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# Republic of Armenia

# Criminal Code

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# Republic of Armenia

# Criminal Code

# General Part

## Section 1. Criminal legislation

### Chapter 1. Principles and objectives of criminal legislation

Article 1. Criminal legislation of the Republic of Armenia.

1. Criminal legislation of the Republic of Armenia consists of this Code. New laws which envisage criminal liability are incorporated into the Criminal Code.

2. The Criminal Code is based on the Constitution of the Republic of Armenia and international principles and norms.

Article 2. The objectives of the Criminal Code.

1. The objectives of the Criminal Code are as follows: to protect from criminal encroachment human and citizens' rights and freedoms, the rights of legal entities, property, the environment, public order and security, constitutional order, as well as to prevent crime.

2. To implement these objectives, the Criminal Code stipulates the grounds for criminal liability and the principles of criminal legislation, and determines which dangerous acts are considered criminal offences for the society and establishes the types of punishment for the committal of these acts and other penal and legal measures.

Article 3. The grounds for criminal liability.

The only ground for criminal liability is crime, i.e., committal of an act which incorporates all elements of crime, envisaged by criminal law.

Article 4. Principles of criminal legislation.

The Criminal Code is based on the principles of legitimacy, equality before the law, inevitable liability, personal liability, liability in accordance with the offence, individuality of justice and liability, and humanism.

Article 5. Principle of legitimacy.

1. It is only the criminal law that decides whether the act is criminal and punishable, as well as other criminal and legal consequences.

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

Article 6. Principle of equality before the law.

The persons who committed a crime are equal before the law and are subject to criminal liability regardless of sex, race, color, language, religion, political or other beliefs, national or social origin, ethnic minority identity, birth, property, or other statuses.

Article 7. Principle of inevitability of liability.

1. Each person who committed a crime is subject to the punishment envisaged by criminal

law or other legal and penal measures.

2. Exemption from criminal liability and punishment is possible only in the event of the grounds and conditions envisaged in the Criminal Code.

Article 8. Principle of personal liability.

The individual is subject to criminal liability only for the offence committed personally.

Article 9. Principle of liability in accordance with the offence.

1. The person is subject to criminal liability only for the socially dangerous action or inaction and its socially dangerous consequences, of which he was found guilty by a competent court.

2. Objective incrimination, i.e., criminal liability for infliction of damage without guilt, is prohibited.

Article 10. Principle of individuality of justice and liability.

1. The punishment and other legal and penal measures applied to the person who committed an offence must be fair, appropriate to the gravity of the crime, to the circumstances in which it was committed, to the personality of the criminal; they must be necessary and sufficient to correct the criminal and to prevent new offences.

2. The repeated conviction of the person for the committal of the same crime is prohibited.

Article 11. Humanitarian principle.

1. The Criminal Code serves to provide the physical, mental, financial, ecological, etc. security of man.

2. No one shall be subjected to torture or cruel, inhuman or humiliating treatment or punishment.

## Chapter 2.

## Operation of the criminal law in time and space

Article 12. Operation of the criminal law in time

1. The criminality and punishability of the act is determined by the acting criminal law at the time of committal of the offence.

2. The time of committal of crime is the time when socially dangerous action (inaction) was committed, regardless when the consequences started to take effect.

Article 13. Retroactive effect of criminal law.

1. The law eliminating the criminality of the act, mitigating the punishment or improving the status of the criminal in any way, has retroactive effect, i.e., this law is extended to the persons who committed this act before this law had taken effect, including those persons who are serving the punishment or served the punishment, but have a record of conviction.

2. The law stipulating the criminality of the act, making the punishment more severe or worsening the status of the criminal in any other way, has no retroactive effect.

3. The law partially mitigating the punishment and, in the meantime, partially making the punishment more severe has retroactive effect only in respect to the part which mitigates the punishment.

Article 14. The effect of the criminal law with regard to persons who committed crime in the territory of the Republic of Armenia.

1. The person who committed a crime in the territory of the Republic of Armenia is subject to liability under the Criminal Code of the Republic of Armenia.

2. The crime is considered committed in the territory of the Republic of Armenia when:

1. it started, continued or finished in the territory of the Republic of Armenia;

2. it was committed in complicity with the persons who committed crimes in other countries.

1. In case of crimes committed in the territory of the Republic of Armenia and other states, the person's liability arises under the Criminal Code of the Republic of Armenia, if the person was subjected to criminal liability in the territory of the Republic of Armenia and unless an international treaty of the Republic of Armenia prescribes otherwise.

2. The person who committed a crime on board of a ship or flying aircraft bearing the flag or the identification of the Republic of Armenia is subject to criminal liability, regardless of their whereabouts, under the Criminal Code of the Republic of Armenia, unless otherwise stipulated in an international treaty of the Republic of Armenia. Also subject to liability under the Criminal Code of the Republic of Armenia, is the person who committed a crime on board of a military ship or aircraft of the Republic of Armenia, regardless of their location

3. The issue of the criminal liability of foreign diplomatic representatives and other persons enjoying diplomatic immunity, in the case of committal of crime by the latter in the territory of the Republic of Armenia, is resolved in accordance with the norms of international law.

Article 15. Effect of criminal law with regard to persons who committed crimes outside the territory of the Republic of Armenia.

1. The citizens of the Republic of Armenia who committed crime outside the territory of the Republic of Armenia, as well as stateless persons permanently residing in the Republic of Armenia, are subject to criminal liability under the Criminal Code of the Republic of Armenia, if the act committed by them is recognized as a crime in the legislation of the state where the crime was committed, and if they were not convicted in another state. When convicting the above mentioned persons, the punishment can not exceed the upper limit for punishment in the state where the crime was committed.

2. The citizens of the Republic of Armenia who committed crime outside the territory of the Republic of Armenia, as well as stateless persons permanently residing in the Republic of Armenia, are subject to criminal liability under Articles 384, 386-391, 393-397 of this Criminal Code, regardless whether the act is considered or not considered a crime in the state where the crime was committed.

3. Foreign citizens and stateless persons not permanently residing in the Republic of Armenia, who committed a crime outside the territory of the Republic of Armenia, are subject to criminal liability under the Criminal Code of the Republic of Armenia, if they committed:

1. such crimes which are provided in an international treaty of the Republic of Armenia;

2. such grave and particularly grave crimes which are directed against the interests of the Republic of Armenia or the rights and freedoms of the RA citizens.

1. The rules established in part 3 of this Article are applicable if the foreign citizens and stateless persons not permanently residing in the Republic of Armenia, have not been convicted for this crime in another state and are subjected to criminal liability in the territory of the Republic of Armenia.

Article 16. Extradition of persons who committed a crime.

1. The citizens of the Republic of Armenia who committed a crime in another state are not extradited to that state.

2. In accordance with an international treaty of the Republic of Armenia, the foreign citizens and the stateless persons who committed a crime outside the territory of the Republic of Armenia and who find themselves in the Republic of Armenia, can be extradited to a foreign state, for criminal liability or to serve the punishment.

3. The persons specified in part 2 of this Article are not extradited to foreign states if there are serious reasons to believe that they can be subjected to torture there.

4. If the legislation of the country seeking extradition of persons who committed a crime envisages death penalty for the given crime, then the extradition of persons who committed a crime can be turned down, unless the party seeking extradition presents satisfying assurances to this country that the death penalty will not be executed.

5. In case of refusal to extradite the person who committed a crime, the prosecution for the crime committed in the territory of a foreign country is done in accordance with the legislation of the Republic of Armenia.

Article 17. Legal significance of a person's conviction outside the RA

1. The court ruling in a foreign country can be taken into account, provided the RA citizen, foreign citizen or a stateless person was convicted for a crime committed outside the RA, and committed a repeated crime in the RA.

2. In accordance with part 1 of this article, recidivism, unserved punishment or other legal consequences of a foreign court ruling are taken into account when qualifying the new crime, assigning punishment, and exempting from criminal liability or punishment.

## Section 2. Crime.

### Chapter 3. The notion and types of crime.

Article 18. The notion of crime.

1. The willful committal of a socially dangerous act envisaged in this Code is considered a crime.

2. The act or inaction which may formally contain the features of an act envisaged in this Code, but which, however, does not present public danger because of its little significance, i.e. it did not cause or could not have caused significant damage to an individual or a legal entity, to the society or the state, is not considered a crime.

Article 19. Types of crime.

1. Crimes are categorized, by nature and degree of social danger, as not very grave, medium gravity, grave and particularly grave.

2. The willful acts, for the committal of which this Code envisages maximal imprisonment of two years, or for which a punishment not related to imprisonment is envisaged, as well as acts committed through negligence, for which this Code envisages a punishment not exceeding three years of imprisonment, are considered not very grave crimes.

3. Medium-gravity crimes are those willful acts for which this Code envisages a maximal punishment not exceeding five years of imprisonment, and the acts committed through negligence, for which this Code envisages a maximal punishment not exceeding ten years of imprisonment.

4. Grave crimes are those willful acts for which this Code envisages a maximal punishment not exceeding ten years of imprisonment.

5. Particularly grave crimes are those willful acts for which this Code envisages a maximal imprisonment for more than ten years or for life.

Article 20. Aggregate of crimes.

1. The following is considered an aggregate of crimes:

1. committal of two or more crimes stipulated by different articles or different sections of the same article of this Code, for none of which the person has been convicted;

2. a single act (inaction) which incorporates the features of crimes envisaged in two or more articles of this Code.

1. In case of aggregate of crimes, the person is liable for each crime, under the relevant article of this Code, or part of the article.

Article 21. Repeated crime

1. The committal of two or more offenses under the same article of the Special Part of this Code or part of the article are considered repeated crimes.

2. The repeatedness envisaged in part 1 of this Article is absent in the on-going crime which consists of two or more acts united by one general criminal intent.

3. The committal of a crime envisaged by two or more articles of this Code is considered repeated only for cases specified in the Special Part of this Code.

4. There is no repeatedness if the person was legally exempted from criminal liability for a past crime or the record of conviction for this crime was expunged.

Article 22. Recidivism.

1. The committal of a willful crime by the person who had a criminal record in the past for a

willful crime, is considered recidivism.

2. Recidivism is considered dangerous:

1. in the case of a willfully committed crime, if the person had been previously sentenced to imprisonment for willful crime no less than twice;

2. in the case of committal of a grave crime, if the person had been previously sentenced to imprisonment for the committal of a grave or particularly grave crime.

1. Repeated crime is considered particularly dangerous:

1. in the case of committal of such a crime for which he is sentenced to imprisonment, if, in the past, the person had been sentenced to imprisonment no less than thrice, in any sequence, for willful medium-gravity crimes, for grave or particularly grave crimes;

2. in the case of committal of a grave crime for which he is sentenced to imprisonment, if in the past the person had been sentenced to imprisonment twice for grave or particularly grave crimes.

3. In the case of committal of a particularly grave crime by the person, if in the past the person had been convicted for a grave or particularly grave crime.

1. The crime for which the criminal record has been quashed by procedure established in this Code, as well as the crime committed before the age of 18, is not taken into account when determining recidivism.

## Chapter 4.

## Persons subject to criminal liability.

### Article 23. General conditions of criminal liability.

Only a sane physical person who at the time of crime committal has reached the age established in this Code is subject to criminal liability.

### Article 24. The age at which a person is subject to criminal liability.

1. The person who reached the age of 16 before the committal of the crime is subject to criminal liability.

2. The persons who reached the age of 14 before the committal of the crime are subject to criminal liability for murder (Articles 104-109), for inflicting willful severe or medium damage to health (Articles 112-116), for kidnapping people (Article 131), for rape (Article 138), for violent sexual actions (Article 139), for banditry (Article 179), for theft (Article 177), for robbery (Article 176), for extortion (Article 182), getting hold of a car or other means of transportation without the intention of appropriation (Article 183), for destruction or damage of property in aggravating circumstances (Article 185, parts 2 and 3), for theft or extortion of weapons, ammunition or explosives (Article 238), for theft or extortion of narcotic drugs or psychotropic substances (Article 269), for damaging the means of transportation or communication lines (Article 246), for hooliganism (Article 258).

3. If the person has reached the age envisaged in parts 1 or 2 of this Article, but due to

retarded mental development was not able to understand the nature and significance of one's actions or to control one's actions, then he is not subject to criminal liability.

Article 25. Insanity.

1. The person who was in the state of insanity when committing a socially dangerous crime is not liable to criminal liability, i.e., the person could not understand the dangerous nature of one's actions (inaction) or control one's actions as a result of chronic mental illness, temporary mental disorder, mental retardation or other mental disease.

2. Forced medical measures can be imposed by the court with respect to the person who committed socially dangerous actions in an insane state.

3. Also not subject to punishment, is the person who committed a crime in the state of insanity, however, had fallen mentally ill before sentencing by the court, which deprived him of the capability of understanding the actual nature and significance of his actions (inaction) or controlling them. Forced medical measures can be imposed by the court with respect to such a person, and after recovery this person can be subjected to punishment.

Article 26. Limited sanity.

1. A sane person who, due to mental disorder, when committing the crime could not entirely understand the actual nature of one's action (inaction) and its social danger, or control one's actions, is subject to criminal liability.

2. Limited sanity is taken into account as a mitigating circumstance when imposing the punishment and can become the ground for the enforcement of medical measures, parallel to the punishment.

Article 27. Criminal liability of persons who committed crime in the state of intoxication.

1. The person who committed a crime as a result of alcoholic, narcotic or other intoxication is not exempted from criminal liability.

2. When sentencing an alcoholic, a drug or poison addict, the court can also impose forced medical treatment, provided there is danger of the committal of a new crime due to this addiction.

## Chapter 5.

## Guilt.

Article 28. Types of guilt.

1. The guilt is manifested willfully or through negligence.

2. An action committed through negligence is a crime if it is particularly envisaged in the Special Part of this Code.

Article 29. Committal of willful crime.

1. A willful crime can be manifested in direct or indirect willfulness.

2. A crime is considered directly willful if the person understood the danger of his action (inaction) for the society, had foreseen the dangerous consequences for the society and desired the emergence of these consequences.

3. A crime is considered indirectly willful if the person understood the danger of his action (inaction) for the society, had foreseen the dangerous consequences for the society, did not desire the emergence of these consequences but knowingly allowed them to take place.

4. If the law does not link the criminal liability for the accomplished criminal act to the emergence of certain consequences, the crime is considered willfully committed, if the person who committed it understood the danger of his actions for the society and was willing to commit it.

5. For the aggravating circumstances of the willful crime, the person is subject to criminal liability, if the latter understood these circumstances.

Article 30. Committal of negligent crime.

1. A crime committed through negligence can be manifested through self-confidence or carelessness.

2. A crime is considered committed through self-confidence, if the person had foreseen the possible dangerous nature of one's action (inaction) for the society, but without sufficient grounds self-confidently hoped that these consequences will be prevented.

3. A crime is considered committed through carelessness, if the person had not foreseen the possible dangerous nature of one's action (inaction) for the society, although in the given circumstances he was obliged and was able to foresee them.

Article 31. Inflicting damage without guilt

1. An act is considered to have been committed without guilt, if the person did not understand and, in the given circumstances, could not understand the social danger of one's actions (inaction) or did not foresee the possible socially dangerous consequences thereof, and in the given circumstances was not obliged and could not foresee them.

2. Also, an act is considered to have been committed without guilt, if the person had foreseen the possible socially dangerous consequences of one's action (inaction), did not wish the emergence thereof, but due to the incompatibility of one's psychological and physiological properties with the extreme conditions or nervous and mental load, failed to prevent the emergence of these consequences.

Article 32. Liability for crimes with two types of guilt.

If the law envisages a more strict liability for a willful crime which caused severe consequences through negligence, then the person is liable for these consequences only when one had foreseen the possible social danger of one's action (inaction), however, without good reason, self-confidently hoped that these consequences will be prevented, or had not foreseen the possible consequences of his socially dangerous action (inaction), although in the given circumstances one was obliged to and could foresee them. Such a crime must be considered willfully committed.

## Chapter 6.

## Completed and unfinished crime.

Article 33. Completed and unfinished crime.

1. A crime is considered completed, if the action incorporates all the elements of crime envisaged in this Code.

2. Attempts to commit a crime and the preparation for grave and particularly grave crimes are considered an unfinished crime.

3. The liability for attempts to commit a crime and the preparation for crime is under the same article of the Special Part of this Code as for complete crimes, referring to Articles 34 or 35 of this Code.

Article 34. Attempt to commit a crime.

Attempt at a crime is the action (inaction) committed through direct willfulness immediately aimed at the committal of crime, if the crime was not finished for reasons beyond the person's control.

Article 35. Preparation of crime.

Preparation of a crime is the procurement of means or tools or their adaptation for committal of a direct willful crime, as well as willful creation of other conditions for committal of crime, if the crime was not finished for reasons beyond the person's control.

Article 36. Voluntary refusal from a crime.

1. Voluntary refusal is the termination by the person of preparation or termination of action (inaction) directly aimed at the committal of crime, when the person realized the possibility of completion of the crime.

2. The person who refused to complete the crime is not subject to criminal liability, unless his actually committed act contains other elements of crime.

3. If the organizer of the crime, the abettor or helper refuse voluntarily, they are not subject to criminal liability, provided this person informed the state bodies or through other means and prevented the completion of the crime by the perpetrator.

4. If the actions mentioned in part 3 of this Article did not prevent the committal of the crime by the perpetrator, then, when sentencing, these actions can serve as circumstances mitigating the liability and the sentence.

## Chapter 7.

## Complicity.

Article 37. The notion of complicity.

Willful joint participation of two or more persons in a willful crime is considered complicity.

Article 38. Types of accomplices.

1. The organizer, the abettor and the helper are considered the accomplices to the perpetrator.

2. The perpetrator is the person who immediately committed the crime or immediately participated in its committal with other persons (accomplices), as well as the one who committed the crime through the use of persons not subject to legal criminal liability or the persons who committed a crime through negligence.

3. The organizer is the person who arranged or directed the committal of the crime, as well as, the one who created an organized group for committal of crime or criminal association or directed the latter.

4. The abettor is the person who abetted another person to the committal of crime through persuasion, financial incentive, threat or other means.

5. The helper is the person who assisted to the crime through pieces of advice, instructions, information or provided means, tools, or eliminated obstacles, as well as, the person who had previously promised to harbor the criminal, to hide the means and tools of crime, the traces of the crime or the items procured through crime, as well as, also, the person who had previously promised to acquire or sell such items.

Article 39. The liability of accomplices.

1. The co-perpetrators are subject to liability for the crime under the same article of this Code.

2. The organizer, the abettor and the perpetrator are subject to liability under the article which envisages the committed crime, referring to Article 38 of this Code, except those cases when they were at the same time the co-perpetrators of the crime.

3. The person who is not a special subject of the crime in the article of the Special Part of this Code, who participated in the committal of the crime envisaged in this Article, can be liable for this crime only as an organizer, an abettor or helper.

4. In the case when the crime was not completed for reasons beyond control of the perpetrator, the other accomplices are liable for the preparation of the crime or for complicity in the attempt at the crime.

5. If the organizer, the abettor or the helper fail in their actions for reasons beyond their control, then these persons are liable for the preparation of the respective crime.

6. The accomplices are subject to liability only for those aggravating circumstances of the crime of which they were aware.

7. When subjecting the accomplices to liability, the nature and degree of the participation of each of them in the crime are taken into account.

Article 40. Excess of performer.

1. Excess of performer is committal of such a crime by a person that exceeds the willfulness of other accomplices.

2. Other accomplices are not liable for the excess of performer.

Article 41. Committal of crime by a group of individuals, by an organized group or by a criminal association.

1. A crime is considered committed by a group of individuals without prior agreement, if the co-perpetrators who participated in the crime did not previously agree to commit the crime jointly.

2. A crime is considered committed by a group of individuals with prior agreement, if the co-perpetrators who participated in the crime, prior to the commencement of the crime, agreed to commit the crime jointly.

3. A crime is considered committed by an organized group, if it was committed by a stable group of persons who previously united to commit one or more crimes.

4. A crime is considered committed by a criminal association, if it was committed by a consolidated organized group created to commit grave or particularly grave crimes, or by uniting an organized group for the same purposes, as well as if it was committed by a member (members) of the association to achieve his criminal purposes, as well as, committal of a crime by a person not considered a member of the association, by instruction of the criminal association.

5. The person who created or directed an organized group, a criminal association, is subject to liability in cases envisaged in the appropriate articles of this Code: for the creation or direction of an organized group or criminal association, as well as, for all crimes committed by them, if they were involved by his willfulness. Other persons involved in the criminal association are subject to liability for participation in this organization and for those crimes which they committed or prepared.

6. The persons mentioned in this Article incur liability without referral to Article 38 of the Special Part of this Code.

## Chapter 8.

## Circumstances excluding the criminality of the act.

### Article 42. Necessary defense.

1. The action committed in the state of necessary defense, is not considered a crime, i.e., when defending the life, health and rights of the defender or other person, or defending the state interests from socially dangerous encroachments, or from a real threat, defending oneself by inflicting damage to the perpetrator of the encroachment, provided the necessary defense was not exceeded.

2. When defending a person’s life from dangerous violence or real threat of such violence, any damage can be inflicted, including death.

3. The person is entitled to the right of necessary defense, regardless of the possibility to avoid the encroachment or to appeal to other persons or state bodies, as well as, regardless of the person’s special training or official position.

4. Such deliberate actions which obviously for the self-defender are inadequate with the nature and extent of danger of the encroachment are considered acts of excessive defense.

5. Use of weapon or any other means or objects for the purpose of defense from assault of an armed person or assault of a group of persons, as well as for the purpose of prevention of illegal and forced intrusion into an apartment or other building, is not considered an act of excessive defense, irrespective of the degree of damage incurred by the offender.

Article 43. Inflicting damage when capturing the perpetrator.

1. The actions whereby damage was inflicted to the perpetrator when capturing him, in order to hand him over to the authorized bodies or to prevent him from committing new socially dangerous actions, are not considered a crime, provided the necessary measures have not been exceeded.

2. The measures necessary to capture the perpetrator are considered excessive, if there is obvious disproportion between the capturing measures and the danger of the action and the perpetrator, as well as, the circumstances of capture, as a result of which damage was willfully inflicted to the person which was not determined by the necessity of capturing.

3. The act of excessive damage inflicted when capturing the perpetrator is a crime, if this is particularly envisaged in the Special Part of this Code.

4. Except specially authorized parsons, the aggrieved person and other citizens also are entitled to capture the perpetrator of the crime.

Article 44. Urgent necessity.

1. Inflicting damage to the interests protected by criminal law in the state of urgent necessity, is not considered a crime, i.e., to eliminate the imminent danger to the life, health, rights and legal interests of the given person or persons, to the interests of the society or the state, if this danger could not be eliminated by other means and no limits of urgent necessity have been exceeded.

2. Willfully inflicted damage obviously disproportionate to the imminent danger, its degree and the considerations of elimination of the danger, when the legally protected interests suffered equal or greater damage compared to the prevented damage, is considered exceeding of urgent necessity.

Article 45. Physical or psychiatric enforcement.

1. Inflicting damage to the interests protected by criminal law by means of physical or psychiatric enforcement, is not considered a crime, if as a result of this enforcement the person could not control his actions (inaction).

2. The issue of criminal liability, when damage is inflicted to legally protected interests by means of physical or psychiatric enforcement, which do not deprive the person of the capability of controlling one’s actions, is resolved taking into account the propositions of Article 46 of this Code.

Article 46. Justified risk.

1. Inflicting damage to the interests protected by criminal law is not considered a crime, when undertaking justified risk to achieve socially useful goals.

2. Risk is considered justified, if the mentioned goal could not be achieved without an action (or inaction) of risk, and when the risking person takes measures to prevent the danger to the interests protected by criminal law.

3. Risk is considered unjustified, if it obviously involves the death of third persons, or the threat of an ecological or public disaster.

Article 47. Execution of an order or instruction.

1. Inflicting damage to the interests protected by criminal law, by the person who acted pursuant to compulsory, appropriately given order or instruction, is not considered a crime. The person who gave such illegal order or instruction is liable for that.

2. The person who committed a willful crime by obviously illegal order or instruction is liable on common grounds.

3. Refusal to execute an obviously illegal order or instruction is an exemption from criminal liability.

## Section 3. Punishment.

### Chapter 9.

### Notion of punishment, purposes and types.

Article 48. The notion of punishment and its purposes.

1. Punishment is a means of state enforcement assigned by court sentence on behalf of the state to the person who has been found guilty of the crime, and is expressed in deprivation or restriction of one's rights and freedoms, as envisaged by law.

2. The purpose of punishment is applied to restore social justice, to correct the punished person, and to prevent crimes.

Article 49. Types of punishment.

The types of punishment are:

1. a fine;

2. prohibition to hold certain posts or practice certain professions;

3. public works;

4. deprivation of special titles or military ranks, categories, degrees or qualification class;

5. confiscation of property;

6. correctional labor;

7. arrest;

8. service in disciplinary battalion;

9. imprisonment for a certain term;

10. life sentence.

Article 50. Basic and supplementary punishments.

1. Public works, correctional labor, arrest, service in disciplinary battalion, imprisonment for a certain term and life sentence are used only as basic punishments.

2. Fines and the prohibition to hold certain posts or practice certain professions are imposed both as basic and supplementary punishments.

3. Deprivation of special titles or military ranks, categories, degrees or qualification class, as well as confiscation of property are applied only as an supplementary punishments.

4. Only one basic punishment can be assigned for one crime. One or more supplementary punishment can be added to the basic punishment in cases envisaged in the Special part of this Code.

5. Fines, confiscation of property and the prohibition to hold certain posts or practice certain professions, as supplementary punishment, can be assigned only in cases envisaged in the Special Part of this Code.

Article 51. Fines.

1. A fine is a financial punishment imposed in the amount of 30 to 1000 minimal salaries as established by law of the Republic of Armenia at the moment of fining.

2. The court determines the amount of the fine, taking into account the nature and gravity of the crime, as well as, the property status of the convicted person.

3. If the convicted person, due to personal or financial situation, is incapable of immediately paying the fine in full, the court establishes a payment deadline, up to 1 year, or allows to pay the fine on installment within the same period. This privilege is null and void, if the convicted person fails to pay the portions of the mentioned amount on time.

4. In case of impossibility to pay the fine, the court can substitute the fine or unpaid part thereof with public works counting 10 hours of public works as minimal salary.

Article 52. Deprivation of the right to hold certain posts or practice certain professions.

1. Deprivation of the right to hold certain posts is a prohibition to hold certain positions in state and local self-government bodies, organizations, and the deprivation of practicing certain professions is a prohibition to hold certain occupations related to the nature of the crime.

2. Prohibition to hold certain posts or practice certain professions, as a basic punishment is established for the term of 2 to 7 years for willful crimes, and from 1 to 5 years, for crimes through negligence, and as an supplementary punishment, from 1 to 3 years.

3. Deprivation of the right to hold certain posts or to practice certain professions can be applied in cases when the court, basing on the nature of the crime committed by the offender during the period of his/her holding the post or practicing certain a profession, does not find it possible for him/her to hold certain posts or to practice certain professions.

Article 53. Deprivation of special titles or military ranks, categories, degrees or qualification class

When convicting a person for the committal of grave or particularly grave crimes, the court, taking into account the features characteristic of the perpetrator, can deprive the latter from

special titles or military ranks, categories, degrees or qualification class.

Article 54. Public works

1. Public work is the execution of free socially useful, authorized work by the convict at the expense of his leisure time after basic work or classes, as determined by local self-government bodies.

2. The duration of assigned public works shall amount to 360-1500 hours.

3. Public work is assigned as an alternative punishment to imprisonment, in case of written consent of the person to be convicted, which is submitted before the court decision is made, following the time periods set forth in this Code.

4. Public work is not assigned to first or second degree disabled, persons under 16 at the time of sentencing, pension-age persons, pregnant women and drafted servicemen.

5. In case of ill-faith evasion from performing public work, the court replaces the unperformed part of the public work by arrest or imprisonment of a certain period, within the time periods set forth in this Code.

Article 55. Confiscation of property.

1. Confiscation of property is the enforced and uncompensated seizure of the property considered to be the convict's property or part thereof in favor of the state.

2. The amount of confiscation is determined by the court, taking into consideration the damage to property inflicted by the crime, as well as amount of criminally acquired property. The amount of confiscation can not exceed the amount of criminally acquired property or profit.

3. Confiscation of property can be assigned in cases envisaged in the Special Part of this Code and for grave and particularly grave crimes committed with mercenary motives.

4. The property necessary for the convict or the persons under his care is not subject to confiscation, in accordance with the list envisaged by law.

Article 56. Correctional labor

1. Correctional labor is assigned for the term of from 2 months to 2 years, in accordance with the list in the court ruling, the convict executes this either at his work place or by appointment of correctional labor bodies, in other places within the residence region of the convict.

2. As prescribed in the court ruling, 5-20% of the earnings of the convict sentenced to correctional labor is deducted in favor of the state.

3. In case of willful evasion from correctional labor by the sentenced person, the court can substitute the unserved part of correctional labor with arrest or imprisonment, counting 1 day of arrest as 2 days of correctional labor, or 1 day of imprisonment as 3 days of correctional labor.

Article 57. Arrest.

1. Arrest is keeping the convict in a correctional institution in custody in strict isolation from the society. The court assigns arrest for the term of 15 days to 3 months and only in those cases in which arrest was not selected as a measure of restraint.

2. Persons under 16 years of age at the time of sentencing, pregnant women and persons caring for children under 8 years of age, are not put under arrest.

3. Servicemen serve their arrest in military houses of arrest.

Article 58. Keeping in disciplinary battalion.

1. Keeping a conscripted serviceman in the disciplinary battalion, from 3 months to 2 years, can be assigned in cases envisaged in the Special Part, as well as in those cases when the court taking into account the circumstances of the case and the personality of the convict, finds it expedient to replace a maximum two-year imprisonment with the disciplinary battalion for the same term.

2. Replacement of imprisonment with the disciplinary battalion can not be assigned in relation to persons who had been sentenced to imprisonment in the past.

Article 59. Imprisonment for a certain term.

1. Imprisonment is isolation from the society in the form of keeping the convict in a correctional institution, in custody.

2. Imprisonment can last from 3 months to 15 years.

3. Imprisonment for a crime through negligence can not exceed 10 years.

4. When assigning punishment by aggregate of crimes, in case of complete or partial summation of imprisonment terms, the maximal term can not exceed 15 years, and by aggregate of sentences, 20 years.

Article 60. Life sentence.

1. Life sentence is isolation of the convict in a form of keeping him imprisoned in a corrective institution without time-limit, which in cases envisaged in this Code can be assigned for particularly grave crimes.

2. Persons under 18 years of age at the time of committal of the crime, and women pregnant at the time of committal of the crime or sentencing, can not be sentenced to life sentence.

## Chapter 10.

## Assignment of punishment.

Article 61. General principles of assigning punishment.

1. A fair punishment is assigned in relation to the person found guilty in the committal of a crime which is determined within the limits of the appropriate article in the Special Part of this Code, taking into account the propositions of the General Part of this Code.

2. The type and degree of punishment is determined by the extent of social danger of the crime and its nature, by the characteristic features of the offender, including circumstances mitigating or aggravating the liability or the punishment.

3. The most strict punishment for the crime is assigned only when the less strict type can not serve for the purposes of the punishment.

Article 62. Circumstances mitigating liability and punishment.

1. Circumstances mitigating liability and punishment are as follows:

1. committal of a not grave and medium-gravity crime, for the first time, by coincidental circumstances;

2. being under age at the moment of committal of the crime;

3. being pregnant when committing the crime or when assigning the punishment;

4. caring for a child under 14 years of age at the moment when assigning the punishment;

5. committal of crime as a result of hard living conditions or out of compassion;

6. committal of crime due to breach of proportionality of necessary defense, capturing a perpetrator, urgent necessity, justified risk or carrying out orders or instructions;

7. illegal or immoral behavior of the aggrieved which determined the crime;

8. committal of the crime under threat or enforcement, or under financial, service or other dependence;

9. surrender, assistance in solving the crime, exposing other participants of the crime, in searching the illegally acquired property;

10. offering medical or other assistance to the aggrieved immediately after the crime, voluntary compensation for the property and moral damage inflicted by the crime, or other actions aimed at the mitigation of the damage inflicted to the aggrieved.

1. When assigning a punishment, other circumstances, not mentioned in part 1 of this Article can be taken into account as mitigating ones.

2. If a circumstance mentioned in part 1 of this Article, is envisaged in the appropriate article of the Special Part of this Code as an element of a crime, then it can not be repeatedly taken into account as a circumstance mitigating the liability and the punishment.

Article 63. Circumstances aggravating the liability and punishment.

1. Circumstances aggravating the liability and punishment are as follows:

1. repeated committal of crime; committing crime as a trade, occupation;

2. causing severe consequences by the crime;

3. committal of crime in a group of individuals, in an organized group or as a part of criminal association;

4. particularly active role in the crime;

5. involvement into the committal of the crime of persons who obviously suffer from mental disorder or who are intoxicated, as well as involvement of persons who are still under age for criminal liability;

6. committal of crime by ethnic, racial or religious motives, for religious fanatism, as revenge for other people's legitimate actions;

7. committal of crime to conceal another crime or in order to facilitate this crime;

8. committal of crime against an obviously pregnant woman, against children, other insecure and helpless persons, or against persons dependent from the perpetrator;

9. committal of crime against a person or one's spouse, or close relative, which is related to the implementation of service or public duty by this person;

10. committal of crime by a person whereby breaching the military or professional oath;

11. committal of crime with particular cruelty, treating the aggrieved with humiliation or torture;

12. committal of crime in a way that is dangerous for the society;

13. committal of crime under martial law or emergency situation, in conditions of a natural or other civil disaster, as well as during mass disorder and turmoil;

14. committal of crime under the influence of alcohol, narcotic drugs or other intoxicating substances;

1. Based on the nature of the crime, the court may consider the circumstances mentioned in points 10 and 14 of part 1 of this Article not aggravating.

2. When assigning punishment the court can not take into account other circumstances not mentioned in part 1 of this Article.

3. If the circumstance mentioned in part 1 of this Article, is envisaged in the appropriate article of the Special Part of this Code as an element of a crime, then it can not be repeatedly taken into account as a circumstance aggravating the liability and the punishment.

Article 64. Assignment of a milder punishment than envisaged by law.

1. If there are exceptional circumstances concerned with the motives of the crime and its purpose, the role of the perpetrator, and his behavior when committing the crime and thereafter, which essentially reduce the extent of danger of the crime for the society, as well as, if a member of the group crime actively assists in solving the crime, a softer punishment can be assigned than the minimal envisaged punishment in the appropriate article of the Special Part of this Code, or a softer type of punishment, than envisaged in that article, or no compulsory supplementary punishment may be applied.

2. Individual mitigating circumstances as well as a combination of such circumstances can be considered exceptional.

Article 65. Assignment of punishment for an unfinished crime.

1. When assigning punishment for an unfinished crime, the nature of actions committed by the criminal and the degree of danger to the society, the degree of implementation of criminal intent and those circumstances as a result of which the crime was not finished, are taken into account.

2. The imprisonment for the preparation of a crime can not exceed half of the maximal imprisonment term envisaged in the relevant article of the Special Part, or part thereof.

3. The imprisonment for the attempt at a crime can not exceed three quarters of the maximal imprisonment term envisaged in the relevant article of the Special Part, or part thereof.

4. Life sentence is not assigned for the preparation of a crime or for the attempt to commit crime.

Article 66. Assignment of punishment by accumulation of crimes.

1. When assigning cumulative punishment (basic and supplementary), separately for each crime, the court determines the final punishment by absorption of the less severe punishment by a more severe punishment, or by adding the assigned punishments in full or partially.

2. If the aggregate of crimes involves only minor gravity crimes, then the final punishment is assigned by absorbing the less grave punishment by a more grave punishment, or by complete or partial adding of punishments. Particularly, the added up final punishment can not exceed the maximal punishment envisaged for the gravest committed crime.

3. If the aggregate of crimes involves only medium-gravity or not grave and medium-gravity crimes, then the final punishment is assigned by complete or partial summation of punishments. Particularly, the final punishment can not exceed 10 years of imprisonment.

4. If the aggregate of crimes involves grave and particularly grave crimes, then the final punishment is assigned by complete or partial summation of punishments. The final punishment can not exceed 15 years of imprisonment. If one of the accomplices is sentenced to life, then the final basic punishment is decided by absorption.

5. Under cumulative punishment, a supplementary punishment can be added to the assigned basic punishment for the aggregate of crimes. When summing up the supplementary punishments completely or partially, the final supplementary punishment can not exceed the maximal term or degree established for this type of crime in the General Part of this Code.

6. The punishment is assigned under the provisions of this Article, if after sentencing it turns out that the convict is also guilty of another crime, committed before the first sentence. In this case the term of the final punishment is offset by the served part of the first sentence.

Article 67. Assignment of punishment by accumulation of sentences.

1. If the convict commits another crime after sentencing, but before the expiry of the term of the sentence, the court adds the unserved part of the previously assigned punishment to the newly assigned punishment, in full or partially.

2. The final punishment by accumulation of sentences, provided it does not involve imprisonment, can not exceed the maximal punishment of this type envisaged in the General Part of this Code.

3. The final imprisonment by accumulation of sentences can not exceed 20 years.

4. The final punishment by accumulation of sentences must be greater than both the punishment for the newly committed crime, and the unserved part of the punishment assigned by the previous sentence.

5. When assigning a punishment by accumulation of sentences, the addition of supplementary punishments is done as prescribed in Article 67 of this Code.

6. If a new crime is committed by a life-server, the newly assigned punishment is absorbed by the life sentence.

Article 68. Determining the terms of punishment by summing them up.

1. When adding up punishments and sentences under the cumulative system, in full or partially, one day of imprisonment is equal to:

1. one day of arrest or keeping in the disciplinary battalion;

2. 3 days of correctional labor;

3. 4 hours of public work.

1. Such punishments as fine, prohibition to hold certain posts and practice certain professions, deprivation of special titles or military ranks, categories, degrees, qualification class, confiscation of property, when added to the imprisonment, the disciplinary battalion and arrest, are executed separately.

Article 69. Calculation of the punishment terms and offsetting punishment.

1. The terms of such punishments as prohibition to hold certain posts and practice certain professions, correctional labor, keeping in the disciplinary battalion and imprisonment are calculated in months and years. The term of public work is counted in hours. The arrest term is counted in days and months.

2. When replacing or adding the punishments mentioned in part 1 of this Article, as well as offsetting the punishment, the terms can be calculated in days.

3. Before the sentence comes into legal force, the term served under arrest is deducted from the assigned punishment in the form of imprisonment, arrest, the disciplinary battalion, counting 1 day as 3 days; in the case of correctional labor, 1 day as 2 days; in the case of public work, 1 day as 6 hours.

4. Before the sentence comes into legal force, the term served under arrest or when serving the imprisonment assigned for the committal of crime in another country, based on Article 16 of this Code, in case of extradition of the person, 1 day is equal to 1 day.

5. When assigning a fine, a prohibition to hold certain posts and practice certain professions, the court mitigates the assigned punishment or exempts from punishment entirely, taking into account the time spent under arrest by the person who had been under arrest prior the proceedings.

6. The period of enforced medical treatment of the person who developed a mental disease after the committal of crime is deducted from the term of the punishment.

Article 70. Conditional punishment.

1. When assigning a punishment in the form of public work, arrest, imprisonment or keeping in the disciplinary battalion, the court comes to the conclusion that the correction of the convict is possible without serving the sentence, the court can decide not to apply this punishment conditionally.

2. When not applying the punishment conditionally, the court takes into account the features characterizing the personality of the perpetrator, liability, mitigating and aggravating circumstances.

3. When not applying the punishment conditionally, the court establishes a probation period, from 1 to 5 years.

4. When not applying imprisonment conditionally, supplementary punishments can be applied, except confiscation of property.

5. When deciding not to apply the punishment conditionally, the court can oblige the convict to carry out certain duties: not to change the place of permanent residence without notification of the body in charge of his supervision, to take a treatment course against alcohol, narcotic drugs, VD or toxicomania, to support the family financially. By motion of a competent body supervising the convict's behavior, or without, the court can also impose other duties on the convict which will promote his correction.

6. If during the probation period the convict commits two or more offences for which is subjected to administrative arrest, or willfully evades the implementation of the duties imposed by the court, by motion of the body in charge of supervision of his behavior, as well as, in case of committal of a negligent or not grave crime, the court resolves the issue of nullification of the conditional punishment.

7. In the case of committal of a medium-gravity, grave or particularly grave crime by the convict during the probation period, the court can cancel the decision not to apply the punishment conditionally, and assign a punishment under the provisions of Article 67. The same rules are applied when assigning a punishment for a new negligent crime, if the court cancels the decision not to apply the punishment conditionally.

Article 71. Procedure and conditions of punishment implementation

Procedure and conditions of punishment implementation are established by the law.

## Section 4. Exemption from criminal liability and punishment.

## Chapter 11.

## Exemption from criminal liability.

Article 72. Exemption from criminal liability in case of repentance.

1. The person who committed for the first time a not grave or medium-gravity crime can be exempted from criminal liability, if he, after the committal of the crime, surrendered, assisted in solving the crime of his own accord, compensated or mitigated the inflicted damage in some other way.

2. The person who committed another type of crime, in case of the circumstances mentioned in the first part of this Article, can be exempted from criminal liability only in cases

especially envisaged in the article of the Special Part of this Code.

Article 73. Exemption from criminal liability in case of reconciliation with the aggrieved.

The person who committed a not grave crime can be exempted from criminal liability, if he reconciles with the aggrieved, mitigates or compensates the inflicted damage in some other way.

Article 74. Exemption from criminal liability due to change of situation.

The person who committed for the first time a not grave or medium-gravity crime can be exempted from criminal liability, if it turns out that as a result of the change of the situation this person or the committed act is no longer dangerous for the society.

Article 75. Exemption from criminal liability as a result of expiry of the statute of limitation.

1. The person is exempted from criminal liability, if the following periods of time have elapsed after the committal of the crime:

1. 2 years, since the day of committal of not grave crime;

2. 5 years, since the day of committal of medium-gravity crime;

3. 10 years, since the day of committal of grave crime;

4. 15 years, since the day of committal of particularly grave crime.

1. The prescription period is calculated from the day of committal to the moment when the sentence comes into legal force.

2. The prescription period is disrupted, if prior to the expiry of these period, the person commits a new medium gravity crime, grave crime or particularly grave crime. In this case the calculation of the prescription period begins from the moment of committal of the new crime.

3. The prescription period is suspended, if the person avoids investigation or trial. In this case the prescription period resumes from the moment of arrest or surrender. Particularly, the person can not be subjected to criminal liability, if 10 years have elapsed since the day of committal of the not grave or medium-gravity crime, and 20 years have elapsed, in the case of a grave or particularly grave crime, and no the prescription period was not disrupted with new crimes.

4. The court decides the issue of application of the prescription period to a person who committed a crime punishable by a life sentence. If the court does not deem possible to exempt the person from criminal liability due to the expiry of the prescription period, the life sentence is not applied.

5. The expiry of the prescription period is not applicable to persons who committed crimes against peace and human security envisaged in Articles 384, 386-391, 393-397 of this Code. Prescription periods are not applied to the persons who committed crimes envisaged in the RA international agreements, provided the agreement prohibits the application of the prescription period.

## Chapter 12.

## Exemption from punishment.

Article 76. Exemption from punishment on parole.

1. The person sentenced to public work, correctional labor, imprisonment or disciplinary battalion can be released on parole with his consent, if the court finds that for his correction there is no need to serve the remaining part of the punishment. Also, the person can be completely or partially exempted from supplementary punishment. When exempting from punishment on parole, the court also takes into account the fact of mitigation of damage to the aggrieved by the convict.

2. When applying exemption from punishment on parole, the court can impose on the person the obligations envisaged in part 5 of Article 70 of this Code, which the person will carry out during the unserved part of the punishment.

3. Exemption from punishment on parole can be applied only if the convict has actually served:

1. no less then one third of the punishment for not grave or medium-gravity crime;

2. no less than half of the punishment for a grave crime;

3. no less than two thirds of the punishment for a particularly grave crime, also, of the punishment assigned to the person previously released on parole (if the parole was canceled on the grounds envisaged in part 6 of this Article).

1. The actual term of imprisonment served by a person can not be less than 6 months.

2. A life-server can be released on parole, if the court finds that the person does not need to serve the punishment any longer and has in fact served no less than 20 years of imprisonment.

3. If during the unserved period of the punishment:

1. the convict commits two or more crimes for which he is subjected to administrative arrest, or willfully evades the obligations imposed on him by court when releasing him on parole, then, by motion made by the supervisory body, the court decides to terminate the release on parole and to implement the unserved part of the punishment.

2. The convict commits a crime through negligence, then the court decides the issue of keeping or cancellation of parole.

3. The convict commits a willful crime, then the court assigns a punishment based on the rules envisaged in Article 67 of this Code. If a crime through negligence has been committed, the same rules are used to assign punishment and the court cancels the parole.

1. If a life-server deliberately commits a new crime, which is punishable by imprisonment, the period mentioned in part 5 of this Article is suspended until the expiry of the term for the new punishment.

Article 77. Replacement of the unserved part of the punishment with a softer punishment.

1. The court can replace the unserved part of the imprisonment for a not grave or medium-gravity crime with a softer punishment, taking into account the behavior during the punishment and the mitigation of the inflicted damage. Also, the person can be completely or partially exempted from the supplementary punishment.

2. The unserved part of the punishment can be replaced with a softer punishment, after no

less than one third of the punishment has been served by the convict.

3. When replacing the unserved part of the punishment with a softer punishment, the court can choose any softer punishment from the punishments mentioned in Article 48, within the limits envisaged for each punishment in this Code.

Article 78. Postponement or exemption from punishment of pregnant women or women with children under 3 years of age.

1. Pregnant women or women with children under 3 years of age, except women imprisoned for grave and particularly grave crimes for more than 5 years, can be exempted from punishment or the punishment can be postponed by the court for the period when the woman is exempted from work, due to pregnancy, child-birth and until the child reaches the age of 3.

2. If in cases envisaged in part 1 of this article the convicted person rejects the child or sends the child to an orphanage or evades child-care and rearing, for which she received a written warning from the supervising body, then the court by motion of this body, can send the convict to serve the punishment assigned in the sentence.

3. When the child has turned 3 years old or in the event of death of the latter, the court, taking into account the convict's behavior, can exempt her from punishment, or replace the punishment with a softer punishment, or send the convict to serve the unserved part of the punishment. In this case the court can deduct, completely or partially, the unserved part of the punishment from the total term.

4. If a new crime was committed by the convict within the period of exemption from punishment, then the court assigns a punishment to her by the rules envisaged in Article 67 of this Code.

Article 79. Exemption from punishment as a result of severe illness.

1. If the person develops a mental disease during the period of serving the sentence, which deprived him from the ability to realize the nature and significance of his actions (inaction) or from governing his actions, then the court exempts him from serving punishment. The court can assign an enforced medical treatment of such a person, and when the person has recovered, he can be subjected to the punishment.

2. If the person develops another severe disease after committing the crime or after the issuance of the sentence, which prevents him from serving the sentence, the court can exempt him from serving the sentence, taking into account the gravity of the committed crime, the personality of the convict, the nature of the disease and other circumstances.

3. Persons defined by part one or part two of this article can be subject to criminal liability or punishment in case of recovery, if expiry dates set forth in articles 75 and 81 of this Code have not passed.

4. A serviceman is exempted from serving the punishment in the disciplinary battalion in the case of an illness as a result of which he is considered not eligible for military service.

Article 80. Exemption from punishment as result of extraordinary circumstances.

A person convicted for not grave or medium-gravity crime can be exempted from punishment, if the further serving of the punishment can cause severe consequences for the convict or his family, as a result of fire, man-made or natural disaster, the severe illness or death of the only

capable member of the family, or other extraordinary circumstances.

Article 81. Exemption from punishment due to expiry of the accusatory court sentence.

1. The person convicted for crime is exempted from serving the punishment, if after coming into legal force, the accusatory court sentence has not been carried out within the following deadlines:

1. 2 years, in case of being convicted for not grave crime;

2. 5 years, in case of being convicted for medium-gravity crime;

3. 10 years, in case of being convicted for grave crime;

4. 15 years, in case of being convicted for particularly grave crime.

1. The expiry period is terminated if prior to the expiry of this period, the person commits a new willful crime. In this case the calculation of the expiry period begins from the committal of a new crime.

2. The expiry period is terminated, if the convict evades from serving the punishment. In this case the expiry period is renewed from the moment of capturing of the person or his surrender. Also, an accusatory sentence can not be implemented, if 10 years have elapsed since the sentence for the committal of the not grave or medium-gravity crime was adopted, and in the case of grave and particularly grave crime, 20 years have elapsed since the sentence, and the expiry period was not disrupted with a new crime.

3. The court decides the issue of application of the expiry date to the person who was convicted as a life-server. If the court does not find possible to apply the expiry date, then this punishment is replaced with an imprisonment for a certain term.

4. The expiry date is not applicable to the persons who committed crimes against peace and human security, envisaged in Articles 384, 386-391, 393-397 of this Code.

## Chapter 13.

## Amnesty, pardon, criminal record.

Article 82. Amnesty.

The person who committed a crime can be exempted from criminal liability by an act of amnesty adopted by the legislature, and the convict can be completely or partially exempted from the basic, as well as, from the supplementary punishment, and the convict's unserved part of the punishment can be replaced with a softer punishment, or the criminal record can be expunged.

Article 83. Pardon.

The act of pardon can completely or partially exempt the convict from the basic, as well as, from the supplementary punishment, or the convict's unserved part of the punishment can be replaced with a softer punishment, or the criminal record can be expunged.

Article 84. Criminal record.

1. The person is regarded as one with a criminal record from the day when an accusatory sentence came into legal force until the day of quashing or expunging the criminal record.

2. According to this Code, the criminal record is taken into account in the case of recidivism or when assigning a punishment.

3. The persons who were convicted by court sentence without assigning a punishment or were exempted from serving the punishment by court sentence, or served the punishment for the act whose criminality and punishability have been eliminated by law, are considered as not having a criminal record.

4. The criminal record is quashed:

1. In case of conditional punishment, after the expiry of the probation period after parole;

2. in relation to persons sentenced to a punishment softer than imprisonment, 1 year after having served the assigned punishment;

3. in relation to persons sentenced to imprisonment for not grave or medium-gravity crimes, 3 years after having served the assigned punishment;

4. in relation to persons sentenced to imprisonment for grave crimes, 5 years after having served the assigned punishment;

5. in relation to persons sentenced to imprisonment for particularly grave crimes, 8 years after having served the assigned punishment.

1. If the person has been exempted from serving the punishment on parole or the unserved part of the sentence was replaced with a softer punishment, then the quashing of the criminal record is calculated after having served the basic and supplementary punishment.

2. If after having served the sentence the person has manifested impeccable behavior, then at his request the court can quash the criminal record before the deadline of quashing the criminal record, but no sooner than after half of that deadline has elapsed.

3. If the person commits a new crime before the quashing of the criminal record, then the deadline for criminal record quashing is disrupted. The deadline of criminal record quashing for the first crime is calculated anew, after the actual serving of (main and additional) punishment. In this case, the person is deemed convicted for both crimes before the expiry of the criminal record for the more grave crime.

4. Quashing the criminal record eliminates all legal consequences concerned with the criminal record.

## Section 5.

## Peculiarities of criminal liability and punishment for minors.

## Chapter 14.

## Peculiarities of criminal liability and punishment for minors.

### Article 85. Criminal liability and punishment of minors.

1. Minors are subject to criminal liability and punishment is assigned to them in accordance with the propositions of this Code, taking into account the rules envisaged in this Section.

2. A punishment or enforced disciplinary measures can be assigned in relation to a minor who committed a crime.

Article 86. Types of punishment.

The types of punishment assigned in relation to the minors are as follows:

1. fine;
2. public work;
3. arrest;
4. imprisonment for a certain period.

Article 87. Fine.

1. Fines are used if the minor has individual income or in the case of such property, to which confiscation can be extended.
2. Fines are assigned in the amount from 10 to 500 minimal salaries established in the Republic of Armenia by law, at the time of assignment of the punishment.

Article 88. Arrest.

Arrest, for the period from 15 days to 3 months, is assigned in relation to a minor who has reached the age of 16 years at the moment of sentence.

Article 89. Imprisonment.

1. Imprisonment can be assigned in relation to a minor only for the committal of medium-gravity, grave or particularly grave crime.
2. Imprisonment in relation to minors is assigned:

1. for medium-gravity crime, a term up to 3 years;
2. for grave or particularly grave crime, committed under 16 years of age, a term up to 7 years;
3. for grave or particularly grave crime, committed at the age of 16 to 17 years, a term up to 10 years.

Article 90. Assigning punishment.

1. When assigning punishment to a minor, his living and rearing conditions are taken into account, the degree of mental development, health, other features of personality, as well as the influence of other persons.
2. Imprisonment by accumulation of crimes in relation to persons under 16 years of age who committed medium-gravity, grave or particularly grave crimes can not exceed 7 years.
3. Imprisonment by accumulation of crimes in relation to persons from 16 to 18 years of age who committed medium-gravity, grave or particularly grave crimes can not exceed 10 years.

4. The final punishment assigned in the form of imprisonment by accumulation of sentences can not exceed 12 years.

Article 91. Exemption from criminal liability by application of enforced disciplinary measures.

1. The minor who committed for the first time a not grave or medium-gravity crime can be exempted from criminal liability by the court, if the court finds that his correction is possible by application of enforced disciplinary measures.

2. The court can assign the following enforced disciplinary measures in relation to the minor:

1. warning;

2. handing over for supervision to the parents, persons replacing the parents, local self-government bodies, or competent bodies supervising the convict's behavior for up to 6 months;

3. imposing the obligation to mitigate the inflicted damage, within a deadline established by the court;

4. restriction of leisure time and establishment of special requirements to the behavior, for up to 6 months.

1. By motion of competent bodies supervising the convict's behavior, the court can apply other forced disciplinary measures to the minor.

2. Several parallel of enforced disciplinary measures can be assigned in relation to the minor.

3. If the minor regularly evades from the enforced disciplinary measures, by motion of the local body of self-government or competent bodies supervising the convict's behavior, the documents are forwarded to the court, to resolve the issue of cancellation of the of enforced disciplinary measure and subjecting the minor to criminal liability.

4. When committing a new crime, the minor is not subjected to criminal liability for the previous crimes for which he was sentenced to enforced disciplinary measures.

Article 92. The essence of enforced disciplinary measures.

1. Warning is an explanation to the minor about the damage inflicted by his act and about the consequences of repeated committal of crimes envisaged in this Code.

2. Handing over for supervision to the parents, persons replacing the parents, competent bodies supervising the convict's behavior or local bodies of self-government is imposing the duty to exert disciplinary influence and monitor the minor's behavior.

3. The duty to mitigate the inflicted damage is imposed taking into account the property status of the minor and the existence of appropriate labor capacities.

4. Restriction of leisure time and establishment of special requirements to the behavior can envisage a prohibition of visiting certain places, of certain past-times, including the ban to drive mechanical means of transportation, staying out of home at certain time of the day, traveling without authorization of the local body of self-government. The minors can be also required to return to an educational institution or to be employed by motion of the local self-government body.

Article 93. Exemption from punishment by placement in special educational and disciplinary or medical and disciplinary institution.

1. A minor who committed a not grave or medium-gravity crime can be exempted from punishment, if the court finds that the purpose of the punishment can be achieved by placing the minor in a specialized educational and disciplinary or medical and disciplinary institution.

2. Assignment to specialized educational and disciplinary or medical and disciplinary institution is done for the term of up to three years, but not more than needed to become major.

3. Staying in the institutions described in the first or the second part of this article can be terminated ahead of time, if by motion of the head of the specialized educational and disciplinary or medical and disciplinary institution, the court finds that the minor does not need any longer the application of this measure.

Article 94. Exemption from punishment on parole.

Exemption from punishment on parole in relation to a minor who committed a crime and was sentenced to imprisonment for a crime committed at a minor age can be applied, if the convict actually has served:

1. no less than one quarter of the punishment assigned for a not grave or medium-gravity crime;

2. no less than one third of the punishment assigned for a grave crime;

3. no less than half of the punishment assigned for a particularly grave crime.

Article 95. Exemption from criminal liability or punishment due to expiry of prescription period.

When exempting a person who committed a crime under 18 years of age from criminal liability or punishment due to expiry of prescription period, the prescription periods envisaged in Articles 75 and 81 of this Code are reduced by half respectively.

Article 96. Quashing the criminal record.

1. After having served a punishment not related to imprisonment, the criminal record of the person is considered quashed.

2. For persons under 18 who committed crime, the deadlines of criminal record quashing specified in Article 84 of this Code, are reduced, and are respectively equal to:

1. 1 year, after having served an imprisonment for medium-gravity crime;

2. 3 years, after having served an imprisonment for grave crime;

3. 5 years, after having served an imprisonment for particularly grave crime.

## Section 6. Measures of medical enforcement.

## Chapter 15. Measures of medical enforcement.

Article 97. Grounds for application of medical enforcement measures.

1. The court can apply medical enforcement measures in relation to the person who:

1. committed the act envisaged in an article of the Special Part of this Code in an insane state.

2. Who after the committal of the crime develops such a mental disorder which makes assignment or implementation of the punishment impossible.

3. Who committed a crime in the state of limited sanity.

4. Who committed a crime and has been recognized as one in need of treatment against alcohol or drug addiction.

1. Medical enforcement measures in relation to persons mentioned in part 1 of this Article are assigned only when the mental disorder is related to the danger of inflicting other essential damage or to the danger for other persons or themselves.

2. The procedure of application of medical enforcement measures is established in the Criminal executive Code of the Republic of Armenia and other laws.

3. The court can submit necessary documents to health-care bodies in relation to the persons mentioned in part 1 of this Article whose mental state is not dangerous, to solve the issue of treatment of these people or sending them to neurological institutions.

Article 98. Types of medical enforcement measures.

1. The types of medical enforcement measures are:

1. outpatient supervision by psychiatrist and enforced treatment;

2. enforced treatment in general psychiatry hospitals;

3. enforced treatment in special psychiatry hospitals;

1. The court can assign in addition to punishment a outpatient supervision by psychiatrist and enforced treatment for those convicted for committal a crime in the state of mental disorder not ruling out sanity, but who need treatment against alcohol, drugs or mental disorder not ruling out sanity.

Article 99. Outpatient supervision by psychiatrist and enforced treatment.

Outpatient supervision by psychiatrist and enforced treatment can be assigned if the person in his mental state does not need to be admitted to a psychiatry hospital.

Article 100. Enforced treatment in psychiatry hospital.

1. Enforced treatment in psychiatry hospital can be assigned, if the state of mental disorder of the person requires treatment, care, such conditions of keeping and supervision which can be implemented only in a psychiatry hospital.

2. Enforced treatment in general psychiatry hospitals can be assigned in relation to the person who due to his mental state needs hospital treatment and supervision.

3. Enforced treatment in special psychiatry hospitals can be assigned in relation to the person whose mental state is dangerous for oneself and other persons or requires permanent supervision.

Article 101. Assignment, change and termination of enforced medical measures.

1. When assigning enforced medical measures the court takes into account the mental disorder of the person, the nature of committed act and the degree of danger for the society.

2. In case of the person's recovery or change of his illness when there is no need in enforced medical measure, the court, based on the conclusion of the medical institution, makes a decision to terminate the application of these measures.

3. Based on the conclusion of the medical institution, the court can decide also to change the type of the enforced medical measure.

Article 102. Offsetting the period of application of enforced medical measures.

In the case of treatment of a person whose mental disorder occurred after the committal of the crime, when assigning or restoring the serving of the punishment, the period of application of enforced medical measures in the psychiatry hospital is deducted from the term of punishment, calculating one day in the psychiatry hospital as equal to one day of imprisonment.

Article 103. Enforced medical measures added to execution of punishment.

1. In cases envisaged in part 2 of Article 98 of this Code, enforced medical measures are applied at the place of imprisonment, and in relation to convicts sentenced to other types of punishment, in outpatient psychiatry institutions.

2. Termination of application of enforced medical measures together with execution of punishment is done by the court, by motion of the body executing the punishment, based on the conclusion of a commission of psychiatrists.

# Special Part

## Section 7. Crimes against man.

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

Article 104. Murder

1. Murder is illegal willful deprivation of one's life punished with imprisonment for 6 to 12 years.

2. Murder:

1. of 2 or more persons,

2. of the person of close relative of the latter, due to service and public duty of the person;

3. combined with kidnapping or taking hostage;

4. pregnant woman;

5. with particular cruelty;

6. committed in a way dangerous for the life of many people;

7. by a group of people or by an organized group;
8. out of mercenary motives and combined with extortion and banditry;
9. combined with terrorism;
10. out of hooliganism;
11. to conceal another crime or to facilitate the committal of the latter;
12. combined with rape or violent sexual actions;
13. out of motives of national, race or religious hate or fanatism;
14. for the purpose of utilization of the parts of the body or tissues of the victim;
15. by a person who previously committed a murder, except actions envisaged in Articles 105-108 of this Code,

is punished with 8-15 years of imprisonment or for life.

Article 105. Murder in the state of strong temporary insanity (fit of insanity).

1. The murder committed in the state of suddenly arising depression caused by regular illegal and immoral behavior of the aggrieved as well as the murder committed in the state of sudden insanity caused by the violence, mockery, heavy insults or other illegal, immoral actions (inaction) of the aggrieved, is punished with imprisonment for the term of up to 4 years.
2. Murder of two or more persons in the state of strong insanity, is punished with imprisonment for the term of up to 6 years.

Article 106. Murder of a newly born child by the mother.

Murder of a newly born child by the mother during the child birth or immediately thereafter, as well as in the state of depression or in the state of mental disorder not ruling out sanity, is punished with imprisonment for the term of up to 4 years.

Article 107. Murder of a criminal through the use of excessive measures when capturing the latter.

Murder of a criminal through the use of excessive measures when capturing the latter, is punished with restriction of freedom for the term of 3 years or with imprisonment for the term of up to 3 years.

Article 108. Murder by exceeding necessary defense.

Murder by exceeding necessary defense is punished with imprisonment for the term of up to 3 years.

Article 109. Causing death by negligence.

1. Causing death by negligence is punished with imprisonment for the term of 3 years.
2. Causing death by negligence to two or more people is punished with imprisonment for the term of up to 5 years.

Article 110. Causing somebody to commit suicide.

1. Causing somebody to commit suicide or make an attempt at a suicide by indirect willfulness or by negligence, by means of threat, cruel treatment or regular humiliation of one's dignity, is punished with imprisonment for the term of up to 3 years.

2. The same act committed in relation to a person in financial or other dependence of the perpetrator, is punished with imprisonment for the term of up to 5 years.

Article 111. Abetment of suicide.

Abetment of suicide, creation of determination in the person to commit suicide by means of instructions, deception, etc., if the person committed suicide or made a suicide attempt, is punished with imprisonment for the term of up to 3 years.

Article 112. Infliction of willful heavy damage to health.

1. Infliction of willful bodily damage which is dangerous for life or caused loss of eye-sight, speech, hearing or any organ, loss of functions of the organ, or was manifested in irreversible ugliness on face, as well as caused other damage dangerous for life or caused disorder, accompanied with the stable loss of no less than one third of the capacity for work, or with complete loss of the professional capacity for work obvious for the perpetrator, or caused disruption of pregnancy, mental illness, drug or toxic addiction, is punished with imprisonment for the term of 3 to 7 years.

2. The same act, committed:

1. in relation to two or more persons;

2. in relation to the person or his relatives, concerned with this duty or carrying out one's public duty;

3. in relation to a kidnapped person or hostage;

4. with particular cruelty;

5. by a means dangerous for other people's life;

6. by a group of persons, by an organized group;

7. with mercenary motives, as well as accompanied with extortion;

8. accompanied with terrorism;

9. with hooligan motives;

10. to conceal another crime or facilitate its committal;

11. accompanied with rape or violent sexual acts;

12. with motives of national, racial or religious hatred or religious fanatism;

13. with the purpose of using the parts of the body or tissues of the aggrieved,

14. if caused the death of the aggrieved by negligence,

is punished with imprisonment for the term of 5 to 10 years.

Article 113. Infliction of willful medium-gravity damage to health.

1. Infliction of willful bodily injure or any other damage to health which is dangerous for life and did not cause consequences envisaged in Article 114 of this Code, but caused protracted health disorder or significant stable loss of no less than one third of the capacity to work, is punished with arrest for the term of 3 to 6 months or imprisonment for the term of up to 3 years.

2. The same act, if committed:

1. in relation to 2 or more persons;

2. in relation to the person or his relatives, concerned with this person in the line of duty or carrying out one's social duty;

3. by a group of persons or by an organized group;

4. for mercenary purposes;

5. with particular cruelty;

6. with hooligan motives;

7. with motives of national, racial or religious hatred or religious fanatism,

is punished with imprisonment for the term of up to 5 years.

Article 114. Infliction of medium-gravity or grave damage to health in the state of temporary insanity.

1. Infliction of medium-gravity damage to health committed in the state of protracted depression caused by regular illegal and immoral behavior of the aggrieved as well as committed in the state of sudden affect caused by the violence, mockery, heavy insults or other illegal, immoral actions (inaction) of the aggrieved, is punished with correctional labor for the term of up to 1 year, or with arrest for for up to 2 years, or with imprisonment for the term of up to 2 years.

2. Infliction of grave damage to health which was committed in the circumstances mentioned in part 1 of this Article, is punished with arrest for 2-3 months, or imprisonment for the term of up to 3 years.

Article 115. Infliction of medium-gravity or grave damage to a criminal when capturing the latter, through the use of excessive measures.

1. Infliction of medium-gravity damage to a criminal when capturing the latter, through the use of excessive measures, is punished with correctional labor for up to 1 year or arrest for the term of up to 2 months, or with imprisonment for the term of up to 1 year.

2. Infliction of grave damage to a person who committed a socially dangerous act when capturing the latter, through the use of excessive measures, is punished with correctional labor for up to 2 years, or arrest for the term of up to 1-3 months, or with imprisonment for the term of up to 2 years.

Article 116. Inflicting medium-gravity or grave damage by exceeding the limits of necessary defense.

1. Inflicting medium-gravity damage by exceeding the limits of necessary defense is punished with correctional labor for the term of up to 1 year, or with arrest for up to 2 months, or with imprisonment for the term of up to 1 year.

2. Inflicting grave damage by exceeding the limits of necessary defense is punished with correctional labor for the term of up to 2 years, or with arrest for 1-3 months, or with imprisonment for the term of up to 2 years.

Article 117. Infliction of willful light damage to health.

Infliction of a willful bodily injury or other damage to health which caused short-term health disorder or insignificant loss of the capacity to work, is punished with a fine in the amount of 50 to 80 minimal salaries, or 180-240 hours of corrective labor, or correctional labor for up to 1 year, or with arrest for up to 2 months.

Article 118. Battery.

Battery or committal of other violent acts which did not cause the consequences envisaged in Article 117, is punished with a fine in the amount of up to 100 minimal salaries, or correctional labor for up to 1 year, or with arrest for the term of up to 2 months.

Article 119. Torture.

1. Torture is willfully causing strong pain or bodily or mental sufferance to a person, if this did not cause consequences envisaged in Articles 112 and 113, is punished with imprisonment for the term up to 3 years.

2. The same actions, committed:

1. in relation to 2 or more persons;

2. in relation to the person or his relatives, concerned with this person in the line of duty or carrying out one’s public duty;

3. in relation to a minor or a person dependent financially or otherwise on the perpetrator, as well as, in relation to a kidnapped person or hostage.

4. In relation to a pregnant woman;

5. By a group of persons or by an organized group;

6. With particular cruelty;

7. with motives of national, racial or religious hatred or religious fanatism,

is punished with imprisonment for the term of 3 to 7 years.

Article 120. Inflicting grave damage through negligence.

1. Inflicting grave damage through negligence is punished with a fine in the amount of up to 200 minimal salaries or with corrective labor for up to 1 year, or arrest for the term of 1 to 2 months.

2. Inflicting grave damage through negligence to 2 or more persons is punished with correctional labor for the term of up to 2 years or with imprisonment for the term of up to

2 years.

Article 121. Inflicting medium-gravity damage through negligence.

1. Inflicting medium-gravity damage through negligence is punished with a fine in the amount of 50 to 100 minimal salaries, or corrective labor for the term of up to 1 year, or with arrest for the term of up to 2 months.

2. Inflicting medium-gravity damage through negligence to 2 or more persons is punished with correctional labor for the term of up to 2 years or with imprisonment for the term of up to 1 year.

Article 122. Performing illegal abortion.

1. Performing illegal abortion by a person with appropriate higher medical education is punished with a fine in the amount of up to 100 minimal salaries, or corrective labor for 1-2 years, or with arrest for the term of up to 1 month, or with deprivation of the right to hold certain posts and practice certain activities for the term of up to 3 years.

2. Making illegal abortion by a person with no appropriate higher medical education is punished with a fine in the amount of up to 200 minimal salaries or with arrest for the term of 1 to 3 months, or with imprisonment for the term of up to 2 years.

3. Actions envisaged in part 1 or 2 of this article, if they caused the death of the aggrieved or grave damage to the health by negligence, or were performed by a person previously convicted for illegal abortion, are punished with imprisonment for the term of up to 5 years, deprivation of the right to hold certain posts and practice certain activities for the term of up to 3 years.

Article 123. Infecting with AIDS virus.

1. Subjecting another person to the obvious danger of infection with AIDS, is punished with correctional labor for the term of up to 2 years, or with arrest for the term of up to 2 months, or with imprisonment for the term of up to 1 year.

2. Infecting another person with AIDS willfully or self-confidently, by another person who was aware that he had the disease, is punished with imprisonment for the term of up to 1 year.

3. The committed actions envisaged in part 2 of this Article, which was committed:

1. in relation to 2 or more persons;

2. in relation to a minor,

3. in relation to a pregnant woman,

are punished with imprisonment for the term of 3 to 8 years.

Article 124. Infecting with venereal or other sexually transmitted diseases.

1. Infecting another person with venereal disease or other sexually transmitted diseases by a person who was aware that he had this disease is punished with a fine in the amount of 200 to 400 minimal salaries, or correctional labor for 1-2 years, or with arrest for 1 to 3 months.

2. The same action committed in relation to:

1. in relation to 2 or more persons;

2. in relation to a minor,

3. in relation to a pregnant woman,

is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up to 2 years.

Article 125. Breach of rules for transplantation operations.

1. Breach of procedure and conditions envisaged by law for harvesting or transplantation of parts of human body or tissues, which through negligence caused grave or medium-gravity damage to the donor of the parts of the body or tissues or to the recipient, is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up to 3 years, or deprivation of the right to hold certain posts and practice certain activities for the term of up to 3 years or without the latter.

2. The same actions which through negligence caused the death of the aggrieved, is punished with imprisonment for the term of up to 5 years, deprivation of the right to hold certain posts and practice certain activities for the term of up to 3 years.

Article 126. Enforced donation of parts of the body or tissues.

1. Making a person donate parts of the body or tissues for transplantation or experimental purposes, by violence or threat of violence is punished with imprisonment for the term of up to 4 years, with deprivation of the right to hold certain posts and practice certain activities for the term of up to 3 years, or without that.

2. The same action committed:

1. in relation to a helpless person;

2. in relation to a person financially or otherwise dependent on the perpetrator;

3. in relation to a minor,

is punished with imprisonment for the term of 2 to 5 years, with deprivation of the right to hold certain posts and practice certain activities for the term of up to 3 years, or without that.

1. The action envisaged in parts 1 or 2 of this Article, committed by an organized group, is punished with imprisonment for the term from 4 to 10 years.

Article 127. Subjecting a person to medical or scientific experiment without the consent of the latter.

1. Subjecting a person to medical or scientific experiment without free expression of will and informed and proper consent of the latter, is punished with a fine in the amount of 200 to 400 minimal salaries, deprivation of the right to hold certain posts and practice certain activities for the term of up to 3 years, or without that.

2. The same act committed:

1. in relation to a helpless person;

2. in relation to a person financially or otherwise dependent on the perpetrator;

3. in relation to a minor,

is punished with imprisonment for 1 to 3 years, deprivation of the right to hold certain posts and practice certain activities for the term of up to 3 years, or without that.

1. The same act committed by an organized group or caused severe consequences by negligence, is punished with imprisonment for 2 to 6 years, deprivation of the right to hold certain posts and practice certain activities for the term of up to 3 years, or without that.

Article 128. Abandonment in danger.

1. Failure to offer needed and obviously urgent help to a person in a situation posing danger to life or failure to advise relevant bodies about the necessity to help, if the offender was not obliged to care about the aggrieved and which did not threaten the offender's life, is punished with a fine in the amount of 50 to 100 minimal salaries, or corrective labor for up to 1 year.

2. Abandonment of a person deprived from the possibility to take measures for one's self-protection in a situation dangerous for life or health, if the offender had the real possibility to help this person and was obliged to take care of this person, or the offender placed this person in a dangerous situation, is punished with a fine in the amount of 100 to 150 minimal salaries, or with arrest for up to 2 months.

3. The act envisaged in part 2 of this Article which caused death or other grave consequences, is punished with a fine in the amount of 100 to 200 minimal salaries, or with arrest for up to 3 months, or with imprisonment for up to 3 years.

Article 129. Failure to help the patient.

1. Failure without good reasons by the person who was obliged to help the patient, if this caused grave or medium-gravity damage to the patient through negligence, is punished with a fine in the amount of 50 to 100 minimal salaries, or correctional labor for up to 1 year, or with an arrest for the term of 1 to 2 months.

2. The same crime, if the action, through negligence, caused the patient's death, is punished with imprisonment for the term of up to 3 years, with deprivation of the right to hold certain posts and practice certain activities for the term of up to 3 years, or without that.

Article 130. Failure to implement or improper implementation of professional duties by medical and support personnel.

1. Failure to implement or improper implementation of professional duties by medical and support personnel, as a result of careless or not diligent treatment which through negligence caused grave or medium-gravity damage to the patient, is punished with a fine in the amount of 100 to 200 minimal salaries, or with arrest for the term of up to 3 months.

2. The same action, if it caused through negligence the patient's death or AIDS infection, is punished with imprisonment for the term from 2 to 6 years, with deprivation of the right to hold certain posts and practice certain activities for the term of up to 3 years, or without that.

## Chapter 17. Crimes against human freedom, honor and dignity.

### Article 131. Kidnapping.

1. The recruitment, transportation, transfer, harboring, or receipt of persons by means of the threat or use of force, of kidnapping, of fraud, of other deception, of the abuse of power or of a position of vulnerability or bribing to achieve the consent of a person having control over another person, for the purpose of prostitution or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of human organs,

   is punished with imprisonment for the term of 2 to 5 years.

2. The same action committed:

1. by a group of persons with prior agreement;

2. by using violence dangerous for life or health or threat of using violence;

3. by using weapons or items used as weapons;

4. against a minor;

5. against a pregnant woman;

6. against two or more persons;

7. with mercenary motives,

8. by a person previously convicted for kidnapping,

is punished with imprisonment for the term of 4 to 8 years.

1. The act envisaged in part 1 or 2 of this Article, if:

1. it was done by an organized group;

2. by negligence the death of the aggrieved was caused or other grave consequences, or grave damage was inflicted to his health,

is punished with imprisonment for the term of 7 to 10 years.

### Article 132. Trafficking

1. Recruitment, transportation, transfer, harboring, or receipt of persons for the purpose of sexual exploitation or forced labor, by means of the threat or use of force, of fraud, of using the dependence, of blackmail, of threat of destruction or damage to property, if this was done for mercenary purposes, is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for up to 1 year, or arrest for up to 2 months, or imprisonment for the term of 1 to 4 years.

2. The same act committed:

1. by a group of persons with prior agreement;

2. with violence dangerous for life or health, or threat thereof;

3. against a minor;

4. against 2 or more persons;

is punished with correctional labor for up to 2 years, or imprisonment for up to 4 to 7 years.

3. Actions envisaged in parts 1 or 2 of this Article, which:

1. were done by an organized group;

2. caused the death of the aggrieved by negligence or other grave consequences,

is punished with imprisonment for 5 to 8 years.

Article 133. Illegal deprivation of freedom.

1. Illegal deprivation of freedom not concerned with kidnapping is punished with correctional labor for up to 2 years, or with arrest for the term of 1 to 3 months, or with imprisonment for up to 2 years.

2. The same action committed:

1) by a group with prior agreement;

2) using dangerous violence or threat of using violence;

1. by using weapons or items used as weapons;

2. against a minor;

3. against a pregnant woman;

4. against two or more persons;

5. with mercenary motives,

is punished with imprisonment for 3 to 5 years.

1. Actions envisaged in parts 1 or 2 of this Article, if:

1. done by an organized group;

2. the death of the aggrieved was caused by negligence or other grave consequences,

is punished with imprisonment for 4 to 8 years.

Article 134. Illegal placing or keeping in a psychiatry hospital.

1. Illegal placing or keeping a person in a psychiatry hospital is punished with imprisonment for up to 3 years.

2. The same action:

1. committed for mercenary motives;

2. committed by abuse of one’s official position;

3. the death of the aggrieved was caused by negligence or other grave consequences, is punished with imprisonment for 4 to 7 years, with deprivation of the right to hold certain posts and practice certain activities for the term of up to 3 years, or without that.

Article 135. Libel.

1. Dissemination of false information humiliating the person's good reputation, dignity and honor, is punished with a fine in the amount of 50 to 150 minimal salaries, or correctional labor for up to 1 year.

2. Libel through public speeches, publicly demonstrated works or through mass media, is punished with a fine in the amount of 100 to 200 minimal salaries, or correctional labor for 1-2 years, or with arrest for up to 2 months.

3. Actions envisaged in parts 1 or 2 of this Article, accompanied with accusation of the person of committing grave or particularly grave crime,

are punished with correctional labor for up to 2 years, or with arrest for the term of 1 to 2 months, or with imprisonment for up to 3 years.

Article 136. Insult.

1. Insult is improper humiliation of other person's honor and dignity, is punished with a fine in the amount of up to 100 minimal salaries, or correctional labor for up to 6 months..

2. Insult manifested in public speeches, in publicly demonstrated works or by mass media, is punished with a fine in the amount of 50 to 200 minimal salaries, or correctional work for up to 1 year.

Article 137. Threat to murder, to inflict heavy damage to one's health or to destroy property.

1. The threat to murder, to inflict heavy damage to one's health or to destroy property of big volume, provided there was real danger that this threat would be carried out, is punished with correctional labor for up to 1 year, or arrest for up to 2 months, or imprisonment for up to 2 years.

2. The term "property of big volume" in this article shall mean to the amount of 500 to 3000 minimal salaries.

## Chapter 18. Crimes against sexual immunity and sexual freedom.

Article 138. Rape.

1. Rape, sexual intercourse of a man with a woman against her will, using violence against the latter or some other person, with threat thereof, or taking advantage of the woman's helpless situation, is punished with imprisonment for the term of 3 to 6 years.

2. The rape which:

1. was done by a group of persons;

2. was done against the aggrieved or other person with particular cruelty;

3. was done against a minor,

4. caused the death of the aggrieved or heavy consequences, by negligence;

5. committed by a person previously convicted under Articles 138 and 139 of this Code;

is punished with an imprisonment for the term of 4 to 10 years.

1. The actions mentioned in part 1 or 2 of this Article, against an aggrieved under 14 years of age,

is punished with an imprisonment for the term of 8 to 15 years.

Article 139. Violent sexual actions.

1. Homosexual, lesbian or other sexual actions against the aggrieved, by using force against the latter or other persons, or threat of using force, or by taking advantage of the aggrieved person's helplessness, are punished with an imprisonment for the term of 3 to 6 years.

2. The same actions:

1. done by a group of persons;

2. done against the aggrieved or other person with particular cruelty;

3. done against a minor,

4. caused the death of the aggrieved or heavy consequences, by negligence;

5. committed by a person previously convicted under Articles 138 and 139 of this Code

is punished with an imprisonment for the term of 4 to 10 years.

3. The actions mentioned in part 1 or 2 of this Article done against an aggrieved under 14 years of age,

is punished with an imprisonment for the term of 8 to 15 years.

Article 140. Forced violent sexual acts.

Forcing a person to sexual intercourse, homosexuality, lesbianism or other sexual actions, by means of black mail, threats to destroy, damage or seize property, or using the financial or other dependence of the aggrieved, is punished with a fine in the amount of 200 to 300 minimal salaries, or correctional labor for up to 2 years, or with imprisonment for the term of up to 1 year.

Article 141. Sexual acts with a person under 16.

Sexual intercourse or other sexual acts with a person obviously under 16, by a person who reached 18 years of age, in the absence of elements of crime envisaged in Articles 138, 139 or 140 of this Code,

Is punished with correctional labor for the term of up to 2 years, or with imprisonment for the term of up to 2 years.

Article 142. Lecherous acts.

1. Lecherous acts with a person obviously under 16, in the absence of elements of crime envisaged in Article 140 or 141, is punished with a fine in the amount of 200 to 400 minimal salaries, or with correctional labor for up to 1 year, or with imprisonment for up to 2 years.

2. The acts envisaged in part 1 of this Article committed with violence or threat thereof, are punished with imprisonment for up to 3 years.

## Chapter 19. Crimes against constitutional human rights and freedoms of citizens.

Article 143. Breach of citizens' legal equality.

1. Direct or indirect breach of the human rights and freedoms of citizens, for reasons of the citizen's nationality, race, sex, language, religion, political or other views, social origin, property or other statuses, which damaged the citizen's legal interests, is punished with a fine in the amount of 200 to 400 minimal salaries, or with imprisonment for up to 2 years.

2. The same action committed by abusing official position, is punished with a fine in the amount of 300 to 500 minimal salaries, or by deprivation of the right to hold certain posts or practice certain activities for 2 to 5 years, or with imprisonment for up to 3 years.

Article 144. Illegal collecting, keeping, use and dissemination of information pertaining to personal or family life.

Information which is considered to be a personal or family secret used without one's consent or dissemination by public speeches, publicly demonstrated works or through mass media, or collecting or keeping, unless this is envisaged by law, is punished with a fine in the amount of 200 to 500 minimal salaries, or correctional labor for up to 1 year, or with arrest for the term of 1 to 2 months.

Article 145. Divulging medical secrets.

1. Divulging information on the patient's illness or the results of medical tests, by the medical personnel, without professional or official need, is punished with a fine in the amount of 200 to 500, or by deprivation of the right to hold certain posts or practice certain activities from 2 to 5 years, or with arrest for the term of 1 to 2 months.

2. Actions envisaged in part 1 of this Article, if they caused grave consequences by negligence, are punished with imprisonment for up to 4 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years or without that.

Article 146. Violation of the secrecy of correspondence, telephone conversations, postal, telegraph or other communications.

1. Illegal violation of the citizen's secrecy of correspondence, telephone conversations, postal, telegraph or other communications, is punished with a fine in the amount of 50 to 100 minimal salaries, or correctional labor for up to 1 year.

2. The same action committed by abuse of official position, is punished with a fine in the amount of 100 to 300 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities from 2 to 5 years, or with arrest for the term of 1 to 2 years.

Article 147. Breach of inviolability of the dwelling.

1. Entering an apartment against the will of man, is punished with a fine in the amount of 50 to 100 minimal salaries, or correctional labor for up to 1 year, or with arrest for the term of up to 2 months.

2. The same action committed with violence or with a threat to use violence, is punished

with a fine in the amount of 100 to 200 minimal salaries, or with imprisonment for the term of up to 2 years.

3. The action envisaged in parts 1 or 2 of this Article committed with abuse of official position, is punished with a fine in the amount of 200 to 400 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities from 2 to 5 years, or with arrest from 1 to 2 months, or imprisonment for the term of up to 3 years.

Article 148. Refusal to provide information to a person.

Illegal refusal by an official to provide information or materials to a person immediately concerning his rights and legal interests and collected in accordance with established procedure, or provision of incomplete or willfully distorted information, if this damaged the person's rights and legal interests, is punished with a fine in the amount of 200 to 400 minimal salaries.

Article 149. Hindrance to implementation of the right to elect, to the work of election commissions or to the implementation of the authority of the person participating in elections.

1. Hindrance to the free implementation of the citizen's right to elect or to referendum, or hindrance to the work of the election or referendum commission, as well as, hindrance to the implementation of the authorities of the election or referendum commission or initiative group, candidate or his proxy, observers, mass media representatives, the authorized person of the party (or association of parties), is punished with a fine in the amount of 200 to 400 minimal salaries, or 120-180 hours of public labor, arrest for up to 1 month.

2. The same actions:

1. committed with threat to property,

2. with financial incentive,

3. accompanied with violence or threats to use violence,

4. committed by abuse of official position,

5. committed by a group.

are punished with imprisonment for up to 5 years.

Article 150. Forgery of election or voting results.

Obviously incorrect counting of ballots during a referendum or election, or obviously incorrect approval of referendum or election results, theft of the ballot box, as well as forgery of elections or voting in some other way, is punished with imprisonment for 2 to 5 years.

Article 151. Dissemination of libelous information about a candidate, a party (association of parties) during elections.

Dissemination of libelous information about a candidate, a party (association of parties) during elections in order to mislead the voters, is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up to 5 years.

Article 152. Breach of the procedure for compilation of voters lists.

Forgery through the breach of the procedure of compilation of voters list by the official in charge

of the compilation of the voters lists, is punished with a fine in the amount of up to 500 minimal salaries, or arrest for up to 1 month, or imprisonment for up to 1 year, with deprivation of the right to hold certain posts or practice certain activities for up to 2 years.

Article 153. Voting more than once or instead of another person.

Voting more than once or instead of another person by submitting false data, documents or otherwise, is punished with a fine in the amount of 500 minimal salaries, or arrest for up to 1 month, of imprisonment for up to 1 year.

Article 154. Breaching the confidentiality of ballot.

Forcing the voter to divulge the results of the ballot, checking the ballot list to reveal the results of the vote, entering the ballot booth (room) as well as breaching the confidentiality of the voting otherwise, is imprisoned with a fine in the amount of 200 to 500 minimal salaries, or arrest for 1–2 months, or imprisonment for up to 2 years.

Article 155. Forcing to refuse from participation in a strike or forcing to participate in a strike.

Forced participation in a strike or forced hindrance to the participation in a legal strike by means of violence or threat of violence, is punished with a fine in the amount of 200 to 400, or with arrest for the term of up to 2 months.

Article 156. Ungrounded refusal to hire a pregnant woman or a person with a child under 3 years of age, or ungrounded dismissal.

Ungrounded refusal to hire a pregnant woman citing pregnancy or a person with a child under 3 years of age, or ungrounded dismissal, citing this reason, is punished with a fine in the amount of 200 to 500 minimal salaries, or 120-180 hours of public labor, or arrest for up to 1 month.

Article 157. Breach of labor protection rules.

1. Breach of safety rules or labor protection rules by the person in charge of their compliance, if this negligently caused grave or medium-gravity damage to health or caused professional disease, is punished with a fine in the amount of 200 to 400 minimal salaries, correctional labor for up to 2 years, or with imprisonment for the term of up to 2 years.

2. The same action which negligently caused the death of the aggrieved, is punished with imprisonment for the term of up to 5 years, or with deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or without that.

Article 158. Breach of copyright and adjacent rights.

1. Illegal use of the object of copyright and adjacent rights or appropriation of authorship, if these actions caused large loss, is punished with a fine in the amount of 200 to 400 minimal salary, or correctional labor for up to 1 year, or with imprisonment for the term of up to 2 years.

2. By large loss, this Article means an amount (value) exceeding 500 minimal salaries at the moment of crime committal.

Article 159. Breach of patent law.

Illegal use of the object of patent law or dissemination of essential information about the object before the official recognition of patent rights without the consent of the applicant, or appropriation of authorship or enforcing co-authorship, is punished with a fine in the amount of 200 to 400, or with imprisonment for the term of up to 2 years.

Article 160. Hindrance to the right to exercise freedom of conscience or religion.

Hindrance to the implementation of religious ceremonies or legal activities of religious organizations, is punished with a fine in the amount of up to 200 minimal salaries, or correctional labor for 1 year, or with arrest for the term of up to 2 months.

Article 161. Hindrance to the right to establish associations (non-governmental organizations or trade unions) or parties, or hindrance to their activities.

1. Hindrance to the right to establish associations or parties, or hindrance to their legal activities or intervention, is punished with a fine in the amount of up to 100-300 minimal salaries, or with arrest for the term of up to 1 month.

2. The same act which caused essential breach of the rights or legal interests of the association or party, is punished with a fine in the amount of 200-400 minimal salaries, or arrest for up to 2 months.

Article 162. Establishment or management of associations encroaching upon citizens' rights or against the individual.

Establishment or management of a religious or non-governmental association, whose activities inflict damage to the health of individuals, or with encroachments on other rights of individuals, as well as, incite citizens to refuse form their civil duties, is punished with a fine in the amount of 200 to 400 minimal salaries, or with arrest for the term of up to 2 months.

Article 163. Hindrance to holding meetings, rallies, demonstrations and processions or to participation therein.

Hindrance to holding legal meetings, rallies, demonstrations and processions or to participation therein, as well as forcing to participate in legal or illegal meetings, rallies, demonstrations and processions, with violence or threat thereof, is punished with a fine in the amount of 100 to 300 minimal salaries, or with arrest for the term of up to 2 months, or with imprisonment for the term of up to 2 years.

Article 164. Hindrance to the legal professional activities of a journalist

1. Hindrance to the legal professional activities of a journalist, or forcing the journalist to disseminate information or not to disseminate information, is punished with a fine in the amount of 50-150 minimal salaries, or correctional labor for up to 1 year.

2. The same actions committed by an official abusing one's official position, is punished with correctional labor for up to 2 years, or imprisonment for the term of up to 3 years, by deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or without that.

## Chapter 20.

## Crimes against the interests of family and child.

Article 165. Involving a minor into committal of crime.

1. Involvement, by a person who reached 18 years, of a minor who reached the age of criminal liability for the given crime under this Code, into committal of a crime through promises, deception or other ways, is punished with imprisonment for the term of up to 3 years.

2. The same action which was committed by a parent, teacher or other person in charge of rearing the minor, is punished with imprisonment for the term of up to 5 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or without that.

3. Actions envisaged in parts 1 and 2 of this Article, committed by using violence or threat of violence, are punished with imprisonment for the term of 2 to 7 years.

4. Actions envisaged in parts 1, 2 or 3 of this Article, accompanied with involvement of the minor into an organized group or criminal association or into the committal of a grave or particularly grave crime, are punished with imprisonment for the term of 5 to 7 years.

Article 166. Involving a child into antisocial activity.

1. Involvement, by a person who reached 18 years, of a child into regular use of alcoholic drinks, strong or other narcotic drugs not for medical purposes, into prostitution, vagrancy or beggary, into preparation or dissemination of pornography or pornographic materials, is punished with correctional labor for up to 1 year, or with arrest for the term of 1-2 months, or with imprisonment for the term of 5 years.

2. The same action which was committed by a parent, teacher or other person in charge of rearing the child, is punished with correctional labor for up to 2 years, or arrest for up to 2 months, or imprisonment for the term of up to 5 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or without that.

3. Actions envisaged in parts 1 and 2 of this Article, which:

1. were committed in relation to 2 or more persons;

2. were accompanied with violence or threat of violence, are punished with imprisonment for the term of up to 6 years.

Article 167. Illegal separation of the child from the parents or substitution of the child.

1. Separation of the child from the parents without the parents' consent, except cases envisaged in law, or substitution of the child, is punished with correctional labor for up to 2 years, or imprisonment for the term of up to 5 years.

2. The same actions committed:

1. in relation to 2 or more children;

2. by previous agreement of a group of persons;

3. abusing official position;

4. illegally transporting the child from one state to another;

5. in order to involve the child into committal of a crime or other antisocial act;

6. in order to harvest the child's parts of the body or tissues for transplantation,

is punished with imprisonment for the term of 3 to 8 years.

1. Actions envisaged in parts 1 or 2 of this Article committed by an organized group, or negligently caused the child's death or other grave consequences, are punished with imprisonment for the term of 5 to 10 years.

Article 168. Child trafficking.

Child trafficking is punished with imprisonment for the term of 3 to 7 years.

Article 169. Divulging the secret of adoption.

Divulging the secret of adoption against the will of the adopter, by the person who is obliged to protect the secret of adoption as an official or professional secret, or by other person for mercenary or other dishonest motives, is punished with a fine in the amount of up to 200 minimal salaries, or with correctional labor for up to 1 year, or with arrest for the term of up to 2 months, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or without that.

Article 170. Failure to fulfill the duty of rearing the child.

1. Failure to fulfill the duty of rearing the child by the parent, or by the person who is in charge of rearing the child, or by a teacher, or the employees of educational, medical or disciplinary institutions, who are in charge of rearing the child, or failure to fulfill this duty properly, if this action was accompanied with cruel treatment,

is punished with a fine in the amount of 50 to 100 minimal salaries, or correctional labor for up to 4 months, or with imprisonment for the term of up to 2 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or without that.

2. The same act accompanied with cruel treatment of a minor, is punished with a fine in the amount of 100 to 200 minimal salaries, or correctional labor for up to 1 year, or with imprisonment for the term of up to 3 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or without that.

Article 171. Failure to fulfill or improper fulfillment of one's duties to provide the child's safety or health.

Improper fulfillment of one's duties to provide the child's safety or health by the person in charge of that duty, or by the person who performs these duties by special order, or who has undertaken this duty voluntarily, if this resulted in negligent medium-gravity damage to the child's health,

is punished with a fine in the amount of 100 to 300 minimal salaries, or correctional labor for the term of up to 1 year, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or without that.

Article 172. Abuse of the custodian's or guardian's rights.

Abuse of custodianship or guardianship for mercenary or other personal motives, or abandonment of the ward without supervision or necessary help, which resulted in essential restriction of the ward's rights and legal interests,

is punished with a fine in the amount of 100 to 300 minimal salaries, or correctional labor for the

term of up to 1 year, or with imprisonment for the term of up to 2 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or without that.

Article 173. Willful evasion from supporting one's child by the parent.

Parent's willful failure to support one's child or offspring who reached 18 years and, by court ruling, is incapable of labor, for more than 3 months,

is punished with a fine in the amount of 100 to 200 minimal salaries, or correctional labor for 1 year, or arrest for the term of up to 2 months.

Article 174. Willful failure of the offspring to support a parent who is incapable to work.

Willful failure of the offspring to support a parent who, by court ruling, is incapable of labor or needs financial support, for more than 3 months, is punished with a fine in the amount of 100 to 200 minimal salaries, or with corrective labor for up to 1 year.

## Section 8.

## Crimes against property, economy and implementation of economic activity.

### Chapter 21. Crimes against property.

Article 175. Banditry.

1. Banditry, i.e. an assault for the purpose of capturing someone's property, committed with violence dangerous for life or health, or with a threat to commit such violence, is punished with imprisonment for the term of 3 to 6 years, with or without confiscation of property.

2. Banditry committed:

1. by a group with prior agreement;

2. in large amount;

3. by illegal entering an apartment, warehouse or facility;

4. by using a weapon or other item as weapon,

5. repeatedly, is punished with imprisonment for the term of 4 to 8 years, with confiscation of property.

1. Banditry committed

1. in particularly large amount with the purpose of theft;

2. by an organized group;

3. inflicting grave damage to health,

4) Action committed by a person with two or more convictions for crimes envisaged in Articles 175-182, 222, 234, 238, 269 of this Code,

is punished with imprisonment for the term of 6 to 10 years, with confiscation of property.

4. In this chapter, by petty amount we mean the amount (value) not exceeding 5 minimal salaries established at the moment of committal of the crime in the Republic of Armenia.

In this chapter, by significant amount we mean the amount (value) not exceeding 5 to 500 minimal salaries established at the moment of committal of the crime in the Republic of Armenia.

In this chapter, by large amount we mean the amount (value) not exceeding 500 to 3000 minimal salaries established at the moment of committal of the crime in the Republic of Armenia.

In this chapter, by particularly large amount we mean the amount (value) exceeding 3000 minimal salaries established at the moment of committal of the crime in the Republic of Armenia.

In this chapter, in envisaged cases, embezzlement is considered repeated, if it was committed by a person who committed a crime under Articles 175-182, 234, 238, 269 of this Code.

The prosecution of persons who committed theft (Article 177, part 1) or swindling (Article 178, part 1) or embezzlement, or squandering (Article 179, part 1) with respect to persons considered to be close relatives of the aggrieved is done based on the complaint from the latter.

Article 176. Robbery.

1. Robbery, i.e. overt theft of somebody's property, is punished with correctional labor for 1-2 years, or arrest for the term of 2 months, or with imprisonment for the term of up to 3 years.

2. Robbery committed:

1. by a group with prior agreement;

2. in large amount;

3. by illegal entering an apartment, warehouse or facility,

4. was accompanied with violence not dangerous for life or health, or threat of violence,

5. by a person who committed crimes envisaged in Articles 175-182, 234, 238, 269 of this Code,

is punished with imprisonment for the term of 3 to 6 years and with a fine for the amount of 50-fold minimal salaries.

3. Robbery committed:

1. in particularly large amount;

2. by an organized group;

3. repeatedly;

4) committed by a person with two or more convictions for crimes envisaged in Articles 175-182, 222, 234, 238, 269 of this Code,

is punished with imprisonment for the term of 4 to 8 years, with or without confiscation of

property.

Article 177. Theft.

1. Theft, i.e. clandestine appropriation of somebody's property in significant amounts, is punished with a fine in the amount of 100 to 400 minimal salaries, or correctional labor for 1-2 years, or arrest for the term of 1 to 2 months, or with imprisonment for the term of up to 2 years.

2. Theft committed:

1. by a group with prior agreement;

2. in large amounts,

3. by illegal entering into an apartment, warehouse or facility,

4. repeatedly,

5. by a person who committed crimes envisaged in Articles 175-182, 234, 238, 269 of this Code,

is punished with a fine in the amount of 200 to 600 minimal salaries, or with imprisonment for the term of 2 to 6 years and with a fine in the amount of up to 50 minimal salaries or without that.

1. Theft committed:

1. in particularly large amount;

2. by an organized group;

3) committed by a person with two or more convictions for crimes envisaged in Articles 175-182, 222, 234, 238, 269 of this Code,

is punished with imprisonment for the term of 4 to 8 years, with or without confiscation of property.

1. Petty theft from the person's clothes, bag or other handbags, is punished with a fine in the amount of 200 minimal salary, or with arrest for the term of up to 3 months.

Article 178. Swindling.

1. Swindling, i.e. theft in significant amount or appropriation of somebody's property rights by cheating or abuse of confidence, is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for 1-2 years, or with arrest for the term of up to 2 months, or with imprisonment for the term of up to 2 years.

2. The same action committed

1. by a group with prior agreement,

2) in large amounts;

3) repeatedly,

4) committed by a person convicted for crimes envisaged in Articles 175-182, 234, 238, 269 of this Code,

is punished with a fine in the amount of 400 to 700 minimal salaries, or with imprisonment for the term of 2 to 6 years and with or without a fine for the amount of 50 minimal salaries.

1. Swindling committed:

1. in particularly large amount;

2. by an organized group,

3) committed by a person with two or more convictions for crimes envisaged in Articles 175-182, 222, 234, 238, 269 of this Code,

is punished with imprisonment for the term of 4 to 8 years, with or without property confiscation.

Article 179. Squandering or embezzlement.

1. Squandering or embezzlement is theft of somebody's property entrusted to the person in significant amount, punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for 6 months to 1 year, or with arrest for the term of up to 2 months, or with imprisonment for the term of up to 2 years.

2. Same actions:

1. with abuse of official position,

2. committed by a group with prior agreement;

3. in large amount,

4. repeatedly,

5. committed by a person who committed crimes envisaged in Articles 175-182, 234, 238, 269 of this Code,

are punished with a fine in the amount of 400 to 700 minimal salaries, or imprisonment for 2-4 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

1. Action envisaged in part 1 or 2 of this Article, committed:

1. in particularly large amount;

2. by an organized group,

3. committed by a person with two or more convictions for crimes envisaged in Articles 175-182, 222, 234, 238, 269 of this Code,

is punished with imprisonment for the term of 4 to 8 years, with or without property confiscation.

Article 180. Theft of particularly valuable items.

1. Theft of items of particularly historical, artistic or cultural value or documents is punished with imprisonment for the term of 3 to 5 years,

2. The same action committed:

1. with prior agreement by a group;

2. that negligently caused destruction, spoilage or loss of items or documents mentioned in part 1 of this Article, is punished with imprisonment for the term of 5 to 8 years, with or without confiscation of property.

1. Acts envisaged in parts 1 or 2 of this Article,

1. committed by banditry or extortion;

2. by an organized group,

is punished with imprisonment for 7-12 years with confiscation of property.

Article 181. Theft committed by means of computer.

1. Theft of somebody's property in significant amount committed with the use of computer, is punished with a fine in the amount 100 to 300 minimal salaries, or with arrest for up to 2 months, or with imprisonment for up to 2 years and with or without a fine in the amount of up to 50 minimal salaries.

2. Same act committed:

1. by a group with prior agreement,

2. in large amount,

is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of 3-6 years and with or without a fine for the amount of up to 50 minimal salaries.

1. The act envisaged in part 1 or 2 of this Article, committed:

1. in particularly large amount;

2. by an organized group,

is punished with imprisonment for the term of 4 to 8 years, with or without property confiscation.

Article 182. Extortion.

1. Extortion, i.e. the threat to publicize defamatory information or information inflicting significant damage to the person's or his relatives' rights or legal interests, the threat to use violence against the person or his relatives, or to destroy (damage) the property owned or managed by the person, his relatives or other persons, with a demand to surrender the property rights, or other actions involving property, is punished with correctional labor for the term of up to 2 years, or with arrest for the term of up to 3 months, or with imprisonment for the term of up to 4 years and a fine for the amount of up to 50 minimal salaries or without that.

2. Extortion:

1. committed against the person or his relatives with violence;

2. by a group with prior agreement;

3. by a person who committed crimes envisaged in Articles 175-182, 234, 238, 269 of this Code,

is punished with imprisonment for the term of 3 to 8 years, with or without property confiscation.

1. Extortion committed

1. causing negligent death, or other grave consequences;

2. in order to acquire a particularly large amount of property,

3. by an organized group;

4. by causing grave damage to one's health,

5. committed by a person with two or more convictions for crimes envisaged in Articles 175-182, 222, 234, 238, 269 of this Code,

is punished with imprisonment for the term of 6 to 10 years, with property confiscation.

Article 183. Gaining illegal control of a car or other means of transportation without the intention of theft.

1. Gaining illegal control of a car or other means of transportation without the intention of theft, is punished with correctional labor for the term of up to 2 years, or with arrest for the term of 1 to 3 months.

2. The same action:

1. That caused large damage;

2. by a group with prior agreement;

3. with violence not dangerous for life or health, or with a threat of violence, is punished with imprisonment for the term of up to 5 years.

3. Actions envisaged in parts 1 or 2 of this Article, committed:

1. That caused large damage;

2. by an organized group;

3. with violence dangerous for life or health, or with a threat of violence, is punished with imprisonment for the term of 5 to 8 years.

Article 184. Infliction of damage to property by deception or abuse of confidence.

1. Infliction of large damage to the owner or other managers of property by deception or abuse of confidence, in the absence of elements of theft, is punished with a fine in the amount of 200 to 400 minimal salaries, or correctional labor for up to 1 year, or arrest for the term of up to 2 months, or with imprisonment for the term of up to 2 years.

2. Same action, which:

1. inflicted particularly great damage;

2. was committed by a group with prior agreement;

3. was committed by abuse of official position, is punished with imprisonment for the term of up to 3 years and with or without a fine in the amount of 50 minimal salaries.

3. Actions envisaged in parts 1 or 2 of this Article, committed by an organized group, are punished with imprisonment for the term of 2-5 years and a fine for the amount of 50 minimal salaries, or without a fine.

Article 185. Willful destruction or spoilage of property.

1. Willful destruction or spoilage of somebody's property, which caused significant damage, is punished with a fine in the amount of 50 to 100 minimal salaries, or correctional labor for up to 1 year, or with arrest for the term of up to 2 months, or with imprisonment for the term of up to 2 years.

2. Same action which:

1. was committed by arson, explosion or other publicly dangerous method;

2. inflicted large damage;

3. was committed, in relation to the person's official or public duty, or, on the same grounds, was related to his close relative,

4. was committed for motives of national, racial or religious hatred or religious fanatism, is punished with imprisonment for the term of up to 4 years.

3. Actions envisaged in parts 1 or 2 of this Article, which:

1. caused particularly large damage;

2. caused human death by negligence;

3. caused destruction of items of historical, scientific or cultural value, is punished with imprisonment for the term of 2 to 6 years.

Article 186. Destruction or damage inflicted to property by negligence.

1. Destruction or damage inflicted to somebody's property by negligence, which caused a large loss, is punished with a fine in the amount of up to 200 minimal salaries, or correctional labor for up to 1 year.

2. The same action committed as a result of negligent handling of fire or other source of great danger, or caused particularly large damage, is punished with a fine in the amount of 200 to 400 minimal salaries, or correctional labor for 1-2 years, or with imprisonment for the term of up to 2 years.

3. By large amount this Article means the amount (value) exceeding 500 minimal salaries.

## Chapter 22.

## Crimes against economic activities.

Article 187. Hindrance to legal entrepreneurial and other economic activity.

1. Obviously ungrounded refusal or evasion from the registration or re-registration of an individual entrepreneur, commercial or non-commercial organization, or obviously ungrounded refusal or evasion from the issuance of a special permit (license) for the implementation of certain activities, obviously illegal restriction of legitimate rights and interests of an individual entrepreneur or legal entity, as well as, other obvious illegal interference into such activities, done by an official by abuse of official position, is punished with a fine in the amount of 200 to 500 minimal salaries, or deprivation of the right to hold certain posts or practice certain activities for up to 3 years and a fine for the amount of 50 minimal salaries.

2. Illegal inspection assigned or conducted by an official, provided large loss was caused,

   is punished with a fine in the amount of 200-500 minimal salaries, or deprivation of the right to hold certain posts or practice certain activities for up to 3 years and a fine for the amount of 100 minimal salaries.

3. The action envisaged in part 1 or 2 of this Article, which caused a large damage, is punished with deprivation of the right to hold certain posts or practice certain activities for up to 5 years and a fine for the amount of 100 minimal salaries, or with arrest for the term of 2 to 3 months, or with imprisonment for the term of up to 1 year.

4. By large amount in this Article we mean the amount or value exceeding 3000 minimal salaries, and particularly large amount, 4000 minimal salaries..

Article 188. Illegal entrepreneurial activity.

1. Entrepreneurial activities without state registration or without special permit (license), when such a special permit (license) is mandatory, accompanied with infliction of a large damage to the citizens, commercial organizations or to the state, is punished with a fine in the amount of 200 to 400 minimal salaries, or with an arrest for the term of 2 to 3 months.

2. The same act accompanied with infliction of a large damage to the citizens, commercial organizations or to the state:

is punished with a fine for the amount of 300 to 500 minimal salaries, or deprivation of the right to hold certain posts or practice certain activities for up to 3 years and with or without a fine in the amount of 50 minimal salaries, or imprisonment for the term of up to 2 years.

3. The same act accompanied with:

1. infliction of a particularly large damage to the citizens, commercial organizations or to the state,

2. committed by an organized group,

is punished with a fine in the amount of 800-1000 minimal salaries, or deprivation of the right to hold certain posts or practice certain activities for up to 5 years, with or without a fine in the amount of 50 minimal salaries, or imprisonment for the term of up to 3 years.

4. By significant loss, this Article means the amount of 500 to 1000 minimal salaries, by large loss, 1000-2000 minimal salaries, by particularly large loss, over 2000 minimal salaries.

Article 189. False entrepreneurial activity.

1. Establishment of a commercial enterprise without intention to conduct entrepreneurial or banking activity, aimed at obtaining loans, evading from taxes, obtaining other property benefits or hiding prohibited activities, which inflicted a large damage to the citizens, commercial enterprises or to the state,

is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up to 4 years and a with or without a fine in the amount of 50 minimal salaries.

2. Submission of false documents without supplying goods or without providing services, compilation and submission of false documents on expenses or income, which caused large damage, is punished with a fine in the amount of 400-500 minimal salaries, or imprisonment for up to 2 years.

1. The act envisaged in part 2 of this Article, causing particularly large loss is punished with a fine in the amount of 500-1000 minimal salaries, or imprisonment for up to 4 years.

2. By large loss, in part 1 of this Article, we mean an amount (value) exceeding 200 minimal salaries.

By large loss, in part 2 of this Article, we mean an amount (value) exceeding 500 minimal salaries.

By particularly large loss, in part 3 of this Article, we mean an amount (value) exceeding 1000 minimal salaries.

Article 190. Legitimizing (legalizing) illegally obtained income.

1. Financial or other transactions with obviously illegally obtained financial resources or other property for the purpose of using such funds or property for entrepreneurial or other economic activity, to conceal or distort the essence, origin and whereabouts of these assets or rights pertaining to them, their placement, movement or actual identity, is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up to 4 years with or without a fine in the amount of 50 minimal salaries.

2. The same action committed:

   1) in large amount;

   2) by a group with prior agreement,

   is punished with imprisonment for the term of 4 to 8 years, with or without property confiscation.

3. The action envisaged in part 1 or 2 of this Article which was committed:

1. in particularly large amount;

2. by an organized group,

3) abuse of official position,

is punished with imprisonment for the term of 6 to 12 years, with or without property confiscation.

4. For the purposes of this Article, by large amount we mean an amount (value) exceeding 1000 minimal salaries, while particularly large amount exceeds 3000 minimal salaries..

Article 191. Not purposeful spending of a loan.

1. Not purposeful spending of a targeted loan provided by the state or international organization or under an international program, if this act caused large loss to persons, organizations or the state, is punished with a fine in the amount of 300 to 500 minimal salaries, or imprisonment for the term of 2 to 5 years.

2. For the purposes of this Article, by large amount we mean the amount (value) of damage to individuals exceeding 500 minimal salaries, in case of damage done to persons, and the large amount of damage to organizations or the state, exceeding 2000 minimal salaries.

Article 192. Illegal actions in bankruptcy.

1. Concealing property or property rights, their amounts, information about their locations or information about property, handing the property to another person for management without legitimate reason, destruction of property or its alienation under obviously unfavorable conditions, as well as concealing, destruction, forging accounting and other settlement documentation concerning economic activities of the debtor, if this activity was committed by the head of the debtor organization or by its founders (participants) or by other persons who had the opportunity to give compulsory instructions or predetermine its decisions or by a debtor individual entrepreneur during bankruptcy or in anticipation of bankruptcy, if this caused a large damage,

is punished with a fine in the amount of 50-200 minimal salaries, or with imprisonment for the term of up to 1 year.

2. paying off property dept to certain creditors by the head of the debtor organization or by its founders (participants) or by other persons who had the opportunity to give compulsory instructions or to predetermine the organization's decisions or by a debtor individual entrepreneur, who knew about de facto insolvency of the debtor, if it was done by obviously damaging other creditors' interests, as well as the creditor's accepting such paying off, if the latter was aware of the prevalence given to him by the debtor in disfavor of other creditors, and if the debtor or the creditors incurred damage in a large amount

is punished with a fine in the amount of 200-500 minimal salaries, or with imprisonment for the term of up to 2 year.

3. By a large amount in terms of Articles 192, 193 and 194, we mean the amount (value) exceeding 200 minimal salaries.

Article 193. Deliberate bankruptcy.

Deliberate bankruptcy, i.e. deliberate creation of insolvency features or increasing the extent of

such features by the founders (participants) of the debtor organization or by other persons who had the opportunity to give compulsory instructions or to predetermine its decisions, including the head of the debtor, or by an individual entrepreneur, in favor of one's own interests or the interests of other persons, which caused large damage to the debtor or the creditors:

is punished with a fine in the amount of 200 to 500 minimal salaries, or with imprisonment for the term of up to 1 year.

Article 194. Fictitious bankruptcy.

Fictitious bankruptcy, i.e. filing a statement of claim recognizing its own bankruptcy in the condition of absence of features of bankruptcy made by the founders (participants) of the debtor organization or by other persons who had the opportunity to give compulsory instructions or to predetermine its decisions, including the head of the debtor, or by an individual entrepreneur, in order to mislead the creditors and to get postponement, change of deadline, reduction, freezing or moratorium for satisfying their claims, as well as, for the purpose of not paying the debts, if this caused large damage to the debtor or the creditor,

is punished with a fine in the amount of 200 to 500 minimal salaries.

Article 195. Illegal anti-competition activity.

1. Establishment and maintaining of illegal artificially high or low monopolistic prices, as well as, restriction of competition by prior agreement or by coordinated actions, in order to divide the market by territorial principle, to restrict the penetration into the market, to force other economic subjects out of the market, to establish and maintain discriminative prices, is punished with a fine in the amount of 300 to 500 minimal salaries, or with arrest for the term of 2 to 3 months, or with imprisonment for the term of up to 2 years.

2. The same action committed:

1. by violence or threat of violence;

2. by damaging or destruction of somebody's property, or by threat of damaging;

3. by abuse of official position,

4. by an organized group,

is punished with a fine in the amount of 400 to 600 minimal salaries, or with imprisonment for the term of 3 to 8 years, with or without property confiscation.

Article 196. Willful breach of procedure for public procurement.

Willful breach of the procedure for public sales and auctions which caused large damage to the owner of property, to the organizer of the sale or auction, to the buyer or other economic subject,

is punished with a fine in the amount of 300 to 500 minimal salaries, or with arrest for the term of 1 to 2 months, or with imprisonment for the term of up to 3 years and with or without a fine in the amount of up to 50 minimal salaries.

Article 197. Illegal use of trade mark.

Illegal use of somebody's trade mark, service mark, name of firm, if this caused large damage, is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for up to 2 years, or with arrest for the term of up to 2 months.

Article 198. Fictitious advertising.

1. Deliberate confusion of advertisement consumers by the advertiser, advertising producer or advertisement carrier, is punished with a fine in the amount of 200 to 400 minimal salaries, or with arrest for the term of up to 2 months.

2. The same action which:

1. was committed by use of mass media;

2. caused large damage, is punished with a fine in the amount of 300 to 500 minimal salaries, or with arrest for the term of 1 to 2 months, or with imprisonment for the term of up to 2 years.

Article 199. Illegal collection or divulging of commercial or banking secrets.

1. Collection of commercial or banking secrets by means of theft of documents, bribing or threatening the persons, or their relatives, who know commercial or banking secrets, interception of means of communication, illegal penetration into a computer network or software system, by means of special equipment, as well as, by other illegal methods, for the purpose of their publicizing or use, is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up to 3 years and with or without a fine in the amount of 50 minimal salaries.

2. Illegal publicizing or use of commercial or banking secrets without the consent of the owner by the one who knows these secrets due to professional or official activity, done for mercenary or other personal motives which caused large damage to the commercial organization or individual entrepreneur, is punished with a fine in the amount of 400 to 600 minimal salaries, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or with imprisonment for the term of up to 3 years and with or without a fine in the amount of 100 minimal salaries.

Article 200. Commercial bribe.

1. Illegal offer of cash, securities, other property or property services to the administrative employee of a commercial or other organization, intermediary judge, auditor or lawyer, related to the posts of these persons to act (not act) in favor of the briber, is punished with a fine in the amount of 200 to 400 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities for up to 2 years, or correctional labor for up 1 year.

2. The same actions committed by a group with prior agreement or by an organized group, are punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for up to 2 years, or with imprisonment for the term of 4 years.

3. Accepting cash, securities or other property by the administrative employee of a commercial or other organization, intermediary judge, auditor or lawyer, related to the posts of these persons, in order to act (not act) in favor of the briber, is punished with a fine in the amount of 200 to 400 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or correctional labor for the term of up to 2 years, or with imprisonment for the term of 3 years.

4. The action envisaged in part 3 of this Article, committed by extortion, is punished with a fine in the amount of 300 to 500 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities for up to 5 years, or with imprisonment for the

term of 5 years.

5. The employee of a commercial or other organization, according to this Article, is a person who permanently, temporarily or with special authorization, performs managerial functions at the commercial organization, regardless of form of ownership, as well as, in non-commercial organizations which are not state or local self-government bodies, state or local self-government institutions.

Persons guilty of crimes envisaged in this Article are exempted from punishment, if they voluntarily informed the body entitled to initiate a criminal case about the committed crime, and at the same time returned what they received or compensated its value.

Article 201. Bribing the participants and organizers of professional and commercial sports competitions or shows.

1. Bribing the athletes, referees, coaches, team managers and other participants and organizers of professional competitions, as well as, the organizers and members of award commissions of commercial competitions or shows, with the purpose of exerting influence on the results of these competitions, is punished with a fine in the amount of 200 to 500 minimal salaries, or correctional labor for 6 months to 1 year, or with arrest for the term of up to 2 months.

2. The same actions committed by a group with prior agreement or an organized group, are punished with imprisonment for the term of up to 5 years.

3. Illegal acceptance of funds or use of property rights by the athletes, referees, coaches, managers of teams and other participants and organizers of professional competitions, as well as, the organizers and members of award commissions of commercial competitions or shows, obviously given or provided to them with the purpose of exerting influence on the results of these competitions, is punished with a fine in the amount of 300 to 500 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or with arrest for the term of 2 to 3 months, or with imprisonment for the term of 2 years.

Article 202. Manufacture, sale or keeping of counterfeited money or securities.

1. Manufacture or keeping of forged money or securities for the purpose of sale, is punished with imprisonment for the term of 3 to 8 years, with or without confiscation of property.

2. The same action committed:

1. in large amounts;

2. by a group with prior agreement, is punished with imprisonment for the term of 6 to 10 years, with or without property confiscation.

1. The action envisaged in part 1 or 2 of this Article, committed

1. by an organized group,

2. in particularly large amounts,

is punished with imprisonment for the term of 8 to 12 years, with or without property confiscation.

4. In this Article, large amount means the amount (value) exceeding 1000 minimal salaries,

particularly large amount means the amount (value) exceeding 3000 minimal salaries.

Article 203. Manufacture and sale of forged payment documents.

1. Manufacture for the purpose of sale or sale of payment documents or, documents which are not considered to be currency or securities, but serve as evidence of, establishing or granting property rights, is punished with imprisonment for the term of 2 to 5 years and with a fine in the amount of 300 to 500 minimal salaries.

2. The same actions committed:

1. in large amounts;

2. by a group with prior agreement, is punished with imprisonment for the term of 3 to 6 years, with or without property confiscation.

1. The actions envisaged in parts 1 or 2 of this Article committed:

1. in particularly large amounts;

2. by an organized group, are punished with imprisonment for the term of 4 to 9 years, with or without property confiscation.

4. In this Article, large amount means the amount (value) exceeding 3000 minimal salaries, particularly large amount means the amount (value) exceeding 5000 minimal salaries.

Article 204. Abuse of securities emission.

1. Emission of securities without proper registration procedure and public dissemination of these securities, or the use of obviously false documents for the registration of securities, is punished with a fine in the amount of 200 to 400 minimal salaries, or correctional labor for 1-2 years.

2. Inclusion of obviously incorrect information into the announcement about the emission of securities, as well as, the approval of the emission announcement containing obviously incorrect information or of obviously incorrect results of emission, if this caused large damage, is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for up to 1 year, or with imprisonment for the term of up to 1 year.

3. In this Article, large amount means the amount (value) exceeding 1000 minimal salaries.

Article 205. Evasion from taxes, duties or other mandatory payments.

1. Evasion from taxes, duties or other mandatory payments by means of entering obviously false data into ledgers or taxation documentation, in large amount, is punished with a fine in the amount of 500 to 1000 minimal salaries or with deprivation of the right to hold certain posts or practice certain activities for up to 5 years, or arrest for the term of 2 to 3 months, or with imprisonment for the term of up to 2 years.

2. By a tax in a large amount, this Article means the amounts exceeding 1000 minimal salaries.

Article 206. Evasion from taxes by a citizen.

1. Failure to submit a property and income declaration by a citizen, when mandatory, as well as, entering obviously distorted data on incomes and expenses into the declaration, which caused large loss of taxes, is punished with a fine in the amount of 100 to 500 minimal salaries, or with arrest for the term of up to 2 months.

2. In this Article, large amount means the amount (value) exceeding 200 minimal salaries.

Article 207. Manufacture and sale of fake wine, fake vodka or other fake alcohol beverages.

1. Manufacture and sale of fake wine, fake vodka or other fake alcohol beverages, is punished with a fine in the amount of 500-1000 minimal salaries.

2. Same act, committed in large amounts, is punished with a fine in the amount of 700-1000 minimal salaries.

3. By a large amount, this Article means the value or income exceeding 2000 minimal salaries.

Article 208. Forgery and sale of excise stamps.

1. Forgery and sale of excise stamps, is punished with a fine in the amount of 300-500 minimal salaries, or imprisonment for 1-3 years.

2. The same act committed in large amounts, is punished with a fine in the amount of 500-1000 minimal salaries, or imprisonment for 2-5 years.

3. By large amount this Article means the forgery or sale of over 500 excise stamps.

Article 209. Alienation of excise stamps or marking goods with illegally procured excise stamps

1. Alienation of properly acquired excise stamps or used excise stamps, if their number is 500-1000 pieces, is punished with a fine in the amount of 600-800 minimal salaries.

2. Same act, if the number of alienated excise stamps is over 1000, is punished with a fine in the amount of 800-1000 minimal salaries.

3. Marking goods with illegally procured excise stamps, if the total value of goods indicated with the seller is 200,000-500,000 AMD, if not indicated, then determined in prices established by law, is punished with a fine in the amount of 600-800 minimal salaries.

4. The same act, if the total value of goods indicated with the seller is over 500,000 AMD, if not indicated, then determined in prices established by law, is punished with a fine in the amount of 800-1000 minimal salaries.

Article 210. Selling goods subject to marking with excise stamps unmarked or not re-marked.

1. Selling goods subject to marking with excise stamps unmarked or not re-marked, if the total value of these goods indicated with the seller is over 200,000-500,000 AMD, if not indicated, then determined in prices established by law, is punished with a fine in the amount of 600-800 minimal salaries.

2. The same act, if the total value goods indicated with the seller is over 500,000 AMD, if not indicated, then determined in prices established by law, is punished with a fine in the amount of 800-1000 minimal salaries.

Article 211. Breach of rules for marking with excise stamps

1. Sale of goods marked with previously used excise stamps or marked with excise stamps marked other than the ones required for this type of commodity, as well as marking vessels (boxes) with excise stamps envisaged for vessels of other volume, if the total value of these goods indicated with the seller is 200,000-500,000 AMD (if not indicated, then determined in prices established by law), is punished with a fine in the amount of 600-800 minimal salaries.

2. Same act, if the total value of these goods indicated with the seller is over 500,000 AMD (if not indicated, then determined in prices established by law), is punished with a fine in the amount of 600-800 minimal salaries.

Article 212. Deception of consumers.

1. Cheating on weights, measures and in calculations, misleading consumers about the consumer properties or the quality of the commodity (service), or any other deception of the consumer, in organizations selling goods or services to the population or by individual entrepreneurs in the sphere of trade, which was committed in significant amount, is punished with a fine in the amount of 500 to 700 minimal salaries, or correctional labor for 1-2 years.

2. The same action committed:

1. in large amounts;

2. by a group with prior agreement, is punished with a fine in the amount of 300 to 500 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or with arrest for the term of up to 3 months.

1. The actions envisaged in parts 1 or 2 of this Article which were committed by an organized group, are punished with imprisonment for the term of up to 2 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

4. In this Article, a significant amount means the amount (value) exceeding 50% to 50 minimal salaries, a large amount means the amount (value) exceeding 50 minimal salaries.

Article 213. Usury.

1. Usury is loaning money or property at an interest rate more than twice exceeding the one of the Central Bank of the Republic of Armenia, as well as making deals with individuals on extremely unfavorable conditions of which the other party took advantage, is punished with a fine in the amount of 300-500 minimal salaries or with imprisonment for up to 2 years.

2. The same act,

1. as a result of which the aggrieved found oneself in a dire financial situation,

2. committed as profession,

3. committed using the minor age of the aggrieved or retarded mental development,

is punished with a fine in the amount of 400-600 minimal salaries, or with imprisonment for up to 4 years.

Article 214. Abuse of authority by the employees of commercial or other organizations.

1. Abuse of administrative authority the by the employees of commercial or other organizations against the interests of their organization and in favor of themselves or other persons, if this inflicted damage to citizens or the rights and legal interests of the organization or the state, is punished with a fine in the amount of 200 to 400 minimal salaries, or correctional labor for 1-2 years, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

2. The same action which caused grave consequences, is punished with a fine in the amount of 300 to 500 minimal salaries, or with arrest for the term of 2-3 months, or with imprisonment for the term of up to 4 years.

Article 215. Contraband.

1. Contraband is transportation of goods, cultural or other items through the customs border of the Republic of Armenia bypassing customs supervision or concealing them, or by deceptive use of customs or other documents, if they were committed in large amounts, except goods and items envisaged in part 2 of this Article, is punished with a fine in the amount of 500-1000 minimal salaries, or imprisonment for the term of up to 5 years.

2. Contraband of narcotic drugs, neurological, strong, poisonous, poisoning, radioactive or explosive materials, weapons, explosive devices, ammunition, fire-arms, except smoothbore long barrel hunting guns, nuclear, chemical, biological or other mass destruction weapons, or dual-use materials, devices, or technologies which can also be used for the creation or use of mass destruction weapons or missile delivery systems thereof, strategic raw materials or cultural values for the transportation of which special rules are established, is punished with imprisonment for the term of 4 to 8 years, with or without property confiscation.

3. Actions envisaged in parts 1 or 2 of this Article committed:

1. by an official abusing one’s official position;

2. by a person exempted from certain types of customs control, or by a person authorized to transport certain goods or means of transportation, exempted from customs control,

3. by using violence against a person in charge of customs control, is punished with imprisonment for the term of 6 to 10 years, with or without property confiscation.

4. Actions envisaged in parts 1, 2 or 3 of this Article, which were committed by an organized group, is punished with imprisonment for the term of 8 to 12 years with or without property confiscation.

5. The action envisaged in part 1 of this Article is considered to be committed in large amount, if the value of transported goods or items exceeds the 2000 amount of minimal salaries.

Article 216. Acquisition or sale of property obtained in an obviously criminal way.

1. Acquisition or sale of property obtained in an obviously criminal way, if this had not been previously promised, is punished with a fine in the amount of 200 to 400 minimal salaries, or correctional labor for 1-2 years, or with arrest for the term of up to 3 months.

2. The same action committed:

1. in large amount;

2. by a group with prior agreement, is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up 2 years.

3. Actions envisaged in parts 1 or 2 of this Article committed:

1. in a particularly large amount;

2. by an organized group,

is punished with imprisonment for the term of 2 to 5 years.

## Section 9. Crimes against public security, computer data security, public order and morality, and public health.

### Chapter 23. Crimes against public security.

Article 217. Terrorism.

1. Terrorism, i.e. committal of explosion, arson or actions causing significant human losses, or other actions inflicting significant damage to property or actions causing danger to public, or threat of such actions, if these actions were committed with the purpose of violation of public security, intimidation of the population or exerting pressure on decision making by a state official, as well as, for the purpose of fulfilling another demand of the perpetrator, is punished with imprisonment for the term of 5 to 10 years.

2. The same action committed

1. by a several persons with prior agreement,

2. using firearms, is punished with imprisonment for the term of 8 to 12 years.

1. Actions envisaged in parts 1 or 2 of this Article, if they were committed:

1. by an organized group;

2. were accompanied with use of mass destruction weapon, radioactive materials or with a threat to use other means causing mass losses,

3. caused death by negligence or other grave consequences, is punished with imprisonment for the term of 10 years to 15 years.

3. A person who participated in terrorism is exempted from criminal liability if he advised the authorities on time, or otherwise, contributed into the prevention of terror act, and if his actions do not contain the elements of other crime.

Article 218. Taking hostages.

1. Taking hostage or keeping a hostage, which was committed for the purpose of forcing the state, an organization or a citizen to perform certain action or not to perform certain action on the condition of setting the hostage free, is punished with imprisonment for the term of 5 to 8 years.

2. The same action committed:

1. by several persons with prior agreement;

2. using violence dangerous for life or health;

3. by using a weapon or some other item as a weapon;

4. against an obvious minor;

5. against an obviously pregnant woman;

6. against an obviously helpless person;

7. against two or more persons, is punished by imprisonment for the term of 6 years to 10 years.

3. Actions envisaged in parts 1 or 2 of this Article, if they were committed:

1. by an organized group;

2. caused death by negligence or damage to health, or other grave consequences for one's health, is punished imprisonment for the term of 8 years to 15 years.

4. The person who refused from one's demands and set the hostage free voluntarily is exempted from criminal liability, if his actions do not contain other elements of crime.

Article 219. Occupation of buildings, facilities, means of transportation or communication.

1. Occupation of buildings, facilities, means of transportation and communication, other communication lines, or keeping them, accompanied with a threat of their destruction or damage, which was committed to force the state, an organization or a citizen to perform or not to perform certain action on condition of vacating the occupied property, is punished with imprisonment for the term of up to 5 years.

2. The same action which is committed:

1. By a group with prior agreement;

2. by threatening violence dangerous for life or health;

3. by using weapons or other items as weapons, is punished with imprisonment for the term of 4 to 10 years.

3. Actions envisaged in parts 1 or 2 of this Article, if they were committed:

1. by an organized group;

2. caused death by negligence or damage to health, is punished imprisonment for the term of 6 years to 12 years.

4. The person who refused from one's demands who vacated voluntarily the occupied property is exempted from criminal liability, if his actions do not contain other elements of crime.

Article 220. Piracy.

1. Assaulting a sea or river ship in order to capture somebody's property, which was committed by violence or threat of violence, is punished with imprisonment for the term

of 5 to 10 years.

2. The same action committed by an organized group or which negligently caused human death or grave consequences, is punished imprisonment for the term of 8 to 15 years with or without property confiscation.

Article 221. Hijacking or capture of an aircraft, ship or train.

1. Capture of an aircraft, ship or train for the purpose of hijacking or occupation, is punished with imprisonment for the term of 4 to 8 years.

2. The same action when committed:

1. by several persons with prior agreement;

2. by using violence dangerous for life or health, or by threatening to use such violence,

3. by using weapons or items used as a weapon, is punished imprisonment for the term of 7 years to 12 years.

3. Actions envisaged in parts 1 or 2 of this Article, if they were committed:

1. by an organized group;

2. caused death by negligence or other grave consequences, is punished imprisonment for the term of 8 to 15 years.

Article 222. Banditry.

1. Creation of an organized armed group (band) with the purpose of assaulting citizens or organizations, leading such a group, or participation in the actions of the band, is punished with imprisonment for the term of 10 to 15 years, with or without property confiscation.

2. Participation in a band, is punished with imprisonment for the term of 6 to 10 years, with or without property confiscation.

Article 223. Creation of criminal associations or participation in criminal association.

1. Creation of criminal associations or leading a criminal association, is punished with imprisonment for 8-12 years, with or without property confiscation.

2. Participation in a criminal association, is punished with imprisonment for 6-10 years, with or without property confiscation.

3. The acts envisaged in part 1 or 2 of this Article with abuse of official position, are punished with imprisonment for 10-15 years, or deprivation of the right to hold certain posts or practice certain activities for up to 3 years, with or without property confiscation.

4. The person who informed the state bodies about the creation of a criminal association by oneself, or about the participation in the criminal association, and who contributed to the prevention of its activity, is exempted from criminal liability, if there are no other criminal elements in his actions.

Article 224. Creation of armed formations not stipulated by law or participation therein.

1. Creation of armed formations not envisaged by law or commanding such formations, if

there are no elements of crime under Article 222 of this Code, are punished with correctional labor for up to 2 years, or imprisonment for 2-7 years.

2. Participation in armed formations not envisaged by law is punished with correctional labor for up to 2 years, or with arrest for up to 3 months, or imprisonment for up to 5 years.

3. Acts envisaged in part 1 or 2 of this Article with abuse of official position, are punished with imprisonment for 6-10 years, with deprivation of the right to hold certain posts or practice certain activities up to 3 years.

Article 225. Mass disorder.

1. Organization of mass disorder, accompanied with violence, pogroms, arson, destruction or damage to property, using fire-arms, explosives or explosive devices, or by armed resistance to the representative of the authorities, is punished with imprisonment for the term of 4 to 10 years.

2. Immediate implementation of actions envisaged in part 1 of this Article, is punished with imprisonment for the term of 3 to 8 years.

3. Acts envisaged in part 1 or 2 of this Article accompanied with murder, is punished with imprisonment for 6-12 years.

4. Active disobedience to the representative of authorities during mass disorder, or calls for violence against people or for mass disorder, is punished with correctional labor for up to 2 years, or arrest for 2 months, or imprisonment for up to 3 years.

Article 226. Inciting national, racial or religious hatred.

1. Actions aimed at the incitement of national, racial or religious hatred, at racial superiority or humiliation of national dignity, are punished with a fine in the amount of 200 to 500 minimal salaries, or with correctional labor for up to 2 years, or with imprisonment for the term of 2-4 years.

2. The actions envisaged in part 1 of this Article committed:

1. publicly or by mass media, with violence or threat of violence;

2. by abuse of official position;

3. by an organized group,

are punished with imprisonment for the term of 3 to 6 years.

Article 227. Breach of safety regulations at nuclear energy facilities.

1. Breach of safety regulations at facilities using nuclear energy for location, design, construction, repair, reconstruction, operation or decommissioning, re-commission, transportation or use of nuclear fuel or radioactive materials, which negligently inflicted grave or medium gravity damage to human health, is punished with a fine in the amount of 200 to 500 minimal salaries, or with correctional labor for the term of up to 2 years, or

with imprisonment for the term of 5 years, with or without deprivation of the right to hold certain posts or practice certain activities for the term of up to 3 years.

2. The action envisaged in part 1 of this Article which negligently caused human death, radioactive contamination of the environment, or other grave consequences, is punished with imprisonment for the term of 4 to 10 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 228. Breach of safety regulations when operating sources of ionizing radiation.

1. Breach of safety regulations when operating or de-commissioning sources of ionizing radiation, or during transportation, which negligently inflicted grave or medium gravity damage to human health, is punished with a fine in the amount of 200-500 minimal salaries, or correctional labor for up to 2 years, or imprisonment up to 5 years, with or without deprivation of the right to hold certain posts or practice certain activities for 3 years.

2. The act envisaged in part 1 of this Article, which negligently caused human death, radioactive contamination of the environment or other severe consequences, is punished with imprisonment for 4-10 years, with or without deprivation of the right to hold certain posts or practice certain activities for 3 year.

Article 229. Breach of safety regulations for the operation of electron, proton, heavy ion accelerators.

1. Breach of safety regulations for the location, design, construction, repair, reconstruction, operation or decommissioning of electron, proton, heavy ion accelerators, which negligently caused grave or medium gravity damage to human health, is punished with a fine in the amount of 200-500 minimal salaries, or correctional labor for up to 2 years, or imprisonment up to 5 years, with or without deprivation of the right to hold certain posts or practice certain activities for 3 years.

2. The act envisaged in part 1 of this Article which negligently caused human death, radioactive contamination of the environment or other severe damage, is punished with imprisonment for 4-10 years, with or without deprivation of the right to hold certain posts or practice certain activities for 3 years.

Article 230. Breach of safety regulations during mining, construction or other works.

1. Breach of safety regulations during mining, construction or other works, when this negligently caused grave or medium gravity damage to human health, is punished with a fine in the amount of 100 to 200 minimal salaries, or with correctional labor for the term of up to 2 years, or with imprisonment for the term of 2 years, with or without deprivation of the right to hold certain posts or practice certain activities for 1-3 years.

2. The same action which negligently caused human death or other grave consequences, is punished with imprisonment for the term of up to 10 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 231. Breach of safety regulations at facilities with explosion hazard.

1. Breach of safety regulations at facilities with explosion hazard, if this negligently caused grave or medium-gravity damage to human health, is punished with a fine in the amount

of 100 to 200 minimal salaries, or with correctional labor for up to 1 year, or with imprisonment for up to 2 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 2 years.

2. The same action which negligently caused human death or other grave consequences, is punished with imprisonment for 4-10 years, with or without deprivation of the right to hold certain posts or practice certain activities for 1-2 years.

Article 232. Breach of fire-safety regulations.

1. Breach of fire-safety regulations by the person who is in charge of the observance of these rules, if this negligently caused grave or medium-gravity damage to human health, is punished with a fine in the amount of 100 to 200 minimal salaries, or with correctional labor for the term of up to 1 year, or with imprisonment for the term of 3 years, with or without deprivation of the right to hold certain posts or practice certain activities for 1-2 years.

2. The same action which negligently caused human death or other grave consequences, is punished with imprisonment for 4-8 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 233. Illegal turnover of radioactive materials.

1. Illegal procurement, keeping, use, transportation, transfer, sale, destruction or damage of radioactive materials, is punished with correctional labor for the term of up to 1 year, or with arrest for the term of up to 2 months, or with imprisonment for the term of up to 2 years.

2. The same action which negligently caused grave or medium-gravity damage to health, is punished with correctional labor for the term of up to 2 years, or with imprisonment for the term of up to 5 years.

3. The action envisaged in part 1 of this Article which negligently caused human death or other grave consequences is punished with imprisonment for 4-10 years.

Article 234. Theft or extortion of radioactive materials.

1. Theft or extortion of radioactive materials, is punished with imprisonment for 3-5 years.

2. The same act committed by:

1. by several persons with prior agreement;

2. by abuse of official position;

3. with violence not dangerous for life or health, or with threat of such violence, is punished with imprisonment for the term of 4 to 7 years.

3. Actions envisaged in parts 1 or 2 of this Article, committed:

1. by an organized group;

2. with violence dangerous for life or health, or with threat of such violence, is punished with imprisonment for the term of 5 to 12 years, with or without property confiscation.

Article 235. Illegal procurement, transportation or carrying of weapons, ammunition, explosives

or explosive devices.

1. Illegal procurement, transportation, keeping or carrying of weapons, explosives or explosive devices, except smoothbore long-barrel hunting guns, ammunition, is punished with arrest for the term of up to 3 months, or with imprisonment for the term of up to 3 years and a fine in the amount of up to 500 minimal salaries, or without that.

2. The actions envisaged in part 1 of this Article which were committed by a group with prior agreement, are punished with imprisonment for the term of 2 to 6 years.

3. The actions envisaged in part 1 of this Article which were committed by an organized group, are punished with imprisonment for the term of 3 to 8 years.

4. Illegally carrying of gas weapons, cold steel, or throwing weapons, is punished with correctional labor for 1-2 years, or arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years and a fine in the amount of up to 200 minimal salaries, or without that.

5. The person who voluntarily surrendered the items mentioned in this Article is exempted from criminal liability, if there are no other elements of crime in his actions.

Article 236. Illegal manufacture of weapons.

1. Illegal manufacture or repair of fire-arms, fire-arm components or illegal manufacture of ammunition, explosives or explosive devices, is punished with imprisonment for the term of up to 3 years.

2. The same action which was committed by a group with prior agreement, is punished with imprisonment for the term of 2 to 6 years.

3. The actions envisaged in part 1 of this Article which were committed by an organized group, are punished with imprisonment for the term of 4 to 8 years.

4. The person who voluntarily surrendered the items mentioned in this Article is exempted from criminal liability, if there are no other elements of crime in his actions.

Article 237. Improper performance of the duties of safekeeping of weapons, ammunition, explosives and explosive devices or failure thereof.

1. Improper performance of the duties of safekeeping of weapons, ammunition, explosives and explosive devices by the person in charge, if this caused theft or destruction, or other grave consequences, is punished with correctional labor for the term of up to 2 years, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

2. Improper performance of duties of safekeeping of nuclear, chemical, biological or other mass destruction weapons, or auxiliary materials or equipment used in the creation of mass destruction weapons, if this negligently caused grave consequences, is punished with imprisonment for the term of 3 to 7 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

3. The acts envisaged in part 1 or 2 of this Article, if they negligently caused human death, are punished with imprisonment for the term of 5 to 10 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 238. Theft or extortion of weapons, ammunition, explosives and explosive devices.

1. Theft or extortion of fire-arms, fire-arm components, ammunition, explosives and explosive devices, is punished with imprisonment for the term of 3 to 5 years.

2. Theft or extortion of nuclear, chemical, biological or other mass destruction weapons, or materials or equipment used in the creation of mass destruction weapons, is punished with imprisonment for the term of 4 to 7 years.

3. Actions envisaged in parts 1 or 2 of this Article, if they were committed:

1. by a group of persons with prior agreement;

2. by abuse of official position;

3. by use of violence not dangerous for life or health, or with a threat of using such violence;

4. in large amounts,

is punished with imprisonment for the term of 6 to 10 years, with or without property confiscation.

4. Actions envisaged in parts 1, 2 or 3 of this Article, if they were committed:

1. by an organized group;

2. by use of violence dangerous for life or health, or with a threat of using such violence;

3) in particularly large amounts, is punished with imprisonment for the term of 8 to 12 years, with or without property confiscation.

Article 239. Negligent warehousing of fire-arms.

Negligent warehousing of fire-arms or ammunition which created conditions for others to use these fire-arms or ammunition, as well as to transfer the weapons or ammunition to another person, if this caused grave consequences, is punished with correctional labor for the term of up to 2 years, or with arrest for the term of up 3 months, or with imprisonment for the term of up to 2 years.

Article 240. Breach of rules for warehousing, accounting, transportation, delivery or use of flammable or pyrotechnic materials.

1. Breach of rules for warehousing, accounting, transportation, delivery or use of flammable or pyrotechnic materials, as well as illegal transportation of such materials or delivery, if this negligently caused severe consequences, is punished with correctional labor for up to 2 years, or imprisonment for up to 2 years.

2. The acts envisaged in part 1 of this Article, if they negligently caused human death, are punished with imprisonment for 3-7 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 241. Breach of safety and operation rules for rail, air or water traffic.

1. Breach of safety and operation rules for rail, air or water traffic by the person who must

observe these rules due to the work done or occupied position, if this negligently caused grave or medium gravity damage to human health, or caused large damage, is punished with a fine in the amount of up to 200 minimal salaries, or correctional labor for up to 2 years, or imprisonment for up to 2 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

2. The same act which negligently caused human death, is punished with imprisonment for up to 5 years.

3. The act envisaged in part 1 of this Article which negligently caused the death of 2 or more people, is punished with imprisonment for 4-10 years.

Article 242. Breach of traffic rules and operation of means of transportation.

1. Breach of traffic rules and operation of means of transportation by the driver of a car or other mechanical means of transportation, which negligently caused grave or medium-gravity damage to human health is punished with a fine in the amount of up to 200 minimal salaries, or correctional labor for the term of up to 2 years, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years, with or without deprivation of the right to drive a means of transportation for up to 3 years.

2. The same action which negligently caused human death, is punished with imprisonment for the term of up to 5 years, with deprivation of the right to drive a means of transportation for up to 3 years.

3. The action envisaged in part 1 of this Article which by negligence caused the death of 2 or more persons, is punished with imprisonment for the term of 4 to 10 years, with deprivation of the right to drive a means of transportation for up to 3 years.

4. By other mechanical means in this Article we mean tramways, trolleys, tractors, motorcycles, etc.

Article 243. Drunk driving or driving by a person under 16 years of age.

Drunk driving or driving by a person under 16 years of age, if this caused consequences envisaged in Article 241 or 242, is punished with a fine in the amount of 200-400 minimal salaries or with arrest for up to 1 month or correctional labor for up to 1 year, or imprisonment up to 2 years, with deprivation of the right to drive a vehicle for up to 3 years.

Article 244. Abandonment of the site of road accident.

Abandonment of the site of road accident by the driver of the means of transportation who breached the traffic rules or rules of operation of the means of transportation, in the case of consequences envisaged in Article 242 of this Code,

is punished with correctional labor for the term of up to 2 years, or with arrest for the term of up to 3 months, or with imprisonment for the term of up to 2 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 245. Poor-quality repair of means of transportation or operation of means of transportation with malfunctions.

1. Poor-quality repair by a person in charge of maintenance of the means of transportation, of the means of communication, communication lines, signaling or other equipment, or release of the means of transportation for operation, if this action negligently caused

grave or medium-gravity damage to human health or large damage, is punished with a fine in the amount of 300 to 500 minimal salaries, or with correctional labor for the term of up to 2 years, or with arrest for the term of up to 3 months, or with imprisonment for the term of up to 2 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

2. The same action which negligently caused human death, is punished with imprisonment for the term of up to 5 years.

3. The action envisaged in part 1 of this Article which by negligence caused the death of 2 or more persons, is punished with imprisonment for the term of 4 to 10 years.

Article 246. Spoilage of means of transportation or communication lines.

1. Destruction, damage or any other spoilage of means of transportation, communication lines, signaling or other transportation equipment, obstruction of transportation communications, if this action negligently caused grave or medium-gravity damage to human health or large damage, is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up to 4 years.

2. The same action which negligently caused human death, is punished with imprisonment for the term of 3 to 8 years.

3. The action envisaged in part 1 of this Article which by negligence caused the death of 2 or more persons, is punished with imprisonment for the term of 6 to 10 years.

Article 247. Breach of rules providing safe operation of transport.

1. Breach of rules providing safe operation of transport by a passenger, a pedestrian or other participant of traffic (except persons mentioned in Articles 241 and 242), if this action negligently caused grave or medium-gravity damage to human health or large damage, is punished with correctional labor for the term of up to 2 years, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

2. The same action which negligently caused human death, is punished with imprisonment for the term of up to 5 years.

3. The action envisaged in part 1 of this Article which by negligence caused the death of 2 or more persons, is punished with imprisonment for the term of 4 to 8 years.

Article 248. Breach of safety rules for construction, operation and repair of main pipe-lines.

1. Breach of safety rules for construction, operation and repair of main pipe-lines, if this action negligently caused grave or medium-gravity damage to human health or large damage, is punished with correctional labor for the term of up to 2 years, or with arrest for the term of 1-2 months, or with imprisonment for the term of up to 2 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

2. The same action which negligently caused human death, is punished with imprisonment for the term of up to 5 years.

3. The action envisaged in part 1 of this Article which by negligence caused the death of 2 or more persons, is punished with imprisonment for the term of 4 to 10 years.

Article 249. Captain’s failure to help a ship in distress.

Captain’s failure to help a ship in distress in the sea or other water body, if this help could be offered without exposing the ship, the passengers or its crew to serious danger,

is punished with a fine in the amount of 300 to 500 minimal salaries, or with correctional labor for the term of up to 2 years, or with imprisonment for the term of up to 2 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 250. Breach of rules for international flights.

Failure to observe the established permitted flight routes, landing places, air gates, flight altitudes or breach of other rules for international routes, is punished with a fine in the amount of 300 to 500 minimal salaries, or with correctional labor for the term of up to 1 year, or with arrest for the term of 1-2 months, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

## Chapter 24.

## Crimes against computer information security.

Article 251. Access (penetration) into computer information system without permission.

1. Penetration into information stored in a computer system, network or on storage media, and part or the whole information system protected by law, without permission, committed with violation of the protection system and negligently caused change, copying, obliteration or isolation of information, or spoilage of computer equipment, computer system or other significant damage, is punished with a fine in the amount of 200 to 400 minimal salaries, or correctional labor for 6 months to 1 year, or with imprisonment for the term of up to 2 years.

2. The action,

1) committed with abuse of official position,

2) committed by a group with prior agreement,

3) which negligently caused grave consequences, is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for 1-2 years, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 5 years.

Article 252. Change in computer information.

1. Change in information stored in a computer, computer system, network or on storage media, or entering obviously false information therein, in the absence of elements of property theft, or infliction of property damage by deception or abuse of confidence, which caused significant damage, is punished with a fine in the amount of 200 to 500 minimal salaries, or with correctional labor for the term of up to 1 year.

2. The same action which:

1. was accompanied with access (penetration) into a computer system or network without permission;

2. was committed by abuse of official position,

3. was committed by a group with prior agreement,

4. negligently caused grave consequences,

is punished with a fine in the amount of 300 to 500 minimal salaries, or with correctional labor for the term of up to 2 years, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

Article 253. Computer sabotage.

1. Obliteration (sabotage) of computer data or software, isolation or making it unusable, spoilage of computer equipment or destruction of the computer system, network or on storage media, is punished with a fine in the amount of 300 to 500 minimal salaries, or with correctional labor for the term of up to 1 year, or with arrest for the term of 1-3, or with imprisonment for the term of up to 2 years.

2. The same action:

1. 1) accompanied with access (penetration) into a computer system or network without permission;

2. negligently caused grave consequences,

is punished with correctional labor for the term of up to 2 years, or with imprisonment for the term of up to 4 years.

3. The acts envisaged in part 1 or 2 of this Article which willfully caused severe consequences, are punished with imprisonment for 3-6 years.

Article 254. Illegal appropriation of computer data.

1. Copying or appropriating in any other way, of computer data stored in the computer system, network or on storage media, interception of transmitted data by means of computer communication, is punished with a fine in the amount of 200 to 400 minimal salaries, or correctional labor for the term of up to 1 year, or with arrest for the term of up to 2 months, or with imprisonment for the term of up to 2 years.

2. Forcing the submission of data mentioned in part 1 of this Article stored in the computer system, network or on storage media, by threat of publicizing defamatory information concerning a person or his close relatives, facts which the aggrieved wishes to keep secret, or with a threat to use violence against the person or his relatives, or against the person who manages this information, with a threat to destroy or damage the property, is punished with correctional labor for the term of up to 2 years, or with arrest for the term of 1-3, or with imprisonment for 2-5 years.

3. Actions envisaged in parts 1 or 2 of this Article which:

1. were accompanied with use of violence against the person or his close relatives;

2. were committed by a group with prior agreement;

3. inflicted significant damage to the aggrieved;

4. were committed with the purpose of obtaining particularly valuable information,

are punished with imprisonment for the term of 4 to 10 years.

4. Actions envisaged in parts 1, 2 or 3 of this Article which:

1. were committed by an organized group;

2. were accompanied with infliction of damage to health or other grave consequences,

are punished with imprisonment for the term of 6 to 12 years.

Article 255. Manufacture or sale of special devices for illegal penetration into a computer system or network.

Manufacture of special hardware or software for the illegal penetration into a protected computer system or network for the purpose of sale, is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for the term of up to 1 year, or with arrest for the term of up to 2 months, or with imprisonment for the term of up to 2 years.

Article 256. Manufacture, use and dissemination of hazardous software.

1. Development of computer software for the purpose of obliteration, isolation, changing of data stored in the computer system, network or on storage media, or for making changes in existing software, or developing software with special viruses, their use, or dissemination of storage media with such software, is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for the term of up to 1 year, or with arrest for the term of 1-3, or with imprisonment for the term of up to 2 years and a fine in the amount of 100 to 300 minimal salaries.

2. The same action,

1. Committed with mercenary motives,

2. Committed by a group with prior agreement,

3. which negligently caused grave consequences, is punished with imprisonment for the term of 2 to 5 years.

Article 257. Breach of rules for operation of a computer system or network.

1. Breach of rules for operation of a computer system or network by the person who is entitled to enter this system or network, if this negligently caused obliteration, isolation, change in computer data, caused disruption in the work of computer equipment, or other significant damage, is punished with deprivation of the right to hold certain posts or practice certain activities for up to 5 years, or correctional labor for the term of up to 1 year.

2. The same action committed during the operation of a computer system or network containing particularly valuable data, is punished with imprisonment for the term of up to 2 years.

3. Actions envisaged in parts 1 or 2 of this Article which negligently caused grave consequences, are punished with imprisonment for the term of 2 to 5 years.

## Chapter 25. Crimes against public order and morality.

Article 258. Hooliganism.

1. Hooliganism is brutal violation of public order which is manifested in express disrespect and accompanied with violence in relation to citizens or a threat to use it, as well as, destruction or damage of somebody's property, is punished with correctional labor for the term of up to 6 months, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

2. Brutal breach of public order combined with exceptional cynicism, is punished with correctional labor for up to 1 year or imprisonment for up to 3 years

3. The action envisaged in part 1 or 2 of this Article, committed:

1. by a group of persons or organized group;

2. by offering resistance to a representative of authorities, or a person carrying out a duty of public order protection or a person preventing breach of public order,

3. By a person who has previously committed hooliganism.

4. Combined with medium gravity damage to the health of the person, is punished with correctional labor for 1-2 years, or imprisonment for up to 5 years

4. The act envisaged in parts 1, 2 or 3 of this Article, committed with a weapon or another item used as a weapon, is punished with imprisonment for the term of 4 to 7 years.

Article 259. Making a false statement about terrorism.

Making an obviously false statement about a prepared act of terrorism, is punished a fine in the amount of 200 to 400 minimal salaries, or correctional labor for up to 1-2 years, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 3 years.

Article 260. Vandalism.

Profanation of buildings and other facilities with indecent inscriptions or images, damaging property in public transport or other public place, in the absence of grave crime elements,

Is punished with a fine in the amount of 50 to 100 minimal salaries, or correctional labor for 6 months to 1 year, or arrest for up to 2 months.

Article 261. Involvement into prostitution.

1. Involvement into prostitution, by violence or use of violence, abuse of dependent position, by threat to destroy, steal or damage property, or dissemination of defamatory information about a person or close relatives, or by deception, is punished with a fine in the amount of 200 to 400 minimal salaries, or correctional labor for the term of up to 1 year, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

2. The same actions committed

1. With respect to a minor,

2. by an organized group, are punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for the term of up to 2 years, or with imprisonment for the term of 3 to 6 years.

Article 262. Maintaining dens of prostitution or pimping.

Maintaining dens of prostitution or pimping, is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for the term of up to 1 year, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 5 years.

Article 263. Illegal dissemination of pornographic materials or items.

1. Illegal manufacture, sale as well as, dissemination of pornographic materials or items, as well as, printed publications, films and videos, images or other pornographic objects, and advertising, is punished with a fine in the amount of 200 to 400 minimal salaries, or with arrest for the term of up to 2 months, or with imprisonment for the term of up to 2 years.

2. Forcing minors to get involved in creation of software, video or film materials, pictures or other items of pornographic nature, as well as presenting children's pornography through computer network, is punished with a fine in the amount of 400 to 800 minimal salaries, or with arrest for the term of up to 3 months, or with imprisonment for the term of up to 3 years.

3. The same act committed by an organized group, is punished with imprisonment for 2-4 years.

Article 264. Destruction or damage of monuments of history and culture.

1. Destruction or damage of state protected monuments of history, culture, as well as, destruction or damage of documents or items possessing particular cultural or historical value, is punished with a fine in the amount of 200 to 400 minimal salaries, or correctional labor for the term of up to 1 year, or with arrest for the term of up to 2 months, or with imprisonment for the term of up to 2 years.

2. The same actions committed against facilities or monuments of particular value, are punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for the term of up to 2 years, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 5 years.

3. The acts mentioned in part 1 of this Article committed negligently and caused particularly large damage, are punished with a fine in the amount of 100 to 200 minimal salaries, or correctional labor for the term of up to 6 months, or with arrest for the term of up to 2 months, or with imprisonment for the term of up to 1 year.

4. The acts mentioned in part 3 of this Article committed to facilities or monuments of particular value and caused particularly large damage, are punished with a fine in the amount of 200 to 400 minimal salaries, or correctional labor for the term of up to 1 year, or with arrest for the term of up to 2 months, or with imprisonment for the term of up to 2 years.

Article 265. Outrageous treatment of dead bodies or burial places.

1. Outrageous treatment of a dead body or a burial place, destruction, damage or desecration of cemetery facilities or items, or places allocated for memorial ceremonies, is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for up to 1 year, or with arrest for the term up to 2 months.

2. The same actions which were committed:

1. by a group with prior agreement, or by organized group;
2. by motives of national, racial or religious hatred;

3) by stealing items in or on graves, are punished with correctional labor for the term of up to 2 years, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 3 years.

## Chapter 26.

## Crimes against the health of the population.

Article 266. Illegal turnover of narcotic drugs or psychotropic materials with the purpose of sale.

1. Illegal manufacture, processing, procurement, keeping, trafficking or supplying of narcotic drugs or psychotropic materials with the purpose of sale, is punished with imprisonment for the term of 3 to 7 years.
2. The same action committed:

1. by a group of persons;
2. in large amount;
3. at the place of imprisonment or arrest;
4. in disciplinary/educational institution,

is punished with imprisonment for the term of 5 to 10 years with property confiscation.

3. Actions envisaged in parts 1 or 2 of this Article, if they were committed:

1. by an organized group;
2. in particularly large amount,

is punished with imprisonment for the term of 7 to 15 years with or without property confiscation.

4. The large and particularly large amounts of narcotic drugs or psychotropic materials are established by the competent state governance body of the RA.

5. Illegal turnover of narcotic drugs or psychotropic materials in small amounts does not entail criminal responsibility.

6. A person voluntarily submitting narcotic drugs or psychotropic materials will be relieved of criminal responsibility for illegal manufacture, processing, procurement, keeping, trafficking or supplying of narcotic drugs or psychotropic materials.

Article 267. Breach of regulations for manufacture, procurement, keeping, accounting, dispensing, transportation or supply of narcotic drugs or psychotropic materials

1. Breach of regulations for manufacture, procurement, keeping, accounting, dispensing, transportation or supply of narcotic drugs or psychotropic materials by the person who is in charge of their observance, if it resulted in theft or illegal turnover of afore-mentioned materials, is punished with a fine in the amount of 200 to 500 minimal salaries, or with imprisonment for the term of up to 3 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

2. The action envisaged in the first part of this article, if it was committed in large amounts, is punished with a fine in the amount of 500 to 800 minimal salaries, or with imprisonment for the term of 2 to 4 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

3. The action envisaged in the first part of this article, if it was committed in particularly large amounts, is punished with imprisonment for the term of 3 to 5 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 268. Illegal turnover of narcotic drugs or psychotropic materials without the purpose of sale.

1. Illegal manufacture, processing, procurement, keeping, delivery or supply of narcotic drugs or psychotropic materials without the purpose of sale, is punished with arrest for the term of up to 2 months or with imprisonment for the term of up to 1 year.

2. The same action committed in large amount:

   Is punished with imprisonment for the term of up to 3 years.

3. The same action committed in particularly large amount:

Is punished with imprisonment for the term of 2 to 6 years.

Article 269. Theft or extortion of narcotic drugs or psychotropic materials.

1. Theft or extortion of narcotic drugs or psychotropic materials, is punished with imprisonment for the term of 3 to 7 years.

2. The same action committed :

1. by a group of persons with prior agreement;

2. by abuse of official position;

3. with violence not dangerous for life or health, or with threat of such violence,

4. in large amount,

is punished with imprisonment for the term of 6 to 10 years with or without property confiscation.

3. The action envisaged in part 1 or 2 of this Article which was committed:

1. by an organized group;

2. in particularly large amount;

3. with violence dangerous for life or health, or with threat of such violence,

is punished with imprisonment for the term of 8 to 15 years with or without property confiscation.

Article 270. Illegal transfer of narcotic drugs or psychotropic materials or forgery of recipes or other documents which entitle their receipt.

Illegal transfer of narcotic drugs or psychotropic materials or forgery of recipes or other documents which entitle their receipt, is punished with imprisonment for the term of up to 2 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 271. Use of narcotic drugs.

1. Use of narcotic drugs without medical permission, is punished with a fine in the amount of up to 200 minimal salaries, or with arrest for the term of up to 2 months.

2. The person who surrenders drugs is exempted from criminal liability.

Article 272. Abetting or involving into use of narcotic or psychotropic drugs.

1. Abetting or involving into use of narcotic or psychotropic drugs, is punished with correctional labor for the term of up to 2 years, or with arrest for the term of up to 3 months, or with imprisonment for the term of up to 3 years.

2. Abetting or involving into the use of narcotic or psychotropic drugs, committed:

1. in relation to a minor;

2. in relation to two or more persons;

3. by deception;

4. with violence or with a threat to commit violence,

is punished with imprisonment for the term of 3 to 8 years.

1. The same action, if this negligently caused the death of the aggrieved or caused grave damage to his health,

is punished with imprisonment for the term of 6 to 12 years.

Article 273. Illegal cultivation or raising of herbs prohibited for processing, containing narcotic, psychotropic or toxic substances.

1. Cultivation or raising of herbs prohibited for processing containing narcotic, psychotropic or toxic substances, done in large amount, is punished with a fine in the amount of 300 to 500 minimal salaries, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

2. The same action committed:

1. by several persons with prior agreement;

2. by an organized group;

3. in particularly large amount, is punished with imprisonment for the term of 3 to 8 years.

Article 274. Organization and maintaining of dens for the use of narcotic or psychotropic drugs.

1. Organization and maintaining of dens for the use of narcotic or psychotropic drugs, is punished with imprisonment for the term of up to 4 years.

2. The same action committed:

1. by an organized group;

2. by abuse of official position,

3. in disciplinary/education institutions, is punished with imprisonment for the term of 3 to 7 years.

Article 275. Illegal turnover of strong or toxic substances for the purpose of sale.

1. Illegal manufacture, processing, procurement, keeping, trafficking, supply of strong substances which are not considered to be narcotic or psychotropic drugs, for the purpose of illegal sale, is punished with imprisonment for the term of up to 3 years.

2. The same action committed:

1. by a group of persons with prior agreement,

2. in large amount, is punished imprisonment for the term of 2 to 5 years.

1. The action envisaged in part 1 or 2 of this Article which was committed:

1. by an organized group,

2) in particularly large amount;

is punished with imprisonment for the term of 4 to 8 years.

4. A person voluntarily submitting strong or toxic substances will be relieved of criminal responsibility for illegal manufacture, processing, procurement, keeping, trafficking, supplying or selling of strong or toxic substances.

Article 276. Breach of rules for manufacture, procurement, keeping, accounting, transfer, transportation or supply of strong or toxic materials.

Breach of rules for manufacture, procurement, keeping, accounting, transfer, transportation or supply of strong or toxic materials, if this caused theft or other significant damage, is punished with a fine in the amount of up to 300 minimal salaries, or correctional labor for up to 2 years, or with imprisonment for the term of up to 2 years, with deprivation of the right to hold certain posts or practice certain activities for 3 years.

Article 277. Breach of sanitation and epidemic regulations.

1. Breach of sanitation and epidemic regulations which negligently caused mass diseases or poisoning of humans, is punished with a fine in the amount of up to 200 minimal salaries, or correctional labor for up to 2 years, or with imprisonment for the term of up to 3 years, or with deprivation of the right to hold certain posts or practice certain activities for up to

3 years.

2. The same action which negligently caused heavy damage to health or human death, is punished with imprisonment for the term of up to 5 years

Article 278. Concealing information about circumstances dangerous for human life or health.

1. Concealing or distortion of facts, phenomena or events dangerous for human life or health, or the environment, committed by a person in charge of providing such information to the population, is punished with a fine in the amount of 200 to 400 minimal salaries, or with imprisonment for the term of up to 2 years, or with or without deprivation of the right to hold certain posts or practice certain activities for 3 years.

2. The same action which:

1. was committed by abuse of official position;

2. caused damage to human health or death, by negligence, is punished with a fine in the amount of up to 300-500 minimal salaries, or with imprisonment for the term of 2-6 years, or with or without deprivation of the right to hold certain posts or practice certain activities for 3 years.

Article 279. Manufacture or sale of goods, or performing work, or providing services which do not meet safety requirements.

1. Manufacture or sale of goods which do not meet safety requirements for the consumers' life or health, or illegal issuance or use of certificates of compliance with safety requirements for these goods, works or services, if this action negligently damaged human health, is punished with a fine in the amount of 200 to 400 minimal salaries, or correctional labor for the term of up to 1 year, or with imprisonment for the term of up to 2 years or with or without deprivation of the right to hold certain posts or practice certain activities for 3 years.

2. The same action if this:

1. was committed in relation to goods, works or services intended for children;

2. negligently damaged the health of two or more persons,

3. negligently caused human death,

is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for the term of up to 2 year, or with imprisonment for the term of up to 5 years or with or without deprivation of the right to hold certain posts or practice certain activities for 3 years.

1. Actions envisaged in parts 1 or 2 of this Article, which negligently caused the death of two or more persons, are punished with imprisonment for the term of 4 to 10 years, with or without deprivation of the right to hold certain posts or practice certain activities for 3 years.

Article 280. Illegal private medical or pharmaceutical practice, manufacture or sale of false drugs.

1. Private medical or pharmaceutical practice without permit (license), if this negligently caused damage to human health, is punished with a fine in the amount of 300 minimal salaries or correctional labor for up to 2 years or imprisonment for up to 3 years.

2. Manufacture or sale of false drugs, is punished with imprisonment for up to 3 years.

3. The same act which negligently caused human death, is punished with imprisonment for 5 years.

## Section 10. Crimes against environmental safety

## Chapter 27. Crimes against environmental safety.

Article 281. Breach of environmental safety rules when implementing work.

The breach of ecological safety rules by the person who is in charge of compliance with these rules, during design, location, construction, commissioning and operation of industrial, agricultural, scientific and other facilities, if this action negligently caused a significant change in the radioactive, chemical, and biological pollution of the environment, human death, mass diseases in people, mass death of animals or other grave consequences,

is punished with imprisonment for the term of up to 5 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 282. Willful distortion or concealing of information about pollution of environment.

1. Concealing from people information about environmental pollution dangerous for life and health through radioactive, chemical, bacteriological materials, or providing obviously false information about such pollution, by an official, is punished with a fine in the amount of 300 to 500 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities from 2 to 5 years.

2. The same action when it negligently caused human death, mass diseases in people, mass death of animals or other grave consequences, is punished with imprisonment for the term of 2 to 6 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 283. Failure to take measures to eliminate the consequences of environmental pollution.

Evasion from decontamination or rehabilitation in areas affected with an environmental pollution, or improper implementation of these measures by the person in charge, if this negligently caused human death, mass human disease, mass death of animals or other grave consequences, is punished with arrest for the term of 1-3 months, or with imprisonment for the term of 2 to 6 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 284. Breach of safety rules when handling dangerous chemical and biological materials and waste.

1. Production of prohibited dangerous chemical and biological materials or waste, breach of rules for their using, storage, transportation, destruction or other rules, if this created significant danger to human health or the environment, is punished with a fine in the amount of 200 to 500 minimal salaries, or correctional labor for the term of up to 2 years, or with imprisonment for the term of up to 2 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

2. The same action which:

1. by negligence caused pollution, poisoning or contamination of the environment, mass death of animals, damage to human health,

2. was committed in an ecological disaster zone or in the emergency ecological situation, is punished with imprisonment for the term of up to 5 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

1. The action envisaged in part 1 or 2 of this Article which caused negligently mass diseases in people or human death, is punished with imprisonment for the term of 3 to 7 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

2. The acts envisaged in this Article which willfully caused consequences envisaged in parts 1, 2 or 3 of this Article, are punished with imprisonment for 6-12 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 285. Breach of safety rules for handling chemical or bacteriological agents or poisonous materials.

1. Breach of safety rules when handling chemical or bacteriological poisonous materials, if this negligently caused damage to human health, caused human or animal epidemics, or other grave consequences, is punished with imprisonment for the term of up to 3 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

2. The same action which negligently caused death of humans or mass death animals, is punished with imprisonment for the term of 2 to 5 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 286. Breach of established veterinary rules or rules for struggle against plant diseases and vermin.

1. Breach of veterinary rules which negligently caused human or animal epidemics or other grave consequences, is punished with correctional labor for the term of up to 2 years, or with imprisonment for the term of up to 3 years with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

2. Breach of established rules for struggle against plant diseases and vermin which negligently caused grave consequences, is punished with correctional labor for the term of up to 1 year, or with imprisonment for the term of up to 2 years with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

3. The acts envisaged in this Article which caused willful consequences envisaged in part 1 or 2 of this Article, are punished with imprisonment for up to 5 years with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

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Article 287. Pollution of water.

1. Pollution of surface or ground waters, pollution, obstruction, exhaustion of water-supply sources, or changing their natural properties or qualitative composition, if these actions, willfully or negligently, caused significant damage to flora or fauna, fish stocks, forests or agriculture,

is punished with a fine in the amount of 500-800 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities for up to 5 years, or correctional labor for 1 year, or with arrest for the term of up to 2 months.

2. The same action actions which:

1. negligently damaged human health;

2. caused mass destruction of animals;

3. was committed in special nature protection zones, or in a zone of ecological disaster, or in a zone of ecological emergency, is punished with a fine in the amount of 600 to 1000 minimal salaries, or correctional labor for 1-2 years, or with imprisonment for the term of up to 3 years with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

1. The action envisaged in part 1 or 2 of this Article which negligently caused human death, is punished with imprisonment for the term of 2 to 5 years with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

2. The acts envisaged in this Article which willfully caused the consequences envisaged in parts 1, 2 or 3 of this Article, are punished with imprisonment for 6-12 with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 288. Pollution of marine environment.

1. Pollution of marine environment from land sources, means of transportation, or from artificial facilities built in the sea or as a result of breach of rules for disposal or dumping of raw materials dangerous for human health or natural sea stocks, or for legitimate use of marine environment, which willfully or negligently, caused significant damage to the fauna, fish stocks, the environment or other interests protected by law, is punished with a fine in the amount of 200 to 500 minimal salaries, or with or without deprivation of the right to hold certain posts or practice certain activities for up to 5 years, or correctional labor for up to 2 years, or with arrest for the term of up to 2 months.

2. The same actions which negligently damaged human health, are punished with imprisonment for the term of up to 3 years, and a fine in the amount of 50-100 minimal salaries, or with or without deprivation of the right to hold certain posts or practice certain activities for up to 5 years.

3. The action envisaged in part 1 or 2 of this Article which negligently caused human death, is punished with imprisonment for the term of 2 to 5 years.

Article 289. Pollution of atmospheric air.

1. Pollution of air or changing its natural properties, committed by breach of the established norms, rules of equipment operation, facilities or other constructions, if this action caused significant damage, willfully or negligently, to the agricultural fields, constructions, cultural values, the flora and the fauna, the soil of the waters, is punished with a fine in the amount of 500 to 700 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities for up to 5 years, or correctional labor for up to 1 year, or arrest for the term of up to 2 months.

2. The same actions which negligently damaged human health, are punished with a fine in the amount of 600 to 1000 minimal salaries, or correctional labor for 1-2 years, or with

imprisonment for the term of up to 3 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

3. The action envisaged in part 1 or 2 of this Article which negligently caused human death, is punished with imprisonment for the term of 2 to 5 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 290. Spoilage of soil.

1. Poisoning, polluting or otherwise spoiling soil with hazardous products of economic or other activities, committed due to breach of rules of handling pesticides, fertilizers, poisonous chemicals or other dangerous substances, during their use, storage and transportation, as well as rules of removing, transportation, maintenance and using soil, which, willfully or negligently, caused significant damage to the environment, is punished with a fine in the amount of 200 to 500 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or correctional labor for up to 1 year.

2. The same action committed in ecological disaster zone, or in the zone of ecological emergency, or negligently caused damage to human health, is punished with correctional labor for the term of up to 2 years, or imprisonment for up to 3 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

3. The action envisaged in part 1 or 2 of this Article which negligently caused human death, is punished with imprisonment for the term of 2 to 5 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 291. Breach of rules for protection and use of the lithosphere

1. Breach of rules of design, location, construction, commissioning and operation of mining enterprises or underground facilities not related to mining, breach of rules for protection and use of the lithosphere , as well as, unauthorized construction on the surface of mines, if this, negligently, caused significant damage, is punished with a fine in the amount of 200 to 500 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or correctional labor for up to 2 years.

2. Use of the lithosphere with breach of rules for protection and use of the lithosphere, or with deviating from such projects, or without a contract, which caused significant damage to human health, to the environment, to mineral resources, constructions and buildings contained in the lithosphere,

is punished with a fine in the amount of 700 to 1000 minimal salaries, or with imprisonment for up to 1 year, with or without deprivation of the right to hold certain posts or practice certain activities for up to 5 years.

Article 292. Illegal harvesting of aquatic flora and fauna.

1. Illegal fishing or harvesting of aquatic fauna, or flora, if these actions:

1. inflicted large damage;

2. were committed by using mass destruction methods;

3. were committed at the spawning beds or on a migration route to the spawning beds, or during spawning, is punished with a fine in the amount of 500 to 700 minimal salaries, or

correctional labor for up to 2 years, or with arrest for the term of 2-3 months.

2. The actions envisaged in parts 1 or 2 which were committed by:

1. abuse of official position;

2. by a group of persons with prior agreement, are punished with a fine in the amount of 600 to 1000 minimal salaries, or with imprisonment for the term of up to 2 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or correctional labor for 1-2 years.

Article 293. Breach of rules for protection of fish stocks

Lumber rafting, construction of bridges, dams, shipment of forest products by means of blasting or other works, as well as, operation of damming (reservoir) facilities and pumping units, by breach of fish stock protection rules, if this activity, willfully or negligently, caused mass destruction of fish or water fauna, destruction of significant amount of fodder stocks or other grave consequences,

is punished with a fine in the amount of 300 to 600 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or correctional labor for up to 2 years.

Article 294. Illegal hunting.

1. Illegal hunting which:

1. caused large damage;

2. was committed through the use of mechanical means of transportation, or aircraft, explosives, gases or other methods of obliteration of birds and animals;

3. committed against birds and animals whose hunting is entirely prohibited,

4. committed in a specially protected nature reserves,

is punished with a fine in the amount of 100 to 400 minimal salaries, or correctional labor for up to 2 years, or with arrest for the term of 2-3 months.

2. The same action committed:

1. by abuse of official position;

2. by a group of persons with prior agreement, is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up to 2 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 295. Obliteration of habitat of rare and endangered species registered in the Red Book of Rare and Endangered Species of the Republic of Armenia.

Obliteration of habitat of rare and endangered species registered in the Red Book of the Republic of Armenia which willfully or negligently caused the obliteration (death) of the entire population of these species, is punished with correctional labor for the term of up to 2 years, or with imprisonment for the term of up to 3 years.

Article 296. Illegal tree and bush cutting.

1. Illegal forest cuttings, damaging trees, bushes, which are not part of the forest stock, or not subject to cutting, floral coverage considered to be state property, to the extent to stop their growth, if these actions inflicted a large damage, is punished with a fine in the amount of 200 to 400 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or correctional labor for 6 months to 1 year, or with arrest for the term of up to 2 months.

2. The same actions which were committed:

1. by using position,

2. in natural reservations

is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for 1-2 years, or with arrest for the term of up to 3 months, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 297. Obliteration or damage of forest.

1. Obliteration or damage of forest, as well as, trees which are not part of the forest stock, committed as a result of negligent handling of fire, explosives or other source of great danger, and if this caused great damage, is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for up to 2 years, or with imprisonment for the term of up to 2 years.

2. Obliteration or damage of forest, as well as, trees which are not part of the forest stock, committed as a result of arson or other publicly dangerous means, is punished with imprisonment for the term of 3 to 8 years.

Article 298. Breach of regime of specially protected nature zones.

Breach of regime of reserves, specially protected zones, national parks, and natural objects specially protected by the state, which willfully or negligently caused significant damage,

is punished with a fine in the amount of 200 to 500 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities for up to 3 years, or correctional labor for up to 2 years.

## Section 11. Crimes against state power.

### Chapter 28. Crimes against foundations of constitutional order or against state security.

Article 299. High treason.

1. High treason, i.e. siding with the enemy, espionage, transfer of state secrets to a foreign state or foreign organization, or assisting in the implementation of hostile action committed by a citizen of the Republic of Armenia, against the self-government, territorial inviolability or external security of the Republic of Armenia, is punished with imprisonment for the term of 10 to 15 years, with or without property confiscation.

2. The person who committed a crime envisaged in this Article or Article 302 of this Code, is exempted from criminal liability, if he voluntarily informed the authorities or assisted in another way to the prevention of further damage and if there are no other elements of crime in his actions.

Article 300. Usurping state power.

1. Usurping state power, i.e. seizure of state power, in violation of the Constitution of the Republic of Armenia, or keeping it with violence, as well as, actions aimed at the overthrowing of constitutional order of the Republic of Armenia, or the violent breach of territorial integrity of the Republic of Armenia, is punished with imprisonment for the term of 10 to 15 years.

2. The person who voluntarily informed the authorities about the crime envisaged in this Article, is exempted from criminal liability, if, as a result of taken measures and provided information, the committal of these actions was prevented.

Article 301. Public calls for changing the constitutional order of the Republic of Armenia by force.

Public calls for seizing state power by force, changing the constitutional order of the Republic of Armenia by force are punished with a fine in the amount of 300 to 500 minimal salaries, or with arrest for the term of 2-3 months, or with imprisonment for the term of up to 3 years.

Article 302. Espionage.

Providing information containing state secrets to a foreign state, foreign organization or their representatives, or collection, theft or keeping such information, with the same purpose, as well as, collection and provision of other information by instruction of a foreign intelligence service, to be used against the self-government of the Republic of Armenia, its territorial inviolability or external security, if this action was committed by a foreign citizen or a stateless person, is punished with imprisonment for the term of 8 to 15 years.

Article 303. Sabotage.

Destruction and damage of enterprises, facilities, roads, means of communication and transportation, mass poisoning, human or animal epidemics in order to weaken the security and defense of the Republic of Armenia, by means of explosion, arson or other actions, is punished with imprisonment for the term of 10 to 15 years.

Article 304. Wrecking.

The act or inaction aimed at the deterioration of industry, transportation, agriculture, financial system, trade or other branches of economy, organizations and state bodies, in order to weaken the state, if this act was committed by means of organizations or by hindrance to their regular activities, is punished with imprisonment for 8-15 years with or without property confiscation.

Article 305. Assassination of a state, political or public figure.

Assassination of a state, political or public figure, committed in order to terminate the activities of the latter, is punished with imprisonment for 10-15 years, or for life.

Article 306. Divulging a state secret.

1. Willful publicizing of a state secret by the person who was entitled to access to state secrets and who was entrusted with secrets, or learnt due to service, if elements of high treason are absent, is punished with arrest for the term of 2-3 months, or with imprisonment for the term of up to 4 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

2. The same action committed negligently, is punished with arrest for up to 2 months, imprisonment for the term of up to 2 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

3. The acts envisaged in part 1 or 2 of this Article, that negligently caused grave consequences, are punished with imprisonment for 3-7 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 307. Breach of rules for handling documents containing state secrets or computer data.

1. Breach of rules for handling documents containing state secrets or computer data, as well as, other items containing state secrets, by the person who must observe these rules, if this negligently caused the loss of these documents or items or computer data,

is punished with correctional labor for the term of up to 1 year, or with arrest for the term of up to 2 months, or imprisonment for the term of up to 1 year, with or without deprivation of the right to hold certain posts or practice certain activities for up to 2 years.

2. The same act which negligently caused grave consequences,

is punished with correctional labor for the term of up to 2 years, or with arrest for 2-3 months, or imprisonment for the term of up to 3 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

## Chapter 29.

## Crimes against state service.

Article 308. Abuse of official authority.

1. Abuse of official authority or duties by a state official for mercenary interests, personal, other interests or group interests, which caused essential damage to the legal interests of citizens, organizations, public or state rights (in case of property loss, the amount (value) exceeding 500 minimal salaries), is punished with a fine in the amount of 200 to 300 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities for up to 5 years, or with arrest for the term of 2-3 months, or imprisonment for the term of up to 4 years.

2. The same action which negligently caused grave consequences,

   is punished with imprisonment for 2-6 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

3. The following public servants are considered state officials in this Chapter:

1. persons performing the functions of a representative of the authorities, permanently, temporarily or by special authorization;

2. persons, permanently, temporarily or by special authorization, performing organizational, disciplinary and administrative functions in state bodies, local self-government bodies, organizations thereof, as well as, in the army of the Republic of Armenia, or other forces of the Republic of Armenia.

Article 309. Exceeding official authorities.

1. Actions willfully committed by an official which obviously exceed his authorities and caused essential damage to the rights of citizens, organizations, state or legal interests (in case of property loss, the amount (value) exceeding 500 minimal salaries), are punished with a fine in the amount of 300 to 500 minimal salaries, or with deprivation of the right to hold certain posts or practice certain activities for up to 5 years, or with arrest for the term of 2-3 months, or with imprisonment for the term of up to 4 years.

2. Same actions committed with violence, weapons, or special measures, are punished with imprisonment for the term of 2 to 6 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

3. The same act which negligently caused grave consequences, is punished with imprisonment for the term of 6 to 10 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 310. Illegal participation in entrepreneurial activity.

Participation of a state official, despite the legal ban, in the founding, management of an entrepreneurial organization, personally or through proxy, when these actions involve granting this organization privileges and advantages, is punished with deprivation of the right to hold certain posts or practice certain activities for up to 5 years, and a fine in the amount of 200 to 400 minimal salaries, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

Article 311. Taking bribes.

1. Taking bribes by a state official, personally or through a proxy, in the form of money, property right, securities or other property benefits, for implementation or not implementation of actions within his authority, in favor of the briber or briber's representative, by using official position, to commit or not to commit such actions for permission, service favoring or connivance, is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up to 5 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

2. Receipt of a bribe by an official for implementation or not implementation of obviously illegal actions within his authority, in favor of the briber or briber's representative, is punished with imprisonment for 3-7 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

3. The same action committed:

1. by extortion;
2. by a group of officials by prior agreement;
3. in large amount,
4. repeatedly,

is punished with imprisonment for the term of 4 to 10 years, with or without property confiscation.

4. Actions envisaged in parts 1, 2 or 3 of this Article

1. by an organized group;
2. in particularly large amount,
3. by a judge,

is punished with imprisonment for the term of 7 to 12 years, with or without property confiscation.

5. Acceptance, by a state official, of property as a gift, without prior agreement, property right or other property interests, for already committed action (inaction), within his authority, if the value of the gift does not exceed the amount of 5 minimal salaries.

By large amount in this Chapter we mean an amount (value) not exceeding 200 to 1000 minimal salaries.

By particularly large amount in this chapter we mean an amount (value) exceeding 1000 minimal salaries.

Article 312. Giving a bribe.

1. 1. Giving a bribe, personally or through a proxy, to a state official, in the form of money, property, property right, securities or other property benefit, so that this state official performs or does not perform actions in favor of this person or the ones he represents, within his authority, or by using one's official position this person would commit or not commit actions favoring or permitting or conniving, is punished with a fine in the amount of 100 to 200 minimal salaries, or correctional labor for 1-2 years, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 3 years.
2. Giving a bribe in a large amount,

is punished with a fine in the amount of 200 to 400 minimal salaries, or with imprisonment for the term of up to 5 years.

3. Giving a bribe,

1. in a particularly large amount;
2. by an organized group,

is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for 3-7 years.

4. The person who gave a bribe is exempted from criminal liability, if he was subjected to

extortion, or if this person voluntarily informed the law enforcement bodies about giving the bribe.

Article 313. Bribery mediation.

1. Bribery mediation, i.e. promotion of the agreement between the briber and bribe taker or implementation of previously reached agreement, is punished with a fine in the amount of 100-200 minimal salaries or with arrest for up to 2 months or imprisonment for up to 3 years.

2. The same act envisaged in part 1 of this Article, committed

1. repeatedly,

2. by abuse of official position,

is punished with a fine in the amount of 200-400 minimal salaries, or arrest for 1-3 months, or imprisonment for 2-5 years.

Article 314. Official forgery.

1. Entering obviously false data or records into official documentation, forgery or altering, by a state official, out of mercenary, personal individual or group interests, as well as, creation of or providing false documents, is punished with a fine in the amount of 200 to 400 minimal salaries, or or correctional labor for 1-2 years, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

2. The same action committed by a state executive,

is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up to 5 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 315. Official negligence.

1. Failure to execute one's duties properly, or improper implementation of one's duties, as a result of negligence or bad faith of a public servant, which inflicted essential damage to citizens, organizations, public or state interests or legal rights (in case of property loss, the amount (value) exceeding 1000 minimal salaries), is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for 6 months to 1 year, or with arrest for the term of up to 2 months.

2. The same action which negligently caused human death or other grave consequences, is punished with imprisonment for the term of up to 5 years.

## Chapter 30. Crimes against procedure of governance.

Article 316. Violence against a representative of authorities.

1. Violence or threat of violence, not dangerous for life or health, against a representative of authorities or close relatives, concerned with performance of his official duties, as well as hindrance to the representative of authorities in the execution of duties under law, is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up to 5 years.

2. Resistance to the representative of the authorities while in the line of duty or forcing him to perform obviously illegal actions, committed with violence or threat thereof, is punished with a fine in the amount of 300-500 minimal salaries, or arrest for up to 2 months, or imprisonment for up to 1 year.

3. Violence against the persons mentioned in part 1 or 2 of this Article, which is dangerous for life or health, is punished with imprisonment for the term of 5 to 10 years.

4. In this Code, by a representative of authorities we mean, the official of state and self-government bodies who is vested with the power to command to persons who are not under his subordination.

Article 317. Willful appropriation of title or authority of an official.

Willful appropriation of a title or authority of an official, as well as, use of uniforms or certificate of judicial and law enforcement bodies, accompanied with committal of a crime,

is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for up to 2 years, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

Article 318. Insulting a representative of authorities.

1. Publicly insulting a representative of authorities, in relation to the duties carried out by him, is punished with a fine in the amount of 100 to 200 minimal salaries, or correctional labor for 6 months to 1 year.

2. The same act expressed in public speeches, in publicly demonstrated works, or by mass media,

is punished with a fine in the amount of 200 to 400 minimal salaries, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

Article 319. Hindrance to the institutions executing punishment, detention or arrest.

1. Threat of violence to an employee of institutions executing punishment, detention or arrest, with the purpose of hindrance to the regular work of these institutions, is punished with imprisonment for the term of up to 2 years.

2. Use of violence which is not dangerous to life or health, in relation to persons mentioned in part 1 of this Article, as well as, in relation to persons kept in such institutions, is punished with imprisonment for the term of 2 to 5 years.

3. The actions envisaged in parts 1 or 2 of this Article, committed:

1. with use of violence which is dangerous to life or health, in relation to persons mentioned in part 1 or 2 of this Article,

2. by an organized group,

is punished with imprisonment for the term of 5 to 10 years.

Article 320. Illegal use of the Red Cross or Red Crescent symbol.

Illegal use of the Red Cross or Red Crescent symbol and insignia, as well as, the illegal use of the name of Red Cross or Red Crescent, is punished with a fine in the amount of 300 to 500

minimal salaries, or with arrest for 1-3 months, or with imprisonment for the term of up to 2 years.

Article 321. Damaging communication lines.

Breach of rules for protection of communication lines, which negligently damaged the cables of international communication, if this caused disruption of communication,

is punished with a fine in the amount of 300 to 500 minimal salaries, or with arrest for the term of up to 2 months.

Article 322. Arrogation.

1. Arrogation, i.e. arbitrary (self-willed) execution of one's actual or perceived authorities by breach of legally established procedure, which resulted in essential damage to the citizens' rights or legally protected interests or large damage to state or public interests, is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for 1-2 years, or with arrest for the term of 1-3 months.

2. The same action committed by use of violence or threat of violence, is punished with correctional labor for the term of up to 2 years, or with arrest for 2-3 months, or with imprisonment for the term of up to 5 years.

Article 323. Theft of state decorations.

Theft of state decorations,

is punished with a fine in the amount of 300 to 500 minimal salaries, or with arrest for the term of up to 3 months.

Article 324. Theft of damage to documents, stamps or seals.

1. Theft of a citizen's passport or other important document,

is punished with a fine in the amount of 200 to 400 minimal salaries, or with arrest for the term of up to 2 months, or with imprisonment for the term of up to 1 year.

2. Theft, destruction, damage or concealing of official documents, stamps or seals which was committed for mercenary or other personal interests, is punished with a fine in the amount of 300 to 500 minimal salaries, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

Article 325. Forgery, sale or use of forged documents, stamps, seals, letter-heads, vehicle license plates.

1. Forgery of an official document which grants rights or exempts from liability, or any other official document, by the forger or other person for the purpose of using, or selling such a document or forgery and sale of seals, signs, letter-heads or license plates for the same purpose, as well as, the use of an obviously forged document, is punished with a fine in the amount of 200 to 400 minimal salaries, or correctional labor for the term of up to 1 year, or with imprisonment for the term of up to 2 years.

2. The actions envisaged in parts 1 of this Article committed by a group with prior agreement, is punished with correctional labor for the term of up to 2 years, or with imprisonment for the term of up to 4 years.

Article 326. Sale or purchase of official documents or state decorations.

Sale or purchase of an official document which grants rights or exempts from liability, as well as, the letter-heads of such documents, or state decorations, is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for the term of up to 1 year, or with imprisonment for the term of up to 2 years.

Article 327. Evasion from regular military service or training exercises.

1. Evasion from the regular military conscription or training exercises, without any legal grounds for exemption, is punished with a fine in the amount of 300 to 500 minimal salaries, or with arrest for the term of up to 2 months, or with imprisonment for the term of up to 2 years.

2. The same action committed:

1. by inflicting bodily injures to oneself or simulation of illness;

2. by forging documents or by deception,

is punished with arrest for the term of 1-3, or with imprisonment for 1 to 5 years.

1. The action envisaged in part 1 or 3 of this article, which was committed in conditions of martial law, in war conditions or during military actions, is punished with imprisonment from 4 to 8 years.

Article 328. Evasion from labor services or taxes during war time.

Evasion from mobilization for labor or other services, as well as from taxes, is punished with arrest for 1-3 months or imprisonment for up to 4 years.

Article 329. Illegal state border crossing.

1. Crossing the guarded state border of the Republic of Armenia without relevant documents or permits, is punished with a fine in the amount of 100-200 minimal salaries or imprisonment for up to 3 years.

2. The same act committed by a group with prior agreement or by an organized group or with violence or threat thereof, is punished with imprisonment for 3-7 years.

3. This Article is not extended to cases when a foreign citizen or stateless person enters the Republic of Armenia to enjoy the right for political asylum stipulated by the Constitution of the Republic of Armenia.

Article 330. Removal or destruction of a state border mark.

1. Removal or destruction of a state border mark for the purpose of illegal change of the border of the Republic of Armenia, is punished with correctional labor for the term of up to 2 years or imprisonment for up to 3 years.

2. The same act which willfully or negligently caused grave circumstances, is punished with imprisonment for 2-5 years.

Article 331. Contempt of state symbols.

Contempt of the coat of arms of the Republic of Armenia, the national flag of the Republic of

Armenia, the national anthem of the Republic of Armenia, as well as other state symbols of other states, is punished with correctional labor for up to 2 years or arrest for 1-3 months, or imprisonment for up to 1 year.

## Chapter 31. Crimes against justice.

Article 332. Hindrance to administration of justice and conducting investigation.

1. Any intervention into the activities of the court, with the purpose of hindrance to the administration of justice, is punished with a fine in the amount of 200 to 400 minimal salaries, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

2. Any intervention into the activities of the prosecutor, investigator or the person in charge of inquiry, with the purpose of hindrance to the comprehensive, complete and objective investigation of the case, is punished with a fine in the amount of 100 to 300 minimal salaries, or with arrest for the term of 1-3 months.

3. The actions envisaged in part 1 or 2 of this Article, committed by a person by abuse of official position, are punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up to 4 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 333. False crime reporting.

1. False crime reporting, if the person consciously provided false information, is punished with a fine in the amount of 200 to 400 minimal salaries, or correctional labor for 1-2 years, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

2. The same action which

1. was accompanied with accusation of a grave or particularly grave crime;

2. was accompanied with artificial creation of evidence of accusation,

3. for mercenary purposes,

is punished with imprisonment for the term of up to 5 years.

Article 334. Concealment of crime.

1. Concealment of a grave or a particularly grave crime, as well as tools and means of the crime, crime traces or criminally acquired items, which had not been previously promised, is punished with a fine in the amount of 300 to 500 minimal salaries, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

2. The spouse of the person who committed a crime and one’s close relatives are not subject to criminal liability for concealment of the crime which had not been previously promised.

Article 335. Failure to report crime.

1. Failure to report a surely known grave or particularly grave crime, is punished with a fine in the amount of 300-500 minimal salaries, or arrest for 1-3 months, or imprisonment for up to 2 years.

2. The spouse of the person who committed a crime and his close relatives are not subject to criminal liability for the failure to report about the crime.

Article 336. Subjecting an obviously innocent person to criminal liability.

1. Subjecting a person to criminal liability for a unconfirmed crime or without factual or sufficient data about participation of the person in the crime, or elements of crime in the person's action, is punished with imprisonment for the term of up to 5 years.

2. The same action which negligently caused grave consequences, is punished with imprisonment for the term of 2 to 6 years.

3. The same action which willfully caused grave consequences, is punished with imprisonment for 4-8 years, deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

4. The act envisaged in part 1, 2 or 3 of this Article, accompanied with:

1. accusation of a grave or particularly grave crime;

2. forgery of artificial evidence for accusation,

is punished with imprisonment for 6-10 years, deprivation of the right to hold certain posts or practice certain activities for up to 3 years

Article 337. Hindrance to the appearance or testimony of the witness or the aggrieved.

Hindrance to the appearance or testimony of the witness or the aggrieved person to the court, to investigation bodies, committed by violence, by threat of violence or other illegal acts,

is punished with a fine in the amount of 300 to 500 minimal salaries, or with arrest for the term of up to 3 months, or with imprisonment for the term of up to 2 years.

Article 338. Obviously false testimony or obviously false conclusion, or obviously incorrect translation.

1. Obviously false testimony of the witness or the aggrieved person during the preliminary investigation or in court, or the expert's obviously false conclusion, as well as, the translator's obviously incorrect translation, is punished with a fine in the amount of 100 to 300 minimal salaries, correctional labor for up to 2 years, or with arrest for the term of up to 3 months.

2. The same action that:

1. Involved charges of committal of a grave or particularly grave crime;

2. was accompanied with artificial creation of evidence of the prosecution;

3. committed with mercenary purposes,

is punished with imprisonment for the term of up to 5 years.

3. In cases envisaged in law, the person who refuses to testify is not subject to criminal liability, provided he during the preliminary investigation or court trial, prior to the sentence or ruling of the court, made a voluntarily statement about the falsehood of his testimony, conclusion or

translation.

Article 339. Refusal from testimony.

1. Refusal from testimony by a witness or the aggrieved person,

is punished with a fine in the amount of 50 to 100 minimal salaries, or correctional labor for up to 1 year, or with arrest for the term of up to 2 months.

2. The person who refuses to testify against one's spouse or close relative is exempted from criminal liability.

Article 340. Bribing or forcing to make a false testimony, or false conclusion, or incorrect translation.

1. Bribing the witness or the aggrieved, as well as the translator, with the purpose of false testimony, or false conclusion, or incorrect translation, is punished with a fine in the amount of 200 to 400 minimal salaries, or correctional labor for up to 2 years, or with arrest for the term of up to 2 months.

2. Forcing the witness or the aggrieved person to make a false testimony, the expert, to false conclusion, or the translator, to false translation, as well as, forcing to evade testimony, which was accompanied with blackmail, threat, inflicting damage to health, threat to destroy property, is punished with a fine in the amount of 300 to 500 minimal salaries, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 3 years.

3. The actions envisaged in parts 1 or 2 of this Article committed with violence not dangerous for the health of mentioned persons, is punished with imprisonment for the term of up to 5 years.

4. The actions envisaged in parts 1, 2 or 3 of this Article committed:

1. by an organized group;

2) with violence dangerous for the health of mentioned persons, is punished with imprisonment for the term of 3 to 7 years.

Article 341. Forcing testimony by the judge, by the prosecutor, by the investigator or by the person in charge of inquiry.

1. Forcing the suspect, the accused, the defendant, the aggrieved, the witness or the expert, or the translator, by the judge, the prosecutor, the investigator or person in charge of inquiry, by using extortion or any other illegal action, to make a false testimony, conclusion or translation, is punished with deprivation of the right to hold certain posts or practice certain activities for up to 5 years, or with arrest for the term of up to 3 months, or with imprisonment for the term of up to 2 years.

2. The same action committed by the persons mentioned in part 1 by using torture, insult or other violence, are punished with imprisonment for the term of 3 to 8 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

3. The actions envisaged in parts 1 or 2 of this Article, which caused grave consequences, are punished with imprisonment for the term of 6 to 12 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 342. Divulging the data of inquiry or investigation.

Divulging the data of inquiry or investigation without permission of the prosecutor, investigator or the person in charge of inquiry, is punished with a fine in the amount of 100-300 minimal salaries, or correctional labor for up to 2 years, or arrest for up to 1 month.

Article 343. Contemptuous treatment of court.

1. Contemptuous treatment of court which was expressed in insulting the participants of the trial, is punished with a fine in the amount of 100 to 300 minimal salaries, or with arrest for 1-2 months.

2. The same action expressed in the insult of the judge with respect to the execution of official duties of the latter, is punished with a fine in the amount of 200 to 500 minimal salaries, or correctional labor for 1-2 years, or with arrest for 2-3 months.

Article 344. Slandering the judge, the prosecutor, the investigator or the person in charge of inquiry, marshal of the court.

1. Slandering the prosecutor, the investigator or the person in charge of inquiry, marshal of the court, in relation to the preliminary investigation, the court sentence, the verdict or execution of another court act, is punished with a fine in the amount of 100 to 300 minimal salaries, or correctional labor for 1-2 years, or with arrest for the term of 1-3 months, or imprisonment for up to 2 years.

2. The same action committed in relation to a judge concerning the trial of the case or its materials in court, is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for up to 2 years, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 3 years.

3. The actions envisaged in parts 1 or 2 of this Article, which were accompanied with accusing a person of a grave or particularly grave crime, is punished with imprisonment for the term of up to 4 years.

Article 345. Illegal treatment of property under arrest or forfeiture.

1. Abuse, alienation, concealment or illegal transfer to another person of property under arrest or forfeiture by the person who was in charge of this property, as well as banking transactions by an employee of a financial institution using arrested funds (deposits), is punished with a fine in the amount of 200-400 minimal salaries, or arrest for 1-3 months, or imprisonment for up 2 years.

2. Concealment or sale of property subject to forfeiture, as well as other evasion from the execution of the effective court ruling on the forfeiture of the property, is punished with a fine in the amount of 300-500 minimal salaries, or imprisonment for up 3 years, and a fine in the amount of 50 minimal salaries.

Article 346. Willful failure by a personal guarantor to implement one's obligations.

Willful failure by a personal guarantor to implement one's obligations as a result of which the suspect or the accused evaded from investigation or trial, is punished with a fine in the amount of 300-500 minimal salaries, or correctional labor for up to 2 years, or imprisonment for up to 2 years.

Article 347. Threat or violence in relation to preliminary investigation or administration of justice.

1. Threat to murder a judge or his close relatives, to inflict damage to health, destroy or damage property, concerned with the trial of the case or material in court, is punished with a fine in the amount of 300 to 500 minimal salaries, or with imprisonment for the term of up to 3 years.

2. The same action committed against a prosecutor, an investigator, person in charge of inquiry, defense lawyer, expert, court marshal or their relatives, concerning the preliminary investigation, the trial of the case or material in court, the sentence, verdict or other act, is punished with a fine in the amount of 200 to 400 minimal salaries, or with arrest for the term of 3 to 6 months, or with imprisonment for the term of up to 2 years.

3. The action envisaged in parts 1 or 2 of this Article, committed with violence not dangerous for life or health, is punished with imprisonment for the term of up to 5 years.

4. The action envisaged in parts 1, 2 or 3 of this Article, committed with violence dangerous for life or health, is punished with imprisonment for the term of 5 to 10 years.

Article 348. Obviously illegal detention or arrest.

1. Obviously illegal detention, is punished with arrest for the term of 2-3 months, or with imprisonment for the term of up to 2 years, or with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

2. Obviously illegal arrest, or keeping under obviously illegal arrest, is punished with imprisonment for the term of up to 4 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

1. Actions envisaged in parts 1 or 2 of this Article, which negligently caused grave consequences are punished with imprisonment for the term of 3 to 8 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 349. Forgery of evidence.

1. Forgery of evidence by a person or his representative participating in a civil case, is punished with a fine in the amount of 300 to 500 minimal salaries, or correctional labor for 1-2 years, or with arrest for the term of 1-2 months.

2. Forgery of evidence by a person in charge of inquiry, the investigator, the prosecutor or defense lawyer in a criminal case, is punished with imprisonment for the term of up to 3 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

3. Forgery of evidence in a criminal case by persons mentioned in parts 1 or 2 of this Article, which was:

1. committed concerning cases with grave or particularly grave crimes;

2. negligently caused grave consequences,

is punished with imprisonment for the term of 3 to 7 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 350. Entrapment for bribe or commercial bribe.

Entrapment for bribe or commercial bribe, i.e. to create artificial evidence or to blackmail an official or an executive or a manager of a commercial or other organization, an attempt to impose on them money, securities, other property or property services, is punished with a fine in the amount of 300-500 minimal salaries, or imprisonment for up to 5 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 351. Illegal exemption from criminal liability.

Illegal exemption of a suspect or accused from criminal liability by the judge, investigator or person in charge of inquiry, is punished with imprisonment for the term of 2 to 7 years, with deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

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Article 352. Adoption of an obviously unjust court sentence, verdict or other court act.

1. Adoption of an obviously unjust court sentence, verdict or other court act by the judge for mercenary purposes or for other personal motives, is punished with a fine in the amount of 300 to 500 minimal salaries, with deprivation of the right to hold certain posts or practice certain activities for up to 5 years, or with imprisonment for the term of up to 3 years.

2. The same action which negligently caused grave consequences, is punished with imprisonment for the term of 2 to 4 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

3. The same action which willfully caused grave consequences, is punished with imprisonment for the term of 3 to 7 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

Article 353. Failure to carry out a court act.

Willful failure by an official to carry out an effective court sentence, verdict or other court act, or hindrance to their implementation, is punished with a fine in the amount of 300 to 500 minimal salaries, or with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

Article 354. Evasion from serving a sentence in the form of imprisonment.

Evasion by the convict from serving the imprisonment after expiration of the short-term departure from the place of imprisonment, allowed to the convict for a short period, or evasion after postponement due to suspended execution of the sentence, is punished with imprisonment for the term of up to 2 years.

Article 355. Escape from the place of imprisonment, arrest or custody.

1. Escape from the place of imprisonment or arrest or custody, is punished with imprisonment for the term of up to 3 years.

2. The same action, if committed:

1. by a group of persons;

2. by using violence dangerous for the life or health of another person;

3. by using weapons or other items as weapons, are punished with imprisonment for the term of up to 8 years.

3. The escaped person is exempted from criminal liability if the criminal proceedings were terminated or acquittal was made in the case for which the person was sentenced to imprisonment, arrest or custody.

## Section 12. Crimes against military service.

## Chapter 32. Crimes against military service.

Article 356. Failure to carry out an order.

1. Failure by a subordinate to carry out a properly given legitimate order, which caused essential damage to the interests of service, is punished with arrest for the term of up to 3 months, or with disciplinary battalion for the term of up to 2 years, or with imprisonment for the term of up to 2 years.

2. The same action committed by a group, or that caused grave consequences, is punished with imprisonment for the term of up to 5 years.

3. The actions envisaged in parts 1 or 2 of this Article, committed during martial law, in war conditions or military actions, are punished with imprisonment for the term of up 5 to 15 years.

4. Failure to carry out an order as a result negligence or bad faith, which caused grave consequences, is punished with arrest for the term of up to 3 months, or with disciplinary battalion for the term of up to 1 year, or with imprisonment for the term of up to 1 year.

5. The subjects of the crimes against military service in this Chapter are the persons who serve in the armed forces of the Republic of Armenia, in other forces of the Republic of Armenia based on conscription or persons serving under contract, as well as the ones serving during training sessions.

Article 357. Resistance to commander or forcing him to breach his service duties.

1. Resistance to commander, as well as, to another person who performs his military duties, or forcing him to breach his service duties, which was accompanied with violence or with a threat of violence, is punished with disciplinary battalion for the term of up to 2 years, or with imprisonment for the term of up to 3 years.

2. The same actions committed:

1. by a group of persons;

2. by using weapons;

3. causing grave or medium-gravity damage to health, or other grave consequences,

are punished with imprisonment for the term of 2 to 8 years.

3. Actions envisaged in parts 1 or 2 of this Article committed in conditions of martial law, in war

conditions or during military actions, are punished with imprisonment for the term of 7 to 13 years.

Article 358. Violence against the commander.

1. Battery or other violent actions against the commander related to the performance of his military duties, is punished with disciplinary battalion for the term of up to 2 years, or with imprisonment for the term of up to 5 years.

2. The same actions committed:

1. by a group of persons;

2. by using weapons;

3. causing grave or medium-gravity to health, or other grave consequences,

is punished with imprisonment for the term of 3 to 12 years.

3. Actions envisaged in parts 1 or 2 of this Article committed in conditions of martial law, in war conditions or during military actions, are punished with imprisonment for the term of 7 to 13 years.

Article 359. Breach of relations, prescribed by field manuals, between not subordinated servicemen.

1. 1. Breach of relations, prescribed by field manuals, between servicemen not subordinated to each other, expressed in humiliation of the person's honor and self-esteem, persecution or violence, is punished with arrest for the term of up to 3 months, or with disciplinary battalion for the term of up to 2 years, or with imprisonment for the term of up to 3 years.

2. The same action

1. committed against two or more persons;

2. by a group of persons;

3. by using weapons or other items used for inflicting bodily injuries;

4. causing medium-gravity to health,

is punished with imprisonment for the term of up to 5 years.

1. Actions envisaged in parts 1 or 2 of this Article which caused grave consequences, are punished with imprisonment for 4-8 years.

2. Actions envisaged in parts 1, 2 or 3 of this Article which were committed in conditions of martial law, in war conditions or during military actions,:

are punished with imprisonment for 5-10 years.

Article 360. Insulting a serviceman.

1. Insulting a serviceman, i.e. humiliation of honor or self-esteem concerned with the implementation of one's service duties, by another serviceman, is punished with arrest for the term of up to 2 months, or with disciplinary battalion for the term of up to 6 months.

2. The same action committed by a subordinate to a commander, as well as, by a commander to a subordinate, concerned with implementation of one's service duties, is punished with arrest for the term of up to 3 months, or with disciplinary battalion for the term of up to 1 year, or with imprisonment for the term of up to 1 year.

Article 361. Absence without leave from the military unit or place of service.

1. Abandoning the military unit or place of service without leave by a conscript or contract serviceman, as well as, failure to appear on time after leave, vacation, business trip, medical treatment, later than 3 days after expiration of deadline, but not longer than 1 month, as well as three times for the duration of 1-3 days within 3 months,

is punished with arrest for the term of up to 3 months, or with disciplinary battalion for the term of up to 1 year.

2. The same actions committed by servicemen serving a sentence in a disciplinary battalion, are punished with imprisonment for the term of up to 1 year.

3. Actions envisaged in part 1 of this Article, if committed by an officer or warrant-officer, are punished with arrest for the term of 1-3 months, or with imprisonment for the term of up to 2 years.

4. Actions envisaged in parts 1, 2 or 3 of this Article, if the absence without leave lasted longer than 1 month, but for the purpose of temporary evasion from military service, are punished with imprisonment for the term of up to 3 years.

5. Actions envisaged in parts 1, 2, 3 or 4 of this Article committed by a group of people with prior agreement, are punished with imprisonment for the term of 2 to 5 years.

6. Actions envisaged in parts 1, 2, 3 or 4 of this Article committed in conditions of martial law, in war conditions or during military actions, are punished with imprisonment for the term of 3 to 8 years.

7. The servicemen who committed the actions envisaged in parts 1, 2, 3 or 4 of this Article for the first time can be exempted from criminal liability, if they were committed under dire circumstances or are exempted from criminal liability if within 3 days after absence they surrendered to their military unit, law enforcement body or other state body.

Article 362. Desertion.

1. Desertion, i.e. willful abandonment of the military unit or place of service for the purpose of total evasion from military service, as well as, failure to report for service for the same reasons, is punished with imprisonment for the term of up to 5 years.

4. Desertion committed with the granted service weapon, or by prior agreement of a group of persons, is punished with imprisonment for the term of 3 to 8 years.

5. Desertion committed during martial law, during war or military actions, imprisonment for the term of 5 to 12 years.

4. The servicemen who committed the actions envisaged in parts 1 or 2 of this Article for the first time can be exempted from criminal liability, if these actions were committed under dire circumstances, as well as, if within 3 days after absence from service they surrendered to the military unit, place of service or to the law enforcement bodies or other state body.

Article 363. Evasion from military service by maiming or feigned disease.

1. Evasion from military service by a serviceman through maiming, feigned disease, forgery of documents or other fraud, is punished with arrest for the term of up to 3 months, or with up to 2 years in disciplinary battalion.

2. The same action committed with the purpose of total exemption from military service, is punished with imprisonment for the term of up to 5 years.

3. The action envisaged in parts 1 or 2 of this Article committed under martial law, during war or military actions, is punished with imprisonment for the term of 5 to 10 years.

Article 364. Refusal from performing one's military duties.

1. Refusal by a serviceman from performing one's military service or some duties thereof, if this was accompanied with their actual disruption, is punished with arrest for the term of up to 3 months, or with disciplinary battalion for the term of up to 2 years, or imprisonment for up to 2 years.

2. The same action committed by a group, is punished with imprisonment for the term of 1 to 5 years.

3. The action envisaged in parts 1 or 2 of this Article committed under martial law, during war or military actions, is punished with imprisonment for the term of 5 to 10 years.

Article 365. Violation of combat duty regulations.

1. Violation of combat duty or combat service rules for prevention of a surprise attack on the Republic of Armenia or for provision of security of the Republic of Armenia, if this action negligently caused damage or threat thereof, is punished with disciplinary battalion for the term of up to 2 years, or with imprisonment for up to 2 years.

2. The same action committed in breach of combat duty regulations as a result of negligence or bad faith and caused grave consequences, is punished with disciplinary battalion for up to 2 years, or imprisonment for the term of 2 to 7 years.

3. The action envisaged in parts 1, 2 or 3 of this Article committed under martial law, during war or military actions, is punished with imprisonment for the term of 4 to 10 years.

Article 366. Breach of border-guarding regulations.

1. Breach of border-guarding regulations by a member of border-guarding duty detail or other person performing duties in border guarding troops, if this action caused or could cause damage to the interests of state security, is punished with disciplinary battalion for the term of up to 2 years, or with imprisonment for the term of up to 2 years.

2. The same action, committed against the regulations of border guarding service, due to negligence or bad faith, and negligently caused grave consequences, is punished with disciplinary battalion for up to 1 years, or imprisonment for the term of up to 1 year.

3. The action envisaged in parts 1 or 2 of this Article committed under martial law, during war or military actions, is punished with imprisonment for the term of 4 to 10 years.

Article 367. Breach of guarding or patrolling regulations.

1. Breach of guarding or patrolling regulations by a member of the guard or patrol group, if this action caused dangerous consequences which should have been prevented by the guard or patrol, is punished with disciplinary battalion for the term of up to 2 years, or with imprisonment for the term of up to 2 years.

2. The same action which caused grave consequences due to the breach of guarding or patrolling regulations, negligently or in bad faith, is punished with arrest of 1 to 3 months disciplinary battalion for up to 1 year, or imprisonment for the term of up to 1 year.

3. The action envisaged in parts 1 or 2 of this Article committed under martial law, during war or military actions, is punished with imprisonment for the term of 3 to 8 years.

Article 368. Breach of internal service regulations.

1. Breach of internal service regulations by a person who is part of daily duty detail of the military unit (except the guard or patrol group) which caused grave consequences, is punished with arrest for the term of up to 3 months, or with disciplinary battalion for the term of up to 2 years, or with imprisonment for the term of up to 2 years.

2. The same action which was committed as a result of negligent or careless attitude towards the rules of internal service regulations and which caused grave consequences ,

   is punished with disciplinary battalion for the term of up to 1 year, or with imprisonment for the term of up to 1 year.

3. The same act committed under martial law, during war or military actions, is punished with imprisonment for the term of up to 6 years.

Article 369. Willful destruction or damage of military property.

1. Willful destruction or damage of weapons, ammunition, military equipment or other military property, is punished with a fine in the amount of up to 200 minimal salaries, or with disciplinary battalion for the term of up to 1 year, or with imprisonment for the term of up to 3 years.

2. The same action which caused grave consequences, is punished with a fine in the amount of up to 300 minimal salaries, or with disciplinary battalion for the term of up to 2 years, or with imprisonment for 3-8 years.

3. The action envisaged in parts 1 or 2 of this Article committed under martial law, during war or military actions, is punished with imprisonment for 6-12 years.

Article 370. Destruction or damage to military property by negligence.

Negligent destruction or damage of weapons, ammunition, military equipment or other military property, which caused grave consequences is punished with a fine in the amount of up to 200 minimal salaries, or with disciplinary battalion for the term of up to 1 year, or with imprisonment for the term of up to 2 years.

Article 371. Embezzlement of military property.

1. Embezzlement of military property, i.e. sale by a serviceman of one’s personal items, uniform or other military property, is punished with a fine in the amount of up to 200 minimal salaries, or with disciplinary battalion for the term of up to 1 year, or with imprisonment for the term of up to 2 years.

2. Embezzlement of weapons or ammunition, is punished with disciplinary battalion for up to 2 years, or imprisonment for up to 5 years.

3. The same action committed under martial law, during war or military actions, is punished with imprisonment for 3 to 8 years.

Article 372. Loss or spoilage of military property.

1. Loss or spoilage by a serviceman of personal items, uniform, weapons, ammunition or other military property, committed by breach of safekeeping rules, is punished with a fine in the amount of up to 100 minimal salaries, or with disciplinary battalion for the term of up to 2 years.

2. The same action committed under martial law, during war or military actions, is punished with imprisonment for the term of up to 3 years.

Article 373. Breach of rules for handling weapons, ammunition and items dangerous for others.

1. Breach of rules for handling weapons, ammunition and radioactive materials, explosives and other items and devices dangerous for the environment, which negligently caused minor or medium-gravity damage to human health, is punished with disciplinary battalion for the term of up to 1 year, or with imprisonment for up to 2 years.

2. The same action committed negligently which caused grave damage to human health, or caused destruction of military equipment or other grave consequences, is punished with disciplinary battalion for up to 2 years, or with imprisonment for the term of up to 4 years.

3. The same action envisaged in parts 1 of this Article which negligently caused the human death, is punished with imprisonment for 3 to 7 years.

4. The same action envisaged in parts 1 or 2 of this Article which negligently caused the death of two or more persons, is punished with imprisonment for 4-10 years.

Article 374. Handing over weapons, ammunition, other military property, as well as materials or items dangerous for the environment to others.

Handing over weapons, ammunition, other military property, radioactive materials, explosives as well as materials or items dangerous for the environment to others, in breach of the established procedure, if the actions committed by the recipient caused human casualties or other grave consequences, is punished with disciplinary battalion for the term of up to 2 years, or with imprisonment for the term of up to 3 years.

Article 375. Abuse of power, transgression of authority or administrative dereliction.

1. Abuse of power, transgression of authority or administrative dereliction, if these acts were committed for mercenary or group-interest motives, by a commander or official, and if these inflicted essential damage, is punished with imprisonment for 2-5 years.

2. The same acts which negligently caused grave consequences, are punished with imprisonment for 3-8 years.

1. The acts envisaged in parts 1 or 2 of this Article, committed under martial law, during war or military actions, is punished with imprisonment for 7 to 13 years.

Article 376. Negligent service.

1. Negligent attitude to service by a commander or official, which caused essential damage, is punished with disciplinary battalion for up to 2 years, or imprisonment for up to 3 years.

2. The same acts, if they negligently caused grave consequences are punished with imprisonment for 3-6 years.

3. The acts envisaged in parts 1 or 2 of this Article, committed under martial law, during war or military actions, is punished with imprisonment for 4 to 8 years.

Article 377. Breach of rules for driving or operating vehicles.

1. Breach of rules for driving or operating combat, special or transportation vehicles, which negligently caused medium-gravity or grave damage to human health or other severe consequences, is punished with arrest for up to 3 months, or with disciplinary battalion for the term of up to 1 year, or with imprisonment for the term of up to 1 year, with or without deprivation of the right to hold certain posts or practice certain activities for up to 2 years.

2. The same action which negligently caused human death, is punished with imprisonment for the term of up to 5 years, with or without deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

3. Actions envisaged in part 1 or 2 of this Article which negligently caused the death of two or more persons, are punished with imprisonment for 4-10 years.

Article 378. Breach of rules for flights or their preparation.

1. Breach of rules for flights of military aircraft, their preparation or operation which caused human death or other grave consequences, is punished with imprisonment for the term of 2 to 6 years.

2. The acts envisaged in part 1 of this Article, which negligently caused the death of two or more persons, is punished with imprisonment for 4-10 years.

Article 379. Abandonment or hand-over of weapons and ammunition to the enemy.

Hand-over or leaving to the enemy of weapons and ammunition by the commander, as well as, abandonment of fortifications, military equipment or other military hardware to the enemy not caused by combat situation, in the absence of elements of high treason, is punished with imprisonment for the term of 10 to 15 years.

Article 380. Willful abandonment of battle field or refusal to use weapons.

1. Willful abandonment of battle field or refusal to use weapons is punished with imprisonment for 8-12 years.

2. The same action committed by a group of people with prior agreement, is punished with imprisonment for 10-15 years.

Article 381. Voluntary surrender.

Voluntary surrender due to cowardice is punished with imprisonment for the term of 8 to 15 years.

Article 382. Criminal actions of a POW.

1. Voluntary participation of a POW in work of military significance or other activities which obviously can inflict damage to the Republic of Armenia or its allies, if there are no elements of high treason, is punished with imprisonment for the term of 3 to 8 years.

2. Using violence against other POWs or cruel treatment of POWs by their monitor POW, is punished with imprisonment for the term of 2 to 8 years.

3. Committal by a POW of actions with mercenary purposes or to win good disposition of the enemy which is detrimental to other POWs, is punished with imprisonment for the term of up to 2 years.

Article 383. Plunder.

Theft of items from the dead and wounded in the battlefield is punished with imprisonment for the term of 2 to 8 years.

## Section 13. Crimes against peace and human security

## Chapter 33. Crimes against peace and human security

Article 384. Aggressive war.

1. Planning or preparing an aggressive war is punished with imprisonment for the term from 5 to 10 years.

2. Starting or conducting an aggressive war is punished with imprisonment for the term from 8 to 15 years.

Article 385. Public calls for aggressive war.

1. Public calls for starting an aggressive war are punished with a fine from 100-fold minimal salaries to 100-200 minimal salaries, or with imprisonment for the term of up to 3 years.

2. The same actions which were implemented by mass media or by the highest state authority, are punished with a fine from 300-500 minimal salaries, or with imprisonment for the term of 2 to 5 years, by deprivation of the right to hold certain posts or practice certain activities for up to 3 years.

3. By the highest state authority in this Article, we mean the President of the Republic of Armenia, the members of the Government of the Republic of Armenia, the members of the National Assembly of the Republic of Armenia.

Article 386. Manufacture or proliferation of mass destruction weapons.

Creation, production, acquisition or realization of chemical, biological or other types of weapons

prohibited by international agreements, transfer of raw materials or fissionable materials to a country that does not possess nuclear weapons, providing anyone with mass destruction weapons prohibited in international agreements or components necessary for its production, is punished with imprisonment for the term from 4 to 8 years.

Article 387. Application of prohibited methods of war.

1. Application of methods prohibited by international agreements in military actions or armed conflicts, is punished with imprisonment for the term of up to 15 years.

2. Application or testing of mass destruction weapons prohibited in international agreements is punished with imprisonment from 10 to 15 years, or to life.

Article 388. Terrorism against the representative of a foreign country or international organization.

1. Assault on the representative of foreign states or international organizations, or kidnapping, or deprivation of freedom, if these actions were committed with the purpose of provoking war, or complication of international relations, is punished with imprisonment for the term of 5 to 12 years.

2. The murder of the representative of foreign states or international organizations, if this action was committed with the purpose of provoking war, or complication of international relations, is punished with imprisonment for the term of 10 to 15 years or for life.

Article 389. International terrorism

International terrorism, i.e., organization or implementation of an explosion or arson or other acts in the territory of a foreign sate, with the purpose of international complications or provocation of war or destabilization of a foreign state, aimed at the destruction of people, or bodily injuries, destruction or spoilage of facilities, roads and means of transportation, communications, or other assets, is punished with imprisonment for 10-15 years, or for life.

Article 390. Serious breach of international humanitarian law during armed conflicts.

1. The following serious violations of international humanitarian norms during armed conflict against persons not immediately engaged in military actions or defenseless persons, the injured, ill, medical personnel or clergy, sanitary units or sanitary means of transportation, POWs, civilians, civil population, refugees, protected persons or other protected persons during military actions:

1. murder,

2. torture and inhuman treatment, including biological experiments;

3. willfully inflicted serious sufferance or other actions threatening man’s physical or mental state,

is punished with imprisonment for 8-15 years, or for life.

2. The committal of the following acts seriously violating international norms with respect to persons and facilities mentioned in part 1 of this Article:

1. inflicting damage to health,

2. forcing a protected person or POW to serve in the opponent army,

3. deprivation of a protected person or POW from impartial court trial,

4. illegal deportation, removal and arrest of a protected person, or deprivation of freedom otherwise,

5. taking hostages,

6. illegal, willful destruction or realization of property not caused by military necessity,

is punished with imprisonment for 5-12 years.

3. The following acts seriously breaching international humanitarian norms, causing grave damage to human physical or mental state during armed conflicts:

1. assault on civilian population or individual civilians;

2. not selective assault which inflicts damage to the civilian population or civilian facilities, if it is obvious that such assault will cause large losses amongst civilians or extremely large losses to civilian facilities, if such damages are redundant for the achievement of specific and immediate military supremacy;

3. assault on facilities and equipment containing hazardous forces, if it is obvious that the assault will cause extremely large damage to civilian facilities, if such damages are redundant for the achievement of specific and immediate military supremacy;

4. targeting unprotected areas and demilitarized zones,

5. assault on a person who, obviously for the perpetrator, ceased immediate participation in military actions,

is punished with imprisonment for 10-15 years, of for life.

4. The following acts seriously breaching the norms of international humanitarian law during armed conflicts:

1. re-population by the aggressor state of part of one's own population in the occupied territories, or depopulation of the whole population or part thereof in the occupied territory, or movement within the occupied territory or beyond its boundaries,

2. unjustified delay in the repatriation of POWs or civilians,

3. humiliation of a person's self-esteem, based on apartheid or racial discrimination, application of inhuman and other humiliating practices,

4. targeting specially protected, clearly marked, cultural, spiritual and historical monuments, works of art, ceremonial places, and inflicting large damage to the latter as a result of assault, if these facilities are not in near proximity from military objectives and if there is no information attesting to the use of these historical monuments, works of art, ceremonial places by the enemy for military purposes,

is punished with imprisonment for 8-12 years,

5. During armed conflicts, medical intervention not necessitated by the health condition of the persons under jurisdiction of the enemy, arrested or otherwise detained, and detrimental for the

physical or mental condition of the latter violating universally recognized medical norms, particularly, even with consent of these persons, inflicting physical injuries to people, subjecting them to medical or scientific experiments, harvesting parts of body or tissues for transplantation,

is punished with imprisonment for 8-12 years.

6. Other violations of the norms of international humanitarian law, agreements envisaged by international agreements during armed conflicts:

is punished with imprisonment for up to 5 years.

Article 391. Inaction or making an illegal command during armed conflict.

1. During armed conflict, failure to take all possible measures by the commander or official, within the authority of the latter, to prevent crimes under Articles 387, 390 by the subordinates, if the commander knew or had information, which in the given situation should have helped him to conclude that the subordinate is committing or tends to commit an offence, and if within his authority, he did not take all possible measures to prohibit or to prevent this violation,

is punished with imprisonment for 5-10 years.

2. The same action which was committed recklessly,

is punished with imprisonment for 2-5 years.

3. During armed conflict, an order by the commander or official to the subordinate not spare anybody's life or other obviously criminal order, aimed at the committal of crimes envisaged in Articles 387, 390,

is punished with imprisonment for 5-15 years.

Article 392. Crimes against human security.

Deportation, illegal arrest, enslavement, mass and regular execution without trial, kidnapping followed by disappearance, torture or cruel treatment of civilians, due to racial, national, ethnic identity, political views and religion,

is punished with imprisonment for 7-15 years or for life.

Article 393. Genocide.

The actions aimed at the complete or partial extermination of national, ethnic, racial or religious groups by means of killing the members of this group, inflicting severe damage to their health, violently preventing them from childbearing, enforced hand-over of children, violent re-population, or physical elimination of the members of this group, are punished with imprisonment for the term of 13 to 15 years or with life sentence.

Article 394. Ecocide.

Mass destruction of flora or fauna, poisoning the environment, the soils or water resources, as well as implementation of other actions causing an ecological catastrophe, is punished with imprisonment for the term of 10 to 15 years.

Article 395. Mercenaries.

1. Recruitment of mercenaries, mercenary training, financing or supporting them materially in any other way, as well as using them in armed conflicts or military actions, is punished with imprisonment for the term of 5 to 10 years.

2. The act envisaged in part 1 of this Article committed

1. by abuse of official position;

2. involvement of obvious minors,

is punished with imprisonment for 7-12 years.

3. The participation of a mercenary in armed conflicts or military actions

is punished with imprisonment for 3-7 years.

4. A mercenary is a specially recruited person who acts in order to receive financial compensation and is not a citizen of the state participating in the armed conflicts or military actions, does not permanently reside in its territory, is not a member of the armed forces of the state participating in the armed conflicts or military actions, and is not sent by another state to carry out official duties in the armed forces.

Article 396. Assault on persons or organizations under international protection.

1. Assault on the employees of foreign states or international organizations under international protection, or on family members residing with them, on office or residential buildings or means of transportation of persons under international protection, if these actions were committed with the purpose of provoking war, or complication of international relations, is punished with imprisonment for the term of 3 to 7 years.

2. The same actions which negligently caused human death, heavy damage to health or destruction of property or important documents, is punished with imprisonment for the term of 3 to 12 years.

Article 397. Illegal use of identification signs protected by international treaties.

During military actions, the use of the symbols and insignia of the Red Cross or Red Crescent protected by international treaties, the signs envisaged for marking cultural values or other protective signs, or the flag or national identification symbols of the enemy or a neutral state, or the flags of international organizations, in breach of international treaties and international law, is punished with correctional labor for 1-2 years or imprisonment for up to 3 years.

## Section 14. Closing provisions.

## Chapter. 34. Closing provisions.

Article 398. Making the law effective.

This Code comes into effect by a special law.

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