

CRIMINAL CODE OF THE REPUBLIC OF TAJIKISTAN

(News of the Supreme Assembly of the Republic of Tajikistan, p. 1998, No. 9, art. 68, art. 69, No. 22, art. 306; p. 1999, No. 12, art. 316; p. 2001, No. 4, art. 149, art. 167; p. 11, art. 750; p. 2003, art. 456, art. 468; p. 5, art. 7 452, art. 453; p. 3, art. 399, art. 640; p. 2007, art. 665; Article 1, article 3, article 6, article 447, article 10, article 803, article 12, article 1, article 986, article 12, article 2, article 992. 2009, No. 3, Art. 80, No. 7-8, Art. 501; 2010, No. 3, Art. 550, No. 3, Art. 7; 8, art. 605; p. 2012, no. 4, art. 694; p. 2013, no. 6, art. 404, no. 11, art. 785, art. 2014, No. 3, Art. 141, No. 1, Art. 386, Art. 2015, No. 3, Art. 199, Art. 949, No. 12, Article 1, Art. 1107; P. 2016, No. 3, Art. 127, No. 5, Art. 355, Art. 356, No. 7, Art. 608, Art. 609, Art. 874, art. 875; p. 2017, art. 2, art. 3, art. 586; p. 2018, art. 4, art. 5, art. 266, article 522, article 1, article 2, article 2020, article 9, article 7 -9, art. 607, art. 623, No. 12, art. 904)

(Law of the Republic of Tajikistan dated 13.11.1998 [No. 684](#) , dated 10.12.1999 [No. 877](#) , dated 12.05.2001 [No. 12](#) , dated 2.12.2002 [No. 64](#) , dated 2.12.2002 [No. 89](#) , dated 1.08.2003 [No. 33](#) dated 1.08.2003 [No. 45](#) dated 17.05.2004 [No. 35](#) dated 15.07.2004 [No. 46](#) dated 1.03.2005 [No. 97](#) dated 26.12.2005 [No. 125](#) dated 30.07.2005 [No. 301](#) , from 01.5.2008 [No. 339](#) , from 06.18.2008 [No. 386](#) , from 06.18.2008 [No. 389](#) , from 10.6.2008 [No. 422](#) , from 12.31.2008 [No. 451](#) , from 12.31.2008 [No. 457](#) , from 03.26.009 [No. 487](#) , from 08.5.2009 [No. 547](#) , from 03.11.2010 [No. 600](#) , from 07.21.2010 [No. 617](#) , from 03.25.2011 [No. 694](#) , from 08.2.2011 [No. 750](#) , from 04.16.2012 [No. 808](#) , from 07.03.2011 [No. 844](#) , from 13.06.2013 [No. 965](#) , [No. 966](#) , dated 12.11.2013 , [No. 1028](#) , dated 28.12.2013 , [No. 1066](#) , dated 26.07.2014 , [No. 1088](#) , dated 18.03.2014 15 [No. 1176](#) , [No. 1177](#) , from 11.23.2015 [No. 1228](#) , from 12.25.2015 [No. 1261](#) , from 03.15.2016 [No. 1274](#) , from 05.14.2016 [No. 1304](#) , from 07.23.2016 [No. 1330](#) , from 11.14 .2016 [No. 1358](#) , [No. 1359](#) , dated 24.02.2017 [No. 1379](#) , [No. 1380](#) , dated 28.08.2017 [No. 1467](#) , dated 2.01.2018 [No. 1472](#) , [No. 1473](#) dated 17.05.2018 [No. 1515](#) dated 3.08.2018 [No. 1538](#) dated 2.01.2018 2019 [No. 1554](#) , [No. 1555](#) , dated 20.06.2019 [No. 1609](#) , dated 2.01.2020 [No. 1661](#) , dated 04.07.2020 [No. 1701](#) , dated 07.08.2020 [No. 1717](#) , dated 17.12.2020 [No. 1730](#) , dated 20.04.2020 021 [No. 1776](#) , dated 23.12. 2021 [No. 1809](#) , dated 07.19.2022 [No. 1895](#) , dated 07.19.2022 [No. 1896](#) , dated 12.24.2022 [No. 1924](#) , [No. 1925](#) , dated 13.11.2023 [No. 1984](#) , dated 13.11.2023 [No. 1985](#))

GENERAL SECTION

SECTION I. CRIMINAL LAW

CHAPTER 1 DUTIES AND PRINCIPLES OF THE CRIMINAL LAW OF THE REPUBLIC OF TAJIKISTAN. BASIS OF CRIMINAL RESPONSIBILITY

(*Law of the Republic of Tajikistan dated 2.01.2020 [No. 1661](#))*

Article 1. Criminal law of the Republic of Tajikistan

1) The Criminal Law of the Republic of Tajikistan consists of this Code. New laws that provide for criminal liability should be included in the Criminal Code (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))* .

2) This Code is based on the Constitution of the Republic of Tajikistan and generally recognized principles and norms of international law (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 2.01.2018 [No. 1472](#))* .

Article 2. Duties of the Criminal Code of the Republic of Tajikistan

1) The tasks of this Code are to protect the rights and freedoms of man and citizen, public safety and public health, environment, public order and morals, property, protection of the constitutional structure and security of the Republic of Tajikistan from criminal aggression, ensuring

peace and security of mankind, educating citizens in the spirit of compliance with the Constitution and laws of the republic, as well as crime prevention (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) For the implementation of these tasks, this Code establishes the principles and principles of criminal responsibility, determines which actions dangerous for the individual, society or the state are recognized as crimes, and establishes the types of punishments and other measures of a criminal nature for their commission (*Law of the Republic of Tajikistan from 2.01.2020 No. 1661*).

Article 3. Principles of criminal law and criminal responsibility

(*Law of the Republic of Tajikistan dated 2.01.2020 No. 1661*)

Criminal law is based on the principles of legality, equality before the law, inevitability of responsibility, personal responsibility, guilt, justice, humanity and democracy (*Law of the Republic of Tajikistan dated 2.01.2020 No. 1661*).

Article 4. Principle of legality

(*Law of the Republic of Tajikistan dated 2.01.2020 No. 1661*)

1) Only this Code determines whether an act is a crime, deserves punishment and other criminal legal consequences (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 2.01.2018 *No. 1472*).

2) No one shall be found guilty of committing a crime and shall not be subject to criminal punishment except by court order and on the basis of law.

3) Application of the criminal law is prohibited by analogy.

4) The content of the Criminal Code should be understood exactly according to its text.

Article 5. The principle of equality before the law

(*Law of the Republic of Tajikistan dated 2.01.2020 No. 1661*)

Persons who have committed crimes, regardless of gender, race, nationality, citizenship, language, attitude to religion, political opinions, education, social, professional and property status, affiliation to political parties, public associations, place of residence and other circumstances, are equal before the law and should be held criminally liable (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*).

Article 6. The principle of inevitability of responsibility

(*Law of the Republic of Tajikistan dated 2.01.2020 No. 1661*)

Any person who has committed a crime must be punished or other criminal legal measures provided for in this Code should be applied to him (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 2.01.2018 *No. 1472*).

Article 7. The principle of personal responsibility and guilt

(*Law of the Republic of Tajikistan dated 2.01.2020 No. 1661*)

1) No one can be held criminally responsible except for his own actions (actions or inactions).

2) A person shall be held criminally responsible only for those actions dangerous for the society and the consequence of the social danger of its occurrence, for which his guilt has been determined (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) Objective guilt, that is, it is not possible to be held criminally responsible for innocent damage.

Article 8. The principle of justice

(*Law of the Republic of Tajikistan dated 2.01.2020 No. 1661*)

1) Punishment and other measures of a criminal nature applied to a person who has committed a crime must be fair, i.e. appropriate to the nature and degree of public danger of the crime, the circumstances of its commission, and the identity of the culprit (*Law of the Republic of Tajikistan dated 2.01.2018 No. 1472*).

2) No one can be held criminally liable twice for the same crime.

Article 9. The principle of humanity

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

(*Law of the Republic of Tajikistan dated 2.01.2020 No. 1661*)

1) A person who has committed a crime should be punished or be given such a measure of a criminal legal nature that is necessary and sufficient for his correction and prevention of new crimes (*Law of the Republic of Tajikistan dated 2.01.2018 No. 1472*).

2) Punishment or other measures of the nature of criminal law, which are used against the person who committed the crime, do not have the purpose of physical harm, insult to human dignity (*Law of the Republic of Tajikistan dated 2.01.2018 No. 1472*).

Article 10. The principle of democracy

(*Law of the Republic of Tajikistan dated 2.01.2020 No. 1661*)

In the cases stipulated by this Code, political parties, public associations, self-governing bodies of citizens or collectives are involved with their request and consent for the correction of persons who have committed crimes (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35* , dated 18.06.2008 [No. 386](#)).

Article 11. Basis of criminal liability

The basis of criminal liability is the commission of an act that has all the elements of the crime provided for in this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 11(1). Rules of interpretation of the criminal law

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) If the norm of criminal law is expressed in two ways, or if they interpret it in two ways, in this case, it will be interpreted (interpreted) in favor of the accused (defendant, convicted).

2) Expressions and (or) concepts used in this Code have the same meaning as those given in the relevant laws, unless otherwise provided in the Criminal Code.

3) Within the framework of this Code, it is forbidden to interpret the same concepts in different meanings, unless there is a special indication in this Code itself (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

CHAPTER 2. APPLICATION OF CRIMINAL LAW IN TIME AND PLACE

Article 12. Application of the Criminal Law in time

1) The crime and punishment of an act is determined by the law in force at the time of the act's commission.

2) The time of committing a crime, the time of committing an act dangerous to society, regardless of the time of its consequences, is recognized.

Article 13. Retrospective force of the Criminal Law

1) A criminal law that removes the criminality of an act, reduces the punishment or otherwise improves the situation of the person who committed the crime, has retroactive force, i.e. it is applied to the persons who committed the act before the entry into force of such law, including persons ,

who are or have been serving a sentence, but have a criminal record. From the moment of entry into force of the law that removes the criminality of the act, the act committed before the entry into force of the law is not considered a crime (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

2) If the new criminal law reduces the punishment for the act for which a person is serving a sentence, the imposed punishment should be reduced in accordance with the upper limit of the punishment defined by the new criminal law.

3) The criminal law, which establishes the criminality of an act, strengthens the punishment or otherwise worsens the situation of the person who committed this act, has no retroactive effect.

Article 14. Application of the criminal law against persons who have committed crimes within the territory of the Republic of Tajikistan

(Law of the Republic of Tajikistan dated 18.06.2008 No. 386)

1) A person who has committed a crime within the territory of the Republic of Tajikistan shall be prosecuted in accordance with this Code, unless otherwise established by international legal instruments recognized by Tajikistan (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) Such an act committed on the territory of the Republic of Tajikistan is recognized as a crime, if:

a) started or continued or completed within the territory of the Republic of Tajikistan;

b) committed outside the territory of the Republic of Tajikistan, but the consequences of the crime have reached its territory;

c) committed within the territory of the Republic of Tajikistan, but the consequences of the crime have reached beyond its territory;

d) committed in partnership with persons who have carried out their criminal activities on the territory of another state (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 No. 386).

3) A person who has committed a crime on a watercraft or aircraft legally flying under the flag or identification marks of the Republic of Tajikistan in the open waters or airspace outside the territory of the Republic of Tajikistan shall be held criminally liable in accordance with this Code, if in international legal documents, which Tajikistan has recognized, unless otherwise specified. A person who has committed a crime on a military ship or a military aircraft of the Republic of Tajikistan, regardless of where they are located, will also be held criminally responsible in accordance with this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

4) The issue of criminal liability of diplomatic representatives of foreign states and other citizens with immunity, in the case of crimes committed by these persons in the territory of the Republic of Tajikistan, is resolved on the basis of international law (*Law of the Republic of Tajikistan No. 35 dated 17.05.2004*, dated 18.06.2008 No. 386).

Article 15. Application of the criminal law against persons who have committed crimes outside the territory of the Republic of Tajikistan

(Law of the Republic of Tajikistan dated 18.06.2008 No. 386)

1) A citizen of the Republic of Tajikistan, as well as a stateless person permanently residing in it, shall be held criminally liable for a crime committed on the territory of a foreign state in accordance with this Code, if the act committed by him is recognized as a crime in the state in which he committed this act, and if he has not been convicted of this crime in a foreign country. When convicting these persons, the punishment should not exceed the upper limit of the sanction provided for by the law of the foreign country where the crime was committed (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) A foreign citizen or a stateless person not permanently residing in the Republic of Tajikistan shall be prosecuted for a crime committed outside the territory of Tajikistan in accordance with this Code in the following cases, if he:

a) has committed a crime that is stipulated by the norms of international law recognized by the Republic of Tajikistan or the norms established by treaties or interstate agreements (*Law of the Republic of Tajikistan dated 2.01.2018 No. 1472*) ;

b) has committed a serious crime or a particularly serious crime against the citizens of Tajikistan or the interests of the Republic of Tajikistan (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

3) These rules are used in the event that a foreign citizen or a stateless person not permanently residing in the Republic of Tajikistan has not been convicted in another state.

4) A citizen of the Republic of Tajikistan, as well as a stateless person permanently residing in the Republic of Tajikistan, shall be held liable for a crime committed on the territory of a foreign state in accordance with this Code in the event that, in accordance with the specific articles of the Special Part of this Code, criminal liability is specifically committed on the territory of a foreign state. crime is intended. In this case, the cases provided for in part 1 (with the exception of conviction) of this article are not taken into account (*Law of the Republic of Tajikistan dated 14.11.2016 No. 1359*) .

5) Criminal charges and other legal consequences against a person who has committed a crime in the territory of a foreign state should not be taken into account when classifying (qualifying) the actions of this person and when imposing punishment for a crime committed in the territory of the Republic of Tajikistan. , unless otherwise stipulated in the international legal documents recognized by Tajikistan (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

Article 16. Surrender of a person who has committed a crime

1) A citizen of the Republic of Tajikistan, who has committed a crime on the territory of another state, shall not be extradited to that state, unless otherwise stipulated in the mutual agreement (*Law of the Republic of Tajikistan No. 35 dated 17.05.2004*) .

2) A foreign citizen or a stateless person who commits a crime outside the territory of the Republic of Tajikistan and is in its territory, in accordance with an international agreement, may be handed over to a foreign state for criminal prosecution or serving a sentence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

SECTION II. CRIME

CHAPTER 3. DEFINITION AND TYPES OF CRIME

Article 17. Definition of crime

1) A criminal act (action or inaction) dangerous to society, which is prohibited by this Code under the threat of punishment, is recognized as a crime.

2) An act (movement or inaction) that apparently has the signs of one of the acts provided for in the Special Part of this Code, but is not dangerous for society due to its insignificance, is not a crime.

Article 18. Categories of crime

1) Acts provided for in this Code are divided into minor, medium, serious and especially serious crimes depending on the nature and degree of danger they pose to society.

2) Intentionally committed acts for which the maximum penalty provided for in this Code does not exceed two years of imprisonment and negligent acts for which the maximum penalty provided for in this Code does not exceed five years of imprisonment. , minor crimes are recognized (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

3) Deliberately committed acts for which the maximum penalty provided for in this Code does not exceed five years of imprisonment, and negligently committed acts for which the maximum

penalty for which is more than five years of imprisonment are crimes of medium degree. are recognized (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

4) Intentionally committed acts, for which the maximum penalty provided for in this Code does not exceed twelve years of imprisonment, are recognized as serious crimes (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

5) Intentionally committed acts, for which the maximum punishment for which this Code provides for more than twelve years of imprisonment or death penalty, are recognized as particularly serious crimes (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 19. Repetition of the crime

1) Repetition of a crime is recognized as an act in which a person commits two or more crimes specified in the same article or part of the article of this Code at different times.

2) Committing two or more crimes specified in various articles of this Code can be considered a repetition of a crime only in cases where it is mentioned in a special part of this Code.

3) A repeated crime is not recognized if a person was acquitted of criminal responsibility for a previously committed crime in accordance with the procedure established by law, or the criminal charges for these crimes were canceled or removed.

4) In the event that the repetition of the crime is provided by this Code as a case for which a relatively severe punishment is prescribed, the crime committed by the person shall be classified (qualification) in accordance with the relevant part of the article of this Code, which provides punishment for the repetition of the crime. (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

5) A crime consisting of a number of similar criminal acts, directed with a common intention and a single purpose, and forming a continuous crime as a whole, is not recognized as a repetition of the crime (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

6) Long-term non-fulfillment of obligations, which is characterized by continuous committing of a long-term crime, is not recognized as a repeat crime (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 20. The totality of the crime

1) Committing two or more of the criminal acts specified in different articles or different parts of the same articles of the Special Part of this Code, for which a person has not been convicted, is recognized as a combined crime. Currently, crimes for which a person has been released from criminal responsibility on the grounds established by law are not taken into account.

2) One act, which has the characteristics of a crime specified in two or more articles of this Code, is also recognized as a set of crimes.

3) When committing a series of crimes, a person shall be held accountable for each crime committed on the basis of the relevant article or part of this Code.

4) If the crime is provided by general and special norms, then there is no compound crime and criminal liability arises on the basis of special norms (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 21. Recidivism of the crime

1) Committing an intentional crime by a person who previously has a criminal record for committing an intentional crime is recognized as a recidivism.

2) Recidivism of the crime is considered dangerous in the following cases:

a) in the case of committing a serious crime, if this person has previously been convicted at least twice for intentionally committing crimes of medium level with deprivation of liberty;

b) in case of committing a serious crime, if this person was previously sentenced to imprisonment for committing a serious or especially serious crime;

c) in the case of committing a particularly serious crime, if this person was previously sentenced to imprisonment for committing a serious crime (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) Recidivism of the crime is considered especially dangerous in the following cases:

a) in case of committing a serious crime, if this person has been sentenced to deprivation of liberty twice for committing serious crimes;

b) in the case of committing a particularly serious crime, if this person has previously been convicted twice for committing a serious crime, or has previously been convicted of a particularly serious crime (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

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

a) a criminal record for a crime committed by a person under the age of eighteen;

b) a court case for a crime for which conditional non-application of punishment or suspension of execution of the sentence has been applied, if the conditional non-application of punishment or suspension of sentence execution has not been canceled and the person is sent to places of deprivation of liberty to serve the sentence has not been released from prison, as well as a court case that has been canceled or removed in accordance with the procedure established by Article 84 of this Code (*Law of the Republic of Tajikistan No. 35 of 17.05.2004*).

5) Recidivism of the crime on the grounds and within the limits provided for by this Code causes a more severe punishment.

CHAPTER 4. PERSONS WHO SHOULD BE CRIMINALLY RESPONSIBLE

(Law of the Republic of Tajikistan dated 18.06.2008 No. 386)

Article 22. General terms of criminal responsibility

Only a natural person who has reached the age prescribed by this Code shall be held criminally liable.

Article 23. The age from which criminal responsibility begins

1) A person who has reached the age of sixteen at the time of committing a crime shall be held criminally liable.

2) A person who has reached fourteen years of age at the time of committing the crime shall be held criminally liable for committing the following crimes: murder (Article 104), intentional infliction of serious harm to health (Article 110), intentional infliction of moderate harm to health (Article 111), kidnapping (Article 130), rape (Article 138), sexual violence (Article 139), terrorism (Article 179), hostage taking (Article 181), embezzlement of weapons, ammunition, explosives and explosive devices (Article 199), illegal trafficking of narcotic drugs or psychotropic substances with the intention of giving them into someone else's possession (Article 200), illegal dealings with narcotic drugs or psychotropic substances (Article 201), possession of narcotic drugs or psychotropic substances (Article 202), illegal cultivation of crops containing narcotic substances prohibited for cultivation (Article 204), illegal trafficking of strong and poisonous substances with the intention of transferring them to someone else's possession (Article 206), making vehicles or roads unusable (Article 214), hooliganism in aggravating circumstances (parts two and the third part of Article 237), theft (Article 244), robbery (Article 248), robbery (Article 249), extortion (Article 250), illegal driving of a car or other means of transport without the intention of misappropriation (Article 252), intentional destruction or damage to property in aggravating circumstances (the second part of article 255) (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 18.06.2008 No. 386, dated 13.06.2013 No. 966, dated 19.07.2022 No. 1895*).

3) In the special cases provided for in the Special Part of this Code, only the person over the age of sixteen shall be held criminally liable.

4) If at the time of committing an act dangerous to the society, the minor has reached the age specified in the first or second part of this article, but as a result of retardation in mental development, which is not related to mental disorder, he could not fully understand the real nature and danger. the public understands his movement (immobility) or manages them, he will not be held criminally responsible (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 24. Irregularity

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Compulsory medical measures provided for in this Code may be imposed on a person who has committed an act dangerous to the society under the criminal law (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) A person who has committed a crime in the state of criminality, but has suffered from a mental illness before the judgment of the court, which does not allow him to understand the danger of his act or control it, shall not be punished. The court may impose compulsory measures of a medical nature on such a person, and after recovery, this person may be punished, if the terms stipulated in Article 75 of this Code have not passed (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 25. Criminal liability of persons with painful mental disorders, which does not exclude liability (limited liability)

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*)

1) The accused person, who at the time of committing the crime due to confusion of mind could not fully understand the real nature and public danger of his movement (immobility) or manage it, shall be held criminally liable (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) The state of limited liability is taken into account when imposing a punishment and can be the basis for the imposition of a compulsory measure of a medical nature.

Article 26. Criminal liability of persons who committed a crime while intoxicated

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*)

1) A person who has committed a crime while intoxicated due to the consumption of alcohol, narcotic drugs, psychotropic substances or other intoxicating substances shall not be exempted from criminal responsibility (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) In case of committing a crime by a drunkard, a drug addict or a drug addict, the court, along with setting the punishment, may prescribe compulsory measures of a medical nature provided for in this Code (*Law of the Republic of Tajikistan dated 23.07.2016 No. 1330*).

CHAPTER 5. SIN

Article 27. Forms of sin

1) Only a person is found guilty of committing a crime if he committed this act intentionally or out of negligence.

2) An act committed only due to carelessness is recognized as a crime if it is provided for in the relevant article of the Special Part of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 28. Intentionally committed crime

1) An intentional crime is recognized as an act committed directly or indirectly with intent.

2) A crime committed with direct intent is recognized if a person realizes that his movement (inaction) is dangerous to the society, foresees the possibility or inevitability of its dangerous consequences for the society, and wants it to happen.

3) A crime committed with indirect intent is recognized if a person realizes that his movement (inactivity) is dangerous to the society, foresees the possibility of its dangerous consequences for the society, does not want the consequences to occur, but deliberately allows these consequences to occur, or treated them with neglect (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 29. Crime committed due to negligence

1) A crime committed due to carelessness is recognized as an act dangerous to the society, committed out of self-confidence or carelessness.

2) A crime is recognized as committed out of self-confidence, if a person foresees the possibility of consequences of his movement (inaction) dangerous for the society, but without sufficient reasons, self-confidently considers that he will eliminate those consequences (*Law of the Republic of Kazakhstan dated 17.05.2004 No. 35*).

3) The crime is recognized when it is committed due to carelessness, if the person did not foresee the possibility of the consequences of his movement (immobility) being dangerous for the society, while he should and could have foreseen those consequences in the case of due care and foresight.

Article 30. Liability for a crime committed with two forms of guilt

If a person, as a result of the intentional commission of a crime, causes other dangerous consequences to society due to negligence, which in accordance with this Code leads to the imposition of a more severe punishment, such a crime is recognized as an intentional crime (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 31. Innocent damage (accidental)

1) An act is recognized as committed innocently, if the person who committed it did not realize the public danger of his movement (immobility), and depending on the circumstances of the work, he should not or could not have realized it, or did not foresee the possibility of dangerous consequences for the society, and depending on the circumstances of the work should not and could not foresee it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) An act is also recognized as innocent if the person who committed it, although he foresaw the consequences of his movement (immobility) dangerous for the society, but these consequences due to the incompatibility of his psychophysiological qualities with the requirements of emergency conditions or excessive fatigue was unable to prevent it mentally and physically (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

CHAPTER 6. INCOMPLETE AND UNFINISHED CRIME

Article 32. Preparation for a crime, attempted crime

1) Preparation for a crime is a person's deliberate search, preparation or preparation of means or tools for committing a crime, finding partners in a crime, conspiring to commit a crime, or intentionally creating other conditions for committing a crime, if the crime is committed for the reasons of this person is independent and has not been brought to the end (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) Criminal liability is established only for preparing for a serious or particularly serious crime (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) Attempted crime is the deliberate movement (inaction) of a person, which is directly aimed at committing a crime, if the crime is not completed due to reasons beyond the control of this person.

4) Liability for preparation for a crime or attempt to commit a crime with reference to this article shall be imposed in accordance with the same article of the Special Part of the Criminal Code, which is established for the finished crime.

Article 33. Finished crime

The crime is recognized as completed if the act committed by a person has all the elements of the crime specified in this Code.

Article 34. Voluntary renunciation of crime

1) Voluntary renunciation of a crime is when a person realizes the possibility of completing the crime and voluntarily and decisively stops the preparatory movements or movement (inaction) directly aimed at committing the crime.

2) If a person has not completed the crime, voluntarily and decisively renounced it, he will not be held accountable for this crime.

3) A person who has voluntarily refused to complete a crime shall be held criminally liable only if the act committed by him is part of another crime.

4) If the organizer of the crime and the instigator of the crime prevented the completion of the crime by timely reporting to the authorities or other measures taken by the executor, they shall not be held criminally liable. If the assistant has taken all the necessary measures to prevent the commission of a crime, he will not be held criminally liable (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

5) If the actions of the organizer and instigator mentioned in the fourth part of this article cannot prevent the perpetrator from committing the crime, the measures taken by them during the imposition of punishment can be considered as mitigating circumstances (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

CHAPTER 7. PARTICIPATION IN CRIME

Article 35. Definition of complicity in crime

The joint intentional participation of two or more persons in the commission of an intentional crime is recognized as complicity in the crime (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 18.06.2008 No. 386*).

Article 36. Partners in crime

1) The organizer, instigator and assistant are recognized as accomplices of the crime along with the executor.

2) The perpetrator is recognized as a person who directly committed the crime or directly participated in its commission with other persons (co-perpetrators), as well as a person who committed the crime by using other persons who are not criminally liable according to the law. (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

3) The organizer is recognized as a person who organized or led the crime, as well as a person who founded or led an organized group or criminal association (criminal organization).

4) An instigator is recognized as a person who incites another person to commit a crime by inciting, advising (buying), threatening or otherwise.

5) An assistant is recognized as a person who contributed to the commission of a crime by providing advice and instructions, providing information, tools or tools for committing a crime or removing obstacles, as well as a person who hides a criminal, tools or tools for committing a crime,

traces of a crime or objects. has promised in advance the property obtained by crime, as well as a person who has promised in advance to own or give such things to someone else's ownership (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 37. Liability of partners in crime

1) The responsibility of the accomplices of the crime is determined depending on the nature and degree of actual participation of each of them in the commission of the crime.

2) The co-perpetrators shall be held criminally responsible for the crime committed jointly by the article of the Special Part of this Code without reference to Article 36 of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) The criminal liability of the organizer, instigator and assistant is determined in accordance with the article of the Special Part of this Code, with reference to Article 36 of this Code, except for the cases when they are co-perpetrators of the crime at the same time (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

4) A person who is not the subject of the crime specified in the article of the Special Part of this Code, and who participated in the commission of the crime stipulated by this article, can be prosecuted for this crime only as an organizer, instigator or assistant.

5) If the perpetrator is unable to complete the crime due to reasons beyond his control, other accomplices of the crime shall be prosecuted for complicity in the preparation of the crime or attempt to commit the crime.

6) If the actions of the organizers, instigators or assistants fail for reasons beyond their control, they will be prosecuted for preparation for the relevant crime.

Article 38. Extremism (excess) of the perpetrator of the crime

If the executor commits a crime that the other partners did not intend, the executor's crime is recognized. Other accomplices will not be prosecuted for extortion.

Article 39. Committing a crime by a group of persons, a group of persons with prior advice, an organized group or a criminal association (criminal organization)

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*)

1) A crime committed without prior consultation by a group of persons is recognized if the perpetrators participated in it who did not consult in advance about committing it together.

2) A crime committed by a group of persons with premeditated advice is recognized, if persons participated in it who had premeditated to commit it together (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35* , dated 18.06.2008 *No. 386*).

3) A crime committed by an organized group is recognized if it is committed by a stable group of persons who have previously united to commit one or more crimes (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

4) A criminal union (criminal organization) is recognized as the union of two or more organized groups, which were established to commit serious or particularly serious crimes into a stable organization, and its activity is the division of the task of management, provision and implementation of the criminal goals of the union among the members of the union and its structures are based (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

5) A crime is recognized as committed by a criminal association (criminal organization), if it was committed by a member (member) of such an association in order to fulfill its criminal goals, as well as by a person who is not a member of the criminal association, on the order of the criminal association.

6) A person who founded or led an organized group or criminal association (criminal organization) in the cases provided for by the relevant articles of the Special Part of this Code for their organization and management, as well as for all crimes committed by an organized group or

criminal association (criminal organization)), if his intention includes committing them, he will be held criminally liable. Other participants of an organized group or a criminal association (criminal organization) shall be held criminally liable for their participation in the case provided for by the relevant articles of the Special Part of this Code, as well as for the crimes they participated in preparing or committing (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

7) The establishment of an organized group in cases not provided for in the articles of the Special Part of this Code shall result in criminal responsibility for the preparation of the crimes for which this group was established (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

8) The criminal liability of the persons listed in this article shall apply without reference to Article 36 of the General Part of this Code (*Law of the Republic of Tajikistan No. 35 of 17.05.2004 , No. 386 of 18.06.2008*).

9) A participant of an organized group or criminal association (criminal organization) who voluntarily appeared before the authorities and actively contributed to the detection of criminal intent until the commission of the crime, if there are no signs of another crime in his actions, shall be exempted from criminal liability. will be

CHAPTER 8. CIRCUMSTANCES THAT EXCLUDE THE CRIMINALITY OF AN OFFENDER

Article 40. Necessary defense

1) An act committed in the case of necessary self-defense, i.e., during the protection of the identity and rights of the defender or another person, the interests protected by the law of society, or the state from aggression dangerous to society by causing harm to the aggressor, if this aggression involves violence for life the defender or another person is dangerous, or is related to the direct threat of using such violence, is not considered a crime.

2) Protection from non-violent aggression, which is not dangerous for the life of the defender or another person, or which is considered legitimate with the direct threat of using such violence, if it is not allowed to go beyond the limits of necessary defense, that is, an intentional movement , which obviously does not correspond to the nature and degree of danger of aggression.

3) The actions of the defending person, caused by untimely aggression, are not considered to be beyond the limit of necessary defense, if the person does not have the opportunity to objectively assess the degree and nature of the danger of the aggression.

4) A person has the right to self-defense, regardless of the possibility of escape from aggression, regardless of professional or other special training or service status or the ability to turn to other persons or authorities for help (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

5) Deliberately inciting aggression with the aim of causing damage is not considered necessary defense (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 41. Inflicting damage during the arrest of a person who has committed a crime

1) Actions that harmed him during the arrest of a person who committed a crime with the purpose of handing him over to the authorities or preventing him from committing new crimes, if it is impossible to arrest such a person by other means and at the same time the necessary measures taken for this purpose are if they do not exceed the limit, they are not considered a crime.

2) Open incompatibility of the means and methods of arrest with the risk of the act and the person committed, as well as with cases of arrest, as a result of which the person will be intentionally harmed, which was not required by the need to arrest, exceeding the limits of the necessary measures to arrest the criminal. is recognized as having been committed (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) They have the right to arrest the person who committed the crime along with the persons specially authorized for this purpose, as well as the victims and other citizens (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

4) When assessing the legality of damage caused during the arrest of a person who has committed a crime, his movement to escape from arrest, the strength and ability of the arrested person, his mental state and other circumstances related to the act of arrest are taken into account.

Article 42. Final necessity

1) In case of final necessity, i.e. to eliminate the direct threat to the life, health and legal rights and interests of this person or other persons, the interests of society or the state, causing harm to the interests protected by this Code, if it is impossible to eliminate this risk by other means but it is not considered a crime if the ultimate necessity has not been exceeded due to circumstances (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

2) Inflicting damage that is clearly not appropriate to the nature and degree of the threat and the circumstances of risk elimination, resulting in damage to legally protected interests equal to or greater than the prevented damage, it is recognized as exceeding the final necessity. Such an oversight will only lead to liability in the event of intentional damage.

3) When assessing the legality of an act committed in a situation of ultimate necessity, the nature and degree of the risk to be overcome, the reality and proximity of its occurrence, the real possibility of a person to avoid it, his mental state in the event of the incident and other circumstances are taken into account.

Article 43. Physical or mental coercion

1) Damage to the interests protected by this Code as a result of physical or mental coercion, if as a result of such coercion a person cannot control his movement (immobility), is not considered a crime.

2) The issue of criminal liability for damage to the interests protected by this Code as a result of mental coercion, as well as as a result of physical coercion, due to which a person has retained the ability to control his actions, is resolved taking into account the provisions of Article 42 of this Code.

Article 44. Reasonable risk

1) Damage to the interests protected by this Code when there is a reasonable risk to achieve a purpose beneficial to the society is not considered a crime.

2) A risk is recognized as reasonable if the achievement of this goal is impossible with movement (inaction) not related to the risk, and the person who took the risk has taken all necessary measures to prevent damage to the interests protected by this Code.

3) If the risk is clearly related to the threat of human death, environmental disaster or public disaster, it is not recognized as justified.

Article 45. Execution of order or order

1) It is not a crime to harm the interests protected by this Code by a person who acted for the purpose of mandatory execution of an order or order given to him in accordance with the established procedure. For causing such damage, a person who issued an illegal command or order will be held criminally liable.

2) A person who deliberately committed a crime in order to fulfill an illegal order or order shall be held criminally liable on general grounds.

3) Non-fulfillment of a clearly illegal order or order excludes criminal responsibility (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

SECTION III. PUNISHMENT

CHAPTER 9. DEFINITION, PURPOSE AND TYPES OF PUNISHMENT

Article 46. Meaning and purpose of punishment

1) Punishment is a coercive state measure imposed by a court order. It is applied to a person who has been found guilty of committing a crime, and consists of depriving or restricting the rights and freedoms of a person, which are provided for in this Code.

2) Punishment is applied for the purpose of restoring social justice, reforming the convicted, as well as preventing the commission of new crimes.

Article 47. Types of punishment

The types of punishment are:

- a) fine (*Law of the Republic of Tajikistan dated 31.12.2008 No. 451*);
- b) deprivation of the right to hold certain positions or engage in certain activities (*Law of the Republic of Tajikistan dated 31.12.2008 No. 451*);
- c) lifelong deprivation of the right to occupy certain positions or engage in certain activities (*Law of the Republic of Tajikistan dated 19.07.2022 No. 1896*);
- d) deprivation of military, diplomatic ranks, ranks, special titles, state awards and honorary titles of Tajikistan (*Law of the Republic of Tajikistan dated 31.12.2008 No. 451*, dated 19.07.2022 No. 1896);
- e) compulsory works (*Law of the Republic of Tajikistan dated 31.12.2008 No. 451*);
- f) corrective works;
- g) limitation in military service;
- h) restriction of freedom;
- i) detention in the disciplinary military unit;
- k) confiscation of property (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);
- l) deprivation of liberty;
- m) life imprisonment (*Law of the Republic of Tajikistan dated 1.03.2005 No. 86*);
- n) death penalty (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 1.03.2005 No. 86, dated 19.07.2022 No. 1896).

Article 48. Basic and additional punishments

1) Compulsory labor, correctional labor, restriction in military service, restriction of freedom, detention in a disciplinary military unit, deprivation of liberty, life imprisonment, death penalty are applied only as the main punishment (*Law of the Republic of Tatarstan of 17.05.2004 No. 35*, from 1.03.2005 No. 86).

2) Fine, deprivation of the right to occupy certain positions or to engage in certain activities, lifelong deprivation of the right to occupy certain positions or to engage in certain activities, are applied both as basic and additional punishments (*Law of the Republic of Tajikistan dated 19.07.2022 #1896*).

3) Deprivation of a special, military rank, rank and state awards, as well as confiscation of property are used only as an additional punishment (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

4) Only one main punishment can be imposed for one crime. In the cases and in accordance with the procedure established by this Code, one or more additional punishments may be imposed along with the main punishment (*Law of the Republic of Tajikistan dated 26.07.2014 No. 1088*).

5) A fine can be imposed as an additional penalty only in the cases directly provided for in the Special Part of this Code (*Law of the Republic of Tajikistan dated 13.06.2013 No. 965*).

6) Removed (*Law of the Republic of Tajikistan dated 26.07.2014 No. 1088*).

Article 48(1). Mandatory tasks

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Mandatory work by the convict is to perform unpaid public works outside the time of main work or education, the types of which are determined by local government bodies and self-governing bodies of towns and villages (*Law of the Republic of Tajikistan dated 2.01.2018 No. 1472*).

2) Compulsory work is set for a period of sixty to two hundred and forty hours and is performed no more than four hours a day.

3) It is prohibited to appoint mandatory work for the following persons (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) :

a) military personnel;

b) persons who have reached retirement age (*Law of the Republic of Tatarstan dated 18.06.2008 No. 386*) ;

c) pregnant women;

d) persons who are on leave due to taking care of a child (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ;

e) disabled people of groups I and II.

4) During the period of serving the sentence in the form of mandatory work, if one of the situations provided for in the third part of this article occurs, the court shall release the person from further serving the sentence by presenting the authority responsible for the execution of the sentence.

5) In the case of serious refusal of the convicted person to perform mandatory work, the court shall replace it with correctional work or restriction of freedom within the scope of these types of punishment provided by this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 49. Fine

1) The fine is the collection of the amount set in the scope provided by this Code.

The amount of the fine is paid to the republican budget non-cash through financial credit organizations and other infrastructure for accepting non-cash payments (*Law of the Republic of Tajikistan dated 13.11.2023 No. 1985*)

2) A fine is imposed in the amount of one hundred to twenty one thousand nine hundred the prescribed amount of the indicator for accounts that was in effect at the time of the commission of the crime (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35* , dated 6.10.2008 *No. 422* , dated 21.07.2010 *No. 617* , dated 15.03.2016 *No. 1274*).

The amount of a fine based on a set of crimes or a set of sentences for the commission of crimes provided for in parts 6 and (or) 7 of article 49 of this Code cannot exceed five thousand indicators for the accounts that were in effect at the time of the commission of the crime (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

3) The court determines the size of the fine, taking into account the gravity of the committed crime and the state of property of the convicted person within the scope stipulated by this Code.

4) A fine can be imposed as a type of additional punishment only in the cases stipulated by the relevant articles of the Special Part of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

5) In the case of serious refusal to pay a fine, the court replaces it with the punishments of correctional work or restriction of freedom in accordance with the amount of the imposed fine,

within the scope of these types of punishments provided by this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

6) In the event of a person committing the crimes specified in articles 177, part 1, 178, part 1, 245 (with the exception of point "a" part 4), 246 (with the exception of point "a" part 3), 247 (with the exception of point "c" part 3 and item "a" part 4), 251, 253, 255 (with the exception of items "a" and "b" part 2), 256 (except for cases that caused death or serious harm to human health), 257 (with the exception of clause "g" of part 2 and clause "b" of part 3), 258, 259, 259(1), 260, 263, 264, 265, 266, 268, 270, 271, 273 (to with the exception of paragraphs "a" and "b" of part 3), 274, 276, 277, 278, 285, 286, 287, 289 parts 1 and 2, 295, 340(1) and 388 parts 1 and 2 of this Code, if the culprit shall fully compensate the material damage until the court's verdict is issued, a fine or other punishment not related to deprivation of liberty provided for in the sanctions of the listed articles shall be imposed on him (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*, dated 14.11.2016 *No. 1359*, dated 24.02.2017 *No. 1379*, dated 2.01.2018 *No. 1472*, dated 24.12.2022 *No. 1924*).

7) In the event of a person committing the crimes listed in articles 314 (except for cases that caused death or serious damage to human health), 315, 316 (except for clauses "a" and "b" of part 3 and cases that caused death or serious harm to human health), 318, 322 (except for cases that caused death or serious harm to human health), 323, 340 parts 1 and 2 and 391 part 1 of this Code provided for, if they were committed in connection with the crimes provided for in part 6 of this article, the punishment will be imposed according to the procedure specified in part 6 of this article (*Law of the Republic of Tajikistan dated 21.10.2010 No. 617*, dated 25.03.2011 *No. 694*).

8) In the case of full compensation of material damages by the convicted person for committing the crimes provided for in parts 6 and (or) 7 of this article after the court verdict, the punishment of deprivation of liberty is imposed by the court that issued the verdict or the court of the place of execution of the punishment or the upper court is replaced by a fine (*Law of the Republic of Tajikistan dated 21.10.2010 No. 617*).

9) In case of serious refusal or impossibility to pay the fine, which is assigned or replaced as the main punishment in accordance with the procedure provided for by parts 6, 7 and (or) 8 of this article, the court shall reduce the fine (or its unpaid part) to a suspended sentence. creation replaces freedom. When changing the penalty of a fine to the penalty of deprivation of liberty or the penalty of deprivation of liberty to the penalty of a fine, the term and size of these types of punishments should not be less or more than the lower and upper limits established by the relevant articles of the special part of this Code, taking into account the part of the punishment served. (*Law of the Republic of Tajikistan dated 21.10.2010 No. 617*).

10) In the case of replacing the penalty of deprivation of liberty with a fine, or the penalty of a fine with the penalty of deprivation of liberty, one day of deprivation of liberty is equal to 50 percent of an indicator for calculations, except for the crimes provided for in part 11) of this article. (*Law of the Republic of Tajikistan dated 21.10.2010 No. 617*, dated 15.03.2016 *No. 1274*).

11) In case of serious refusal or impossibility to pay the fine imposed for committing the crimes provided for in Articles 319-321 of this Code, the court replaces the fine (or its unpaid part) with imprisonment. This issue is resolved by the court that issued the sentence, or the court of the place of execution of the punishment, or the higher court (*Law of the Republic of Tajikistan dated 15.03.2016 No. 1274*).

12) When replacing the penalty of deprivation of liberty with a fine or the penalty of a fine with the penalty of deprivation of liberty for committing the crimes provided for in part 11) of this article, one day of deprivation of liberty is equal to five indicators for calculations (*Law of the Republic of Tatarstan of 15.03.2016 No. 1274*).

Article 50. Deprivation of the right to hold certain positions or engage in certain activities

1) Deprivation of the right to occupy certain positions or to engage in certain activities consists in the prohibition of holding positions in the public service and local bodies of state power and self-governing bodies of towns and villages or engaging in certain professional activities or other activities (*Law of the Republic of Tatarstan of 2.01.2018 No. 1472*).

2) Deprivation of the right to occupy certain positions or engage in certain activities is established from one to twenty years (*Law of the Republic of Tajikistan dated 28.08.2017 No. 1467*).

3) Deprivation of the right to hold certain positions or engage in certain activities can be imposed as an additional punishment with reference to this article, even if this type of punishment is not provided for in the relevant article of the Special Part of this Code, and if the court, taking into account the nature and degree of the committed crime and the identity of the culprit, recognize the impossibility of maintaining his right to occupy certain positions or engage in certain activities (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

4) When this punishment is imposed as an additional punishment to imprisonment, detention in a disciplinary military unit, restriction of liberty or deprivation of liberty, it shall be imposed during the entire period of serving the main punishment and, in addition, after serving the main punishment within the term established by the sentence. also applies. In other cases, its term is counted from the moment the sentence becomes legally effective.

Article 50(1). Permanent deprivation of the right to hold certain positions or engage in certain activities

(*Law of the Republic of Tajikistan dated 19.07.2022 No. 1896*)

Permanent deprivation of the right to occupy certain positions or to engage in certain activities is applied in the cases stipulated by the Special Part of this Code (*Law of the Republic of Tajikistan dated 19.07.2022 No. 1896*).

Article 51. Deprivation of military, diplomatic ranks, ranks, special titles, state awards and honorary titles of Tajikistan

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

A person who has a military, diplomatic rank, ranks, special titles, state awards and honorary title of Tajikistan, in the case of being convicted of a serious or particularly serious crime, the court may, taking into account his personality and actions, remove him from such military, diplomatic ranks, ranks, titles. special, to deprive Tajikistan of state awards and honorary titles (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 52. Correctional works

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Correctional work at the place of work of the convicted person or in other places determined by the body executing the sentence, but in the district of residence of the convicted person, is assigned for a period of two months to two years, and from ten to thirty percent of the salary is kept for the benefit of the state (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) In the event that the convicted person, while serving the sentence of correctional work, occurs in the circumstances provided for in the fourth part of this article, the court shall release the person from further serving the sentence by presenting the authority responsible for the execution of the sentence, or replaces the unserved part of the sentence with a lighter one (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) In the event of serious refusal to serve the term of the sentence by the person sentenced to correctional labor, the court may limit the unfinished sentence to one day of restriction of liberty instead of one day of correctional labor, one day of deprivation of liberty instead of three days of correctional labor. freedom, arrest or deprivation of liberty (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

4) Appointment of correctional works for the following persons is prohibited (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*):

a) military personnel;

- b) persons who have not reached the age of sixteen (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);
- c) persons who have reached retirement age (*Law of the Republic of Tatarstan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*);
- d) pregnant women;
- e) persons who are on leave due to taking care of a child (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);
- f) disabled people of groups I and II.

Article 53. Limitation in military service

1) Limitation in military service in the cases provided for in the articles of the Special Part of this Code for committing crimes against military service, as well as in exchange for correctional labor provided for other crimes against convicted military servicemen of the officer corps, as well as military servicemen with the order voluntary service is applicable for a period of two months to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) From ten to thirty percent of the amount of monetary support shall be collected for the benefit of the state from the monetary support of a person sentenced to limitation in military service (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) During the period of serving the punishment in the form of restriction in military service, it is forbidden to appoint a convicted person to a higher position or to give him a higher military rank, and the term of the sentence is not counted against his seniority for giving the next military rank (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 54. Restriction of freedom

1) Restriction of freedom, i.e. detention of the convict in special institutions without separation from society under the conditions of implementation of control over him for a period of one to five years.

2) In the case of replacement of correctional labor with restriction of freedom, it may be appointed for a period of less than one year.

3) In case of serious refusal to serve the punishment of a person sentenced to restriction of liberty, it shall be replaced by deprivation of liberty for the period specified in the court order for restriction of liberty. At the moment, the time of imprisonment is included in the term of imprisonment at the expense of one day of imprisonment equal to one day of imprisonment.

4) It is prohibited to restrict freedom for the following persons (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*):

- a) military personnel;
- b) persons who have reached retirement age (*Law of the Republic of Tatarstan dated 18.06.2008 No. 386*);
- c) pregnant women;
- d) persons who are on leave due to taking care of a child (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);
- e) disabled persons of groups I and II (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 55. Removed

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

Article 56. Keeping in the disciplinary military unit

1) Detention in the disciplinary military unit is assigned to military servicemen who perform military service on the basis of a call for fixed-term service, as well as to military servicemen who perform military service on a voluntary basis as a private soldier and sergeant, if they are at the time of the court's verdict, they have not served the term of service established by law. This punishment is established for a period of three months to two years in cases where the relevant articles of the Special Part of this Code provide for the commission of a crime against military service, as well as in cases where the nature of the crime and the identity of the guilty party are related to the possibility of replacing the deprivation of liberty. Deprivation of liberty for a period of not more than two years with detention of the convict in the disciplinary military unit for the same period (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) It is forbidden to replace deprivation of liberty with detention in a military disciplinary unit for a person who has previously served the punishment in the form of deprivation of liberty (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) Convicted military servicemen who have been deemed unfit for military service due to their health condition, or who have other circumstances that exempt them from military service, are not subject to detention in the disciplinary military unit.

4) When detained in a disciplinary military unit instead of deprivation of liberty, the term of detention in a disciplinary military unit is determined at the rate of one day of deprivation of liberty equal to one day of detention in a disciplinary military unit.

Article 57. Confiscation of property

(Law of the Republic of Tajikistan dated 13.06.2013 No. 965)

1) Confiscation of property is, on the basis of the judgment of the accuser, to forcibly take the following property for free and transfer it to the state property (*Law of the Republic of Tajikistan dated 26.07.2014 No. 1089*):

a) money, valuables and other property resulting from the commission of crimes under part 2 of article 104, parts 2 and 3 of article 110, parts 2 and 3 of article 130, article 130(1), part 3 of article 131, part 2 Article 150, Article 153(1) (if the crime was committed with intent), Articles 156, 156(1), 167, part 2 of Article 171 (if the crime was committed with intent), Article 172 (if the crime was committed with intent committed with malice), Article 173 (if the crime was committed with malice), Articles 179, 179(1), 179(2), 179(3), 181, 183, 184, 184(2), 184(4), 185, 186, 187, 188, 193, 194, 194(1), 194(2), 194(3), 194(4), 194(5), 195, 200, 201, 202, 202(1), 202(2), 204, 205, 206, 221, 230, 232, 232(1), 238, 239, 240, 241, 244-250, 254, 257, 259, 259(1), 262, 273, 307(3), 308, 309, 310, 313, 314, 319, 320, part 2 of article 324, 335(1), 335(2), part 2 of article 338 (1) 340, 340(1), 351, 352, 353, 356, parts 3 and 4 of articles 391, 397, part 3 of article 401, article 401(1) and article 402 of this Code were acquired or are goods and (or) other contraband items for which article 289 of this Code establishes liability and any income from this property, except for property and income from it, which must be returned to the legal owner (*Law of the Republic of Tajikistan dated 28.12.2013 No. 1037, dated 26.07.2014 No. 1089, dated 14.05.2016 No. 1304, dated 02.24.2017 No. 1379, dated 05.17.2018 No. 1515, dated 01.2.2020 No. 1662, dated 12.24.2022 No. 1925*);

b) monetary funds, values and other property to which the property obtained as a result of committing at least one crime specified in clause a) of this part and the income from this property were partially or fully converted or converted into another form;

c) money, valuables and other property used or intended for financing terrorism and distribution of weapons of mass destruction, organized group, illegal armed unit and criminal association (criminal organization) (*Law of the Republic of Tajikistan dated 17.05.2018 No. 1515*);

d) tools and (or) means of committing a crime belonging to the guilty person.

2) If the property obtained as a result of committing a crime and (or) the income from this property is included in the legally acquired property, that part of this property is confiscated, which is equal to the value of the included property and income from it. is suitable.

3) The property mentioned in parts 1 and 2 of this article, which was given by the guilty person to another person (organization), will be confiscated in the event that the person received this property or should have known that it was the result of the actions of crime has been obtained.

4) If the confiscation of certain objects, which are part of the property mentioned in parts 1-3 of this article, at the time of the court's decision on the confiscation of this object is impossible due to its use, sale or for other reasons, the court on the confiscation of a sum of money, which corresponds to the value of this item, makes a decision.

5) When solving the issue of confiscation of property in accordance with parts 1-4 of this article, first of all, the issue of compensating the damage caused to the legal owner should be resolved.

6) In the event that the guilty person does not have other property to which the recovery can be applied, then the damage caused to the legal owner shall be compensated from the value of the property specified in parts 1 and 2 of this article, and the remaining part shall be paid to the state. is conducted.

7) For the commission of the crimes provided for in paragraph a) part 1 of this article, the court can appoint the complete confiscation of property as an additional punishment (*Law of the Republic of Tajikistan dated 26.07.2014 No. 1089*).

8) The property that is necessary for the convict or the persons under his guardianship shall not be confiscated in accordance with the list provided for in the Criminal Code of the Republic of Tajikistan (*Law of the Republic of Tajikistan dated 13.06.2013 No. 965, dated 26.07.2014 No. 1089*).

Article 58. Deprivation of liberty

1) Deprivation of liberty consists of separating a convicted person from society by placing him in correctional colonies, in general, intensive, strict, special correctional colonies, or in prison. Persons sentenced to deprivation of liberty, who have not reached the age of eighteen at the time of the sentencing, are placed in educational colonies with a general or intensive system in accordance with the procedure established by the fifth section of the General Part of this Code (*Law of the Republic of Kazakhstan dated 18.06.2008 No. 386*).

2) Deprivation of liberty is established for a period of six months to twenty-five years. In the case of full compensation of material damage by the guilty party for committing the crimes provided for in parts 6 and (or) 7 of Article 49 of this Code before the judgment of the court, the punishment of deprivation of liberty shall not be imposed on him (*Law of the Republic of Tajikistan dated 15.07.2004 No. 46, dated 21.07.2010 No. 617*).

3) In the case of replacing fines, correctional works or restriction of freedom with deprivation of liberty, it may be assigned for a period of less than six months, taking into account the size and term of these types of punishments (*Law of the Republic of Kazakhstan dated 21.07.2010 No. 617*).

4) In case of partial or full accumulation of terms of deprivation of liberty when imposing a punishment based on a combination of crimes and sentences, the maximum term of deprivation of liberty should not exceed thirty years (*Law of the Republic of Tajikistan dated 1.03.2005 No. 86*).

5) Imprisonment is imposed in the following places:

a) for persons who have committed a crime due to negligence and have been sentenced to a term not exceeding five years with deprivation of liberty - in correctional colonies (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

b) for persons who were sentenced for the first time with deprivation of liberty for the intentional commission of minor, medium-level crimes, as well as persons who were sentenced to imprisonment for a term of more than five years for the commission of a crime due to negligence - in correctional colonies with a common system (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) for persons who were sentenced for the first time with deprivation of liberty for intentional commission of serious crimes - in correctional colonies with a strict system (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

d) for persons who have been sentenced to imprisonment for the first time for committing particularly serious crimes, as well as in the case of recidivism, if the convicted person is serving imprisonment or has previously served this type of punishment - in colonies correctional system with a strict system (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*);

e) in the case of particularly dangerous recidivism, as well as for convicts who have been sentenced to life imprisonment or the death penalty has been changed to imprisonment under the amnesty procedure - in correctional colonies with a special system (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 1.03.2005 *No. 86*);

f) persons sentenced for more than ten years for particularly serious crimes, as well as in cases of particularly dangerous recidivism, may be sentenced to serve part of the sentence in prison, but not more than five years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

6) Women sentenced to deprivation of liberty shall be sentenced to serve the sentence in the correctional colony under the following system:

a) in case of recidivism, particularly dangerous - in correctional colonies with a strict system;

b) for crimes committed due to carelessness - in correctional colonies;

c) other women sentenced to deprivation of liberty - in correctional colonies with a common system (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

7) Depending on the nature and level of public danger of the committed crime, the identity of the guilty party and other circumstances, the court may, citing the reasons for the decision, appoint a lighter system of serving the punishment of deprivation of liberty.

8) The court will change the type of correctional institution determined by the sentence in accordance with the Criminal Code of the Republic of Tajikistan.

Article 58(1). Life imprisonment

(*Law of the Republic of Tajikistan dated 1.03.2005 No. 86*)

1) Life imprisonment is prescribed only as an alternative to the death penalty for the commission of particularly serious crimes stipulated by this Code.

2) Women, as well as persons who have committed crimes under the age of eighteen, and men who have reached the age of sixty-three at the time of the sentencing by the court, cannot be sentenced to life imprisonment (*Law of the Republic of Tajikistan dated 1.03.2005 No. 86*).

Article 59. Death penalty

1) The death penalty in the form of shooting is established as an exceptional measure only for the following crimes: murder (the second part of Article 104), rape (the third part of Article 138), terrorism (the third part of Article 179), genocide (Article 398), biocide (Article 399) (*Law of the Republic of Tajikistan dated 1.08.2003 No. 45*, dated 17.05.2004 *No. 35*).

2) Execution shall not be imposed on a woman or a person under the age of eighteen who has committed a crime (*Law of the Republic of Tajikistan No. 45 dated August 1, 2003*).

3) The death penalty may be commuted to life imprisonment or to twenty-five years imprisonment (*Law of the Republic of Tajikistan dated 1.03.2005 No. 86*) by way of amnesty.

CHAPTER 10. PENALTIES

Article 60. General principles of punishment

1) A person who has been found guilty of committing a crime shall be given appropriate punishment within the scope of the article of the Special Part, taking into account the provisions of the General Part of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) The type of punishment that is more severe among the punishments provided for the committed crime is assigned only in the case that the type of punishment that is relatively lighter cannot ensure the achievement of the purpose of the punishment (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) When imposing a punishment, the court takes into account the principle of personalization of the punishment, the nature and degree of public danger of the committed crime, that is, the value of objects protected by law, the reasons for committing the crime, the manner of action, the identity of the culprit, the nature and extent of the damage caused, the circumstances that mitigate the punishment and aggravating, takes into account the opinion of the victim in cases of private prosecution (*Law of the Republic of Tajikistan dated 2.01.2020 No. 1661*).

Article 61. Circumstances that mitigate the punishment

1) Extenuating circumstances are:

- a) committing a crime for the first time;
- b) minor of the culprit;
- c) being pregnant;
- d) having young children as the culprit;
- e) committing a crime due to the severity of living conditions or out of compassion;
- f) committing a crime in a state of strong mental excitement, which is caused by violence, severe insult or other illegal actions of the victim;
- g) committing a crime in case of exceeding the limit of necessary protection, arresting the person who committed the crime, final necessity, reasonable risk, execution of order or order;
- h) committing a crime under the influence of physical or mental coercion or material, professional or other dependence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);
- i) to voluntarily come to confess one's guilt, to sincerely repent, to actively assist in the detection of the crime, the exposure of other participants in the crime, and in the search of the property obtained as a result of the crime (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);
- k) providing medical or other assistance to the victim immediately after committing the crime, voluntarily compensating or removing the material and moral damage caused as a result of the crime, performing other actions aimed at correcting the damage caused to the victim.

2) If the condition mentioned in the first part of this article is provided in the relevant article of the Special Part of this Code as a sign of a crime, it cannot be taken into account repeatedly as a mitigating circumstance.

3) When imposing punishment, other circumstances not mentioned in the first part of this article may be taken into account as mitigating circumstances.

Article 62. Circumstances that aggravate the punishment

1) Aggravating circumstances of punishment are:

- a) repeatedly committing a crime, recidivism, committing a crime as a profession;
- b) serious consequences of the crime;
- c) committing a crime as part of a group of persons, a group of persons with prior advice, an organized group or a criminal association (criminal organization) (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 18.06.2008 No. 386*);
- d) a particularly active role in committing a crime;

e) deliberately involving persons suffering from mental illness, who are in a state of intoxication, as well as minors or minors (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) to commit a crime ;

f) committing a crime due to regional, national, racial or religious enmity, religious fanaticism, revenge for the legal actions of other persons, as well as with the purpose of covering up another crime or mitigating its commission (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;

g) intentional commission of a crime by the perpetrator against a pregnant woman, as well as against a small child, a minor, another homeless or helpless person or a person under the authority of the perpetrator;

h) committing a crime against a person or his close relatives in connection with the performance of his professional or social activities (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;

i) committing a crime by a person who violated his professional oath or oath by his behavior;

k) committing a crime with special cruelty, sadism, torture or torture of the victim (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;

l) committing a crime with the use of firearms, ammunition, military equipment, explosive substances, explosive devices or similar devices, specially prepared technical devices, toxic and radioactive substances, drugs and other chemical drugs, or by a method dangerous to society (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*) ;

m) committing a crime using the conditions of an emergency situation, natural disaster or other public disasters, as well as during public disturbances;

n) committing a crime while intoxicated, under the influence of narcotic substances or under the influence of psychotropic substances and other intoxicating substances;

o) intentionally committing a crime against parents (*Law of the Republic of Tajikistan No. 35 of 17.05.2004*) ;

p) committing a crime with malicious intent or other impure intention.

2) Depending on the nature of the crime, the court may not recognize the circumstances mentioned in clauses "a", "n" and "o" as aggravating circumstances.

3) If the condition mentioned in the first part of this article is provided in the corresponding article of the Special Part of this Code as a sign of a crime, the court cannot repeatedly consider it as an aggravating condition of punishment (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

4) When imposing a punishment, the court cannot recognize the circumstances not mentioned in this article as aggravating circumstances.

Article 63. Determination of a lighter punishment than the punishment provided for this crime

1) In the case of exceptional circumstances related to the goals and intentions, the role of the culprit, his behavior during the commission of the crime or after it, or other circumstances that greatly reduce the level of public danger of the crime, as well as in the case of the active assistance of a participant in a group crime to detect a crime committed by a group, the punishment may be less than the minimum prescribed in the relevant article of the Special Part of this Code, or the court may impose a lighter punishment than the punishment prescribed in this article, or may not impose an additional punishment, which is prescribed as a mandatory punishment (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

2) Individual extenuating circumstances and a combination of such circumstances may be recognized as exceptional circumstances.

3) Removed (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

Article 64. Punishment for an unfinished crime

1) When imposing a punishment for an unfinished crime, the circumstances due to which the crime was not completed are taken into account.

2) The term or amount of punishment for preparation for a crime cannot exceed half of the maximum term or the maximum amount of the type of severe punishment provided for in the relevant article of the Special Part of this Code for the finished crime.

3) The term or amount of punishment for attempted crime cannot exceed three-fourths of the maximum term or the highest amount of severe punishment provided for in the relevant article of the Special Part of this Code for the finished crime.

4) The death penalty and life imprisonment shall not be imposed for preparation for a crime and attempted crime (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 1.03.2005 *No. 86*).

Article 65. Punishment for committing a crime in partnership

1) When imposing a punishment for a crime committed in partnership, the nature and degree of a person's actual participation in its commission, the importance of this participation in achieving the purpose of the crime, his influence on the nature and extent of the damage caused or possible damage are taken into account (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) Mitigating or aggravating circumstances related to the identity of one of the partners shall be taken into account only in relation to this partner when imposing punishment.

Article 66. Punishment in case of recidivism of crimes

1) When imposing punishment in case of recidivism, dangerous recidivism or especially dangerous recidivism of crimes, the number, nature and degree of public danger of previously committed crimes, cases based on which the correction effect of the previous punishment was insufficient, as well as the nature and degree of public danger of newly committed crimes is taken into account.

2) The term of punishment in the case of recidivism of crimes is not less than half of the maximum term of the maximum type of severe punishment provided for the committed crime, in the case of dangerous recidivism - not less than two-thirds, and in the case of especially dangerous recidivism - not less than four it cannot be three-thirds of the maximum term of the severe punishment provided for the committed crime (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) If in the article (part of the article) of the Special Part of this Code, the case of recidivism, dangerous recidivism or especially dangerous recidivism is indicated as a classifying sign, in this case, the punishment for the committed crime is imposed without taking into account the rules provided by the second part of this article.

4) Provisions of this article shall not be applied for the commission of crimes provided for in parts 6 and (or) 7 of article 49 of this Code (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

Article 67. Determination of punishment for a set of crimes

1) In case of committing a set of crimes, the court shall assign a separate punishment (main and additional) for each crime and determine the final punishment by adding a lighter punishment to a heavier one, or by fully or partially adding the prescribed punishments.

2) If the set of crimes includes minor and medium-level crimes, the final punishment is imposed by adding a lighter punishment to a heavier one, or by fully or partially adding the punishments. In these cases, the final punishment, when added, should not be more severe than the term or the size of the upper punishment provided for the commission of a more serious crime, including the committed crimes (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) If one of the crimes committed in general is a serious or particularly serious crime, then the final punishment is imposed by partially or fully adding the prescribed punishments. In this case,

the final punishment in the form of deprivation of liberty should not exceed thirty years. The final fine for the set of crimes provided for in parts 6 and (or) 7 of article 49 of this Code should not exceed five thousand indicators for calculations. If one of the crimes committed in general is another crime, the final punishment is determined according to the general rules (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 1.03.2005 *No. 86*, dated 31.12.2008 *No. 451*, dated 21.07.2010 *No. 617*).

4) If the death penalty is imposed for one of the crimes committed in general, then the final punishment is imposed by way of a lighter punishment, including the death penalty (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

5) Additional punishments may be added to the main punishment assigned for the set of crimes, which are assigned for the crimes constituting the set of crimes. If a type of additional punishment is imposed for several crimes, then the term and size of the final punishment shall be in accordance with the rules established by the second and third parts of this article, but not exceeding the maximum term or size specified in the General Part of this Code for each type of punishment. is intended to be determined. Various additional punishments should be carried out independently (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

6) If, after the verdict in the case, it is established that the convicted person is also guilty of another crime prior to the verdict in the first case, the punishment will be imposed according to the rules mentioned in this article. In this case, the sentence served according to the first sentence of the court will be counted towards the final term of the sentence.

Article 68. Determination of punishment based on a set of sentences

1) If the convicted person commits a new crime after the sentence has been passed, but before the sentence has been fully served, the court shall add the sentence that was not served to the end according to the previous sentence in whole or in part to the sentence imposed on the basis of the new sentence.

2) The final punishment based on the set of sentences, if it is not connected with deprivation of liberty, cannot exceed the term and maximum amount established in the General Part of this Code for these types of punishment. on the set of sentences for the crimes provided for in parts 6 and (or) 7 of article 49 of this Code should not exceed five thousand indicators for calculations. If one of the crimes included in the set of sentences is another crime, the final punishment is determined according to the general rules (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

3) The final sentence in the form of deprivation of liberty may be higher than the maximum term of punishment provided for in this Code for the crime based on the last sentence, but not more than thirty years (*Law of the Republic of Tajikistan dated 1.03. 2005 No. 86*).

4) In the case of the imposition of a sentence based on a set of sentences, if one of the sentences carries the death penalty or life imprisonment, the final punishment is imposed by way of a lighter punishment, including the death penalty or life imprisonment (*Law State Gazette dated 1.03.2005 No. 86*).

5) The final punishment according to the set of sentences must be greater than both the punishment imposed for committing a new crime and the last part of the punishment according to the previous court verdict.

6) Addition of additional punishments not executed according to the previous sentence to the main punishment is carried out in accordance with the rules stipulated in the fifth part of Article 67 of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 69. The procedure for determining the term of punishment when it is added

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) In the case of partial or complete addition of punishments based on a set of crimes or a set of sentences, one day of imprisonment is equal to (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*):

a) one day of detention in the military disciplinary unit (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

b) two days of restriction of freedom;

c) three days of correctional work or restriction in military service (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

d) eight hours of compulsory work (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

e) 50 percent of an indicator for calculations regarding the size of the fine imposed for the crimes provided for in parts 6 and (or) 7 of article 49 of this Code (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

2) Fine or deprivation of the right to occupy certain positions and engage in certain activities, deprivation of a special rank, military rank, degree rank and state awards, as well as confiscation of property during the restriction of freedom, detention in a disciplinary military unit, Deprivation of liberty is carried out independently (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 No. 386).

Article 70. Calculating the term of punishment and counting the punishment

1) The term of deprivation of the right to hold certain positions and engage in certain activities, correctional work, restriction in military service, restriction of freedom, detention in a disciplinary military unit, deprivation of liberty for months and years, as well as compulsory works - with hours are counted (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) When replacing or adding the punishments mentioned in the first part of this article, as well as when taking into account the punishment, the term can be calculated in days.

3) When imposing a penalty on a convicted person who has been kept in custody until trial in the form of a fine, deprivation of the right to occupy certain positions and engage in certain activities, if they are assigned as the main punishment, the court, taking into account the term of detention he will lighten the punishment or completely exempt from serving it. In this case, when imposing a fine for the crimes specified in parts 6 and (or) 7 of article 49 of this Code, the procedure specified in part 10 of article 49 of this Code is applied (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 21.07.2010 No. 617).

4) Detention in prison for the term of the sentence in the form of deprivation of liberty, detention in the disciplinary military unit at the rate of one day equal to one day, in the form of restriction of freedom - one day equal to two days, correctional works until the judgment becomes legally effective. , limitation in military service - one day is equal to three days, compulsory work - one day is considered to be equal to eight hours of compulsory work (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 21.07.2010 No. 617).

5) One day shall be equal to one day of detention or serving of a sentence in the form of deprivation of liberty, imposed by a court sentence for a crime committed abroad, in the case of a person's surrender in accordance with Article 16 of this Code, until the sentence becomes legally effective. is taken into account (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

6) When coercive measures of a medical nature were applied to a person suffering from a mental illness after committing a crime, it will be counted as a term of punishment (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

Article 71. Conditional non-application of punishment

1) If the court imposes a punishment in the form of correctional work, restriction in military service, restriction of freedom, detention in a disciplinary military unit or deprivation of liberty, and concludes that correction of the convicted person without serving the sentence, but under conditions of control his behavior is possible, then he can make a decision about not applying the punishment conditionally (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) When not applying the punishment conditionally, the court takes into account the nature and degree of public danger of the committed crime, the identity of the guilty party and mitigating and aggravating circumstances. Conditional non-imposition of punishment for a person who has been sentenced to imprisonment for a particularly serious crime, as well as for an intentional crime, with the exception of minors, disabled persons of the first and second groups, women, as well as men who have reached retirement age does not happen Conditional non-application of punishment to a person who is punished for the crime provided for by parts 2) and 3) of article 138, parts 2) - 4) of article 139, articles 141 - 142 and parts 2) and 3) of article 142(1) of this Code convicted in the form of deprivation of liberty, is not applicable (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 19.07.2022 No. 1896).

3) In the case of conditional non-application of the punishment, the court sets a probationary period, during which the convicted person must prove that he has reformed his behavior. The probationary period is set for one to five years and is counted from the moment the sentence becomes legally effective.

4) In case of conditional non-application of punishment, additional punishments can be imposed, except confiscation of property (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

5) The court, having made a decision on conditional suspension of punishment, may impose the following tasks on the convicted person: to restore the damage done within a certain period of time, not to change permanent residence, workplace or education without notifying the authorities that control the behavior of the convicted person. do not go to certain places, enter work or study, complete the course of treatment for alcoholism, drug addiction, toxicosis or sexually transmitted diseases, financially support the family.

6) If the convict proves that he has changed his behavior after at least half of the probationary period has passed, the court can make a decision on the cancellation of the conviction and lifting of the criminal charge, based on the proposal of the body controlling the behavior of the convicted person.

7) If the convicted person violates public order and is sentenced to an administrative penalty for committing it in the case of conditional non-implementation of the punishment, or if he deliberately refuses the obligations imposed by the court, the court may, upon the proposal of the authorities in the ninth part, to make a decision on canceling the conditional conviction and sending the convict to serve the sentence specified in this article (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

8) If the convict commits a new crime during the probationary period, the court cancels the conditional non-application of punishment and imposes a punishment in accordance with the rules provided for in Article 68 of this Code.

9) The behavior of a convicted person, who has been sentenced to a suspended sentence, is monitored by the authorized state body, while the behavior of military personnel is monitored by the command of military units (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

SECTION IV. EXEMPTION FROM CRIMINAL LIABILITY AND PENALTIES

SECTION 11. RELEASE FROM CRIMINAL LIABILITY

Article 72. Exemption from criminal liability due to remorse

(Law of the Republic of Tajikistan dated 21.07.2010 No. 617)

1) A person who has committed a minor or moderate crime for the first time, if after committing the crime he voluntarily confesses his guilt or actively contributes to the detection of the crime or compensates the damage he caused or otherwise to eliminate the damage he caused, he may be released from criminal responsibility (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

2) A person who has committed another category of crime shall be released from criminal liability only in the cases specifically provided for in the article of the Special Part of this Code (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617 , dated 14.11.2016 No. 1359*).

Article 73. Release from criminal liability due to reconciliation with the victim

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

If a person who has committed a minor or moderate crime has reconciled with the victim and compensated for the damage he caused to the victim, he may be released from criminal responsibility (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 74. Exemption from criminal responsibility due to a change in circumstances

A person who has committed a minor or moderate crime for the first time may be released from criminal liability if it is established that due to a change in the situation, this person or the act committed by him is no longer dangerous for society (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 75. Exemption from criminal liability due to the expiration of the term for criminal liability

1) If the following period has passed since the date of the crime, the person shall be released from criminal liability:

- a) two years after committing a minor crime;
- b) six years after committing a crime of medium degree;
- c) ten years after committing a serious crime;

d) fifteen years after the commission of a particularly serious crime, except as indicated in the fifth part of this article (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) The term of criminal prosecution is counted from the day of the crime to the day of the legal effect of the sentence.

3) If a person evades the investigation or the court, the period of criminal prosecution shall be suspended. In this case, the term of criminal prosecution shall be restored from the day of the person's arrest or his coming and confessing his guilt. By the way, if twenty years have passed since the time of committing the crime, and the term of criminal responsibility has not expired by committing a new crime, this person cannot be held criminally responsible.

4) If before the expiration of the term specified in this article, a person intentionally commits a new crime of medium, serious or particularly serious level, the term of criminal responsibility shall start again from the day of committing these crimes, and the term of criminal responsibility shall be calculated separately for each crime. is done

5) The court shall decide the issue of using the term of criminal prosecution against a person who has committed a crime punishable by death or life imprisonment. If the court deems it impossible to release a person from criminal liability due to the expiration of the term for criminal prosecution, he shall not be sentenced to death or life imprisonment (*Law of the Republic of Kazakhstan dated March 1, 2005 No. 86*).

6) In relation to the persons who committed the crime specified in parts 2) and 3) of article 138, parts 2) - 4) of article 139, articles 141 - 142 and parts 2) and 3) of article 142(1) of this Code or against peace and security have committed a crime, the term of criminal prosecution is not applicable (*Law of the Republic of Tajikistan dated 19.07.2022 No. 1896*).

SECTION 12. EXEMPTION

Article 76. Conditional early release from serving the sentence

1) A person who is serving a sentence in the form of deprivation of the right to hold certain positions or engage in certain activities, correctional work, restriction in military service, restriction of freedom, deprivation of freedom or detention in a disciplinary military unit, if he proves that he has reformed with exemplary behavior and honest attitude to work, the court may release him from serving the sentence conditionally. Currently, this person can be fully or partially released from additional punishment (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) The court may conditionally release a person from serving the sentence before the term, and impose on him the obligations provided for in the fifth part of Article 71 of this Code, which the person must fulfill during the suspended part of the sentence.

3) Conditional early release of the convict is possible only if he has actually served the following term (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*):

a) not less than half of the punishment imposed for a minor or medium-level crime;

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

c) not less than three-fourths of the punishment imposed for a particularly serious crime, as well as the punishment imposed on a person who was previously paroled from serving the sentence, if conditional paroled from serving the sentence according to the grounds in the sixth part of this article has been canceled (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

4) The term of the punishment actually served by a person in the form of deprivation of liberty cannot be less than six months.

5) The behavior of a person who has been conditionally released from serving the sentence is supervised by the authorized state body, and the behavior of military personnel is monitored by the command of military units.

6) If during the remaining term of the sentence:

a) the convicted person has violated public order and has been subject to an administrative penalty, or has seriously refused to fulfill the obligations imposed by the court upon conditional early release from serving the sentence, the court at the request of the authorities referred to in the fifth part this article makes a decision regarding the cancellation of conditional early release from serving the sentence and the implementation of the part of the sentence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

b) if the convicted person commits a crime, the court shall impose a punishment on him in accordance with the rules provided for in Article 68 of this Code.

7) In the following cases, the following persons may not be released from serving the sentence prematurely (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*):

a) a person who has been sentenced to life imprisonment or the death penalty has been replaced by imprisonment by amnesty (*Law of the Republic of Tajikistan dated 1.03.2005 No. 86*);

b) in case of particularly dangerous relapse;

c) organizer, participants of an organized group or criminal association (criminal organization);

d) a person who is convicted for the crime specified in parts 2) and 3) of article 138, parts 2) - 4) of article 139, articles 141 - 142 and parts 2) and 3) of article 142(1) of this Code or against peace and security humanity has been condemned (*Law of the Republic of Tajikistan dated 19.07.2022 No. 1896*).

Article 77. Changing the severed part of the punishment to a lighter punishment

1) For a person who is serving a prison sentence for committing a crime, the court may replace the severe part of the punishment with a lighter punishment, taking into account his behavior during the punishment period. Currently, a person can be fully or partially released from the type of additional punishment (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) In case of replacing the severe part of the punishment, the court may choose a lighter type of punishment within the scope of this type of punishment provided for by this Code in accordance

with the types of punishments specified in Article 47 of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) Substitution of punishment may be applied to a relatively lighter punishment after the convicted person has actually served the following term, with the exception of the provisions stipulated in Part 8 of Article 49 of this Code (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*):

a) not less than one-third of the term of punishment imposed by the court for a minor and medium-level crime;

b) not less than half of the sentence imposed by the court for a serious crime, as well as for a person who previously served a sentence of deprivation of liberty for an intentional crime;

c) not less than two-thirds of the punishment imposed by the court for a particularly serious crime, as well as to a person who was previously paroled, or whose punishment was changed to a relatively lighter one, and who intentionally committed a crime during the suspended part of the punishment. just made.

4) In relation to persons whose punishment has been changed to a lighter punishment, conditionally early release from serving the punishment is applied in accordance with the rules provided for in Article 76 of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 No. 386).

5) If a person commits a new crime while serving a relatively lighter punishment, the court, in accordance with the rules provided for in Article 68 of this Code, adds the part of the lighter punishment to the punishment for committing a new crime (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

6) Part of the punishment imposed by the persons listed in the seventh part of Article 76 of this Code cannot be replaced by a relatively light punishment (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 No. 386).

7) In the case of full compensation of material damages by the convict, the procedure provided for in Part 8 of Article 49 of this Code shall be applied (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

Article 78. Suspension of serving of punishment for pregnant women and women with children under the age of eight

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Convicted pregnant women or women with children under the age of eight, with the exception of women convicted of particularly serious crimes, the court can suspend the serving of the sentence against them until the child turns eight years old (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) For a convicted woman, the sentence is suspended if her family or relatives have agreed to live with her or have the opportunity to independently provide the necessary conditions for raising a child (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) If the convicted woman, for whom the serving of the sentence has been suspended, abandons the child or hands him over to an orphanage, has disappeared from the place of residence, or refuses to raise the child and take care of him, violates public order, and in this regard, the status assigned to him If the supervisor has warned her in writing more than twice, the court can send the convicted woman to serve the punishment imposed by the sentence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

4) After the child turns eight years old or in the case of her death, the court, depending on the behavior of the convicted woman, can release her from serving the punishment or replace it with a relatively lighter punishment, or send the convicted woman to serve the punishment imposed by the sentence. In this case, the court can count the time during which the convicted woman has not served the term of punishment, in whole or in part, as the term of serving the punishment (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

5) If the convicted woman commits a new crime during the period of suspension of the sentence, the court shall impose punishment on her in accordance with the rules provided for in Article 68 of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 79. Exemption from punishment due to illness

1) The court exempts the person who suffered from mental illness and lost the ability to understand his actions and manage them after the sentence was passed, from punishment or further serving it. The court can impose a compulsory medical measure on such a person.

2) The court may release a person who after the sentencing has another serious illness that prevents him from serving the sentence, or replace the sentence with a lighter one. In addition, the seriousness of the committed crime, the identity of the convicted person, the nature of the disease and other circumstances are taken into account.

3) Military servicemen who have been sentenced to be restricted in military service or kept in a disciplinary military unit, in the case of contracting an illness, as a result of which they are recognized as unfit for service, will be exempted from punishment or further service. Also, the severed part of the punishment can be changed to another, lighter punishment.

4) The persons mentioned in the first and second parts of this article may be punished in case of recovery, if the period provided for in Article 81 of this Code has not passed. Currently, the time during which coercive measures of a medical nature were taken against them is counted as a term of punishment (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*).

Article 80. Exemption from punishment due to extraordinary circumstances

A person convicted of a minor or moderate crime may be released from punishment if serving the sentence as a result of a fire or natural disaster, serious illness or death of the only able-bodied member of the family, or other extraordinary circumstances that may prevent the convicted or his family will cause very serious consequences (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 81. Exemption from serving the sentence due to the expiration of the term of execution of the indictment

1) If the sentence of indictment has not been executed within the following period from the day of its legal effect, the person convicted of the crime shall be released from serving the sentence:

- a) two years in case of conviction for a minor crime;
- b) six years in case of conviction for a crime of medium degree;
- c) ten years in case of conviction for a serious crime;

d) fifteen years in case of conviction for a particularly serious crime, except for the indications of the fourth part of this article (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) If the convicted person refuses to serve the sentence, the execution of the sentence will be suspended. In this case, the term of execution of the sentence shall be restored from the day of arrest of the person or his confession. At present, if twenty years have passed since the time of issuing the sentence, and the term of execution of the sentence has not been terminated, the sentence of indictment cannot be executed.

3) If before the expiration of the term specified in this article, a person intentionally commits a new crime of medium, serious or particularly serious level, the term of execution of the sentence shall be terminated. In this case, the calculation of the term of execution of the sentence will start again from the day of committing a new crime (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

4) The issue of applying the term of execution of the sentence to a person sentenced to the death penalty or life imprisonment shall be decided by the court. If the court finds it impossible to

implement the term of execution of the sentence, this type of punishment is replaced by deprivation of liberty (*Law of the Republic of Tajikistan dated 1.03.2005 No. 86*).

5) In relation to the persons who have been convicted of the crime specified in parts 2) and 3) of article 138, parts 2) - 4) of article 139, articles 141 - 142 and parts 2) and 3) of article 142(1) of this Code or against peace and the security of humanity have been convicted, the term of execution of the sentence is not applied (*Law of the Republic of Tajikistan dated 19.07.2022 No. 1896*).

CHAPTER 13. Amnesty. FORGIVENESS OF PUNISHMENT. JUDICIAL SCENARIO. WHITENING

Article 82. Amnesty

1) Amnesty is applied on the basis of the law of the Republic of Tajikistan to the indefinite scope of individuals (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated *18.06.2008 No. 386*).

2) With the act of amnesty, a person who has committed a crime can be released from criminal responsibility, and a person convicted of a crime can be fully or partially released from both the main and additional punishments, or the part of the punishment imposed on him can be shortened or changed to a lighter type of punishment, or (*Law of the Republic of Tajikistan No. 35 dated 17.05.2004*).

3) The act of amnesty applies to acts worthy of criminal punishment committed before its adoption (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 83. Forgiveness of punishment

1) Pardon of punishment by the President of the Republic of Tajikistan is applied to a certain person.

2) With the act of pardon, a person convicted of a crime can be fully or partially released from the main and additional punishment, or the part of the punishment imposed on him can be reduced, or it can be changed to a lighter punishment, or his criminal record can be removed.

Note to Articles 82 and 83: The application of acts of amnesty and forgiveness of punishment cannot prevent the right of the victim to receive compensation for the damage caused by a criminal act (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 84. Judicial complaint

1) A person is recognized as having a criminal record from the day of the indictment, with which the punishment was imposed, until the date of cancellation or removal of the criminal record (*Law of the Republic of Tajikistan No. 35 dated 17.05.2004*).

2) A person is considered to have no criminal record:

a) in case of adoption of acts of amnesty or forgiveness of punishment, if these acts envisage the lifting of legal charges - from the effective date of the law of such acts;

b) in case of acceptance of the act of amnesty, on the condition that it cancels the application of the punishment for the committed act and this situation is revealed during the court proceedings - from the day of the legal validity of the conviction;

c) in case of adoption of a new criminal law, which eliminates the criminality of the act - from the date of entry into force of such law;

d) in case of release of minors from punishment according to Article 90 of this Code - from the date of legal validity of the court decision on release of minor from punishment;

e) in case of non-execution of the indictment sentence - from the day of expiry of the terms of execution of the indictment sentence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) The lawsuit will be canceled in the following period (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) :

a) to a convicted person who was sentenced to a suspended sentence after the expiration of the probationary period (*Law of the Republic of Tajikistan No. 35 dated 17.05.2004*) ;

b) against persons who have been sentenced to a lighter punishment than restriction of freedom with the passing of one year after the end of the prescribed period of punishment (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ;

c) against persons who have been sentenced to restriction of liberty or deprivation of liberty for minor and moderate crimes - with the expiration of three years after serving the sentence (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ;

d) for persons convicted of serious crimes with deprivation of liberty - with the passing of five years after serving the sentence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 18.06.2008 No. 386*) ;

e) against persons who have been sentenced to deprivation of liberty for particularly serious crimes - with the passing of eight years after serving the sentence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 18.06.2008 No. 386*) .

4) If a person is released from punishment before the deadline according to the procedure established by the law, or the part of the punishment imposed on him was replaced by a relatively lighter punishment, the term of cancellation of the criminal charge is calculated from the moment of his release from serving the main and additional punishment.

5) If a person commits a new crime before the expiry of the period of cancellation of the judicial complaint, the period of cancellation of the judicial complaint shall be terminated. The term of removal of the criminal record for the first crime is recalculated after the actual serving of the sentence (main and additional) for the last crime. In this case, a person is considered to have a criminal record for two crimes until the expiration of the term of removal of a criminal record for a more serious crime.

6) If the convicted person shows impeccable behavior after serving the sentence, the court may cancel his criminal complaint on the basis of his petition until the expiration of the term of liquidation of the criminal complaint, but after half of this period has passed.

7) Dissolution or removal of a judicial mark invalidates the legal consequences of criminal responsibility (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

Article 85. Whitewashing

1) A person who has not committed a crime and has been unjustly charged with criminal responsibility or illegally convicted, must be acquitted, that is, the court must recognize the fact that he was unjustly charged with criminal responsibility or illegally convicted.

2) All the rights of the acquitted person will be fully restored and an apology will be made to him or, if necessary, to his relatives on behalf of the state, which will be published in the press of the acquitted person's place of residence if he or his relatives do not oppose the publication.

3) The state shall compensate the damage caused to the citizen as a result of illegal conviction or illegal prosecution.

SECTION V. CRIMINAL LIABILITY OF MINORS

CHAPTER 14. CHARACTERISTICS OF CRIMINAL RESPONSIBILITY AND PENALTIES OF MINORS

Article 86. Criminal liability of minors

1) Minors are those who have reached the age of fourteen at the time of committing the crime but have not yet reached the age of eighteen (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

2) Punishment or coercive measures of an educational nature may be assigned to minors who have committed a crime.

Article 87. Types of punishment imposed on minors

1) Types of punishment imposed on minors include:

a) fine (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*);

b) deprivation of the right to engage in certain activities (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*);

c) compulsory works (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*);

d) corrective works;

e) deprivation of liberty (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) The fine is imposed only if the minor has independent income or property on which the fine can be imposed. A fine in the amount of up to one hundred indicators for calculations is set (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386, dated 06.10.2008 No. 422*).

3) Deprivation of the right to engage in certain activities is imposed on minors for a period of one to two years. In the case of replacing the punishment of deprivation of liberty with a fine in accordance with the procedure established by Part 8 of Article 49 of this Code for the crimes provided for in Parts 6 and (or) 7 of Article 49 of this Code, the maximum amount of the fine cannot exceed two hundred indicators for calculations. In case of severe refusal of the minor to pay the fine or impossibility of paying the fine, the court replaces the fine (or its unpaid part) in accordance with the procedure provided for in Part 5 of Article 49 of this Code (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

4) Compulsory work is assigned for a period of forty to one hundred and sixty hours, which consists of performing work suitable for minors outside of study time or main work. The duration of execution of this type of punishment for minors under the age of sixteen cannot exceed two hours a day and for minors between the ages of sixteen and eighteen years no more than three hours a day (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 21.07.2010 No. 617*).

5) Correctional labor is assigned to minors at their place of work for a period of two months to one year. Currently, from five to fifteen percent of the wages of convicts are kept as state income (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 21.07.2010 No. 617*).

6) Juveniles who have committed minor or medium-level crimes for the first time shall not be sentenced to imprisonment, and if the sanction of the article of the Special Part does not provide for any other type of punishment in addition to imprisonment, then the court shall impose punishments of Deprivation of liberty not related to the General Part of this Code shall be imposed within the scope and terms provided for by the General Part of this Code. Deprivation of liberty is imposed on minors who (*Law of the Republic of Tajikistan dated 17.05.2010 No. 617*):

a) committed a serious or particularly serious crime under the age of sixteen - for a term of up to seven years;

b) committed a serious and especially serious crime at the age of sixteen to eighteen - for a term of up to ten years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

7) Juveniles serve imprisonment in the following places:

a) male minors who have been sentenced to deprivation of liberty for the first time, as well as female minors - in educational colonies with a general system;

b) male minors who have previously served deprivation of liberty - in educational colonies with a strict system.

Article 88. Punishment of minors

1) When imposing a punishment on a minor, in addition to the cases provided for in Article 60 of this Code, his living and upbringing conditions, level of mental development, state of health, other personal characteristics, as well as the influence of other persons are taken into account (*Law of the Republic of Tajikistan from 18.06.2008 No. 386*).

2) For a person who has committed several crimes between the ages of fourteen and sixteen, and one of these crimes is serious or particularly serious, the punishment of deprivation of liberty based on the combination of crimes and the combination of sentences cannot exceed ten years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) For a person who has committed several crimes between the ages of sixteen and eighteen, and one of these crimes is serious or particularly serious, the punishment of deprivation of liberty based on the combination of crimes and the combination of sentences may not exceed twelve years (*Law of the Republic of Kazakhstan dated 17.05.2004 No. 35*).

4) The maximum amount of a fine to minors for a set of crimes or based on a set of sentences for the crimes provided for in parts 6 and (or) 7 of article 49 of this Code cannot exceed two hundred indicators for calculations (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

Article 89. Exemption from criminal liability with the use of coercive measures of an educational nature

1) If it is considered that it is possible to correct a minor who has committed a minor or medium-level crime for the first time by applying coercive measures of an educational nature, he can be released from criminal responsibility (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) The following coercive measures of an educational nature may be assigned to a minor:

- a) to notify;
- b) handover to the control of parents or their substitutes or the state authority on work with minors (*Law of the Republic of Tajikistan No. 35 of 17.05.2004, No. 386 of 18.06.2008*);
- c) imposing the obligation to restore the damage caused;
- d) limiting entertainment and establishing special requirements for behavior.

3) Several coercive measures of an educational nature may be imposed on a minor at the same time. The duration of the period of implementation of coercive measures of educational influence, which are provided for in clauses "b" and "d" of the second part of this article, is established by the authority that appointed these measures.

4) In the case of regular evasion of coercive measures of an educational nature by a minor, it shall be canceled at the request of the state body for work with minors, and material for criminal prosecution of the minor shall be sent to the relevant body in accordance with the law.

Article 90. Release of minors from punishment

1) A minor who has been convicted of committing a minor or moderate crime may be released from punishment by the court by applying coercive measures of an educational nature, provided for in the second part of Article 89 of this Code.

2) A minor convicted of a crime of medium degree may be released from punishment by the court, if it is recognized that the goals of the punishment can be achieved only by placing him in special educational or therapeutic-educational institutions for minors are obtained. In this case, the term of detention in the specified institution cannot exceed the maximum term of punishment provided by this Code for the crime committed by a minor.

3) Detention of a minor in the institutions specified in the second part of this article may be terminated until the end of the period provided for by the second part of this article, if, according to the conclusion of the special state body that ensures correction, the minor is ready for his correction. there is no need for further implementation of this measure. Extending the period of

detention in a special educational or therapeutic-educational institution for minors after the expiration of the period provided for in the second part of this article is allowed only in the case of the need to complete general or professional education (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 91. Conditional release of minors from serving the sentence

1) Persons who have committed a crime under the age of minors and have been sentenced to correctional labor or deprivation of liberty may be conditionally released from serving the sentence early after actually serving the following term (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*):

- a) not less than one-third of the term of punishment imposed for a minor or medium-level crime;
- b) not less than half of the punishment imposed for a serious crime;
- c) not less than two-thirds of the punishment imposed for a particularly serious crime.

Article 92. Substitution of the punishment for a lighter punishment

1) For a person who has been sentenced to imprisonment or correctional labor for a crime committed under the age of eighteen, the prescribed part of the punishment can be replaced by a relatively lighter punishment (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) It is possible to replace the severed part of the punishment with a lighter punishment for the convicted person if he has made a path to reform with exemplary behavior and honest attitude to work or education (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) It is possible to replace the part of the term of the sentence with a relatively lighter punishment in the case of actual serving of the following term, except for the provisions provided by part 8 of article 49 of this Code (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*):

- a) not less than a quarter of the term of the punishment imposed for a minor or medium-level crime;
- b) not less than one-third of the term of punishment imposed for a serious crime;
- c) not less than half of the term of punishment imposed for a particularly serious crime, as well as for an intentional crime, if the person was previously sentenced to imprisonment for an intentional crime.

4) When replacing the fixed part of the deprivation of liberty with correctional works, they shall be assigned within the terms established for this type of punishment and should not exceed the fixed term of deprivation of liberty (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

5) In relation to persons whose punishment has been changed to a lighter punishment, conditionally early release from serving the punishment is applied in accordance with the rules provided for in Article 91 of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*).

6) If a person whose punishment has been changed to a lighter one commits a new crime on purpose during the suspended part of the punishment, the court shall impose a punishment on him in accordance with the provisions of Articles 68 and 88 of this Code.

7) In the case of full compensation of material damages by the convict, the procedure provided for in part 8 of article 49 of this Code shall be applied (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

Article 93. Term of prosecution and execution of sentence

The term of criminal prosecution and execution of the sentence of prosecution provided for in Articles 75 and 81 of this Code is reduced by half when minors are released from criminal liability or from serving the sentence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 94. Time limit for liquidation of the judicial complaint

For persons who have committed a crime before the age of eighteen years, the term of cancellation of the criminal charge provided for in the third part of Article 84 of this Code is reduced and is equivalent to (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) :

- a) one year after serving the term of deprivation of liberty for a minor or medium-level crime;
- b) three years after serving the term of deprivation of liberty for a serious or particularly serious crime (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;
- c) Excluded (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

Article 95. Application of the provisions of this chapter to persons between eighteen and twenty years of age

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*)

In exceptional cases, taking into account the committed act and personality, the court may apply the provisions of this chapter to persons who have committed a crime between the ages of eighteen and twenty years, in addition to placing them in an educational or therapeutic and educational institution for minors (*Law OJ No. 386 dated 18.06.2008*) .

SECTION VI. COMPULSORY MEASURES OF MEDICAL CHARACTERISTICS

CHAPTER 15. PURPOSE, BASIS, APPOINTMENT AND PROCEDURE OF IMPLEMENTATION OF COMPULSORY MEASURES OF MEDICAL CHARACTERISTICS

Article 96. Purpose of implementation of coercive measures of a medical nature

The purpose of the implementation of coercive measures of a medical nature is the treatment of the persons mentioned in part 1 of article 97 of this Code or the improvement of their mental state, as well as the prevention of new actions that may be committed by them and is provided for in the Special Part of this Code. (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386* , *dated 23.07.2016 No. 1330*) .

Article 97. Grounds for applying coercive measures of a medical nature

1) The court may impose compulsory measures of a medical nature on the following persons who have committed the acts specified in this Code in the following cases (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) :

- a) in a state of emergency;
- b) after committing a crime, they are infected with mental illnesses that make it impossible to impose or execute punishment (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;
- c) in case of limited liability;
- d) have committed a crime and are in need of treatment for alcoholism, drug addiction, drug addiction or tuberculosis (*Law of the Republic of Tajikistan dated 23.11.2015 No. 1228* , *dated 23.07.2016 No. 1330*) .

2) The procedure for the implementation of coercive measures of a medical nature is determined by the normative legal acts of the Republic of Tajikistan (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

3) In relation to the persons listed in the first part of this article who have committed a minor crime, as well as persons who are not dangerous due to their mental state, the court can provide the necessary materials to the health authorities to resolve the issue of treatment of these persons or send them to psychiatric institutions. send in accordance with the procedure established by the

legislation of the Republic of Tajikistan (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*).

Article 98. Types of coercive measures of a medical nature

1) The court can appoint the following types of coercive measures of a medical nature:

- a) compulsory outpatient supervision and treatment by a mental health doctor (psychiatrist);
- b) forced treatment in a general mental hospital;
- c) forced treatment in a specialized psychiatric hospital;
- d) forced treatment in a specialized psychiatric hospital under intensive supervision.

2) To persons who have been sentenced for committing the acts provided for by this Code in a state of criminality, but need treatment for alcoholism, drug addiction, drug addiction, or tuberculosis or mental illnesses that do not exclude criminality, the court shall, along with the punishment, impose a coercive measure of a medical nature in can prescribe a form of compulsory outpatient supervision and treatment by a doctor of mental illness or tuberculosis (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*, dated 23.11.2015 *No. 1228*, dated 23.07.2016 *No. 1330*).

Article 99. Appointment of coercive measures of a medical nature

1) In the event that the grounds provided for in Article 97 of this Code are met, if a person does not need to be placed in a psychiatric hospital based on his mental condition, compulsory outpatient supervision and treatment by a psychiatrist may be prescribed.

2) In the event of the existence of the grounds provided for in Article 97 of this Code, if the nature and severity of a person's mental illness require such conditions of treatment, care, maintenance and control as are possible only in the conditions of a hospital, compulsory treatment in a mental hospital may be prescribed. .

3) Compulsory treatment in a general psychiatric hospital can be assigned only to a person who, due to his mental condition, needs hospitalization, but does not require intensive supervision (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

4) Compulsory treatment in a specialized psychiatric hospital can be assigned to a person who requires constant supervision due to his mental condition.

5) Compulsory treatment in a specialized psychiatric hospital under intensive supervision can be assigned to a person who, due to his mental state, is especially dangerous for himself and other people and requires constant and intensive supervision (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 100. Extending the term, changing and terminating the implementation of coercive measures of a medical nature

1) Extending the term, changing and terminating the implementation of coercive measures of a medical nature is carried out by the court based on the conclusion of the commission of psychiatrists.

2) In the event that a mentally ill person does not need the implementation of coercive measures of a medical nature, as well as in the event of their cancellation, the court may transfer such a person to the health authorities or send him to a social security institution to resolve the issue of treatment according to general principles. under the condition of mandatory supervision of doctors to care for relatives or guardians.

Article 101. Application of coercive measures of a medical nature to persons suffering from alcoholism, drug addiction, drug addiction or tuberculosis

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*, dated 23.11.2015 *No. 1228*, 23.07.2016 *No. 1330*)

1) In the case of committing a crime by persons suffering from alcoholism, drug addiction, drug addiction or tuberculosis, the court, in the presence of a medical report, may, along with the punishment, impose on them coercive measures of a medical nature (Law of the Republic of Tajikistan [No. 386 dated 18.06.2008](#), [dated 23.11.2015 No. 1228](#), [dated 23.07.2016 No. 1330](#)).

2) The persons listed in the first part of this article, who have been sentenced to the type of punishment that does not depend on deprivation of liberty, must be forcibly treated in medical institutions (*Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)*).

3) The persons listed in the first part of this article, who were sentenced to deprivation of liberty, should be treated in medical institutions at the place of serving the sentence and after their release, if there is a need for continued treatment, according to general principles (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)*, [dated 18.06.2008 No. 386](#)).

Article 102. Calculation of the time of implementation of coercive measures of a medical nature

The period during which coercive measures of a medical nature were applied to a person suffering from a mental illness after committing a crime, in the case of his recovery and the imposition of punishment or reinstatement, equal to one day in a mental hospital one day of imprisonment shall be counted towards the term of the sentence.

Article 103. Forced treatment together with punishment

1) In the cases provided for in the second part of Article 98 of this Code, coercive measures of a medical nature are carried out at the place of serving the sentence of deprivation of liberty, and in the case of persons sentenced to other types of punishment, in the institutions of medical authorities that provide outpatient psychiatric assistance to the mentally ill. deliver (*Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)*).

2) On the basis of the conclusion of the commission of psychiatrists, the court may send such a person to a psychiatric hospital or other treatment institution for treatment, if this is based on the mental state of the convicted person and is in the interest of treatment.

3) The time of treatment in non-criminal institutions is counted towards the term of punishment. In the event that the need for treatment of the convicted person in the mentioned institutions disappears, he will be sent to serve the remaining term of the sentence by court decision in accordance with the procedure provided for in the fourth part of this article.

4) The coercive measure of a medical nature, together with the execution of the punishment, shall be terminated by the court upon the proposal of the body implementing the punishment, based on the conclusion of the commission of psychiatric doctors.

SPECIAL PART

SECTION VII. CRIMES AGAINST THE PERSON

CHAPTER 16. CRIMES AGAINST LIFE AND HEALTH

Article 104. Murder

1) Homicide, i.e. intentional killing of another person, shall be punished by deprivation of liberty for a term of eight to fifteen years (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)*).

2) Kill:

a) two or more persons;

- b) a person or his relatives in connection with his professional activity or the fulfillment of public debt (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;
 - c) clearly a minor or a person whose incapacitation is obvious to the offender (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;
 - d) related to kidnapping or hostage taking (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;
 - e) a woman whose pregnancy is obvious to the culprit;
 - f) a person with special cruelty;
 - g) a person with a lifestyle dangerous to the lives of many people;
 - h) a person by a group of persons or a group of persons with prior advice, an organized group, a criminal association (criminal organization) (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ;
 - i) a person with malicious intent or hiring mercenaries, as well as related to piracy, extortion or banditry (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;
 - k) a person from hooligan feelings;
 - l) a person with the purpose of covering up another crime or facilitating its commission, as well as related to rape or violent acts of a sexual nature;
 - m) a person because of hatred or national, racial, religious enmity or blood revenge;
 - n) a person for the purpose of using body parts or tissues of the victim;
 - o) a person in the cases provided for in the second part of Article 403 of this Code (Law of the Republic of Tajikistan *No. 45 of 1.08.2003*) ;
 - p) a person in a state of particularly dangerous or repeated relapse, with the exception of the actions provided for by Articles 105, 106 and 107 of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;
- shall be punished by deprivation of liberty for a term of fifteen to twenty-five years, or the death penalty or life imprisonment (*Law of the Republic of Tajikistan dated 15.07.2004 No. 46 , dated 1.03.2005 No. 86 , dated 18.06.2008 No. 386 , 31.12.2008 No. 451 , from 13.06.2013 No. 966*) .

Article 105. Mother killing her newborn child

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

Killing of a newborn child by the mother during birth or immediately after in a state of nervous breakdown caused by birth or in a state of mental breakdown which does not exclude the muqallafi.

shall be punished by restriction of liberty for a term of up to five years or deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

Article 106. Homicide in a state of intense mental excitement

1) Homicide in a state of intense mental excitement (junun), which was suddenly caused by violence, insults, or obscene insults or other illegal or immoral behavior of the victim, as well as in a continuous state of nerve destruction due to regular illegal or immoral behavior of the victim (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished by restriction of freedom for a period of up to two years or imprisonment for this period (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

2) In case of murder of two or more persons (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ,

shall be punished by deprivation of liberty for a period of two to five years.

Article 107. Homicide in the case of exceeding the limits of necessary defense or in the case of exceeding the limits of the measures necessary to arrest the person who committed the crime

(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))

1) Manslaughter in case of exceeding the limit of necessary defense, shall be punished by restriction of liberty for a term of up to two years or deprivation of liberty for the same term.

2) Homicide in the case of exceeding the limits of the measures necessary to arrest the person who committed the crime *(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))*,

shall be punished by restricting freedom for a period of up to two years or deprivation of liberty for the same period *(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))*.

Article 108. Causing death due to negligence

1) Causing death due to negligence, shall be punished by restricting freedom for a period of up to two years or deprivation of liberty for the same period *(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))*.

2) Causing death due to negligence as a result of a person's failure to properly perform his professional duties, as well as causing death of two or more persons due to negligence *(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 18.06.2008 [No. 386](#))*,

shall be punished by restricting freedom for a period of up to five years or deprivation of liberty for the same period with deprivation of the right to occupy certain positions or engage in certain activities for a period of two to five years or without it *(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))*.

Article 109. Suicide

1) Inducing a person to commit suicide or attempt to commit suicide by means of threats, cruel treatment or regular humiliation of the victim's dignity,

shall be punished by deprivation of liberty for a period of three to five years.

2) The same act is committed against a person who is materially or otherwise subordinate to the offender or committed against a minor.

shall be punished by deprivation of liberty for a period of five to eight years.

Article 110. Deliberately causing serious damage to health

1) Deliberately causing serious damage to health, which is dangerous for human life, or caused blindness, deafness, deafness, or loss of any part of the body, or failure of this part, termination of pregnancy, or manifested in irreparable facial disfigurement, as well as causing other damage to health, which is life-threatening, or has caused significant deterioration of health associated with the loss of at least one third of the total working capacity, or the guilty party clearly knew that it caused the complete loss of professional working capacity, or mental illness, drug addiction, or becomes drug addiction *(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))*,

shall be punished by deprivation of liberty for a period of five to eight years *(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))*.

2) The same action, if it:

a) against two or more persons *(Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#))*;

b) against a person or his relatives in connection with his professional activity or the fulfillment of his public debt *(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))*;

c) against an obviously minor person or a person whose incapacitation is obvious to the culprit (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

d) against a kidnapped person or hostage;

e) with special cruelty;

f) by the common risk method (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

g) by a group of persons or a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

h) during public riots;

i) with malicious intent or by hiring mercenaries (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

k) with hooligan feelings;

l) for the purpose of covering up another crime or facilitating its commission, as well as related to rape or acts of violence of a sexual nature;

m) because of hatred or national, racial, religious, regionalism or revenge (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

n) for the purpose of using body parts or tissues of the victim;

o) committed repeatedly or by persons previously convicted of murder, with the exception of acts provided for by Articles 105, 106 and 107 of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 18.06.2008 No. 386*),

shall be punished by deprivation of liberty for a period of eight to twelve years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 18.06.2008 No. 386, dated 13.06.2013 No. 966*).

3) Actions stipulated by the first or second parts of this article, if they:

- a) by an organized group;
- b) committed in the case of a dangerous relapse;
- c) have caused the death of the victim due to negligence,

shall be punished by deprivation of liberty for a period of twelve to fifteen years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386, dated 31.12.2008 No. 451, dated 13.06.2013 No. 966*).

Article 111. Deliberately causing moderate damage to health

1) Deliberately inflicting moderate damage to health, which is not life-threatening and did not cause the consequences provided for in Article 110 of this Code, but caused a long-term deterioration of health or sustained and significant loss of less than a third of the total working capacity,

shall be punished with correctional work for a term of up to two years or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) The same act as:

- a) against two or more persons (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);
- b) against a person or his/her relatives in connection with his/her official activity or public debt (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);
- c) by a group of persons or a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);
- d) with special cruelty;
- e) during public riots;

f) due to hatred or national, racial, religious, regionalism or revenge (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;

g) has been committed repeatedly or by a person who previously committed the crime of intentionally causing serious harm to health or murder provided for in Articles 104 and 110 of this Code,

shall be punished by deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

Article 112. Deliberately causing minor damage to health

Causing light damage to health, which caused a short-term deterioration of health or a slight permanent loss of work ability,

shall be punished with compulsory labor for a period of eighty to one hundred and sixty hours or with a fine in the amount of up to three hundred indicators for calculations or labor correction works for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*) .

Article 113. Deliberate harm to health in a state of strong mental excitement

1) Deliberate infliction of moderate damage to health in a state of intense mental excitement (junun), which is sudden as a result of violence, insults or obscene insults or other illegal or immoral behavior of the victim, as well as in a continuous state of nerve damage due to regular illegal or immoral behavior of the victim. was created (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished with compulsory labor for a period of one hundred to one hundred and eighty hours or correctional labor for a period of up to two years or restriction of freedom for the same period (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

2) Deliberately inflicting serious damage to health, which was committed in the cases mentioned in the first part of this article,

shall be punished by restriction of liberty for a term of up to three years or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

Article 114. Deliberately causing serious damage to health in case of exceeding the necessary defense limit

Deliberately causing serious harm to health in case of exceeding the necessary defense limit,

shall be punished with a fine in the amount of two hundred to five hundred indicators for calculations or correctional works for a term of up to two years or deprivation of liberty for the same term (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*) .

Article 115. Deliberately inflicting severe or moderate damage to health in case of exceeding the limits of necessary measures during the arrest of a person who has committed a crime

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Deliberately causing moderate damage to the health of a person who has committed a crime in case of exceeding the limits of measures necessary for his arrest (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished with compulsory labor for a period of up to one hundred and forty hours or with a fine of up to two hundred indices for calculations or corrective works for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*) .

2) Deliberately causing serious damage to the health of a person who has committed a crime in case of exceeding the limits of measures necessary for his arrest (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

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

Article 116. Beating

Beating or committing other acts of violence that caused physical pain, but did not cause the consequences specified in Article 112 of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with compulsory works for a period of up to one hundred and twenty hours or with a fine of up to three hundred indicators for calculations, or correctional works for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

Article 117. Suffering

1) Physical or mental suffering by means of regular beatings or by other methods of violence, if it does not lead to the consequences specified in Articles 110 and 111 of this Code,

shall be punished by deprivation of liberty for up to three years.

2) The same act as:

a) against two or more persons (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

b) against a person or his relatives in connection with his professional activity or the fulfillment of his public debt (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

c) against an obviously minor or a person whose incapacity is obvious to the offender, or a person who is materially or otherwise dependent on the offender, as well as a kidnapped or taken hostage (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

d) against a woman whose pregnancy is obvious to the offender;

e) by a group of persons and a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

f) by hiring mercenaries;

g) committed due to national, racial, religious, regional hatred or enmity or revenge (*Law of the Republic of Kazakhstan No. 35 of 17.05.2004, No. 808 of 16.04.2012*),

shall be punished by deprivation of liberty for a period of three to seven years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Note: Removed (*Law of the Republic of Tajikistan dated 16.04.2012 No. 808*).

Article 118. Causing serious damage to health due to negligence

1) Causing serious damage to health due to negligence,

shall be punished with a fine in the amount of two hundred to five hundred indicators for accounts or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same act, which was committed as a result of a person's failure to properly fulfill his professional obligations or caused serious damage to the health of two or more people due to negligence (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished with correctional labor for a term of up to two years or deprivation of liberty for a term of two to five years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years or without it.

Article 119. Causing moderate damage to health due to negligence

1) Causing moderate harm to health due to negligence,

shall be punished with compulsory labor for a period of one hundred and twenty to two hundred hours or with a fine in the amount of one hundred to four hundred indicators for calculations or restriction of freedom for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 dated 6.10.2008 No. 422*) .

2) The same act, which was committed as a result of a person's failure to properly fulfill his professional duties or due to carelessness causing moderate damage to the health of two or more persons (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ,

shall be punished with correctional works for a term of up to two years or deprivation of liberty for the same term (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

Article 120. Threat to kill or cause serious harm to health

A threat to kill or cause serious harm to health, if there is a reason to fear for the implementation of this threat,

shall be punished by restriction of liberty for a term of up to two years or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

Article 121. Violation of the rules of transplant surgery

(*Law of the Republic of Tajikistan dated 2.01.2019 No. 1554*)

1) Violation of the conditions and procedures for cutting off organs or tissues of the human body or the conditions and procedures for transplanting provided by the law, which caused serious or moderate damage to the health of the donor or recipient due to carelessness (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1554*) ,

shall be punished by deprivation of liberty for up to three years.

2) The same act, which caused the death of the victim due to negligence,

shall be punished by deprivation of liberty for a period of three to five years.

Article 122. Forcing to take organs or tissues of the human body for transplantation

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 2.01.2019 No. 1554*)

1) Compulsion to remove organs or tissues of the victim's body for transplantation, committed by using violence or threatening to use it against him or his relatives or by threatening to destroy his property (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , from 18.06.2008 No. 386 , from 2.01.2019 No. 1554*) ,

shall be punished by deprivation of liberty for a term of up to three years and deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years.

2) The same action if:

a) against a person whose incapacity is obvious to the offender or a person under material dependence or other jurisdiction of the offender;

b) against a clearly minor person (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;

c) was committed against two or more persons (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ,

shall be punished by deprivation of liberty for a period of three to five years and deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

3) The action provided for in the first or second part of this article, which is carried out by:

a) a group of persons or a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ;

b) committed by an organized group,

shall be punished by deprivation of liberty for a period of seven to twelve years and deprivation of the right to occupy certain positions or engage in certain activities for a period of five years.

Article 123. Illegal abortion (abortion)

1) Illegal abortion by a person with higher medical education in the relevant field,

shall be punished with a fine in the amount of two hundred to five hundred indicators for accounts or deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) Abortion was committed by a person who does not have a higher medical education in the relevant field or a person who has been previously tried for illegal abortion,

shall be punished with a fine in the amount of five hundred to seven hundred indicators for accounts or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

3) The actions provided for in the first or second parts of this article, if they caused the death of the victim or serious damage to his health due to negligence (*Law of the Republic of Tajikistan No. 35 of 17.05.2004*),

shall be punished by deprivation of liberty for a period of two to five years and deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years.

Article 124. Forcing a woman to have an abortion

Forcing a woman to have an abortion, if it results in an abortion, with corrective labor shall be punished by up to two years or imprisonment for the same period.

Article 125. Infection with human immunodeficiency virus

(*Law of the Republic of Tajikistan dated 23.07.2016 No. 1330*)

1) Deliberately putting another person at risk of infection with the human immunodeficiency virus (*Law of the Republic of Tajikistan dated 23.07.2016 No. 1330*),

shall be punished by restriction of liberty for a term of up to three years, or deprivation of liberty for a term of up to two years.

2) Infection of another person with the human immunodeficiency virus by a person who knew that he was infected with this disease (*Law of the Republic of Tajikistan dated 23.07.2016 No. 1330*),

shall be punished by deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) The action provided for in the second part of this article, which:

a) against two or more persons (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

b) committed against an obviously minor person (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by deprivation of liberty for a period of five to ten years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 126. Infection with venereal disease

1) Infecting another person with a venereal disease by a person who knew that he was infected with this disease,

shall be punished with a fine in the amount of two hundred to five hundred indicators for accounts or labor correction works for a period of one to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

2) The same action if:

a) against two or more persons (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

b) committed against an obviously minor person,

shall be punished with a fine in the amount of five hundred to seven hundred indicators for accounts or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

Article 127. Being in danger

1) Deliberate failure to provide assistance to a person who is in a situation that is dangerous for his life or health and is unable to take self-defense measures due to his youth, old age, illness or weakness, when the guilty person could have helped this person and was obliged to take care of him or put him in a dangerous situation for his life or health (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with compulsory labor for a period of one hundred and forty to two hundred and forty hours, or with a fine in the amount of two hundred to four hundred indicators for calculations, or with correctional labor for a period of up to two years (*Law of the Republic of Tajikistan No. 35 dated 17.05.2004, dated 6.10.2008 No. 422*).

2) The same act, if it caused the death of the victim due to negligence,

shall be punished by restricting freedom for a period of up to three years or deprivation of liberty for a period of up to two years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or without it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) The same action due to negligence:

a) cause death of people;

b) caused other serious consequences,

shall be punished by deprivation of liberty for a period of two to seven years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or without it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 128. Failure to help the patient

1) Failure to help the patient without good reason by the person who was obliged to help in accordance with the law or special regulations, and it caused moderate damage to the health of the patient due to negligence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

with compulsory labor for a period of one hundred and eighty to two hundred and forty hours or with a fine in the amount of three hundred to five hundred indicators for calculations or deprivation of the right to hold certain positions or engage in certain activities for a period of two to five years or with deprivation of imprisonment for up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

2) The same act, if due to carelessness it caused the death of the patient or caused serious damage to health,

with deprivation of liberty for a period of up to three years and deprivation of the right to occupy certain positions or engage in certain activities for the same period or deprivation of the right to occupy certain positions or engage in certain activities for a period of five to ten years with a fine shall be punished in the amount of five hundred to one thousand indicators for calculations (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

Article 129. Improper performance of professional duty by a medical worker

1) Non-fulfilment or improper performance of professional duties by a medical worker due to careless or dishonest attitude, which caused moderate damage to the patient's health due to such carelessness (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

with compulsory labor for a period of one hundred and eighty to two hundred and forty hours or with a fine in the amount of five hundred to one thousand indicators for calculations or deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or deprivation of liberty to is punishable by up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*);

2) The same act, if due to carelessness it caused serious damage to the health or death of the patient or the patient became infected with the human immunodeficiency virus (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 23.07.2016 No. 1330*),

shall be punished with deprivation of liberty for a period of five to eight years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1555*).

3) The same action due to negligence:

a) cause death of people;

b) other serious consequences have occurred,

shall be punished by deprivation of liberty for a period of eight to twelve years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 2.01.2019 No. 1555*).

CHAPTER 17. CRIMES AGAINST THE FREEDOM, RESPECT AND RELIABILITY OF PERSONALITY

Article 130. Kidnapping

1) Kidnapping, i.e. secretly, openly, by deception or abuse of trust or by using violence or threatening to use violence, illegal acquisition of a person when there are no signs of the crime provided for in Article 181 of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by deprivation of liberty for a period of five to eight years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) The same action if:

a) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

b) repeatedly or by a person who previously committed the crime provided for in Articles 130(1), 131 and 181 of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

c) using violence dangerous to life and health or threatening to use such violence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

d) using a weapon or an object used as a weapon (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*);

e) against a clearly minor person (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

f) in relation to a woman who the culprit was obviously aware of her pregnancy (*Law of the Chechen Republic dated 17.05.2004 No. 35*);

g) against two or more persons (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

h) committed with personal bias,

shall be punished by deprivation of liberty for a period of eight to twelve years.

3) Actions provided for in the first or second parts of this article, if they:

- a) by an organized group;
 - b) exploitation of a stolen person for sexual purposes or another method;
 - c) for the purpose of taking body parts or tissues of the victim for transplantation (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 2.01.2019 *No. 1554*);
 - d) in the case of a particularly dangerous relapse:
 - e) caused the death of the victim or other serious consequences due to negligence (*Law of the Republic of Tajikistan No. 35 dated 17.05.2004*),
- shall be punished by deprivation of liberty for a period of twelve to twenty years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Note: A person who voluntarily releases a person whom he kidnapped or illegally deprived of liberty, if there are no elements of other crimes in his act, is released from criminal responsibility (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 130(1). Human trafficking

(*Law of the Republic of Tajikistan dated 2.01.2019 No. 1554*)

1. Buying and selling a person or making other illegal deals with him, as well as, regardless of the victim's consent, offering, attracting, transferring, hiding, handing over or receiving a person for the purpose of exploiting him or obtaining illegal benefits in other ways using coercion, abduction, deception, abuse of the official status of the offender, abuse of trust or powerlessness of the victim of human trafficking, or bribery of a person on whom the victim is dependent (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1554*),

shall be punished by deprivation of liberty for a period of five to eight years (*Law of the Republic of Tajikistan dated 5.01.2008 No. 339*, dated 18.06.2008 *No. 386*, dated 13.06.2013 *No. 966*).

2. Actions provided for in the first part of this article, if:

- a) repeatedly;
- b) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);
- c) against two or more persons;
- d) using violence dangerous to life and health or threatening to use such violence (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1554*);
- e) for the purpose of taking organs or body tissues from the victim for transplantation, as well as illegally using him for reproductive purposes or biomedical research (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1554*);
- f) by an official or a representative of authority using official duties, or another person who performs management duties in commercial organizations or other organizations;
- or) was committed by moving the victim across the state border of the Republic of Tajikistan,

shall be punished by deprivation of liberty for a period of eight to twelve years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*, dated 13.06.2013 *No. 966*).

3. Actions provided for in the first or second parts of this article, if (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1554*):

- a) caused the death of the victim of human trafficking or other serious consequences (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1554*);
- b) by an organized group;
- c) committed in case of a particularly dangerous relapse,

shall be punished by deprivation of liberty for a period of twelve to fifteen years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*, dated 13.06.2013 *No. 966*).

Note: A person who has committed the acts specified in the first or second parts of this article, who has voluntarily informed the relevant authorities and released the victim of human trafficking, is released from criminal liability, provided that his actions do not contain any other crime (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1554*).

Article 130(2).

Removed (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1554*)

Article 131. Unlawful deprivation of liberty

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Unlawful deprivation of liberty not related to kidnapping or hostage taking shall be punished by restriction of liberty for up to three years, or deprivation of liberty for up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) The same action if:

a) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

b) repeatedly or by a person who previously committed the crime provided for in Articles 130, 130 (1) and 181 of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

c) to use a method dangerous to life and health;

d) to use a weapon or an object used as a weapon (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*);

e) against a clearly minor person (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

f) in relation to a woman who the culprit was obviously aware of her pregnancy;

g) was committed against two or more persons (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 18.06.2008 No. 386*) -

shall be punished by deprivation of liberty for a period of three to five years.

3) The action provided for in the first or second parts of this article, if:

a) by an organized group;

b) exploiting a person illegally deprived of liberty for sexual purposes or another method;

c) caused the death of the victim or other serious consequences due to negligence (*Law of the Republic of Tajikistan No. 35 dated 17.05.2004*),

shall be punished by deprivation of liberty for a period of five to ten years.

Article 132.

Removed (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1554*)

Article 133. Illegal placement in a psychiatric hospital

1) Illegal placement in mental hospitals of a person who is not in need of such a form of treatment or illegal keeping of him in this hospital,

shall be punished by deprivation of liberty for a period of one to five years.

2) The same action if:

a) with personal bias;

b) by a person using an official position;

c) caused the death of the victim due to negligence or caused other serious consequences (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by deprivation of liberty for a period of five to eight years and deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years.

Article 134. Coercion

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

Forcing a person to perform or refrain from performing any action, threatening to use violence against him or other persons close to him, destroying or damaging their property, spreading defamatory information or disclosing other information that they hide. want to have or by threatening to violate the rights, freedom and legal interests of these persons, without signs of relatively serious crimes (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 18.06.2008 No. 386*),

shall be punished with compulsory labor for a period of one hundred and eighty to two hundred and forty hours or with a fine of two hundred to five hundred indicators for calculations or restriction of freedom for a period of up to two years or imprisonment for the same period (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

Article 135 was removed

(*Law of the Republic of Tajikistan dated 03.07.2012 No. 844*)

Article 136 was removed

(*Law of the Republic of Tajikistan dated 03.07.2012 No. 844*)

Article 137. Public insulting of the President of the Republic of Tajikistan or slandering him

1) Publicly insulting the President of the Republic of Tajikistan or slandering him,

shall be punished with a fine in the amount of one hundred to five hundred indicators for calculations or corrective works for a period of up to one year (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

2) The same act was committed using the press, other mass media or the Internet (*Law of the Republic of Tajikistan dated 30.07.2007 No. 301*),

shall be punished with correctional works for a term of up to two years or with deprivation of liberty for a term of two to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 137(1). Publicly insulting the Founder of National Peace and Unity - the Leader of the Nation or slandering him

(*Law of the Republic of Tajikistan dated 14.11.2016 No. 1358*)

1) Publicly insulting the Founder of National Peace and Unity - the Leader of the Nation or slandering him,

shall be punished with a fine in the amount of one hundred to five hundred indicators for calculations or corrective works for a term of up to one year.

2) If the same act was committed using the press, other mass media or the Internet, -

shall be punished with correctional work for a term of up to two years or deprivation of liberty for a term of two to five years (*Law of the Republic of Tajikistan dated 14.11.2016 No. 1358*).

CHAPTER 18. CRIMES AGAINST SEXUAL FREEDOM AND SEXUAL DISORDER

Article 138. Assault

1) Rape, i.e. sexual intercourse with the use of violence or the threat of its use against a woman or against other persons close to her, or by taking advantage of a woman's helpless situation (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

shall be punished by deprivation of liberty for a period of three to seven years.

2) Violation of honor (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) :

a) repeatedly or by a person who previously committed the crime provided for in Article 139 of this Code (Law of the Republic of Tajikistan *No. 35 of 17.05.2004*) ;

b) by a group of persons or a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ;

c) with special cruelty towards the victim or other persons close to him (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ;

d) caused the victim to become infected with dysentery;

e) in relation to an obviously minor girl (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;

f) committed against two or more persons (Law of the Republic of Tajikistan *No. 35 dated 17.05.2004*) ,

shall be punished by deprivation of liberty for a period of seven to twelve years with lifelong deprivation of the right to occupy certain positions or engage in certain activities (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35* , *dated 19.07.2022 No. 1896*) .

3) Violation of honor (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) :

a) in relation to a girl who has clearly not reached the age of fourteen or a close relative;

b) in case of particularly dangerous relapse;

c) by an organized group;

d) caused the victim to become infected with the human immunodeficiency virus (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1554*) ;

e) by taking advantage of the situation of general misery or in the course of mass disturbances or has led to serious consequences (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;

f) committed by using a weapon or threatening to use it or an object that serves as a weapon (Law of the Republic of Tajikistan *No. 966 dated 13.06.2013*) ,

shall be punished by deprivation of liberty for a period of twelve to twenty-five years, with lifelong deprivation of the right to hold certain positions or to engage in certain activities, or the death penalty or life imprisonment (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35* , *dated 15.07.2004 No. 46* , *dated 1.03.2005 No. 86* , *dated 19.07.2022 No. 1896*) .

Article 139. Violent act of sexual nature

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Playing with a woman, touching a woman with a woman (lesbianism) or any other movement of a sexual nature, which was carried out with the use of violence or the threat of using it against the victim or other persons close to him or the use of the victim's helpless situation (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished by deprivation of liberty for a period of five to seven years.

2) The same movement, if (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) :

a) repeatedly or by a person who previously committed rape;

b) by a group of persons or a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ;

c) was committed with special cruelty towards the victim or other persons close to him (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ;

- d) caused the victim to suffer from dysentery;
- e) committed against an obviously minor person,

shall be punished by deprivation of liberty for a period of seven to twelve years with lifelong deprivation of the right to occupy certain positions or engage in certain activities (*Law of the Republic of Tajikistan dated 19.07.2022 No. 1896*).

3) The same movement, if (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*):

a) against two or more persons (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

b) caused the victim to become infected with the human immunodeficiency virus (*Law of the Republic of Tajikistan dated January 2, 2019 No. 1554*);

c) committed against a close relative,

shall be punished by deprivation of liberty for a period of twelve to twenty years with lifelong deprivation of the right to occupy certain positions or engage in certain activities (*Law of the Republic of Tajikistan dated 19.07.2022 No. 1896*).

4) The action provided for in parts 1), 2) or 3) of this article, if (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 13.11.2023 *No. 1084*):

a) in relation to a person who has clearly not reached the age of fourteen;

b) in case of particularly dangerous relapse;

c) by an organized group;

d) was committed by taking advantage of the situation of general misfortune or in the course of public disturbances,

shall be punished by deprivation of liberty for a period of twenty to twenty-five years, with lifelong deprivation of the right to occupy certain positions or to engage in certain activities, or lifelong deprivation of liberty (*Law of the Republic of Tajikistan dated 19.07.2022 No. 1896*).

Article 140. Forcing sexual activity

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

Forcing a person to have sexual intercourse, playing with a woman, dressing a woman with a woman, or performing other acts of a sexual nature by means of coercion (blackmail) or threats of destruction, destruction or seizure of property, or using official, property or other authority. form of dependency of the victim (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*),

shall be punished with a fine in the amount of five hundred to seven hundred indicators for calculations or with correctional work for a term of up to two years or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 6.10.2008 *No. 422*).

Article 141. Sexual contact and other movements of a sexual nature with a person who has not yet reached the age of sixteen

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Sexual contact, playing with a woman, dressing a woman with a woman or other sexual activity with a person who has obviously not reached the age of sixteen, when there are no signs of the crime provided for in Articles 138 and 139 of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by deprivation of liberty for a period of two to five years with lifelong deprivation of the right to hold certain positions or engage in certain activities (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 19.07.2022 *No. 1896*).

2) The same movement, if (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*):

- a) using the official position;
 - b) caused the victim to suffer from dysentery (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1554*);
 - c) repeatedly (*Law of the Republic of Tajikistan dated 13.11.2023 No. 1084*);
 - d) committed by a parent, teacher or other person entrusted with educational and educational duties (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 19.07.2022 *No. 1896*).
- shall be punished with deprivation of liberty for a period of three to five years with lifelong deprivation of the right to occupy certain positions or engage in certain activities (*Law of the Republic of Tajikistan dated 19.07.2022 No. 1896*).
- 3) The same movement, if it caused the victim to become infected with human immunodeficiency virus,
- shall be punished by deprivation of liberty for a period of five to eight years with lifelong deprivation of the right to occupy certain positions or engage in certain activities (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1554*, dated 19.07.2022 *No. 1896*).

Article 142. Immoral behavior

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Committing an immoral act against a person who has clearly not reached the age of sixteen, when there are no signs of the crime provided for by Articles 138, 139 and 140 of this Code (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by restricting freedom for a period of up to two years or by deprivation of liberty for the same period with lifelong deprivation of the right to occupy certain positions or engage in certain activities (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 19.07.2022 *No. 1896*).

2) The same movement, if (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*):

- a) using violence or threatening to use it;
- b) using the official position;
- c) assigned to them by parents, teachers or other persons with educational and educational duties (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 19.07.2022 *No. 1896*);
- d) committed against a person who has clearly not reached the age of fourteen or a close relative (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by deprivation of liberty for a period of two to five years with lifelong deprivation of the right to occupy certain positions or engage in certain activities (*Law of the Republic of Tajikistan dated 19.07.2022 No. 1896*).

3) The actions provided for in parts 1) and 2) of this article, if they were committed against two or more persons clearly under the age of fourteen,

shall be punished by deprivation of liberty for a period of five to eight years with lifelong deprivation of the right to hold certain positions or engage in certain activities (*Law of the Republic of Tajikistan dated 13.11.2023 No. 1084*).

Article 142(1). Sexual intercourse, other activities of a sexual nature or immoral activities involving the abuse of feelings and religious beliefs

(*Law of the Republic of Tajikistan dated 15.03.2016 No. 1274*)

1) Sexual contact, other acts of a sexual nature or immoral acts committed by abusing the feelings and religious beliefs of the victim or in the process of religious education,

shall be punished by deprivation of liberty for a period of three to seven years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or without it.

2) The same action, if it was committed against a minor or caused the victim to suffer from venereal disease (*Law of the Republic of Tajikistan dated 2.01.2020 No. 1662*),

shall be punished by deprivation of liberty for a period of five to eight years with lifelong deprivation of the right to occupy certain positions or engage in certain activities (*Law of the Republic of Tajikistan dated 15.03.2016 No. 1274 , dated 19.07.2022 No. 1896*).

3) The actions provided for in parts 1) and 2) of this article, if they caused the victim to become infected with the human immunodeficiency virus,

shall be punished by deprivation of liberty for a period of eight to ten years with lifelong deprivation of the right to hold certain positions or engage in certain activities (*Law of the Republic of Tajikistan dated 2.01.2020 No. 1662 , dated 19.07.2022 No. 1896*).

Note : The life sentence of deprivation of the right to occupy certain positions or engage in certain activities is applied to a person who has committed a crime against a minor, and it is provided for in the sanctions of the articles of this chapter - from the prohibition of holding a position or teaching activity in state and non-state institutions in the fields of education, upbringing, development of minors, organization of recreation and health care, medical care, social protection and social services, in the field of sports for children and adolescents, culture and art with the participation of minors, as well as engaging in such activities on an individual basis or other activities that include working with minors (*Law of the Republic of Tajikistan dated 19.07.2022 No. 1896*).

CHAPTER 19. CRIMES AGAINST CONSTITUTIONAL RIGHTS AND FREEDOMS OF HUMANS AND CITIZENS

Article 143. Violation of equal rights of citizens

1) Deliberately directly or indirectly violating or limiting rights and freedoms or directly or indirectly establishing the advantage of citizens based on gender, race, nationality, language, social status, personal, property or professional position, place of residence, relationship with religion, opinion, belonging to political parties, public associations, which harmed the rights and legal interests of citizens (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of two hundred to five hundred indicators for accounts or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*) .

2) The same action by a person:

a) using violence or threatening to use it;

b) committed by using his official position, shall be punished by deprivation of liberty for a period of two to five years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or without it.

Article 143(1). Torture

(*Law of the Republic of Tajikistan dated 16.04.2012 No. 808*)

1) Deliberate infliction of physical and (or) mental suffering by a person who conducts investigation or preliminary investigation or another official or with their instigation or their tacit consent or with their knowledge by another person, with the aim of subject to torture or a third party to obtain information or confession or to punish him for an act committed by him or a third party or suspected of having committed it, as well as to intimidate or coerce him or a third party or for any other reason any kind of discrimination (discrimination) was committed (*Law of the Republic of Tajikistan dated 2.01.2020 No. 1661*) ,

shall be punished by deprivation of liberty for a period of five to eight years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 2.01.2020 No. 1661*) .

- 2) The same action if:
- a) repeatedly;
 - b) by a group of persons with prior advice;
 - c) against a woman whose pregnancy is obvious to the offender or an obviously minor person or against a disabled person;
 - d) committed by causing moderate damage to health, -

shall be punished with deprivation of liberty for a period of eight to twelve years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of five to ten years (*Law of the Republic of Tajikistan dated 2.01.2020 No. 1661*).

- 3) Actions provided for in the first and second parts of this article, if:

- a) were committed by causing serious damage to health;
- b) caused the death of the victim or caused other serious consequences due to negligence, -

shall be punished with deprivation of liberty for a period of twelve to fifteen years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of ten to fifteen years (*Law of the Republic of Tajikistan dated 16.04.2012 No. 808, dated 2.01.2020 No. 1661*).

Article 144. Illegal collection and dissemination of information on personal life

1) Illegal collection or distribution of information on personal life, which includes personal or family secrets of another person without his permission, or distribution of such information in public speeches, works, mass media or Internet, if such action is personal bias or personal motivation was carried out and harmed the rights and legal interests of the citizen (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 30.07.2007 No. 301*),

shall be punished with compulsory labor for a period of one hundred and twenty to one hundred and eighty hours, or with a fine of two hundred to five hundred indicators for calculations, or with corrective labor for a period of up to one year (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

- 2) The same action performed by a person using his official status,

shall be punished with a fine in the amount of five hundred to eight hundred indicators for calculations or with correctional works for a term of up to two years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

Article 145. Disclosure of medical secrets

1) Disclosure of information about the disease or other results of the patient's medical examination by a medical, pharmaceutical or other employee without professional or official necessity,

shall be punished with a fine in the amount of two hundred to five hundred indicators for accounts or deprivation of the right to occupy certain positions or engage in certain activities for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

2) The same action, which is expressed in the disclosure of information about the person's infection with the human immunodeficiency virus (*Law of the Republic of Tajikistan dated 23.07.2016 No. 1330*),

shall be punished by deprivation of liberty for a term of up to two years with deprivation of the right to occupy certain positions or engage in certain activities for the same period.

3) Actions provided for by the first or second part of this article, if they caused serious consequences,

shall be punished with deprivation of liberty for a period of two to five years, with deprivation of the right to occupy certain positions or engage in certain activities for the same period.

Article 146. Violation of privacy of correspondence, telephone conversations, correspondence and telegraphic communications or other communications

(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))

1) Violation of privacy of correspondence, telephone conversations, correspondence and telegraphic communications or other communications of citizens *(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))*,

shall be punished with compulsory labor for a period of one hundred to one hundred and sixty hours or with a fine in the amount of up to two hundred indicators for calculations or with correctional labor for a period of up to one year *(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#))*.

2) The same act, which was committed by a person using his official status or special technical means intended for secretly obtaining information,

shall be punished with a fine in the amount of two hundred to five hundred indicators for accounts or deprivation of the right to hold certain positions or engage in certain activities for a period of two to five years *(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#))*.

3) Illegal production, transfer to another person's possession or possession for the purpose of transfer to another person's possession of special technical means intended for secretly obtaining information,

shall be punished with a fine in the amount of five hundred to eight hundred indicators for accounts or deprivation of the right to occupy certain positions or engage in certain activities for a period of five to ten years or restriction of freedom for a period of up to five years *(Law of the Republic of Tajikistan dated 17.05. 2004 [No. 35](#) , dated 6.10.2008 [No. 422](#))*.

Article 147. Violation of inviolability of housing

1) Illegally entering a house against the will of the person living there or depriving someone of his house,

shall be punished with a fine in the amount of one thousand to two thousand indicators for accounts or deprivation of liberty for a term of up to two years *(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#))*.

2) The same action if:

a) using violence or threatening to use it;

b) using the official position;

c) illegal installation of eavesdropping devices or other special devices in a residential building,

shall be punished by deprivation of liberty for a period of two to five years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or without it *(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))*.

Note: Under the concept of housing in this and other articles of this Code, an individual residential house with residential and non-residential buildings included in it, a residential building, regardless of the form of ownership, included in the housing fund, which is suitable for permanent or temporary residence, as well as other buildings or constructions not included in the housing fund, but designated for temporary residence, is understood *(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))*.

Article 148. Refusal to provide information to a citizen

Illegal refusal by an official to provide a citizen with documents or documents that are directly related to his rights and freedoms and collected in accordance with the established procedure, as well as providing incomplete information or intentionally providing such false information, if it harms the rights and interests of this citizen. (Law of *the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of three hundred to five hundred indicators for accounts or deprivation of the right to occupy certain positions or engage in certain activities for a period of three to five years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

Article 149. Illegal restrictions on change of location, free choice of place of residence, leaving the republic and returning a citizen to it

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Illegal restriction of change of location, free choice of place of residence, leaving the republic and returning a citizen to it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of one thousand to two thousand indicators for accounts or deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same action if:

- a) caused serious consequences;
- b) was committed by using the official status,

shall be punished by deprivation of liberty for a period of up to two years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of three to five years.

Article 150. Obstructing the exercise of electoral rights and the activity of electoral commissions

1) Obstructing a citizen from exercising his electoral rights or the right to participate in a referendum, as well as obstructing the activities of election commissions or commissions for holding a referendum,

shall be punished with a fine in the amount of two hundred to four hundred indicators for calculations or labor correction works for a period of up to one year (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*).

2) The same action if:

- a) in connection with bribery, fraud, violence or threat of its use;
- b) using the official position;
- c) was committed by a group of persons with prior advice or by an organized group (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

with a fine in the amount of five hundred to one thousand indicators for calculations or correctional work for a period of one to two years, or deprivation of liberty for a period of up to three years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to shall be punished for five years or without it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*).

Article 151. Forgery of election documents, referendum documents or incorrect counting of votes

Falsification of election documents, referendum documents, deliberate miscalculation of votes, deliberate misrepresentation of election results, referendum, as well as violation of secret voting committed by a member of the election commission, initiative group or commission for holding a referendum,

shall be punished with a fine in the amount of one thousand to two thousand indicators for accounts or deprivation of liberty for a term of up to four years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to five years or without it (*Law OJ dated 6.10.2008 No. 422*).

Article 152. Forcing to participate in a strike or refusing to participate in a strike

Force participation in a strike or refusal to participate in a strike by force or the threat of using it,

shall be punished with a fine in the amount of one thousand to two thousand indicators for calculations, or restriction of freedom for a period of up to five years or imprisonment for the same period (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

Article 152(1). Conducting a prohibited strike in emergency situations

(*Law of the Republic of Tajikistan dated 26.07.2014 No. 1088*)

To lead a prohibited strike in emergency conditions, as well as to prevent the work of an enterprise, institution and other organization in emergency conditions, -

shall be punished with a fine in the amount of five hundred to nine hundred indicators for accounts or restriction of freedom for a period of up to five years or imprisonment for the same period (*Law of the Republic of Tajikistan dated 26.07.2014 No. 1088*).

Article 153. Violation of labor laws

Deliberate illegal dismissal of a person, non-fulfillment of a court decision regarding reinstatement to a previous job, as well as other deliberate actions and substantive violations of the labor laws of the Republic of Tajikistan (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of one thousand to two thousand indicators for accounts or deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

Article 153(1). Failure to pay wages, pensions, stipends, allowances or other payments

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

Failure to pay wages, pensions, scholarships, allowances or other payments established by law for more than two months by an employer, head of an enterprise, institution or organization, regardless of the form of their ownership, if this action was committed with bias or other personal interests,

shall be punished with a fine in the amount of two hundred to five hundred indicators for accounts with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or deprivation of liberty for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35* , dated 21.07.2010 *No. 422*).

Article 154. Violation of labor protection rules

1) Violation of the rules of safety equipment or other rules of labor protection by the person who is responsible for their observance, if it caused serious or moderate damage to health or occupational disease due to negligence,

shall be punished with a fine in the amount of two hundred to five hundred indicators for calculations or with correctional labor for a period of two years or deprivation of liberty for the same period (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same act, which due to negligence caused the death of a person or caused serious damage to the health of several people,

shall be punished by deprivation of liberty for a term of up to five years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years or without it.

3) Actions provided for by the first part of this article, which caused the death of two or more persons due to carelessness (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*),

shall be punished by deprivation of liberty for a period of three to eight years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or without it.

Article 155. Unreasonable refusal to hire or unjustified dismissal of a woman whose child is up to three years old

Unreasonable refusal to hire or unjustified dismissal of a woman due to pregnancy, as well as unjustified refusal to hire or unjustified dismissal of a woman who has a child under three years old,

shall be punished with a fine in the amount of three hundred to five hundred indicators for calculations or with corrective works for a term of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

Article 156. Violation of copyright and related rights

(*Law of the Republic of Tajikistan dated 03.07.2012 No. 844*)

1) Appropriation of copyright (plagiarism), as well as coercion of co-authorship, if these actions have caused significant damage to the author or other copyright holder, -

shall be punished with a fine in the amount of up to two hundred indicators for calculations or corrective works for a term of up to two years.

2) Illegal use of copyright objects or rights related to it, as well as obtaining, storing, transferring or sending illegal copies of works or phonograms with the purpose of transferring ownership to someone else, if these actions caused a large amount of damage, -

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty five indicators for accounts or deprivation of liberty for a term of up to two years.

3) Actions provided for in the second part of this article, if:

a) by a group of persons with prior advice or by an organized group;

b) by causing damage in a particularly large amount;

c) committed by a person using an official position, -

shall be punished with a fine in the amount of three hundred sixty-five to nine hundred twelve indicators for accounts or deprivation of liberty for a term of two to five years.

Note: In Articles 156 and 156(1) of this Code, a large amount of damage is considered to be damage that exceeds five hundred times the amount of the indicator for calculations, and a particularly large amount of damage is considered to be damage that exceeds the amount of the indicator. for calculations it is two thousand times more (*Law of the Republic of Tajikistan dated 03.07.2012 No. 844*).

Article 156(1). Violation of rights to inventions, industrial designs and utility models

(*Law of the Republic of Tajikistan dated 03.07.2012 No. 844*)

1) Unlawful use of inventions, industrial samples or utility models, without the consent of the author or applier, disclosure of the essence of the invention, industrial sample or utility model before the official publication of information about them, appropriation of copyright or co-authorship, if these actions cause significant damage delivered,

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty five indicators for accounts or deprivation of liberty for a term of up to two years.

2) Acts stipulated by the first part of this article, if committed by a group of persons with prior advice, -

shall be punished with a fine in the amount of three hundred and sixty-five to nine hundred and twelve indicators for accounts or deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 03.07.2012 No. 844*).

Article 157. Obstructing the activity of a religious association

(*Law of the Republic of Tajikistan dated 2.01.2018 No. 1472*)

Preventing the activities of religious associations that do not violate the law or the performance of religious ceremonies, if they do not violate public order and do not encroach on the rights of citizens (*Law of the Republic of Tajikistan dated 2.01.2018 No. 1472*) ,

shall be punished with a fine in the amount of up to five hundred indicators for calculations or with correctional labor for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*) .

Article 158. Obstructing the activities of political parties and public associations

Obstructing the legal activity of political parties, public associations, as well as interfering with their legal activity, which significantly violated their rights and common interests,

shall be punished with a fine in the amount of two hundred to five hundred indicators for accounts or restriction of freedom for a period of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*) .

Article 159. Organization of political parties, public associations and religious associations that encroach on the personality and rights of citizens

The organization of political parties, public associations or religious associations, whose activities are related to harming the health of citizens or other violations of the personality or rights of citizens, as well as their leadership (*Law of the Republic of Tajikistan dated 2.01.2018 No. 1472*) ,

shall be punished with a fine in the amount of one thousand to one thousand five hundred indicators for accounts or restriction of freedom for a term of up to three years or imprisonment for a term of up to three years (*Law of the Republic of Tajikistan No. 35 dated 17.05.2004 , dated 6.10.2008 No. 422*) .

Article 160. Violation of the procedure for organizing and conducting meetings, gatherings, demonstrations, pickets and marches

(*Law of the Republic of Tajikistan dated 2.08.2011 No. 750*)

1. Violation of the procedure for organizing and (or) conducting meetings, gatherings, demonstrations, picketing or marches by the organizer or active participant of these events, if such an act was committed during the year after the administrative punishment was imposed,

shall be punished with a fine in the amount of two hundred fifty to three hundred sixty indicators for accounts or deprivation of liberty for a term of up to two years.

2. The same act, if it was committed with the use of an official position or the use of violence or the threat of the use of violence, or caused damage or destruction of property or other serious consequences,

shall be punished by deprivation of liberty for a period of two to five years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or without it (*Law of the Republic of Tajikistan dated 2.08.2011 No. 750*) .

Article 161. Preventing the holding of meetings, gatherings, demonstrations, processions, picketing or participation in them

1) Illegally obstructing the holding of meetings, gatherings, demonstrations, marches, picketing or participation in them, or forcing them to participate in them, if this action is committed with violence or the threat of using it,

shall be punished with a fine in the amount of one thousand to one thousand five hundred indicators for accounts or deprivation of liberty for a term of up to three years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years or without it (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same act, if it was committed using an official position,

shall be punished by deprivation of liberty for a period of three to five years with deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 162. Obstructing the legal professional activity of journalists

1) Obstructing the legal professional activity of a journalist in any form, as well as forcing him to distribute or refuse to broadcast information, under the threat of violence, destruction or destruction of property, spreading fabricated lies or exposing other the information that the victim wants to hide is related, as well as by threatening to violate the rights and legal interests of the journalist (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished with a fine in the amount of five hundred to eight hundred indicators for calculations or with correctional labor for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

2) The same action, if:

a) with violence;

b) destruction or destruction of property (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) committed by using official status,

shall be punished by restriction of liberty for a term of up to three years or deprivation of liberty for a term of up to five years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years or without it.

Article 163. Violation of laws on citizens' petitions

1) Unlawful refusal to review citizens' appeals, violation of the deadline for consideration of their appeals and complaints without valid reasons, making unreasonable and illegal decisions, as well as violation of laws on citizens' appeals, which seriously harm the legally protected rights and interests of citizens, society or the state. did

shall be punished with a fine in the amount of five hundred to eight hundred indicators for calculations or with correctional works for a term of up to two years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

2) Persecution of a citizen by an official in connection with his application to a state body, enterprise, organization, institution or public union or for criticism reflected in his application, as well as for his criticism in another form,

shall be punished by a fine in the amount of one thousand five hundred to two thousand indicators for accounts or by restriction of freedom for a period of up to five years with deprivation of the right to occupy certain positions or engage in certain activities for a period of three to five years (*Law State Gazette dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

Article 164. Obstructing the acquisition of compulsory general basic education (nine years)

Preventing a natural person in any way from obtaining compulsory general basic education (nine years old),

shall be punished with a fine in the amount of one thousand to two thousand indicators for calculations or with restriction of freedom for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 6.10.2008 *No. 422*).

CHAPTER 20. CRIMES AGAINST FAMILY AND MINORS

Article 165. Involvement of minors in committing a crime

1) Encouraging a minor to commit a crime by means of promises, deception, threats or other methods, made by a person who has reached the age of eighteen, shall be punished by deprivation of liberty for up to two years.

2) If the same action was committed by a parent, teacher or other person legally entrusted with the upbringing of minors (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*),

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

3) The action provided for in the first or second part of this article, which was carried out with violence or the threat of using it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by deprivation of liberty 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 five years or without it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

4) The action provided for in the first, second or third part of this article involving a minor (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*):

a) to an organized group or criminal association (criminal organization);

b) committed in order to commit a serious and particularly serious crime,

shall be punished by deprivation of liberty for a period of five to ten years with deprivation of the right to hold certain positions or engage in certain activities for a period of three to five years or without it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Note: In this chapter, under the concept of minors, minors are understood (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

Article 166. Encouraging a minor to commit anti-social acts

1) Involvement of a minor in regular consumption of alcoholic beverages, regular non-medical use of strong substances or other intoxicating substances, or in prostitution, vagrancy, begging committed by a person who has reached the age of eighteen (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with correctional work for a term of up to one year or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) If the same action was committed by a parent, teacher or other person legally entrusted with the upbringing of minors (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*),

shall be punished by deprivation of liberty for a term of up to three years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years or without it.

3) Action provided for by the first or second part of this article, if:

a) in relation to two or more minors;

- b) by violence or threat of using it,
- c) has been committed repeatedly,

shall be punished by deprivation of liberty for a term of up to five years with deprivation of the right to occupy certain positions or engage in certain activities for a period of two to five years or without it.

Article 167. Trafficking in children

(Law of the Republic of Tajikistan dated 2.01.2019 No. 1554)

1. Any act or agreement by which a child is illegally transferred by a parent, other legal representative or other person (group of persons) who the child is permanently or temporarily under his/her care to another person (group of persons) in exchange for material reward or other compensation, for the purpose of exploiting him or obtaining material benefit or other benefit, as well as for the purpose of illegal adoption of a child, regardless of the methods used *during it*

shall be punished with deprivation of liberty for a period of five to eight years *(Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966)* .

2. Actions provided for in the first part of this article, if:

a) repeatedly;

b) by a group of persons with prior advice *(Law of the Republic of Tajikistan dated 18.06.2008 No. 386)* ;

c) against two or more minors;

d) using violence dangerous to life and health or threatening to use such violence *(Law of the Republic of Tajikistan dated 2.01.2019 No. 1554)* ;

e) for the purpose of taking organs or body tissues from the victim for transplantation, as well as illegally using him for reproductive purposes or biomedical research *(Law of the Republic of Tajikistan dated 2.01.2019 No. 1554)* ;

f) by an official or a representative of authority using official duties, or another person who performs management duties in commercial organizations or other organizations;

or) was committed by moving the victim across the state border of the Republic of Tajikistan,

shall be punished by deprivation of liberty for a period of eight to twelve years *(Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966)* .

3. Actions provided for in the first or second parts of this article, if *(Law of the Republic of Tajikistan dated 2.01.2019 No. 1554)* :

a) caused the death of the victim of child trafficking or other serious consequences *(Law of the Republic of Tajikistan dated 2.01.2019 No. 1554)* ;

b) by an organized group;

c) committed in case of a particularly dangerous relapse,

shall be punished by deprivation of liberty for a period of twelve to fifteen years *(Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966)* .

Note: A person who has committed the acts specified in the first or second parts of this article, who has voluntarily informed the relevant authorities and released the victim of child trafficking, is released from criminal liability, provided that his actions do not contain any other crime *(Law of the Republic of Tajikistan dated 2.01 .2019 No. 1554)* .

Article 168. Marrying a girl who is not of marriageable age

Marriage of a girl who has not reached the age of marriage by parents or persons under whose guardianship the girl is or persons to whom she is subordinate, as well as indicating or facilitating her marriage 18.06.2008 No. 386) ,

shall be punished with correctional works for a term of up to two years or restriction of freedom for a term of up to five years (*Law of the Republic of Tajikistan dated 10.12.1999 No. 877* , dated 17.05.2004 No. 35).

Article 169. Marriage for a person who has not reached marriageable age

Signing a marriage agreement for a person who has not reached marriageable age, as well as signing a marriage with such a person,

shall be punished with a fine in the amount of one thousand to two thousand indicators for calculations or with correctional labor for a term of up to two years or with restriction of freedom for a term of up to five years (*Law of the Republic of Tajikistan dated 10.12.1999 No. 877* dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422).

Article 170. Bigamy or polygamy

(*Law of the Republic of Tajikistan dated 10.12.1999 No. 877*)

Bigamy or polygamy, i.e., living with two or more wives and leading a common household,

shall be punished with a fine in the amount of one thousand to two thousand indicators for calculations or with correctional works for a term of up to two years or with restriction of freedom for a term of up to five years (*Law of the Republic of Tajikistan dated 10.12.1999 No. 877* , dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422).

Article 171. Replacement of a child

1) Changing the baby,

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or restriction of freedom for a term of up to four years or imprisonment for a term of up to three years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same act, which was committed with a malicious purpose or other evil intention,

shall be punished by deprivation of liberty for up to five years.

Article 172. Illegal adoption of boys (girls).

Illegal action regarding the adoption of a boy (girl) of a child, giving them to a guardian (under guardianship) or giving them to the upbringing of a family of citizens, which was carried out for malicious purposes or with other nefarious intentions (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished with a fine in the amount of five hundred to eight hundred indicators for calculations or corrective works for a term of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35* , dated 6.10.2008 No. 422).

Article 173. Disclosure of the secret of adopting a boy (adopting a girl)

1) Disclosure of the secret of adoption of a son (adoption of a daughter) without the consent of the adopted person by a person who is obliged to protect the reality of the adoption of a son (adoption of a daughter) as a business or professional secret, or by another person if this act is committed with bias or other nefarious intentions (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished with a fine in the amount of three hundred to five hundred indicators for accounts or with correctional work for a term of up to one year with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to five years or without it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35* , dated 6.10.2008 No. 422).

2) The same act, if it caused serious consequences,

shall be punished by deprivation of liberty 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 three to five years or without it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 174. Non-fulfillment of obligations regarding education and training of minors

(*Law of the Republic of Tajikistan dated 18.03.2015 No. 1177*)

Non-fulfillment or inappropriate fulfillment of obligations regarding the education and upbringing of a minor by a parent or other person to whom this obligation is legally imposed, as well as by a teacher or other employee of an educational or educational institution, if this action is associated with cruel treatment of a minor (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.03.2015 No. 1177),

with a fine in the amount of two hundred to five hundred indicators for accounts or restriction of freedom for a period of up to two years or imprisonment for the same period with deprivation of the right to hold certain positions or engage in certain activities for a period of up to three years or without it shall be punished (*Law of the Republic of Tajikistan dated 18.03.2015 No. 1177*).

Article 175. Improper performance of the obligation to ensure the safety of the child's life and health

1) Improper fulfillment of the obligation to ensure the safety of the life and health of a small child by a person to whom this obligation is assigned according to official duty or by a person who performs this duty according to a special assignment, or who has voluntarily assumed this obligation, if as a result of carelessness the child's health has been moderately harmed,

shall be punished by deprivation of liberty for a period of three to five years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years.

2) The same action if:

- a) caused serious damage to the minor's health due to carelessness;
- b) caused his death due to negligence,

shall be punished by deprivation of liberty for a period of five to eight years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of three to five years.

Note: In this Code, under the concept of a small child, a person who has not reached the age of fourteen is understood (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 176. Abuse of guardian's or guardian's rights

Using guardianship or guardianship for malicious or other nefarious purposes, as well as deliberately leaving a person under guardianship or guardianship without supervision or without necessary assistance, which significantly violated the legal rights and interests of the person under guardianship or guardianship (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by a fine in the amount of three hundred to five hundred indicators for calculations or by labor correction works for a term of up to two years with deprivation of the right to occupy certain positions or engage in certain activities for the same period (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

Article 177. Malicious refusal of parents to provide for their children

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1. Maliciously, that is, parents' refusal to comply with the court's decision to pay for the support of minor children, as well as disabled children who have reached the age of eighteen No. 1472),

shall be punished with compulsory labor for a period of one hundred and twenty to one hundred and eighty hours, or with correctional labor for a period of up to two years, or with deprivation of liberty for the same period (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 2.01.2018 No. 1472).

2) The same act, if repeated,

shall be punished with deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 2.01.2018 No. 1472*).

Article 178. Malicious refusal of children to provide for disabled parents

1. Maliciously, i.e., refusal of children to comply with the court decision to pay money for support of parents who are unable to work or in need of material support (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 2.01.2018 No. 1472),

shall be punished with compulsory labor for a period of one hundred and twenty to one hundred and eighty hours, or with correctional labor for a period of up to two years, or with deprivation of liberty for the same period (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) The same act, if repeated,

shall be punished with deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 2.01.2018 No. 1472*).

Note: In Articles 177 and 178 of this Code, malicious refusal of parents to provide for their children and adult and able-bodied children to provide for incapacitated parents, all actions of the debtor that lead to non-execution of the execution document (non-payment, concealment of income, change of residence or that the workplace is directed without notifying the bailiff, etc.), and it is understood that it causes indebtedness, regardless of the period of payment, in the amount that it makes up the total amount of payment for three months (*Law of the Republic of Tatarstan dated 2.01.2018 No. 1472*).

SECTION VIII. CRIMES AGAINST PUBLIC SECURITY AND POPULATION HEALTH

CHAPTER 21. CRIMES AGAINST PUBLIC SECURITY

Article 179. Terrorism

1) Terrorism, i.e. committing an explosion, fire, shooting from firearms or other actions that cause the risk of death of people, causing serious damage to property or causing other consequences that are dangerous for society, if this action is aimed at disrupting security public, the activities of state authorities and military structures, intimidating the population or influencing the decision-making by authorities, as well as threatening to carry out the mentioned actions for the same purposes (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*, dated 13.06.2013 No. 966, from 14.11.2016 No. 1359),

shall be punished by deprivation of liberty for a period of five to ten years.

2) The same action if:

a) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

b) committed repeatedly;

c) feelings of hatred or national, racial, regional or religious hatred (*Law of the Republic of Tajikistan dated 14.11.2016 No. 1359*);

d) by a military serviceman (*Law of the Republic of Tajikistan dated 14.11.2016 No. 1359*);

e) by an official using his official status (*Law of the Republic of Tajikistan dated 14.11.2016 No. 1359*);

f) committed in the case of a dangerous relapse (*Law of the Republic of Tajikistan dated 14.11.2016 No. 1359*), -

shall be punished by deprivation of liberty for a period of eight to fifteen years (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*).

3) The act stipulated by the first and second parts of this article, if it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) :

a) by an organized group;

b) in connection with the threat of using weapons of mass destruction, radioactive materials or performing other actions that lead to mass destruction of people (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*);

c) committed in case of a particularly dangerous relapse;

d) caused the death of a person or other serious consequences due to carelessness,

shall be punished by deprivation of liberty for a period of fifteen to twenty-five years, or the death penalty, or life imprisonment (*Law of the Republic of Tajikistan dated 15.05.2004 No. 46 , dated 1.03.2005 No. 86 , dated 18.06.2008 No. 386 , 31.12.2008 No. 451 , from 13.06.2013 No. 966*).

Note: A person who is involved in the preparation of a terrorist act, if he informs the state authorities in time or prevents the commission of a terrorist act in another way, and if there is no other element of crime in the actions of this person, he will be released from criminal responsibility.

Repetition of one or more crimes provided for in this article, as well as articles 179(1), 180, 181, 185, 310 and 402 of this Code, is recognized in this article (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 179(1). Recruiting for the commission of crimes of a terrorist nature or other assistance for their commission

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Recruiting persons to commit crimes in Articles 179, 179(2), 179(3), 181, 182, 184, 184(1), 184(2), 184(3), 184(4), 185 . training of persons for the purpose of committing the listed crimes, as well as facilitating in other ways (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*),

shall be punished by deprivation of liberty for a term of five to ten years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

2) The same action if:

a) repeatedly;

b) by a group of persons with prior advice;

c) using official position;

d) committed using mass media or the Internet,

shall be punished with deprivation of liberty for a period of ten to fifteen years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 14.11.2016 No. 1359*).

3) The actions provided for in parts 1 and 2 of this article, if committed in the case of a dangerous or particularly dangerous relapse, -

shall be punished by deprivation of liberty for a period of fifteen to twenty years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 14.11.2016 No. 1359*).

Note: A person who has committed the crime specified in this article and is exempted from criminal responsibility, if he voluntarily and in a timely manner helps to prevent the commission of

crimes of a terrorist nature by informing the state authorities or in other ways, if his movements are not part of another crime (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 179(2). Financing of crimes of a terrorist nature

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*)

1) Directly or indirectly providing or gathering funds for the purpose of their full or partial use, or with the understanding thereof, by an individual terrorist or a terrorist group (organization), or for the purpose of financial support for an individual terrorist or a terrorist group (organization), or that these means for committing the crimes in articles 179, 179(1), 179(3), 181, 182, 184, 184(1), 184(2), 184(3), 184(4), 185, 193, 194, 194(1), 194(2), 194(3), 194(4), 194(5), 310, 401(1) and 402 provided by this Code are used, also if these tools are not actually used in the mentioned crimes, as well as the financing of an individual terrorist or a terrorist group (organization), even if it is not related to a specific terrorist act (acts), or planning to finance the travel of individuals to a country where they do not live or are not citizens, with the purpose of committing, preparing or participating in the commission of a terrorist act (acts) or for training terrorists or undergoing such training (*Law of the Republic of Tajikistan dated 13.06.2013 No. 965*, dated 13.06.2013 *No. 966*, dated 12.11.2013 *No. 1028*), 17.05.2018 *No. 1515*)-

shall be punished by deprivation of liberty for a period of five to ten years (*Law of the Republic of Tajikistan dated 16.04.2012 No. 808*, dated 13.06.2013 *No. 966*).

2) Actions provided for in the first part of this article, if:

a) repeatedly;

b) by a group of persons or a group of persons with prior advice;

c) by a person using official position;

d) committed with the use of legalized (formalized) proceeds obtained through crime (Law of the Republic of Tajikistan *No. 808 dated 16.04.2012*),

shall be punished by deprivation of liberty for a period of ten to fifteen years (*Law of the Republic of Tajikistan dated 16.04.2012 No. 808*, dated 13.06.2013 *No. 966*).

3) Actions provided for in the first or second parts of this article, if:

a) by an organized group;

b) committed in case of particularly dangerous relapse,

shall be punished by deprivation of liberty for a period of fifteen to twenty years (*Law of the Republic of Tajikistan dated 16.04.2012 No. 808*, dated 13.06.2013 *No. 966*).

Note: Under the concept of "tools" in this article, assets of any kind, tangible or intangible, movable or immovable, regardless of the way they were obtained, as well as legal documents or documents in any form, including electronic and digital, that provide the right to such assets or participation in them, as well as bank credits, traveller's checks, bank checks, postal transfers, shares, securities, bonds, promissory notes, letters *of credit*, etc.

Article 179(3). Public invitation to commit crimes of a terrorist nature and (or) public justification of terrorist activity

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*, dated 14.11.2016 *No. 1359*)

1) Public invitation to commit crimes in articles 179, 179(1), 179(2), 181, 182, 184, 184(1), 184(2), 184(3), 184(4), 185, 193 . ,

shall be punished by deprivation of liberty for a period of five to ten years.

2) The same actions committed using mass media or the Internet (*Law of the Republic of Tajikistan dated 3.08.2018 No. 1538*),

shall be punished by deprivation of liberty for a term of ten to fifteen years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

Note: Under the concept of public justification of terrorist activity, public promotion and encouragement to recognize the correctness of the ideology and experience of terrorism, offer to imitate and support it is understood (*Law of the Republic of Tajikistan dated 14.11.2016 No. 1359*).

Article 180. Clearly false information on terrorist acts

1) Clearly false information about the occurrence of an explosion, fire or other act that causes the risk of death of people, causing serious damage to property or other dangerous consequences for society, or threatens the safety of the aircraft and the safe navigation of the watercraft. (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*, dated 13.06.2013, *No. 965*, *No. 966*),

shall be punished with correctional works for a period of up to two years or deprivation of liberty for the same period (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) The act provided by the first part of this article, which due to carelessness caused damage to health or other serious consequences,

shall be punished by deprivation of liberty for a term of three to seven years (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*).

Article 181. Seizure of hostages

1) Taking a hostage or holding a person as a hostage related to the threat of killing or harming his health or further holding this person in order to force the state, international organizations, natural or legal persons or groups of persons to perform or refrain from performing this or that movement as a condition for the release of hostages (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*),

shall be punished by deprivation of liberty for a period of five to ten years.

2) The same movement, if (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*):

a) repeatedly;

b) by a group of persons or a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) using violence that is dangerous for human life or health (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

d) using a weapon or an object used as a weapon (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*);

e) in relation to a clearly minor person (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

f) against a woman who the culprit obviously knows is pregnant;

g) in relation to a person who the culprit was clearly aware of his being in a helpless situation (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

h) with malicious intent or hiring mercenaries (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

i) committed against two or more persons (*Law of the Republic of Tajikistan No. 35 of 17.05.2004*, *No. 386 of 18.06.2008*);

shall be punished by deprivation of liberty for ten to fifteen years (*Law of the Republic of Tajikistan No. 35 of 17.05.2004*).

3) The intended movement of the first or second parts of this article if (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*):

a) by an organized group;

b) caused the death of a person or other serious consequences due to negligence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

c) committed in case of particularly dangerous relapse,
shall be punished by deprivation of liberty for a term of twelve to twenty years (Law of the Republic of Tajikistan [No. 45 of 1.08.2003](#)).

Note: A person who frees a hostage by his own will or at the request of the authorities, if there is no element of another crime in his movement, is released from criminal responsibility (*Law of the Republic of Tajikistan dated 17.05.2004* [No. 35](#)).

Article 182. Seizure of buildings, facilities, means of information and communication

1) Seizure of buildings, facilities, roads or means of information or communication, other communication facilities or their retention, related to the threat of their destruction or destruction or the threat of killing citizens or harming their health in order to force the state or other authorities, legal or natural persons or a group of persons to perform or refrain from performing any action as a condition of not performing the threat (*Law of the Republic of Tajikistan dated 17.05.2004* [No. 35](#) , dated 18.06.2008 [No. 386](#)) ,

shall be punished by deprivation of liberty for a period of two to five years.

2) The same movement if (*Law of the Republic of Tajikistan dated 17.05.2004* [No. 35](#)) :

a) repeatedly;

b) by a group of persons or a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008* [No. 386](#)) ;

c) using violence that is dangerous for human life or health (*Law of the Republic of Tajikistan dated 17.05.2004* [No. 35](#)) ;

d) was committed using a weapon or an object used as a weapon (*Law of the Republic of Tatarstan dated 17.05.2004* [No. 35](#) , dated 13.06.2013 [No. 966](#)) ,

shall be punished by deprivation of liberty for a period of five to ten years.

3) Actions provided for by the first or second parts of this article, if (*Law of the Republic of Tajikistan dated 17.05.2004* [No. 35](#)) :

a) performed by an organized group:

b) caused the death of a person or other serious consequences due to negligence;

c) committed in a particularly dangerous case of recidivism,

shall be punished by deprivation of liberty for ten to fifteen years.

Article 183. Water piracy

1) Attack on a watercraft for the purpose of acquiring other property, committed by violence or threat of using it (*Law of the Republic of Tajikistan dated 18.06.2008* [No. 386](#)) ,

shall be punished by deprivation of liberty for a period of five to twelve years (*Law of the Republic of Tajikistan dated 18.06.2008* [No. 386](#) , dated 13.06.2013 [No. 966](#)) .

2) The same movement, if (*Law of the Republic of Tajikistan dated 17.05.2004* [No. 35](#)) :

a) by an organized group (*Law of the Republic of Tajikistan dated 17.05.2004* [No. 35](#)) ;

b) caused the death of a person or other serious consequences due to negligence;

c) was committed repeatedly or with the use of a weapon or an object used as a weapon (*Law of the Republic of Tajikistan dated 13.06.2013* [No. 966](#)) ,

shall be punished by deprivation of liberty for a term of twelve to twenty years (*Law of the Republic of Tajikistan dated 18.06.2008* [No. 386](#) , dated 13.06.2013 [No. 966](#)) .

Article 184. Illegal hijacking or hijacking of an aircraft, ship or railway train

(*Law of the Republic of Tajikistan dated 18.06.2008* [No. 386](#))

1) Illegal hijacking or hijacking of an aircraft, ship or railway train, as well as hijacking of such a ship or train for the purpose of illegal hijacking or exercising illegal control in another form (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished by deprivation of liberty for a period of five to eight years.

2) Committing or threatening to commit the actions specified in the first part of this article with the purpose of forcing a natural or legal person, state or international organization to commit any action or to refrain from it, if such actions can actually affect the safety of the aircraft, ship or threaten a railway train,

shall be punished by deprivation of liberty for a period of eight to twelve years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

3) Actions provided for by the first or second parts of this article, if (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*):

a) repeatedly;

b) by a group of persons or a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) with violence that is dangerous to human life and health or with the threat of using such violence;

d) was committed with the use of a weapon or an object used as a weapon (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*),

shall be punished by deprivation of liberty for a period of ten to fifteen years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386, dated 13.06.2013 No. 966*).

4) Actions provided for by the first, second or third parts of this article, if (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 18.06.2008 No. 386*):

a) by an organized group (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

b) caused the death of a person or other serious consequences due to carelessness;

c) committed in case of a particularly dangerous relapse,

shall be punished by deprivation of liberty for a period of fifteen to twenty years (*Law of the Republic of Tajikistan No. 45 of 1.08.2003, No. 386 of 18.06.2008, No. 966 of 13.06.2013*).

Article 184(1). Seizing, destroying, committing acts of violence on a real stationary platform of the continental shelf

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*)

1) Seizure of a real stationary platform of the continental shelf or other forms of illegal control over it, or intentional destruction of it or causing damage to it, which threatens the safety of the platform,

shall be punished by deprivation of liberty for a period of three to five years.

2) Committing an act of violence against a person on a real stationary platform of the continental shelf, which threatens its safety,

shall be punished by deprivation of liberty for a period of five to eight years.

3) Committing or threatening to commit acts specified in the first or second parts of this article with the aim of forcing a natural or legal person, state or international organization to commit any action or refrain from it, if such actions can actually affect the safety of the real stationary platform. threaten the continental shelf,

shall be punished by deprivation of liberty for a period of eight to twelve years.

4) Placing or making movements in any way on the stationary platform of the continental shelf in order to place a tool or substance that can damage the stationary platform or threaten its safety,

shall be punished by deprivation of liberty for a period of twelve to fifteen years.

5) Actions provided by the first, second, third or fourth parts of this article, which:

a) repeatedly;

b) by a group of persons with prior advice;

c) by a person using official position;

d) committed with the use of a weapon or an object used as a weapon (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*) ,

shall be punished by deprivation of liberty for a period of fifteen to twenty years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*) .

Article 184(2). Deliberate actions against the safety of an aircraft or ship

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*)

1) Committing an act of violence against a person who is on a plane or a ship, if such an action can threaten the safety of this plane or ship,

shall be punished by deprivation of liberty for a period of five to eight years.

2) Destroying an aircraft or ship or causing damage to this aircraft or ship or its cargo, including damage to navigation equipment or creating serious obstacles in its use, which disables it or may threaten its safety. to place, place or carry out movements that result in the placement of any means or substance in an aircraft or ship in any way that may damage such aircraft or ship or its cargo or cause damage to it that may threaten its safety ,

shall be punished by deprivation of liberty for a period of eight to twelve years.

3) Committing or threatening to commit the acts specified in the first or second parts of this article with the purpose of forcing a natural or legal person, state or international organization to commit any action or refrain from it, if such actions can actually affect the safety of the aircraft or ship. to threaten

shall be punished by deprivation of liberty for ten to fifteen years.

4) Actions provided for by the first, second or third parts of this article, which:

a) repeatedly;

b) by a group of persons with prior advice or an organized group (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*) ;

c) by a person using official position;

d) caused the death of a person or other serious consequences due to negligence (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*);

e) was committed with the use of a weapon or an object used as a weapon (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*) ,

shall be punished by deprivation of liberty for a term of fifteen to twenty years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*) .

Article 184(3). Deliberate actions against the security of airports serving civil aviation

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*)

1) Committing an act of violence at the airport against a person who provides civil aviation services, if such an act threatens or may threaten the safety of this airport,

shall be punished by deprivation of liberty for a period of five to eight years.

2) Violating or causing serious damage to the equipment or facilities of the airport serving civil aviation, or to the actual aircraft of the airport that are not in use, or interfering with the operation of the airport services, if such an action affects the safety of the airport. threatens or may threaten

shall be punished by deprivation of liberty for a period of seven to ten years.

3) Committing or threatening to commit acts specified in the second part of this article in order to compel a natural or legal person, state or international organization to commit any action or to refrain from it, if such actions are detrimental to the safety of the airport, which is used for civil aviation. serves, threatens or may threaten,

shall be punished by deprivation of liberty for a period of eight to fifteen years.

4) Actions provided for by the first or second parts of this article, which:

a) repeatedly;

b) by a group of persons with prior advice or an organized group (*Law of the Republic of Tajikistan dated 13.06.2013 No. 965*);

c) by a person using official position;

d) caused the death of a person or other serious consequences due to negligence (Law of the Republic of Tajikistan *No. 965 dated 13.06.2013*);

e) committed with the use of a weapon or an object used as a weapon (Law of the Republic of Tajikistan *No. 965 dated 13.06.2013*),

shall be punished by deprivation of liberty for a term of fifteen to twenty years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*).

Article 184(4). Illegal transportation of a person who has committed a crime of a terrorist nature in a vehicle

Illegal transportation of a person in a vehicle with the understanding that this person has committed an act that is prohibited by Articles 179, 179(1), 179(2), 179(3), 181, 182, 184, 184(1), 184(2) , 184(3), 185, 193, 194, 194(1), 194(2), 194(3), 194(4), 194(5), 310 and 402 of this Code is a crime, for the purpose of assisting deliver to such a person to avoid criminal responsibility,

shall be punished by deprivation of liberty for a period of ten to fifteen years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*).

Article 185. Organization of illegal armed units

1) Organization of illegal armed units (unions, detachments, gangs or other groups), as well as leadership of such units or participation in them,

shall be punished by deprivation of liberty for a period of five to eight years.

2) The same movement performed by a person using an official position (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by deprivation of liberty for a period of eight to twelve years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years.

Note: A person who voluntarily refused to participate in illegal armed units and surrendered his weapon, if there are no other elements of crime in his act, is released from criminal liability (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 13.06.2013 No. 966*).

Article 186. Banditry

1) Organization of a permanent armed group (team) for the purpose of attacking citizens or organizations, as well as leading such a group (team),

shall be punished by deprivation of liberty for a period of fifteen to twenty years (Law of the Republic of Tajikistan *No. 45 of 1.08.2003 , No. 966 of 13.06.2013*).

2) Participation in a permanent armed group (team) or in its attacks,

shall be punished by deprivation of liberty for a period of ten to fifteen years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*).

3) The act provided for by the first or second part of this article, if it was done by a person using his official position or in the case of a dangerous or particularly dangerous relapse,

shall be punished by deprivation of liberty for a period of fifteen to twenty years and deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan No. 45 of 1.08.2003, No. 386 of 18.06.2008 , dated 13.06.2013 No. 966*).

Article 187. Organization of a criminal association (criminal organization)

1) Organization of a criminal union (criminal organization) for the commission of serious crimes or particularly serious crimes, as well as leadership of such a union (organization) or their components, as well as the formation of a union of organizers, leaders or other representatives of organized groups in order to develop a plan and creation of conditions for committing serious and especially serious crimes (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished by deprivation of liberty for a period of fifteen to twenty years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*) .

2) Participation in a criminal association (criminal organization) or an association of organizers, leaders or other representatives of organized groups (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished by deprivation of liberty for a period of eight to twelve years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*) .

3) Actions provided for by the first or second parts of this article, which were carried out by a person using an official position or in the case of a dangerous or particularly dangerous relapse (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished by deprivation of liberty for a period of fifteen to twenty years and by deprivation of the right to hold certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*) .

Note: A person who voluntarily informs authorities about his participation in a criminal association (criminal organization) and helps to prevent its activity, if there is no other crime in his act, is released from criminal responsibility (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

Article 188. Public disturbances

1) Organization of public disorder, which is related to violence against persons, vandalism, fire, destruction or destruction of property, use of firearms, explosives, explosive devices or incendiary substances, as well as opposition to the authority, which involves the use weapons or other objects used as weapons were committed, as well as participation in this act (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966 , dated 26.07.2014 No. 1089*) ,

shall be punished by deprivation of liberty for a period of five to twelve years.

2) Calling for active disobedience to the legal requirements of the authorities or public disorder, as well as calling for violence against citizens,

shall be punished by restriction of liberty for a term of up to two years or deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

Article 189. Inciting hatred and enmity or social, racial, national, regional or religious (sectarian) conflict

(*Law of the Republic of Tajikistan dated 17.12.2020 No. 1730*)

1) Movements aimed at inciting social, racial, national, regional or religious (sectarian) enmity or conflict, degrading the dignity of a race, national, religious (sectarian) or local community, as

well as promoting the specialism and superiority of citizens in terms of their attitude to religion (sect), language, belonging to a race, nationality or locality, if these acts are committed publicly or using mass media or electronic communication networks, including the Internet, within a year after the imposition of administrative punishment for such violations have been

shall be punished by deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 17.12.2020 No. 1730*).

2) The same movement, if (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*):

a) repeatedly;

b) by violence or threat of using it;

c) using official position;

d) was carried out by a group of persons or a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished by deprivation of liberty for a period of five to ten years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or without it.

3) The action provided for by the first or second parts of this article, if (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*):

a) by an organized group (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

b) caused the death of a person or other serious consequences due to negligence (*Law of the Republic of Tajikistan No. 35 of 17.05.2004*);

c) lead to forceful eviction of the citizen from the place of permanent residence;

d) committed in the case of a dangerous or particularly dangerous relapse,

shall be punished by deprivation of liberty for a period of eight to twelve years with deprivation of the right to hold certain positions or engage in certain activities for a period of up to five years or without it.

Article 190. Violation of safety rules of mining, construction and other works

1) Violation of safety rules during mining, construction and other works, if this caused serious or moderate damage to human health due to carelessness (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of four hundred to eight hundred indicators for accounts or restriction of freedom for a period of up to three years or deprivation of freedom for the same period (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) If the same act caused the death of a person or other serious consequences due to carelessness,

shall be punished by restriction of liberty for a term of up to five years or deprivation of liberty for the same term.

Article 191. Violation of safety rules in objects with a risk of explosion

1) Violation of safety rules in objects or workshops with a risk of explosion, if this caused serious or moderate damage to human health due to carelessness,

with a fine of up to five hundred indicators for accounts or restriction of freedom for a term of up to four years or deprivation of liberty for a term of up to three years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years or without it shall be punished (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same act, if due to carelessness it caused the death of a person or other serious consequences,

shall be punished by restricting freedom for a period of up to five years or deprivation of liberty for the same period with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years.

Article 192. Non-observance of fire safety rules

(Law of the Republic of Tajikistan dated 2.01.2018 No. 1473)

1) Non-observance of fire safety rules by a person who is entrusted with the obligation to comply with these rules, if it has resulted in medium or serious damage to health due to negligence,

shall be punished with a fine in the amount of eight hundred to one thousand indicators for accounts or imprisonment for a term of up to two years.

2) The action provided for in the first part of this article, if due to carelessness it caused serious damage to the health of two or more persons or caused the death of a person or other serious consequences,

shall be punished by deprivation of liberty for a period of two to five years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years.

3) The act provided for by the first part of this article, if it caused the death of two or more persons due to negligence,

shall be punished with deprivation of liberty for a period of five to eight years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years *(Law of the Republic of Tajikistan dated 2.01.2018 No. 1473)* .

Article 193. Illegal handling of radioactive materials

1) Illegal possession, use, acquisition, sale, storage, transfer, giving to others or destruction of radioactive materials,

shall be punished by deprivation of liberty for a period of three to five years *(Law of the Republic of Tajikistan dated 18.06.2008 No. 386)* .

2) Committing a movement consisting of a demand with the threat of force or its use, or with any other form of intimidation, for the delivery of radioactive materials,

shall be punished by deprivation of liberty for a period of five to eight years *(Law of the Republic of Tajikistan dated 18.06.2008 No. 386)* .

3) Acts stipulated by the first or second parts of this article, which due to carelessness caused serious or moderate damage to human health *(Law of the Republic of Tajikistan No. 386 dated 18.06.2008)* ,

shall be punished by deprivation of liberty for a term of eight to twelve years *(Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 18.06.2008 No. 386)* .

4) Actions provided for by the first or second parts of this article, if due to carelessness caused the death of a person or other serious consequences *(Law of the Republic of Tajikistan dated 18.06.2008 No. 386)* ,

shall be punished by deprivation of liberty for a term of eight to ten years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 194. Possession of radioactive material

1) Expropriation of radioactive materials, as well as the threat of their appropriation in order to force a natural or legal person, state or international organization to commit any action or refrain from it *(Law of the Republic of Tajikistan dated 18.06.2008 No. 386)* ,

shall be punished with a fine in the amount of one thousand to two thousand indicators for accounts or deprivation of liberty for a term of up to five years *(Law of the Republic of Tajikistan dated 6.10.2008 No. 422)* .

2) The same action if:

- a) repeatedly;
- b) by a group of persons or a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);
- c) by a person using official position;
- d) with the use of violence that is not dangerous to the life or health of a person or the threat of using such violence was carried out (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by deprivation of liberty for a term of five to twelve years (Law of the Republic of Tajikistan *No. 386 of 18.06.2008*, *No. 966 of 13.06.2013*).

3) Action provided for by the first or second parts of this article, if:

- a) by an organized group;
 - b) using violence dangerous to human life or health or threatening to use such violence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);
 - c) committed in the case of a dangerous or particularly dangerous relapse,
- with deprivation of liberty for a period of twelve to twenty years (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*).

Note: In this article, as well as in articles 199 and 202 of this Code, a crime is recognized as having been committed repeatedly, if a person previously committed one or more crimes provided for in these articles, as well as crimes provided for in articles 186, 244-251 of this Code. has done

Article 194(1). Illegal use of material, radioactive means or nuclear object

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*)

Illegal use of material, radioactive means or nuclear object in such a way that the release or risk of release of radioactive material occurs, causing the risk of death or causing serious damage to human health or causing serious damage to property, to the environment, for the purpose of forcing a natural or legal person, a state or an international organization to commit any action or refrain from it, as well as the threat of committing such an act for the same purpose,

shall be punished by deprivation of liberty for a period of five to ten years.

Note: In this article, the concept of "radioactive material" is understood as nuclear material and other nuclear radioactive substances that undergo spontaneous decay (a process during which one or more types of ion emission, for example, alpha-emission, beta-emission, (e.g., neutron radiation and gamma radiation) and depending on their radiological characteristics or decay, they can cause death, serious damage to health, or serious damage to property and the environment.

"Nuclear material" - plutonium, with the exception of plutonium with an isotopic composition of which more than 80% is plutonium-238; uranium-233; uranium enriched with uranium-235 or uranium-233 isotopes; uranium containing a mixture of isotopes that occur in nature in a form different from ore or mineral residues; and any material containing one or more of the specified elements, in which case "uranium enriched in uranium-235 or uranium-233" means uranium containing isotopes of uranium-235 or uranium-233, or containing both isotopes in an amount, that the excess percentage of the sum of these isotopes compared to the uranium-238 isotope is greater than the percentage of the uranium-235 isotope compared to the naturally occurring isotope uranium-238.

A "core facility" includes:

- a) any nuclear reactor, including reactors installed in ships, vehicles, aircraft or space objects for use as a source of electricity for the propulsion of such ships, vehicles, aircraft or space objects, or any installed for other purposes;

- b) any facility or means of transportation used for the production, storage, processing or transportation of radioactive materials.

"Tool" includes:

a) any nuclear explosive device; or

b) any means of disseminating radioactive materials or emitting radiation, which, depending on its radiological characteristics, can cause death, serious damage to health, or real damage to property or the environment (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

Article 194(2). Deliberate actions against the safety of a nuclear device

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*)

1) Committing intentional actions against the safety of a nuclear device, as well as actions interfering with the use of a nuclear device, exposure to radioactive radiation or waste of radioactive materials causing the risk of death or causing serious harm to human health, or causing serious damage to property or the environment becomes

shall be punished by deprivation of liberty for a period of five to eight years.

2) Committing or threatening to commit the actions specified in the first part of this article in order to force a natural or legal person, state or international organization to commit any action or refrain from it,

shall be punished by deprivation of liberty for a period of seven to ten years.

Note: Under the term "nuclear facility" in this article is understood a device (as well as buildings and equipment related to it) in which the production, reprocessing, use, processing, storage or burial of nuclear material is carried out, if damage or interference with the use is carried out. such a device can lead to a large amount of radioactive radiation or waste of radioactive materials (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

Article 194(3). Illegal preparation of a nuclear explosive device or a radiation-emitting device

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*)

1) Illegal preparation of a nuclear explosive device or a means of disseminating radioactive materials or emitting radiation, which causes the risk of death or serious harm to human health, or causes serious damage to property or the environment,

shall be punished by deprivation of liberty for a period of five to ten years.

2) The same action if:

a) repeatedly;

b) committed by a group of persons with prior advice,

shall be punished by deprivation of liberty for a period of seven to twelve years.

3) Actions stipulated by the first or second parts of this article, if:

a) by an organized group;

b) committed in the case of a dangerous or particularly dangerous relapse,

shall be punished by deprivation of liberty for ten to fifteen years.

Note: A person who hands over the means mentioned in this article voluntarily, if there are no other elements of crime in his movement, is released from criminal responsibility (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

Article 194(4). Illegal transportation of explosives, radioactive materials, biological, chemical or nuclear weapons on aircraft, ships or land vehicles

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*, dated 13.06.2013 *No. 966*)

1) Illegal transportation by plane, ship or land vehicle:

a) any explosive substance or radioactive material, with the understanding that they are intended to cause or threaten to cause death or serious injury to health or damage with the purpose of intimidating the population or forcing a state or international organization to commit any act or refrain appointed from it;

b) any biological, chemical or nuclear weapon with the understanding that it is a biological, chemical or nuclear weapon (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*) ;

c) any primary fissionable material or equipment or materials specially designed or prepared for the processing, use or production of fissile material, with the understanding that they are intended for use in nuclear explosions or other nuclear activities. related to safeguards in accordance with the Agreement on Comprehensive Safeguards with the International Atomic Energy Agency; and or

d) any equipment, materials or software or related technology that makes a significant contribution to the planning, production or delivery of biological, chemical or nuclear weapons, with the intention of using them for this purpose, with deprivation of liberty for a period of five shall be punished up to ten years (*Law of the Republic of Tatarstan dated 13.06.2013 No. 966*) .

2) Negligently causing death or serious damage to the health of any person due to the commission of the act provided for in the first part of this article,

shall be punished by deprivation of liberty for ten to fifteen years.

Article 194(5). Illegal use or discharge of explosives, biological, chemical or nuclear weapons, hazardous and harmful substances from a ship or stationary platform on the continental shelf

(*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*)

1) Illegal use of explosives, radioactive materials or biological, chemical or nuclear weapons against a ship or a stationary platform on the continental shelf or from a ship or a stationary platform on the continental shelf, or oil, natural gas or other substances dangerous or harmful to the extent and size that it causes or can cause death or serious damage to health (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*) ,

shall be punished by deprivation of liberty for a period of five to ten years.

2) Committing or threatening to commit acts specified in the first part of this article with the aim of intimidating the population or forcing the state or international organization to perform any action or refrain from it,

shall be punished by deprivation of liberty for a term of ten to fifteen years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) .

Article 195. Illegally possessing, giving to others, transferring to someone else's possession, keeping, transporting, receiving weapons, ammunition, explosives and explosive devices

(*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*)

1) Illegally owning, giving to others, transferring to someone else's possession, keeping, transporting or taking with you firearms, (except hunting rifles), ammunition, explosives or explosive devices (*Law of the Republic of Tajikistan dated 13.06 .2013 No. 966 , dated 26.07.2014 No. 1089*)

shall be punished with a fine in the amount of one thousand to two thousand indices for accounts or restriction of freedom for a term of up to five years or imprisonment for a term of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*) .

2) The same action if:

a) repeatedly;

b) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) made in large quantities,

shall be punished by deprivation of liberty for a period of three to seven years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

3) The act provided for by the first part of this article, if committed by an organized group, as well as illegally possessing, giving to others, transferring to someone else's possession, storing, transporting or taking away nuclear, chemical, biological (bacteriological) weapons) or other types of weapons of mass destruction or materials or equipment that can be used in the manufacture of weapons of mass destruction (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 13.06.2013 *No. 966*),

shall be punished by deprivation of liberty for a period of seven to twelve years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

4) Illegally owning, giving to others, giving to someone else's possession or taking away gas weapons, daggers, double-edged knives or other cold weapons, including air weapons, if such an act was committed within a year after the administrative punishment was imposed (*Law State Gazette dated 17.05.2004 No. 35*, dated 13.06.2013 *No. 966*),

shall be punished with compulsory labor for a term of one hundred and eighty to two hundred and forty hours, or with a fine in the amount of two hundred to five hundred indicators for calculations, or with corrective labor for a term of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 6.10.2008 *No. 422*).

Note: 1) A person who voluntarily hands over the items mentioned in this article, if there are no other elements of crime in his act, is released from criminal responsibility.

2) According to the first part of this article, criminal responsibility for illegal actions with bullets arises only if the number of bullets is up to ten and if this action was committed within a year after the administrative penalty was applied. For more than ten bullets, criminal liability arises regardless of administrative liability (*Law of the Republic of Tajikistan dated 1.03.2005 No. 86*).

3) Firearms (two units and more), ammunition (grenades, shells, etc. two units and more, bullets 30 units and more), are considered large quantities (*Law of the Republic of Tajikistan dated 13.06.2013 No. 965*, dated 26.07.2014 *No. 1089*).

Article 195(1). Illegal delivery, placement, activation or detonation of an explosive device or other deadly device

Illegally and intentionally delivering, placing, launching or detonating an explosive device or another deadly device within the boundaries of public places, state or government object, public transport system object or infrastructure object, as well as in a way that it is directed against them, causes the risk of death or serious damage to human health, or destroys such places, objects or systems, causing or may cause significant economic damage,

shall be punished by deprivation of liberty for a period of eight to twelve years.

Note: In this article, "explosive device or other deadly device" includes:

a) an explosive or fire weapon or a tool that has the purpose of causing or capable of causing death or causing serious damage to health or serious material damage (*Law of the Republic of Tajikistan dated 13.06.2013 No. 965*);

b) a weapon or a means of releasing, spreading or acting with toxic chemical substances, biological agents or poisons or substances similar to them, or radiation or radioactive materials intended to cause or capable of causing death or serious injury to health or serious material damage (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*, dated 13.06.2013 *No. 965*).

Article 195(2). Trafficking and use of incendiary substances

(Law of the Republic of Tajikistan dated 26.07.2014 [No. 1089](#))

1) Manufacturing, preparing, owning, storing, giving to others, giving to another's possession, sending, transporting, taking with incendiary substances adapted for use as weapons,

shall be punished with a fine in the amount of one thousand to two thousand indicators for accounts or restriction of freedom for a term of up to five years or deprivation of liberty for a term of up to three years.

2) Use of incendiary substances,

shall be punished by deprivation of liberty for up to five years.

3) Movements provided for by parts 1 and 2 of this article, if:

a) by a group of persons or a group of persons with prior advice;

b) in case of dangerous relapse;

c) because of hatred or national, racial, religious, sectarian, regionalism or revenge;

d) was made in large quantities,

shall be punished by deprivation of liberty for a period of five to eight years.

4) Movements provided for by parts 1, 2 or 3 of this article, if:

a) by an organized group or criminal association (criminal organization);

b) in case of particularly dangerous relapse;

c) was made in a particularly large amount,

shall be punished by deprivation of liberty for a period of eight to twelve years.

Note: 1) Under the concept of incendiary substances in this and other articles of the Special Part of this Code are solutions, materials and substances that, regardless of the method of preparation, have the ability to ignite, are suitable for use as a weapon, and are intended to cause damage to life, health, property and environment are targeted.

2) A person who voluntarily delivers the incendiary substances mentioned in this article, if there are no other components of the crime in his act, will not be held responsible for the commission of this crime.

3) Inflammable substances in the amount of 0.5 liters to 1 liter are considered large quantities and more than 1 liter are considered especially large quantities (*Law of the Republic of Tajikistan dated 26.07.2014 [No. 1089](#)*).

Article 196. Illegal manufacture of weapons

(Law of the Republic of Tajikistan dated 13.06.2013 [No. 966](#))

1) Illegal manufacture or repair of firearms, their complete (loading) parts, as well as illegal manufacture of ammunition, explosives or explosive devices (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 13.06.2013 [No. 966](#)*),

shall be punished with a fine in the amount of one to two thousand indicators for calculations or with deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)*).

2) The same act, committed repeatedly or by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)*),

shall be punished by deprivation of liberty for a period of three to five years (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)*).

3) The act specified by the first or second parts of this article, which was committed by an organized group or in the case of a dangerous or particularly dangerous relapse,

shall be punished by deprivation of liberty for a period of five to eight years (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)*);

4) Illegal manufacture of gas weapons, as well as daggers, double-edged knives or other cold weapons, including air weapons (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 13.06.2013 *No. 966*),

shall be punished with compulsory labor for a period of one hundred and eighty to two hundred and forty hours, or with a fine of up to five hundred indicators for calculations, or with restriction of freedom for a period of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 6.10.2008 *No. 422*).

Note: A person who voluntarily hands over the items mentioned in this article, if there is no other element of crime in his act, is released from criminal responsibility.

Article 197. Careless storage of weapons

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 13.06.2013 *No. 966*)

Careless storage of firearms, ammunition, explosives or explosive devices by their legal owner, who created conditions for its use by another person, and if it caused serious consequences due to negligence (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*),

shall be punished with a fine in the amount of two hundred to five hundred indicators for calculations or with restriction of freedom for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 6.10.2008 *No. 422*).

Article 198. Improper performance of the task of protecting weapons, ammunition, explosives and explosive devices

(*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*)

1) Improper performance of duties by a person entrusted with the protection of firearms, ammunition, explosives or explosive devices, if it is the reason for their misappropriation or destruction or causes other serious consequences (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*),

shall be punished by restriction of freedom for a term of up to five years or by deprivation of liberty for a term of up to three years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or without it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) Improper performance of duties related to the protection of nuclear, chemical, biological (bacteriological) weapons or other types of weapons of mass destruction or materials or equipment that can be used in the manufacture of weapons of mass destruction, if this causes other serious consequences or risks to cause such consequences (*Law of the Republic of Tajikistan No. 35 of 17.05.2004*, *No. 966 of 13.06.2013*),

shall be punished by deprivation of liberty for a period of three to seven years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years.

Article 199. Possession of weapons, ammunition, explosives and explosive devices

(*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*)

1) Possession of firearms, their complete parts (chargers), ammunition, explosives or explosive devices (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, 13.06.2013 *No. 966*),

shall be punished by deprivation of liberty for a period of three to five years.

2) Possession of nuclear, chemical, biological (bacteriological) weapons and other types of weapons of mass destruction, as well as materials or equipment that can be used in the manufacture of weapons of mass destruction (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 13.06.2013 *No. 966*),

shall be punished by deprivation of liberty for a period of five to eight years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) The act stipulated by the first or second parts of this article if:

a) repeatedly;

b) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) with the use of violence that is not dangerous to life or health or with the threat of using such violence,

shall be punished by deprivation of liberty for a period of eight to twelve years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*, dated 13.06.2013 *No. 966*).

4) Action provided for in the first, second or third parts of this article, if:

a) by an organized group,

b) using violence that is dangerous to life and health or threatening to use such violence;

c) by a person using official position;

d) committed in case of dangerous or particularly dangerous relapse,

shall be punished by deprivation of liberty for a term of twelve to twenty years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*, dated 13.06.2013 *No. 966*).

Article 199(1). Illegal trade in consumer goods (pyrotechnics)

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 389*)

1) Illegal importation, production, storage, sale, transfer and use of consumer goods (pyrotechnics) in the territory of the Republic of Tajikistan in a small amount or during the year after the imposition of administrative punishment for committing such acts. ,

shall be punished with a fine in the amount of one hundred to two hundred indicators for calculations (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same acts, if committed in large numbers,

shall be punished with a fine in the amount of two hundred to five hundred indicators for accounts or deprivation of liberty for a period of one to two years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

Note: Under the definition of small quantities of twenty to one hundred commercial (pyrotechnic) materials used for fireworks, fifty to two hundred fireworks toys such as capsules for toy guns (wrapped in tapes, sheets, rollers or plastic rings), to A large quantity is defined as more than one hundred items of commercial (pyrotechnic) materials for fireworks, more than two hundred items of firework toys such as capsules for toy guns (wrapped in tapes, sheets, rollers or plastic rings) (*Law of the Republic of Tajikistan dated 18.06.2008 No. 389*).

CHAPTER 22. CRIMES AGAINST PUBLIC HEALTH

Article 200. Illegal trade in narcotic drugs or psychotropic substances or similar (analogue) with the purpose of transferring them to someone else's possession

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 20.04.2021 *No. 1776*)

1) Illegal production, preparation, processing, possession, storage, transfer or sending for the purpose of transferring to the possession of another person, as well as illegal transfer to the possession of another person of narcotic drugs or psychotropic substances or similar (analogue) in small quantities (*Law State Gazette dated 20.04.2021 No. 1776*),

shall be punished by deprivation of liberty for up to five years.

2) The actions provided for in the first part of this article, if they were committed in a small amount,

shall be punished by imprisonment for five to eight years (Law of the Republic of Tajikistan [No. 386 of 18.06.2008](#) , [No. 966 of 13.06.2013](#)) .

3) Actions provided by the first or second parts of this article, if:

a) repeatedly;

b) in public educational institutions or in other places used for educational, sports or other public events;

c) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ;

d) in large quantities;

e) committed in the case of a serious relapse,

shall be punished by deprivation of liberty for a period of eight to twelve years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386* , dated 13.06.2013 [No. 966](#)) .

4) Movements provided for by the first, second or third parts of this article, if:

a) in case of particularly dangerous relapse;

b) at the place of serving punishment in the form of deprivation of liberty;

c) using official position;

d) by an organized group or criminal association (criminal organization);

e) was committed in a particularly large amount, -

shall be punished by deprivation of liberty for a period of twelve to twenty years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35* , dated 18.06.2008 [No. 386](#) , dated 13.06.2013 [No. 966](#)) .

Note:

1) In Articles 200-205 of this Code, a crime is recognized as a repeated crime if a person has previously committed one or more crimes specified in these articles.

2) The concepts of small, not very large, large and especially large quantities provided for in this article and other relevant articles of this Code, in accordance with the list and quantity of narcotic drugs, psychotropic substances and their precursors, which are in circulation, as well as plants containing drugs narcotics or psychotropic substances or their parts, which contain narcotic drugs or psychotropic substances and are specified in Annex 1 to this Code (*Law of the Republic of Tajikistan dated 13.11.2023 No. 1084*) .

3) The concept of small, not very large, large and especially large amount is indicated in Article 204 and is defined in the List according to the number of seedlings of crops containing narcotic substances, the cultivation of which is prohibited (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

4) Small, small, large and especially large quantities of similar (analogue) narcotic drugs and psychotropic substances correspond to small, small, large and especially large quantities of narcotic drugs and psychotropic substances, which are their similar (analogue) substances (*Law State Gazette dated 20.04.2021 No. 1776*) .

Article 201. Illegal treatment with narcotic drugs or psychotropic substances or their analogues

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35* , dated 20.04.2021 [No. 1776](#))

1) Illegal production, preparation, processing, possession, storage, transfer or sending of narcotic drugs or psychotropic substances or similar (analogues) thereof, without the intention of transferring them to someone else's possession in small quantities (*Law of the Republic of Tajikistan dated 20.04.2021 No. 1776*) ,

shall be punished with a fine in the amount of one hundred to five hundred indicators for accounts or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The actions provided for in the first part of this article, if they were committed in a small amount,

shall be punished by deprivation of liberty for a period of two to five years.

3) Actions provided by the first or second parts of this article, if:

a) repeatedly;

b) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) at the place of serving punishment in the form of deprivation of liberty;

d) using official position;

e) in case of dangerous relapse;

f) has been committed in large quantities,

shall be punished by imprisonment for five to eight years (*Law of the Republic of Tajikistan No. 386 of 18.06.2008, No. 966 of 13.06.2013*).

4) Movements provided for by the first, second or third parts of this article, if:

a) in case of particularly dangerous relapse;

b) was made in a particularly large amount,

shall be punished by deprivation of liberty for a period of eight to twelve years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 18.06.2008 No. 386, dated 13.06.2013 No. 966*).

Article 202. Possession of narcotic drugs or psychotropic substances or their analogues

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 20.04.2021 No. 1776*)

1) Possession of narcotic drugs or psychotropic substances or similar (analogues) thereof (*Law of the Republic of Tajikistan dated 20.04.2021 No. 1776*),

shall be punished by deprivation of liberty for a period of three to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) The same movement if (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*):

a) repeatedly;

b) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) using official position;

d) has been exported in large quantities;

e) with violence that is not dangerous for life and health or with the threat of its use,

shall be punished by deprivation of liberty for a period of five to ten years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or without it (*Law of the Republic of Tajikistan No. 35 dated 17.05.2004, dated 18.06.2008 No. 386, dated 13.06.2013 No. 966*).

3) The action provided for by the first or second parts of this article, if (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*):

a) by an organized group;

b) in a particularly large amount;

c) using violence that is dangerous to life and health or threatening to use such violence;

d) committed in the case of a dangerous or particularly dangerous relapse,
shall be punished by deprivation of liberty for a period of ten to fifteen years (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#), dated 18.06.2008 [No. 386](#), dated 13.06.2013 [No. 966](#)*).

Article 202(1). Illegal production, preparation, processing, possession, storage, possession, transfer or delivery of precursors

(*Law of the Republic of Tajikistan dated 5.08.2009 [No. 547](#)*)

1) Illegal production, preparation, processing, possession, storage, transfer to another person's possession, transfer or sending of precursors with the purpose of using them for the production or preparation of narcotic drugs or psychotropic substances in large quantities,

shall be punished by deprivation of liberty for up to five years.

2) The same action if:

- a) repeatedly;
- b) by a group of persons with prior advice;
- c) committed by using official position,

shall be punished with deprivation of liberty for a period of five to seven years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or without it.

3) Actions stipulated by the first or second parts of this article, if:

- a) by an organized group;
- b) in case of dangerous or particularly dangerous relapse;
- c) was made in a particularly large amount,

shall be punished by deprivation of liberty for a period of seven to ten years (*Law of the Republic of Tajikistan [No. 547 of 08.5.2009](#), [No. 966 of 06.13.2013](#)*).

Article 202(2). Seizure of precursors

(*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)*)

1) Possession of precursors for the purpose of production or preparation of narcotic drugs or psychotropic substances,

shall be punished by deprivation of liberty for a term of up to five years (*Law of the Republic of Tajikistan dated 5.08.2009 [No. 547](#)*).

2) The same movement if:

- a) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)*);
- b) repeatedly;
- c) by using violence that is not dangerous to life or health or by threatening to use it;
- d) using official position;
- e) was made in large quantities,

shall be punished with deprivation of liberty for a period of five to seven years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or without it (*Law of the Republic of Tajikistan dated 5.08.2009 [No. 547](#)*).

3) Movements provided for by the first or second parts of this article if:

- a) by an organized group;
- b) by using violence that is dangerous to life or health or by threatening to use such violence;

c) was made in a particularly large amount,

shall be punished by deprivation of liberty for a period of seven to twelve years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*, dated 13.06.2013 *No. 966*).

Article 203. Encouraging the consumption of narcotic drugs or psychotropic substances or their analogues

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 20.04.2021 *No. 1776*)

1) Encouraging the consumption of narcotic drugs or psychotropic substances or their analogues (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 20.04.2021 *No. 1776*),

shall be punished by deprivation of liberty for up to five years.

2) The same movement, if (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*):

a) against clearly minors (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*);

b) against two or more persons (*Law of the Republic of Kazakhstan dated 18.06.2008 No. 386*);

c) by deception;

d) using violence or threatening to use it;

e) repeatedly;

f) imprisonment at the place of serving the sentence;

g) committed by an organized group,

shall be punished by deprivation of liberty for a period of three to seven years.

3) The action provided for in the first or second parts of this article, if it caused the death of the victim or caused other serious consequences due to negligence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by deprivation of liberty for a period of seven to twelve years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 204. Illegal cultivation of crops containing narcotic substances, the cultivation of which is prohibited

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Cultivation, i.e. cultivation or illegal maintenance of crops containing narcotic substances, the cultivation of which is prohibited, was committed in small quantities,

shall be punished with a fine in the amount of two hundred to five hundred indicators for accounts or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The actions provided for in the first part of this article, if they were committed in a small amount,

shall be punished by deprivation of liberty for a period of two to five years.

3) Actions provided by the first or second parts of this article, if:

a) repeatedly;

b) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) in case of dangerous relapse;

d) was made in large quantities,

shall be punished by imprisonment for five to eight years (Law of the Republic of Tajikistan [No. 386 of 18.06.2008](#) , [No. 966 of 13.06.2013](#)) .

4) Movements provided for by the first, second or third parts of this article, if:

- a) in case of particularly dangerous relapse;
- b) by an organized group or criminal association (criminal organization);
- c) using official position;
- d) was made in a particularly large amount,

shall be punished by deprivation of liberty for a period of eight to twelve years (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 18.06.2008 [No. 386](#) , dated 13.06.2013 [No. 966](#)*) .

Article 205. Organization or maintenance of a brothel for the consumption of narcotic drugs or psychotropic substances or their analogues

(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 20.04.2021 [No. 1776](#))

1) Organization or maintenance of a brothel for the consumption of narcotic drugs or psychotropic substances or their analogues (*Law of the Republic of Tatarstan dated 17.05.2004 [No. 35](#) , dated 20.04.2021 [No. 1776](#)*) ,

shall be punished by deprivation of liberty for a period of three to five years.

2) The same action if:

- a) repeatedly;
- b) by an organized group;
- c) committed by using official position,

shall be punished by deprivation of liberty for a period of five to ten years (*Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#) , dated 13.06.2013 [No. 966](#)*) .

Article 206. Illegal trading of strong or poisonous substances with the purpose of transferring them to someone else's possession

(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 19.07.2022 [No. 1895](#))

1) Illegally producing, preparing, processing, owning, storing, transporting or sending with the purpose of giving it to someone else's possession, as well as illegally giving someone else's possession strong or poisonous substances that are not narcotic drugs or psychotropic substances (*Law of the Republic of Tajikistan of 19.07.2022 [No. 1895](#)*) ,

shall be punished by restriction of liberty for a period of three to five years or deprivation of liberty for the same period.

2) The same action, if;

a) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)*) ;

b) has been committed repeatedly,

shall be punished by deprivation of liberty for a period of five to seven years (*Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#) , dated 13.06.2013 [No. 966](#)*) .

3) Actions stipulated by the first or second parts of this article, if:

a) by an organized group;

b) committed in large quantities in connection with strong substances (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 19.07.2022 [No. 1895](#)*) ,

shall be punished by deprivation of liberty for a period of seven to ten years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*, dated 13.06.2013 *No. 966*).

Note : Lists of strong substances and toxic substances, as well as large amounts of strong substances for the purposes of this article and other relevant articles of this Code are approved by the Government of the Republic of Tajikistan (*Law of the Republic of Tajikistan dated 19.07.2022 No. 1895*).

Removed (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 206(1). Violation of the rules of dealing in narcotic drugs, psychotropic substances or precursors, strong or poisonous substances

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 19.07.2022 *No. 1895*)

1) Violation of the rules of production, preparation, processing, storage, accounting, giving, sale, distribution, transfer, sending, possession, use, import, export or destruction of narcotic drugs, psychotropic substances or precursors, as well as materials, tools or equipment that is used for the preparation of narcotic drugs, psychotropic substances or precursors and is subject to special control, if this action is carried out by a person who is obliged to comply with the mentioned rules,

shall be punished with a fine in the amount of up to five hundred indicators for calculations, or with correctional work for a term of up to two years, or with deprivation of liberty for the same term, with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) Violation of the rules of production, possession, storage, accounting, giving, transfer or sending of strong or poisonous substances, if it led to their possession or causing other serious damage (*Law of the Republic of Tajikistan dated 19.07.2022 No. 1895*),

shall be punished with a fine in the amount of up to five hundred indicators for accounts or with correctional work for a term of up to two years or imprisonment for the same term with deprivation of the right to occupy certain positions and engage in certain activities for a term of up to three years (*Law State Gazette dated 17.05.2004 No. 35*, dated 6.10.2008 *No. 422*).

Article 207. Violation of sanitary, hygienic and anti-epidemic rules and regulations

(*Law of the Republic of Tajikistan dated 2.01.2019 No. 1555*)

1) Violation of sanitary, hygienic and anti-epidemic rules and standards, which caused public illness or poisoning of people due to carelessness,

shall be punished with a fine in the amount of five hundred to one thousand indicators for calculations or with correctional works for a term of up to two years or imprisonment for the same term.

2) The same act, if it was committed in the conditions of the emergence and spread of a disease dangerous for humans or during the implementation of restrictive quarantine measures, which caused public illness or poisoning of people due to negligence, -

shall be punished by deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 04.07.2020 No. 1701*).

3) Actions provided for by the first or second parts of this article, if due to carelessness they caused serious damage to health or infection of human immunodeficiency virus or death of one or more persons, -

shall be punished by deprivation of liberty for a period of five to ten years (*Law of the Republic of Tajikistan dated 04.07.2020 No. 1701*).

Article 208. Concealment of information on situations that are dangerous for life and health of people

1) Hiding or distorting information about incidents, events or events that are dangerous for the life or health of people or the environment, by a person who is obliged to provide the population with such information (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of five hundred to seven hundred indicators for accounts or restriction of freedom for a period of up to three years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same action if:

a) by a person using an official status;

b) caused damage to human health or caused other serious consequences due to carelessness,

shall be punished with correctional labor for a term of up to two years or deprivation of liberty for a term of up to three years with deprivation of the right to occupy certain positions and engage in certain activities for a term of up to three years or without it.

Article 209. Production, storage, transfer or transfer to someone else's ownership of goods and products, performance of work or services that do not meet safety requirements

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Production, storage or transfer for the purpose of transfer to another person's ownership or transfer to someone else's ownership of goods or products, performance of work or services that do not meet the safety requirements for the life or health of consumers, as well as illegal issuance of an official document or the use of such a document that confirms the compliance of this product, work or service with safety requirements (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

punishment with a fine in the amount of two hundred to five hundred indicators for calculations or with restriction of freedom for a term of up to two years or with deprivation of liberty for the same term with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to two years is issued (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

2) The same action if:

a) related to goods or products, work or services belonging to children under the age of six (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

b) caused damage to the health of two or more victims due to carelessness (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

c) caused the death of a person due to carelessness,

shall be punished by deprivation of liberty for a period of three to five years with deprivation of the right to hold certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) The act stipulated by the first or second parts of this article, which caused the death of two or more victims due to negligence,

shall be punished by deprivation of liberty for a period of five to eight years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of three to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 210. Illegal engagement in private medical activity and private pharmaceutical activity

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Engaging in private medical activity or private pharmaceutical activity by a person who does not have a license (license) for this chosen activity, if this caused damage to human health due to negligence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine of up to five hundred indicators for accounts with deprivation of the right to hold certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same act, if due to carelessness it caused serious damage to health or human immunodeficiency virus infection or death of a person,

shall be punished with deprivation of liberty for a period of five to ten years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of five years (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1555*).

Article 210(1). Illegal importation, production and distribution of low-quality, fake (fabricated) medicines that do not meet the requirements of established standards, as well as expired medicines into the territory of the Republic of Tajikistan

(*Law of the Republic of Tajikistan dated 31.12.2008 No. 451*)

1) Illegal importation, production and distribution of low-quality, fake (fabricated) medicines that do not meet the requirements of the established standards, as well as expired medicines in large quantities, into the territory of the Republic of Tajikistan.

punishable by a fine in the amount of one thousand to two thousand indicators for accounts or by deprivation of liberty for a period of two to five years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or without it (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1555*).

2) The same action if:

- a) repeatedly;
- b) by a group of persons with prior advice;
- c) committed by using official status,

shall be punished with a fine in the amount of two thousand to four thousand indicators for accounts or deprivation of liberty for a period of five to eight years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1555*).

3) Actions provided for in the first and second parts of this article, if:

- a) by an organized group;
- b) in a particularly large amount;
- c) caused the death of a person or other serious consequences due to carelessness,

shall be punished by deprivation of liberty for a period of eight to twelve years with deprivation of the right to occupy certain positions or engage in certain activities for a period of five years (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966, dated 2.01.2019 No. 1555*).

Note: Under the concept of importing, producing and putting into circulation low-quality, fake (fake) medicines that do not meet the requirements of the established standards, as well as expired medicines provided for in this article in large quantities, the value of medicinal materials exceeds one hundred indicators for calculations and in the amount in particular, more than a thousand indicators for calculations are understood (*Law of the Republic of Tajikistan dated 31.12.2008 No. 451*).

CHAPTER 23. CRIMES AGAINST TRAFFIC SAFETY AND TRANSPORT USE

Article 211. Violation of traffic safety rules and use of railway, air or water transport

1) Violation of the rules of traffic safety or the use of railway, air or water transport by a person who is obliged to observe these rules in connection with the work performed or the positions held by him, if this act caused serious or moderate damage to human health due to negligence or damage imported in large quantities

shall be punished with correctional labor for a term of up to two years or deprivation of liberty for the same term with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to two years or without it.

2) The same act, which caused the death of a person due to carelessness,

shall be punished by deprivation of liberty for a term of up to five years with disqualification from occupying certain positions or engaging in certain activities for a term of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) Actions provided for in the first part of this article, if:

a) caused the death of two or more people due to negligence;

b) caused other serious consequences (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by deprivation of liberty for a period of five to twelve years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years.

Article 212. Violation of traffic rules and use of vehicles

1) Violation of traffic rules or use of a vehicle by a person driving a car or other mechanical vehicle, which due to carelessness has caused moderate damage to human health (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

with a fine in the amount of up to five hundred indicators for accounts or with restriction of freedom for a period of up to three years or deprivation of liberty for a period of up to two years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or without it is punishable (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

2) The same act, which due to carelessness caused the death of a person, causing serious damage to the health of a person,

shall be punished by deprivation of liberty for a period of three to five years, with deprivation of the right to hold certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) Actions provided for by the first part of this article, which due to negligence caused the death of two or more persons (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished with deprivation of liberty for a period of five to ten years with deprivation of the right to hold certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

4) Actions provided for in the first part of this article, committed by a person who is in a state of intoxication or a person who does not have the right to drive a vehicle, and caused the death of a person or causing serious damage to a person's health due to negligence,

shall be punished by deprivation of liberty for a period of five to ten years, with deprivation of the right to hold certain positions or engage in certain activities for a period of ten years (*Law of the Republic of Tajikistan dated 28.08.2017 No. 1467*).

5) Acts specified in the first part of this article, committed by a person who is in a state of intoxication or a person who does not have the right to drive vehicles, and caused the death of two or more people due to negligence,

shall be punished with deprivation of liberty for a period of ten to fifteen years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of ten to twenty years (*Law of the Republic of Tajikistan dated 28.08.2017 No. 1467*).

Note: The concept of other mechanical vehicles in this article includes tractors, other self-propelled vehicles, trolleybuses, as well as motorcycles and other mechanical vehicles.

Article 212(1). Driving a vehicle with a foreign state registration number, illegal transaction of fake vehicle registration numbers

(Law of the Republic of Tajikistan dated 23.07.2016 [No. 1331](#) , dated 13.11.2023 [No. 1084](#))

1. Driving a vehicle with a foreign state registration number, if it was committed within one year after the implementation of the administrative punishment for such an act *(Law of the Republic of Tajikistan dated 13.11.2023 [No. 1084](#))* ,

shall be punished by a fine in the amount of one hundred to one hundred and fifty indicators for calculations or by restriction of freedom for a term of up to two years.

2. Making, owning, keeping, transferring, using or giving to someone else a fake vehicle registration number,

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of liberty for a term of up to two years *(Law of the Republic of Tajikistan dated 13.11.2023 [No. 1084](#))*

3. The actions specified in part 2 of this article, if they were committed with the purpose of committing or covering up a crime,

shall be punished by deprivation of liberty for a period of three to five years *(Law of the Republic of Tajikistan dated 13.11.2023 [No. 1084](#))*.

Article 212(2). Driving a vehicle by a person who does not have the right to drive and is in a state of intoxication

(Law of the Republic of Tajikistan dated 23.07.2016 [No. 1331](#))

Driving a vehicle by a person who does not have the right to drive and is in an intoxicated state, as well as giving the vehicle to a person who does not have the right to drive and is in an intoxicated state for driving by this person, if within one year after the application of an administrative penalty for such an act -

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of liberty for a term of up to two years *(Law of the Republic of Tajikistan dated 28.08.2017 [No. 1467](#))* .

Article 213. Repair of poor-quality roads, vehicles and putting them into use with technical deficiencies

(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))

1) Repairing poor-quality vehicles, roads, means of communication or other transport equipment, as well as allowing a technically defective vehicle to be used by the person responsible for the technical condition of the vehicle, if this act causes serious or moderate damage to the victim's health due to negligence, or caused a large amount of damage,

shall be punished with correctional works for a term of up to two years or deprivation of liberty for the same term with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to two years *(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))* .

2) The same act, if due to carelessness caused the death of a person,

shall be punished by deprivation of liberty for a period of three to five years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years.

3) Actions provided for in the first part of this article, if:

a) caused the death of two or more persons due to carelessness (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

b) caused other serious consequences (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by deprivation of liberty for a period of five to ten years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years.

Article 214. Making vehicles or roads unusable

1) Destroying, damaging or by other methods and means making vehicles, roads, means of warning or communication or other transport equipment unusable, as well as blocking transport routes, if this action causes serious or moderate damage to human health due to negligence delivered (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of one thousand to one thousand five hundred indicators for accounts or restriction of freedom for a period of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

2) The same act, if due to carelessness caused the death of a person,

shall be punished by deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) Actions provided for by the first part of this article, which due to negligence caused the death of two or more persons (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished by deprivation of liberty for a period of five to ten years.

Article 215. Illegal carrying of explosive or flammable substances in air transport

1) Illegal carrying of explosive or flammable substances in an aircraft,

shall be punished with a fine in the amount of five hundred to one thousand indicators for calculations or with deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

2) The same act, which caused serious consequences,

shall be punished by deprivation of liberty for a period of five to ten years.

Article 216. Violation of the rules that ensure the safe operation of transport

1) Violation of the rules of traffic safety or the use of vehicles by a passenger, pedestrian or other traffic participant (except for the persons mentioned in articles 211 and 212 of this Code), if this act caused serious or moderate damage to human health due to negligence. (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*)

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

2) The same act, if due to carelessness caused the death of a person,

shall be punished by deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) The action provided for in the first part of this article if,

a) caused the death of two or more persons due to carelessness (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

b) the cause of the accident;

c) caused other serious consequences,

shall be punished by deprivation of liberty for a period of five to eight years.

Article 217. Violation of safety rules during the construction, operation and repair of pipelines

1) Violation of safety rules during the construction, use or repair of main pipeline lines, if this act caused serious or medium damage to human health or a large amount of damage due to negligence,

shall be punished by restricting freedom for a term of up to four years, or deprivation of liberty for a term of up to two years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or without it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) The same act, if due to carelessness caused the death of a person (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by deprivation of liberty for a period of two to five years.

3) The act stipulated by the first part of this article, which caused the death of two or more persons due to negligence (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished by deprivation of liberty for a period of five to ten years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 218. Violation of international flight rules

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

Non-observance of the specified flight path, landing place, space gates, flight altitude or violation of other international flight rules (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of one thousand to two thousand indicators for accounts or deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or labor correctional works for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

Article 219. Arbitrarily, unnecessarily stopping the train

Arbitrarily, unnecessarily stopping the train with a braking device (stop crane) by disconnecting the brake air line or by other means, if it caused the death of a person, overturning, damage to the train or other serious consequences due to negligence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by deprivation of liberty for a period of five to twelve years.

SECTION IX. CRIMES AGAINST ENVIRONMENTAL SECURITY AND ENVIRONMENT

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

CHAPTER 24. CRIMES AGAINST ECOLOGICAL SECURITY AND THE ENVIRONMENT

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

Article 220. Violation of environmental safety rules during work

Violation of environmental protection rules during the design, location, construction, operation or use of industrial, agricultural, scientific facilities or other facilities by persons responsible for their compliance, if such actions due to negligence lead to significant changes in the landscape (background) radioactivity, the death of one or more people, a mass disease of people or the death of animals or other serious consequences (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 18.06.2008 No. 386*),

shall be punished by deprivation of liberty for a period of three to eight years with deprivation of the right to hold certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 221. Deliberate concealment or distortion of information on environmental pollution

1) Deliberate concealment by an official from the public of information about radioactive, chemical, bacteriological or other pollution dangerous to the life or health of people or the environment, as well as providing them with distorted information about such pollution (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

with a fine in the amount of five hundred to eight hundred indicators for accounts, or restriction of freedom for a term of up to three years, or deprivation of liberty for a term of up to two years, with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to five years, or without it will be punished (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same action, if;

a) caused the death of one or more persons due to carelessness (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

b) caused mass disease of people or other serious consequences,

shall be punished by deprivation of liberty for a term of up to five years, with deprivation of the right to occupy certain positions and engage in certain activities for a term of up to five years.

Article 222. Failure to take measures to eliminate the consequences of environmental pollution

Refusal to carry out work or improperly carry out decontamination and restoration measures in areas covered with environmental pollution by the person who is obliged to take these measures, if it causes the death of one or more people, public illness of people or other serious consequences (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*),

shall be punished by deprivation of liberty for a period of two to five years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years.

Article 223. Violation of safety rules when dealing with environmentally hazardous substances and waste

1) Violation of safety rules during production, transportation, storage, burial, use or other treatment with radioactive, bacteriological, chemical substances or waste, if it threatens to cause serious harm to human health or the environment (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with correctional works for a term of up to two years or restriction of liberty for a term of up to three years or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) The same action if:

a) has caused contamination, infection or poisoning of the natural environment, is harmful to human health, or has caused the death of animals;

b) committed in areas of environmental disaster or emergency environmental situation,

shall be punished by deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) The act provided for by the first or second part of this article, which due to carelessness caused mass human diseases or human death,

shall be punished by deprivation of liberty for a period of five to eight years.

Article 224. Violation of safety rules when dealing with microbiological factors or other biological factors or toxins (poisonous substances)

(Law of the Republic of Tajikistan dated 19.07.2022 [No. 1895](#))

1) Violation of safety rules when dealing with microbiological factors or other biological factors or toxins, if it caused damage to human health due to negligence, caused the spread of epidemic (infectious diseases) or epizootic (animal disease) or other serious consequences (*Law State Gazette dated 17.05.2004 [No. 35](#)*),

shall be punished by deprivation of liberty for a term of up to three years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years or without it.

2) If the same act caused the death of a person due to carelessness,

shall be punished by deprivation of liberty for a term of up to three years with deprivation of the right to hold certain positions or engage in certain activities for a period of three to five years or without it (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)*).

Article 225. Violation of veterinary (veterinary) rules and rules for the fight against plant diseases and pests

1) Violation of veterinary rules, which due to carelessness caused the spread of epidemics (infectious diseases), epizootics (animal diseases) or other serious consequences (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)*),

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 6.10.2008 [No. 422](#)*).

2) Violation of the rules established for the fight against diseases against plant pests, which caused serious consequences due to negligence (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)*),

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 [No. 422](#)*).

Article 226. Pollution of water

1) Pollution or pollution of surface or underground water, sources of drinking water, regular reduction of water resources or deterioration of its quality or other form of change of its natural characteristics, if such action was committed during the year after the application of the administrative punishment (*Law of the Republic of Tajikistan from 17.05.2004 [No. 35](#)*),

shall be punished with compulsory labor for a term of one hundred and forty to two hundred and forty hours, or with a fine of up to five hundred indicators for calculations, or with corrective labor for a term of up to two years, or with restriction of freedom for the same term (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)*).

2) The same action if:

a) caused serious damage to fauna or flora, fish resources, forestry or agriculture (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)*);

b) caused damage to people's health due to carelessness;

c) has caused the destruction of animals;

d) was committed in the areas of the state reserve or nursery or in the area of an environmental disaster or an environmental emergency,

shall be punished with correctional labor for a term of up to two years or deprivation of liberty for a term of two to five years.

3) The act stipulated by the first or second parts of this article, which caused the death of a person due to negligence,
shall be punished by deprivation of liberty for a period of five to eight years.

Article 227. Pollution of space

1) Polluting or otherwise changing the natural properties of the air by raising the specified standards as a result of violating the rules for the use of devices, facilities or other objects, if this action seriously harmed the natural environment.

shall be punished with a fine in the amount of five hundred to seven hundred indices for calculations or with correctional labor for a term of up to two years or restriction of freedom for a term of up to three years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same action that caused damage to human health due to carelessness,
shall be punished with correctional labor for a term of one to two years or deprivation of liberty for a term of up to three years.

3) The act stipulated by the first part of this article, which caused the death of a person due to negligence,
shall be punished by deprivation of liberty for a period of three to five years.

Article 228. Destruction of land

1) Poisoning or polluting the land with harmful agricultural products or with other types of activity as a result of violating the rules of dealing with poisonous drugs, manure, samples of plant growth or other dangerous chemical or biological substances during their storage, use, transportation, as well as other methods of destruction land that has seriously harmed human health or the natural environment (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of five hundred to eight hundred indicators for accounts or restriction of freedom for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*).

2) The same act, which was committed in the area of environmental disaster or environmental emergency, or caused harm to people's health due to negligence,

shall be punished with a fine in the amount of seven hundred to one thousand indicators for accounts or restriction of freedom for a period of up to five years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

3) The act stipulated by the first part of this article, which caused the death of a person due to negligence,
shall be punished by deprivation of liberty for a period of three to five years.

Article 229. Violation of the rules of protection and use of underground resources

Violation of the rules for the protection and use of underground resources during the design, placement, construction, operation and use of industrial mining enterprises or underground structures not related to the extraction of minerals, as well as arbitrary construction of structures in areas where minerals are located, if such actions caused serious damage,

shall be punished with a fine in the amount of three hundred to seven hundred indicators for accounts or deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or correctional works for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*).

Article 230. Illegal hunting of aquatic animals

- 1) Illegal fishing of fish or other types of aquatic animals, if this action:
 - a) caused a large amount of damage;

- b) was carried out using the method of mass destruction;
- c) it was committed in spawning places or roads to those places;

was removed (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of three hundred to seven hundred indicators for accounts or deprivation of the right to occupy certain positions or engage in certain activities for a period of up to seven years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

2) The action provided for in the first part of this article, which:

a) by a person using an official status;

b) by a group of persons with prior advice or an organized group (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) repeatedly;

d) committed in the territory of nature reserves, nurseries or in the area of environmental disaster or emergency situation (*Law of the Republic of Tajikistan No. 35 of 17.05.2004*),

with a fine of 1,000 to 2,000 indicators for accounts with deprivation of the right to occupy certain positions or to engage in certain activities for a period of up to five years or deprivation of liberty for a period of up to three years with deprivation of the right to occupy certain positions or engaging in certain activities is punishable with or without this term (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

Article 231. Violation of rules for the protection of fish stocks

Landing, construction of bridges, dams, carrying out blasting and other works, as well as use of irrigation facilities and pumping equipment in violation of the rules for the protection of fish stocks, if this action causes the loss of fish or other aquatic animals, as well as causes serious damage due to the destruction of fish stocks. food or other serious consequences,

shall be punished with a fine in the amount of five hundred to seven hundred indicators for accounts or deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or restriction of freedom for a period of up to two years (*Law of the Republic of Kazakhstan dated 6.10.2008 No. 422*).

Article 232. Illegal hunting

1) Illegal hunting, if this action:

a) caused a large amount of damage;

b) committed by using mechanical vehicles or airships, explosives, gases or other methods of extermination of birds and animals;

c) be related to the hunting of birds and animals, the hunting of which is completely prohibited; was removed (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of five hundred to one thousand indicators for calculations or corrective works for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

2) The same action if:

a) by a person using an official status;

b) by a group of persons with prior advice or by an organized group (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 18.06.2008 No. 386*);

c) was committed in the territory of a nature reserve, breeding ground or in the area of an ecological disaster or an area of an ecological emergency (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

with a fine in the amount of 1,000 to 2,000 indicators for accounts with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or deprivation of liberty for a period of three to five years with deprivation of the right to occupy holding certain positions or engaging in certain activities is punishable by up to three years or without it (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

Article 232(1). Hunting and deliberate destruction of snow leopards

(*Law of the Republic of Tajikistan dated 24.12.2022 No. 1925*)

1) Hunting or deliberate destruction of snow leopards,

shall be punished with a fine in the amount of eight hundred to one thousand two hundred indicators for calculations or corrective works for a term of up to two years, or deprivation of liberty for a term of up to three years.

2) The same action if:

a) by a person using an official status;

b) by a group of persons with prior advice or by an organized group;

c) was committed in the territory of a nature reserve, breeding ground or in the area of an ecological disaster or an area of an ecological emergency,

shall be punished with a fine in the amount of one and a half to two thousand indicators for calculations or deprivation of liberty for a period of three to five years with deprivation of the right to occupy a certain position or engage in a certain activity for a period of up to five years (*Law of the Republic of Tajikistan of 24.12.2022 No. 1925*).

Article 233. Destruction of habitats of organisms listed in the Red Book of the Republic of Tajikistan in a very dangerous situation

Destruction of habitats of organisms in a very dangerous situation, which are included in the Red Book of the Republic of Tajikistan and caused the destruction of the spread of these organisms,

shall be punished with a fine in the amount of five hundred to seven hundred indicators for accounts or restriction of freedom for a period of up to five years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

Article 234. Illegal cutting of trees and bushes

1) Illegal felling of trees, bushes or heather, or causing damage that makes their future growth impossible in the forests of the first group or specially protected areas of all groups of forests, as well as trees, bushes and heather that are not included in the forest fund, or their cutting prohibited, if serious damage was caused by this act,

shall be punished with compulsory labor for a term of one hundred and sixty to two hundred and twenty hours or with a fine of five hundred to seven hundred indicators for accounts or restriction of freedom for a term of up to two years (Law of the Republic of Tajikistan *No. 35 dated 17.05.2004 , dated 6.10.2008 No. 422*).

2) Illegal cutting or causing damage that made it impossible to grow such trees, shrubs, and other types of plants and shrubs included in the forest fund in all groups of the forest, if this action:

a) repeatedly;

b) by a person using an official position;

c) caused a large amount of damage,

with a fine in the amount of seven hundred to one thousand indicators for accounts with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or without it with deprivation of the right to occupy certain positions or engage in

certain activities for a period of up to shall be punished for five years or without it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*) .

Article 234(1). Illegal sale of mature milk

(*Law of the Republic of Tajikistan dated 31.12.2008 No. 457*)

1) Illegal collection, processing, production of medicine, storage, transfer or transfer to someone else's possession of breast milk in small quantities,

shall be punished with a fine in the amount of two hundred to three hundred indicators for accounts or with correctional works for a term of up to two years with deprivation of the right to engage in certain activities for a term of up to two years or without it.

2) The same action if:

- a) repeatedly;
- b) by a group of persons with prior advice;
- c) by a person using official position;
- d) using violence;
- e) was made in large quantities,

shall be punished by a fine in the amount of seven hundred to one thousand indicators for calculations or by deprivation of liberty for a period of three to five years with deprivation of the right to engage in certain activities for a period of three to five years or without it.

Note: Under the concept of a small amount in this article, more than two kilograms of ripe sap or the destruction of more than 20 ripe quince bushes, and a large amount of more than ten kilograms of ripe sap or the destruction of more than 100 ripe quince bushes are understood (*Law of the Republic of Tajikistan dated 31.12.2008 No. 457*) .

Article 235. Destruction or damage to the forest

1) Destruction or damage to the forest, as well as to the forest that is not included in the forest fund, as a result of careless handling of fire, explosives or other extremely dangerous sources,

shall be punished with a fine in the amount of three hundred to five hundred indices for calculations or labor correction works for a term of up to two years or restriction of freedom for the same term (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*) .

2) Destruction or damage to the forest, as well as to a grove that is not included in the forest fund, by means of fire or other common dangerous method or as a result of its pollution with harmful substances, garbage, dirty water or other materials (*Law of the Republic of Tajikistan from 17.05.2004 No. 35*) ,

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*) .

3) The same act, if it caused a large amount of damage,

shall be punished with a fine in the amount of one thousand to two thousand indicators for accounts or deprivation of liberty for a period of three to five years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*) .

Article 236. Violation of the system of territories and specially protected natural objects

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

Violation of the system of reserves, nurseries, national parks, natural monuments or other natural areas specially protected by the state, which caused serious damage (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35* ,

shall be punished with compulsory labor for a period of one hundred and eighty to two hundred and forty hours, or with a fine in the amount of three hundred to five hundred indicators for calculations, or with correctional labor for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*) .

Note: In this chapter, under the concept of serious damage, there is a calculation that, according to the specified fees, the damage is thirty times more than the indicator for calculations at the time of the crime, and under the concept of large amount of damage, it is more than three hundred indicators for calculations at the time of the crime. (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*) .

SECTION H. CRIMES AGAINST PUBLIC ORDER AND MORALITY

CHAPTER 25. CRIMES AGAINST PUBLIC ORDER AND MORALITY

Article 237. Hooliganism

1) Hooliganism, i.e. gross violation of public order, which manifests itself in disrespect for society and is associated with violence against citizens or the threat of using violence, as well as destruction or destruction of other people's property (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ,

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*) .

2) The same action if:

a) caused moderate damage to health;

b) by a group of persons or a group of persons with prior advice or an organized group or repeatedly (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 18.06.2008 No. 386*) ;

c) by showing opposition to the representative of the authority or another person who is responsible for the protection of public order or to the person who prevented the violation of public order (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;

d) with particular shamelessness expressed in open disregard for the accepted standards of etiquette,

shall be punished with a fine in the amount of one thousand to two thousand indicators for calculations or with deprivation of liberty for a term of up to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*) .

3) Hooliganism with:

a) use of a weapon or an object used as a weapon (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*);

b) committed in case of a dangerous or particularly dangerous relapse,

shall be punished by deprivation of liberty for a period of five to seven years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

Article 237(1). Vandalism

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

Vandalism, i.e. defacement of buildings and other facilities, damage to property in public transport and other public places, if such an act was committed within a year after the administrative penalty was imposed (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ,

shall be punished with compulsory labor for a period of sixty to one hundred and twenty hours or with a fine in the amount of one hundred to two hundred indicators for calculations (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35* , dated 6.10.2008 *No. 422*) .

Article 238. Involvement in prostitution

1) Involvement in prostitution by violence or threat of its use, use of subordinate status, extortion (blackmail), threat of destruction or destruction of property or by deception (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ,

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or restriction of freedom for a term of up to three years or imprisonment for a term of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*) .

2) The same act, if committed repeatedly or by an organized group,

shall be punished with a fine in the amount of one thousand to two thousand indicators for accounts or deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*) .

Article 239. Organization or maintenance of brothels, prostitution or prostitution

1. Organization or maintenance of a brothel, as well as prostitution with personal bias or scandal,

shall be punished with a fine in the amount of one thousand to two thousand indicators for accounts or deprivation of liberty for a term of up to five years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*) .

2) The same act, if committed repeatedly or by an organized group,

shall be punished by deprivation of liberty for a period of five to eight years (*Law of the Republic of Tajikistan dated 2.01.2019 No. 1554*) .

Article 240. Establishment or maintenance of a gambling house (casino), gaming tables and machines with monetary winnings

(*Law of the Republic of Tajikistan dated 29.03.2009 No. 487*)

Organization or maintenance of gambling (casino), gaming tables and machines with monetary winnings,

shall be punished by deprivation of liberty for a period of six to eight years (*Law of the Republic of Tajikistan dated 29.03.2009 No. 487* , dated 13.06.2013 *No. 966*) .

Article 241. Illegal preparation and circulation of pornographic materials or objects

(*Law of the Republic of Tajikistan dated 14.03.2014 No. 1066*)

1) Illegal preparation and (or) transportation through the State Border of the Republic of Tajikistan for the purpose of distribution, public display or advertising, or distribution, public display or advertising of pornographic materials or objects,

shall be punished with a fine in the amount of four hundred to six hundred indicators for accounts or deprivation of liberty for a term of up to four years (*Law of the Republic of Tajikistan dated 13.11.2023 No. 1084*) .

2) Distribution, public display or advertising of pornographic materials or objects among minors or involving a minor in the transaction of pornographic materials or objects committed by a person who has reached the age of eighteen.

shall be punished with deprivation of liberty for a period of four to six years with deprivation of the right to hold certain posts or engage in certain activities for a period of up to five years or without it (*Law of the Republic of Tajikistan dated 13.11.2023 No. 1084*) .

3) Actions provided for by parts 1) or 2) of this article, which (*Law of the Republic of Tajikistan dated 13.11.2023 No. 1084*):

- a) by a group of persons with prior advice or an organized group;
- b) using mass media, including information and telecommunication networks (including the Internet);
- c) committed in a large amount by obtaining income,

shall be punished with deprivation of liberty for a period of six to ten years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 13.11.2023 No. 1084*).

Note: Under the concept of income in a large amount in this article, as well as in article 241(1) of this Code, income in the amount of more than two hundred indicators for calculations is understood (*Law of the Republic of Tajikistan dated 14.03.2014 No. 1066*).

Article 241(1). Production and distribution of pornographic material or objects with images of minors

(*Law of the Republic of Tajikistan dated 14.03.2014 No. 1066*)

1) Preparation, possession, storage and (or) transfer through the State Border of the Republic of Tajikistan for the purpose of distribution, public display or advertising, or distribution, public display or advertising of pornographic materials or objects with images of minors,

shall be punished with deprivation of liberty for a period of two to five years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or without it.

2) The same actions that:

a) by parents or other persons legally entrusted with the upbringing of a minor, as well as a teacher or other employee of an educational, educational or medical institution;

b) against a person who is clearly under the age of fourteen;

c) by a group of persons with prior advice or an organized group;

d) by obtaining a large amount of income;

e) committed with the use of mass media, including information and telecommunication networks (including the Internet),

shall be punished with deprivation of liberty for a period of five to ten years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 14.03.2014 No. 1066*).

Article 241(2). Use of minors for the purpose of producing pornographic material or objects

(*Law of the Republic of Tajikistan dated 14.03.2014 No. 1066*)

1) Photographing, filming a movie or video of a minor for the purpose of producing and (or) distributing pornographic materials or objects, or engaging a minor as a performer to participate in performance activities of a pornographic nature, committed by a person who has reached the age of eighteen.

shall be punished with deprivation of liberty for a period of three to seven years, with deprivation of the right to hold certain positions or engage in certain activities for a period of up to five years.

2) The same actions that:

a) against two or more persons;

b) by a group of persons with prior advice or an organized group;

c) against a person who is clearly under the age of fourteen;

d) committed using information and telecommunication networks (including the Internet), shall be punished with deprivation of liberty for a period of seven to ten years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 14.03.2014 No. 1066*).

Article 242. Destruction or destruction of historical and cultural monuments

1) Destruction or destruction of monuments of history, culture, natural complexes or objects that are under state protection, as well as objects or documents that have historical or cultural value (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of seven hundred to one thousand indicators for accounts or labor correction works for a term of up to two years or restriction of freedom for a term of up to five years or deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same act committed in connection with the object or especially valuable monuments (Law of the Republic of Tajikistan *No. 35 of 17.05.2004*),

shall be punished by deprivation of liberty for a period of three to seven years.

Article 243. Insulting the bodies of the dead and their graves

1) Insulting the bodies of the deceased or destroying or destroying or desecrating their graves, constructions on the graves or the cemetery building intended for the funeral ceremony or commemoration of the deceased (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of three hundred to five hundred indicators for accounts or restriction of freedom for a period of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

2) The same action if:

a) by a group of persons with prior advice, or an organized group (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

b) due to national, racial, regional or religious feelings of hatred or enmity;

c) against statues and architectural structures dedicated to the fight against fascism or to the victims of fascism, or to the cemeteries of participants in the fight against fascism;

d) committed with violence or threat of using it,

shall be punished by deprivation of liberty for a period of two to five years.

CHAPTER XI. CRIMES IN THE ECONOMIC FIELD

CHAPTER 26. CRIMES AGAINST PROPERTY

Article 244. Theft

1) Theft, i.e. covert appropriation of someone else's property (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished with a fine in the amount of five hundred to one thousand indicators for calculations or corrective works for a term of up to two years or deprivation of liberty for the same term (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

2) A thief who:

a) repeatedly;

b) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) seriously harmed the citizen;

d) was committed by illegally entering a residence, building or other warehouse,

shall be punished with a fine in the amount of one thousand to two thousand indicators for accounts or deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*).

3) Theft that:

a) in large quantities;

b) using the conditions of a natural or public disaster:

c) committed in case of dangerous relapse,

shall be punished by deprivation of liberty for a period of five to eight years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*).

4) A thief who:

a) in case of particularly dangerous relapse;

b) in a particularly large amount (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;

c) was committed by an organized group (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished by deprivation of liberty for a period of eight to twelve years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*).

Note: 1) Under the concept of embezzlement in the articles of this Code, illegal, arbitrary, free taking and (or) recovery of property for the benefit of the guilty party or other persons is meant (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*).

2) Under the concept of a large amount in the articles of this chapter, the size of the value of the property is considered, which is one thousand times higher than the size of the indicator for calculations. A particularly large amount is understood to be the value of the property, which is two thousand times more than the size of the indicator for calculations. The amount of damage caused to personal property (serious, large and especially large) is determined by the financial condition of the victim (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 6.10.2008 No. 422*).

3) Under the concept of repetition (repetition) in articles 244-251, 254 and 257 of this Code, a crime is meant, if before it one or more crimes provided for in these articles, as well as in articles 186, 194, 199, 202 of this Code planned, committed.

4) Criminal liability for the appropriation of state or collective property (except for robbery, robbery and extortion) arises in cases where the value of the confiscated property exceeds ten index values for accounts. Criminal liability arises for the embezzlement of personal property, regardless of its value (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 6.10.2008 No. 422*).

Article 245. Embezzlement or extravagance

1) Embezzlement or embezzlement, i.e. appropriation of other's property entrusted to the offender or in his possession (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ,

with a fine in the amount of three hundred and sixty-five to five hundred and forty-seven indicators for accounts or restriction of freedom for a term of up to three years or imprisonment for the same term with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to two shall be punished for a year (*Law of the Republic of Tajikistan dated 07.08.2020 No. 1717*).

2) The same action if:

a) repeatedly;

b) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) by causing serious damage to the citizen;

d) committed with the use of official authority,

shall be punished by a fine in the amount of five hundred and forty-seven to one thousand and ninety-two indicators for calculations or by deprivation of liberty for a period of three to six years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years (*Law of the Republic of Tajikistan dated 07.08.2020 No. 1717*).

3) Actions stipulated by the first or second parts of this article, if:

a) in large quantities;

b) committed by an organized group,

with a fine in the amount of one thousand ninety-two to one thousand eight hundred and twenty-four indicators for calculations or deprivation of liberty for a period of six to ten years with deprivation of the right to hold certain positions or engage in certain activities for a period of up to four years are issued (*Law of the Republic of Tajikistan dated 07.08.2020 No. 1717*).

4) Actions provided by the first, second or third parts of this article, if:

a) in case of dangerous or particularly dangerous relapse;

b) was made in a particularly large amount,

shall be punished with a fine in the amount of one thousand eight hundred and twenty-four to two thousand seven hundred indicators for calculations or deprivation of liberty for a period of ten to fifteen years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 07.08.2020 No. 1717*).

Article 246. Appropriation of money and property given on credit

1) Appropriation of money and goods given on credit,

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations or restriction of freedom for a period of up to two years or imprisonment for the same period (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422 , dated 21.07.2010 No. 617*).

2) The same action if:

a) repeatedly;

b) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) was made in large quantities,

shall be punished with a fine in the amount of five hundred and forty-seven to one thousand four hundred and sixty indicators for accounts or deprivation of liberty for a period of three to eight years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 18.06.2008 No. 386 , dated 21.07.2010 No. 617 , dated 13.06.2013 No. 966*).

3) Actions stipulated by the first or second parts of this article, if:

a) in case of dangerous or particularly dangerous relapse;

b) in a particularly large amount;

c) committed by an organized group,

shall be punished with a fine in the amount of one thousand four hundred sixty to two thousand one hundred ninety indicators for calculations or deprivation of liberty for a period of eight to twelve years with deprivation of the right to occupy certain positions or engage in certain activities for a

period of up to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 18.06.2008 No. 386, dated 21.07.2010 No. 617, dated 13.06.2013 No. 966*).

Article 247. Fraud

1) Fraud, i.e. appropriation of other's property or acquisition of rights to other's property by deception or abuse of trust (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations or restriction of freedom for a term of up to three years or imprisonment for a term of up to two years (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

2) Fraud that:

a) repeatedly;

b) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) by causing serious damage to the citizen;

d) committed by a person using an official position,

shall be punished with a fine in the amount of three hundred and sixty-five to nine hundred and twelve indicators for calculations or deprivation of liberty for a period of two to five years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or without it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 21.07.2010 No. 617*).

3) Fraud that;

a) in large quantities;

b) by an organized group;

c) committed in case of dangerous relapse,

with a fine in the amount of nine hundred and twelve to one thousand four hundred and sixty indicators for calculations or deprivation of liberty for a period of five to eight years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or without punishment (*Law of the Republic of Tajikistan No. 35 dated 17.05.2004, No. 386 dated 18.06.2008, No. 617 dated 21.07.2010, No. 966 dated 13.06.2013*)

4) Fraud that:

a) in case of particularly dangerous relapse;

b) committed in a particularly large amount,

with a fine in the amount of one thousand four hundred sixty to two thousand one hundred ninety indicators for accounts or deprivation of liberty for a period of eight to twelve years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or without it is punishable (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 18.06.2008 No. 386, dated 21.07.2010 No. 617, dated 13.06.2013 No. 966*).

Article 248. Robbery

1) Robbery, i.e. open appropriation of other people's property (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished by deprivation of liberty for a period of three to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 1.03.2005 No. 86*).

2) Robbery that:

a) repeatedly;

b) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) by causing serious damage to the citizen;

d) with the use of violence that is not dangerous for life or health, or with the threat of using such violence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*);

e) committed by illegal entry into a residence, building or other warehouse,

shall be punished by deprivation of liberty for a period of five to ten years (*Law of the Republic of Tajikistan No. 35 dated 17.05.2004, No. 386 dated 18.06.2008, No. 966 dated 13.06.2013*).

3) Robbery that:

a) using the conditions of a natural or public disaster;

b) in large quantities;

c) by an organized group;

d) committed in case of dangerous relapse,

shall be punished by deprivation of liberty for a period of ten to twelve years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 18.06.2008 No. 386, dated 13.06.2013 No. 966*).

4) Robbery that:

a) in case of particularly dangerous relapse;

b) was made in a particularly large amount,

shall be punished by deprivation of liberty for a period of twelve to fifteen years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 18.06.2008 No. 386, dated 13.06.2013 No. 966*).

Article 249. Piracy

1) Robbery, that is, an attack with the purpose of seizing property, other than using violence dangerous to life and health, or the threat of using such violence was committed (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished by deprivation of liberty for a period of five to ten years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386, dated 13.06.2013 No. 966*).

2) Robbery that:

a) repeatedly;

b) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) was committed by illegally entering a house, building or other warehouse,

shall be punished by deprivation of liberty for ten to twelve years (*Law of the Republic of Tajikistan No. 386 dated 18.06.2008, No. 966 dated 13.06.2013*).

3) Robbery that;

a) for the purpose of obtaining a large amount of property (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

b) by an organized group;

c) using the conditions of a natural or public disaster;

d) by causing serious damage to health;

e) committed in case of dangerous relapse,

shall be punished by deprivation of liberty for a period of twelve to fifteen years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386, dated 13.06.2013 No. 966*).

4) Robbery that;

a) in case of particularly dangerous relapse;

b) for the purpose of acquiring a particularly large amount of property (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) committed with the use of weapons, ammunition or explosives (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*),

shall be punished by deprivation of liberty for a term of fifteen to twenty years (*Law of the Republic of Tajikistan dated 1.08.2003 No. 45, dated 18.06.2008, No. 386, No. 966 of 13.06.2013*).

Article 250. Extortion

1) Extortion by means of extortion, i.e. the demand to give other property or the right to property or to commit other acts of a property nature with the threat of disclosing defamatory (defamatory) information about the victim or his relatives, revealing such information about the circumstances in which he wants to hide it, as well as by threatening to use violence against him or his relatives or by threatening to destroy or damage other people's property (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished by deprivation of liberty for a period of five to ten years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386, dated 13.06.2013 No. 966*).

2) Extortion that:

a) repeatedly;

b) using violence;

c) committed by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished by deprivation of liberty for a term of ten to twelve years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386, dated 13.06.2013 No. 966*).

3) Extortion that:

a) by an organized group

b) by causing serious damage to health;

c) in a dangerous reactive state;

d) committed for the purpose of acquiring a large amount of property (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished by deprivation of liberty for a term of twelve to fifteen years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386, dated 13.06.2013 No. 966*).

4. Extortion that:

a) in case of particularly dangerous relapse;

b) with the purpose of acquiring a particularly large amount of property (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) was committed with the use of weapons, military ammunition or explosives (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*),

shall be punished by deprivation of liberty for a term of fifteen to twenty years (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*).

Article 251. Seizure of objects or documents of special value

1) Possession of objects or documents of special historical, scientific, artistic or cultural value, regardless of the manner of their possession,

shall be punished with a fine in the amount of nine hundred and twelve to one thousand four hundred and sixty indicators for accounts or deprivation of liberty for a period of five to eight years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 21.07.2010 No. 617 , dated 13.06. 2013 No. 966*) .

2) The same actions, if:

a) repeatedly;

b) committed by a group of persons with prior advice or by an organized group (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ;

c) caused the destruction, destruction or destruction of objects or documents specified in the first part of this article,

shall be punished with a fine in the amount of one thousand four hundred and sixty to two thousand one hundred and ninety indicators for accounts or deprivation of liberty for a period of eight to twelve years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 21.07.2010 No. 617 , dated 13.06.2013 No. 966*) .

Article 252. Illegal driving of a car or other means of transport without the purpose of seizure

1) Illegal driving of a car or other means of transport without the intention of expropriation (hijacking),

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or restriction of freedom for a period of up to three years or imprisonment for the same period (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*) .

2) The same action, if;

a) repeatedly;

b) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ;

c) committed with violence that is not dangerous for the life or health of the victim or with the threat of using such violence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished by deprivation of liberty for a period of three to seven years.

3) Actions stipulated by the first or second parts of this article, if:

a) by causing a large amount of damage;

b) by an organized group;

c) by using violence that is dangerous for the life or health of the victim or by threatening to use such violence,

shall be punished by deprivation of liberty for a period of seven to twelve years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

Article 253. Causing property damage by fraud or abuse of trust

1) Causing property damage to the owner or other owner of the property by means of fraud or abuse of trust in the absence of signs of appropriation (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ,

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations or correctional works for a term of up to two years or deprivation of liberty for the same term (Law of the Republic of Tajikistan *No. 35 dated 17.05.2004 , dated 6.10.2008 No. 422 , dated 21.07.2010 No. 617*) .

2) The same action if:

a) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

b) was committed by using the official status,

with a fine in the amount of three hundred and sixty-five to seven hundred and thirty indicators for calculations, or restriction of freedom for a period of one to three years, or deprivation of liberty for a period of two to four years with deprivation of the right to occupy certain positions or engage in activities shall be punished for a period of up to five years or without it (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

3) Actions stipulated by the first or second parts of this article, if:

a) by an organized group;

b) was committed by causing a large amount of damage,

shall be punished with a fine in the amount of five hundred and forty-seven to nine hundred and twelve indicators for calculations or deprivation of liberty for a period of three to five years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or without it (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

Article 254. Possession or transfer to the possession of another person's property, which was clearly obtained through crime

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*)

1) Owning, keeping or transferring to someone else property that was not previously promised, which was obviously obtained by crime (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished with a fine in the amount of up to five hundred indicators for calculations or with correctional labor for a term of up to two years or deprivation of liberty for the same term (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same action if:

a) repeatedly;

b) in large quantities;

c) committed by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished by deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

3) Acts stipulated by the first or second parts of this article, if committed by an organized group,

shall be punished by deprivation of liberty for a period of five to ten years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*, dated 13.06.2013 No. 966).

Article 255. Deliberate destruction or destruction of property

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*)

1) Deliberate destruction or destruction of property, except for causing serious damage (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations or corrective works for a term of up to two years or deprivation of liberty for the same term (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 21.07.2010 No. 617).

2) The same action if:

a) committed by means of arson, explosion or other method of general danger;

- b) caused the death of a person or other serious consequences due to negligence;
- c) caused a large amount of damage,

shall be punished with a fine in the amount of three hundred and sixty-five to nine hundred and twelve indicators for accounts or deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 21.07.2010 No. 617*).

Article 256. Destruction or destruction of property due to carelessness

(*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*)

Destruction or destruction of other property, which was committed due to careless handling of fire or a source of general danger, or caused a large amount of damage or caused other serious consequences (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations or correctional works for a term of up to two years or imprisonment for the same term (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422 , dated 21.07.2010 No. 617*).

Article 257. Expropriation of foreign aid funds

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Appropriation of foreign aid funds (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for accounts or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422 , dated 21.07.2010 No. 617*).

2) The same actions, if:

a) repeatedly;

b) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) in large quantities;

d) committed with the use of violence that is not dangerous to life or health or with the threat of using such violence (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of three hundred and sixty-five to one thousand two hundred and seventy-seven indicators for calculations or deprivation of liberty for a period of two to seven years (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

3) Actions provided for in the first or second parts of this article if:

a) by an organized group;

b) by robbery or extortion;

c) it is exported in a particularly large amount,

shall be punished with a fine in the amount of one thousand two hundred seventy-seven to two thousand one hundred and ninety indicators for accounts or deprivation of liberty for a period of seven to twelve years (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617 , dated 13.06.2013 No. 966*).

Note: If there is no price for foreign aid funds, its value is calculated based on the market price on the day of the crime (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

CHAPTER 27. CRIMES IN THE FIELD OF ECONOMIC ACTIVITY

Article 258. Obstructing legal business activity

1) Illegal refusal to register an individual entrepreneur or enterprise or commercial enterprise or refusal to register them, illegal refusal to issue a special permit (license) for the implementation of a certain activity or refusal to issue such a license, illegal restriction of the rights and interests of an individual entrepreneur or an enterprise or commercial enterprise , as well as illegal interference in their activities committed by an official by abuse of official position,

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations with deprivation of the right to occupy certain positions or engage in certain activities for a period of three years (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

2) The same action if:

- a) by not complying with the legally binding decision of the court;
- b) has caused a large amount of damage,

shall be punished with a fine in the amount of three hundred and sixty-five to five hundred and forty-seven indicators for accounts with deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years or deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422 , dated 21.07.2010 No. 617*) .

Article 259. Illegal business

1) Implementation of business activity without registration or without a special permit (license) in cases where such permission (license) is mandatory or by violating the conditions of licensing and (or) by using other persons, as well as engaging in prohibited types of business activity , which was committed by obtaining a large amount of income or causing a large amount of damage to the benefit of citizens, commercial or non-commercial organizations, or to the state (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 14.05.2016 No. 1305*) ,

shall be punished with a fine in the amount of three hundred and sixty-five to five hundred and forty-seven indicators for accounts or deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*) .

2) The same action if:

- a) by an organized group;
- b) by earning a particularly large amount of income;
- c) was committed by a person previously tried for illegal business or illegal banking activity,

shall be punished with a fine in the amount of five hundred and forty-seven to nine hundred and twelve indicators for calculations or with deprivation of liberty for a period of three to five years with a fine in the amount of up to five hundred indicators for calculations (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 6.10.2008 No. 422 , from 21.07.2010 No. 617*) .

Note : 1) In articles 258 and 259 of this Code, income or loss in a large amount is understood as income or loss that exceeds one thousand indicators for accounts, and income in a particularly large amount is understood as income that its size exceeds two thousand indicators for calculations;

2) Under the concept of income provided in this chapter, the profit is understood as the difference between the amount spent and the amount entered (*Law of the Republic of Tajikistan dated 24.12.2022 No. 1924*).

Article 259(1). Production, storage, transportation or sale of unmarked goods and products (*Law of the Republic of Tajikistan dated 25.07.2005 No. 97*)

1. Production, acquisition, storage, transportation for the purpose of trading or distribution of unmarked goods and products that must be marked with excise duty stamps, special stamps or signs of conformity protected from forgery, if it is exported in large quantities. be

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for accounts with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or deprivation of liberty for a period of up to two years (*Law of the Republic of Tatarstan of 6.10.2008 No. 422 , from 21.07.2010 No. 617*).

2. The same action if:

a) by a group of persons with prior advice or an organized group (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ;

b) was made in a particularly large amount,

shall be punished with a fine in the amount of three hundred and sixty-five to nine hundred and twelve indicators for accounts or deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 25.07.2005 No. 97 , dated 6.10.2008 No. 422 , dated 21.07.2010 No. 617*).

Note : In this article, if the value of goods and unmarked products exceeds one thousand indicators for calculations, it is considered a large amount, and if it exceeds two thousand indicators for calculations, it is recognized as a particularly large amount (*Law of the Republic of Tajikistan dated 24.12.2022 No. 1924*).

Article 260. Illegal organization (establishment, reorganization) of a legal entity

(*Law of the Republic of Tajikistan dated 14.03.2014 No. 1066*)

1) Illegal organization (establishment, reorganization) of a legal entity through other persons or use of such legal entities by other persons (*Law of the Republic of Tajikistan dated 14.05.2016 No. 1305*) ,

shall be punished with a fine in the amount of up to three hundred and sixty-five indicators for accounts or restriction of freedom for a term of up to two years or imprisonment for the same term.

2) The same actions as:

a) by a person using his official position;

b) committed by a group of persons with prior advice,

shall be punished with a fine in the amount of three hundred sixty-five to nine hundred fifteen indicators for accounts or restriction of freedom for a term of up to five years or deprivation of liberty for a term of two to five years.

Note: In this article, other persons are understood to be the founders (participants) of a legal entity or the management body of a legal entity, and the legal entity was organized (establishment, reorganization) by misleading them (*Law of the Republic of Tajikistan dated 14.03.2014 No. 1066*).

Article 260(1). Illegal use of documents for the creation (establishment, reorganization) of a legal entity

(*Law of the Republic of Tajikistan dated 14.03.2014 No. 1066*)

1) Submission of an identity document or issuance of a power of attorney, if these actions were taken to create (establish, reorganize) a legal entity for the purpose of committing one or more crimes related to financial transactions or deals with money or other property,

shall be punished with a fine in the amount of up to two hundred indicators for accounts or restriction of liberty for a term of up to one year or deprivation of liberty for the same term.

2) Owning an identity document or using personal information obtained illegally, if these actions are for the creation (establishment, reorganization) of a legal entity for the purpose of committing one or more crimes related to financial transactions or deals with the amount money or other property has been transferred,

shall be punished with a fine in the amount of two hundred to five hundred and forty-eight indicators for accounts or restriction of freedom for a term of up to three years or imprisonment for the same term.

Note: Under the concept of possessing an identity document in this article, obtaining it on a paid or free basis, misappropriation of a found or seized identity document, as well as acquiring it by fraud or abuse of trust is understood (*Law of the Republic of Tajikistan dated 14.03.2014 No. 1066*).

Article 261. Registration of an illegal agreement with land

Deliberately registering an illegal deal with land, distorting the accounting data of the State Land Cadastre, as well as intentionally reducing the amount of payments for land, if these actions were carried out with bias or other personal interests by an official using his official position (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

Article 262. Legalization (officialization) of income obtained through crime

(*Law of the Republic of Tajikistan dated 16.04.2012 No. 808*)

1) Completing financial transactions or other deals with money, securities or other property, which are obviously the proceeds of crime, in order to cover up and hide the source of obtaining this property, or to assist any person, who participated in the commission of the main crime, so that he can avoid responsibility for his committed actions, as well as covering or concealing the true nature, location, method of disposal, displacement, rights to property or its belonging, as well as obtaining, owning, using or disposing of such property (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966, dated 12.11.2013 No. 1028*),

shall be punished by deprivation of liberty for a period of two to six years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*).

2) The same action if:

- a) repeatedly;
- b) by a group of persons with prior advice;
- c) by a person using official position;
- d) it was made in large quantities, -

shall be punished with deprivation of liberty for a period of three to seven years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 13.06.2013 No. 965*).

3) Actions stipulated by the first or second parts of this article, if:

- a) by an organized group or criminal association (criminal organization);
- b) were made in a particularly large amount,

shall be punished by deprivation of liberty for a period of five to eight years and deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*).

Note: 1) A person who has participated in the legalization (officialization) of proceeds obtained through crime shall be released from criminal responsibility for this act if he voluntarily comes forward after committing the crime, admits his guilt, and discloses the crime. to actively facilitate and (or) voluntarily hand over the proceeds obtained through crime.

2) Under the concept of a large amount in this article, the amount of income obtained by crime is meant, which is two thousand times more than the amount of the indicator for the accounts. A

particularly large amount is understood as the amount of income obtained through crime, which is five thousand times more than the amount of the indicator for accounts (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*).

3) Proceeds obtained through crime - any property obtained directly or indirectly as a result of committing a crime (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*).

4) If the proceeds of crime are partially or completely converted into other property or converted into another form, then such property will be confiscated (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*).

5) If the proceeds of crime are included in the property obtained from legal sources, then without prejudice to any powers related to the prohibition or seizure of that part of the property, corresponding to the value of the included proceeds, shall be confiscated. (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*).

6) In relation to profits or other interests derived from the proceeds of crime from the property to which the proceeds of crime were converted or transformed, or from the property to which the proceeds of crime were transferred. have been included, taken, the measures mentioned in this article are applied in the same way and to the extent that are provided for incomes obtained by crime (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*).

7) Money, securities and other property obtained through crime, as well as profits or other benefits obtained from these incomes, are confiscated in accordance with the procedure provided by Article 78 of the Criminal Procedure Code of the Republic of Tajikistan (*Law of the Republic of Tajikistan dated 13.06.2013 No. 966*).

8) Criminal responsibility under this article applies regardless of the fact that a person is held criminally responsible for the main crimes, as a result of which the income was obtained through crime (*Law of the Republic of Tajikistan dated 13.06.2013 No. 965*).

9) Major crimes - crimes specified in paragraph a) part 1) of article 57 of this Code, which were committed before the legalization (officialization) of the proceeds obtained through crime, and as a result of which the proceeds were obtained (*Law of the Republic of Tajikistan dated 13.06.2013 No. 965*, dated 17.05.2018 No. 1515).

Article 263. Illegal banking activity

1) Implementation of banking activities (banking operations) without registration or a special license (license) in cases where such a license is mandatory, or in violation of licensing conditions, if this action is related to obtaining a large amount of income or is in the interest of the citizen, commercial or non-commercial organizations or the state caused a large amount of damage;

shall be punished by a fine in the amount of three hundred and sixty-five to five hundred and forty-seven indicators for accounts or deprivation of liberty for a term of up to three years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to five years or without it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 6.10.2008 No. 422, dated 21.07.2010 No. 617).

2) The same action if:

a) by an organized group;

b) by earning a particularly large amount of income;

c) by a person who has previously been tried for illegal banking activity or illegal business,

shall be punished with a fine in the amount of five hundred and forty-seven to nine hundred and twelve indicators for calculations or deprivation of liberty for a term of three to five years with a fine in the amount of five hundred to one thousand indicators for calculations (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 6.10.2008 No. 422, dated 21.07.2010 No. 617).

Note: A large amount of income or loss is such income or loss, the amount of which is one thousand times the amount of the indicator for accounts, and particularly large income is three

thousand times more than the amount of the indicator for accounts (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*) .

Article 264. Illegal taking of credit

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) A citizen, individual entrepreneur or head of an organization receives a loan, additional payment (subsidy) or other preferential lending conditions by clearly providing a bank or other credit institution with distorted information on the economic or financial situation of a citizen, individual entrepreneur or organization, or on to other cases that are necessary for obtaining credit, additional payments or preferential conditions for crediting (when there are no signs of misappropriation of property) (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 18.06.2008 No. 386*) ,

shall be punished with a fine in the amount of three hundred and sixty-five to seven hundred and thirty indicators for accounts or restriction of freedom for a term of up to four years or imprisonment for the same term (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422 , dated 21.07.2010 No. 617*) .

2) Illegally obtaining a targeted state loan or a loan granted under a state guarantee, as well as using them contrary to the purpose, if this action caused a large amount of damage to a citizen, organization or the state (in the absence of signs of embezzlement of other property) (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ,

shall be punished with a fine in the amount of three hundred and sixty-five to nine hundred and twelve indicators for accounts or deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422 , dated 21.07.2010 No. 617*) .

Note: A large amount of damage is considered to be a damage that is one thousand times more than the indicator for calculations (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*) .

Article 265. Illegal granting of credit

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

Illegal granting of any kind of credit or facilitating it by persons who should or could have performed these actions by using their official duties (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ,

shall be punished with a fine in the amount of two hundred and fifty to five hundred and forty-seven indicators for accounts or deprivation of liberty for a term of up to three years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to five years (*Law of the Republic of Tajikistan from 6.10.2008 No. 422 , from 21.07.2010 No. 617*) .

Article 266. Malicious refusal to pay a creditor's debt

Malicious refusal of the head of the organization, individual entrepreneur or citizen to pay a large amount of creditor's debt or to pay securities after the court decision has become legally valid,

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations or deprivation of liberty for a term of up to two years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years (*Law of the Republic of Tajikistan of 6.10.2008 No. 422 , from 21.07.2010 No. 617*) .

Note: Under the concept of creditor debt in a large amount - the debt of a citizen in the amount of more than two thousand indicators for accounts and the debt of the enterprise in the amount of more than five thousand indicators for accounts are considered (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*) .

Article 267. Forcing to conclude an agreement or refusing to conclude it

1) Forcing to conclude an agreement or refusing to conclude it by threatening to use violence, destroy or destroy other's property, as well as disseminating information that the victim wants to keep hidden (in the absence of signs of extortion) (*Law of the Republic of Kazakhstan 18.06.2008 No. 386*),

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same action if:

a) repeatedly;

b) using violence;

c) committed by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

d) caused a large amount of damage to the victim,

shall be punished by deprivation of liberty for a period of two to five years.

Article 268. Illegal use of funds

1) Malicious action of the head of a credit institution or enterprise, regardless of the form of ownership, who, for the purpose of bias or personal interest, illegally transferred the amount of money in his account to the account of another organization, as well as violated the established procedure and used the amount of money in another way, or misused other budget funds, if this act caused significant damage to the legitimate interests of citizens, enterprises or the state,

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations or restriction of freedom for a period of up to two years or with deprivation of liberty for the same period (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422, dated 21.07.2010 No. 617*).

2). The same action if:

a) repeatedly;

b) caused a particularly large amount of damage,

shall be punished with a fine in the amount of three hundred and sixty-five to nine hundred and twelve indicators for accounts or deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

Note: 1) Under the concept of a large amount of damage, there is such damage, which is five hundred times the amount of the indicator for calculations, and especially large amount of damage is more than two thousand times (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) When determining the size (amount) of the damage, it is necessary to take into account, in addition to the direct damage, also the lost profit.

Article 269. Illegal action during bankruptcy

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Concealing property or property obligations, information about property, its amount, location or other information about property, leaving property at the disposal of another person, alienating or destroying property, as well as hiding, destruction or distortion of accounting documents or other accounting documents, which include economic activity, if this act was committed by the head or owner of the debtor organization or individual entrepreneur during bankruptcy or when bankruptcy was anticipated, causing a large amount of damage (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished with a fine in the amount of five hundred to one thousand indices for calculations or corrective works for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 6.10.2008 No. 422*).

2) Deliberately to the detriment of other creditors, illegal satisfaction of the property requirements of individual creditors by the manager or owner of the debtor organization or individual entrepreneur, who are aware of the actual situation of their insolvency (bankruptcy), as well as acceptance of such a form of satisfaction by a creditor based on damage to other creditors, the debtor (insolvent) is aware of the advantage provided to him, if this action caused a large amount of damage,

shall be punished with a fine in the amount of eight hundred to one thousand five hundred indicators for calculations or with correctional works for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 6.10.2008 *No. 422*).

Article 270. Malicious bankruptcy

Pretending or increasing the insolvency of a commercial enterprise for the benefit of oneself or other persons by the owner or its manager, as well as by an individual entrepreneur, if it caused a large amount of damage or led to other serious consequences (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished with a fine in the amount of two hundred and fifty to five hundred and forty-seven indicators for calculations or deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan No. 422 of 6.10.2008, No. 617 of 21.07.2010*).

Article 271. Fake bankruptcy

Fake bankruptcy, i.e. deliberate declaration of bankruptcy by the manager or owner of a commercial enterprise, as well as an individual entrepreneur, with the purpose of inciting creditors to extend the term (otsrochka) or to pay in installments (rasrochka) payment to creditors or to reduce debts, as well as for non-payment of debts, which caused a large amount of damage,

shall be punished with a fine in the amount of two hundred and fifty to five hundred and forty-seven indicators for calculations or deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan No. 422 of 6.10.2008, No. 617 of 21.07.2010*).

Note: In Articles 269, 270 and 271 of this Code, a large amount of damage is considered such damage if it exceeds the amount of the indicator for calculations by more than one thousand times (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

Article 272. Removed

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

Article 273. Monopolistic behavior and restriction of competition

1) Monopolistic (monopolistic) actions committed by setting high monopoly prices or low monopoly prices, as well as restricting competition by dividing the market, limiting entry to the market, and excluding other subjects of economic activity from it. establishing or maintaining a single price,

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 6.10.2008 *No. 422*, dated 21.07.2010 *No. 617*).

2) The same action if:

a) repeatedly;

b) committed by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished with a fine in the amount of three hundred and sixty-five to nine hundred and twelve indicators for accounts or deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*, dated 21.07.2010 *No. 617*).

3) Actions stipulated by the first or second parts of this article, if:

a) by violence or threat of using it;

b) by destruction or destruction of other's property or threat of destruction or destruction of other's property without signs of extortion (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) by abuse of official position;

d) committed by an organized group,

shall be punished by a fine in the amount of nine hundred and twelve to one thousand eight hundred and twenty-five indicators for accounts or deprivation of liberty for a period of five to ten years and deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386, dated 21.07.2010 No. 617, dated 13.06.2013 No. 966*).

Article 274. Deliberate violation of pricing rules, holding public trade or tenders or auctions (auctions)

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, dated 23.07.2016 No. 1330, dated 07.08.2020 No. 1717*)

1. Deliberate violation of the rules of pricing, conducting public trade or tenders or auctions, which caused a large amount of damage to the owner of the property, organizer of trade or tender or auction, buyer or other economic entity (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35, from 18.06.2008 No. 386, dated 23.07.2016 No. 1330, dated 07.08.2020 No. 1717*),

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations or restriction of freedom for a period of up to two years or imprisonment for the same period (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*).

2) The same action if:

a) by a group of persons with prior advice;

b) was made in a particularly large amount,

shall be punished by a fine in the amount of three hundred sixty-five to nine hundred twelve indicators for accounts or restriction of freedom for a period of two to five years or imprisonment for the same period.

Note: In this article, a large amount of damage is understood as a damage that exceeds five hundred times the amount of the indicator for calculations, and a particularly large amount of damage is more than two thousand times (*Law of the Republic of Tajikistan dated 07.08.2020 No. 1717*).

Article 275. Illegal use of means of personalization of participants in civil contracts, goods, works and services

(*Law of the Republic of Tajikistan dated 03.07.2012 No. 844*)

1) Illegal use of a company name, as well as the name of the place of production of goods, a trademark and a service mark other than similar goods and services, if these actions were repeatedly committed after the imposition of an administrative penalty or caused a large amount of damage, -

shall be punished with a fine in the amount of up to two hundred indicators for calculations or corrective works for a term of up to two years.

2) Illegal use of a warning label in relation to the name of the place of production of goods or a trademark not registered in the Republic of Tajikistan, if this act was repeatedly committed after the imposition of an administrative penalty or caused a large amount of damage, -

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations or deprivation of liberty for a term of up to two years.

3) Acts stipulated by the first or second parts of this article, if committed by a group of persons with prior advice or by an organized group, -

shall be punished with a fine in the amount of three hundred and sixty-five to nine hundred and twelve indicators for calculations or deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 03.07.2012 [No. 844](#)*).

Article 276. Deliberately issuing false advertisements

1) Deliberate provision of false information by the advertiser about goods, work or services, as well as their developers or sellers, committed with malicious intent (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)*),

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for accounts or deprivation of liberty for a term of up to two years or restriction of liberty for the same term (*Law of the Republic of Tajikistan dated 21.07.2010 [No. 617](#)*).

2) The same action if:

a) was carried out using mass media (*Law of the Republic of Tajikistan dated 30.07.2007 [No. 301](#)*);

b) caused a large amount of damage,

shall be punished with a fine in the amount of five hundred and forty-seven to nine hundred and twelve indicators for accounts or restriction of freedom for a period of three to five years or deprivation of freedom for the same period (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#), dated 21.07.2010 [No. 617](#)*).

Note: In articles 275 and 276 of this Code, a large amount of damage is considered such damage if it exceeds one thousand times the amount of the indicator for calculations (*Law of the Republic of Tajikistan dated 6.10.2008 [No. 422](#), dated 07.08.2020 [No. 1717](#)*).

Article 277. Illegal acquisition of information containing commercial or banking secrets

Collection of information containing commercial or banking secrets by means of misappropriation of documents, bribery or threats against persons who know commercial or banking secrets or their relatives, holding the wave of communication devices or illegally contacting a computer system or network or using special technical means, as well as in another illegal way for the purpose of disclosure or illegal use of these data (*Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)*),

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for accounts or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 [No. 422](#), dated 21.07.2010 [No. 617](#)*).

Article 278. Disclosure of commercial or banking secrets

Illegal disclosure or use of a commercial or banking secret without the consent of its owner by a person who was aware of this secret in connection with his professional or service activities, and this act was committed for a selfish purpose or other personal benefit, causing a large amount of damage to a commercial enterprise or an individual entrepreneur. (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)*),

shall be punished with a fine in the amount of two hundred and fifty to five hundred and forty-seven indicators for accounts or deprivation of liberty for a term of up to three years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years (*Law of the Republic of Tajikistan from 6.10.2008 [No. 422](#), from 21.07.2010 [No. 617](#)*).

Note: Criminal prosecution for committing the acts provided for in this article shall be initiated in accordance with the application of the affected commercial enterprise or individual entrepreneur.

Article 278(1). Disclosure of information on measures taken by the authorized body in the direction of resistance to the legalization (officialization) of proceeds obtained through crime, financing of terrorism and financing of the distribution of weapons of mass destruction

(Law of the Republic of Tajikistan dated 17.05.2018 No. [1515](#))

By employees of organizations that conduct operations with money or other property, disclosure of information to their clients or other persons to the authorized body in the direction of resistance to legalization (officialization) of proceeds obtained through crime, financing of terrorism and financing of distribution weapons of mass destruction providing information on the measures taken to combat the legalization (officialization) of proceeds of crime, financing of terrorism and financing of distribution of weapons of mass destruction, if such an act was committed during the year following the application of the administrative penalty,

shall be punished by a fine in the amount of four hundred to five hundred and forty-seven indicators for accounts or deprivation of liberty for a term of up to three years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years *(Law of the Republic of Tajikistan dated 17.05.2018 No. [1515](#))* .

Article 279. Commercial bribery

1) Illegal transfer of money, securities or other property to a person who performs management duties in a commercial enterprise or other enterprise, as well as, depending on the position held by this person, illegally providing services of a property nature to him for his actions (inactions) in favor of the bribe-giver *(Law of the Republic of Tajikistan dated 18.06.2008 No. [386](#))* ,

shall be punished with a fine in the amount of three hundred to five hundred indicators for accounts or deprivation of the right to occupy certain positions or engage in certain activities for a period of up to two years or restriction of freedom for a period of up to two years or deprivation of liberty for the same period *(Law of the Republic of Tajikistan dated 6.10.2008 No. [422](#))* .

2) The same action if:

a) repeatedly;

b) by a group of persons with prior advice *(Law of the Republic of Tajikistan dated 18.06.2008 No. [386](#))* ;

c) committed by an organized group,

shall be punished with a fine in the amount of five hundred to eight hundred indicators for accounts or restriction of liberty for a term of up to three years or deprivation of liberty for a term of up to four years *(Law of the Republic of Tajikistan dated 17.05.2004 No. [35](#) , dated 6.10.2008 No. [422](#))* .

3) Illegal receipt of money, securities or other property by a person who performs management duties in a commercial enterprise or other enterprise, as well as illegal use of services of a property nature by him, depending on the position occupied by the official, for the performed action (inaction) for the benefit of the bribe giver *(Law of the Republic of Tajikistan dated 18.06.2008 No. [386](#))* ,

with a fine in the amount of eight hundred to one thousand five hundred indicators for accounts, or deprivation of the right to occupy certain positions or engage in certain activities for a period of up to two years, or restriction of freedom for a period of up to three years, or deprivation of liberty for the same period is given *(Law of the Republic of Tajikistan dated 6.10.2008 No. [422](#))* .

4) Actions provided for in the third part of this article, if:

a) repeatedly;

b) by a group of persons with prior advice or an organized group *(Law of the Republic of Tajikistan dated 18.06.2008 No. [386](#))* ;

c) committed in connection with extortion,

shall be punished with a fine in the amount of one thousand five hundred to two thousand indices for accounts with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or deprivation of liberty for a period of up to five years (*Law of the Republic of Tatarstan of 1.03.2005 No. 86 , from 6.10.2008 No. 422*).

Note: If there is extortion against a person who has committed the actions specified in the first and second parts of this article, and he voluntarily informs the body that has the right to open a criminal case, about bribery, he will be exempted from criminal liability (*Law of the Republic of Tajikistan dated 2.01. 2018 No. 1472*).

Article 280. Bribery to participants or organizers of professional sports competitions and commercial exhibition competitions

1) Bribery to athletes, sports referees, instructors, team leaders or other participants or organizers of professional sports competitions, as well as bribery to organizers or members of judges (jury) of commercial exhibition competitions in order to influence the results of competitions or competitions (*Law of the Republic of Kazakhstan dated 17.05. 2004 No. 35*),

shall be punished with compulsory labor for a period of one hundred to one hundred and eighty hours or with correctional labor for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) The same action if:

a) repeatedly;

b) committed by a group of persons with prior advice or an organized group (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished by deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 1.03.2005 No. 86*).

3) Illegal receiving of material values or use of services of a property nature by athletes, sports referees, instructors, team leaders or other participants or organizers of professional sports competitions, as well as by organizers or members of judges (jury) of commercial exhibition competitions, who clearly given or used to influence the results of competitions or contests,

shall be punished by deprivation of liberty for a term of up to three years, with deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years (*Law of the Republic of Tajikistan dated 1.03.2005 No. 86*).

Article 281. Preparation or circulation of counterfeit money or securities.

1) Preparation for the purpose of putting into circulation or putting into circulation counterfeit tickets of the National Bank of Tajikistan, counterfeit coins or securities in the currency of the Republic of Tajikistan, foreign currency or counterfeit securities in foreign currency,

shall be punished by deprivation of liberty for a period of five to eight years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*).

2) The same action if:

a) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

b) in large quantities;

c) repeatedly,

shall be punished by deprivation of liberty for a term of eight to twelve years (Law of the Republic of Tajikistan *No. 386 dated 18.06.2008* , (*Law No. 966 of the Republic of Tajikistan dated 13.06.2013*).

3) Acts stipulated by the first or second parts of this article committed by an organized group,

shall be punished by deprivation of liberty for a period of twelve to fifteen years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*).

Article 282. Preparation or issuance of forged (fake) credit or settlement cards or other payment documents

1) Preparation for the purpose of putting into circulation or putting into circulation fake credit cards or settlement cards or other payment documents or other documents that are not considered currency or other securities, but are documents confirming, establishing or assigning property rights or obligations (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished by deprivation of liberty for a period of three to five years (Law of the Republic of Tajikistan *No. 86 dated 1.03.2005*) .

2) The same action if:

a) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ;

b) in large quantities;

c) by a person previously tried for the same crime or for making or putting into circulation counterfeit money or securities;

d) was committed by an organized group (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished by deprivation of liberty for a period of five to eight years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*).

Article 283. Misuse during the issuance of securities (issue)

1) Issuance of securities (issuance) and mass distribution (distribution) of them without registration in accordance with the established procedure or deliberately using forged (forged) documents for registration of securities (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished with a fine in the amount of five hundred to one thousand indicators for calculations or corrective works for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*) .

2) Deliberately including incorrect information in the draft of the issue of securities, as well as approving the draft of the issue, which clearly contains incorrect information, or deliberately confirming the distorted results of the issue, if this action caused a large amount of damage,

shall be punished with a fine in the amount of one thousand to two thousand indicators for accounts or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*) .

Note: In Articles 281, 282, and 283 of this Code, a large amount or damage is considered to be a large amount or damage that is one thousand times more than the indicator for calculations (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*) .

Article 284. Making an illegal deal with precious metals, precious natural stones or pearls

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Acquisition of precious metals, natural precious stones or pearls in violation of the established rules of the laws of the Republic of Tajikistan, as well as illegal storage, transfer or transportation of precious metals, natural precious stones or pearls in any form and condition, with the exception of jewelry (jewelry) and household items. and pieces of such products (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished with a fine in the amount of one thousand to one thousand five hundred indicators for accounts or restriction of freedom for a term of up to three years or imprisonment for a term of up to three years (Law of the Republic of Tajikistan [No. 35 dated 17.05.2004](#), dated [6.10.2008 No. 422](#)).

2) The same action if:

- a) repeatedly;
- b) in large quantities;
- c) committed by an organized group,

shall be punished by deprivation of liberty for a period of three to seven years (*Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#), dated 13.06.2013 [No. 966](#)*).

Note: The acts specified in this article are recognized as having been committed in large quantities if the value of precious metals, natural precious stones or pearls, which are the subject of illegal transactions, exceeds one thousand indicators for calculations (*Law of the Republic of Tajikistan dated 6.10.2008 [No. 422](#)*).

Article 285. Violation of the rules of handing over metals and precious stones to the state

(*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)*)

Refusal to hand over to the refinery or to sell to the state precious metals or precious stones extracted from the ground or obtained from hard raw materials, as well as removed or found, if this act was committed in large quantities (*Law of the Republic of Tajikistan dated 17.05. 2004 [No. 35](#)*),

shall be punished with a fine in the amount of two hundred and fifty to five hundred and forty-seven indicators for accounts or deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#), dated 6.10.2008 [No. 422](#), dated 21.07.2010 [No. 617](#)*).

Note: Violation of the rules on the transfer or sale of minerals and precious stones to the state is considered to be committed in large quantities, if the value of the goods and products mentioned in this article, which have not been transferred or sold to the state, exceeds one thousand indicators for calculations (*Law of the Republic of Tatarstan dated 6.10.2008 [No. 422](#)*).

Article 286. Illegal transaction with foreign currency

(*Law of the Republic of Tajikistan dated 12.05.2001 [No. 6](#)*)

1) Illegal transactions with foreign currency by buying, selling, exchanging or using it as other means of payment, if they were committed during the year after the imposition of an administrative penalty (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)*)

shall be punished with a fine in the amount of two hundred to three hundred and sixty-five indicators for accounts or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 [No. 422](#), dated 21.07.2010 [No. 617](#), dated 14.05.2016 [No. 1304](#)*).

2) Illegal transactions with foreign currency by buying, selling, exchanging or using it as other means of payment, if the value of transactions or illegal transactions exceeds five hundred indicators for accounts (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#), dated 6.10.2008 [No. 422](#)*),

shall be punished with a fine in the amount of seven hundred and thirty to one thousand and ninety-five indicators for calculations, or deprivation of liberty for a period of four to six years (*Law of the Republic of Tajikistan dated 1.03.2005 [No. 86](#), dated 6.10.2008 [No. 422](#), dated 21.07.2010 [No. 617](#), dated 14.05.2016 [No. 1304](#)*).

3) Action provided for in the second part of this article, if:

- a) repeatedly;

b) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) were made in large quantities,

shall be punished with a fine in the amount of one thousand two hundred seventy-seven to one thousand six hundred and forty-two indicators for accounts or deprivation of liberty for a period of seven to nine years (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*, dated 14.05.2016 *No. 1304*).

Note: The actions listed in this article are considered large if the value of the transaction or illegal transaction exceeds two thousand indicators for calculations (*Law of the Republic of Tajikistan dated 12.05.2001 No. 6*, dated 6.10.2008 *No. 422*).

Article 287. Failure to return funds from abroad in foreign currency

Failure to return a large amount of funds in foreign currency from abroad by the managers of the enterprise, which, according to the laws of the Republic of Tajikistan, must be transferred to the account of an authorized bank of the Republic of Tajikistan.

shall be punished by a fine in the amount of two hundred and fifty to five hundred and forty-seven indicators for calculations or by deprivation of liberty for a term of up to three years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 6.10.2008 *No. 422*, dated 21.07.2010 *No. 617*).

Note: In this article, actions are considered to be committed in a large amount, if the funds not returned to foreign currency exceed five thousand indicators for accounts (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

Article 288. Removed

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

Article 289. Smuggling

(*Law of the Republic of Tajikistan dated 24.02.2017 No. 1379*)

1) Smuggling - transportation of goods and (or) other items across the customs border of the Republic of Tajikistan without customs control or secretly from customs control or by fraudulent use of documents or means of customs identification (identification), or non-declaration, or their incorrect declaration, to with the exception of items specified in part 3) of this article, if committed during the year after the application of the administrative penalty, -

shall be punished with a fine in the amount of three hundred and sixty-five to nine hundred and twelve indicators for accounts or deprivation of liberty for a period of two to five years (*Law of the Republic of Tajikistan dated 07.08.2020 No. 1717*).

2) The same act, if it was committed in a large amount, -

shall be punished with a fine in the amount of nine hundred and twelve to one thousand four hundred and fifty-six indicators for accounts or deprivation of liberty for a period of five to eight years (*Law of the Republic of Tajikistan dated 07.08.2020 No. 1717*).

3) Transfer of narcotic drugs, psychotropic substances, their precursors, similar (analogue) of narcotic drugs, strong, poisonous, radioactive, explosive, weapons, explosives, firearms, ammunition or military ammunition, nuclear, chemical, biological or other types of weapons of mass destruction, materials and equipment that can be used to create weapons of mass destruction, as well as strategically important raw materials, artistic, historical, archeological or other cultural values from the customs border of the Republic of Tajikistan, in respect of which the rules of the Republic of Tajikistan special transportation through the customs border of the Republic of Tajikistan, if this act was committed without customs control or secretly from customs control, or by fraudulent use of documents, or means of customs identification (identification), or

non-declaration or incorrect declaration (*Law of the Republic of Tajikistan from 20.04.2021 No. 1776 , from 19.07.2022 No. 1895)*

shall be punished by deprivation of liberty for a period of eight to twelve years (*Law of the Republic of Tajikistan dated 07.08.2020 No. 1717).*

4) Actions provided by the first, second or third parts of this article if:

- a) repeatedly;
- b) by an official using official position;
- c) by using violence or threatening it against a person performing customs control;
- d) were exported by crossing the customs border, -

shall be punished with deprivation of liberty for a period of twelve to fifteen years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or without it (*Law of the Republic of Tajikistan dated 07.08.2020 No. 1717).*

5) Acts stipulated by the first, second, third or fourth parts of this article, if committed by an organized group, -

shall be punished with deprivation of liberty for a term of fifteen to twenty years and with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to five years or without it.

Note: The act provided by the second part of this article is considered to be committed in large quantities, if the value of the transported goods or means of transport exceeds two and a half thousand indicators for calculations (*Law of the Republic of Tajikistan dated 24.02.2017 No. 1379).*

Article 290. Failure to return to the territory of the Republic of Tajikistan artistic, historical or archaeological resources of the peoples of the Republic of Tajikistan and foreign countries

(Law of the Republic of Tajikistan dated 17.05.2004 No. 35)

Failure to return to the territory of the Republic of Tajikistan the artistic, historical or archaeological resources of the peoples of the Republic of Tajikistan or foreign countries that were taken outside its territory within the specified period, provided that its return is mandatory according to the laws of the Republic of Tajikistan.

shall be punished by deprivation of liberty for up to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35).*

Article 291. Evasion of customs payments

1) Evasion of customs payments in large quantities,

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations or with restriction of freedom for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422 , dated 21.07.2010 No. 617).*

The same action if:

- a) by the group with prior advice;
- b) using official position;
- c) by a person previously tried for the crime in this article or for the crimes provided for in articles 292 or 293;
- d) was committed in a particularly large amount (*Law of the Republic of Tajikistan No. 35 of 17.05.2004),*

with a fine in the amount of three hundred and sixty-five to five hundred and forty-seven indicators for accounts with deprivation of the right to occupy certain positions or engage in certain

activities for a period of up to five years or restriction of freedom for a period of up to three years or deprivation of liberty for the same term is punishable (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422* , dated 21.07.2010 *No. 617*) .

Removed (*Law of the Republic of Tajikistan dated 14.11.2016 No. 1359*) .

Article 292. Refusal to pay taxes and (or) payments from a legal entity

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Refusal to pay taxes and (or) payments from a legal entity established by law, by deliberately including distorted information on income and expenses in accounting (accounting) documents or tax declarations, or by hiding taxable objects in other ways. , which was issued in large quantities (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished with a fine in the amount of five hundred and forty-seven to nine hundred and twelve indicators for calculations or deprivation of liberty for a period of three to five years with deprivation of the right to occupy certain positions or engage in certain activities for the same period (*Law of the Republic of Tajikistan from 21.07.2010 No. 617*) .

2. The same action, if (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) :

a) by a person previously tried for the crime in this article or for the crimes provided for in articles 291 or 293;

b) was exported in a particularly large amount,

shall be punished with a fine in the amount of nine hundred and twelve to one thousand four hundred and sixty indicators for accounts or deprivation of liberty for a period of five to eight years with deprivation of the right to occupy certain positions or engage in certain activities for the same period (*Law of the Republic of Tajikistan dated 21.07.2010 No. 617*) .

Note: 1) Criminal liability for evasion of customs payments, payment of taxes and (or) payments provided for in articles 291, 292 and 293 of this Code arises only if a person commits these actions for the first time, within forty-eight banking days from the date of adoption of the relevant decision of the customs, tax and (or) other relevant authorities, does not fully pay the amount of customs payments, taxes and (or) payments with fines and interest, as well as commits these actions repeatedly, within twenty four banking days from the date of adoption of the relevant decision of the customs, tax and (or) other relevant authorities, the amount of customs payments, taxes and (or) payments with fines and interest has not been paid in full.

2) If a criminal case is initiated against a person under Articles 291, 292 or 293 of this Code, during the preliminary investigation or judicial review of the criminal case, the person must pay the full amount of customs fees, taxes and (or) payments with fines and interest, based on Article 72 of this Code shall be exempted from criminal liability.

3) In the event that the convicted person shall pay the customs fees, taxes and (or) payments with fines and interest in full after the court's verdict, by the decision of the court that issued the sentence, or the local court of execution of the sentence, or the higher court, exempt from further punishment. is done

4) Evasion of customs payments, taxes and (or) payments provided for in Articles 291, 292 and 293 of this Code is considered to have been committed in a large amount, if the amount of unpaid customs payments, taxes and (or) payments more than twenty thousand indicators for accounts and, in a particularly large amount, more than thirty-five thousand five hundred indicators for accounts (*Law of the Republic of Tajikistan dated 14.11.2016 No. 1359*) .

Article 293. Refusal of a natural person to pay taxes and (or) payments

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35* , dated 11.03.2010 *No. 600*)

1) Refusal of a natural person to pay taxes and (or) payments by not submitting a declaration and (or) other tax report in the event that the submission of such a declaration and (or) other tax report is mandatory or to the declaration and (or) other report tax deliberately included distorted information, which led to the non-payment of taxes and (or) payments in large amounts,

shall be punished with a fine in the amount of one hundred to two hundred and fifty indicators for calculations or with correctional works for a period of up to two years (*Law of the Republic of Tajikistan dated 11.03.2010 No. 600 , dated 21.07.2010 No. 617*) .

2) The same action, if;

a) by a person previously tried for the crime in this article or for the crimes provided for in articles 291 or 292 (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ;

b) was made in a particularly large amount,

shall be punished with a fine in the amount of two hundred and fifty to five hundred and forty-seven indicators for calculations or deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan No. 422 of 6.10.2008, No. 617 of 21.07.2010*) .

Removed (*Law of the Republic of Tajikistan dated 14.11.2016 No. 1359*) .

Article 294. Deception of consumers

1) Under-measuring, under-weighting, under-paying, misleading consumers about the characteristics of consumption or the quality of products (services) or other types of deceiving consumers in enterprises, regardless of the form of ownership, involved in the sale of goods, products or services to the public. are engaged in, as well as committed by citizens in significant quantities;

shall be punished with a fine in the amount of up to three hundred indicators for calculations or with correctional labor for a period of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*) .

2) The same action if:

a) by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*) ;

b) in large quantities;

c) was committed by a person who was previously tried for consumer fraud,

shall be punished by deprivation of liberty for a term of up to two years, with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years.

3) Actions provided for in the first and second parts of this article, if:

b) by an organized group;

a) was committed in a particularly large amount,

shall be punished by deprivation of liberty 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 five years.

Note: Consumer fraud is considered to be committed in a significant amount, if the damage caused to consumers is more than a tenth of the indicator for accounts, in a large amount - more than one indicator for accounts, in a particularly large amount more than fifty indicators for accounts (*Law OJ dated 6.10.2008 No. 422*) .

Article 295. Abuse of authority by employees of commercial organizations and other organizations

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Use of commanding powers or other administrative powers by employees of commercial organizations and other organizations against the interests of these organizations and with the purpose of gaining profit and advantage for themselves or for others or causing harm to other persons, if this action violates the rights and serious damage to the legitimate interests of citizens, enterprises, society or the state (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 18.06.2008 No. 386*) ,

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty five indicators for calculations or with correctional works for a term of up to two years or deprivation of liberty for the same term (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422 , dated 21.07.2010 No. 617*).

2. If the same action caused serious consequences,

shall be punished with a fine in the amount of three hundred and sixty-five to five hundred and forty-seven indicators for accounts or deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422 , dated 21.07.2010 617*).

Note: 1) Under the concept of employees of commercial organizations or other organizations in this article, there are persons who, on a permanent, temporary basis or in accordance with a special authority, hold command or other administrative positions in commercial organizations, regardless of the form of ownership, as well as in non-commercial organizations. , which are not bodies of state power, are carried out (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 18.06.2008 No. 386*).

2) If the actions stipulated by this article have caused damage only to a commercial organization that is not a state organization, criminal prosecution shall be initiated upon the application of this organization or with its consent. When causing damage to another organization, as well as to the benefit of citizens, society or the state, criminal prosecution is carried out on general grounds (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 296. Abuse of authority by auditors, arbitrators, or arbitrators of international commercial arbitration

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 23.05.2016 No. 1330*)

1) By the auditor, arbitrator, or arbitrator of international commercial arbitration, using their authority contrary to the tasks assigned to them and for the purpose of obtaining benefits and advantages for themselves or other persons or causing harm to others, if this action is against the law and the legitimate interests of citizens, organizations, society or the state have caused serious damage (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 18.06.2008 No. 386 , dated 23.05.2016 No. 1330*),

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of liberty for a term of up to two years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same act, if repeated,

shall be punished with a fine in the amount of one thousand to two thousand indicators for accounts or deprivation of liberty for a period of two to five years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*).

Article 297. Exceeding the authority of private security and detective services

1) By managers or employees of private security or detective services, contrary to their duties, exceeding the limits of authority granted to them in accordance with the license, if this act was committed by using violence or threatening to use it,

shall be punished by correctional labor for a term of up to two years or by deprivation of liberty for a term of up to two years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

2) The same action if:

a) committed with the use of weapons or special means (*Law of the Republic of Tajikistan dated 13.06.2013 No. 965*);

b) caused serious consequences,
shall be punished by deprivation of liberty for a period of five to eight years.

CHAPTER XII. CRIMES AGAINST INFORMATION SECURITY

CHAPTER 28. CRIMES AGAINST INFORMATION SECURITY

Article 298. Illegal access to computer information

(Law of the Republic of Tajikistan dated 17.05.2004 No. 35)

1) Illegal access to information contained in a computer system or network, or in the database of machines, by violating their protection system *(Law of the Republic of Tajikistan dated 17.05.2004 No. 35)*,

shall be punished with a fine in the amount of two hundred to four hundred indicators for calculations or with deprivation of liberty for a term of up to two years *(Law of the Republic of Tajikistan dated 6.10.2008 No. 422)*.

2) The same action, if due to carelessness it caused the change, deletion or blockade (blocking) of information, as well as the failure of computer equipment or caused serious damage,

shall be punished with a fine in the amount of three hundred to five hundred indicators for calculations or correctional works for a term of up to two years or deprivation of liberty for a term of up to three years *(Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422)*.

3) Actions provided for by the first or second parts of this article, if due to carelessness caused serious consequences,

shall be punished with a fine in the amount of four hundred to seven hundred indicators for calculations or with deprivation of liberty for a term of up to four years *(Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422)*.

Article 299. Changing computer information

1) Changing information stored in a computer system or network, or in a machine database, as well as deliberately including in them clearly false information that caused serious damage or threatened to cause such damage *(Law of the Republic of Tajikistan dated 17.05.2004 No. 35)*,

shall be punished with a fine in the amount of three hundred to five hundred indicators for calculations or corrective works for a term of up to two years or deprivation of liberty for the same term *(Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422)*.

2) The same action if:

a) is related to illegal access to a computer system or network;

b) caused serious consequences due to carelessness,

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of liberty for a term of up to three years *(Law of the Republic of Tajikistan dated 6.10.2008 No. 422)*.

Article 300. Computer sabotage

1) Destroying, blocking or making computer information or programs unusable, disabling computer equipment, as well as damaging a computer system or network or machine database,

shall be punished with a fine in the amount of two hundred to five hundred indicators for accounts or restriction of freedom for a period of up to two years *(Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422)*.

2) The same action if:

- a) is related to illegal access to a computer system or network;
- b) caused serious consequences due to carelessness,

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

Article 301. Illegal acquisition of computer information

1) Illegal copying or other illegal means of obtaining information contained in a computer system or network or in a machine database, as well as obtaining information sent through computer communication (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of two hundred to five hundred indicators for accounts or deprivation of liberty for a term of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) Forcing to provide information contained in a computer system or network or in a machine database, under the threat of disclosing defamatory information about a person or his relatives, revealing such information about situations that the victim wants to hide, as well as under the threat of the use of violence against a person or his relatives or by threatening to destroy or destroy the property of a person, his relatives and other persons to whom such information is entrusted or under their protection (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished by restriction of liberty for a term of up to five years or deprivation of liberty for a term of two to four years.

3) Actions stipulated by the first or second parts of this article, if:

a) is related to the use of violence against a person or his relatives;

b) committed by a group of persons with prior advice (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*);

c) caused serious damage to the victim;

d) committed with the purpose of obtaining extremely valuable information,

shall be punished by deprivation of liberty for a period of five to seven years.

4) Actions provided by the first, second or third parts of this article, if:

a) repeatedly;

b) committed by an organized group;

c) caused the death of a person or other serious consequences due to negligence,

shall be punished by deprivation of liberty for a period of seven to ten years.

Article 302. Preparation and transfer to someone else's possession of special means for illegal access to a computer system or network

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

Preparation for the purpose of giving to someone else's possession, as well as giving to someone else's possession special software or equipment for illegal access to a protected computer system or network (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of two hundred to five hundred indicators for accounts or restriction of freedom for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35* , dated 6.10.2008 *No. 422*).

Article 303. Development, use and distribution of malicious programs

1) Developing computer programs or making changes to existing programs with the purpose of destroying or blocking or changing or copying information stored in a computer system or

network or in a machine database without permission, as well as developing special virus programs, knowingly using them or distribute databases containing such programs;

shall be punished with a fine in the amount of three hundred to five hundred indicators for accounts or restriction of freedom for a period of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same action, if due to carelessness, caused serious consequences,

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

Article 304. Violation of the rules of using a computer system or network

1) Violation of the rules of use of a computer system or network by a person who has the right to enter this system or network, if this action due to carelessness leads to the destruction or blocking or alteration of computer information, damage to the operation of computer equipment or causing other serious damage. (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished with a fine in the amount of up to three hundred indicators for accounts or restriction of freedom for a period of up to two years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

2) The same act, if it was committed while using a computer system or network that contains extremely valuable information,

shall be punished with a fine in the amount of three hundred to five hundred indicators for calculations or corrective works for a term of up to two years or deprivation of liberty for the same term (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 6.10.2008 *No. 422*).

3) Actions provided for by the first or second parts of this article, if due to carelessness they caused serious consequences,

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of liberty for a term of up to three years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422*).

CHAPTER XIII. CRIMES AGAINST STATE AUTHORITY

CHAPTER 29. CRIMES AGAINST CONSTITUTIONAL FUNDAMENTALS AND STATE SECURITY

Article 305. Treason against the state

1) Treason against the state, that is, espionage, providing state secrets, or providing other assistance to a foreign state, a foreign organization or their representatives in their hostile activities to the detriment of the independence, territorial integrity, defense capacity, or external security of the Republic of Tajikistan, committed by a citizen of the Republic of Tajikistan was committed (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by deprivation of liberty for a term of twelve to twenty years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*, dated 13.06.2013 *No. 966*).

2) The same action if:

a) repeatedly;

b) by a military officer;

c) using official position;

d) in a state of war or wartime;

e) committed in the case of a dangerous or particularly dangerous relapse,

shall be punished by deprivation of liberty for a period of fifteen to twenty-five years or life imprisonment (*Law of the Republic of Tajikistan dated 14.11.2016 No. 1359*).

Note: A person who has committed the crime provided for by this article, as well as articles 306 and 308 of this Code, if voluntarily and by timely notifying the authorities or by other means, contributed to the prevention of harm, and there are no other components of the crime in his actions, from criminal responsibility is released (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 306. Seizure of power by force or retention of power by force

1) The movement aimed at usurping power by force or maintaining power by force in violation of the Constitution of the Republic of Tajikistan is also aimed at changing the constitutional structure of the Republic of Tajikistan by force or changing the territorial integrity of the Republic of Tajikistan by force. (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*),

shall be punished by deprivation of liberty for a period of twelve to twenty years (*Law of the Republic of Tajikistan No. 45 dated 1.08.2003 , No. 386 dated 18.06.2008 , No. 966 dated 13.06.2013*).

2) The same action if:

- a) repeatedly;
- b) by a military officer;
- c) using official position;
- d) in a state of war or wartime;
- e) committed in the case of a dangerous or particularly dangerous relapse,

shall be punished by deprivation of liberty for a period of fifteen to twenty-five years or life imprisonment (*Law of the Republic of Tajikistan dated 14.11.2016 No. 1359*).

Article 307. Public call to change the constitutional structure of the Republic of Tajikistan by means of violence

1) Public calls to usurp state power by violence or to maintain it by violence or to change the constitutional structure by violence or to violate the territorial integrity of the Republic of Tajikistan by violence, as well as to facilitate the commission of such acts (*Law of the Republic of Tajikistan dated 14.11.2016 No. 1359*),

shall be punished by deprivation of liberty for a period of three to eight years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*).

2) The same action if:

- a) repeatedly;
- b) by an organized group;
- c) using official position;
- d) using mass media or the Internet (*Law of the Republic of Tajikistan dated 30.07.2007 No. 301*);
- e) committed in case of a particularly dangerous relapse,

shall be punished by deprivation of liberty for a period of eight to fifteen years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or without it (*Law of the Republic of Tajikistan dated 2.12.2002 No. 89*).

3) Acts stipulated by the first or second parts of this article, if they were committed in accordance with the instructions of organizations with hostile intentions or representatives of foreign states,

shall be punished by deprivation of liberty for a term of fifteen to twenty years with deprivation of the right to occupy certain positions or engage in certain activities for a period of three to five years (*Law of the Republic of Tajikistan No. 89 dated 2.12.2002 , dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*).

Article 307(1). Public call for extremist activities and public justification of extremism

(*Law of the Republic of Tajikistan dated 14.11.2016 No. 1359*)

1) Public invitation to carry out extremist activity (extremism) and (or) mass justification of extremism,

shall be punished by deprivation of liberty for a period of three to five years.

2) The same act, if it was committed using mass media or the Internet,

shall be punished by deprivation of liberty for a period of five to ten years.

3) Actions provided for in parts 1 and 2 of this article, if;

a) repeatedly;

b) committed in the case of a dangerous or particularly dangerous relapse,

shall be punished by deprivation of liberty for a period of eight to twelve years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years.

Note: Under the concept of public justification of extremism is understood public promotion and encouragement to recognize the correctness of the ideology and experience of extremism, the proposal to imitate and support it (*Law of the Republic of Tajikistan dated 14.11.2016 No. 1359*).

Article 307(2). Organization of an extremist union (extremism)

(*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*)

1) Organization of an extremist union, i.e. an organized group of persons to prepare or commit the crimes specified in Articles 157, 158, 160, 185, 188, 189, 237, 237(1), 242, 243 (crimes of an extremist nature) of this Code. in terms of ideological, political, racial, national, regional, or religious hatred or enmity, as well as in terms of hatred or enmity against any social group, as well as leading such an extremist union, as well as the elements or groups included in such a union, as well as organizing a union organizers, leaders or other representatives of parts or wholes of such an association with the purpose of developing plans and (or) conditions for committing crimes of an extremist nature (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*),

shall be punished with deprivation of liberty for a period of eight to twelve years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of two to five years (*Law of the Republic of Tajikistan dated 25.12.2015 No. 1261*).

2) Participation in an extremist alliance,

shall be punished by deprivation of liberty for a period of four to seven years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422 , dated 25.12.2015 No. 1261*).

3) Acts specified in the first or second parts of this article, which were committed repeatedly or with the use of an official position,

shall be punished with deprivation of liberty for a period of twelve to fifteen years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of three to five years (*Law of the Republic of Tajikistan dated 25.12.2015 No. 1261*).

Note: A person who voluntarily refuses to participate in an extremist union is exempted from criminal responsibility, if there is no other crime in his act (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*).

Article 307(3). Organization of activities of an extremist organization (extremism)

(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))

1) Organization of the activities of political parties, public or religious associations or other organizations against which a legally binding decision has been made by the court to liquidate or ban its activities due to the implementation of extremist activities,

shall be punished with deprivation of liberty for a period of seven to ten years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of two to five years (*Law of the Republic of Tajikistan dated 25.12.2015 [No. 1261](#))* .

2) Participating in the activities of political parties, public associations, religious organizations, or other organizations against which a legally binding decision has been made by the court to liquidate or ban its activities due to extremist activities, as well as to facilitate their activities with use of mass media, the Internet or in another way (*Law of the Republic of Tajikistan dated 14.11.2016 [No. 1359](#))* ,

shall be punished by deprivation of liberty for a period of five to eight years (*Law of the Republic of Tajikistan dated 25.12.2015 [No. 1261](#))* .

Note: A person who voluntarily refrains from participating in the activities of political parties, public or religious associations, or other organizations against which a legally binding decision has been made by the court to dissolve or prohibit its activities due to the implementation of extremist activities, refuses, he is exempted from criminal responsibility, if his act does not contain elements of another crime (*Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))* .

Article 307(4). An educational organization or an educational group with an extremist religious character

(Law of the Republic of Tajikistan dated 2.08.2011 [No. 750](#))

1. Organization of education or educational group of extremist religious nature, as well as leadership or participation in such education, regardless of the place of education,

shall be punished by deprivation of liberty for a term of eight to twelve years (*Law of the Republic of Tajikistan dated 13.06.2013 [No. 966](#) , dated 25.12.2015 [No. 1261](#))* .

2. The same action if:

- committed by using official status;
- to be related to the funding of such groups,

shall be punished by deprivation of liberty for a period of twelve to fifteen years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of five years (*Law of the Republic of Tajikistan [No. 750 of 2.08.2011, No. 966 of 13.06.2013](#) , dated 25.12.2015 [No. 1261](#))* .

Article 308. Espionage

Transfer of information containing state secrets to a foreign state, foreign organizations or their representatives, as well as collection, appropriation or storage of such information for the purpose of transfer to them, as well as transfer or collection of other data in accordance with the order of foreign intelligence for their use to the detriment of independence, territorial integrity, defense capacity or external security of the Republic of Tajikistan, if this act was committed by a foreign citizen or a stateless person,

shall be punished by deprivation of liberty for a term of twelve to twenty years (*Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#) , dated 13.06.2013 [No. 966](#))* .

Article 309. Sabotage (Sabotage)

1) In order to destabilize the economic security and defense capacity of the Republic of Tajikistan, commit an explosion, fire or other actions aimed at destroying or destroying enterprises and structures, roads and means of transport, means of communication, objects of life support of the population (*Law of the Republic of Tajikistan from 17.05.2004 [No. 35](#))* ,

shall be punished by deprivation of liberty for a period of twelve to fifteen years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*).

2) The same action if:

a) repeatedly;

b) committed by an organized group,

shall be punished by deprivation of liberty for a term of twelve to twenty years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*).

Article 310. Encroachment on the life of a public or public official of the Republic of Tajikistan

Encroachment on the life of a state or public official of the Republic of Tajikistan with the aim of weakening the foundations of the constitutional structure or state security, as well as with the aim of stopping the state activity or other political activity or committing such an act in retaliation for such activity (terrorist act) (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished by deprivation of liberty for a term of twelve to twenty years (Law of the Republic of Tajikistan *No. 45 of 1.08.2003*) .

Article 311. Disclosure of state secrets

1) Disclosure of information containing state secrets by a person to whom this information was entrusted or became known to him in connection with his service or work, if this information became available to other persons and there were no signs of treason in his act (*Law OJ No. 386 dated 18.06.2008*) ,

shall be punished by restricting freedom for a period of up to three years or deprivation of liberty for a period of up to three years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

2) The same act, which due to carelessness caused serious consequences (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished by deprivation of liberty for a period of five to ten years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years.

Article 312. Loss of documents containing state secrets

Violation of the established rules of dealing with documents containing state secrets, as well as with objects about which information is a state secret, by a person who is allowed to keep state secrets, if this act caused their loss or serious consequences due to negligence. has been

shall be punished by deprivation of liberty for a term of up to two years with deprivation of the right to hold certain positions or engage in certain activities for a term of up to three years or without it (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) .

Article 313. Armed rebellion

Organization of an armed rebellion or active participation in it with the aim of destroying or violently changing the constitutional structure of the Republic of Tajikistan or violating the territorial integrity of the Republic of Tajikistan,

shall be punished by deprivation of liberty for a term of twelve to twenty years (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386 , dated 13.06.2013 No. 966*) .

CHAPTER 30. CRIMES AGAINST PUBLIC AUTHORITY AND BENEFITS OF PUBLIC SERVICE

Article 314. Abuse of official powers

1) Use of official powers contrary to professional interests, if this act (action or inaction) is committed with bias or other personal interests and seriously violates the rights and legal interests of citizens or organizations or the legally protected interests of society or the state. have done

shall be punished with a fine in the amount of three hundred to five hundred and forty-seven indicators for accounts, or deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years, or deprivation of liberty for a period of up to three years (*Law of the Republic of Tajikistan dated 07.08.2020 No. 1717*).

2) If the same act was committed by a person who holds public positions of the Republic of Tajikistan or the leadership of local government bodies and self-governing bodies of towns and villages (*Law of the Republic of Tajikistan dated 2.01.2018 No. 1472*),

with a fine in the amount of five hundred forty seven to one thousand ninety two. indicator for accounts or deprivation of liberty for a period of three to six years with deprivation of the right to occupy certain positions or engage in certain activities is punished for a period of up to five years (*Law of the Republic of Tajikistan dated 07.08.2020 No. 1717*).

3) Actions provided for by the first or second parts of this article, which caused serious consequences,

with a fine in the amount of one thousand ninety-two to one thousand eight hundred and twenty indicators for accounts, or with deprivation of liberty for a period of six to ten years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years are punished (*Law of the Republic of Tajikistan dated 07.08.2020 No. 1717*).

Note: 1) Under the concept of an official in this Code, an appointed or elected person is understood to be a person who permanently, temporarily or with a special authority carries out the duties of a representative of the state authority, that is, according to the procedure established by the legislation of the Republic of Tajikistan, he has the authority to command people, who are not under his official authority, as well as a person who performs organizational, commanding, administrative and economic functions in state authorities, state institutions, self-governing bodies of towns and villages, as well as in state economic entities and other economic entities in which the state's share is not less than constitutes half, performs paid or unpaid work and persons equal to them (*Law of the Republic of Tajikistan dated 24.02.2017 No. 1380*).

2) Under the concept of a person who holds public positions of the Republic of Tajikistan, in the articles of this chapter and other articles of this Code, persons who hold positions for the direct implementation of the authority of state bodies determined by the Constitution of the Republic of Tajikistan and other laws of the Republic of Tajikistan (*Law OJ No. 386 dated 18.06.2008*).

3) Civil servants, employees of self-governing bodies of towns and villages, who do not include officials, are criminally liable in accordance with the articles of this chapter in special cases provided for by the relevant articles (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386, dated 24.02.2017 No. 1380*).

4) Organizational and command duties - powers to exercise leadership of the labor team, certain scope of work, individual employees, selection and deployment of personnel, organization of work of subordinate employees, control and verification of compliance with labor discipline, implementation of incentive measures and disciplinary punishments (*Law of the Republic of Tajikistan dated 24.02.2017 No. 1380*).

5) Administrative and economic duties - powers to manage and dispose of property (*Law of the Republic of Tajikistan dated 24.02.2017 No. 1380*).

Article 315. Failure to perform duties

Non-fulfillment of duties by a civil servant who is not an official for bias or other personal or group benefit, if this act seriously violated the rights and legal interests of citizens, organizations, society or the state,

with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for accounts or labor correction works for a term of up to two years or deprivation of liberty 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 shall be punished by three years (*Law of the Republic of Tajikistan dated 6.10.2008 No. 422 , dated 21.07.2010 No. 617*).

Article 316. Exceeding the limit of official powers

1) Action by an official that clearly exceeds his authority and has caused a serious violation of the rights and legal interests of a citizen or organization or the legally protected interests of society or the state (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*) ,

shall be punished with a fine in the amount of two hundred and fifty to seven hundred and thirty indicators for accounts, or deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years, or deprivation of liberty for a period of up to four years (*Law of the Republic of Tajikistan dated 17.05 .2004 No. 35 , dated 6.10.2008 No. 422 , dated 21.07.2010 No. 617*) .

2) If the same action was committed by a person holding a public office of the Republic of Tajikistan or the head of local government bodies and self-governing bodies of towns and villages (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 2.01.2018 No. 1472*) ,

shall be punished with a fine in the amount of seven hundred and thirty to one thousand two hundred and seventy-seven indicators for accounts or deprivation of liberty for a period of four to seven years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422 , dated 21.07.2010 No. 617*) .

3) Actions provided for by the first or second parts of this article if (*Law of the Republic of Tajikistan No. 35 of 17.05.2004*) :

a) by violence or threat of using it;

b) with the use of weapons or special means (*Law of the Republic of Tajikistan dated 13.06.2013 No. 965*);

c) committed with serious consequences,

shall be punished by a fine in the amount of nine hundred and twelve to one thousand eight hundred and twenty-five indicators for accounts or deprivation of liberty for a period of five to ten years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 21.07.2010 No. 617*) .

Article 317. Ownership of the authority of an official

Possession of the authority of an official by a civil servant or an employee of a local government body and self-governing body of a town and village, who is not an official, and in connection with it, committing an action that seriously violates the rights and legal interests of citizens or organizations (*Law State Gazette dated 17.05.2004 No. 35 , dated 2.01.2018 No. 1472*) ,

shall be punished with a fine in the amount of up to five hundred indicators for calculations or labor correction works for a period of up to two years (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35 , dated 6.10.2008 No. 422*) .

Article 318. Illegal participation in business activity

Establishment by an official of an organization that carries out business activities or personally participating in the management of such an organization or through a trusted person in violation of the prohibition established by law, if this action is related to the provision of privileges and advantages or with other forms of support to such an organization,

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for accounts or deprivation of liberty for a term of up to two years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to five years (*Law of the Republic of Tajikistan of 21.07.2010 No. 617*).

Article 319. Receiving a bribe

1) Receiving a bribe in the form of money, securities, other property or profit of a property nature by an official personally or through an intermediary, for performing or not doing certain actions for the benefit of the bribe giver or his representatives, if such movement (inaction)) are included in the scope of official authority, an official of a foreign state or an official of an international organization, or they can contribute to such movement (immobility) depending on the power of their official position, as well as for general support or negligence in service (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*, dated 12.11.2013 *No. 1028*),

shall be punished with a fine in the amount of three thousand six hundred and fifty to nine thousand one hundred and twenty five indicators for calculations or deprivation of liberty for a term of up to five years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years (*Law of the Republic of Tajikistan dated 15.03.2016 No. 1274*).

2) Receiving a bribe for illegal movement (immobility) by an official, an official of a foreign state or an official of an international organization (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 12.11.2013 *No. 1028*),

with a fine in the amount of five thousand four hundred seventy-five to twelve thousand seven hundred seventy-five indicators for calculations or deprivation of liberty for a period of three to seven years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years shall be punished (*Law of the Republic of Tajikistan dated 15.03.2016 No. 1274*).

3) Acts provided for by the first or second parts of this article if committed by a group of persons with prior advice or by a person who holds a public office of the Republic of Tajikistan or the leadership of local government bodies and self-governing bodies of towns and villages (*Law of the Republic of Tajikistan dated 2.01.2018 No. 1472*, from 3.08.2018 *No. 1538*),

shall be punished by deprivation of liberty for a period of five to ten years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of three to five years (*Law of the Republic of Tajikistan dated 15.03.2016 No. 1274*, dated 3.08.2018 *No. 1538*)

4) Actions provided by the first, second or third parts of this article, if:

a) repeatedly;

b) by an organized group (*Law of the Republic of Tajikistan dated 18.06.2008 No. 386*, dated 3.08.2018 *No. 1538*);

c) by extortion;

d) in large quantities,

shall be punished with deprivation of liberty for a period of seven to twelve years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of five years (*Law of the Republic of Tajikistan dated 15.03.2016 No. 1274*).

Note: 1) In Article 319 of this Code, the concept of a large amount, amount of money, value of securities, other property or profit of a property nature is understood, the value of which exceeds one thousand indicators for accounts (*Law of the Republic of Tajikistan dated 17.05.2004 No. 35*, dated 18.06.2008 *No. 386*, dated 6.10.2008 *No. 422*).

2) Articles 319, 320, 324 and 325 of this Code refer to the concept of repeated (repeated) crimes, if one or more crimes stipulated by these articles have been committed before.

3) Under the definition of an official of a foreign state in articles 319-321 of this Code, a person who has not held any position (elected or appointed) in the legislative, executive, administrative or

judicial bodies of a foreign state and another person who performs any state function for these bodies of a foreign state , is understood (*Law of the Republic of Tajikistan dated 12.11.2013 No. 1028*).

4) An official of an international organization is an employee of an international organization or another person who is authorized to act on behalf of this organization (*Law of the Republic of Tajikistan dated 12.11.2013 No. 1028*).

Article 320. Giving a bribe

1) Giving a bribe personally to an official, an official of a foreign state or an official of an international organization or through an intermediary (*Law of the Republic of Tajikistan dated 12.11.2013 No. 1028*),

shall be punished with a fine in the amount of three thousand six hundred and fifty to nine thousand one hundred and twenty five indicators for calculations or deprivation of liberty for a term of up to five years (*Law of the Republic of Tajikistan dated 15.03.2016 No. 1274*).

2) Giving a bribe to an official, an official of a foreign state or an official of an international organization for their deliberate illegal movement (immobility) or repeated bribery (*Law of the Republic of Tajikistan dated 12.11.2013 No. 1028*), shall be punished by deprivation of liberty for a period of five to ten years (Law of the Republic of Tajikistan dated 15.03.2016 [No. 1274](#) , dated 3.08.2018 [No. 1538](#));

Note: 1) If bribery has been committed by an official, an official of a foreign state, or an official of an international organization, or if the bribed person voluntarily informs the authority that has the right to initiate criminal proceedings, he shall be exempted from criminal liability. (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 12.11.2013 [No. 1028](#)).

2) Under the concept of extortion provided for in Articles 319 and 320 of this Code, the demand of an official, an official of a foreign state or an official of an international organization to pay a bribe under the threat of committing such actions related to official activities that may harm legal interests it is understood that the bribe giver will cause harm, or intentionally putting a citizen in such a situation that he is forced to pay a bribe in order to eliminate the harmful consequences for his legal interests (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 12.11.2013 [No. 1028](#)).

Article 321. Provocation

Attempting to give money, securities, other property or services of a property nature to an official, an official of a foreign state or an official of an international organization without their consent in order to create artificial evidence of bribery (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 18.06.2008 [No. 386](#)) dated 12.11.2013 [No. 1028](#) , dated 3.08.2018 [No. 1538](#));

shall be punished by deprivation of liberty for a period of five to ten years (Law of the Republic of Tajikistan dated 15.03.2016 [No. 1274](#)).

Article 322. Refusal

1) Negligence, i.e. failure to perform or properly perform one's duties by an official as a result of dishonest or careless attitude to service, if this leads to a serious violation of the rights and legal interests of a citizen or organization or the legally protected interests of society or the state be it

shall be punished with a fine in the amount of one hundred to two hundred and fifty indicators for calculations or mandatory work for a period of one hundred twenty to one hundred and eighty hours or correctional work for a period of up to two years (Law of the Republic of Tajikistan dated 21.07.2010 [No. 617](#)).

2) The same act, which due to carelessness caused the death of a person or other serious consequences,

shall be punished by a fine in the amount of two hundred and fifty to nine hundred and twelve indicators for accounts or deprivation of liberty for a term of up to five years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to five years or without it (Law State Gazette dated 17.05.2004 [No. 35](#) , dated 21.07.2010 [No. 617](#)) .

Article 323. Professional forgery

Professional forgery, i.e. deliberate inclusion of false information in official documents by an official, as well as a civil servant or an employee of local government bodies and self-governing bodies of towns and villages, who is not an official, as well as making amendments to the said documents, the content of which falsifies its original or knowingly issues false or forged documents, if this act is committed for selfish or other personal interests (Law of the Republic of Tajikistan *dated 2.01.2018 No. 1472*) ,

with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations or labor correction work for a period of one to two years or deprivation of liberty for a period of up to two years with deprivation of the right to occupy certain positions or engage in certain activities shall be punished with a term of up to three years or without it (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#) , dated 21.07.2010 [No. 617](#)) .

Article 323(1). Illegally issuing a passport of a citizen of the Republic of Tajikistan, as well as entering obviously false information into the documents that are the basis for obtaining the citizenship of the Republic of Tajikistan.

(Law of the Republic of Tajikistan dated 31.12.2008 [No. 451](#))

1) Illegal issuing of passports of citizens of the Republic of Tajikistan to foreign citizens or stateless persons by an official or public servant, as well as importation by an official, public servant or employee of local government bodies and self-governing bodies of towns and villages, who is not an official clearly false information on documents that are the basis for obtaining citizenship of the Republic of Tajikistan (Law of the Republic of Tajikistan *dated 2.01.2018 No. 1472*) ,

shall be punished by a fine in the amount of five hundred to one thousand indicators for accounts or by deprivation of liberty for a term of up to five years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to five years or without it.

2) Failure to properly perform or negligent performance of official duties by an official or civil servant, which led to the illegal issuance of the passport of a citizen of the Republic of Tajikistan to foreign citizens or stateless persons or illegal acquisition of the citizenship of the Republic of Tajikistan,

shall be punished by a fine in the amount of two hundred to five hundred indicators for accounts or by deprivation of liberty 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 or without it (Law of the Republic of Tajikistan dated 31.12.2008 [No. 451](#)) .

Article 324. Receiving reward by means of extortion

1) Receiving a reward by means of extortion, i.e. demanding a financial reward or property benefit by an employee of the enterprise, regardless of the form of ownership, other than officials of state bodies, for performing certain work or providing services that are included in the scope of the official duties of such an employee. as well as intentionally placing a citizen in such conditions that he is forced to provide such a reward for him in order to prevent the violation of his legally protected rights and interests,

with a fine in the amount of five hundred to one thousand indicators for calculations, or deprivation of liberty 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 or without punishment (Law of the Republic of Tajikistan dated 6.10.2008 [No. 422](#)) .

2) The same action if:

a) repeatedly;

b) was made in large quantities,

shall be punished by deprivation of liberty for a period of two to five years and by deprivation of the right to hold certain positions or engage in certain activities for a period of up to five years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

Article 325. Giving a reward to an employee

1) Giving an award to an employee, i.e. giving a financial award or property benefit to an employee of an enterprise, regardless of the form of ownership, other than officials of state bodies, for performing an illegal act for the benefit of the awarding person (Law of the Republic of Kazakhstan dated 17.05.2004 [No. 35](#)),

shall be punished with a fine in the amount of five hundred to eight hundred indicators for calculations or corrective works for a term of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

2) The same action if:

a) repeatedly;

b) by a group of persons with prior advice (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ;

c) in large quantities;

d) committed for the benefit of an organized group,

shall be punished by deprivation of liberty for up to three years.

Note: In Articles 324 and 325 of this Code, the concept of large amount, amount of money, value of securities, other property or profit of a property nature is understood, the value of which exceeds five hundred indicators for accounts (Law of the Republic of Tatarstan of 17.05.2004 [No. 35](#) , dated 18.06.2008 [No. 386](#) , dated 6.10.2008 [No. 422](#)) .

Article 326. Illegality of allowing possession and storage of firearms

(Law of the Republic of Tajikistan dated 13.06.2013 [No. 965](#))

Illegally allowing possession and storage of firearms (Law of the Republic of Tajikistan dated 13.06.2013 [No. 965](#)),

shall be punished by deprivation of liberty for a period of two to five years.

Article 327. Illegal keeping of personal guards and use of military equipment for the same purpose

Illegal keeping of personal guards, as well as the use of military equipment for the same purpose,

shall be punished by deprivation of liberty for a period of two to five years.

CHAPTER 31. CRIMES AGAINST ADMINISTRATIVE PROCEDURE

(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))

Article 328. Use of violence against a representative of authority

1) The use of violence that is not dangerous for life or health or the threat of using violence, as well as the threat of destruction of property against a representative of the authority or his relatives in connection with the performance of their duties (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 18.06.2008 [No. 386](#)) ,

shall be punished with a fine in the amount of up to five hundred indicators for calculations or labor correction works for a term of up to two years or deprivation of liberty for a term of up to two years (Law of the Republic of Tajikistan dated 6.10.2008 [No. 422](#)) .

2) The use of violence against the persons mentioned in the first part of this article, which is dangerous to life and health (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) , shall be punished by restriction of liberty for a term of two to five years or deprivation of liberty for a term of two to five years.

Note: In this article and other articles of this Code, the concept of a representative of authority means a person who has served in a state authority and, in accordance with the procedure established by law, has the authority to issue orders to persons who are not subordinate to him (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) .

Article 329. Threats against law enforcement officers or military personnel

(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))

Threats to kill, harm health, damage or destroy property against law enforcement officers, military personnel, as well as against their close relatives in order to prevent the legal activities of these persons to protect public order or ensure public safety, or out of revenge committed for such activities (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ,

shall be punished with a fine in the amount of five hundred to one thousand indices for calculations or corrective works for a term of up to two years or deprivation of liberty for a term of up to three years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

Article 330. Insulting a representative of authority

1) Public insulting of a representative of authority during the performance of official duties or related to their performance, with mandatory work for a period of one hundred and eighty to two hundred and forty hours or with a fine in the amount of five hundred to one thousand indicators for calculations or correctional work for a period of two months to shall be punished by one year (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

2) Insulting a representative of authority in public speeches, publicly displayed works, mass media or on the Internet (Law of the Republic of Tajikistan dated 30.07.2007 [No. 301](#)) ,

shall be punished with a fine in the amount of one thousand to one thousand five hundred indicators for accounts or deprivation of liberty for a term of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

Article 331. Obstructing the activity of institutions implementing punishment and institutions of pre-trial detention

1) Threats of violence against the employees of penal institutions, against the employees of pre-trial detention institutions in order to prevent the normal functioning of these institutions,

shall be punished by restriction of liberty for a term of up to three years or deprivation of liberty for a term of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

2) For this purpose, using violence against the persons mentioned in the first part of this article, which is not dangerous to the life or health of a person (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 18.06.2008 [No. 386](#)) ,

shall be punished by deprivation of liberty for a period of two to five years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

3) Actions stipulated by the first or second parts of this article, if:

a) with violence that is dangerous for a person's life and health;

b) by an organized group:

c) committed in case of a dangerous or particularly dangerous relapse (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by deprivation of liberty for a period of five to ten years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

Article 332. Actions that make the work of places of deprivation of liberty disorderly

- 1) Acts committed by a person serving a sentence in places of deprivation of liberty, in:
 - a) humiliation and torture of convicts;
 - b) attacking representatives of the administration of places of deprivation of liberty;
 - c) organization of groups for this purpose or active participation in their activities is expressed,shall be punished by deprivation of liberty for a period of two to five years.
- 2) The same act, if committed by a person convicted of a serious or particularly serious crime, shall be punished by deprivation of liberty for a period of five to eight years.

Article 333. Illegal use of symbols and signs of the Red Cross and Red Crescent

Illegal use of symbols and symbols of the Red Cross and Red Crescent, as well as the name Red Cross and Red Crescent,

shall be punished with a fine in the amount of five hundred to one thousand indicators for calculations or corrective works for a term of up to two years or deprivation of liberty for a term of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

Article 334. Arbitrary

1) Arbitrary, i.e. arbitrarily exercising a real or potential right contrary to the procedure established by the law or another normative legal act, which seriously harmed the legally protected rights and interests of citizens or state or public interests,

shall be punished with a fine in the amount of up to two hundred indicators for accounts or labor correction works for a period of one to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

2) The same act, if committed with violence or threat of using it,

shall be punished by restriction of liberty for up to three years, or deprivation of liberty for up to five years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 31.12.2008 [No. 451](#)) .

Article 334(1). Illegal establishment of religious education

(Law of the Republic of Tajikistan dated 23.12.2021 No. [1809](#))

Illegally conducting religious education, including through the Internet, if this act does not have an extremist religious nature and was committed within a year after the application of administrative punishment for such violations, -

shall be punished by a fine in the amount of eight hundred to one thousand two hundred indicators for accounts or deprivation of liberty for a term of up to three years with deprivation of the right to occupy certain positions or engage in certain activities for the same period or without it (Law of the Republic of Tatarstan of 23.12.2021 No. [1809](#)) .

Article 335. Illegal crossing of the state border of the Republic of Tajikistan

(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))

1) Illegal crossing of the state border of the Republic of Tajikistan without the specified document and necessary permission (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished with a fine in the amount of five hundred to one thousand indicators for calculations or with deprivation of liberty for a period of two to five years (Law of the Republic of Tajikistan dated 31.12.2008 [No. 451](#)) .

2) Crossing the state border of the Republic of Tajikistan illegally, with the prior advice of a group of persons or an organized group, or by using violence or by threatening to use it (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ,

shall be punished by deprivation of liberty for a period of five to ten years.

3) Acts specified in the first or second part of this article, if they were committed in connection with human trafficking,

- is punishable by deprivation of liberty for a period of ten to fifteen years and deprivation of the right to occupy certain positions or engage in certain activities for a period of five years (Law of the Republic of Tajikistan dated 2.01.2019 [No. 1554](#)) .

Note: The action provided for in this article does not apply to foreign citizens and stateless persons who entered the Republic of Tajikistan in violation of the rules of crossing the state border to exercise the right of political asylum in accordance with the Constitution of the Republic of Tajikistan (Law of the Republic of Tajikistan [No. 35](#) of 17.05.2004 , dated 18.06.2008 [No. 386](#) , dated 2.01.2018 [No. 1472](#)) .

Article 335(1). Organization of illegal entry of foreign citizens or stateless persons into the Republic of Tajikistan or organization of illegal transit through the territory of the Republic of Tajikistan

(Law of the Republic of Tajikistan dated 31.12.2008 [No. 451](#) , *dated 2.01.2018 No. 1472*)

1) Organization of illegal entry of foreign citizens or stateless persons into the Republic of Tajikistan or organization of illegal transit of such persons through the territory of the Republic of Tajikistan (Law of the Republic of Tajikistan *dated January 2, 2018 No. 1472*) ,

with a fine in the amount of three hundred to five hundred indicators for calculations or correctional works for a period of six months to one year or deprivation of liberty for a period of up to two years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or without it.

2) The same action if:

a) repeatedly;

b) by a group of persons with prior advice or an organized group;

c) by causing serious damage to the citizen;

d) using official position;

e) committed for the purpose of engaging in illegal activities,

shall be punished by deprivation of liberty for a period of two to five years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or without it (Law of the Republic of Tajikistan dated 31.12.2008 [No. 451](#)) .

3) Acts specified in the first or second part of this article, if they were committed in connection with human trafficking,

- is punishable by deprivation of liberty for a period of five to ten years and deprivation of the right to occupy certain positions or engage in certain activities for a period of five years (Law of the Republic of Tajikistan dated 2.01.2019 [No. 1554](#)) .

Article 335(2). Organization of illegal immigration

(Law of the Republic of Tajikistan dated 31.12.2008 [No. 451](#))

1) Organization of illegal sending and employment of citizens of the Republic of Tajikistan abroad,

shall be punished with a fine in the amount of three hundred to five hundred indicators for calculations or corrective works for a period of six months to one year with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to two years or without it.

2) Employment of immigrants by a person who does not have a license to carry out this type of activity,

shall be punished with a fine in the amount of five hundred to one thousand indicators for calculations or corrective works for a period of one to two years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or without it (Law of the Republic of Tajikistan dated 31.12.2008 [No. 451](#)) .

Article 336. Violation of the state border system

Violation of the State Border system, the border system and the State Border crossing system, committed during the year after the imposition of an administrative penalty for such violations,

shall be punished with a fine in the amount of three hundred to eight hundred indicators for calculations, or deprivation of liberty for a term of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

Article 337. Expropriation of state award

Expropriation of state award,

shall be punished by restriction of liberty for a period of one to three years or deprivation of liberty for a period of up to two years.

Article 338. Arbitrary occupation of a plot of land and arbitrary construction on it

(Law of the Republic of Tajikistan dated 25.03.2011 [No. 694](#))

1) Arbitrary occupation of a plot of land, if it was committed during the year after the application of administrative punishment for such a violation,

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations or deprivation of liberty for a term of up to two years.

2) Arbitrary construction on an arbitrarily occupied plot of land, regardless of the application of administrative punishment,

shall be punished by a fine in the amount of three hundred and sixty-five to nine hundred and twelve indicators for accounts or deprivation of liberty for a term of two to five years.

3) Action provided for by the first or second parts of this article, if:

a) repeatedly;

b) committed by a group of persons with prior advice,

shall be punished with a fine in the amount of nine hundred and twelve to one thousand four hundred and sixty indicators for accounts or deprivation of liberty for a period of five to eight years.

Note: The crimes provided for in Articles 338 and 338(1) of this Code are recognized as committed repeatedly if a person previously committed one or more crimes provided for in these articles (Law of the Republic of Tajikistan dated 25.03.2011 [No. 694](#)) .

Article 338(1). Illegal transfer of land plot

(Law of the Republic of Tajikistan dated 25.03.2011 [No. 694](#))

1) Illegal transfer of a plot of land,

shall be punished with a fine in the amount of three hundred and sixty-five to nine hundred and twelve indicators for calculations or deprivation of liberty for a period of two to five years with

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

2) The act stipulated by the first part of this article, if:

a) repeatedly;

b) by a group of persons with prior advice;

c) committed using official authority,

shall be punished with a fine in the amount of nine hundred and twelve to one thousand four hundred and sixty indicators for accounts or deprivation of liberty for a period of five to eight years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (Law TT dated 25.03.2011 [No. 694](#) , dated 13.06.2013 [No. 966](#)) .

Article 339. Seizure or destruction of document, stamp, seal

1) Seizure of a passport or other important personal document of a citizen,

shall be punished with compulsory labor for a period of eighty to one hundred and twenty hours or with a fine of up to two hundred indicators for calculations or corrective works for a period of up to one year (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

2) Misappropriation, destruction, destruction or concealment of official documents, stamp or seal for malicious purpose or other personal benefit,

shall be punished with a fine in the amount of two hundred to five hundred indicators for calculation or correctional work for a term of up to two years or deprivation of liberty for a term of up to one year (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

3) Acts specified in the first or second parts of this article, which were committed for the purpose of human trafficking (Law of the Republic of Tajikistan dated January 2, 2019 [No. 1554](#)) ,

shall be punished by deprivation of liberty for a period of two to five years (Law of the Republic of Tajikistan [No. 33](#) of 1.08.2003 , [No. 35](#) of 17.05.2004) .

Article 340. Forging, preparing or giving into someone else's ownership documents, state awards, stamps, seals and forms.

1) Forging a passport (passport), certificate or other official documents entitling or exempting from obligations for the purpose of use by the forger himself or another person or giving such a document to someone else's possession, preparing for the same purpose or giving a state award to someone else's possession The Republic of Tajikistan, the SSR of Tajikistan, the SSR of the Republic of Tajikistan, forged stamps and stamps or forms, as well as the use of clearly forged documents (Law of the Republic of Tajikistan dated 1.08.2003 [No. 33](#)) ,

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations or corrective works for a term of up to two years or deprivation of liberty for the same term (Law of the Republic of Tajikistan dated 25.03.2011 [No. 694](#)) .

2) The same action if:

a) repeatedly;

b) with prior advice from a group of persons (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ;

c) committed using computer technology,

shall be punished with a fine in the amount of three hundred and sixty-five to nine hundred and twelve indicators for accounts or deprivation of liberty for a period of two to five years (Law of the Republic of Tajikistan dated 25.03.2011 [No. 694](#)) .

3) Acts specified in the first and second parts of this article, committed for the purpose of human trafficking (Law of the Republic of Tajikistan dated 2.01.2019 [No. 1554](#)) ,

shall be punished by deprivation of liberty for a period of five to seven years (Law of the Republic of Tajikistan dated 1.08.2003 [No. 33](#)) .

Article 340(1). Forging, putting into circulation excise stamps, special stamps or conformity marks or using them (Law of the Republic of Tajikistan dated 25.07.2005 [No. 97](#))

1. Fraudulently preparing for the purpose of circulation or putting into circulation excise stamps, special stamps or signs of protected conformity, or their use,

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for accounts with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to five years or deprivation of liberty for a term of up to two years (Law of the Republic of Tatarstan of 6.10.2008 [No. 422](#) , from 21.07.2010 [No. 617](#)) .

2. The same act, if it was committed by a group of individuals or an organized group with prior advice (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ,

shall be punished with a fine in the amount of three hundred sixty-five to nine hundred twelve indicators for accounts with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years or deprivation of liberty for a period of two to five years (Law State Gazette dated 25.07.2005 [No. 97](#) , dated 6.10.2008 [No. 422](#) , dated 21.07.2010 [No. 617](#)) .

Article 341. Ownership or transfer of official documents and state awards to someone else

Illegally owning or giving to someone else's ownership official documents of entitlement or exemption from obligations, as well as the state award of the Republic of Tajikistan, Tajikistan SSR, IJSSH,

shall be punished with compulsory labor for a period of one hundred and twenty to one hundred and eighty hours or with a fine of up to five hundred indicators for calculations (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

Article 341(1). Violation of the requirements of the regulatory legal acts of the Republic of Tajikistan on connecting the SIM card to the electrical communication network and giving it to someone else

(Law of the Republic of Tajikistan dated 20.06.2019 [No. 1609](#))

1. Violation of the requirements of the regulatory legal acts of the Republic of Tajikistan on connecting a SIM card to the electrical communication network, if such an act was committed within one year after the application of the administrative penalty,

shall be punished with a fine in the amount of six hundred to eight hundred indicators for accounts or with restriction of freedom for a term of up to two years.

2. Illegally connecting the SIM card to the electrical communication network or giving the SIM card to someone else's possession by the user, if the SIM card was used in the commission of a terrorist or extremist crime, as well as other serious and especially serious crimes (Law of the Republic of Tajikistan dated 13.11.2023 [No. 1084](#)) ,

shall be punished with a fine in the amount of eight hundred to one and a half thousand indicators for accounts or deprivation of liberty for a period of two to three years (Law of the Republic of Tajikistan dated 20.06.2019 [No. 1609](#)) .

Article 342. Insulting state symbols

Insulting the state symbols of the Republic of Tajikistan (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished with a fine in the amount of up to five hundred indicators for calculations or with restriction of freedom for a period of up to two years or deprivation of liberty for a period of up to one year (Law of the Republic of Tajikistan [No. 35](#) of 17.05.2004 , [No. 422](#) of 6.10.2008) .

Article 343. Refusal from military and alternative service

1) Refusal to be called up for compulsory military service, as well as refusal of a military service member to attend training sessions or a military test in the absence of legal grounds for exemption from this service,

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of liberty for a term of up to two years (Law of the Republic of Tajikistan dated 6.10.2008 [No. 422](#)) .

2) Refusal of persons released from military service to perform alternative service (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ,

shall be punished with compulsory labor for a period of one hundred and eighty to two hundred and forty hours or with a fine in the amount of three hundred to eight hundred indicators for calculations (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

3) Refusal to call for mandatory or alternative military service by:

a) self-harm to health;

b) by falsification of documents or other deception,

shall be punished by deprivation of liberty for a period of two to five years.

Note: If the defendant appears at the summons before the case is handed over to the court, he will be released from criminal liability.

Article 344. Refusal to call for mobilization

Refusal to call for mobilization into the ranks of the Armed Forces of the Republic of Tajikistan, shall be punished by deprivation of liberty for a period of two to five years.

CHAPTER 32. CRIMES AGAINST JUDICIAL JUSTICE

Article 345. Obstructing the administration of justice, preliminary investigation and preliminary investigation

(Law of the Republic of Tajikistan dated 15.03.2016 [No. 1274](#))

1) Interfering in court activities in any form with the aim of obstructing the administration of justice,

shall be punished with a fine in the amount of five hundred to one thousand indicators for calculations or corrective works for a term of up to two years or deprivation of liberty for a term of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

2) Interfering in any way with the activities of the prosecutor, investigator or researcher in order to prevent comprehensive, complete and objective initial investigation or preliminary investigation of the case (Law of the Republic of Tajikistan dated 15.03.2016 [No. 1274](#)) ,

shall be punished with a fine in the amount of five hundred to one thousand indicators for calculations or corrective works for a term of up to two years or deprivation of liberty for a term of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

3) Acts specified in the first or second part of this article, committed by a person using his official status,

shall be punished by deprivation of liberty for a period of two to five years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or without it.

Article 346. Deliberate delivery of false news

1) Deliberate delivery of false information about the commission of a crime,

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or restriction of freedom for a period of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

2) The same action, if related:

a) by being guilty of committing a serious or particularly serious crime;

b) by creating artificial evidence of accusation;

c) due to malicious intent (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ;

d) committed for the benefit of an organized group,

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

3) Actions provided for in the first or second parts of this article if:

a) committed against a judge, prosecutor, investigator or researcher (Law of the Republic of Tajikistan dated 15.03.2016 [No. 1274](#)) ;

b) caused serious consequences,

shall be punished by deprivation of liberty for a term of five to seven years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

Article 347. Failure to report on a crime or its concealment

1) Failure to report on a clearly known serious or especially serious crime being prepared or committed, as well as failure to report on a clearly known person who committed this crime or his location (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of liberty for a term of up to two years (Law of the Republic of Tajikistan dated 6.10.2008 [No. 422](#)) .

2) Concealment of a serious or particularly serious crime that was not committed in advance,

shall be punished by deprivation of liberty for up to five years.

Note: 1) The spouse and close relatives of the person who committed the crime are not held criminally liable for not reporting the crime and concealing the crime that was not committed in advance. Also, the victim of human trafficking is not held criminally responsible for not reporting the crime and concealing the previously uncommitted crime, which is related to his being a victim of human trafficking (Law of the Republic of Tajikistan dated 2.01.2019 [No. 1554](#)).

2) Also, a church official will not be held criminally responsible for not reporting a crime he learned about during training.

Article 348. Deliberately bringing an innocent person to criminal responsibility

1) Deliberately bringing an innocent person to criminal responsibility as an accused by an investigator, investigator or prosecutor (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 15.03.2016 [No. 1274](#)) ,

shall be punished by deprivation of liberty for up to two years.

2) The same action if:

- a) in connection with the accusation of committing a serious or particularly serious crime;
- b) was committed in connection with the creation of artificial evidence of accusation;
- c) caused serious consequences,

shall be punished by deprivation of liberty for a period of three to five years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years.

Article 349. Deliberately illegal issuance of judgment, resolution or other judicial acts

1) Deliberately illegal issuance of a sentence, decision or other judicial acts by a judge (judges) (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished with a fine in the amount of one thousand to one thousand five hundred indicators for accounts or deprivation of liberty for a term of up to two years (Law of the Republic of Tajikistan dated 6.10.2008 [No. 422](#)) .

2) The same action if:

- a) in connection with issuing a sentence of deprivation of liberty;
- b) was committed in connection with the creation of artificial evidence of accusation;
- c) caused serious consequences,

shall be punished by deprivation of liberty for a period of three to five years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years.

Article 350. Preventing a witness or victim from appearing before a court, investigation or preliminary investigation body

(Law of the Republic of Tajikistan dated 15.03.2016 [No. 1274](#))

Preventing a witness or a victim from appearing before a court, investigative or preliminary investigation body (Law of the Republic of Tajikistan dated 15.03.2016 [No. 1274](#)) ,

shall be punished with a fine in the amount of two hundred to five hundred indicators for accounts or deprivation of liberty for a term of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

Article 351. False testimony

1) Deliberately giving false testimony of a witness, victim or misleading conclusion of an expert (expert), as well as deliberately mistranslating an interpreter during investigation, preliminary investigation or in court (Law of the Republic of Tajikistan dated 15.03.2016 [No. 1274](#)) ,

shall be punished by restriction of liberty for a period of one to three years or deprivation of liberty for a period of up to two years.

2) The same action, if related:

- a) to the accusation of committing a serious or particularly serious crime;
- b) to prepare artificial evidence of accusation;
- c) for a biased purpose;

d) committed for the benefit of an organized group (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by deprivation of liberty for a period of two to five years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

Note: 1. If a witness, a victim, an expert or a translator during the initial investigation, preliminary investigation or court proceedings, until the verdict or court decision is issued, they voluntarily

declare that their statements, conclusions or deliberate wrong translation are false, they will be released from criminal liability. will be

2) A victim of human trafficking shall not be held criminally liable for giving false testimony related to his status as a victim of human trafficking (Law of the Republic of Tajikistan dated January 2, 2019 [No. 1554](#)) .

Article 352. Refusal to appear or unwillingness to give testimony, conclusion or translation

1) Refusal of a witness or a victim to appear at the summons of the investigating authorities, preliminary investigation or to the court or unwillingness to give evidence (Law of the Republic of Tajikistan dated 15.03.2016 [No. 1274](#)) ,

shall be punished with compulsory labor for a period of one hundred and twenty to one hundred and eighty hours or with a fine of up to five hundred indicators for calculations (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

2) Refusal of an expert (expert), specialist translator or a pure person to appear at the invitation of the same authorities or to refuse to perform their duties (Law of the Republic of Tajikistan dated 31.12.2008 [No. 451](#)) ,

shall be punished with compulsory labor for a period of one hundred and twenty to one hundred and eighty hours or with a fine of up to five hundred indicators for calculations (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

Note: 1. A person will not be held criminally liable for refusing to testify against himself or his close relatives (Law of the Republic of Tajikistan dated 15.03.2016 [No. 1274](#)) .

2) A victim of human trafficking shall not be held criminally liable for refusing to appear at the summons of the investigative, investigative or court authorities, or for refusing to give evidence in relation to crimes related to his/her status as a victim of human trafficking (Law of the Republic of Tatarstan of 2.01.2019 [No. 1554](#)) .

Article 353. Bribery or coercion to give false statements, false conclusions or incorrect translation

1) Bribery to a witness, a victim for the purpose of giving a false statement or to an expert for the purpose of presenting a false conclusion or giving a false testimony, as well as to a translator for the purpose of incorrect translation,

shall be punished with compulsory labor for a period of one hundred and twenty to one hundred and eighty hours or with a fine of up to five hundred indicators for calculations (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

2) Forcing a witness, a victim to give a false testimony, an expert to give a false opinion, or a translator to translate incorrectly, as well as forcing these persons to refuse to give testimony in connection with (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#) :

a) coercion (blackmail);

b) threat to kill;

c) threat of harm to health (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ;

d) destruction of the property of these persons or their relatives has been committed (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ,

shall be punished by restriction of liberty for a term of one to three years or deprivation of liberty for a term of up to three years.

3) The actions specified in the second part of this article were committed with the use of violence that is not dangerous for the life and health of these persons (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ,

shall be punished by deprivation of liberty for a term of two to five years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

4) Actions provided for in the first or second parts of this article, which:

a) by an organized group;

b) was committed with the use of violence dangerous to the life and health of the mentioned persons (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ,

shall be punished by deprivation of liberty for a period of five to ten years.

Article 354. Forced to give evidence by the investigator, investigator or court

(Law of the Republic of Tajikistan dated 15.03.2016 [No. 1274](#))

1) By threats, coercion or other illegal acts, forcing a suspect, defendant, defendant, victim or witness to give evidence, as well as forcing an expert to submit an opinion by an investigator, investigator or court (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 15.03.2016 [No. 1274](#)) ,

shall be punished by deprivation of liberty for a period of two to five years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

2) Removed (Law of the Republic of Tajikistan dated 16.04.2012 [No. 808](#)) .

Article 355. Contempt of court

1) Disrespect for the court, expressed in insulting the participants of the court proceedings,

shall be punished with compulsory labor for a period of one hundred and eighty to two hundred and forty hours or with a fine of up to five hundred indicators for calculations (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

2) Insulting a judge, counselor or other person involved in the administration of justice,

shall be punished with correctional works for a term of up to two years or deprivation of liberty for the same term (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

Article 356. Threats or violence related to the administration of justice, investigation or preliminary investigation

(Law of the Republic of Tajikistan dated 15.03.2016 [No. 1274](#))

1) Threats to kill, harm health, damage or destroy property against a judge, people's adviser, prosecutor, investigator, researcher, lawyer, expert, translator, bailiff or court secretary, court bailiff, as well as their relatives related to the execution investigation, preliminary investigation, consideration of a case or material in court or execution of a judgment, court decision or other judicial act (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#) , dated 15.03.2016 [No. 1274](#)) ,

shall be punished with a fine in the amount of five hundred to one thousand indicators for calculations or corrective works for a term of up to two years or deprivation of liberty for the same term (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

2) Use of violence, which is not dangerous for life and health, due to investigation, preliminary investigation, consideration of case or material in court or execution of judgment, court decision or other judicial act against the persons mentioned in the first part of this article (Law of the Republic of Tatarstan of 18.06.2008 [No. 386](#) , from 15.03.2016 [No. 1274](#)) ,

shall be punished by deprivation of liberty for a period of two to five years.

3) Acts specified in the first or second parts of this article using violence that is dangerous to life and health,

shall be punished by deprivation of liberty for a period of five to ten years (Law of the Republic of Tajikistan dated 17.05.2004 No. 35) .

Article 357. Removed

(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))

Article 358. Illegal detention or arrest

1) Deliberate illegal arrest,

shall be punished by restricting freedom for a period of up to three years, or deprivation of liberty for a period of up to two years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to two years or without it (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

2) Deliberate illegal arrest or detention,

shall be punished by deprivation of liberty for a period of two to five years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

3) Actions specified in the first or second parts of this article, which caused serious consequences,

shall be punished by deprivation of liberty for a period of five to seven years with deprivation of the right to hold certain positions or engage in certain activities for a period of up to five years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

Article 359. Falsification of facts

1) Falsification of evidence in a civil case by a person involved in the case or his representative,

shall be punished with compulsory labor for a period of one hundred sixty to two hundred forty hours or a fine in the amount of five hundred to one thousand indicators for calculations or with correctional labor for a period of one to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

2) Falsification of evidence of a criminal case by an investigator, investigator, prosecutor or defense attorney (Law of the Republic of Tajikistan dated 15.03.2016 [No. 1274](#)) ,

shall be punished by a fine in the amount of one thousand to two thousand indicators for calculations or by deprivation of liberty for a term of up to three years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years (Law of the Republic of Tajikistan of 17.05.2004 [No. 35](#) , from 6.10.2008 [No. 422](#)) .

3) Falsification of evidence of a criminal case by the persons mentioned in the second part of this article, if (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) :

a) it is about a serious or particularly serious crime;

b) caused serious consequences due to carelessness,

shall be punished by deprivation of liberty for a period of five to eight years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years.

Article 360. Illegal release from criminal responsibility

Illegal release of a person suspected or accused of committing a crime from criminal liability by a prosecutor, investigator or investigator (Law of the Republic of Tajikistan dated 15.03.2016 [No. 1274](#)) ,

shall be punished by deprivation of liberty for a term of up to five years, with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years.

Article 361. Disclosure of investigation or preliminary investigation information

(Law of the Republic of Tajikistan dated 15.03.2016 [No. 1274](#))

Disclosing the information of the investigation or preliminary investigation without the permission of the investigator, investigator or prosecutor, who was notified of non-disclosure in accordance

with the procedure established by law (Law of the Republic of Tajikistan dated 15.03.2016 [No. 1274](#)) ,

shall be punished with a fine in the amount of up to five hundred indicators for calculations or labor correction works for a term of up to two years or deprivation of liberty for a term of up to two years (Law of the Republic of Tajikistan dated 6.10.2008 [No. 422](#)) .

Article 362. Illegal action against property that is listed, or subject to arrest, or is subject to confiscation
(Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#))

1) Wasting, misappropriating or concealing listed or impounded property from the person to whom this property was entrusted, as well as carrying out banking transactions with monetary instruments (deposits) by employees of credit organizations. who were arrested (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 18.06.2008 [No. 386](#)) ,

shall be punished with a fine in the amount of five hundred to one thousand indicators for calculations, or deprivation of liberty for a term of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

2) Concealing or misappropriation of property confiscated by a court order, as well as in other ways refusing to execute a legally valid court order on confiscation of property (Law of the Republic of Tajikistan [No. 386](#) dated 18.06.2008 , *dated 2.01.2018 No. 1472*) ,

shall be punished with a fine in the amount of one thousand to two thousand indicators for accounts or deprivation of liberty for a term of up to three years (Law of the Republic of Tajikistan dated 6.10.2008 [No. 422](#)) .

Article 363. Non-execution of court verdict, court decision or other judicial act

Deliberate non-fulfillment of a judgment, decision or other legal document issued by a court by a representative of authority, a public servant or an employee of local government bodies and self-governing bodies of towns and villages, as well as an employee of a state institution, commercial organizations or other organizations, as well as obstructing their execution (Law State Gazette *dated 2.01.2018 No. 1472*) ,

shall be punished with a fine in the amount of two hundred to five hundred indicators for calculations or with deprivation of liberty for a term of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#)) .

Article 364. Refusal to serve the penalty of deprivation of liberty

Refusal to serve a sentence of deprivation of liberty by a person sentenced to deprivation of liberty, who was allowed to travel from places of deprivation of liberty for a short period of time, or the execution of the sentence on the execution of the sentence was suspended after its termination. the period of permission to travel or the period of postponement has been set (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by deprivation of liberty for up to two years.

Article 365. Escape from places of deprivation of liberty or pre-trial detention

(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))

1) Escape from places of deprivation of liberty or pre-trial detention of a person who is serving a sentence or is in pre-trial detention (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by deprivation of liberty for a period of two to five years.

2) The same action if:

a) with prior advice from a group of persons (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ;

b) with violence dangerous to the life or health of other persons or with the threat of using such violence (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ;

c) was committed with the use of weapons or objects used as weapons (Law of the Republic of Tajikistan dated 13.06.2013 [No. 965](#)),

shall be punished by deprivation of liberty for a term of five to ten years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

Note: A person who voluntarily returns to places of detention or pre-trial detention within three days is exempted from criminal liability for escape, if there are no other crimes in this person's movements (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

CHAPTER XIV. CRIMES AGAINST MILITARY SERVICE

CHAPTER 33. CRIMES AGAINST MILITARY SERVICE

Article 366. Definition of crimes against military service

1) Crimes against military service - those crimes provided for in this chapter are recognized as violations of the established order of military service by military personnel who serve in the Armed Forces of the Republic of Tajikistan and other military structures of the Republic of Tajikistan on the basis of a call-up or on a voluntary basis. are committed, as well as by citizens who are on guard, during military gatherings or by persons who have military service status according to the current laws (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 18.06.2008 [No. 386](#)) .

2) Persons not mentioned in this article shall be prosecuted for complicity in crimes against military service in accordance with the relevant articles of this Code as organizers, instigators and assistants (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 18.06.2008 [No. 386](#)) .

Article 367. Removed

(Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#))

Article 368. Failure to execute the order

1) Non-fulfillment of the order issued by the superior by the subordinate in accordance with the established procedure, which caused serious damage to the interests of the service, except for the cases of non-fulfillment of an obviously criminal order (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by restriction in military service for a period of up to two years or by detention in disciplinary military units for a period of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

2) The same act, which was committed in a state of war or during war,

shall be punished by deprivation of liberty for a period of five to ten years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

Article 369. Opposing the boss or forcing him to violate official duties

1) Showing opposition to the chief or another person entrusted with the chief's duties, as well as forcing him to violate these duties, which is connected with violence or the threat of using it (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by restriction in military service for a period of up to two years or detention in disciplinary military units for a period of up to two years or by deprivation of liberty for a period of up to three [years](#) .

2) The same action if:

a) by a group of persons, a group of persons with prior advice or an organized group (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ;

b) using weapons, military equipment or explosives (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 13.06.2013 [No. 965](#)) ;

c) was committed by causing serious or moderate damage to health or caused other serious consequences,

shall be punished by deprivation of liberty for a period of five to ten years.

3) The same act, which was committed in a state of war or during war,

shall be punished by deprivation of liberty for ten to fifteen years.

Article 370. Use of violence against the head

1) Beating or using other forms of violence against the commander in connection with the performance of his military service duties or during the performance of these duties,

shall be punished by restriction in military service for a period of up to two years or detention in disciplinary military units for a period of up to two years or deprivation of liberty for a period of up to five years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

2) The same [movement](#) , if :

a) by a group of persons, a group of persons with prior advice or an organized group (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ;

b) with the use of weapons (Law of the Republic of Tajikistan dated 13.06.2013 [No. 965](#)) ;

c) was committed by causing serious or moderate damage to health or caused other serious consequences,

shall be punished by deprivation of liberty for a period of five to ten years.

3) Actions provided for by the first or second parts of this article, committed in a state of war or during war (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by deprivation of liberty for ten to fifteen years.

Article 371. Threat to the boss

1) The threat of killing, harming health or the threat of beating the commander if there are sufficient grounds for the implementation of this threat due to his military service duties (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by detention in disciplinary military units for a term of up to two years or by deprivation of liberty for the same term (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

2) The same act, if committed in a state of war or during war,

shall be punished by deprivation of liberty for a period of three to five years.

Article 372. Insulting a military serviceman

1) Humiliation by a military serviceman of another military serviceman during the performance of duty or related to the performance of military service duties,

shall be punished by restriction in military service for a period of up to six months or detention in disciplinary military units for the same period (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

2) Insulting a superior by a subordinate, as well as insulting a subordinate by the superior during the performance of duties or related to the performance of military service duties (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by limiting military service for a period of up to one year or detention in disciplinary military units for the same period (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

Article 373. Violation of the statutory rules of mutual relations of military personnel in the absence of service subordination between them

1) Violation of the statutory rules of mutual relations of military personnel, in the absence of official authority among them, which includes regular insults, humiliation, torture, causing minor damage to health, which has caused deterioration of health, or illegal deprivation of freedom appears

shall be punished by detention in a disciplinary military unit for a term of up to two years or deprivation of liberty for a term of up to three years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

2) The same action if:

a) repeatedly;

b) against two or more persons (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ;

c) by a group of persons, a group of persons with prior advice or an organized group (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ;

d) with the use of weapons (Law of the Republic of Tajikistan dated 13.06.2013 [No. 965](#)) ;

e) was committed by causing serious or moderate damage to health or caused other serious consequences (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by deprivation of liberty for a period of five to ten years.

Article 374. Arbitrarily leaving a military unit or place of service

1) Arbitrarily leaving the military unit or the place of service, as well as not returning to work on time after leaving the military unit, work leave, during assignment or transfer to another place of service, or transfer to another service, or from travel Failure to return to service, or from medical institutions, which includes more than three days, but not more than ten days, by military personnel who serve according to the draft, as well as refusing to serve for the same period by presenting forged documents or forms other fraud (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by detention in disciplinary military units for up to one year (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

2) The same act, if it was committed by a military serviceman who is serving the term of punishment in the disciplinary military unit (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by deprivation of liberty for up to two years.

3) Arbitrarily leaving a military unit or a place of service by a member of the mandatory military service, a member of the officer corps, an ensign, or an employee who serves on a voluntary basis, as well as not returning to military service at the specified time without good reason, for more than ten days, but not more than one month, as well as evasion of military service for the same period by presenting forged documents or other forms of deception (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by restriction in military service for a period of up to two years or by deprivation of liberty for the same period (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

4) Arbitrarily leaving the military unit or the place of service, or not returning to the place of service on time for more than ten days without good reason, as well as refusing to serve within the specified period by submitting forged documents or other forms of deception by a military serviceman, who is serving the term of punishment in the disciplinary military unit (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by deprivation of liberty for a period of two to four years (Law of the Republic of Tajikistan dated 12.05.2001 [No. 12](#)) .

5) Arbitrarily leaving the military unit or place of service, as well as not returning to the place of service for more than a month without valid reasons, by the persons mentioned in the first and third parts of this article,

shall be punished by deprivation of liberty for a term of up to five years (Law of the Republic of Tajikistan dated 12.05.2001 [No. 12](#) , dated 17.05.2004 [No. 35](#)) .

6) Acts specified in this article, committed in a state of war or during war, regardless of its duration,

shall be punished by deprivation of liberty for a period of five to ten years (Law of the Republic of Tajikistan dated 12.05.2001 [No. 12](#)) .

Note: A military serviceman who commits the actions specified in the first, second, third, fourth and fifth parts of this article for the first time, and if he voluntarily left the military unit due to severe circumstances, may be exempted from criminal responsibility (Law of the Republic of Tajikistan dated 12.05.2001 [No. 12](#)) .

Article 375. Escape

1) Absconding, i.e. voluntarily leaving the military unit or the place of service of a military serviceman who is serving on the basis of a call for the purpose of refusing to perform military service, as well as for the same purpose not returning at the specified time,

shall be punished by deprivation of liberty for up to five years.

2) If the same act was committed by an officer, ensign, or military serviceman who serves on a voluntary basis (Law of the Republic of Tajikistan dated 26.12.2005 [No. 125](#)) ,

shall be punished by deprivation of liberty for a period of three to seven years.

3) Escaping with a weapon entrusted at the place of service, as well as an escape committed by a group of persons with prior advice or an organized group (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#) , dated 13.06.2013 [No. 965](#)) ,

shall be punished by deprivation of liberty for a period of five to ten years.

4) An escape committed in a state of war or during a war,

shall be punished by deprivation of liberty for a period of eight to twelve years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

Note: A military serviceman who absconded for the first time in accordance with the actions provided for in the first part of this article, if he voluntarily confesses his guilt within three days, or if the absconding was committed due to serious circumstances, he can be released from criminal liability. (Law of the Republic of Tajikistan dated 10.12.1999 [No. 877](#)) .

Article 376. Refusal to perform the duties of military service by mutilation or another method

1) Refusal of a military serviceman from the performance of military service duties by self-harm (mutilation), or refusal by a fake illness or other deception (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by restriction in military service for a period of up to two years, detention in disciplinary military units for a period of up to two years or deprivation of liberty for the same period (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

2) The same act, which was committed with the purpose of complete exemption from the duties of military service,

shall be punished by deprivation of liberty for a term of two to five years (Law of the Republic of Tajikistan dated 10.12.1999 [No. 877](#) , dated 17.05.2004 [No. 35](#)) .

3) The same act, which was committed in a state of war or in wartime,

shall be punished by deprivation of liberty for a term of eight to twelve years (Law of the Republic of Tajikistan dated 10.12.1999 [No. 877](#)) .

Article 377. Violation of the rules of military service

1) Violation of the rules of combat duty (combat service) on timely detection and repelling of a surprise attack on the Republic of Tajikistan or on ensuring its security, if this action harmed or could harm the security interests of the state,

shall be punished by restriction in military service for a period of up to two years or detention in disciplinary military units for a period of up to two years or deprivation of liberty for a period of up to five years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

2) The same act that caused serious consequences or was committed in a state of war or during war,

shall be punished by deprivation of liberty for ten to fifteen years (Law of the Republic of Tajikistan dated 10.12.1999 [No. 877](#)) .

3) Violation of the rules of military duty (military service) as a result of careless or dishonest attitude to service, which caused serious consequences,

shall be punished by restriction in military service for a period of up to two years, or detention in disciplinary military units for a period of up to two years, or by deprivation of liberty for a period of up to three years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

Article 378. Violation of the rules of border service

1) Violation of the rules of the border service by a person in the service of the border guard or performing other tasks of the border service, if this action harmed or could harm the security interests of the state,

shall be punished by restriction in military service for a period of up to two years or detention in disciplinary military units for a period of up to two years or by deprivation of liberty for a period of up to three years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) shall be punished by restriction in military service for a

2) The same act, which caused serious consequences or was committed in a war situation or during war,

shall be punished by deprivation of liberty for a period of five to ten years.

3) Violation of the rules of border service as a result of careless or dishonest treatment of them, which caused serious consequences,

shall be punished by restriction in military service for a period of up to two years or detention in disciplinary military units for a period of up to two years or by deprivation of liberty for a period of up to two [years](#) .

Article 379. Violation of statutory rules of the guard service

1) Violation of the statutory rules of the guard service by a person who joined the guard, if this act caused damage to the objects protected by the guard (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by restriction in military service for a period of up to two years, or by detention in disciplinary military units for a period of up to two years, or by deprivation of liberty for a period of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)).

2) The same act, which caused serious consequences or was committed in a war situation or during war,

shall be punished by deprivation of liberty for a period of five to ten years.

3) Violation of statutory guard service (guarding), as a result of careless or dishonest treatment of them, which caused serious consequences,

shall be punished by deprivation of liberty for up to two years.

Article 380. Violation of the statutory rules for the performance of internal service and rotation of guards in the garrison

Violation of the statutory rules of the internal service by a member of the night shift, as well as violation of the statutory rules of guard rotation in the garrison by a member of the guard, if this action has caused serious consequences,

shall be punished by restriction in military service for a period of up to two years or by detention in disciplinary military units for a period of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

Article 381. Violation of the rules for the provision of services for the protection of public order and provision of public security

1) Violation of the rules for the provision of services for the protection of public order or provision of public security, if this action harmed the rights and legal interests of citizens,

shall be punished by restriction in military service for a period of up to two years, or detention in disciplinary military units for a period of up to two years, or by deprivation of liberty for a period of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

2) The same act that caused serious consequences,

shall be punished by deprivation of liberty for a period of two to five years.

Article 382. Voluntary delivery of firearms, ammunition, explosives, explosive devices and military equipment by military personnel

(Law of the Republic of Tajikistan dated 13.06.2013 [No. 965](#))

Voluntary handing over of firearms, ammunition, explosives, explosive devices or military equipment to another person by a military officer entrusted with these things for official use and if it causes serious consequences (Law of the Republic of Tajikistan dated 13.06. 2013 [No. 965](#)),

shall be punished by deprivation of liberty for a period of three to seven years.

Article 383. Surrendering the means of war to the enemy or abandoning those means

Surrender of the military forces entrusted to him by the commander to the enemy, as well as abandoning fortifications, military equipment or other means of warfare to the enemy without the necessity of a war situation, if he committed these actions without the purpose of harming the enemy,

shall be punished by deprivation of liberty for ten to fifteen years (Law of the Republic of Tajikistan dated 10.12.1999 [No. 877](#)) .

Article 384. Arbitrarily leaving the battlefield or refusing to use weapons

(Law of the Republic of Tajikistan dated 13.06.2013 [No. 965](#))

Voluntarily leaving the battlefield during the war or refusing to use weapons during the war (*Law of the Republic of Tajikistan* dated 13.06.2013 [No. 965](#)),

shall be punished by deprivation of liberty for a period of five to ten years.

Article 385. Voluntary surrender to captivity

Voluntary surrender to captivity due to cowardice or impatience,
shall be punished by deprivation of liberty for a period of five to ten years.

Article 386. Destruction or destruction of military property

(Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#))

1) Destruction or destruction of weapons, ammunition or items of military equipment as a result of carelessness, which caused serious consequences (Law of the Republic of Tajikistan dated 13.06.2013 [No. 965](#)),

shall be punished with a fine in the amount of up to five hundred indicators for calculations or by restriction in military service for a period of up to two years or detention in disciplinary military units for a period of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) dated 6.10.2008 [No. 422](#)) .

2) Deliberate destruction or destruction of weapons, ammunition or items of military equipment (Law of the Republic of Tajikistan dated 13.06.2013 [No. 965](#)),

with a fine in the amount of one thousand five hundred to two thousand indicators for calculations, or with limitation in military service for a term of up to two years, or detention in military disciplinary units for a term of up to two years, or imprisonment for a term of up to three years (Law of the Republic of Tajikistan [No. 35](#) of 17.05.2004 , [No. 422](#) of 6.10.2008) .

3) Actions specified in the second part of this article, which caused serious consequences,
shall be punished by deprivation of liberty for up to five years.

4) Acts referred to in the second part of this article, which were committed in a state of war or during wartime,

shall be punished by deprivation of liberty for ten to fifteen years.

Article 387. Violation of the rules of dealing with weapons and objects that pose a great danger to others

(Law of the Republic of Tajikistan dated 13.06.2013 [No. 965](#))

1) Violation of the rules of dealing with weapons, ammunition, radioactive materials, explosives or other materials and tools that pose a high risk to others, if it causes serious or moderate damage to the victim's health, destruction of military equipment or other caused serious consequences (Law of the Republic of Tajikistan dated 13.06.2013 [No. 965](#)),

shall be punished by detention in disciplinary military units for a period of up to two years, or by deprivation of liberty for a period of up to three years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

2) The same act, which caused the death of the victim due to negligence,
shall be punished by deprivation of liberty for up to five years.

3) The act specified in the first part of this article, which due to carelessness caused the death of two or more victims,

shall be punished by deprivation of liberty for a term of five to ten years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

Article 388. Destruction or loss of military property

(Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#))

1) Destroying, i.e. selling, using, giving to another person or pledging military equipment or equipment given to him for personal use by a military serviceman, as well as loss or destruction of things as a result of violating the rules of registration this

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations or by detention in military disciplinary units for a period of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#) , dated 21.07.2010 [No. 617](#)) .

2) Violation of the rules of storage of weapons, ammunition or items of military equipment entrusted for official use, if this was the reason for their loss (Law of the Republic of Tajikistan dated 13.06.2013 [No. 965](#)),

shall be punished with a fine in the amount of two hundred and fifty to three hundred and sixty-five indicators for calculations, or by restriction in military service for a period of up to two years, or detention in disciplinary military units for a period of up to two years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 6.10.2008 [No. 422](#) , dated 21.07.2010 [No. 617](#)) .

3) Acts stipulated in this article, which were committed in a state of war or during wartime,

shall be punished by deprivation of liberty for a period of two to five years.

Article 389. Violation of the rules of driving or using vehicles

1) Violation of driving rules or the use of military vehicles, special or other vehicles, which due to carelessness caused serious or moderate damage to the victim's health,

shall be punished by detention in disciplinary military units for a period of up to two years, or deprivation of liberty for a period of up to two years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or without it (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

2) The same act that caused the death of a person due to carelessness,

shall be punished by deprivation of liberty for a period of two to five years with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to three years or without it.

3) The act specified in the first paragraph of this article, which due to carelessness caused the death of two or more victims,

shall be punished by deprivation of liberty for a period of four to ten years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of five years.

Article 390. Violation of flight rules or preparation for it

Violation of the rules of flight or preparation for it, as well as violation of the rules of use of flying machines, which due to negligence caused the death of a person or other serious consequences,

shall be punished by deprivation of liberty for a period of five to ten years.

Article 391. Abuse of authority or official status, exceeding the limits of official and official authority or inactivity of authority

1) Abuse of authority or official status, exceeding the limits of official or official authority, as well as inactivity of authority by the chief or other official, which caused serious damage to the Armed Forces, rights or legally protected interests of military personnel or other citizens,

with a fine in the amount of two hundred and fifty to nine hundred and twelve indicators for calculations or restriction in military service for a term of up to two years or with deprivation of liberty for a term of up to five years with deprivation of the right to hold certain positions or engage in certain activities shall be punished with a term of up to three years or without it (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 21.07.2010 [No. 617](#)) .

2) The same actions, if they caused moderate or severe damage to human health, shall be punished by deprivation of liberty for a period of five to eight years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years.

3) The same actions, if:

a) cause of human death due to carelessness;

b) caused other serious consequences,

shall be punished by deprivation of liberty for a period of eight to twelve years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

4) Acts specified in this article, which were committed in a state of war or during wartime, shall be punished by deprivation of liberty for a period of twelve to fifteen years.

Article 392. Careless attitude towards service

1) Non-fulfilment or improper fulfillment of official duties by the head or other official as a result of careless or dishonest behavior towards them, which has caused a large amount of damage or other serious consequences,

shall be punished by restriction in military service for a period of up to two years or deprivation of liberty for a period of up to five years (Law of the Republic of Tajikistan dated 10.12.1999 [No. 877](#) , dated 17.05.2004 [No. 35](#)) .

2) The same act, if committed in a state of war or during war, shall be punished by deprivation of liberty for a period of five to ten years.

Article 393. Possession of firearms, ammunition and military equipment

(Law of the Republic of Tajikistan dated 13.06.2013 [No. 965](#))

1) Seizure of firearms, ammunition, military equipment, explosives or other war property stored in military warehouses or other warehouses, in official use or in the hands of other employees (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#) , dated 13.06. 2013 [No. 965](#)) ,

shall be punished by deprivation of liberty for a period of three to seven years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

2) Expropriation that:

a) repeatedly;

b) by a group of persons with prior advice (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ;

c) with the use of violence that is not dangerous to life and health or with the threat of using such violence (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ;

d) in large quantities or caused serious consequences,

shall be punished by deprivation of liberty for a period of seven to twelve years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 18.06.2008 [No. 386](#) , dated 13.06.2013 [No. 966](#)) .

3) Expropriation that:

a) by an organized group;

b) in a particularly large amount;

c) committed with the use of violence dangerous to life and health or with the threat of using such violence,

shall be punished by deprivation of liberty for a period of twelve to twenty years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 18.06.2008 [No. 386](#) , dated 13.06.2013 [No. 966](#)) .

Article 394. Removed

(Law of the Republic of Tajikistan dated 2.12.2002 [No. 64](#))

CHAPTER XV. CRIMES AGAINST THE PEACE AND SECURITY OF HUMANITY

CHAPTER 34. CRIMES AGAINST THE PEACE AND SECURITY OF HUMANITY

Article 395. War of aggression

1) Planning or preparing an aggressive war,

shall be punished by deprivation of liberty for a period of twelve to fifteen years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 18.06.2008 [No. 386](#) , dated 13.06.2013 [No. 966](#)) .

2) Starting or waging an aggressive war,

shall be punished by deprivation of liberty for a term of fifteen to twenty years (Law of the Republic of Tajikistan [No. 45](#) of 1.08.2003 , [No. 386](#) of 18.06.2008 , [No. 966](#) of 13.06.2013) .

Article 396. Public call to start an aggressive war

1) Public call to start an aggressive war (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished with a fine in the amount of five hundred to one thousand indicators for accounts or deprivation of liberty for a period of two to five years (Law of the Republic of Tajikistan dated 6.10.2008 [No. 422](#)) .

2) The same act committed using mass media or the Internet or by persons holding public positions of the Republic of Tajikistan (Law of the Republic of Tajikistan dated 30.07.2007 [No. 301](#) , dated 18.06.2008 [No. 386](#) , dated 6.10.2008 [No. 422](#)) ,

shall be punished with deprivation of liberty for a period of five to ten years, with deprivation of the right to occupy certain positions or engage in certain activities for a period of up to five years (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) .

Note: The list of persons holding public positions in the Republic of Tajikistan is determined by the laws of the Republic of Tajikistan (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 18.06.2008 [No. 386](#)) .

Article 397. Illegal trade and financing of distribution of weapons of mass destruction

(Law of the Republic of Tajikistan dated 17.05.2018 No. [1515](#))

1) Illegally creating, producing or possessing, storing, transferring, sending or giving to someone else's possession nuclear, neutron, chemical, biological (bacteriological), climate weapons, as well as other types of weapons of mass destruction with treaties It is also prohibited by international law to provide any non-nuclear weapon state with primary or special fissile materials or technology that can obviously be used for the creation of weapons of mass destruction, or to provide any person with other types of weapons of mass destruction or the necessary parts for their production, which international agreements are prohibited,

shall be punished by deprivation of liberty for a period of twelve to twenty years.

2) Directly or indirectly providing or collecting means with the intention of using them in whole or in part, or with the understanding that these means are used for the illegal manufacture, production, possession, storage, transfer, delivery or transfer of nuclear weapons to another person. (nuclear), neutronic, chemical, biological (bacteriological), climatic, as well as other types of weapons of mass destruction prohibited by international treaties, as well as providing any non-nuclear weapon state with primary or special fissionable materials or technology that can obviously be used to create weapons of mass destruction are used, or the transfer to any person of other types of weapons of mass destruction or necessary parts for their production, which are prohibited by international treaties, are used,

shall be punished by deprivation of liberty for a period of five to ten years.

3) Actions provided for in the second part of this article, if:

a) repeatedly;

b) by a group of persons or a group of persons with prior advice;

c) by a person using official position;

d) have been committed with the use of legalization (officialization) of proceeds obtained through crime,

shall be punished by deprivation of liberty for ten to fifteen years.

4) Actions provided for in the second and third parts of this article, if:

a) by an organized group, criminal association (criminal organization);

b) committed in case of particularly dangerous relapse,

shall be punished by deprivation of liberty for a period of fifteen to twenty years.

Note: Under the concept of "means" in this article, any tangible or intangible assets, movable or immovable, regardless of the way they are obtained, as well as legal documents or documents in any form, including electronic and digital, that have the right to such confirm assets or participation in them, as well as bank credits, traveller's and bank checks, postal transfers, shares, securities, bonds, promissory notes , letters of credit , etc.

Article 398. Genocide

Actions aimed at the complete or partial destruction of a national, ethnic, racial or religious group by completely or partially exterminating them, forcibly preventing the birth of a child, or transferring children from one group of people to another, causing serious harm to health them or creating such living conditions aimed at the physical destruction of members of this group (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by deprivation of liberty for a term of fifteen to twenty-five years or death penalty or life imprisonment (Law of the Republic of Tajikistan dated 15.07.2004 [No. 46](#) , dated 1.03.2005 [No. 86](#)) .

Article 399. Biocides

Use of atomic, neutron, chemical, biological (bacteriological), climatic or other weapons of mass destruction with the aim of destroying people and the environment (Law of the Republic of Tajikistan dated 13.06.2013 [No. 965](#)),

shall be punished by deprivation of liberty for a term of fifteen to twenty-five years or death penalty or life imprisonment (Law of the Republic of Tajikistan dated 15.07.2004 [No. 46](#) , dated 1.03.2005 [No. 86](#)) .

Article 400. Ecocide

Mass destruction of flora and fauna, poisoning of the atmosphere or water resources, as well as the completion of other actions that can cause an environmental disaster (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ,

shall be punished by deprivation of liberty for a period of fifteen to twenty years.

Article 401. Salary

1) Recruiting, training, financing or other material support of mercenaries, as well as their use in armed conflict or military operations,

shall be punished by deprivation of liberty for a period of five to twelve years.

2) The same act committed by a person using an official position or against a minor,

shall be punished by deprivation of liberty for a period of seven to fifteen years (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#) , dated 13.06.2013 [No. 966](#)) .

3) Mercenary participation in armed conflict or military operations,

shall be punished by deprivation of liberty for a period of twelve to twenty years.

Note: A mercenary is recognized as a person who is specially recruited and acts for the purpose of receiving material reward, is not a citizen of a state that participates in armed conflicts or hostilities, does not have a permanent residence in its territory, is a member of the armed forces of a state that is in a state of war, is not included and has not been sent to perform official duties in the armed forces by another state (Law of the Republic of Kazakhstan dated 17.05.2004 [No. 35](#)).

Article 401(1). Recruiting and illegal participation of citizens of the Republic of Tajikistan and stateless persons in an armed unit, armed conflict or hostilities on the territory of other states

(Law of the Republic of Tajikistan dated 26.07.2014 [No. 1088](#) , *dated 2.01.2018 No. 1472*)

Illegal recruitment of citizens of the Republic of Tajikistan and stateless persons permanently residing in the Republic of Tajikistan to participate in an armed unit, armed conflict or military operations on the territory of other states, as well as illegal participation of citizens of the Republic of Tajikistan and stateless persons permanently residing in the Republic of Tajikistan in an armed unit, armed conflict or military operations on the territory of other states, -

shall be punished by deprivation of liberty for a term of twelve to twenty years (Law of the Republic of Tajikistan dated 26.07.2014 [No. 1088](#)).

- "Note: A person who voluntarily refuses to participate illegally in an armed unit, an armed conflict or a military operation on the territory of other states until the termination of the activity of an armed unit, the end of an armed conflict or a military operation, if there are signs of another crime in his actions are exempted from criminal liability (Law of the Republic of Tajikistan dated 18.03.2015 [No. 1176](#)) .

Article 402. Attack on persons and institutions under international protection

(Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#) , dated 23.05.2016 [No. 1330](#))

1) Deliberate attack on a representative of a foreign state or an employee of an international organization under international protection or a family member living with him, as well as on official or residential buildings or vehicles of persons under international protection, if these movements are due to their official status or with were committed with the aim of inciting war or complicating international relations,

shall be punished by deprivation of liberty for a term of five to ten years (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) .

2) The threat of attack provided for in the first part of this article,

shall be punished by deprivation of liberty for a period of two to five years.

3) The action provided for in the first part of this article, if (Law of the Republic of Tajikistan dated 13.06.2013 [No. 966](#)):

- a) by armed attack;
- b) committed by an organized group;
- c) caused the death of a person or other serious consequences, -

shall be punished by deprivation of liberty for a term of twelve to twenty years (Law of the Republic of Tajikistan dated 13.06.2013 [No. 966](#)).

Article 403. Deliberate violation of international human rights norms committed during an armed conflict

(Law of the Republic of Tajikistan dated 23.05.2016 [No. 1330](#))

1) Deliberate violation of international norms of human rights committed during an international or internal armed conflict, that is, an attack on the civilian population or individual civilians, an attack of an indiscriminate nature that interferes with the interests of the civilian population or civilian facilities, an attack on devices or structures containing dangerous energy, attacking a person who has ceased to participate in hostilities, attacking an unprotected area and demilitarized areas, destroying or damaging historical monuments, works of art or places of service religious rituals and customs, which are cultural or spiritual monuments of peoples, illegal use of distinguishing signs of the Red Cross and Red Crescent and other protective symbols and bells (signs) recognized in accordance with international human rights, by the occupying state from one place to another transferring a part of the civilian population to the territory occupied by it or deporting it or transferring a part or all of the population of the occupied territory within the same territory or outside its territory, unjustifiably extending the period of repatriation of prisoners of war or civilians, using the practice apartheid or other inhumane or degrading acts that insult the dignity of a person and are based on racial discrimination and have caused death or significant damage to the physical or mental condition of any person (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 18.06.2008 [No. 386](#) , dated 23.05.2016 [No. 1330](#)) ,

shall be punished by deprivation of liberty for ten to fifteen years.

2) Deliberate violation of international human rights norms, committed during international or internal armed conflict, directed against persons who do not participate in military operations or do not have means of protection, as well as against the wounded, sick, as well as against personnel of doctors and priests, sanitary units or sanitary vehicles, against prisoners of war, civilians, civilian population who are in occupied areas or in areas of military operations, against refugees and stateless persons, as well as against other persons during military operations they use protection and it is expressed in the following actions (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#) , dated 23.05.2016 [No. 1330](#)) :

- a) torture or inhumane treatment involving biological experiments applied to humans;
- b) causing severe torture or an act that threatens the physical and mental condition;
- c) forcing a prisoner of war or supporter to serve in the armed forces of the enemy (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#)) ;
- d) depriving a prisoner of war or other supporting person of the right to an impartial and fair trial;
- e) illegal deportation or deportation or arrest of persons under protection (Law of the Republic of Tajikistan dated 17.05.2004 [No. 35](#) , dated 18.06.2008 [No. 386](#)) ;
- f) hostage taking;
- g) arbitrary destruction on a large scale or appropriation of property that is not necessary from a military point of view (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) ,

shall be punished with deprivation of liberty from fifteen to twenty years (Law of the Republic of Tajikistan dated 1.08.2003 [No. 45](#)) .

Article 404. Deliberate violation of international human rights norms committed during international or internal armed conflict with threat to health or causing physical injury

(Law of the Republic of Tajikistan dated 23.05.2016 [No. 1330](#))

In relation to persons who are under the authority of the opposite party, persons arrested or deprived of their freedom for one reason or another, using any type of medical procedure that, according to the state of health of the mentioned persons, does not require it, and it is in accordance with generally accepted medical standards, which are not appropriate when medically similar situations are applied to citizens of the state performing such an act, including, even with their consent, the use of an act that causes physical injury to such persons, conducting medical or scientific experiments, operations on removing tissues or organs for transplanting them to another person (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#) , dated 23.05.2016 [No. 1330](#)) ,

shall be punished by deprivation of liberty for a period of seven to ten years.

Article 405. Other violations of international norms of human rights

(Law of the Republic of Tajikistan dated 23.05.2016 [No. 1330](#))

In the absence of signs of the crimes provided for in Articles 403 and 404 of this Code, looting, that is, taking possession of the property of dead or wounded persons in a state of war, as well as the property of citizens who were left in the areas of military operations, using the mentioned persons for the protection of their troops or facilities from military operations, in military operations or armed opposition, the use of means and materials prohibited by international agreements, the use of weapons of mass destruction prohibited by international agreements (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#) , dated 13.06.2013 [No. 965](#) , dated 23.05.2016 [No. 1330](#)) ,

shall be punished by deprivation of liberty for a period of ten to twenty years.

Appendix 1 was approved in a new version (Law of the Republic of Tajikistan dated 13.11.2023 [No. 1984](#))

Appendix 1

to the Criminal Code

Republic of Tajikistan

List and quantity of narcotic drugs, psychotropic substances and their precursors in circulation, as well as plants containing narcotic drugs or psychotropic substances or their parts containing narcotic drugs or psychotropic substances

see to [the attachment](#) (Law of the Republic of Tajikistan dated 13.11.2023 [No. 1984](#))

LAW OF THE REPUBLIC OF TAJIKISTAN

On the adoption of the Criminal Code of the Republic of Tajikistan

The Supreme Assembly of the Republic of Tajikistan decides:

1. The Criminal Code of the Republic of Tajikistan should be adopted.
2. The Criminal Code of the Republic of Tajikistan, which was approved by the Law of the Republic of Tajikistan dated August 17, 1961 "On Approval of the Criminal Code of the Republic of Tajikistan", as well as all laws related to the Criminal Code in the period from August 17, 1961 to May 21, 1998 The Republic of Tajikistan has introduced changes and additions, they will be considered invalid from the date of implementation of the new Code.

President

Republic of Tajikistan E. Rahmonov

Dushanbe, May 21, 1998 No. 574

DECISION OF THE SUPREME ASSEMBLY OF THE REPUBLIC OF TAJIKISTAN

Regarding implementation of the Criminal Code of the Republic of Tajikistan

The Supreme Assembly of the Republic of Tajikistan decides:

1. The Criminal Code of the Republic of Tajikistan shall be implemented after its official publication on September 1, 1998, except for the cases where this Decision establishes a different period of implementation.
2. Laws and other regulatory and legal acts will be used until they are brought into line with the Criminal Code of the Republic of Tajikistan in the part where they do not conflict with the Criminal Code of the Republic of Tajikistan.
3. The Government of the Republic of Tajikistan within three months:
 - a) to submit proposals for the harmonization of the current legislation with the Criminal Code of the Republic of Tajikistan for consideration by the Supreme Assembly of the Republic of Tajikistan;
 - b) adapt the decisions of the Government of the Republic of Tajikistan to the Criminal Code of the Republic of Tajikistan.
4. Due to the fact that, based on Article 13 of the Criminal Code of the Republic of Tajikistan, not only the law that removes the criminality of the act, mitigates the punishment, but also in other ways improves the situation of the person who committed the crime, has retroactive force, the judgment of the courts and other documents, which have criminal legal measures and were issued before the date of implementation of this Code, should be revised in order to bring them into line with the Criminal Code of the Republic of Tajikistan.

Re-examination of court judgments and other previously issued judicial acts is carried out by the judge of the court that issued the sentence or the court located at the place of serving the sentence of the convicted person.

All criminal cases initiated on acts that are not recognized as crimes according to the Criminal Code of the Republic of Tajikistan should be terminated.

5. The provisions of this Code on the types of punishments of restriction of freedom or imprisonment shall be implemented after the implementation of the Executive Criminal Code of

the Republic of Tajikistan, when the necessary conditions for the execution of these types of punishments are created, but no later than January 1. 2000.

6. Persons who are recognized as particularly dangerous recidivists in accordance with Article 24 of the Criminal Code of the Republic of Tajikistan shall serve the punishment in the form of deprivation of liberty in the correctional centers of their system (Law of the Republic of Tajikistan dated 18.06.2008 [No. 386](#)) .

Chairman

Supreme Assembly of the Republic of Tajikistan S. Rajabov