monopolistic actions and restriction of competition

1. Establishing and maintaining monopolistically high prices or monopolistically low prices, as well as restricting competition by means of collusion or concerted actions aimed at dividing the market, restricting access to the market, eliminating other economic entities from it, establishing or maintaining uniform prices, if these acts are associated with the extraction of income on a large scale,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years.

2. The same acts:

1) committed with the use of violence that is not dangerous to life and health, or the threat of its use;

2) associated with the extraction of income on an especially large scale, –

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

Article 224. Coercion to conclude a transaction or to refuse to conclude it

1. Coercion to complete a transaction or to refuse to complete it using blackmail or under the threat of using violence that is not dangerous to life and health, in the absence of signs of extortion,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to two years.

2. The same act committed:

1) using violence that is not dangerous to life and health;

2) by a group of persons by prior conspiracy, –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years.

3. Acts provided for in parts 1 or 2 of this article, which caused serious harm through negligence, –

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

Article 225. Illegal use of means of individualization (works, services)

1. Illegal use of another's trademark, service mark, name of place of origin of goods or similar designations for similar goods, if this act is committed repeatedly or causes major damage,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to two years.

2. Illegal use of warning markings in relation to a trademark, service mark or place of origin of goods that is not registered in the Kyrgyz Republic, if this act has caused major damage,

shall be punishable by a fine of 1,000 to 2,000 calculated indicators.

Note: In this article, major damage is recognized as damage the amount of which exceeds five hundred times the calculated indicator established by the legislation of the Kyrgyz Republic at the time the crime was committed.

Article 226. Raiding

1. Raiding, that is, an act committed by:

1) distortion of voting results or obstruction of the free exercise of rights when making a decision by the supreme governing body by entering into the minutes of a meeting, session, or extracts from them knowingly false information about the number of voters, the quorum, or the results of voting, or by drawing up a knowingly false vote count or recording of voting ballots, or by blocking or restricting the actual access of a shareholder, participant, member of the supreme governing body, or member of the executive body to voting;

2) failure to provide information about holding a meeting, session, or provision of false information about the time and place of holding a meeting, session, or voting on behalf of a shareholder, participant, or member of the highest governing body under a knowingly forged power of attorney;

3) violations, restrictions or infringements of the pre-emptive right to purchase securities;

4) creating obstacles to the exercise of the pre-emptive right to purchase securities;

5) other illegal actions that resulted in the illegal acquisition of ownership of a share in a legal entity or the establishment of control over a legal entity,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to two years.

2. The same act committed:

1) a group of persons ;

2) by a group of persons by prior conspiracy, –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years .

3. Acts provided for in parts 1 or 2 of this article, committed by an official using his official position, –

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

Article 227. Illegal acquisition of information constituting a commercial or banking secret

1. Collection of information constituting a commercial or banking secret by stealing documents; bribery or threats against persons possessing a commercial or banking secret or their relatives; interception of information in communications; illegal penetration into a computer system or network; use of special technical means, as well as by other illegal means,

shall be punishable by community service from forty to one hundred hours or correctional labor for a term of two months to one year , or a fine of 500 to 1000 calculated units.

2. The same act that resulted in a change of ownership of a share in a legal entity or the establishment of control over a legal entity against the will of the owner,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to two years.

Article 228. Disclosure of commercial, banking, taxpayer secrets

Illegal disclosure or use of information constituting a commercial, banking secret or a taxpayer's secret information, without the consent of its owner by a person to whom it was entrusted or became known through service or work, if these acts were committed out of selfish interest or entailed a change of ownership of a share in a legal entity or the establishment of control over a legal entity against the will of the owner,

shall be punishable by a fine of 1,000 to 2,000 calculated units or by imprisonment for up to two years with or without deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 228 ¹. Disclosure of information contained in a special declaration

1. Disclosure or use of information about the declarant and information contained in a special declaration without the consent of the declarant -

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to two years.

2. The same act committed by an official using his official position, -

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

(As amended by [the Law](#) of the Kyrgyz Republic dated June 22 , 2023 No. 122)

Article 229. Bribery of athletes

1. Bribery of an athlete, sports judge, coach, team leader or other participant or organizer of a professional sports competition, as well as an organizer or member of the jury of a commercial entertainment competition with the purpose of influencing the outcome of the competition or contest –

shall be punishable by a fine of 200 to 500 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years.

2. Illegal receipt of money, material assets or services of a material nature by a sports judge, coach, team leader or organizer of a sports competition, as well as by an organizer or member of the jury of a commercial entertainment competition for influencing the outcome of a competition or contest –

shall be punishable by a fine of 500 to 1000 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years.

Article 230. Insider transactions in the securities market

1. Insider trading in the securities market, i.e. the intentional commission of one of the following acts:

1) the implementation by an insider or his affiliate of transactions with securities using insider information;

2) illegal transfer (disclosure) of insider information to third parties or illegal provision of access to third parties to insider information or information based on it, as well as provision to third parties of a recommendation to make transactions with securities based on insider information, if the above-mentioned acts are committed out of selfish or other personal interest, in the interests of third parties, without the consent of the issuer and in violation of the legislation of the Kyrgyz Republic, or if the person knew at the time of the transaction with securities that the information was confidential,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to two years.

2. The same acts:

1) committed by a group of persons;

2) committed by a group of persons by prior conspiracy;

3) committed by an organized group;

4) committed as part of a criminal community;

5) associated with the extraction of income on an especially large scale, –

shall be punishable by a fine of 1,000 to 2,000 calculated units or by imprisonment for a term of two to five years.

Article 231. Economic smuggling

1. Smuggling, i.e. the movement of goods or other items in significant quantities across the customs border of the Eurasian Economic Union, committed without regard to or with concealment from customs control or with the fraudulent use of documents or means of customs identification or associated with non-declaration or false declaration,

shall be punishable by correctional labor for a term of two months to one year or a fine of 1,000 to 1,200 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a term of up to one year.

2. The same acts committed on a large scale –

shall be punishable by correctional labor for a term of two to three years, or a fine of 1,200 to 1,500 calculated units, or imprisonment for a term of up to two years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

3. The same acts committed:

1) on an especially large scale;

2) by an official using his official position;

3) with the use of violence that is not dangerous to life and health, against a person carrying out customs control;

4) a group of persons;

5) by a group of persons by prior conspiracy, –

shall be punishable by a fine of 1,500 to 2,000 calculated units or imprisonment for a term of two to five years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

4. Acts provided for in parts 1, 2 or 3 of this article, committed by an organized (cross-border) group or as part of a criminal community, –

shall be punishable by imprisonment for a term of five to ten years with confiscation of property.

Note: The acts provided for in this article are considered to be committed:

– in a significant amount, if the value of the transferred goods is from 5,000 to 50,000 calculated indicators established by the legislation of the Kyrgyz Republic at the time the crime was committed;

- on a large scale, - exceeds the calculated figure by fifty thousand times;

- on an especially large scale, - exceeds the calculated figure by one hundred thousand times.

A person shall be exempt from criminal liability and punishment for committing an act provided for in parts 1 and 2 of this article if he voluntarily paid the due customs duties in double the amount, including penalties, with customs clearance of goods and other items that are the subject of contraband, with the exception of the movement of goods or other items outside of customs control.

Goods and other items moved outside of customs control, as well as vehicles (including other means of transport) used for their transportation, are subject to confiscation.

(As amended by the Law of the Kyrgyz Republic of [June 16, 2022 No. 45](#))

Chapter 30. Crimes in the monetary and foreign exchange sphere

Article 232. Illegal issuance of credit

Illegal issuance of a state targeted loan to individuals or legal entities or illegal provision of preferential lending terms to them by an official of an organization, regardless of the form of ownership -

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years.

Note: In the event of voluntary compensation for damage caused in double the amount, the person shall be released from criminal liability and punishment for the acts provided for in this article.

Article 233. Counterfeiting of money and securities

1. Production for the purpose of sale or storage for the purpose of sale, as well as sale of counterfeit banknotes, metal coins, securities or foreign currency or securities in foreign currency –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years.

2. The same acts committed:

1) on a large scale;

2) a group of persons;

3) by a group of persons by prior conspiracy, –

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

3. Acts provided for in parts 1 or 2 of this article, committed by an organized group or as part of a criminal community , –

shall be punishable by imprisonment for a term of eight to ten years with confiscation of property.

Note: In this article, a large size is recognized as the value of the subject of the crime, which is one thousand times greater than the calculated indicator established by the legislation of the Kyrgyz Republic at the time of the commission of the crime.

Article 234. Forgery of payment documents

1. The production for the purpose of sale or sale of counterfeit credit or debit cards, as well as other payment documents that are not securities,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years.

2. The same acts committed ,

1) a group of persons;

2) by a group of persons by prior conspiracy, –

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

Article 235. Abuses in the issue of securities (emissions)

Inclusion in the prospectus of the issue of securities of knowingly false information, as well as approval of the prospectus of the issue containing knowingly false information or approval of knowingly false results of the issue, if these actions caused damage on a significant scale, -

shall be punishable by a fine of 300 to 600 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years .

Article 236. Illegal circulation of precious metals, natural precious stones

Conducting a transaction related to precious metals, natural precious stones, with intentional or careless violation of the rules established by the legislation of the Kyrgyz Republic, as well as illegal storage, transportation or shipment of precious metals, natural precious stones in any form, condition, with the exception of jewelry and household items and scrap of such items, -

shall be punishable by a fine of 300 to 600 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years .

Article 237. Violation of the rules for the delivery of precious metals and precious stones to the state

Intentional or careless evasion of the mandatory submission for refining or mandatory sale to the state of precious metals or precious stones extracted from the subsoil, obtained from secondary raw materials, as well as raised and found, if this act is committed in a significant amount, -

shall be punishable by a fine of 300 to 600 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years .

Chapter 3 1. Tax Crimes

Article 238. Counterfeiting excise stamps and/or identification means

The production of counterfeit excise stamps and/or identification means (marking codes) for the purpose of sale, as well as the storage for the purpose of sale, or the sale or use of counterfeit excise stamps and/or identification means in large quantities, or by a group of persons by prior agreement -

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years.

Note: A large amount in this article is defined as five hundred or more counterfeit excise stamps or identification means.

(As amended by the Law of the Kyrgyz Republic of [April 3, 2023 No. 78](#).)

Article 239. Turnover of products subject to mandatory excise taxation without excise stamps and/or identification means

The production, storage, import or sale of products subject to mandatory labeling without excise stamps and/or identification means, as well as the violation of the established procedure and/or rules for the use of identification means, committed on a large scale, -

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years.

Note. In this article, a large size is recognized as the size of products that were subject to mandatory excise taxation in an amount that is one thousand times greater than the calculated indicator established by the legislation of the Kyrgyz Republic at the time the crime was committed.

(As amended by the Law of the Kyrgyz Republic of [April 3, 2023 No. 78](#).)

Article 240. Illegal production of alcohol and alcoholic beverages

1. Illegal production or storage for the purpose of sale, as well as sale of illegally produced or non-compliant alcohol or alcohol-containing beverages in large quantities, established by the legislation of the Kyrgyz Republic –

shall be punishable by correctional labor for a term of two months to one year, or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to two years.

2. Sale of alcohol or alcohol-containing beverages that were illegally produced or do not meet the requirements established by the legislation of the Kyrgyz Republic, which, through negligence, resulted in serious harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Note: A large amount in this article is defined as two hundred or more liters of alcohol and alcoholic beverages.

Article 240¹. Breaking the seal

Unauthorized breaking or damage of control seals and other means of special marking installed by authorized bodies or organizations during the movement of goods (cargo), including the import of goods (cargo), with the exception of the removal of means of special marking (seals) by employees of authorized state bodies, organizations, individuals in the manner prescribed by the legislation of the Kyrgyz Republic or the law of the Eurasian Economic Union,

– entail a fine of 1,000 to 2,000 calculated indicators.

(As amended by the Law of the Kyrgyz Republic of [April 3, 2023 No. 78](#).)

Article 241. Evasion of customs duties

1. Evasion of payment of customs duties by failure to provide documents for calculating payments or by destroying them or by including in documents for calculating payments deliberately distorted data, as well as concealment of other objects of taxation in a significant amount, in the absence of signs of economic smuggling, -

shall be punishable by a fine of 300 to 600 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to one year.

2. The same act committed on a large scale –

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of one to three years, or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to two years.

3. The same acts committed:

- 1) a group of persons;
- 2) by a group of persons by prior agreement;
- 3) on an especially large scale, –

shall be punishable by a fine of 1,000 to 2,000 calculated units or by imprisonment for a term of two to five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Note . The acts provided for in Articles 241–243 of this Code are considered to be committed on a significant scale if the amount of unpaid payments is from one thousand to fifty thousand calculated indicators established by the legislation of the Kyrgyz Republic at the time of the crime. A large scale is considered to be non-payment of payments that exceeds the calculated indicator by fifty thousand times, and an especially large scale is considered to be non-payment by one hundred thousand times.

In the event of voluntary repayment of the entire amount of tax or customs debt, including fines and penalties, the criminal prosecution of a person in connection with the commission of crimes provided for in Articles 241–243 of this Code shall be subject to termination at any stage of the criminal proceedings.

Article 242. Evasion of tax and (or) other mandatory payments to the budget

1. Evasion of payment of taxes and (or) other mandatory payments to the budget by failing to submit a declaration of income in cases where filing a declaration is mandatory, or by including in the declaration or other documents related to the calculation or payment of taxes and (or) other mandatory payments to the budget, deliberately distorted data on income or expenses or on property subject to taxation, if this act is confirmed by a decision of the tax service authorities that has entered into legal force and resulted in non-payment of taxes and (or) other mandatory payments to the budget in a large amount, -

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of two months to one year, or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to two years.

2. The same act committed on an especially large scale –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Article 243. Evasion of tax and (or) other mandatory payments to the budget by an organization

1. Evasion of tax and (or) other mandatory payments to the budget by an organization by failing to submit a declaration when filing a declaration is mandatory, or by entering in the declaration deliberately distorted data on income and (or) expenses, or by concealing other objects of taxation and (or) other mandatory payments, if this act is confirmed by a decision of the tax service authorities or judicial acts that has entered into legal force and resulted in non-payment of tax and (or) other mandatory payments to the budget in a large amount, -

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of two months to one year, or a fine of 500 to 1000 calculated indicators, or imprisonment for a term of up to two years.

2. The same act committed:

1) on an especially large scale;

2) using an invoice without actual performance of work, provision of services, or shipment of goods;

3) a group of persons;

4) by a group of persons by prior conspiracy, –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Note. In Articles 241–243 of this Code, evasion is confirmed by materials of a tax audit conducted by tax authorities, and based on which the tax authorities made a decision on additional tax assessment and (or) other mandatory payments, which meets the following criteria:

1) if the relevant decision has entered into legal force and has not been appealed by the taxpayer to the authorized tax authority within the period for filing a complaint by the taxpayer established by tax legislation;

2) if, in relation to the taxpayer's complaint, there is a corresponding decision of the authorized tax authority that has entered into legal force, confirming that the amount of uncalculated tax exceeds the threshold from which criminal liability occurs, and the taxpayer has not filed a complaint with the court within 30 calendar days from the day following the day the taxpayer was served with the decision of the authorized tax authority;

3) if there is a court decision that has entered into legal force confirming that the amount of unpaid tax exceeds the threshold at which criminal liability occurs.

Article 244. Unauthorized change of the international identifier of a mobile device

Unauthorized modification of the international identifier of a mobile device set by its manufacturer, as well as counterfeiting of the international identifier of a mobile device – shall be punishable by a fine of 200 to 500 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to one year.

Chapter 3 2. Crimes against the interests of service in commercial and other organizations

Article 245. Abuse of authority by employees of commercial or other organizations

1. The use by an employee of a commercial or other organization of his administrative or other managerial powers contrary to the interests of this organization and for the purpose of deriving benefits or advantages for himself or herself, as well as other persons, or causing harm to other persons, if this entails causing significant harm to the rights or legitimate interests of citizens, organizations or the state,

shall be punishable by community service from forty to one hundred hours, or deprivation of the right to hold certain positions or engage in certain activities for up to three years, or correctional labor for a period of two months to one year, or a fine from 1,000 to 1,200 calculated indicators.

2. The same act that has caused serious harm, as well as a change in the owner of a commercial or other organization against his will,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of one to three years, or a fine of 1,200 to 1,500 calculated units, or imprisonment for a term of up to two years.

3. The act provided for in Part 1 of this Article, committed by a person performing managerial functions in a commercial organization where shares (interests) belong to the state or local government bodies,

shall be punishable by a fine of 1,500 to 2,000 calculated units or imprisonment for a term of two to five years.

4. The act provided for in Part 3 of this Article, which has caused serious harm, and also committed:

- 1) a group of persons;
- 2) by a group of persons by prior agreement;
- 3) causing particularly large-scale damage, –

shall be punishable by imprisonment for a term of five to ten years with confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Note.

1. A person performing managerial functions in a commercial or other organization in the articles of this chapter is recognized as a person who permanently, temporarily, or by special authority performs organizational and managerial or administrative and economic duties in a commercial organization regardless of the form of ownership, as well as in a non-profit organization that is not a state body, local government body, state or municipal institution.

2. If the act provided for by this article or other articles of this chapter has caused harm to the interests of an exclusively commercial organization that is not a state or municipal enterprise, a business entity in which the state or municipality owns shares (interests in the authorized capital), criminal prosecution shall be carried out upon the application of this organization or with its consent.

3. If the act provided for by this article or other articles of this chapter has caused harm to the interests of other organizations, as well as the interests of citizens, society or the state, criminal prosecution shall be carried out on a general basis.

4. The act provided for in this article shall be considered to have been committed with the infliction of particularly large damage if it exceeds the calculated indicator established by the legislation of the Kyrgyz Republic at the time of the commission of the crime by twenty-five thousand times.

Article 246. Violation of restrictions established by legislation on joint-stock companies

Violation of restrictions for the management bodies of a joint-stock company in the event of the introduction of temporary external management, established by the legislation on joint-stock companies, -

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

Article 247. Violation of the procedure for conducting public tenders, auctions or government purchases (procurements)

1. Intentional or careless violation of the procedure for conducting public tenders, auctions or government purchases (purchases), as well as the conclusion of a knowingly unfavorable contract, causing damage on a large scale to the owner of the property, the organizer of the tender or auction, the buyer or another economic entity,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of one to three years, or a fine of 500 to 1,000 calculated units, or imprisonment for a term of up to two years.

2. The same acts committed:

1) causing damage on an especially large scale;

2) by a group of persons by prior conspiracy, –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years.

(As amended by [the Law](#) of the Kyrgyz Republic dated July 25, 2023 No. 147)

Article 248. Abuse of authority by private notaries, auditors, experts or appraisers

1. The use by a private notary, auditor, expert or appraiser of their powers contrary to the objectives of their activities and for the purpose of deriving benefits and advantages for themselves or other persons or causing harm to other persons, if this has caused significant harm intentionally or through negligence,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of one to three years, or a fine of 500 to 1000 calculated indicators, or imprisonment for a term of up to two years.

2. The same act committed against a child or an incapacitated person,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years.

Article 249. Abuse of authority by employees of private security and detective services

1. Exceeding the authority of a director or employee of private security and detective services contrary to the objectives of their activities, if this act is committed with the use of violence or the threat of its use,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of two months to one year, or a fine of 500 to 1000 calculated indicators, or imprisonment for a term of up to two years.

2. The same act:

1) committed with the use of weapons;

2) resulting through negligence in serious harm, –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Article 250. Commercial bribery

1. Illegal transfer of money, securities, or other property to a person performing managerial functions in a commercial or other organization, as well as illegal provision of property services to him for the performance of actions (inactions) in the interests of the giver in connection with the official position occupied by this person,

shall be punishable by a fine of 500 to 1000 calculated indicators or correctional labor for a term of two months to one year, or deprivation of the right to hold certain positions or engage in certain activities for a term of one year to three years, or imprisonment for a term of up to two years.

2. Illegal receipt by a person performing managerial functions in a commercial or other organization of money, securities, or other property, as well as illegal use of property services for the performance of actions (inactions) in the interests of the giver in connection with the official position occupied by this person,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years.

3. Acts provided for in part 2 of this article:

1) associated with extortion of money, securities, other property or services of a property nature;

2) committed by a group of persons;

3) committed by a group of persons by prior conspiracy;

4) committed by an organized group;

5) committed as part of a criminal community, –

shall be punishable by imprisonment for a term of five to ten years with confiscation of property and deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Note : A person shall be exempt from criminal liability for the acts provided for in Part 1 of this Article if he or she was subjected to extortion of money, securities, other property or services of a property nature, or if this person voluntarily reported the bribery to the investigator or prosecutor.

Article 251. Illegal receipt of remuneration by an employee

1. The illegal receipt by an employee who is not an official of a state body, municipal service, state or municipal institution of a reward in the form of money, securities, other property or property services in a significant amount for the performance or non-performance in the interests of the person committing the bribery of a certain action that the employee should have or could have performed using his official position,

shall be punishable by a fine of 5,000 to 1,000 calculated indicators, or community service of one hundred to three hundred hours, or correctional labor for a term of one year to three years, or imprisonment for a term of up to three years.

2. The same act committed:

- 1) on a large scale;
- 2) a group of persons;
- 3) by a group of persons by prior conspiracy, –

shall be punishable by imprisonment for a term of three to five years or a fine of 10,000 to 20,000 calculated units.

3. Acts provided for in parts 1 or 2 of this article, committed on an especially large scale, –

shall be punishable by imprisonment for a term of five to seven years with confiscation of property.

Note. In this article, a significant amount is recognized as a reward that is ten times, large - one thousand times, especially large - ten thousand times greater than the calculated indicator established by the legislation of the Kyrgyz Republic at the time of the commission of the crime.

SECTION VIII

CRIMES AGAINST PUBLIC SAFETY AND PUBLIC ORDER

Chapter 3 3 . Crimes against public safety

Article 252. Act of terrorism

1. Threat of committing an act of terrorism –

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

2. An act of terrorism, that is, the commission of an explosion, arson or other actions that create a danger of loss of life or the occurrence of other serious consequences, with the purpose of intimidating the population, violating public safety or influencing the decision-making of government bodies or international organizations,

shall be punishable by imprisonment for a term of ten to twelve years with confiscation of property.

3. Acts provided for in parts 1 or 2 of this article, committed:

- 1) a group of persons;
- 2) by a group of persons by prior agreement;
- 3) using firearms, ammunition, explosive devices, explosive, poisonous, toxic, radioactive substances or nuclear, chemical, biological and other types of weapons of mass destruction;
- 4) in relation to strategic objects;
- 5) causing serious or especially serious harm;

6) by an organized group;

7) as part of a criminal community, –

shall be punishable by imprisonment for a term of twelve to fifteen years with confiscation of property, or by life imprisonment.

Note: A person who participated in the preparation of an act of terrorism shall be exempt from criminal liability for the acts provided for in this article if he or she contributed to the prevention of an act of terrorism by timely warning the authorities or in some other way.

Article 253. Financing of terrorist activities

1. Financing terrorist activities, i.e. providing funds, rendering financial services or collecting funds by any methods or means, directly or indirectly, with the intention or knowledge that the funds are intended or will be used in whole or in part to finance a terrorist and/or a terrorist organization or to finance organization, preparation, or commission of terrorist activity on the territory of the Kyrgyz Republic or beyond its borders, or for financing the travel of persons traveling to a state that is not their state of residence or citizenship, for the purpose of committing, planning, preparing, or participating in the commission of terrorist acts, or for training terrorists, or undergoing such training, -

shall be punishable by imprisonment for a term of five to ten years with confiscation of property.

2. The same act committed :

1) a group of persons;

2) by a group of persons by prior agreement;

3) an organized group;

4) as part of a criminal community, –

shall be punishable by imprisonment for a term of ten to fifteen years with confiscation of property.

Note. In this article, a financial service is defined as the receipt and storage of funds belonging to persons who prepared or committed a terrorist crime, or funds under the control of a terrorist organization, or the performance of transactions (deals) with such funds or the management of such funds.

The terms “means”, “terrorist”, “terrorist organization”, “terrorist activity” used in this article are defined in accordance with the procedure established by law.

Article 254. Assistance to terrorist activity

1. Inducement, recruitment or other involvement of a person in the commission of crimes provided for in Articles 255, 256, 258, 261, 265 and 327 of this Code, as well as the provision of other assistance in the commission of the said crimes or inducement of a person to participate in the activities of a terrorist organization –

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

2. Inducement, recruitment or other involvement of a person in the commission of crimes provided for in Articles 252, 253, 257, 262, 264, 326, 327, 329, 408 and 416 of this Code, or arming, training or preparation of a person for the purpose of committing one of the specified crimes –

shall be punishable by imprisonment for a term of five to ten years with confiscation of property.

Note. A person shall be exempted from criminal liability for the acts provided for in this article if he or she, by timely warning the authorities or in some other way, contributed to the prevention or suppression of the crimes specified in this article.

Article 255. Public calls to commit terrorist activities

1. Public calls to commit terrorist activities or public justification of terrorism –

shall be punishable by imprisonment for up to five years.

2. The same acts committed using mass media or the Internet,

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

Article 256. Participation of a citizen of the Kyrgyz Republic in armed conflicts or military actions on the territory of a foreign state or undergoing training to commit a terrorist act

1. Participation of a citizen of the Kyrgyz Republic in armed conflicts or military actions on the territory of a foreign state in the absence of signs of mercenarism or undergoing training outside the Kyrgyz Republic to commit a terrorist act –

shall be punishable by imprisonment for a term of five to ten years with confiscation of property.

2. The same acts committed:

- 1) a group of persons;
- 2) by a group of persons by prior agreement;
- 3) an organized group;
- 4) as part of a criminal community, –

shall be punishable by imprisonment for a term of ten to fifteen years with confiscation of property.

Article 257. Taking of hostages

1. The capture or detention of a person as a hostage, committed for the purpose of coercing a state, international organization, legal entity or individual (group of persons) to perform or refrain from performing any action as a direct or indirect condition for the release of the hostage,

shall be punishable by imprisonment for a term of five to ten years with confiscation of property.

2. The same acts committed:

- 1) a group of persons;
- 2) by a group of persons by prior agreement;
- 3) with the threat of violence dangerous to life and health;
- 4) using weapons or other objects used as weapons;
- 5) in relation to two or more persons;
- 6) in relation to a child;
- 7) in relation to a woman who is pregnant;
- 8) for selfish reasons or for hire, -

shall be punishable by imprisonment for a term of ten to twelve years with confiscation of property.

3. Acts provided for in parts 1 or 2 of this article:

- 1) causing, through negligence, serious or especially serious harm;
- 2) committed by an organized group;
- 3) committed as part of a criminal community, -

shall be punishable by imprisonment for a term of twelve to fifteen years with confiscation of property.

4. The acts provided for in parts 1 or 2 of this article, if the perpetrator voluntarily released the hostage(s), -

shall be punishable by imprisonment for up to five years .

Article 258. Seizure of buildings and structures

1. The seizure of a building, structure, routes or means of communication and other communications, or their retention, combined with the threat of their destruction or damage, or with the threat of killing citizens or causing harm to their health, for the purpose of forcing a state or other body, legal entity or individual (group of persons) to perform or refrain from performing any action as a condition for not carrying out the threat,

shall be punishable by imprisonment for a term of five to eight years with confiscation of property.

2. The same acts that, through negligence, resulted in serious harm,

shall be punishable by imprisonment for a term of eight to eleven years with confiscation of property.

Article 259. Deliberately false report of an act of terrorism

A knowingly false report of an impending explosion, arson or other actions that create a danger of death or serious harm to people,

shall be punishable by correctional labor for a term of one to three years, or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to five years .

Article 260. Coercion of a person to participate in criminal activity

Forcing a person to commit a crime or to participate in an organized group, illegal armed formation or criminal community, committed with the use of blackmail or threat of violence against him or his relatives that is not dangerous to life and health,

shall be punishable by imprisonment for up to five years.

Article 261. Creation of an organized group or participation in it

1. The creation of an organized group for the commission of crimes, as well as the leadership of such a group –

shall be punishable by imprisonment for a term of seven to ten years with confiscation of property.

2. Participation in an organized group –

shall be punishable by imprisonment for a term of five to eight years with confiscation of property.

3. Recognition, confirmation or non-denial of occupying a position (status) in a criminal hierarchy or in an organized group –

shall be punishable by imprisonment for a term of seven to ten years with confiscation of property.

Note : A person who voluntarily ceases participation in an organized group and reports to the relevant state authorities information incriminating other persons in the creation of such a group, its management or participation in it, is exempt from criminal liability for participation in an organized group.

Article 262. Creation of a criminal community or participation in it

1. The creation of a criminal community for the purpose of committing serious or especially serious crimes, as well as the management of such a community or structural subdivisions included therein, as well as the creation of an association of organizers, leaders or other representatives of organized groups for the purpose of developing plans and conditions for the commission of serious or especially serious crimes –

shall be punishable by imprisonment for a term of ten to twelve years with confiscation of property.

2. Participation in a criminal community –

shall be punishable by imprisonment for a term of seven to ten years with confiscation of property.

Note : A person who voluntarily ceases participation in a criminal community and reports to the relevant state authorities information incriminating other persons in the

creation of such a community, its management or its subdivisions, or participation in it, as well as in the creation of an association of organizers, leaders, or other representatives of organized groups, is exempt from criminal liability for participation in a criminal community.

Article 263. Financing of organized groups and criminal communities

1. Financing an organized group or a criminal community, i.e. providing or collecting funds, items, substances and (or) other property, providing rights to property or benefits of a property nature, as well as gifts, exchanges, donations, charitable assistance, provision of information and other types of services or provision of financial services to an individual, or a group of individuals, or a legal entity –

shall be punishable by imprisonment for a term of five to ten years with confiscation of property.

2. Storage or distribution, or transfer of funds, objects, substances and (or) other property for the needs of an organized group or criminal community, as well as the development of channels for their financing, committed by the leader or participant of an organized group or criminal community,

shall be punishable by imprisonment for a term of five to ten years with confiscation of property.

3. Acts provided for in parts 1 or 2 of this article, committed by a person using his official position or by a person performing managerial functions in a commercial or other organization, public association, -

shall be punishable by imprisonment for a term of ten to fifteen years with confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Note: A person who financed organized groups and criminal communities under the threat of violence and/or voluntarily declared this shall be exempt from criminal liability unless his actions contain elements of another crime.

Article 264. Creation of an illegal armed formation or participation in it

1. The creation of an illegal armed formation (association, detachment, squad or other group), as well as the leadership of such a formation –

shall be punishable by imprisonment for a term of seven to ten years with confiscation of property.

2. Participation in an illegal armed formation –

shall be punishable by imprisonment for a term of five to ten years with confiscation of property.

Note: A person who voluntarily ceases participation in an illegal armed formation and surrenders his weapons is exempt from criminal liability for the act provided for in this article.

Article 265. Hijacking or seizure of a vessel

1. Hijacking an aircraft or watercraft or a railway rolling stock, as well as the seizure of such a vessel or train for the purpose of hijacking –

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years.

2. The same acts committed:

1) a group of persons;

2) by a group of persons by prior agreement;

3) with the use of weapons or objects used as weapons,

shall be punishable by imprisonment for a term of five to eight years with confiscation of property.

3. Acts provided for in parts 1 or 2 of this article, which through negligence resulted in serious harm, –

shall be punishable by imprisonment for a term of eight to ten years with confiscation of property.

Article 266. Illegal production and circulation of special technical equipment

Illegal production, sale or acquisition for the purpose of sale of special technical means intended for the covert acquisition of information –

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of one to three years, or a fine of 500 to 1,000 calculated units, or imprisonment for a term of up to five years.

Note: The list of special technical means intended for covert acquisition of information is approved by the Cabinet of Ministers of the Kyrgyz Republic.

Article 267. Illegal circulation of weapons and ammunition

1. Illegal acquisition, sale or carrying of bladed weapons, including throwing weapons, gas weapons, smooth-bore weapons, as well as weapons designed for firing traumatic cartridges, -

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years, or correctional labor for a period of one to three years, or a fine of 500 to 1000 calculated indicators .

2. Illegal acquisition, transfer, sale, storage, transportation or carrying of firearms (except smooth-bore hunting weapons and ammunition for them), as well as ammunition, explosives and explosive devices -

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years.

3. The acts provided for in Part 2 of this Article in relation to two or more units of automatic weapons or weapons intended for the simultaneous defeat of two or more persons,

shall be punishable by imprisonment for a term of five to seven years.

4. Acts provided for in parts 2 and 3 of this article, committed :

1) a group of persons;

2) by a group of persons by prior conspiracy, –

shall be punishable by imprisonment for a term of seven to ten years.

Note : A person who voluntarily surrenders the items specified in this article shall be exempt from criminal liability for the act provided for in this article.

The seizure of items specified in this article and in Article 268 of this Code during the detention of a person, as well as during investigative actions to discover and seize them, cannot be recognized as voluntary surrender.

Article 268. Illegal manufacture of weapons

1. Illegal manufacture of gas weapons, smooth-bore weapons intended for firing traumatic cartridges, bladed weapons, including throwing weapons, –

shall be punishable by community service from one hundred to three hundred hours or correctional labor for a term of two months to one year , or a fine from 500 to 1000 calculated indicators or imprisonment for a term of up to three years.

2. Illegal repair or manufacture of firearms (except smooth-bore hunting weapons), as well as illegal manufacture of ammunition, explosives or homemade explosive devices –

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or by correctional labor for a term of one to three years, or by a fine of 500 to 1,000 calculated units , or by imprisonment for a term of up to three years.

3. Illegal modification of the design of a firearm, which has led to the possibility of firing in bursts, or from a smooth-bore or gas weapon with cartridges intended for firing from a rifled weapon, as well as a reduction in the overall length of the weapon that does not meet standard requirements,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years.

4. Acts provided for in parts 1, 2 or 3 of this article, committed :

1) a group of persons ;

2) by a group of persons by prior conspiracy, –

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

Note: A person who voluntarily surrenders the items specified in this article shall be exempt from criminal liability for the acts provided for in this article.

Article 269. Careless storage of weapons

Improper storage, due to recklessness or negligence, of a firearm, as well as a gas weapon or a weapon intended for firing traumatic cartridges, which created conditions for the use of this weapon by another person and caused, through negligence, serious or especially serious harm, -

shall be punishable by correctional labor for a term of one to three years, or a fine of 500 to 1,000 calculated units, or imprisonment for a term of up to two years, with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Article 270. Improper performance of duties to protect weapons

1. Improper performance of duties by a person entrusted with the protection of firearms, ammunition or explosives, due to recklessness or negligence, if this resulted in their theft or destruction,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

2. The same act that caused serious harm,

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

Article 271. Theft or extortion of firearms

1. Theft or extortion of firearms, ammunition or explosives –

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

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

1) a person to whom firearms, ammunition or explosives have been entrusted in connection with his official position or under guard;

2) a group of persons ;

3) by a group of persons by prior agreement;

4) with the use of violence dangerous to life or health;

5) an organized group;

6) as part of a criminal community, –

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

Chapter 3 4. Crimes against safety in industry, construction and the sphere of handling high-risk sources

Article 272. Violation of safety rules for mining, construction or other works

1. Intentional or careless violation of safety rules during mining, construction, explosive or other work, which, through negligence, resulted in significant harm,

shall be punishable by a fine of 500 to 1000 calculated indicators, with deprivation of the right to hold certain positions or engage in certain activities for a period of up to one year.

2. The same act, which through negligence resulted in grave or especially grave harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 273. Poor quality construction

1. The delivery and (or) acceptance into operation of a poorly constructed, unfinished or non-compliant with the terms of the contract and design documentation building or structure, power plant, residential building, road, bridge or other construction project by the contractor, committed by the head of the construction organization or an official exercising control over the quality of construction, as well as their poor-quality repair by the contractor, which through negligence resulted in significant harm,

shall be punishable by a fine of 500 to 1000 calculated indicators, with deprivation of the right to hold certain positions or engage in certain activities for a period of up to one year.

2. The same acts that, through negligence, resulted in grave or especially grave harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 274. Illegal circulation of explosives, flammable substances and pyrotechnic products

1. Intentional or careless violation of the rules for accounting, storage, transportation and use of explosives, flammable substances and pyrotechnic products, as well as illegal shipment of these substances by mail or baggage, resulting through carelessness significant harm, -

shall be punishable by a fine of 500 to 1000 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to one year.

2. The same acts that caused, through negligence, grave or especially grave harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 275. Violation of fire safety regulations

1. Intentional or careless violation of fire safety rules by a person responsible for their implementation, resulting in the outbreak of a fire, resulting through negligence in less serious harm to health or significant damage,

shall be punishable by a fine of 500 to 1000 calculated indicators, with deprivation of the right to hold certain positions or engage in certain activities for a period of up to one year.

2. The same acts that, through negligence, resulted in grave or especially grave harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or by imprisonment for up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 276. Illegal handling of radioactive materials

1. Illegal acquisition, storage, use, transfer, sale or destruction of radioactive materials that, through negligence, cause less serious harm to health, –

shall be punishable by a fine of 500 to 1000 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to one year.

2. The same acts that, through negligence, resulted in grave or especially grave harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 277. Theft or extortion of radioactive materials

1. Theft or extortion of radioactive materials –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years.

2. The same act committed:

1) a group of persons;

2) by a group of persons by prior agreement;

3) a person to whom radioactive materials have been entrusted in connection with his official position or under guard;

4) with the use of violence that is not dangerous to life and health, or with the threat of using such violence;

5) an organized group;

6) as part of a criminal community, –

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

Chapter 3 5 . Crimes against public order

Article 278. Mass riots

1. Organization of mass riots accompanied by violence, pogroms, arson, destruction of property, use of firearms, explosives or explosive devices, or armed resistance to a representative of the authorities,

shall be punishable by imprisonment for a term of seven to ten years.

2. Participation in mass riots provided for in Part 1 of this article –

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

3. Calls for active disobedience to the lawful demands of government officials and for mass riots, as well as calls for violence against citizens –

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

Article 279. Illegal blocking of roads

1. Organization or management of the illegal blocking of a road or communication route, that is, actions aimed at blocking or restricting the movement of people, automobile, railway or other transport vehicles by creating a crowd of people on the roadway or installing barriers, equipment or other objects, resulting in causing significant harm, -

shall be punishable by correctional labor for a term of two months to one year , a fine of 200 to 500 calculated units, or imprisonment for up to five years.

2. Participation in the illegal blocking of a road or communication route, as provided for in Part 1 of this article, –

shall be punishable by community service from one hundred to three hundred hours, or correctional labor for a term of one to three years, or a fine from 500 to 1000 calculated indicators.

Article 280. Hooliganism

1. Hooliganism, that is, intentional actions that violate public order and the norms of generally accepted behavior, associated with violence or the threat of its use, or the commission of indecent actions distinguished by cynicism, that is, associated with the destruction or damage of someone else's property, or accompanied by the use of violence that is not dangerous to life and health, or the threat of its use, -

shall be punishable by a fine of 200 to 500 calculated units or imprisonment for up to three years .

2. Hooliganism committed:

1) a group of persons;

2) by a group of persons or by a group of persons by prior agreement;

3) with the use or attempted use of firearms, gas-traumatic weapons, knives, brass knuckles and other bladed weapons or other objects specially adapted to cause harm to health;

4) with resistance to a representative of the authorities or another person performing duties to maintain public order;

5) on board an aircraft, river, sea vessel, railway transport, –

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of three to five years.

Article 281. Vandalism

Desecration of a state-protected historical, cultural or natural monument by inscriptions, drawings or other means, as well as damage to property in transport or other public places –

shall be punishable by a fine of 200 to 500 calculated units, or by restriction of freedom for a period of six months to one year, or by community service for forty to one hundred hours.

Chapter 3 6. Crimes in the sphere of circulation of narcotic drugs, psychotropic substances, their analogues and precursors

Article 282. Illegal production of narcotic drugs, psychotropic substances and their analogues for the purpose of sale

1. Illegal manufacture, acquisition, storage, transportation, transfer for the purpose of sale, as well as illegal production or sale of narcotic drugs, psychotropic substances and their analogues –

shall be punishable by imprisonment for a term of five to eight years with confiscation of property.

2. The same acts committed:

1) a group of persons;

2) by a group of persons by prior agreement;

3) on a large scale, –

shall be punishable by imprisonment for a term of eight to twelve years with confiscation of property.

3. Acts provided for in parts 1 or 2 of this article, committed on an especially large scale, as well as the sale of narcotic drugs, psychotropic substances and their analogues to a child –

shall be punishable by imprisonment for a term of twelve to fifteen years with confiscation of property.

Note. The list of narcotic drugs, psychotropic substances, their analogues, as well as their quantities, which are significant for the qualification of acts under this article, as

well as under other articles of this Code, shall be approved by the Cabinet of Ministers of the Kyrgyz Republic.

A person who has committed a crime provided for in this article, voluntarily surrendered narcotic drugs, psychotropic substances or their analogues and actively contributed to the disclosure or suppression of crimes related to the illegal trafficking of narcotic drugs, psychotropic substances or their analogues, the exposure of the persons who committed them, the discovery of property obtained by criminal means, shall be released from criminal liability for the act provided for in this article.

The surrender of narcotic drugs, psychotropic substances or their analogues during the detention of a person, as well as during investigative actions to detect and seize them, cannot be recognized as voluntary.

Article 283. Illegal production of narcotic drugs, psychotropic substances and their analogues without the purpose of sale

1. Illegal production, acquisition, storage, transportation or shipment of narcotic drugs, psychotropic substances or their analogues without the intent to sell, committed on a large scale, –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years.

2. The same acts committed on an especially large scale –

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

Article 284. Illegal production of precursors

1. Illegal production, acquisition, storage, transportation, transfer or sale of precursors, knowingly intended for the production, or production of narcotic drugs or psychotropic substances –

shall be punishable by correctional labor for a term of one to three years, or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to two years.

2. The same acts committed:

1) a group of persons;

2) by a group of persons by prior agreement;

3) on a large scale, –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years.

3. Acts provided for in parts 1 or 2 of this article, committed on an especially large scale, –

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

Note. The list of precursors and their sizes, which are significant for the classification of acts under this article, as well as under other articles of this Code, shall be approved by the Cabinet of Ministers of the Kyrgyz Republic.

Article 285. Smuggling of items for which special rules for movement across the customs border of the Kyrgyz Republic have been established

1. Movement across the customs border of the Kyrgyz Republic of narcotic drugs, psychotropic substances, their analogues and precursors; potent, poisonous, toxic, radioactive or explosive substances; weapons, explosive devices, firearms or ammunition; nuclear, chemical, biological and other types of weapons of mass destruction; materials, technologies, scientific and technical information and equipment that can be used in the creation of weapons of mass destruction and in respect of which special rules for movement across the customs border of the Kyrgyz Republic have been established; strategically important raw materials and cultural values, in respect of which special rules for movement across the customs border of the Kyrgyz Republic have been established, if this act is committed in spite of or with concealment from customs control or with fraudulent use of documents or means of customs identification or is associated with non-declaration or false declaration, -

shall be punishable by imprisonment for a term of five to ten years with confiscation of property, deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

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

1) by an official using his official position;

2) with the use of violence that is not dangerous to life and health, against a person carrying out customs control;

3) a group of persons ;

4) by a group of persons or by a group of persons by prior agreement, –

shall be punishable by imprisonment for a term of ten to twelve years with confiscation of property, deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

3. Acts provided for in parts 1 and 2 of this article committed :

1) an organized group;

2) as part of a criminal community, –

shall be punishable by imprisonment for a term of twelve to fifteen years with confiscation of property.

Article 286. Theft or extortion of narcotic drugs or psychotropic substances

1. Illegal seizure of narcotic drugs or psychotropic substances committed by means of theft or extortion,

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

2. The same act committed:

1) a group of persons;

2) by a group of persons by prior agreement;

3) by a person to whom narcotic drugs or psychotropic substances were entrusted in connection with his official position or under guard, –

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

3. Acts provided for in parts 1 or 2 of this article, committed on a large scale, –

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

4. Acts provided for in parts 1, 2 or 3 of this article, committed

1) on an especially large scale;

2) an organized group;

3) as part of a criminal community, –

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

Article 287. Inducement to use narcotic drugs and psychotropic substances

1. Enticement to consume narcotic drugs or psychotropic substances –

shall be punishable by correctional labor for a term of one to three years, or a fine of 1,000 to 2,000 calculated units, or imprisonment for a term of up to two years.

2. The same act committed:

1) a group of persons;

2) by a group of persons by prior agreement;

3) in relation to a child or two or more persons;

4) with the use of physical violence that is not dangerous to life and health, or with the threat of its use;

5) in educational institutions, entertainment venues, sports facilities, as well as in premises used in the entertainment (leisure) sector, –

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

3. Acts provided for in parts 1 or 2 of this article:

1) causing, through negligence, serious or especially serious harm;

2) committed by an organized group;

3) committed as part of a criminal community, –

shall be punishable by imprisonment for a term of five to ten years with confiscation of property.

Article 288. Sowing and growing plants containing narcotic drugs

1. Sowing or growing plants containing narcotic drugs, psychotropic substances and precursors that are prohibited for cultivation, in large quantities or by a group of persons by prior agreement –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years.

2. The same acts committed on an especially large scale –

shall be punishable by imprisonment for a term of five to ten years with confiscation of property.

Note: The sizes of prohibited cultivation of plants containing narcotic drugs, psychotropic substances and precursors for the purposes of this article are approved by the Cabinet of Ministers of the Kyrgyz Republic.

Article 289. Violation of the rules of legal circulation of narcotic drugs, psychotropic substances, their analogues and precursors

1. Intentional or careless violation of the rules of legal circulation of narcotic drugs, psychotropic substances, their analogues and precursors, or equipment used for the production of narcotic drugs or psychotropic substances under special control, which caused its loss through negligence, committed by a person whose responsibility it is to comply with the said rules,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor from two months to one year , or a fine from 500 to 1000 calculated indicators, or imprisonment for up to five years.

2. The same act, which through negligence resulted in serious harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for five to eight years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 290. Organization or maintenance of dens for the consumption of narcotic drugs, psychotropic substances, and their analogues

1. The organization or maintenance of dens for the consumption of narcotic drugs or psychotropic substances and their analogues, as well as the provision of premises for the same purposes –

shall be punishable by correctional labor for a term of two months to one year , or a fine of 200 to 500 calculated units, or imprisonment for a term of up to five years.

2. The same acts committed by a group of persons by prior conspiracy,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of five to eight years.

Article 291. Illegal issuance or forgery of a document for obtaining narcotic drugs, psychotropic substances and their analogues

Illegal issuance or forgery of a prescription or other document giving the right to receive narcotic drugs, psychotropic substances and their analogues -

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Chapter 3 7. Crimes against public health

Article 292. Illegal trafficking of potent or toxic substances for the purpose of sale

1. Illegal manufacture, processing, acquisition, storage, transportation or shipment for the purpose of sale, as well as illegal sale of potent or toxic substances that are not narcotic drugs or psychotropic substances, or equipment for their manufacture or processing –

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years.

2. The same acts committed:

- 1) a group of persons;
- 2) by a group of persons by prior agreement;
- 3) an organized group;
- 4) as part of a criminal community, –

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

Article 293. Illegal trafficking of potent or toxic substances

Intentional or careless violation of the rules for the production, acquisition, storage, accounting, release, transportation or shipment of potent or toxic substances, if this resulted in their theft or causing other significant harm,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of two months to one year, or a fine of 500 to 1000 calculated indicators, or imprisonment for a term of up to two years.

Article 294. Illegal production and sale of medicines

1. Illegal production or sale of medicines, diagnostic, prophylactic, medical and cosmetic products, medical equipment, therapeutic and prophylactic nutrition products or food additives, which, through negligence, resulted in significant harm, -

shall be punishable by a fine of 500 to 1000 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to one year.

2. The same acts that, through negligence, resulted in poisoning of people or other serious or especially serious harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 295. Violation of sanitary and epidemiological rules

1. Intentional or careless violation of sanitary and epidemiological rules, which, through negligence, resulted in significant harm,

shall be punishable by a fine of 500 to 1000 calculated indicators.

2. The same act, which through negligence resulted in mass disease, poisoning of people or other serious harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

3. Intentional violation of sanitary and epidemiological rules, associated with the creation of a threat of mass disease and poisoning of people, committed during the introduction of a state of emergency, state of emergency or martial law,

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

Article 296. Concealment or distortion of information about circumstances that create a danger to people

Concealment or distortion of information about events, facts or phenomena that pose a danger to the life or health of people or to the environment, committed by an official of a state body, local government body, state or municipal institution, which, through negligence, resulted in significant harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to one year.

Article 297. Creating a danger to consumers

1. The production or sale of goods, the performance of work or the provision of services that do not meet the requirements for the safety of life or health of consumers, as well as the unlawful issuance or use of an official document certifying the compliance

of the said goods, work or services with safety requirements, which, through negligence, resulted in significant harm,

shall be punishable by imprisonment for a term of up to two years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of two months to one year, or a fine of 200 to 500 calculated units.

2. The same acts committed:

1) in relation to goods, works or services intended for children under fourteen years of age;

2) causing serious harm through negligence, –

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years with deprivation of the right to hold certain positions or engage in certain activities for a term of two to five years.

Chapter 3 8. Crimes against environmental safety and the natural environment

Article 298. Violation of environmental protection rules during performance of works

1. Intentional or careless violation of environmental protection rules during the design, placement, construction, commissioning of industrial, economic, scientific and other facilities by persons responsible for their observance, which, through negligence, resulted in significant harm,

shall be punishable by a fine of 200 to 500 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years.

2. The same act, which through negligence resulted in serious harm,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 299. Violation of rules for handling environmentally hazardous substances and waste

1. Transportation, burial or disposal of radioactive, bacteriological, chemical substances and waste with intentional or careless violation of established rules, which through negligence resulted in significant harm, as well as the burial or disposal of radioactive, bacteriological, chemical substances and waste in an environmental disaster zone or in an environmental emergency zone -

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of two months to one year, or a fine of 500 to 1,000 calculated units, or imprisonment for a term of up to five years.

2. The same acts that, through negligence, resulted in serious harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of five to eight years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Article 300. Violation of safety rules when handling biological agents or toxins

1. Intentional or careless violation of safety rules when handling microbiological and other biological agents or toxins, which, through negligence, resulted in significant harm,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years, or correctional labor for a term of one to three years, or a fine of 500 to 1,000 calculated units, or imprisonment for a term of up to two years.

2. The same act, which through negligence resulted in serious harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Article 301. Violation of veterinary rules

1. Intentional or careless violation of veterinary rules, which, through negligence, resulted in significant harm,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of two months to one year, or a fine of 500 to 1000 calculated indicators, or imprisonment for a term of up to two years.

2. The same act, which through negligence resulted in the spread of an epizootic or other serious harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for two to five years with deprivation of the right to hold certain positions or engage in certain activities for up to three years.

Article 302. Destruction or damage of forests

1. Destruction of or damage to forests, peat bogs or other natural objects by arson or other generally dangerous method, which, through negligence, resulted in significant harm,

shall be punishable by correctional labor from one year to three years, or a fine from 500 to 1000 calculated indicators, or imprisonment for up to three years.

2. The same act, which through negligence resulted in serious harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of three to five years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Article 303. Illegal cutting of trees and shrubs

1. Illegal felling or damage to the extent of stopping the growth of trees and shrubs in forests or protective or green zones that are not part of the state forest fund, as well as illegal felling or damage to the extent of stopping the growth of specially protected trees or especially valuable tree species in any place, resulting in significant damage,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years, or correctional labor for a term of one to three years, or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to two years.

2. The same acts that have caused major damage –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Article 304. Water pollution

1. Pollution or clogging of water bodies (surface or ground water) with waste water, industrial, household and other types of waste and refuse, as well as prohibited fishing and aquatic animal fishing gear, which has caused significant harm through negligence,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years, or correctional labor for a term of one to three years, or a fine of 500 to 1,000 calculated units, or imprisonment for a term of up to two years.

2. The same act, which through negligence resulted in serious harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Article 305. Pollution of the atmosphere

1. Intentional or careless violation of the rules for the emission of pollutants into the atmosphere or violation of the operation of installations, structures and other objects, which, through negligence, resulted in significant harm,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years, or correctional labor for a term of one to three years, or a fine of 500 to 1,000 calculated units, or imprisonment for a term of up to two years.

2. The same acts that, through negligence, resulted in serious harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Article 306. Damage to land

1. Intentional or careless violation of the rules for handling pesticides, plant growth stimulants and other hazardous chemical or biological substances during their storage, use and transportation, which has resulted through carelessness in poisoning, pollution or other damage to the land, with the exception of objects subject to land amnesty in accordance with the legislation of the Kyrgyz Republic, the destruction of the fertile layer over large areas or other significant damage, -

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years, or correctional labor for a term of one to three years, or a fine of 500 to 1,000 calculated units, or imprisonment for a term of up to two years.

2. The same act, which through negligence resulted in serious harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Note: In this article, large areas are defined as areas larger than 1 hectare.

(As amended by the Law of the Kyrgyz Republic dated [April 1, 2022 No. 22](#))

Article 307. Violation of rules for the protection and use of subsoil

Intentional or careless violation of the rules for the protection and use of subsoil during the design, placement, construction, commissioning and operation of mining enterprises or underground structures not related to the extraction of minerals, as well as unauthorized construction of areas where minerals are found, which through negligence resulted in significant damage,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of one to three years, or a fine of 1,000 to 2,000 calculated units, or imprisonment for a term of up to two years.

Article 308. Destruction of animals and plants

1. Destruction of rare and endangered animals or plants listed in the Red Book of the Kyrgyz Republic, or destruction of their clutches or eggs –

are punishable by a fine of 500 to 1000 calculated indicators.

2. The same acts that may lead to a critical reduction in the number of such animals or plants,

shall be punishable by community service from one hundred to three hundred hours, or by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years , or by correctional labor for a term of one year to three years, or by a fine from 1,000 to 2,000 calculated indicators, or by imprisonment for a term of up to two years.

3. Acts provided for in parts 1 and 2 of this article, which through negligence resulted in serious harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or by imprisonment for a term of two to five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Article 309. Violation of rules for the protection of fish stocks

1. Operation of a water intake structure or pumping mechanism, as well as the construction of a bridge, dam, the implementation of blasting and other works with intentional or careless violation of the rules for the protection of fish stocks, which, through carelessness, resulted in the death of fish or other aquatic animals or the destruction of food supplies for them, -

shall be punishable by a fine of 200 to 500 calculated units with deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years.

2. The same acts that, through negligence, resulted in significant harm,

shall be punishable by community service from one hundred to three hundred hours, or by deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years, or by correctional labor for a period of one year to three years, or by a fine from 500 to 1000 calculated indicators.

Article 310. Illegal hunting or harvesting of fish or aquatic animals

1. Illegal hunting or extraction of fish or aquatic animals that has resulted in significant damage, including those committed in spawning grounds or on migration routes to them,

shall be punishable by a fine of 200 to 500 calculated units with deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years.

2. Illegal hunting or harvesting of fish or aquatic animals, committed with the use of a mechanical vehicle, a self-propelled floating vehicle or an aircraft, explosives or chemicals, electric current, synthetic fishing nets, gases or other methods of mass destruction of birds, animals or fish, resulting in major damage,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years, or correctional labor for a period of two months to one year, or a fine of 500 to 1000 calculated indicators, or imprisonment for a period of up to two years with deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years.

3. Acts provided for in parts 1 and 2 of this article committed:

1) on the territory of a state reserve, wildlife sanctuary, or in an environmental disaster zone or in an environmental emergency zone;

2) in relation to rare and endangered species of animals, as well as animals for which a ban on use has been imposed;

3) a person to whom the animals were entrusted in connection with his official position or for protection;

- 4) causing particularly large-scale damage;
- 5) causing serious harm through negligence, –

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years.

Chapter 3 9. Crimes against traffic safety and operation of transport and main pipelines

Article 311. Violation of traffic safety rules and operation of rail, air or water transport

1. Intentional or careless violation of traffic safety rules and (or) operation of rail, air, or water transport by a person who is obliged by virtue of the work performed or the position held to comply with these rules, which, through negligence, resulted in significant harm,

shall be punishable by a fine of 200 to 500 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years.

2. The same act, which through negligence resulted in serious harm,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 312. Violation of traffic safety rules and operation of motor vehicles

1. Intentional or careless violation of traffic safety rules and operation of motor vehicles by a person driving a vehicle, which, through negligence, resulted in less serious harm to health,

shall be punishable by a fine of 200 to 500 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years.

2. The same act, which through negligence resulted in serious harm to health,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

3. The same act, which through negligence resulted in particularly grave harm,

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

4. The act provided for in Part 3 of this Article, committed in a state of intoxication caused by the use of alcohol, narcotic drugs or other intoxicating substances,

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

Note. In Articles 211, 312 and 316 of this Code, motor vehicles mean all types of automobiles, trolleybuses, tractors and other self-propelled vehicles, motorcycles and other mechanical vehicles.

Article 313. Poor quality repair of vehicles

1. Poor-quality repair of vehicles, communication routes, signaling or communication equipment, or other transport equipment, as well as the release into operation of knowingly technically faulty vehicles by a person responsible for their technical condition, which, through negligence, resulted in significant harm,

shall be punishable by a fine of 200 to 500 calculated units with deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years.

2. The same acts that, through negligence, resulted in serious harm,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 314. Rendering transport vehicles or communication routes unusable

1. Destruction, damage or otherwise rendering unusable a vehicle, communication routes, signaling or communication equipment or other transport equipment, as well as blocking transport communications, which through negligence resulted in significant harm,

shall be punishable by a fine of 200 to 500 calculated units with deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years.

2. The same acts that, through negligence, resulted in serious harm,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 315. Permission to drive a motor vehicle by a person in a state of intoxication

1. Allowing a person who is under the influence of alcohol, drugs or any other intoxication or who does not have the right to drive this vehicle to drive a motor vehicle by a person responsible for the operation of such a vehicle, as well as the transfer of control by the driver or owner of a motor vehicle to a person who is under the influence of alcohol or who does not have the right to drive this vehicle, which has resulted through negligence in serious harm,

shall be punishable by a fine of 200 to 500 calculated units with deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years.

2. The same acts that, through negligence, resulted in particularly grave harm, shall be punishable by correctional labor for a term of one to three years, or a fine of 500 to 1,000 calculated units, or imprisonment for a term of up to two years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Article 316. Violation of rules ensuring safe operation of transport

1. Intentional or careless violation by a passenger, pedestrian or other road user of traffic safety rules or the operation of all types of transport, which, through negligence, resulted in significant harm,

shall be punishable by a fine of 200 to 500 calculated indicators.

2. The same act, which through negligence resulted in serious harm,

shall be punishable by correctional labor for a term of two months to one year, or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to two years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Article 317. Violation of safety regulations during construction, operation or repair of main pipelines

1. Intentional or careless violation of safety rules during the construction, operation or repair of main pipelines, which, through negligence, resulted in significant harm,

shall be punishable by a fine of 200 to 500 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years.

2. The same act, which through negligence resulted in serious harm,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 318. Violation of the rules for the use of motorways and their protection

1. Intentional or careless violation of the rules for the use of motorways and their protection, i.e. the laying or repair without the appropriate permission of underground or above-ground communications on motorways or in their right-of-way, failure to comply with the established conditions and deadlines for the performance of these works, the unauthorized construction of arches, fences, barriers or other structures, the storage of materials or objects on roads, the destruction of the road surface, which through negligence resulted in significant damage, -

shall be punishable by a fine of 200 to 500 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years.

2. The same acts that, through negligence, resulted in serious harm, shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Chapter 40 . Cyber Security Crimes

Article 319. Unauthorized access to computer information and electronic documents, to an information system or telecommunications network

1. Unauthorized access to someone else's protected computer information and electronic documents, to an information system or telecommunications network, which resulted in the destruction, blocking, or modification of information, as well as which resulted in the disruption or termination of the operation of information processing devices, which caused significant harm intentionally or through negligence,

shall be punishable by community service from forty to one hundred hours, or by deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years, or by correctional labor for a period of two months to one year, or by a fine of 200 to 500 calculated units.

2. The same act committed:

1) by a group of persons by prior agreement;

2) causing, through negligence, major damage or other serious harm;

3) in relation to information systems or telecommunication networks related to critical information infrastructure, -

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for up to two years.

3. The act provided for in Part 1 of this Article, committed with the purpose of intentionally destroying, changing, blocking, rendering unusable computer information or an electronic document, or disabling or destroying information systems or telecommunications networks, -

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for up to two years.

4. The act provided for in part 3 of this article, committed:

1) by a group of persons by prior agreement;

2) causing major damage or other serious harm;

3) in relation to information systems or telecommunication networks related to critical information infrastructure, -

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for up to two years.

(As amended by the Law of the Kyrgyz Republic of [January 18, 2022 No. 4](#))

Article 320. Creation of malicious software products

1. The creation for the purpose of use or distribution of a software product or the introduction of changes to existing software products, knowingly intended for the implementation of unauthorized access and copying, destruction, blocking, modification of computer information and electronic documents or the neutralization of information security tools, disruption of the operation of information systems or telecommunications networks, as well as the intentional use and distribution of such software products that resulted in causing significant damage or other significant harm, -

shall be punishable by community service from forty to one hundred hours, or by deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years, or by correctional labor for a period of two months to one year, or by a fine of 200 to 500 calculated units.

2. The same act committed:

1) by a group of persons by prior agreement;

2) causing, through negligence, major damage or other serious harm;

3) in relation to information systems and telecommunication networks related to critical information infrastructure, -

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years with or without deprivation of the right to hold certain positions or engage in certain activities for up to two years.

(As amended by the Law of the Kyrgyz Republic of [January 18, 2022 No. 4](#))

Article 321. Cyber-sabotage

1. Cyber sabotage, i.e. intentional alteration, destruction, blocking, rendering unusable information stored on an electronic medium, contained in an information system or transmitted via telecommunications networks or programs without the right to interfere with the operation of computer systems, with the intent to interfere with the functioning of software products or telecommunications systems, as well as the disabling of software products, equipment, -

shall be punishable by correctional labor for a term of two months to one year, or a fine of 200 to 500 calculated units, or imprisonment for a term of up to two years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

2. The same act committed:

1) by a group of persons by prior agreement;

2) causing, through negligence, major damage or other serious harm, –

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Article 322. Mass distribution of electronic messages

Mass distribution of electronic messages, carried out without the prior consent of the addressees, leading to the disruption or termination of the operation of software products, telecommunications systems, equipment and subscriber terminals, – shall be punishable by a fine of 200 to 500 calculated indicators.

SECTION IX CRIMES AGAINST STATE AUTHORITY

Chapter 4 1. Crimes against the foundations of the constitutional order and state security

Article 323. High treason

1. High treason, that is, the disclosure of state secrets, espionage or other assistance to a foreign state or foreign organization in carrying out activities to the detriment of the external security of the Kyrgyz Republic, committed by a citizen of the Kyrgyz Republic,

shall be punishable by imprisonment for a term of seven to ten years with confiscation of property.

2. The same act committed in wartime,

shall be punishable by imprisonment for a term of ten to fifteen years with confiscation of property.

Note. A person who has committed a crime provided for in this article or [Article 3 24](#) of this Code shall be released from criminal liability for the acts provided for therein if he or she has voluntarily and timely reported the crime to the authorities or has otherwise contributed to the prevention of damage to the interests of the Kyrgyz Republic.

Article 324. Espionage

1. Transfer, collection, theft or storage for the purpose of transfer to a foreign state, foreign organization or their representatives of information constituting state secrets, as well as transfer, collection or theft on the instructions of foreign intelligence of other information for use to the detriment of the security of the Kyrgyz Republic, committed by a foreign citizen or stateless person,

shall be punishable by imprisonment for a term of seven to ten years with confiscation of property.

2. The same acts committed in wartime –

shall be punishable by imprisonment for a term of ten to fifteen years with confiscation of property.

Article 325. Sabotage

The commission of an explosion, arson or other actions aimed at the destruction or damage of enterprises, structures, routes and means of communication, means of communication, life support facilities for the population with the aim of undermining economic security or defense capability or with the aim of destabilizing the activities of state bodies or the socio-political situation of the Kyrgyz Republic,

shall be punishable by imprisonment for a term of ten to fifteen years with confiscation of property.

Article 326. Violent seizure of power

The violent seizure of power or the violent retention of power in violation of the Constitution of the Kyrgyz Republic, as well as actions aimed at the violent change of the constitutional order,

shall be punishable by imprisonment for a term of ten to fifteen years with confiscation of property.

Article 327. Public calls for violent seizure of power

1. Public calls for the violent seizure or violent retention of power, as well as for the violent change of the constitutional order –

shall be punishable by a fine of 200 to 500 calculated units or imprisonment for up to three years.

2. The same acts committed:

1) using mass media or information and communication networks;

2) a group of persons ;

3) by a group of persons by prior conspiracy, –

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of three to five years.

Article 328. Separatist activity

Separatist activity, that is, an act aimed at violating the territorial integrity of a state, including separating part of its territory from it or disintegrating the state, committed by violent means,

shall be punishable by imprisonment for a term of ten to twelve years with confiscation of property.

Article 329. Armed rebellion

Organizing an armed rebellion or actively participating in it with the aim of overthrowing or violently changing the constitutional order –

shall be punishable by imprisonment for a term of twelve to fifteen years.

Article 330. Incitement of racial, ethnic, national, religious interregional hatred (discord)

1. Actions aimed at inciting racial, ethnic, national, religious or interregional hostility (dissension), humiliation of national dignity, as well as propaganda of the exclusivity, superiority or inferiority of citizens on the basis of their attitude to religion, national or racial affiliation, committed publicly or using the media, as well as via the Internet,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years.

2. The same acts committed:

1) with the use of violence that is not dangerous to life and health, or the threat of its use;

2) using his official position;

3) a group of persons;

4) by a group of persons by prior agreement;

5) an organized group;

6) as part of a criminal community , –

shall be punishable by imprisonment for a term of five to seven years.

Article 331. Creation and financing of an extremist organization

1. The creation or management of an extremist organization whose activities are associated with the incitement of national, ethnic, racial, religious or interregional hostility (dissension), the humiliation of national dignity, the propaganda of the exclusivity, superiority or inferiority of citizens on the basis of their attitude to religion, national or racial affiliation, or place of residence, -

shall be punishable by imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

2. Organizing the activities of an extremist organization, in relation to which a court has made a decision to liquidate or prohibit its activities in connection with the implementation of extremist activities, as well as recruiting, inducing, or involving citizens in its activities –

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

3. Provision of funds, rendering financial services or collecting funds by any methods or means, directly or indirectly (through third parties), with the intention or knowledge that the funds are intended or will be used in whole or in part to finance the organization, preparation or implementation of extremist activity on the territory of the Kyrgyz Republic,

shall be punishable by imprisonment for a term of ten to twelve years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

4. Acts provided for in parts 1, 2 and 3 of this article, committed:

- 1) a group of persons;
- 2) by a group of persons by prior agreement;
- 3) by a person using his official position,–

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

5. Participation in the activities of an extremist organization, in respect of which a court has made a decision to liquidate or prohibit its activities in connection with the implementation of extremist activities,

shall be punishable by imprisonment for up to two years or a fine of 200 to 500 calculated units.

Note. A person who voluntarily ceases participation in the activities of an extremist organization, in respect of which a court has made a decision that has entered into legal force on liquidation or prohibition of activities in connection with the implementation of extremist activities by it, if he or she assisted law enforcement agencies in identifying and bringing to criminal responsibility the organizers of such an organization, shall be exempt from criminal liability for the act provided for in this article.

A person who has committed a crime under this article for the first time shall be exempt from criminal liability if he voluntarily reported the financing of extremist activity and (or) assisted in the disclosure and prevention of the crime, unless his actions contain another element of the crime.

In this article, a financial service is defined as the receipt and storage of funds belonging to persons who prepared or committed a crime of an extremist nature, or funds under the control of an extremist organization, or the performance of transactions (deals) or management of such funds.

Article 332. Production, distribution of extremist materials

1. The production, distribution, transportation or forwarding of extremist materials, or their acquisition or storage for the purpose of distribution, the use of symbols or attributes of extremist organizations, as well as via the Internet –

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

2. The same acts committed:

- 1) a group of persons;
- 2) by a group of persons by prior agreement;
- 3) using financial or other material assistance received from foreign public associations, religious or other organizations or foreign citizens;
- 4) using his official position;

5) when holding public events, –

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

Article 333. Disclosure of state secrets

1. Disclosure of information constituting state secrets by a person to whom this information was entrusted or became known in the course of service or work, in the absence of signs of treason or espionage –

shall be punishable by a fine of 500 to 1000 calculated indicators.

2. The same act, which through negligence resulted in serious harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to two years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 334. Loss of information carriers containing state secrets

1. Intentional or careless violation of the established rules for handling media containing state secrets, which has resulted through carelessness in the loss of such media by a person to whom they were entrusted by virtue of service or work or on other grounds provided for by law,

shall be punishable by a fine of 200 to 500 calculated units or imprisonment for up to two years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

2. The same act, which through negligence resulted in serious harm,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Article 335. Transfer or collection for the purpose of transferring to foreigners information constituting an official secret

The transfer or collection for the purpose of transferring to foreign organizations or their representatives of economic, scientific, technical or other information constituting an official secret, by a person to whom this information was entrusted in the course of service or work or became known in another way, which, through negligence, resulted in serious harm,

shall be punishable by a fine of 1,000 to 2,000 calculated units or by imprisonment for up to two years with or without deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Chapter 4 2. Corruption and other crimes against the interests of state and municipal service

Article 336. Corruption

1. Corruption – intentional acts consisting of the creation of an illegal stable connection between one or several officials holding authority with individuals or groups for the purpose of illegally obtaining material or any other benefits and advantages, as well as the provision of these benefits and advantages to individuals and legal entities, creating a threat to the interests of society or the state –

shall be punishable by imprisonment for a term of ten to twelve years with confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for up to three years.

2. The same act committed in the interests of an organized group, a criminal community, or resulting in serious harm,

shall be punishable by imprisonment for a term of twelve to fifteen years with confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Article 337. Abuse of official position

1. The use by an official of his official position contrary to the interests of the service, causing, intentionally or through negligence, significant harm,

shall be punishable by a fine in the amount of 3,000 to 5,000 calculated units or imprisonment for up to two years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

2. The same act committed with the purpose of deriving benefits and advantages for oneself or other persons or out of other personal interest,

shall be punishable by a fine of 5,000 to 10,000 calculated units or imprisonment for a term of two to five years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

3. The act provided for in Part 2 of this Article, which through negligence resulted in serious harm,

shall be punishable by a fine of 10,000 to 20,000 calculated units or imprisonment for a term of five to eight years with confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

4. Acts provided for in parts 1, 2 or 3 of this article, committed by an official occupying a responsible position,

shall be punishable by a fine of 20,000 to 25,000 calculated units or imprisonment for a term of eight to ten years with confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Article 338. Abuse of power

1. The commission by an official or on his order, with his knowledge or consent of actions (except for torture, as provided for in [Article 137](#) of this Code), that go beyond the scope of his authority or are connected with the use of violence that is not dangerous to life and health, or the threat of using such violence,

shall be punishable by a fine of 3,000 to 5,000 calculated units or by imprisonment for up to two years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

2. The same act committed:

- 1) using weapons or special means;
- 2) with the use of physical violence or the threat of its use;
- 3) in the interests of an organized group or criminal community;
- 4) causing serious harm, –

shall be punishable by a fine of 5,000 to 10,000 calculated units or imprisonment for a term of two to five years with confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

3. Acts provided for in parts 1 or 2 of this article, committed by an official occupying a responsible position,

shall be punishable by a fine of 10,000 to 20,000 calculated units or imprisonment for a term of five to seven years with confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Article 339. Conclusion of a knowingly unfavorable contract

1. The conclusion by an official of a contract that is obviously disadvantageous to the state, as well as the implementation by such an official of a state purchase that causes major damage,

shall be punishable by a fine of 3,000 to 5,000 calculated units or imprisonment for a term of two to five years, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

2. The same acts committed:

- 1) a group of persons;
- 2) by a group of persons by prior agreement;
- 3) causing particularly large-scale damage, –

shall be punishable by a fine of 5,000 to 10,000 calculated units or imprisonment for a term of five to seven years with confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Article 340. Illicit enrichment

1. Acquisition by an official of property (use) at the expense of another person, obtained by criminal means and recognized as illegal, the value of which exceeds his official income, confirmed by legal sources over the last two years of work, -

shall be punishable by a fine of 3,000 to 5,000 calculated units or imprisonment for a term of two to five years with confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

2. The same acts committed by an official occupying a responsible position, if the value of the property exceeds the official's official income, confirmed by legal sources over the past five full years, –

shall be punishable by a fine of 10,000 to 20,000 calculated units or imprisonment for a term of five to eight years with confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Article 341. Participation of an official in entrepreneurial activity

Carrying out entrepreneurial activity in any form by an official or taking part in management personally or through a trusted or affiliated person, if these acts are related to the provision of such an organization with benefits, advantages or patronage in another form, causing significant harm to society and the state,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of one to three years, or a fine of 3,000 to 5,000 calculated units, or imprisonment for a term of up to two years.

Article 342. Receiving a bribe

1. Receipt by an official, a foreign official or an official of an international organization, personally or through an intermediary, of a bribe for actions (inaction) in favor of the bribe-giver or persons represented by him, which are within the official powers of the official or which he, by virtue of his official position, can facilitate, as well as consent to accept a bribe -

shall be punishable by a fine of 5,000 to 10,000 calculated units or by imprisonment for a term of two to five years with or without confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

2. The same act committed:

- 1) for illegal actions (inaction);
- 2) for providing a position in the state or municipal service system;
- 3) a group of persons;
- 4) by a group of persons by prior agreement;
- 5) on a large scale, –

shall be punishable by a fine of 10,000 to 20,000 calculated units, imprisonment for a term of five to seven years with confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

3. Acts provided for in parts 1 and 2 of this article committed:

- 1) on an especially large scale;

2) an official holding a responsible position, –

shall be punishable by a fine of 20,000 to 25,000 calculated units or imprisonment for a term of seven to ten years with confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Note. In Articles 342–345 and 362 of this Code, a bribe means money, securities, other property or benefits of a property nature provided or received for actions (inaction) in favor of the bribe giver or persons represented by him.

In Articles 342–345 of this Code, a bribe on a large scale is considered to be a bribe the amount of which is one thousand times, and a bribe on an especially large scale is considered to be ten thousand times greater than the calculated indicator established by the legislation of the Kyrgyz Republic at the time the crime was committed.

Article 343. Extortion of a bribe

1. The demand by an official, personally or through an intermediary, of a bribe for the performance or non-performance in the interests of the giver of an action (inaction) that violates his legal rights, as well as placing him in conditions that force him to give a bribe in order to prevent the occurrence of harmful consequences for his legally protected interests,

shall be punishable by a fine of 10,000 to 20,000 calculated units or imprisonment for a term of five to seven years with confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

2. The same act committed:

1) on a large scale;

2) an official holding a responsible position, –

shall be punishable by a fine of 20,000 to 25,000 calculated units, imprisonment for a term of seven to ten years with confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

3. The acts provided for in parts 1 and 2 of this article, committed on an especially large scale, –

shall be punishable by imprisonment for a term of ten to twelve years with confiscation of property, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

Article 344. Mediation in bribery

1. Performing actions to transfer a bribe on behalf of the bribe giver or bribe taker, or otherwise assisting the bribe giver and/or bribe taker in reaching or implementing an agreement between them on receiving and giving a bribe –

shall be punishable by a fine of 3,000 to 5,000 calculated units or imprisonment for up to two years.

2. The same act committed:

1) using their official powers;

2) when giving or receiving a bribe in a large amount, –

shall be punishable by a fine of 5,000 to 10,000 calculated units or imprisonment for a term of two to five years.

3. The acts provided for in parts 1 and 2 of this article, committed during the transfer or receipt of a bribe on an especially large scale, –

shall be punishable by a fine of 10,000 to 20,000 calculated units with imprisonment for a term of five to seven years with or without confiscation of property.

4. A promise or offer to act as an intermediary in bribery –

shall be punishable by a fine of 3,000 to 5,000 calculated units or imprisonment for up to two years.

Note : A person who is an intermediary in receiving or giving a bribe to another person shall be exempt from criminal liability for the act provided for in this article if he voluntarily reported this to the body authorized to initiate criminal proceedings and contributed to the disclosure and (or) suppression of the crime.

Article 345. Giving a bribe

1. The transfer to an official, a foreign official or an official of an international organization, personally or through an intermediary, of a bribe for the official himself, the foreign official or the official of the international organization for actions (inaction) in favor of the bribe-giver or persons represented by him, which are within the official powers of the official or which he, by virtue of his official position, can facilitate, as well as an offer to accept or a promise to give a bribe -

shall be punishable by a fine of 3,000 to 5,000 calculated units or imprisonment for up to two years.

2. The same acts:

1) committed on a large scale;

2) for committing a knowingly illegal action (inaction), –

shall be punishable by a fine of 5,000 to 10,000 calculated units or imprisonment for a term of two to five years.

3. The acts provided for in parts 1 and 2 of this article, committed on an especially large scale, –

shall be punishable by a fine of 10,000 to 20,000 calculated units or imprisonment for a term of five to seven years with confiscation of property.

Note. A person who has given a bribe shall be exempt from criminal liability for the act provided for in this article if the bribe was extorted by an official or if the person voluntarily informed the body entitled to initiate a criminal case about the giving of the bribe.

Article 346. Official forgery

1. Official forgery, that is, the introduction by an official, as well as a civil servant or an employee of a local government body, including one who is not an official, of knowingly

false information into official documents, as well as the introduction into said documents of corrections that distort their actual content, if these acts are committed out of selfish or other personal interest,

shall be punishable by a fine of 3,000 to 5,000 calculated units or imprisonment for up to two years.

2. The same act, which caused serious harm through negligence, and also committed with the purpose of changing the owner against his will,

shall be punishable by a fine of 5,000 to 10,000 calculated units or imprisonment for a term of two to five years.

Article 347. Illegal issuance of a passport

1. Illegal issuance by an official or civil servant of a passport of a citizen of the Kyrgyz Republic to a foreign citizen or stateless person, as well as the entry by an official or civil servant or municipal employee who is not an official of knowingly false information in documents, which intentionally or through negligence caused the illegal acquisition of citizenship of the Kyrgyz Republic or other significant harm, -

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for up to five years.

2. Illegal production, sale and use of a passport of a citizen of the Kyrgyz Republic -

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of five to ten years with confiscation of property, with or without expulsion from the Kyrgyz Republic.

Article 348. Negligence

1. Negligence, that is, failure to perform or improper performance of duties by an official due to recklessness or carelessness, which caused significant harm through negligence,

shall be punishable by a fine of 500 to 1000 calculated indicators.

2. The same act, which through negligence caused grave or especially grave harm , -

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

Chapter 4 3. Crimes against the judiciary

Article 349. Obstruction of justice

Interference in any form with the activities of the court with the aim of obstructing the administration of justice -

shall be punishable by community service from forty to one hundred hours or correctional labor for a term of two months to one year , or a fine of 200 to 500 calculated units.

Article 350. Obstruction of the professional activities of a lawyer

1. Obstruction in any form of the exercise of rights and performance of duties of a lawyer, as provided for by criminal procedural legislation,

shall be punishable by community service from one hundred to three hundred hours or correctional labor for a term of one to three years , or a fine from 500 to 1000 calculated indicators .

2. Obstruction, using one's official position in any form, of the exercise of rights and performance of duties of a lawyer, as provided for by criminal procedural legislation, –

shall be punishable by imprisonment for up to one year.

Article 351. Threat or violence in connection with the administration of justice

1. Blackmail and/or threat of violence, causing harm to health, murder against a judge or juror, court secretary, prosecutor, lawyer, his/her spouse, close relatives, as well as threat of destruction or damage to property in connection with the consideration of cases or materials in court –

shall be punishable by correctional labor for a term of two months to one year, or a fine of 200 to 500 calculated units, or imprisonment for a term of up to two years.

2. The use of violence, causing harm to health in relation to a judge or juror, secretary of a court session, prosecutor, lawyer, his/her spouse, close relatives, as well as the destruction of or damage to property in connection with the consideration of cases or materials in court -

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years .

Article 352. The issuance of an unjust sentence or other judicial act

1. The judge (court) knowingly makes a decision an unjust sentence, decision or other judicial act –

shall be punishable by imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

2. The issuance of a knowingly unjust decision to place a person in custody or to sentence him to imprisonment, which has caused serious harm,

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

Article 353. Disclosure of information on security measures in relation to criminal proceedings

Disclosure of information about security measures applied in relation to a judge or other person participating in the administration of justice, a bailiff, a victim, a witness or other participants in criminal proceedings, as well as the spouse or close relatives of any of them, committed by a person to whom this information was entrusted or became known in connection with his official activities, causing serious harm through negligence,

shall be punishable by correctional labor for a term of two months to one year, or a fine of 200 to 500 calculated units, or imprisonment for a term of up to two years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Chapter 4 4. Crimes against the procedural order of obtaining evidence

Article 354. Obstruction of the activities of a prosecutor, investigator, or inquiry body

Interference in any form whatsoever in the activities of a prosecutor, investigator, or inquiry body for the purpose of obstructing pre-trial proceedings –

shall be punishable by correctional labor for a term of two months to one year, or a fine of 200 to 500 calculated units, or imprisonment for a term of up to three years.

Article 355. Threat or violence in connection with pre-trial proceedings

1. Blackmail or threat of violence, causing harm to health, murder against an investigating judge, investigator, prosecutor, employee of the inquiry body, lawyer, legal representative or representative, his/her spouse, close relatives, as well as the threat of destruction or damage to property in connection with the implementation and/or participation in pre-trial proceedings -

shall be punishable by correctional labor for a term of two months to one year, or a fine of 200 to 500 calculated units, or imprisonment for a term of up to two years.

2. The use of violence, causing harm to health, destruction or damage to property in connection with the implementation and (or) participation in pre-trial proceedings –

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years.

Article 356. Disclosure of pre-trial investigation data

1. Disclosure of data from pre-trial proceedings or closed court proceedings by a person who has been warned in the manner prescribed by law of the inadmissibility of their disclosure, if the disclosure of data from pre-trial proceedings is made without the consent of the prosecutor or investigator, as well as data from closed court proceedings without the consent of the judge -

shall be punishable by a fine of 200 to 500 calculated indicators.

2. Disclosure of pre-trial data by a prosecutor, investigator or other official – shall be punishable by a fine of 500 to 1000 calculated indicators.

Article 357. Bribery of participants in criminal proceedings

Bribery of a witness or victim for the purpose of giving false testimony, or of an expert or specialist for the purpose of giving false conclusions or testimony, or of a translator for the purpose of making an incorrect translation –

shall be punishable by a fine of 500 to 1000 calculated units, or by restriction of freedom for a term of one to three years, or by community service of one hundred to three hundred hours.

Article 358. Illegal release from criminal liability

Knowingly unlawful release from criminal liability of a person suspected or accused of committing a crime by a prosecutor or a person conducting pre-trial proceedings -

shall be punishable by imprisonment for up to five years.

Article 359. Illegal accusation of committing a crime

1. A knowingly illegal accusation of committing a crime committed by an investigator or prosecutor –

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

2. The same act, combined with an accusation of committing a serious or especially serious crime,

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

Article 360. Coercion to give false testimony

Coercion of a suspect, accused, victim, witness to give false testimony, or of an expert, specialist to give a false conclusion or testimony by means of blackmail or threat of violence that is not dangerous to life and health, or other illegal actions (except for torture provided for in [Article 13.7 of](#) this Code) by a person conducting pre-trial proceedings or an employee of the inquiry body -

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

Article 361. Falsification of evidence

1. Falsification of evidence in a civil case by a party to the case or his representative

–
shall be punishable by correctional labor for a term of one to three years, or a fine of 200 to 500 calculated units, or imprisonment for a term of up to two years.

2. Falsification of special investigative actions, their protocols or appendices to them by an employee of the body carrying out operational-search activities, or falsification of evidence during criminal proceedings by a person carrying out pre-trial proceedings, a prosecutor, a specialist participating in criminal procedural actions, or a lawyer –

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

Article 362. Provocation of a bribe or commercial bribery

Provocation of a bribe or commercial bribery, that is, an attempt to transfer a bribe to an official or a person performing managerial functions in commercial or other organizations, without his consent for the purpose of artificially creating evidence of the commission of a crime or blackmail, -

shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to three years.

Note : The following are not considered provocation of a bribe or commercial bribery:

identification and documentation by an employee of the inquiry body, investigator or prosecutor of a person's already existing intention to receive a bribe, accompanied by the creation of an opportunity for the manifestation (realization) of such intention, in the absence of signs of inducement to receive a bribe (or commercial bribery) for the purpose of subsequent exposure of its (his) receipt;

conducting, in accordance with the law, an investigation into the corrupt integrity of an official who has previously given consent to such investigations being conducted against him.

Article 363. Deliberately false report of a crime

1. Deliberately making a false report of a crime –

shall be punishable by correctional labor for a term of two months to one year, or by community service for forty to one hundred hours, or by a fine of 200 to 500 calculated units .

2. The same act committed:

- 1) with an accusation of committing a serious or especially serious crime;
- 2) with the artificial creation of evidence of the prosecution;
- 3) for selfish reasons;
- 4) an organized group;

5) as part of a criminal community ,–

shall be punishable by correctional labor for a term of one to three years, or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to three years .

Article 364. False testimony, expert opinion or incorrect translation

1. Knowingly false testimony of a witness, a victim, or the conclusion or testimony of an expert, the testimony of a specialist, as well as knowingly incorrect translation in civil or criminal proceedings or in pre-trial proceedings, combined with suspicion or accusation of a person in committing a crime,

shall be punishable by correctional labor for a term of two months to one year , or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to two years with or without deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

2. Knowingly false expert opinions or specialist testimony, as well as knowingly incorrect translation in enforcement proceedings –

shall be punishable by correctional labor for a term of one to three years, or a fine of 1,000 to 2,000 calculated units, or community service from one hundred to three hundred hours.

Note. A witness, victim or interpreter shall be exempt from criminal liability for the act provided for in this article if they voluntarily, in pre-trial proceedings or during trial before the court verdict or decision is rendered, declare the falsity of their testimony or the knowingly incorrect translation.

Article 365. Refusal or evasion to testify

Refusal or evasion of a witness or victim to testify, or of an expert to give an opinion or testimony in a court hearing or in pre-trial proceedings –

shall be punishable by community service from one hundred to three hundred hours or correctional labor for a term of one to three years , or a fine from 200 to 500 calculated indicators.

Note: A witness or victim is not subject to criminal liability for refusing or avoiding to testify against himself/herself, his/her spouse or close relatives.

Article 366. Coercion to perjury

Coercion of a witness or victim to give false testimony or to evade giving testimony, as well as coercion of an expert to give a false opinion, testimony or specialist to give false testimony, or an interpreter to make an incorrect translation, combined with blackmail, destruction or damage to the property of these persons or the spouse, close relatives of any of them, or with the use of violence that is not dangerous to the life and health of the said persons, or the threat of using such violence, -

shall be punishable by correctional labor for a term of two months to one year , or a fine of 200 to 500 calculated units, or imprisonment for a term of up to two years.

Article 367. Concealment of a crime

1. Concealment of a serious crime without a prior promise – shall be punishable by correctional labor for a term of one to three years, or a fine of 200 to 500 calculated units, or imprisonment for a term of up to two years.
2. Concealment of a particularly serious crime that was not promised in advance – shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years.

Note: The spouse, parents, children, adoptive parents, adopted children, full and half siblings, grandfathers, grandmothers, and grandchildren of the person who committed the crime are not subject to liability for concealment that was not promised in advance.

Chapter 4 5. Crimes against the execution of judicial acts and other executive documents

Article 3 68. Escape from a place of deprivation of liberty or from custody

1. Escape from a correctional institution or from custody committed by a person serving a sentence of imprisonment or who is in pretrial detention, shall be punishable by imprisonment for up to three years .
2. The same act committed :
 - 1) a group of persons;
 - 2) by a group of persons by prior agreement;
 - 3) an organized group;
 - 4) as part of a criminal community, –shall be punishable by imprisonment for a term of three to five years.
3. Acts provided for in parts 1 or 2 of this article, committed with the use of weapons or objects used as weapons, shall be punishable by imprisonment for a term of five to seven years .

Note: Persons who voluntarily return to places of deprivation of liberty or to custody within three days from the moment of their escape, committed by them for the first time, are exempt from criminal liability for the acts provided for in parts 1 and 2 of this article.

Article 3 69. Evasion of serving a sentence in the form of imprisonment

- Failure to return a person sentenced to imprisonment who is permitted short-term travel outside the place of imprisonment - shall be punishable by imprisonment for up to two years .

Note. Persons who voluntarily return to places of deprivation of liberty or to custody within three days from the moment of evasion committed by them for the first time shall be released from criminal liability for the act provided for in this article .

Article 370. Failure to comply with a court sentence, court decision or other judicial act

1. Failure by a person to comply within the established timeframes with a court sentence, court decision or other judicial act that has entered into legal force –

shall be punishable by community service from one hundred to three hundred hours, or by restriction of liberty for a term of one to three years, or by a fine from 2,000 to 5,000 calculated indicators, or by imprisonment for a term of up to two years.

2. Failure by an official to comply with a court decision that has entered into legal force to deprive his subordinate of the right to hold a certain position –

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of one to three years, or a fine of 500 to 1000 calculated indicators.

Article 371. Threat or violence against a penal system employee

1. Blackmail or threat of violence that is not dangerous to life and health against an employee of a place of deprivation of liberty or detention or his/her spouse, close relatives in connection with the official activities of the said employee, as well as against a convicted person with the purpose of preventing his/her rehabilitation or out of revenge for the performance of his/her public duty –

shall be punishable by imprisonment for up to three years .

2. The use of violence that is not dangerous to life and health, or the threat of using violence that is dangerous to life and health, against persons specified in Part 1 of this article,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of three to five years .

Article 372. Group disobedience to the demands of a penal system employee

1. Participation in group disobedience to the lawful demands of an employee of the penal system or forcing him to commit illegal actions, involving the use of violence that is not dangerous to life and health, or the threat of its use, as well as the organization of such group disobedience or coercion -

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

2. The same acts that caused serious harm through negligence,

shall be punishable by imprisonment for a term of five to seven years .

Article 373. Threat or violence against a bailiff

1. Blackmail or threat of violence that is not dangerous to life and health against a bailiff or his/her spouse, close relatives in connection with the bailiff's activities in enforcing enforcement documents –

shall be punishable by correctional labor for a term of two months to one year , or a fine of 200 to 500 calculated units, or imprisonment for a term of up to two years.

2. The use of violence that is not dangerous to life and health, or the threat of using violence that is dangerous to life and health, against persons specified in Part 1 of this article,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years.

Chapter 4 6 . Crimes against public order

Article 374. Threat or violence against a government official

1. Blackmail or threat of violence that is not dangerous to life and health against a government official or his/her spouse, close relatives in connection with the performance of official duties by the government official –

shall be punishable by correctional labor for a term of two months to one year , or a fine of 200 to 500 calculated units, or imprisonment for a term of up to two years.

2. The use of violence that is not dangerous to life and health, or the threat of using violence that is dangerous to life and health, against persons specified in Part 1 of this article,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years.

Article 375. Disclosure of information on security measures in relation to an official of a supervisory, law enforcement or regulatory body

1. Disclosure of information about security measures applied in relation to an official of a supervisory, law enforcement or regulatory body or his/her spouse, close relatives, if this act is committed for the purpose of obstructing his/her official activities, committed by a person to whom this information was entrusted or became known in connection with his/her official activities,

shall be punishable by a fine of 200 to 500 calculated indicators.

2. The same act, which caused serious harm through negligence,

shall be punishable by correctional labor for a term of one to three years, or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to two years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to two years.

Article 376. Unauthorized appropriation of a rank or power by an official

1. Unauthorized appropriation of a rank or power by an official, combined with the commission of any unlawful and socially dangerous acts provided for by this Code, shall be punishable by a fine of 200 to 500 calculated indicators.
2. The same act committed using the uniform or service ID of a law enforcement officer, shall be punishable by a fine of 500 to 1000 calculated indicators.

Article 377. Refusal or concealment from registration of a statement or appeal about a committed crime

1. Refusal or concealment from registration of a statement or appeal about a committed or planned crime, committed by an official, shall be punishable by a fine of 500 to 1000 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for a period of up to two years.
2. An act provided for in Part 1 of this Article that has resulted in significant, grave harm or especially grave harm, shall be punishable by imprisonment for up to two years with deprivation of the right to hold certain positions or engage in certain activities for up to two years.

Article 378. Illegal crossing of the State border of the Kyrgyz Republic

1. Illegal crossing of the State border of the Kyrgyz Republic – shall be punishable by correctional labor for a term of one to three years, or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to two years.
2. The same act committed with the use of violence that is not dangerous to life and health, or with the threat of its use against a person performing border service, by a member of an organized group or a criminal community (organization), – shall be punishable by a fine of 1,000 to 2,000 calculated units or imprisonment for a term of two to five years with or without deportation from the Kyrgyz Republic.

Note : This article does not apply to cases of arrival of foreign citizens and stateless persons to exercise the right of asylum.

Article 379. Forgery of documents

1. Forgery of an official document granting rights or exempting from obligations, that is, the introduction into an official document of knowingly false information or corrections that distort its actual content, for the purpose of using it by the manufacturer himself or another person; or the sale of such a document, as well as the production of a counterfeit seal or state award for the same purposes or their sale, -

shall be punishable by a fine of 500 to 1000 calculated units or by imprisonment for a term of two to five years.

2. Use of a knowingly false official document –

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years.

3. Acts provided for in parts 1 or 2 of this article, committed with the purpose of concealing another crime or facilitating its commission, –

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

Article 380. Forgery, destruction of the identification number of a vehicle

Forgery or destruction of the identification number, body number, chassis number, vehicle number –

shall be punishable by a fine of 500 to 1000 calculated units or by imprisonment for a term of two to five years.

Article 381. Theft of a document, seal or stamp

1. Theft of an official document, seal or stamp, as well as a passport or other important personal document belonging to a person,

shall be punishable by correctional labor for a term of one to three years, or a fine of 200 to 500 calculated units, or imprisonment for a term of up to two years.

2. Using someone else's, stolen official document, seal or stamp, as well as a passport or other important personal document –

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years.

Article 382. Illegal actions in relation to property subject to inventory or seizure or subject to confiscation

1. Embezzlement, alienation, concealment or illegal transfer of property subject to inventory or seizure, committed by a person to whom this property has been entrusted, as well as the implementation by an employee of a credit institution of banking operations with funds (deposits) that have been seized,

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of two months to one year, or a fine of 200 to 500 calculated units, or imprisonment for a term of up to two years.

2. Concealment or appropriation of property subject to confiscation by a court sentence, as well as other evasion of the execution of a court sentence that has entered into legal force on the confiscation of property –

shall be punishable by correctional labor for a term of one to three years, or a fine of 500 to 1000 calculated units, or imprisonment for a term of up to two years.

Article 383. Coercion

Coercion of a person to commit any actions or inactions against the order of management, combined with the use of violence that is not dangerous to life or health, or with the threat of using violence that is dangerous to the life and health of a person, except in cases provided for by this Code, -

shall be punishable by deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years, or correctional labor for a term of two months to one year, or a fine of 500 to 1000 calculated indicators, or imprisonment for a term of up to two years.

Article 384. Engaging in activities at hazardous industrial facilities without a license (permit)

Engaging in activities at hazardous production facilities without a license (permit) or with intentional or careless violation (failure to comply) with the terms of the license (permit) –

shall be punishable by a fine of 1,000 to 2,000 calculated indicators with deprivation of the right to hold certain positions or engage in certain activities for up to three years.

SECTION X

CRIMES AGAINST MILITARY SERVICE

Chapter 4 7. Crimes of conscripts, reservists and military personnel

Article 385. Evasion of conscription and training events (classes)

1. Evasion by a reservist or a person liable for military service of attending training sessions, or of events for conscription for military service, including by feigning illness, causing intentional bodily harm (self-mutilation), or forging documents or other deception,

shall be punishable by a fine of 500 to 1000 calculated indicators or by community service of one hundred to three hundred hours.

2. Evasion of military service conscription measures for mobilization in wartime or of military service conscription measures in wartime –

shall be punishable by imprisonment for up to five years.

Chapter 4 8. Crimes against the order of subordination and observance of military honor

Article 386. Failure to comply with an order or instruction

1. Failure of a subordinate to comply with an order or instruction of a superior given in the established manner, causing significant harm,

shall be punishable by detention in a disciplinary military unit for a term of six months to one year, or a fine of 200 to 500 calculated indicators, or imprisonment for up to two years.

2. The same act that has resulted in serious harm, as well as committed:

1) a group of persons,

2) by a group of persons by prior agreement;

3) in wartime or in a combat situation, in conditions of martial law or a state of emergency, –

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

Note: This article does not apply to cases where a subordinate has refused to carry out a knowingly criminal order or instruction.

Crimes against the order of subordination and observance of military honor, as well as against the order of storage and operation of military property, are recognized as crimes provided for in Chapters 48 and 49 of this Code, committed by military personnel serving in the Armed Forces, other military formations, state bodies in which military service is provided, as well as by citizens in the reserve, during their military training.

Persons not mentioned in the second paragraph of this note are liable for complicity.

Article 387. Resistance to a superior or violent actions against a superior

1. Resisting a superior in connection with the performance of his military service duties or during the performance of military service duties, as well as another person performing the duties imposed on him, or forcing them to violate these duties, associated with the use of violence that is not dangerous to life and health, or the threat of using such violence, -

shall be punishable by detention in a disciplinary military unit for a term of six months to one year, or a fine of 200 to 500 calculated indicators, or imprisonment for a term of two to five years.

2. The use of violence that is not dangerous to life and health, or the threat of using such violence against a superior in connection with the performance of or during the performance of his duties in military service, as well as against another person performing the duties assigned to him in military service,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years.

3) The same acts specified in parts 1 and 2 of this article, committed:

1) a group of persons;

2) by a group of persons by prior agreement ;

3) with the use of weapons or the threat of violence dangerous to life and health;

4) causing serious bodily harm through negligence;

5) causing serious harm;

6) in wartime or in a combat situation, as well as in conditions of martial law or a state of emergency, –

shall be punishable by imprisonment for a term of five to seven years.

Article 388. Violation of statutory rules of relations between military personnel in the absence of subordination relations between them

1. Mockery of a person who has the status of a military serviceman, or cruel treatment of him, or the use of violence against him, as well as causing minor harm, or illegal deprivation of his freedom, or his forced use for personal interests, extortion or taking away from him items of military allowance, committed by a person who has the status of a military serviceman, who is not in a subordinate relationship with the victim, -

shall be punishable by detention in a disciplinary unit for a term of three to six months or a fine of 200 to 500 calculated indicators or imprisonment for a term of up to two years.

2. The same acts committed:

- 1) in relation to two or more persons;
- 2) a group of persons;
- 3) by a group of persons by prior conspiracy;
- 4) causing significant harm, -

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

3. Acts provided for in parts 1 or 2 of this article, committed:

- 1) with the use of weapons;
- 2) causing serious harm through negligence, –

shall be punishable by imprisonment for a term of five to seven years.

Article 389. Unauthorized abandonment of a unit or place of service

1. Unauthorized abandonment of a unit or place of service by a conscript, as well as his failure to appear for service on time without good reason upon dismissal from a unit, upon appointment, transfer, from a business trip, from leave or a medical institution lasting more than three days, but not more than ten days, -

shall be punished by detention in a disciplinary military unit for a period of three months.

2. The same acts lasting more than ten days, but not more than thirty days –

shall be punished by being sent to a disciplinary military unit for a period of three to six months.

3. Unauthorized abandonment of a unit or place of service by a serviceman serving under contract, as well as his failure to appear for service without good reason for a period exceeding ten days, but not more than thirty days –

are punishable by a fine of 200 to 500 calculated indicators.

4. The acts provided for in Part 3 of this article, if the unauthorized absence lasted more than thirty days,

shall be punishable by imprisonment for up to two years.

5. The same acts provided for in parts 1–4 of this article, committed in wartime or in a combat situation, as well as in conditions of martial law or a state of emergency, – shall be punishable by imprisonment for a term of two to five years.

Note: A serviceman who has committed the acts provided for in parts 1–4 of this article for the first time may be released from criminal liability if the unauthorized abandonment of the unit was the result of a combination of difficult circumstances.

Article 390. Desertion

1. Desertion, that is, unauthorized leaving of a unit or place of service with the purpose of completely avoiding military service,

shall be punishable by imprisonment for up to three years.

2. Desertion with a weapon entrusted to it by service, as well as desertion committed by a group of persons or a group of persons by prior agreement, or committed in wartime or in a combat situation, as well as in conditions of martial law or a state of emergency, –

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

Article 391. Evasion of military service duties by feigning illness or other means

1. Evasion of military service by a serviceman from fulfilling his military service duties by feigning illness or causing himself any injury (self-mutilation), as well as by forgery of documents or other deception –

shall be punishable by detention in a disciplinary military unit for a term of three to six months or a fine of 200 to 500 calculated units.

2. The same acts committed in wartime or in a combat situation, as well as in conditions of martial law or a state of emergency,

shall be punishable by imprisonment for up to five years.

Article 392. Violation of the rules for carrying out combat duty

1. Violation of the rules for carrying out combat duty (combat service) for the timely detection and repulsion of a sudden attack on the Kyrgyz Republic, to ensure its security, which caused significant harm through negligence, -

shall be punishable by detention in a disciplinary military unit for a term of three to six months or a fine of 200 to 500 calculated indicators or imprisonment for a term of up to two years.

2. The same act, which caused serious harm through negligence,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years.

3. Acts provided for in parts 1 or 2 of this article, committed in wartime or in a combat situation, as well as in conditions of martial law or a state of emergency, -

shall be punishable by imprisonment for a term of five to seven years.

Article 393. Violation of the rules for carrying out border service

1. Violation of the rules for performing border service by a person who is part of a border patrol or performing other duties of the border service, which resulted in the unimpeded illegal passage of persons or vehicles across the State Border of the Kyrgyz Republic, the movement of contraband goods or other significant damage, -

shall be punishable by detention in a disciplinary military unit for a term of six months to one year, or a fine of 200 to 500 calculated indicators, or imprisonment for up to two years.

2. The same act, which through negligence resulted in serious harm,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years.

Article 394. Violation of guard duty rules

1. Violation of the statutory rules for guard duty, committed by a person who is part of the guard, causing significant harm through negligence, -

shall be punishable by detention in a disciplinary military unit for a term of three to six months or a fine of 200 to 500 calculated indicators.

2. The same act, which caused serious harm through negligence,

shall be punishable by detention in a disciplinary military unit for a term of six months to one year, or a fine of 500 to 1000 calculated indicators, or imprisonment for up to two years.

3. Acts provided for in parts 1 or 2 of this article, committed in wartime or in a combat situation, as well as in conditions of martial law or a state of emergency, -

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

Article 395. Violation of the rules for performing service to protect public order and ensure public safety

1. Violation by a person who is part of a military detail for the protection of public order and ensuring public safety of the rules of service, which, through negligence, caused significant harm ,

shall be punishable by detention in a disciplinary military unit for a term of three to six months or a fine of 200 to 500 calculated units.

2. The same act, which caused serious harm through negligence,

shall be punishable by detention in a disciplinary military unit for a term of six months to one year, or a fine of 500 to 1000 calculated indicators, or imprisonment for up to two years.

Article 396. Violation of the rules for performing internal service or patrolling in the garrison

1. Violation of the statutory rules of internal service by a person included in the daily duty of a unit (except for the guard), as well as the rules of patrolling in the garrison by a person included in the patrol duty, causing significant harm through negligence, -

shall be punishable by detention in a disciplinary military unit for a term of three to six months or a fine of 200 to 500 calculated units.

2. The same act, which caused serious harm through negligence,

shall be punishable by detention in a disciplinary military unit for a term of six months to one year, or a fine of 200 to 500, or imprisonment for up to two years.

Chapter 4 9. Crimes against the order of storage or operation of military property

Article 397. Destruction or damage of military property

1. Destruction of or damage to weapons, ammunition, military equipment or other military property –

shall be punishable by detention in a disciplinary military unit for a term of six months to one year, or a fine of 200 to 500 calculated units, or imprisonment for up to two years.

2. The same act, which caused serious harm through negligence,

shall be punishable by a fine of 500 to 1000 calculated units or imprisonment for a term of two to five years.

3. Acts provided for in parts 1 or 2 of this article, committed in wartime or in a combat situation, as well as in conditions of martial law or a state of emergency, -

shall be punishable by imprisonment for a term of five to seven years.

Article 398. Destruction, damage or loss of military property through negligence

1. Careless, due to recklessness or negligence, destruction or damage to weapons, ammunition, military equipment or other military property, as well as their loss, causing major damage through negligence,

shall be punishable by detention in a disciplinary military unit for a term of six months to one year, or a fine of 200 to 500 calculated units, or imprisonment for a term of up to two years.

2. The same acts that caused, through negligence, particularly large-scale damage,

–

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

Article 399. Violation of rules for handling weapons and objects that pose an increased danger to others

1. Violation of the rules for handling weapons, as well as ammunition, radioactive materials, explosives or other substances or objects that pose an increased danger to others, which, through negligence, caused significant harm,

shall be punishable by detention in a disciplinary military unit for a term of three to six months or a fine of 200 to 500 calculated units.

2. The same act, which caused serious harm through negligence,

shall be punishable by detention in a disciplinary military unit for a term of six months to one year, or a fine of 500 to 1000 calculated indicators, or imprisonment for a term of up to two years.

3. The act provided for in Part 1 of this Article, which caused through negligence particularly serious harm,

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

Article 400. Violation of rules for driving or operating vehicles

1. Violation of the rules for driving or operating a combat, special or transport vehicle, which, through negligence, resulted in significant harm,

shall be punishable by detention in a disciplinary military unit for a term of three to six months or a fine of 200 to 500 calculated indicators.

2. The same act, which through negligence resulted in serious harm,

shall be punishable by detention in a disciplinary military unit for a term of six months to one year, or a fine of 500 to 1000 calculated indicators, or imprisonment for a term of up to two years.

3. Acts provided for in Part 1 of this Article, which through negligence resulted in particularly serious harm, –

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

Article 401. Violation of flight rules or preparation for them

1. Violation of flight rules or preparation for them, as well as rules for the operation of aircraft, which, through negligence, resulted in significant damage,

shall be punishable by a fine of 200 to 500 calculated units or imprisonment for up to two years with deprivation of the right to hold a certain position or engage in certain activities for up to two years.

2. The same act, which through negligence resulted in serious harm,

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

3. Acts provided for in Part 1 of this Article, which through negligence resulted in particularly serious harm,

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

SECTION XI

CRIMES AGAINST INTERNATIONAL LAW ORDER

Chapter 50. Crimes against the peace and security of mankind

Article 402. Crimes against peace

Planning, preparation of armed aggression, its unleashing, participation in it, waging an aggressive war in violation of international treaties, as well as participation in a conspiracy for the purpose of committing the acts mentioned in this article -

shall be punishable by imprisonment for a term of twelve to fifteen years or by life imprisonment.

Article 403. Crimes against humanity

Crimes against humanity, that is, any act committed as part of a widespread or systematic attack against the civilian population or civilians, expressed in murder, mass extermination, enslavement, deportation, unlawful restriction of liberty, torture, rape, sexual slavery, forced prostitution, forced pregnancy, forced sterilization of people, persecution of a group of persons on political, racial, national, ethnic, cultural, religious, sexual or other grounds, apartheid and other inhumane acts causing serious harm to the physical and/or mental state of a person, -

shall be punishable by imprisonment for a term of twelve to fifteen years or by life imprisonment.

Article 404. Enforced disappearance

Enforced disappearance, that is to say, the arrest, detention or abduction of persons by or with the authorization, support or acquiescence of a State or a political organization, followed by a refusal to acknowledge such deprivation of liberty or to provide information on the fate or whereabouts of those persons, with the intent to remove them from the protection of the law for a prolonged period of time,

shall be punishable by imprisonment for a term of twelve to fifteen years.

Article 405. Genocide

Actions aimed at the complete or partial destruction of a national, ethnic, racial or religious group by killing members of this group, causing serious harm to their health,

forcibly preventing childbirth, forcibly transferring children, forcibly resettling or otherwise creating living conditions calculated to physically destroy members of this group,

shall be punishable by imprisonment for a term of twelve to fifteen years or by life imprisonment.

Article 406. Production, purchase, transfer, accumulation, use or distribution of weapons of mass destruction

The production, purchase, transfer, stockpiling, use or distribution of nuclear, chemical, biological, bacteriological, toxic or other weapons of mass destruction, other prohibited means of warfare or components thereof, or the conduct of research aimed at the production or use of such means or components thereof, committed in violation of international treaties,

shall be punishable by imprisonment for a term of twelve to fifteen years or by life imprisonment.

Article 407. War propaganda

1. War propaganda, that is, the dissemination in any form of views, ideas or appeals with the aim of provoking aggression by one country against another or unleashing a military conflict,

shall be punishable by imprisonment for up to five years or a fine of 500 to 1000 calculated units.

2. War propaganda committed by an official holding a responsible position –

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

Article 408. Attack on persons or institutions enjoying international protection

An attack on a representative of a foreign state or an employee of an international organization enjoying international protection, on members of their families living with them, as well as on the official or residential premises or vehicle of a person enjoying international protection,

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

Article 409. Ecocide

Mass destruction of flora or fauna, poisoning of the atmosphere or water resources, as well as the commission of other actions that may lead or have led to an environmental disaster,

shall be punishable by imprisonment for a term of twelve to fifteen years.

Chapter 5 1. War Crimes and Other Violations of the Laws and Customs of War

Article 410. Violation of the laws and customs of warfare in relation to persons enjoying international protection during military operations

1. Coercion of persons who have surrendered their weapons and do not have means of protection, the wounded, the sick, medical workers, sanitary and religious personnel, prisoners of war, the civilian population in occupied territory or in the area of military operations, other persons enjoying international protection during military operations, to serve in the armed forces of the enemy or to resettle, or depriving them of the right to an independent and impartial court, or restricting the right of these persons to defense in criminal proceedings -

shall be punishable by imprisonment for a term of seven to ten years.

2. Causing serious bodily harm to persons specified in Part 1 of this Article, or torturing, torturing or inhumane treatment; or conducting on them, even with their consent, medical, biological or other experiments, intentionally causing severe suffering, mental disorder, serious injury; unlawful arbitrary destruction and appropriation of property not caused by military necessity; or using them to protect their troops or facilities from military action; or capturing and holding such persons as hostages; or using the civilian population for forced labor, in the absence of elements of a crime against humanity and genocide -

shall be punishable by imprisonment for a term of ten to twelve years.

3. The murder of persons specified in Part 1 of this article –

shall be punishable by imprisonment for a term of twelve to fifteen years or by life imprisonment.

Article 411. Violence against residents in the area of military operations

1. The use of physical and mental violence against residents in the area of military operations, as well as the illegal violent deprivation of their property or its destruction –

shall be punishable by imprisonment for a term of ten to twelve years.

2. Rape during military operations against residents in the absence of elements of a crime against humanity and genocide –

shall be punishable by imprisonment for a term of twelve to fifteen years.

Article 412. Looting

Looting, that is, the theft of things, including those belonging to the killed or wounded, during military actions, natural disasters, man-made, air, rail and other types of disasters, emergency situations or mass riots with the purpose of taking possession of them,

shall be punishable by imprisonment for a term of seven to ten years.

Article 413. Criminal violations of international humanitarian law

Violations of international humanitarian law during armed conflict:

- 1) employing means or methods of warfare which may be considered as causing excessive injury or suffering or as having indiscriminate effects;
- 2) causing extensive, long-term and serious damage to the natural environment;
- 3) attacks on personnel, buildings, equipment and vehicles bearing the distinctive emblems of the red cross, red crescent and red crystal for defensive purposes;
- 4) the perfidious use of the distinctive emblem of the red cross, red crescent and red crystal;
- 5) the use of starvation among the civilian population as a method of conducting military operations;
- 6) recruiting persons under the age of eighteen into the armed forces or allowing them to take part in military operations;
- 7) recruitment of persons under the age of eighteen into armed groups other than the armed forces of the State, or their use in military operations as part of these armed groups;
- 8) arbitrary and large-scale destruction or appropriation of property, not justified by military necessity;
- 9) turning undefended areas and demilitarized zones into targets of attack;
- 10) turning clearly identifiable historical monuments, works of art or places of worship that are the cultural or spiritual heritage of protected peoples into an object of attack or their destruction or theft, as well as committing acts of vandalism against these valuables in the absence of military necessity;
- 11) the use of cultural property under enhanced protection or places directly adjacent to it to support military operations in the absence of military necessity, as well as the transformation of these property or places directly adjacent to it into an object of attack;
- 12) violation of armistice agreements, suspension of hostilities or local agreements concluded for the purpose of removing, exchanging or transporting the wounded and dead left on the battlefield;
- 13) committing an attack on the civilian population or on individual civilians;
- 14) committing an indiscriminate attack affecting the civilian population or civilian objects in the knowledge that such attack will cause excessive casualties among civilians or excessive damage to civilian objects;
- 15) committing an attack on installations or structures containing dangerous forces when it is known in advance that such an attack will result in excessive losses among civilians or will cause excessive damage to civilian objects;
- 16) committing an attack on a person who, it is known to the perpetrator, has ceased to take direct part in military operations;
- 17) the transfer of part of one's own civilian population to the occupied territory or the deportation, transfer of all or part of the population within the occupied territory or beyond its borders;
- 18) unjustified delay in the repatriation of prisoners of war and civilians;

19) the use in an armed conflict of other means and methods of warfare prohibited by international treaties,

shall be punishable by imprisonment for a term of twelve to fifteen years.

Article 414. Criminal inaction or giving a criminal order during military operations

1. Failure during military operations by a superior or other official, within the limits of his authority, to take all possible measures to prevent crimes being prepared or to suppress crimes being committed by a subordinate, as provided for in Articles 410–413 of this Code,

shall be punishable by imprisonment for a term of ten to twelve years.

2. The issuance during military operations by a superior or other official to a subordinate of an order not to leave anyone alive or any other knowingly criminal order or instruction aimed at committing the crimes provided for in Articles 410, 411 and 413 of this Code,

shall be punishable by imprisonment for a term of twelve to fifteen years.

Article 415. Illegal use of marks protected by international treaties

The use, contrary to international treaties, during military operations of the emblems of the red cross, red crescent, red crystal or protective signs for cultural property or other signs protected by international law, or the use of the state flag or state insignia of an enemy, a neutral state, or the flag or sign of an international organization -

shall be punishable by imprisonment for up to five years.

Article 416. Mercenary activity

1. Recruitment, financing, material support, training of mercenaries for the purpose of using them in armed conflicts of other states or violent actions aimed at overthrowing state power or violating territorial integrity, as well as the use of mercenaries in military conflicts or actions –

shall be punishable by imprisonment for a term of seven to ten years.

2. Participation without permission from the relevant state authorities in armed conflicts of other states for the purpose of obtaining material compensation –

shall be punishable by imprisonment for a term of ten to twelve years.

3. Acts provided for in Part 1 of this article committed:

1) a group of persons;

2) by a group of persons by prior agreement;

3) in relation to a child, –

shall be punishable by imprisonment for a term of twelve to fifteen years.

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

**President
Kyrgyz Republic**

S.N. Japarov

Accepted
Zhogorku Kenesh
Kyrgyz Republic

September 22, 2021

Appendix 1

Meaning of terms used in this Code

In the articles of the Special Part of this Code, the following terms, unless otherwise specified, shall be understood in the following meaning:

1. **Minor harm** – the following consequences in cases where they are not specified as a sign of the elements of a crime provided for by this Code:

- 1) causing minor bodily harm resulting in a short-term health disorder;
- 2) causing minor material (property) damage.

2. **Significant harm** – consequences expressed in:

- 1) causing less serious harm to health;
- 2) violation of constitutional rights and freedoms of man and citizen;
- 3) significant pollution, poisoning or contamination of the environment;
- 4) causing significant material (property) damage;
- 5) long-term disruption of the normal operation of a government agency, enterprise, institution or organization, regardless of the form of ownership;
- 6) undermining state security.

3. **Serious harm** – the following consequences in cases where they are not specified as a sign of the elements of a crime provided for by this Code:

- 1) causing serious harm to the health of one person, as well as two or more persons, including as a result of a mass disease (epidemic), infection, radiation or poisoning;
- 2) infection of the person with the human immunodeficiency virus or another incurable infectious disease;
- 3) long-term (more than thirty days) illegal deprivation of a person's liberty;
- 4) the occurrence of a man-made disaster, environmental disaster or environmental emergency;
- 5) causing major or especially major damage, including epizootics or mass death of animals or plants;
- 6) failure to carry out a combat mission.

Serious harm also includes particularly serious harm (see paragraph 3 of this appendix).

4. **Particularly grave harm** – the death of a person, including as a result of the suicide of the victim, as well as the death of two or more persons.

5. **Minor damage (size)** – material (property) damage, which at the time of the crime is ten times exceeds the calculated indicator established by the legislation of the Kyrgyz Republic, unless otherwise provided in an article of the Special Part of this Code.

6. **Significant damage (amount)** – material (property) damage which, at the time of the commission of the crime, exceeds by one hundred times the calculated indicator established by the legislation of the Kyrgyz Republic, unless otherwise established in an article of the Special Part of this Code.

7. **Major damage (size)** – material (property) damage, which at the time of the commission of the crime is ten thousand times greater than the calculated indicator established by the legislation of the Kyrgyz Republic, unless otherwise established in an article of the Special Part of this Code.

8. **Particularly large damage (size)** – material (property) damage which, at the time of the commission of the crime, exceeds the calculated indicator established by the legislation of the Kyrgyz Republic by twenty-five thousand times, unless otherwise established in an article of the Special Part of this Code.

9. **Child (children)** – a person (persons) who has not reached the age of eighteen.

10. **Officials** are persons who permanently, temporarily or by special authority exercise the functions of a representative of the authorities or perform organizational and managerial and (or) administrative and economic, and (or) control and audit, and (or) registration functions in state bodies, local government bodies, state and municipal organizations, institutions, enterprises, other legal entities with a state share, as well as in the Armed Forces of the Kyrgyz Republic and other military formations.

Organizational and administrative functions consist of exercising powers to manage persons subordinate to them.

Administrative and economic functions consist of the exercise of powers to manage and dispose of property and funds.

Control and audit functions consist of the exercise of powers to conduct inspections and audits of individuals or legal entities.

Registration functions consist of registering the rights of citizens and legal entities to movable and (or) immovable property, acts of civil status of citizens, as well as other rights subject to registration in accordance with the legislation of the Kyrgyz Republic.

11. **A representative of the authorities** is a person who is vested, in the manner established by law, with administrative powers in relation to persons who are not in official dependence or departmental subordination to him, as well as a person participating in the administration of justice as a juror.

12. **An official holding a responsible position** is a person holding a state position established by the Constitution of the Kyrgyz Republic.

13. **Foreign public official** – any person, appointed or elected, performing a public function for a foreign state, including for a public agency or public enterprise.

14. **An official of a public international organization** is an international civil servant or any person who is authorized by such an organization to act on its behalf.

15. **A person performing managerial functions in a commercial or other organization** is a person who, permanently, temporarily, or by special authority, performs organizational and managerial or administrative and economic duties in a commercial organization, regardless of the form of ownership, as well as in a non-profit organization that is not a state body or a local government body.

16. **Theft** is the unlawful, gratuitous seizure of someone else's property for the benefit of the guilty party or other persons, causing damage to the owner or other possessor of this property.

17. **Dwelling** – an individual residential building with residential and non-residential premises included in it; residential premises, regardless of the form of ownership, included in the housing stock and suitable for permanent or temporary residence, as well as other premises or buildings not included in the housing stock but intended for temporary residence.

18. **A den** is a room or place, either intended (house, apartment) or not intended (casino, sauna, massage room, garage, barn, attic, basement, cabin, carriage, etc.) for living in it, which the organizers or persons maintaining or controlling it have adapted or designated for the systematic or episodic illegal production, preparation or use of narcotic drugs, psychotropic substances or their analogues, other intoxicating substances, for gambling and (or) for prostitution.

19. **Blackmail** is a threat to destroy or damage the property of the victim (his relatives) or property that is in his control or under his protection; to kidnap the victim (his relatives), to deprive him (them) of freedom; to disclose compromising information or other information that the victim (his relatives) wishes to keep secret, or to otherwise limit the rights and legitimate interests of the victim (his relatives).

20. **Close relatives** – spouse, parents, children, adoptive parents, adopted children, full and half siblings, grandfathers, grandmothers, grandchildren.

21. **An official document** is a document that meets the following criteria:

1) contains information recorded on any material media that confirms or certifies certain events, phenomena or facts;

2) is capable of granting rights, releasing from obligations or creating other consequences of a legal nature;

3) compiled, issued or certified by authorized persons of state bodies, local government bodies, state and municipal institutions, as well as legal entities regardless of the form of ownership;

4) is drawn up in compliance with the forms specified by law and contains the details provided by law.

22. **Threat of violence dangerous to life and health** – threat of murder, causing serious harm to health, infection with an incurable infectious disease dangerous to human life, as well as threat of rape or violent acts of a sexual nature.

23. **Deliberately** – awareness by an actor of a certain fact or circumstance as obvious, evident, and beyond doubt.

24. **Entertainment establishments** – public catering establishments, cinemas, theatrical and entertainment facilities and other buildings, premises, structures in which entertainment and leisure, theatrical and entertainment, sports and cultural services are provided.

25. **Breaking into a home or other object** – illegal entry into a home or other object by any means that provides a person with the opportunity to steal property with or without the use of master keys or other means of overcoming obstacles, by deception or abuse of trust, using forged documents, etc.

26. **Combat situation** – a set of factors and conditions that develop in a combat zone during a certain period of time.

27. **An unsuitable means** is a chosen means due to which the intended action cannot be carried out under any circumstances and there is no possibility of achieving the desired result.

28. **A public disaster** is a situation that has developed on the territory of the Kyrgyz Republic or its individual parts as a result of a dangerous natural or man-made phenomenon, accident, catastrophe, natural, biological (epidemic, epizootic, epiphytotic) or other disaster, the impact of modern weapons of destruction, which may result in or have resulted in human casualties, damage to human health or the environment, significant material losses and disruption of human living conditions.