

CRIMINAL CODE OF THE REPUBLIC OF UZBEKISTAN

Law of the Republic of Uzbekistan On Enactment of the Criminal Code of the Republic of Uzbekistan

The Supreme Council of the Republic of Uzbekistan **r u l e s t o**:

Enact the Criminal Code of the Republic of Uzbekistan.

President of the Republic of Uzbekistan I.KARIMOV

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GENERAL PART

Section one. Basic provisions

CHAPTER 1. OBJECTIVES AND PRINCIPLES OF CRIMINAL CODE

Article 1. Criminal Legislation of the Republic of Uzbekistan

Criminal Legislation of the Republic of Uzbekistan shall be grounded on the Constitution and universally recognized principles of international law and shall consist of this Code.

Article 2. Objectives of Criminal Code

The Criminal Code shall be aimed at protection of a person, his rights and freedoms, public and state interests, property, natural environment, peace and security of humankind from criminal offenses and prevention thereof, as well as at fostering individuals in the spirit of obedience to the Constitution and laws of Uzbekistan.

For these purposes, the Code shall determine grounds and principles of liability, socially dangerous acts to be recognized as crimes, as well as establish penalties and other measures of legal influence that may be applied to persons, who committed socially dangerous acts.

Article 3. Principles of Code

The Criminal Code shall be grounded on the principles of lawfulness, equality before the law, democratic participation, humanity, justice, liability for established guilt and inevitability therefor.

Article 4. Principle of Lawfulness

Criminality, punishability of the act and other legal consequences of its commission shall be determined by the Criminal Code only.

No one may be recognized guilty in commission of a crime other than by a sentence of the court and in accordance with the law. A person, who committed a crime, shall enjoy rights and bear responsibilities established by law.

Article 5. Principle of Equality before Law

Persons, who committed crimes, shall have equal rights and responsibilities without distinction of sex, race, ethnic origin, language, religion, social background, belief, personal and social position.

Article 6. Principle of Democratic Participation

In the instances envisaged by law, social association, self-governance institutions, or collectives may be engaged to correction of persons, who committed a crime.

Article 7. Principle of Humanity

Penalties and other measures of legal influence shall not be aimed to cause physical suffer or humiliation of human dignity.

A person, who committed a crime, shall be subject to sentence or application of another measure of legal influence, which are necessary and sufficient for his correction and prevention of new crimes.

Severe penalty measures may be applied only if a more lenient penalty envisaged by an appropriate article of the Special Part cannot make the penalty effectual.

Article 8. Principle of Justice

A penalty or another measure of legal influence applied to a person guilty of a crime shall be just, that is, correspond to the seriousness of the crime, degree of his guilt, and his dangerousness for the society.

No one shall be subjected to liability twice for the same crime.

Article 9. Principle of Liability for Commission of Crime

A person shall be subject to liability only for those socially dangerous acts, in commission of which his guilt has been proved in the procedure established by law.

Article 10. Principle of Inevitability of Penalty

Each person, in whose acts availability of corpus delicti has been proven, shall be subject to liability.

CHAPTER 2. LIMITS OF APPLICATION OF CRIMINAL CODE

Article 11. Application of Criminal Code to Persons Having Committed Crimes in Territory of Uzbekistan

A person, who committed a crime in the territory of Uzbekistan, shall be subject to liability under this Code.

A crime committed on the territory of Uzbekistan shall be an act:

- a. commenced, completed, or interrupted on the territory of Uzbekistan;
- b. committed outside Uzbekistan with the effect thereof being available on the territory of Uzbekistan;
- c. committed on the territory of Uzbekistan with the effect thereof being available outside the borders of Uzbekistan;
- d. belonging to a cumulative crime with a part thereof committed on the territory of Uzbekistan.

In the instance of commission of a crime on an aircraft, sea-craft or river-craft being outside the borders of Uzbekistan and outside the borders of a foreign State, the liability thereof shall be incurred by this Code, if the craft flies the flag of and committed to the port of Uzbekistan.

An issue of liability of foreign citizens, who, in accordance with the current laws, international treaties or agreements are out of the jurisdiction of courts of Uzbekistan, in the instance of commission of a crime on the territory of Republic of Uzbekistan, shall be resolved on the basis of international law.

Article 12. Application of Criminal Code in Respect of Persons Who Committed Crimes outside Uzbekistan

National of the Republic of Uzbekistan, as well as stateless persons permanently residing in Uzbekistan, shall be liable for crimes committed in the territory of another State, if they have not been sentenced by a court of the state, on whose territory the crime was committed.

An Uzbek national may not be extradited for a crime committed on the territory of a foreign State, unless otherwise is not envisaged by international treaties or agreements.

Foreign nationals, as well as stateless persons, not permanently residing in Uzbekistan, for crimes committed outside its territory, shall be liable under this code if otherwise is envisaged by international treaties or agreements.

Article 13. Application of Law in Time

Criminality and punishability of an act shall be established by a law being valid at the moment of commission of the act. As time of commission of a crime shall be recognized the time of commission of a socially dangerous act, if an Article of this Code determines a moment of completion of a crime as a moment of completion of action or inaction. As time of commission of a crime shall be recognized the time of emergence of criminal consequences of a crime, if an article of this Code determines a moment of completion of a crime as a moment of emergence thereof.

A law decriminalizing an act, mitigating a penalty or otherwise improving the position of a person, shall be retroactive, that is, shall be applied to persons, who had committed the appropriate act before this law came into effect, as well as to persons, who are serving their penalty or have served it with non-cancelled conviction.

A law criminalizing an act, severing a penalty or otherwise worsening position of a person, shall not be retroactive.

SECTION TWO. GROUNDS FOR LIABILITY

CHAPTER 3. CRIME

Article 14. Notion of Crime

A culpable socially dangerous act (action or inaction) prohibited by this Code on pain of imposing of a penalty shall be recognized as a crime.

An act causing or inviting a real danger to the objects protecting by this Code shall be recognized as a socially dangerous act.

Article 15. Crime Classification

Crimes, on the grounds of their character and degree of social danger, shall be divided into: with insignificant social danger; less serious; serious; especially serious.

Intentional crimes punishable under law by imprisonment up to three years, as well as crimes committed unintentionally and punishable under law by imprisonment up to five years shall be classified as crimes with insignificant social danger.

Intentional crimes punishable under law by imprisonment from three up to five years, as well as crimes committed unintentionally and punishable under law by imprisonment over five years shall be classified as less serious crimes.

(As amended by the Law of Uzbekistan of 29.08.01).

Intentional crimes punishable under law by imprisonment from five to ten years shall be classified as serious crimes.

Intentional crimes punishable under law by imprisonment over ten years or capital punishment shall be classified as especially serious crimes.

Article 16. Criminal Liability and Its Grounds

Criminal liability shall be a legal consequence of a committed socially dangerous act and shall be manifested in conviction of, imposing a sentence or other measures of legal influence on a person guilty in commission of an crime.

Grounds for liability shall be commission of an act containing all elements of corpus delicti of a crime envisaged by this Code.

CHAPTER 4. PERSONS SUBJECT TO LIABILITY

Article 17. Liability of Individuals

Sane individuals aged sixteen years or above at the moment of commission of a crime, shall be subject to liability.

Individuals aged thirteen years or above at the moment of commission of a crime, shall be subject to liability only for intentional aggravated killing (Paragraph 2 of Article 97).

Individuals aged fourteen years or above at the moment of commission of a crime, shall be subject to liability for the crimes envisaged by Paragraph 1 of Article 97, Articles 98, 104 – 106, 118, 119, 137, 164 – 166, and 169, Paragraphs 2 and 3 of Article 173, Articles 220, 222, 247, 252, 263, 267, and 271, Paragraphs 2 and 3 of Article 277 of this Code.

Individuals aged eighteen years or above at the moment of commission of a crime, may be subject to liability for the crimes envisaged by Articles 122, 123, 127, 144, 146, 193 – 195, 205 – 210, 225, 226, 230 – 232, 232, 234, 235, and 279 – 302 of this Code.

Individuals aged under eighteen years at the moment of commission of a crime, may be subject to liability in accordance with general provisions and with regard to the peculiarities envisaged by Section Six of General Part of this Code.

Article 18. Sanity

A person, who, at the moment of commission of a crime was aware of a socially dangerous character thereof and controlled it, shall be recognized as sane.

A person, who was insane at the moment of commission of a socially dangerous act, that is, could not be aware of character of his actions and to control them due to a chronic mental disease, temporary mental disorder, imbecility or another mental disease, shall not be subject to liability.

A court may apply compulsory medical measures to a person, who committed a socially dangerous act and was recognized as insane.

Article 19. Liability for Crime Committed while Intoxicated

A person, who committed a crime being under intoxication by alcohol, narcotic, or psychotropic or other substances affecting human intellect and will, shall not be discharged from criminal liability. Such a condition may not be taken as a ground for recognizing the person as insane.

CHAPTER 5. GUILT

Article 20. Types of Guilt

A person, who intentionally or unintentionally committed a socially dangerous act envisaged by this Code, may be recognized guilty.

Article 21. Intentional Crime

A crime, completion of which is determined by an Article of this Code as a moment of execution of a socially dangerous act, shall be recognized intentional, if a person, who committed it, was aware of its dangerous nature and desired its commission.

A crime, completion of which is determined by an Article of this Code as a moment of emergence of socially dangerous consequences, may be committed with a direct or indirect intent.

A crime shall be recognized as committed with a direct intent, if a person who committed it, was aware of its socially dangerous consequences and desired their emergence.

A crime shall be recognized as committed with an indirect intent, if a person who committed it, was aware of its dangerous nature and of its socially dangerous consequences and intentionally allowed their emergence.

Article 22. Reckless Crime

A socially dangerous act committed by presumption or carelessness shall be recognized as a reckless crime.

A crime shall be recognized as committed by presumption, if a person who committed it, foresaw a possibility of emergence of socially dangerous and legally punishable consequences of his behavior, and, consciously ignoring proper precaution, groundlessly presumed that such consequences would not emerge.

A crime shall be recognized as committed by carelessness, if a person who committed it, did not foresee a possibility of emergence of socially dangerous and legally punishable consequences of his behavior, though he should have to and could have foreseen them.

Article 23. Compound Guilt

In the instance if, in result of commission of an intentional crime, the person, who committed it detriments recklessly other socially dangerous consequences causing stricter liability under law, such a crime shall be recognized as committed intentionally.

Article 24. Innocent Harm

An act shall be recognized as committed by innocence, if a person, who committed it, was not aware of, should not have not to and could not have realized a socially dangerous nature of his act, or did not foresee socially dangerous consequences thereof, and, according to circumstances of the case, should not have to and could not have foreseen them.

CHAPTER 6. UNCOMPLETED CRIME

Article 25. Preparation for Crime and Criminal Attempt

The actions establishing conditions for commission or concealment of intentional crime interrupted before the commission thereof due to circumstances not depending of a committer shall be recognized as preparation for crime.

The beginning of commission of an intentional crime uncompleted due to circumstances not depending of a committer, shall be recognized as criminal attempt.

Liability for preparation for a crime and a criminal attempt shall be charged in accordance with the same Article of the Special Part of this Code, as for a completed crime.

Article 26. Voluntary Renunciation

Discontinuance of preparations for or commission of a crime, in the instance if a person preparing or committing thereof realized his ability to complete it, as well as prevention of criminal consequence, if the person realized the possibility of its emergence, shall be recognized as voluntary renunciation.

Voluntary renunciation shall be a valid defense.

A person, voluntarily renouncing from completion of the crime, shall be liable under this Code, in the instance if the actual act committed by him contains all elements of another corpus delicti.

CHAPTER 7. CRIMINAL COMPLICITY

Article 27. Notion of Criminal Complicity

Criminal complicity shall be intentional commission of a crime by at least two persons.

Article 28. Types of Accomplices

Accomplices shall be committers of the crime as well as heads for, and instigators and helpmates thereof.

Committer shall be a person who, in part or in full, committed a crime alone or using other persons, which are not liable under this Code, or by other means.

Head for crime shall be a person who directed preparation and commission of the crime.

Instigator shall be a person who tempted somebody to commission of a crime.

Helpmate shall be a person who assisted commission of a crime with advices, directions, providing with tools or removing obstacles, as well as who promised in advance to conceal a criminal or objects obtained illegally or promised to purchase or distribute them.

Article 29. Forms of Complicity

Forms of complicity shall be, as follows: simple complicity, compound complicity, an organized group, and a criminal community.

Simple complicity shall be participation of two or three persons in commission of a crime without a previous concert.

Compound complicity shall be participation of two or three persons in commission of a crime by previous concert.

Organized crime group shall be a previous association of at least two people into a group for a joint criminal activity.

Criminal community shall be a previous association of at least two groups for criminal activity.

Article 30. Limits of Liability for Complicity

Heads for crime, instigators and helpmates shall be subject to liability under the same Article of the Special Part of this Code, as committers.

Heads for crime, as well as members of a criminal group organized by previous concert, organized criminal group, or criminal community, shall be subject to liability for all crimes, of which preparation or commission they participated.

Persons who established an organized group or criminal community, or directed thereof, shall be subject to liability for all crimes, in preparation or commission of which they participated.

For commission of an act, which is out of intent of other accomplices, criminal liability shall be incurred only by a person committed thereof.

Voluntary renunciation of a head for crime, instigator, or helpmate shall discharge from liability for complicity, if he took all timely measures, which he was in position to take, for prevention of the commission of the crime.

Article 31. Criminal Affiliation

Misprision to authorities of preparation, commission, or completion of a crime, not promised in advance, shall be subject to liability only in the instances envisaged by Article 241 of this Code.

Concealment of a criminal, tools and instruments, or traces of crime, as well as illegally obtained objects shall be subject to liability only in the instances envisaged by Article 241 of this Code.

Close relatives shall not be subject to liability for misprision of a crime not promised in advance and concealment.

CHAPTER 8. MULTIPLE CRIME

Article 32. Repeated Crime

Repeated crime shall be non-simultaneous commission of at least two crimes envisaged by the same Paragraph, Article, or. in the instances specially envisaged by this Code, by different Articles of the Special Part, for commission of which a person has not been convicted. Completed crimes and

punishable preparations for and attempts on a crime, as well as crimes committed by accompliceship, shall be recognized as repeated crimes.

A crime shall not be recognized as repeated, if a person has previously been discharged from liability or penalty for the same act.

A series of the same criminal acts commonly intended and aimed at one result shall be recognized as one continuous crime and not as repeated one.

A continuous neglect of duties characterizing corpus delicti of one continuous crime shall not be recognized as repeated crime.

Article 33. Cumulative Crime

Cumulative crime shall be commission of at least two criminal acts envisaged by different articles of, or by different Paragraphs of the same Article of the Special Part of this Code, for commission of which the person, being subject to liability, has not been convicted.

If an act committed by a person contains elements of crimes envisaged by different Paragraphs of the same article of the Special Part of this Code, a person shall be subject to liability under the Article envisaging the most serious penalty.

Article 34. Recidivism

Recidivism shall be a commission of a new intentional crime by a person already convicted thereof.

Dangerous recidivism shall be commission of the same intentional crime, for which a person has been already convicted, and in cases specially mentioned in the Code –envisaged by other articles of the Special Part.

A special dangerous recidivism shall be commission of new intentional crime by a person already convicted thereof on imprisonment from five years:

- a) for a specially serious crime, if the person has been already convicted once for a specially serious or twice for serious crimes and has been sentenced to at least a five-year imprisonment;
- b) for serious crime, if the person has been already twice convicted for a serious and specially serious crime and for each of them has been sentenced to at least a five-year imprisonment.

A person may be recognized as a special dangerous recidivist by a court sentence.

When considering an issue of recognition of a person as a special dangerous recidivist, convictions by foreign courts may be taken into consideration as well.

When considering an issue of recognition of a person as a special dangerous recidivist, convictions by courts for crimes committed by the person under the age of eighteen, as well as withdrawn or cancelled convictions in the procedure established by law, shall not be taken into consideration.

Articles of the Special Part of this Code envisaging liability for crimes committed by special dangerous recidivists shall be applied in the instances when a person had been recognized in accordance with the procedure established by law as a special dangerous recidivist before the commission of the crime in question.

SECTION THREE. EXCULPATORY CIRCUMSTANCES

CHAPTER 9. NOTION AND TYPES OF EXCULPATORY CIRCUMSTANCES

Article 35. Notion of Exculpatory Circumstances

Circumstances, under which an act containing elements envisaged by this Code is not a crime due to lack of a social danger, illegality, and guilt, shall be exculpatory.

Exculpatory sentences shall be: minor nature of an act; necessary defense; extreme necessity; infliction of damage when apprehending a person having committed a socially dangerous act; execution of an order or another duty; justifiable professional or economic risk.

Article 36. Minor Nature of Act

An action or inaction not being socially dangerous due to minor nature thereof, though containing elements envisaged by this Code, shall not be a crime.

Article 37. Necessary Defense

An act committed in a state of necessary self-defense, that is, when protecting life or rights of a person defending oneself or another person, or interests of the State and society from an illegal attempt by causing harm to an attempter, shall not be a crime, if no excess of self-defense occurred.

Excess of self-defense shall be a clear inadequacy of a defense for a nature and danger of an attempt.

A right to necessary defense shall be enjoyed regardless of existing possibility to call in aid of other persons or authorities, or to prevent an attempt by other way.

Intentional provocation of an attempt with the purpose of causing harm shall not be a necessary defense.

Article 38. Extreme Necessity

An act that caused harm to rights and legitimate interests of a person shall not be a crime, if it was committed in a state of extreme necessity, that is, for preventing a danger to life or rights of the person or other individuals, interests of the State and society, and the danger could not have been prevented by other means, and if the harm caused is less serious than the prevented one.

An act committed in a state of extreme necessity shall be justified, if no excess of limits thereof occurred.

Excess of limits of extreme necessity shall be causing harm to legally protected interests, if danger could be prevented by other means or harm caused is more serious than the prevented one.

When assessing lawfulness of an act committed in the state of extreme necessity, one shall take into consideration nature and degree of the prevented danger, how actual it was and how soon was to emerge, physical abilities of a person to prevent thereof, his psychological state in the situation emerged and other circumstances of the case.

The issue of liability for damage caused to rights and legally protected interests, as a result of physical or psychological coercion, shall be resolved with due regard to the provisions of this Article.

Article 39. Causing Harm When Apprehending Person, Who Committed Socially Dangerous Act

Causing harm when apprehending a person, who committed a socially dangerous act with a purpose to give him in charge, if no excess of measures necessary for apprehension occurred thereat, shall not be a crime.

Excess of measures of apprehension shall be a clear inadequacy of means and ways of apprehension for danger of an act and a person who committed thereof, as well as circumstances of apprehension, when intentional harm, which is not grounded by the necessity of apprehension, is caused to the person.

When assessing the lawfulness of causing harm by apprehension of a person committed a socially dangerous act, one shall take into consideration his

attempt to avoid apprehension, physical abilities of the apprehender, his psychological state in the situation emerged and other circumstances related to apprehension.

Right to apprehend a person who committed a socially dangerous act shall be granted to duly authorized officers and victims, as well as other individuals.

Article 40. Execution of Order or Another Duty

Causing harm by execution of an order or instruction, as well as of one's duties, shall not be a crime.

A person, who committed a crime executing an intentionally criminal order or another instruction, shall be liable in accordance with the general procedure.

A person shall not be liable for non-execution or defiance of an order, instruction or functions, if he was given them unlawfully. He shall be liable only in the instance, if an act actually committed by him contains elements of another corpus delicti.

Article 41. Justifiable Professional or Economic Risk

Causing harm to the rights and legally protected interests under justifiable professional or economic risk for a public benefit shall not be a crime.

A risk shall be considered as justifiable, if a committed action meets up-to-date scientific and technological knowledge and experience, and a purpose could not have been achieved without actions attended by some risk, and a person who took a risk took every precaution to prevent harm to rights and legally protected interests.

Under justifiable professional or economic risk a liability for harm caused shall not be incurred in the instance when a desired public benefit has not been achieved and the harm was more significant than the pursued publicly beneficial purpose.

A risk shall not be considered as justifiable, if it was knowingly connected with threat to people's life, environmental disaster or other grave consequences.

SECTION FOUR. PENALTY AND ITS PURPOSE

CHAPTER 10. NOTION, PURPOSES AND TYPES OF PENALTY

Article 42. Notion, Purposes, and Types of Penalty

Penalty shall be a publicly imposed by a court sentence measure of compulsion on a person found guilty in commission of a crime, and shall consist in limitation of certain rights and freedoms of a convicted person.

Penalty shall be imposed for correction, suppression of further criminal activities, as well as prevention of commission of new crimes by a convicted person, and by other individuals.

Article 43. System of Penalties

The following primary penalties may be imposed on persons who is found guilty in commission of crimes:

- a. fine;
- b. deprivation of certain right;
- c. correctional labor;
- d. suspension from office
- e. arrest;
- f. committing to a disciplinary unit;
- g. imprisonment;
- h. capital punishment.

In addition to the primary penalties, a convicted person may be imposed on an additional penalty of deprivation of a military or special rank. (*As amended by the Law of 29.08.2001*).

Penalties of suspension from office or committing to a disciplinary unit shall be imposed only on the military servicemen.

Deprivation of certain right may be imposed both as a primary and an additional punishment.

Article 44. Fine

Fine shall be a pecuniary penalty imposed on a guilty person as *extendi facias* in amounts envisaged by this Code.

Fine shall be imposed in amount from five to six hundred minimal monthly wages. (*As amended by the Law of 29.08.2001*).

In the instance of evasion paying the fine imposed as a penalty, a court shall, within a three-month limit, substitute non-paid part of the fine with a correctional labor, suspension from office, or arrest. In such instance, imposed correctional labor and suspension from office shall be calculated by the ratio: one month for an amount of the fine equal to two minimal month salary, for the term not exceeding two years, and imprisonment – by the ratio: one month for an amount of the fine equal to ten minimal month salary, for the term not exceeding six years.

Article 45. Deprivation of Certain Right

Deprivation of certain right shall be restriction to a guilty person, in a time limit defined by a court, to hold office at enterprises, agencies or organizations, or undertake some specific activities. Types of such an office or activities shall be defined by a court by rendering of a sentence.

Deprivation of certain right shall be imposed for crimes directly related to an office held by a guilty person or his activities, from one to five years as a primary penalty, and from one to five years as an additional one.

If deprivation of certain right is not imposed on a guilty person as a primary penalty, it may be imposed by a court as an additional penalty to any type of penalty envisaged by an appropriate Article of the Special Part of this Code.

When imposing deprivation of certain right as an additional penalty to imprisonment, committing to a disciplinary unit, or imprisonment, it shall be applied to the whole term of serving a primary penalty and, moreover, to a term established by a sentence. When imposing of such a penalty as an additional to other primary penalties and in the instance of suspended sentence, a term thereof shall be calculated from the moment of entering into effect of a sentence.

Article 46. Correctional Labor

Correctional labor shall be compulsory engagement of a person in labor with deduction of ten to thirty per cent of his salary to the State, to be served in accordance with a court sentence, at the place of employment or other places determined by agencies in charge of execution of penalty.

Correctional labor shall be imposed for the term from six months to three years.

Correctional labor shall not be imposed on a person of pension age, disabled, pregnant, in maternity leave, or on military service.

In the instance of evasion of serving a total of one tenth of an imposed term of correctional labor, a court shall substitute a non-served term with imprisonment for the same term. A time of evasion shall not be credited for time of serving of a sentence.

Article 47. Suspension from Office

Suspension from office shall be a temporary deprivation, for a term defined by court, of a military officer, ensign, warrant officer, contract military serviceman, of certain rights and benefits with deduction of ten to thirty per cent of pay by the State.

Suspension from office shall be imposed for the term from two months to two years in the cases envisaged by an Article of the Special Part of this Code. For

commission of a crime of a minor social danger, or for a reckless crime with no grave consequences, a court may, taking into consideration circumstances of the case and the personality of the convicted, instead of imprisonment for less than three years, arrest, or correctional labor, impose suspension from office for the same term.

Serving a penalty of suspension from office, convicted may not be promoted in office and in military or special rank, and that time may not be credited for time promotion and long service pension.

Article 48. Arrest

Arrest shall be holding a person in a strict isolation from one to six months. *(As amended by Law of 27.12.1996).*

Article 49. Committing to Disciplinary Unit

Committing to a disciplinary unit shall be temporary deprivation of a military serviceman of enlisted status, for a term defined by court, of certain rights and benefits through committing him to a special military unit with a stricter regime.

Committing to a disciplinary unit shall be applied for a term from three months to one year, in the instances envisaged by an Article of the Special Part of this Code. A court may, taking into consideration circumstances of the case and the personality of the convicted, instead of imprisonment for less than three years, impose committing to a disciplinary unit the same term.

Article 50. Imprisonment

Imprisonment shall be isolation of convicted through committing him to a colony of execution of penalty or a prison.

Imprisonment shall be imposed for a term from six months to twenty years.

Imprisonment for up to twenty-five years may be imposed by joinder of penalties in the cases envisaged by Article 60 of this Code.

Imprisonment for men aged above sixty and women may not exceed three quarters of a maximum term of imprisonment envisaged by an appropriate Article of The Special Part of this Code. *(As amended by the Law of 29.08.2001).*

Penalty of imprisonment sentence for men shall be served:

- a. for convicted for imprisonment for not socially dangerous, or less serious, or reckless crimes – in settled colonies;

- b. for first-convicted for imprisonment for intentional less serious and serious crimes – in colonies of general security;
- c. for convicted for specially serious crimes or previously served penalty of imprisonment for intentional crime and reconvicted for commission of an intentional crime – in colonies of high security;
- d. for special dangerous recidivists – in colonies of high security. Persons, for whom capital punishment was commuted to imprisonment by an act of pardon, shall serve their sentence in colonies of high security as well.

Imprisonment sentence for women shall be served:

- a. for specially serious crimes and after being recognized as special dangerous recidivists – in colonies of high security;
- b. for not socially dangerous, or less serious, or reckless crimes – in settled colonies;
- c. for other types of crimes – in colonies of general security.

(Paragraphs 5 and 6 – as amended by the Laws of 27.12.1996 and 29.08.2001)

Imprisonment by confinement in prison may be imposed on a part of the term of penalty not exceeding five years:

- a. on special dangerous recidivists;
- b. persons committed serious or especially serious crimes and convicted thereof for imprisonment for more than five years.

Article 51. Capital Punishment

Capital punishment through firing shall be imposed exclusively for an intentional aggravated killing (Paragraph 2 of Article 97), aggression (Paragraph 2 of Article 151), genocide (Article 153), and terrorism (Paragraph three of Article 155).

Capital punishment may not be imposed on a man aged above sixty, a woman, and a person committed a crime in the age under eighteen years.

(Paragraphs 1 and 2 – as amended by the Law of 29.08.2001).

By an act of amnesty, capital punishment was commuted by imprisonment for twenty-five years.

Article 52. Deprivation of Military or Special Rank

When being convicted for serious or especially serious crime, a person having a military or special rank may be deprived thereof.

When being convicted for a serious or especially serious crime, a person having a high military or special rank, or state award of the Republic of Uzbekistan, may be deprived thereof by a recommendation of court rendered on the grounds of a sentence.

Article 53. *(Abolished by the Law of 29.08.2001).*

CHAPTER 11. INFLICTION OF PENALTY

Article 54. General Principles of Infliction of Penalty

A person shall be subjected to penalty, if he, according to the procedure established by law, is found guilty in commission of a crime. A court shall inflict a penalty within the limits established by an Article of the Special Part envisaging liability for a crime committed, in accordance with provisions of the General Part of this Code.

When inflicting a penalty, a court shall take into account nature and degree of social danger of a committed crime, motives thereof, nature and degree of a harm caused, personality of a guilty person, mitigating and aggravating circumstances.

Article 55. Mitigating Circumstances

Mitigating circumstances shall be:

- a. voluntary surrender, active repentance, or assistance in crime detection;
- b. voluntary expiation of a the harm;
- c. commission of a crime due to sever personal, family, or other conditions;
- d. compulsive crime or crime committed due to financial, seniority, or other dependence;
- e. commission of a crime in a heat of passion caused by violence, great insult, or other wrongful act of a victim;
- f. commission of a crime in excess of necessary self-defense, extreme necessity, infliction of injury when apprehending a person having committed a socially dangerous act, justifiable professional or economic risk;
- g. juvenile crime;
- h. commission of a crime by a pregnant woman;
- i. commission of a crime under influence of wrongful or amoral behavior of a victim;

When inflicting a penalty, a court may recognize a circumstance not envisaged by this Article as mitigating.

A mitigating circumstance envisaged by an Article of the Special Part of this Code as an element of corpus delicti shall not be taken into account when inflicting a penalty.

Article 56. Aggravating Circumstances

Aggravating circumstances shall be a crime committed:

- a. in respect of a women known to be pregnant;
- b. in respect of an infant, aged or helpless;
- c. in respect of a person or his close relatives in connection with his performing a professional or civil duty;
- d. in respect of a person being in material, service or other dependence on a guilty person;
- e. with abnormal cruelty;
- f. in a socially dangerous manner;
- g. with engagement of an infant or a person known to suffer a mental illness;
- h. resulting in grave consequences;
- i. taking an opportunity of situation of mass disaster or public emergency, or riots;
- j. from mercenary or other foul motives;
- k. by a group, organized crime group, or criminal community by previous concert;
- l. repeatedly or first time intentionally after conviction for a previous intentional crime;
- m. under intoxication by alcohol, narcotic, psychotropic or other substances affecting human intellect and will.

A court may, depending on a nature of a crime, not recognize any circumstance envisaged in Paragraph 1 of this Article as an aggravating. When inflicting a penalty, a court may recognize certain circumstances not envisaged in this Article as aggravating.

An aggravating circumstance envisaged by an Article of the Special Part of this Code as an element of corpus delicti shall not be taken into account when inflicting a penalty.

Article 57. Mitigation of Penalty

A court, taking into account circumstances considerably decreasing a degree of social danger of a committed crime, may, as an exception, inflict a penalty below the lower limit of severity envisaged by an Article of the Special Part of this Code for a crime in question, or another, more lenient penalty not envisaged by an appropriate Article.

On the same grounds, a court may abstain from imposing a mandatory additional penalty envisaged by an Article of the Special Part of this Code.

Circumstances characterizing in the aggregate an act, personality of a guilty person, degree and form of his guilt, his behavior before and after the crime, grounds for and contributing circumstances of the crime.

Article 58. Inflicting Penalty for Uncompleted or Joint Crime

When inflicting a penalty for an uncompleted crime, a court being guided by general grounds for inflicting a penalty, shall take into account a seriousness of a crime, degree of completion of a criminal intent, and reasons, due to which the crime was not completed.

When inflicting a penalty for a joint crime, a court shall take into account a nature and degree of participation therein of each of guilty persons. Mitigating and aggravating circumstances relating to personality of each accomplice, shall be taken into account by a court when inflicting a penalty on that accomplice.

Article 59. Inflicting Penalty in Instance of Multiple Crime

In the instance of commission of at least two crimes envisaged by different articles of the Special Part by a person who has not been convicted for any of them, a court shall inflict a penalty for each act in accordance with the rules envisaged by Article 54 of this Code, and then inflict a commutative penalty by the way of total or partial joinder of penalties within the limits established by the General Part for an appropriate type of penalty.

In the instance of joinder of penalties by a cumulative crime, a final conviction shall be of a severer type, as envisaged by Article 61 of this Code.

A court may inflict, together with a primary penalty inflicted for a cumulative crime, an additional penalty for each individual crime.

These rules shall be applied in the instance, if after rendering a sentence it is established that the convicted is guilty in other crime that has been committed by him before rendering the sentence on the case. In that instance, a term that has been already served under the former sentence shall be credited for the term of penalty imposed by a court for a cumulative crime.

Article 60. Inflicting Penalty in Instance of Multiple Sentence

If convicted, after rendering a sentence, but before completion of serving a penalty, commits a new crime, a court shall add, in full or in part, to a penalty inflicted by a new sentence, uncompleted part of a previous penalty.

In the instance of joinder of penalties of different types by a cumulative sentence, a final conviction shall be of a severer type, as envisaged by Article 61 of this Code.

In the instance of imposing, by a cumulative sentence, of correctional labor or suspension from office with different amount of deduction from salary or pay of convicted, only terms of penalty shall be subject to commutation.

Unserved additional penalties by a previous sentence shall be added to a primary penalty inflicted by a cumulative sentence.

Article 61. Rules of Credit in Case of Joinder of Penalties

In the instance of joinder of different penalties, one day of imprisonment shall be equalized to:

- a. one day of arrest or committing to a disciplinary unit;
- b. three days of correctional labor or suspension from office.

Penalties of fine or deprivation of certain right in joinder with imprisonment, committing to a disciplinary unit, arrest, suspension from office, and correctional labor shall be executed individually.

Article 62. Rules of Credit of Pretrial Detention

When inflicting a penalty, a court shall credit one day of pretrial detention for:

- a. one day of apprehension or committing to a disciplinary unit;
- b. three days of correctional labor or suspension from office.

Article 63. Calculation of Terms of Penalties

Terms of penalties of fine or deprivation of certain right, imprisonment, committing to a disciplinary unit, arrest, suspension from office, correctional labor shall be calculated in months and years. In the instance of substitution, credit, or joinder, the terms thereof may be calculated in days.

SECTION FIVE. DISCHARGE FROM LIABILITY AND PENALTY

CHAPTER 12. TYPES OF DISCHARGE FROM LIABILITY

Article 64. Discharge from Criminal Liability due to Expired Term of Liability

A person shall be discharged from criminal liability, if the following periods have been expired from the day of commission of a crime:

- a. three years – for commission of a crime of a minor social danger;
- b. five years – for commission of a less serious crime;
- c. ten years – for commission of a serious crime;
- d. fifteen years – for commission of a especially serious crime, except for the case envisaged by Paragraph 7 of this Article;

A term of conviction shall be calculated from a day of commission of a crime until a moment of coming into an effect of a sentence.

A term of conviction shall be saved, if a person, who committed a crime and charged with criminal liability, evades from investigation and trial. A term of conviction shall be resumed from a moment of apprehension of a person or surrender.

A term of conviction shall be saved, if before expiration of the terms established by this Article a person, who committed a serious or especially serious crime, commits a new intentional crime. In such instances, calculation of term of conviction shall start de novo from commission of a new crime. In other instances, if before expiration of a term of conviction a person commits a new crime, this term for each individual crime shall be calculated individually.

A person may not be subject to liability, if twenty-five years have elapsed since a moment of commission of a crime.

An issue of application of term of conviction to a person, who committed a capital punishment under an Article of the Special Part of this Code, shall be decided by a court. If a court abstains from imposing a capital punishment, it shall be commutated to imprisonment.

Terms of conviction envisaged by this Article shall not be applied to persons, who committed crimes against peace and humanity.

Article 65. Discharge from Criminal Liability due to Loss of Socially Dangerous Nature by Act or by Person Who Committed Thereof

A person, who committed a crime, may be discharged from criminal liability, in the instance if it is recognized that by the time of investigation or trial, due to certain changes, the action committed has lost its socially dangerous nature.

A person, who committed a crime, may be discharged from criminal liability, in the instance if it is recognized that by the time of investigation or trial, due to certain changes, he has lost his socially dangerous nature.

Article 66. Discharge from Criminal Liability due to Active Repentance

A person, who committed a first crime of a minor social danger or less serious crime, may be discharged from criminal liability, if he, after completion of the crime, has undone the damage caused, surrender, actively repented and assisted to detection of the crime.

Article 66¹. Discharge from Criminal Liability due to Conciliation

A person, who committed a first crime envisaged by the following Articles of this Code, may be discharged from criminal liability, if he has admitted his guilt, reconciled with a victim and undone the damage: Paragraph 1 of Article 105 (intentional infliction of medium bodily injury), Article 106 (infliction of intentional serious or medium bodily injury in the heat of passion), Article 107 (infliction of intentional serious bodily injury by exceeding of limits of necessary defense), Article 108 (infliction of serious or medium bodily injury by abuse when apprehending person committed socially dangerous act), Article 109 (intentional infliction of trivial bodily injury), Paragraph 1 of Article 110 (tormenting), Article 111 (infliction of unintentional serious or medium bodily injury), Paragraphs 1 and 2 of Article 116 (professional negligence), Paragraph 1 of Article 117 (neglect of helpless), Article 122 (failure to take care of persons aged under eighteen or disabled), Article 123 (failure to take care of parents); Article 136 (coercing or impeding woman to get married), Paragraphs 1 and 2 of Article 139 (denigration), Paragraphs 1 and 2 of Article 140 (insult), Article 149 (infringement of copyright or inventorship rights), Paragraph 1 of Article 167 (Larceny by Embezzlement), Paragraph 1 of Article 168 (fraud), Paragraph 1 of Article 169 (theft), Paragraph 1 of Article 170 (causing pecuniary damage by deception or abuse of confidence), Article 172 (malpractice of property protection), Paragraph 1 of Article 173 (intentional destruction or damage of property), Article 192 (disparagement of competitor), Paragraph 1 of Article 260 (violation of regulations on safety of movement or operation of railway, sea, river, or air transport), Paragraph 1 of Article 266 (violation of safety regulations on movement or operation of means of transportation), Paragraph 1 of Article 268 (violation of regulations on ensuring safe operation of transport), Paragraph 1 of Article 298 (violation of rules of driving or operation of vehicles).

(As amended by the Law of 29.08.2001).

Article 67. Discharge from Criminal Liability due to Illness

A person, who committed a crime, shall be discharged from criminal liability, if before pronouncement of a sentence he has acquired a mental disorder impeding him to be aware of character of his actions and to control them.

Such a person may be subject to compulsory medical measures applied by a court.

In the instance of recovery, the person shall be subject to liability, if it occurs before an expiration of a term of liability envisaged by Article 64 of this Code calculated from a date of imposing by a court of a compulsory medical measure.

Article 68. Discharge from Criminal Liability due to Act of Amnesty

A person, who committed a crime, may be discharged from criminal liability due to an act of amnesty.

CHAPTER 13. TYPES OF DISCHARGE FROM PENALTY

Article 69. Discharge due to Expired of Term of Execution

Convicted shall be discharged from both primary and additional penalty, if a sentence has not been executed during the following terms from a date of its coming into effect:

- a. three years – in the instance of sentencing to imprisonment up to three years or other non-custodial penalty;
- b. five years – in the instance of sentencing to up to five-year imprisonment;
- c. ten years – in the instance of sentencing to up to ten-year imprisonment;
- d. fifteen years – in the instance of sentencing to at least ten-year imprisonment.

If convicted evade from serving a sentence, the terms of execution envisaged in this Article may be subject to duplication and calculation from a date of evasion, but may not exceed twenty-five years.

A term of execution shall be saved, if before expiration of the terms established by this Article a person commits a new intentional crime. In such instances, calculation of term of execution shall start de novo from a moment of commission of a new crime.

A penalty may not be executed, if twenty-five years have elapsed since infliction thereof.

An issue of application of term of execution to a person sentenced to a capital punishment shall be resolved by a court. If a court abstains from application of a term of execution, a capital punishment may be commuted to imprisonment.

Terms of execution envisaged by this Article shall not be applied to persons, who committed crimes against peace and humanity.

Article 70. Discharge from Penalty due to Loss of Socially Dangerous Nature by Person

A person, who committed a crime, may be discharged from penalty, in the instance if it is recognized that by the time of investigation or trial, due to changes of situation, or the person's irreproachable conduct, bona fide labor or study, has lost his socially dangerous nature.

Article 71. Discharge from Penalty due to Active Repentance

A person, who committed a first crime of a minor social danger or less serious crime, may be discharged by a court from penalty, if he, after completion of the crime, has undone the damage caused, and appeared for surrender.

A person who participated with other persons in commission of a crime or is a member of an organized criminal group or criminal community, may be discharged by a court from penalty, if he, in person or through his representative has surrendered, actively repented and assisted in prevention or/and detection of the crime or in detection of heads and other participants thereof, if he did not participate directly in commission of serious and especially serious crimes.

Article 72. Conditional Conviction

If, when imposing a penalty of imprisonment, committing to a disciplinary unit, suspension from office, or correctional labor, a court, taking into account a nature and degree of a crime committed, a personality of a guilty person, and other circumstances of a case, come to a conclusion that convicted may be corrected without serving the sentence, but under supervision, may recognize the conviction as conditional. In that instance, a court orders not to execute a penalty imposed, if during a period of probation no grounds emerge for revocation of the conditional conviction.

A period of probation shall be established from one to three years and calculated from a date of rendering the conviction. If a conditional conviction is rendered by a higher court, a period of probation shall be calculated since that date as well.

In the instance of conditional conviction, a court, by availability of appropriate grounds, may oblige convicted to compensate the damage, get employed or enrolled at a school, and appear in a due time to those agencies for registration, not to attend certain places, to be present at certain time at a place of residence, undergo a cure of alcoholism, drug and toxic substances addiction, or venereal disease.

Control over behavior of conditionally convicted shall be exercised by the agencies of Internal Affairs, and in respect of military servicemen – by higher-ranked officer of military units and agencies.

During a period of probation, a court, by representation of an agency exercising control over behavior of convicted, may revoke, in full or in part, or amend some previously imposed duties.

If a conditionally convicted, during a period of probation neglect responsibilities imposed on him by a court, or violates a public order or labor discipline causing imposition of an administrative sanction or chastisement, a court, by representation of an agency executing control over behavior of

convicted, may render a definition on revocation of the conditional conviction and execution of penalty inflicted by the sentence.

Conditional conviction shall not be applied to persons sentences for especially serious crimes, as well as to previously convicted for intentional crimes to imprisonment, except for persons aged under eighteen, disabled persons of the first and second category, women, and persons aged above sixty. *(As amended by the Law of 27.12.1996).*

In the instance of commission of a new crime by convicted during a period of probation, a court shall inflict a penalty in accordance with the rules envisaged by Article 60 of this Code.

Article 73. Conditional Early Release from Serving Penalty

Conditional early release may be applied to persons convicted to imprisonment, committing to a disciplinary unit, suspension from office, or correctional labor. A person may be released from unserved additional penalty as well.

Conditional early release may be applied to convicted in the instance if he meets requirements of established order of penalties referred to in Paragraph 1 of this Article and bona fide labor.

Conditional early release may be applied after actual completion by convicted of:

- a. at least a third of a term of penalty inflicted by a court for a crime of a minor social danger of a less serious crime;
- b. at least a half of a term of penalty inflicted by a court for a serious crime as well as for an intentional crime, if a person was previously convicted to imprisonment for an intentional crime;
- c. at least two-thirds of a term of penalty inflicted by a court for a especially serious crime as well as for a person conditionally early released previously from serving a penalty, or a person, to whom a penalty was mitigated, and who committed a new intentional crime during unserved term of penalty.

(As amended by the Law of 29.08.2001).

Conditional early release shall not be applied to:

- a. a person, to whom capital punishment was commutated to imprisonment as a pardon;
- b. a special dangerous recidivist;
- c. a head for or/and participants of an organized criminal group or community;

to a person convicted for an aggravated intentional killing, rape, or forced sexual intercourse in unnatural form in respect of a victim known to be under fourteen of age, crimes against the Republic of Uzbekistan, peace and humanity, setting-up of a criminal community, for smuggling of nuclear, chemical, biological, and other weapons of mass destruction, materials and equipment known to be used for production thereof, as well as smuggling of drugs and psychotropic substances, illegal trafficking of drugs and psychotropic substances in large amount. *(As amended by the Law of 20.08.1999).*

If a person, to whom a conditional early release was applied, during unserved term of a penalty, commits a new intentional crime, a court shall inflict a penalty as envisaged by Article 60 of this Code.

Article 74. Mitigation of Penalty

Persons convicted to imprisonment or correctional labor, an unserved term of a penalty may be substituted with a more lenient one.

Mitigation of penalty may be applied to convicted in the instance if he meets requirements of established order of penalties envisaged by Paragraph 1 of this Article and bona fide labor.

Mitigation of penalty may be applied after actual completion by convicted of:

- a. at least a quarter of a penalty inflicted by a court for a crime of a minor social danger or less serious;
- b. at least a third of a penalty inflicted by a court for a serious crime as well as an intentional crime, if a person has been previously convicted to imprisonment for an intentional crime;
- c. at least a half of a penalty inflicted by a court for a especially serious crime as well as on a person conditionally early released previously or to whom a penalty was mitigated and who committed a new intentional crime during unserved term of penalty.

(As amended by the Law of 29.08.2001).

When substituting an unserved term of imprisonment with correctional labor, the latter shall be imposed within time limits established for that type of penalty, and shall not exceed unserved term of imprisonment.

Substitution of an unserved term of imprisonment with a lenient one shall not be applied to persons listed in Paragraph 4 of Article 73 of this Code.

A conditional early release as envisaged by Article 73 of this Code may be applied to persons, in respect of whom a penalty was mitigated, after completion of a more lenient term of a penalty.

If a person, to whom a mitigation of penalty was applied, during unserved term of a penalty, commits a new intentional crime, a court shall inflict a penalty as envisaged by Article 60 of this Code.

Article 75. Discharge from Penalty due to Illness or Disablement

A person, who after rendering of a sentence, acquired a mental disease and therefore cannot be aware of character of his actions and to direct them, as well as a person acquired other serious illness impeding serving a penalty, shall be released therefrom.

A court may apply compulsory medical measures to the persons listed in Paragraph 1 of this Article. If the diseases have been cured, a penalty may be executed, if it occurs before expiration of term of execution envisaged by Article 69 of this Code, calculated since a date of application by a court of compulsory medical measures.

Military servicemen convicted to committing to a disciplinary unit or suspension from an office, if they are recognized unable to perform military service due to health conditions, shall be discharged from penalty. Military servicewomen shall be discharged from penalty of suspension from office and in connection with a maternity leave.

Disabled persons or acquired retiring age during serving correctional labor, or women provided with a maternity leave while serving thereof shall be discharged from the penalty.

Article 76. Discharge from Penalty due to Act of Amnesty or Pardon

A convicted person may, in full or in part, be discharged from a primary and unserved penalty, or subject to early conditionally release, or substitution of unserved term of penalty with a lenient one due to an act of amnesty or pardon.

If a person, to whom a early conditionally release, or substitution of unserved term of penalty with a lenient one due to an act of amnesty or pardon were applied, during unserved term of a penalty commits a new intentional crime, a court shall inflict a penalty as envisaged by Article 60 of this Code.

CHAPTER 14. CONVICTION

Article 77. Legal Significance of Conviction

Conviction is a legal status of a person caused by his sentencing for a committed crime.

A person shall be recognized as convicted since a date of coming a sentence imposing a penalty into a legal effect. A person released from penalty by a court shall not be recognized convicted.

Conviction shall have legal significance in the instances envisaged by this Code, and only in case of commission by convicted of a new crime.

Cancelled or reversed conviction shall discontinue all legal consequences connected thereto.

A person, who completed a sentence for an act, which due to subsequent amendment of law is not recognized as a crime, or for which a conviction is cancelled upon completing of a sentence therefore, shall not be recognized as convicted.

Article 78. Cancellation of Conviction

Conviction shall be canceled upon:

- a. expiration of a period of probation in respect of a conditionally convicted;
- b. completion of a penalty of suspension from office or committing to a disciplinary unit;
- c. expiration of a year since payment of a fine, as well as after completion of penalty of deprivation of certain right and imposing correctional labor;
- d. expiration of two years after completion of penalty of arrest;
- e. expiration of four years after completion of penalty of imprisonment not exceeding five years;
- f. expiration of seven years after completion of penalty of imprisonment not exceeding ten years;
- g. expiration of ten years after completion of penalty of imprisonment for exceeding ten years, but not exceeding fifteen years.

Article 79. Reversal of Conviction

If a person, after completion a penalty of imprisonment has not been imposed on with administrative or disciplinary penalties, then, by motion of a public organization, local self-government body, collective or the person himself, a court may reverse his conviction after expiration of at least a half of terms established by Article 78 of this Code.

Conviction of persons, who completed at least fifteen years of penalty of imprisonment, as well as of special dangerous recidivists, may be reversed, if during fifteen years after completion of the penalty they have not committed a new crime.

Conviction may be reversed on the grounds envisaged by Paragraph 2 of Article 13 of this Code.

Conviction may be reversed due to an act of amnesty or pardon.

Article 80. Calculation of Terms of Cancellation or Reversal of Conviction

Terms of cancellation or reversal of conviction shall be calculated since a date of completion or execution of both primary and additional penalty.

In the instance, if, in an order established by law, a person is granted an early conditional release or a penalty is mitigated, a term of cancellation shall be calculated on the grounds of actually completed penalty.

If a penalty inflicted by a sentence on the grounds envisaged by Articles 44 and 46 of this Code, is substituted by a court with another penalty, a term of cancellation shall be calculated on the grounds of actually completed penalty.

If a person, who completed a penalty, commits a new crime before cancellation of conviction, a term of cancellation of conviction shall be saved. A term of cancellation of conviction of a first crime shall be re-calculated after actual completion of a penalty (primary and additional) for the previous crime. *(As amended by the Law of 27.12.1996).*

SECTION SIX. CRIMINAL LIABILITY OF JUVENILES

CHAPTER 15. PENALTY AND ITS PURPOSE

Article 81. Correctional System

The following primary penalties may be imposed on persons who committed crimes under eighteen years of age:

- a. fine;
- b. correctional labor;
- c. arrest;
- d. imprisonment.

Persons who committed crimes under eighteen years of age may not be imposed with an additional punishment.

Article 82. Fine

Fine shall be imposed in amount from two to twenty minimal monthly wages. *(As amended by the Law of 27.12.1996).*

In the instance of evasion of fine imposed as a penalty, a court shall, within a three-month limit, to substitute an evaded fine with a correctional labor by the ratio: one month for an amount of the fine equal to two minimal month salary.

Article 83. Correctional Labor

Correctional labor shall be imposed only on employable juveniles at the place of employment, and, in the instance if a guilty person is not employed – at other for places determined by agencies in charge with in the place of residence, from one month to one year. *(As amended by the Law of 27.12.1996).*

In the instance of evasion of serving altogether a tenth of an imposed term of correctional labor, a court shall substitute an unserved term with arrest crediting one day of the arrest for three days of correctional labor, but not above three months of arrest.

Article 84. Arrest

Arrest shall be imposed for the period from one to three months. *(As amended by Law of 27.12.1996).*

Article 85. Imprisonment

Imprisonment for juveniles shall be imposed for a term from six months to ten years, except for the cases envisaged by Paragraphs 2, 3, and 4 Article 86 of this Code.

Imprisonment sentence for persons who committed crimes between thirteen and eighteen of age shall be served:

- a. for a less serious crime – up to three years;
- b. for a serious crime – up to six years;
- c. for a especially serious crimes – up to ten years.

Imprisonment sentence for persons who committed crimes between sixteen and eighteen of age shall be served:

- d. for a less serious crime – up to four years;
- e. for a serious crime – up to seven years;
- f. for a especially serious crimes – up to ten years.

Juvenile crime of a minor social danger shall not be punished with imprisonment. *(Paragraphs 5 and 6 – as amended by the Laws of 27.12.1996 and 29.08.2001).*

Persons being under eighteen of age at the moment of rendering a sentence, a penalty of imprisonment shall be served at correctional colonies of a general or high security.

Imprisonment for male juveniles shall be served:

- a. to first convicted to imprisonment – in colonies of general security;
- b. to previously convicted to imprisonment – in colonies of high security.

Imprisonment for female juveniles shall be served in colonies of general security.

Article 86. Inflicting of Penalty

When inflicting a penalty to a juvenile, a court being guided by general principles of inflicting penalty, shall take into account a level of a juvenile's development, conditions of his life and fostering, a reasons of commission of a crime, as well as other circumstances influencing on his personality.

On persons who committed crimes between thirteen and sixteen of age, a imprisonment shall be imposed, by joinder of crimes, for up to ten years, and, in the instance if one of them is a especially serious – up to twelve years.

On persons who committed crimes between sixteen and eighteen of age, an imprisonment shall be imposed, by joinder of crimes, for up to twelve years, and, in the instance if one of them is a especially serious – up to fifteen years.

On persons who committed crimes between thirteen and eighteen of age, an imprisonment imposed by joinder of crimes may not exceed fifteen years.

When inflicting on a juvenile a penalty of imprisonment or correctional labor, a court, if there exist appropriate grounds and reasons envisaged by Article 72 of this Code, may impose a conditional conviction.

CHAPTER 16. DISCHARGE FROM CRIMINAL LIABILITY OR PENALTY

Article 87. Discharge from Liability or Penalty with Imposing Compulsory Measures

A first-criminal juvenile, who committed a crime of a minor social danger, may be discharged from liability, and the case file materials shall be transferred to a commission on juveniles' affairs, if, with taking into account of a nature of an act committed, a personality of a guilty person, and other circumstances of the case, his correction is possible without imposing of penalty.

In respect of a first-criminal juvenile, who committed a less serious crime, for which a penalty of imprisonment up to three year is envisaged, or a repeated crime of a minor social danger, if there exist no grounds established in

Paragraph 1 of this Article, a court shall be obliged to consider an issue of discharging him from penalty and of imposing of a compulsory measures.

If a juvenile is underdeveloped, and therefore is not able to be properly aware of a meaning of an act committed, a court shall be obliged to consider advisability of substituting of penalty with a compulsory measures.

Article 88. Compulsory Measures

Compulsory measures imposed on juveniles shall be:

- a. offering an apology in the form determined by a court;
- b. compensation or reparation of a damage by payment or by labor. This measure may be imposed, if damage does not exceed ten minimal monthly wages. In other instances, a damage shall be compensated by way of civil procedure;
- c. committing to an educational colony.

Terms and conditions of a juvenile's committing to an educational colony shall be envisaged by an appropriate law of the Republic of Uzbekistan.

Article 89. Conditional Early Release from Serving Penalty

Conditional early release may be applied to a person convicted for imprisonment or correctional labor for a crime committed under eighteen of age.

Conditional early release from serving penalty may be applied to convicted in the instance if he meets requirements of established order of penalties envisaged by Paragraph 1 of this Article and bona fide labor and study.

Conditional early release may be applied after actual completion of:

- a. at least a quarter of a term of penalty inflicted by a court for a crime of a minor social danger of a less serious crime;
- b. at least a third of a term of penalty inflicted by a court for a serious crime;
- c. at least a half of a term of penalty inflicted by a court for a especially serious crime, if a person was previously convicted for an intentional crime. *(As amended by the Law of 29.08.2001).*

If a person, to whom a conditional early release was applied, during unserved term of a penalty, commits a new intentional crime, a court shall inflict a penalty as envisaged by Article 60 and 86 of this Code.

Article 90. Mitigation of Penalty

Person convicted to imprisonment or correctional labor for a crime committed before eighteen of age, an unserved term of a penalty may be substituted with a more lenient one.

Mitigation of penalty may be applied to convicted in the instance if he meets requirements of established order of penalties envisaged by Paragraph 1 of this Article and bona fide labor or study,

Mitigation of penalty may be applied after actual completion by convicted of:

- a. at least a fifth of a penalty inflicted by a court for a crime of a minor social danger or less serious;
- b. at least a quarter of a penalty inflicted by a court for a serious crime as well as an intentional crime, if a person has been previously convicted to imprisonment for an intentional crime;
- c. at least a third of a penalty inflicted by a court for a especially serious crime as well as for an intentional crime, if a person was previously convicted to imprisonment for an intentional crime. *(As amended by the Law of 29.08.2001).*

When substituting an unserved term of imprisonment with correctional labor, the latter shall be imposed within time limits established for that type of penalty, and shall not exceed unserved term of imprisonment.

A conditional early release may be applied to persons, in respect of whom a penalty was mitigated as envisaged by Article 89 of this Code, after completion of an appropriate more lenient term of a penalty.

If a person, whose penalty was mitigated, during unserved term of a penalty, commits a new intentional crime, a court shall inflict a penalty as envisaged by Article 60 and 89 of this Code.

SECTION SEVEN. COMPULSORY MEDICAL MEASURES

CHAPTER 17. GROUNDS FOR AND APPLICATION OF COMPULSORY MEDICAL MEASURES

Article 91. Purposes of Compulsory Measures

Compulsory medical measures may be applied to mentally diseased persons, who committed socially dangerous acts, with a purpose of medical treatment and prevention of committing of new socially dangerous acts by those persons.

Compulsory medical measures may be applied by a court to persons suffering from alcohol, drugs, and toxic substances addiction, for treatment thereof and achieving the goals of penalty.

Article 92. General Grounds for Application of Compulsory Medical Measures

In the instance, if a person who committed a socially dangerous act in condition of insanity or has acquired a mental disease before rendering a sentence or during serving thereof, and therefor is unable to recognize a significance of his actions and direct them, and, by his mental state and nature of the act committed is dangerous for a society, a court may apply compulsory medical measures.

Article 93. Types of Compulsory Medical Measures

Compulsory medical measures shall be:

- a. compulsory out-patient supervision and psychiatric treatment;
- b. compulsory in-patient treatment in a psychiatric institution of a general type;
- c. compulsory in-patient treatment in a psychiatric institution of a general type with placing to an after-care ward;
- d. compulsory treatment in a psychiatric institution with intensive supervision.

Article 94. Application of Compulsory Medical Measures

Compulsory out-patient supervision and psychiatric treatment may be applied to mentally diseased persons not manifesting exasperation of the disease, as well as to persons, who suffered from a temporary mental disorder, for prevention of recidivism and commission of new socially dangerous acts.

Compulsory in-patient treatment in a psychiatric institution of a general type may be applied to mentally diseased persons, whose social danger is connected with a state requiring treatment that may be applied on general procedure.

Compulsory in-patient treatment in a psychiatric institution of a general type with placing to an after-care ward may be applied to mentally diseased persons, whose social danger is connected with a state requiring predominantly after-care measures that may not be applied voluntarily.

Compulsory treatment in a psychiatric institution with an intensive supervision may be applied to mentally diseased persons of a particular social danger, whose behavior impedes application of necessary medical and after-care measures in a psychiatric institution of a general type. In psychiatric institution or ward with an intensive supervision, a mentally diseased persons shall be strictly isolated and guarded.

Article 95. Extension, Altering, and Discontinuation of Application of Compulsory Medical Measure

Extension, altering, and discontinuation of application of compulsory medical measure shall be decided by a court on the grounds of an opinion of a commission of forensic psychiatrists.

In the instances, when a mentally diseased person does not need application of compulsory medical measures, or discontinuation thereof, the court may commit a person to health care agencies for consideration of a matter of treatment on general grounds or commit him to social welfare agencies.

Article 96. Application of Compulsory Medical Measures to Persons Suffering Alcohol, Drugs, and Toxic Substances Addiction

In the instance, if a crime was committed by persons suffering alcohol, drugs, and toxic substances addiction, a court, on the grounds of a medical opinion, may apply compulsory medical measures, in addition to a penalty.

The persons listed in Paragraph 1 of this Article, convicted to a non-custodial penalty, shall be subject to compulsory medical treatment in medical institutions.

The persons listed in Paragraph 1 of this Article, convicted to imprisonment or arrest, shall be subject to medical treatment at the places of serving sentences, and after release, if required, in medical institutions on general grounds.

SPECIAL PART

SECTION ONE. PERSONAL CRIME

CHAPTER 1. CRIMES AGAINST LIFE

Article 97. Intentional Killing

Intentional killing shall be punished by imprisonment from ten and fifteen years.

Aggravated intentional killing, that is:

- a. of at least two persons;
- b. of a woman known to be pregnant;
- c. of a person known to be helpless;
- d. of a person or his close relatives in connection with his performing a professional or civil duty;
- e. by a way endangering other people's lives;
- f. during a riot;
- g. with abnormal brutality;
- h. with rape or forced sexual intercourse in an unnatural form;
- i. from mercenary motives;

- j. due to ethnic or religious hatred;
- k. due to hooliganism;
- l. due to religious prejudices;
- m. with a purpose of obtaining a transplant or using parts of a corpse;
- n. with a purpose to conceal a crime or to facilitate commission thereof;
- o. committed by a group of individuals, or by a member of an organized criminal group in its interests;
- p. committed repeatedly or by a dangerous recidivist;
- q. committed by a special dangerous recidivist

shall be punished with imprisonment from fifteen up to twenty years or by capital penalty.

Article 98. Intentional Killing in Heat of Passion

Intentional killing in a heat of passion caused by lawless violence or great insult by a victim, as well as by a lawless action by a victim –

shall be punished with imprisonment up to five years.

Article 99. Intentional Killing of Newly-Born Child Committed by Mother

Intentional killing of newly-born child committed by mother during childbirth or immediately thereafter –

shall be punished with imprisonment up to three years.

Article 100. Intentional Killing in Excess of Self-Defense

Intentional killing in excess of self-defense –

shall be punished with correctional labor up to three years or imprisonment up to three years.

Article 101. Intentional Killing by Abuse When Apprehending Person Committed Socially Dangerous Act

Intentional killing by abuse when apprehending a person committed a socially dangerous act –

shall be punished with correctional labor up to three years or imprisonment up to three years.

Article 102. Reckless Killing

Reckless killing –

shall be punished with correctional labor up to two years or imprisonment up to three years.

Reckless killing of at least two persons –

shall be punished with correctional labor from two to three years or imprisonment from three to five years.

Article 103. Bringing to Suicide

Bringing to suicide or attempt thereof by cruel treatment or persistent degrading of honor and dignity of a person, who was not in financial or other dependence on a guilty person–

shall be punished with correctional labor up to three years or imprisonment up to five years.

The same acts committed in respect of a person, who was in financial or other dependence on a guilty person –

shall be punished with correctional labor up to three years or imprisonment up to five years.

CHAPTER 2. CRIMES AGAINST HEALTH

Article 104. Intentional Infliction of Serious Bodily Injury

Infliction of intentional serious bodily injury endangering life at the moment of inflicting thereof or causing a loss of eyesight, of hearing, aphasia, or a member of a body, or disability of a member of a body, mental or any other illness, aggravated by stable disability over thirty three per cent, or interruption of pregnancy, or disfigurement of a body –

shall be punished with imprisonment from three to five years.

Intentional serious bodily injury inflicted:

- a. to a woman known to be pregnant;
- b. to a person or his close relatives in connection with his performing a professional or civil duty;
- c. with abnormal brutality;
- d. during a riot;
- e. from mercenary motives;
- f. due to hooliganism;
- g. due to ethnic or religious hatred;
- h. due to religious prejudices;
- i. with a purpose of obtaining a transplant
- j. by a group of individuals –

shall be punished with imprisonment from five to eight years.

Intentional serious bodily injury:

- a. inflicted to at least two persons;
- b. inflicted repeatedly, by a dangerous recidivist, or by a person who previously committed a intentional killing envisaged by Article 97;
- c. inflicted by a special dangerous recidivist;
- d. inflicted by a member of an organized criminal group in its interests;
- e. resulting in a death of a victim –

shall be punished with imprisonment from eight to ten years.

(As amended by the Law of 29.08.2001).

Article 105. Intentional Infliction of Medium Bodily Injury

Intentional infliction of medium bodily injury not endangering life at the moment of inflicting thereof and not resulting in consequences envisaged by Article 104 of this Code, but resulting in a durable illness from twenty-one day to four months, or significantly stable disability from ten to thirty three per cent –

shall be punished with correctional labor up to three years or by imprisonment up to three years.

Intentional serious medium bodily injury inflicted:

- a. to at least two persons;
- b. to a woman known to be pregnant;
- c. to a person or his close relatives in connection with his performing a professional or civil duty;
- d. with abnormal brutality;
- e. during a riot;
- f. from mercenary motives;
- g. due to hooliganism;
- h. due to ethnic or religious hatred;
- i. due to religious prejudices;
- j. committed by a member of an organized criminal group in its interests;
- k. inflicted repeatedly, by a dangerous recidivist, or by a person previously inflicted an intentional serious bodily injury envisaged by Article 104, or committed a intentional killing envisaged by Article 97;
- l. inflicted by a special dangerous recidivist –

shall be punished with imprisonment from eight to ten years.

Article 106. Infliction of Serious or Medium Bodily Injury in Heat of Passion

Inflicting serious or medium bodily injury in heat of passion caused by lawless violence or great insult by a victim, as well as by a lawless action by a victim that resulted in or could have resulted in a death or danger to health of a guilty person or a person close to him –

shall be punished with correctional labor up to two years or arrest up to six months, or imprisonment up to three years.

Article 107. Infliction of Serious or Medium Bodily Injury in Excess of Self-Defense

Inflicting serious or medium bodily injury in excess of self-defense –

shall be punished with correctional labor up to two years or arrest up to six months.

Article 108. Intentional Infliction of Serious or Medium Bodily Injury by Abuse When Apprehending Person Committed Socially Dangerous Act

Intentional inflicting serious or medium bodily injury by abuse when apprehending a person committed a socially dangerous act –

shall be punished with correctional labor up to two years or arrest up to six months.

Article 109. Infliction of Trivial Bodily Injury

Infliction of trivial bodily injury that have not caused temporary illness or minor stable disability inflicted after imposing administrative penalty for the same action –

shall be punished with fine up to twenty five minimal monthly wages or correctional labor up to one years or arrest up to three months.

Infliction of trivial bodily injury that have resulted in temporary illness from six to twenty-one day or minor stable disability –

shall be punished with fine from twenty-five to fifty minimal monthly wages or correctional labor to two years or arrest to four months.

Article 110. Tormenting

Systematic battery or other actions of tormenting, if they have not caused the consequences envisaged in Articles 104, 105 of this Code –

shall be punished with correctional labor up to two years or arrest up to six months, or imprisonment up to three years..

The same actions committed in respect of:

- a. a juvenile;
- b. a woman known to be pregnant;
- c. a person known to be helpless –

shall be punished with correctional labor from two to three years or imprisonment up to five years.

Article 111. Reckless Inflicting Medium or Serious Bodily Injury

Reckless inflicting a medium bodily injury –

shall be punished with fine up to twenty five minimal monthly wages or correctional labor up to two years.

Reckless inflicting a serious bodily injury –

shall be punished with fine from twenty-five to fifty minimal monthly wages or correctional labor up to two years, or arrest up to three months.

Reckless inflicting a medium or serious bodily injury to at least two persons –

shall be punished with fine from fifty to seventy-five minimal monthly wages or arrest from four to six months.

(As amended by the Law of 29.08.2001).

CHAPTER 3. CRIMES ENDANGERING LIFE OR HEALTH

Article 112. Threat of Killing or of Violence

Threat of killing or of violence, if there exist reasonable grounds to believe in commission thereof –

shall be punished with fine up to twenty five minimal monthly wages or correctional labor up to one year, or with arrest up to six months.

The same action committed by:

- a. a special dangerous recidivist;
- b. a member of an organized criminal group in its interests –

shall be punished with fine up to twenty-five minimal monthly wages or correctional labor from one to two years, or imprisonment up to one year.

The same action committed in respect to a person or his close relatives in connection with his performing a professional or civil duty –

shall be punished with correctional labor from one to three years, or with imprisonment from one to three years.

Article 113. Transmitting Venereal Disease or AIDS

Intentional endangering another person's health by possibility of transmitting a venereal disease –

shall be punished with fine up to twenty five minimal monthly wages or correctional labor up to one year.

Infecting somebody with a venereal disease by a person who was aware of his being diseased –

shall be punished with arrest up to six months or imprisonment up to three years.

Actions envisaged by Paragraphs 1 and 2 of this Article committed in respect of:

- a. at least two persons;
- b. a juvenile –

shall be punished with imprisonment from two to five years.

Intentional endangering another person by possibility of transmitting AIDS or transmission thereof –

shall be punished with imprisonment from five to eight years.

(As amended by the Law of 29.08.2001).

Article 114. Criminal Abortion

Termination of pregnancy (abortion) by an obstetrician or gynecologist outside medical institution or in the instance of contraindications thereto –

shall be punished with fine up to twenty-five minimal monthly wages or correctional labor from one to two years, or with deprivation of certain right up to three years, or with correctional labor up to one year.

Abortion made by a person not having a license thereto –

shall be punished with fine from twenty-five to fifty minimal monthly wages or correctional labor from one to two years, or arrest up to three months.

Actions envisaged by Paragraphs 1 and 2 of this Article that caused, by negligence:

- a. death of a victim;
- b. other grave consequences –

shall be punished with correctional labor from two to three years or imprisonment up to five years.

Article 115. Compulsory Abortion

Compulsion of a woman to termination of pregnancy, if an abortion has been made –

shall be punished with fine up to fifty minimal monthly wages or correctional labor up to two years, or arrest up to six months.

Article 116. Negligent Performance of Duty

Non-performance or negligent performance of duty due to neglect thereof that has caused medium or serious bodily injury –

shall be punished with deprivation of certain right up to three years, or with correctional labor up to two years.

Non-rendering medical aid to an afflicted person without reasonable grounds by a person obliged thereto by law or special rules, resulted in medium or serious bodily injury –

shall be punished with deprivation of certain right from three to five years, or with correctional labor up to three years, or arrest up to three months.

Acts envisaged by Paragraphs 1 and 2 of this Article that resulted in negligent death of a victim –

shall be punished with arrest from three to six months or imprisonment to five years.

Actions envisaged by Paragraphs 1 and 2 of this Article that resulted in, by negligence:

- a. death of persons;
- b. other grave consequences –

shall be punished with imprisonment from five to eight years.

Article 117. Neglect of Helpless

Neglect of helpless in a state when his life and health are endangered and he cannot protect himself, if a guilty person was obliged and was able to render

him assistance or himself exposed a victim to danger that resulted in medium or serious bodily injury –

shall be punished with correctional labor up to two years.

The same actions that resulted in a death of a victim –

Shall be punished by arrest up to six months or imprisonment up to three years:

The same actions that resulted in:

- a. death of persons;
- b. other grave consequences –

shall be punished with imprisonment from three to five years.

(As amended by the Law of 29.08.2001).

CHAPTER 4. SEXUAL CRIMES

Article 118. Rape

Rape, that is, a sexual intercourse committed by force, threats, or abuse of helpless –

shall be punished with imprisonment from three to seven years.

Rape:

- a. of at least two persons;
- b. committed repeatedly, by a dangerous recidivist or a person previously committed a crime envisaged by Article 119 of this Code;
- c. committed by a group of individuals;
- d. committed with a threat to kill –

shall be punished with imprisonment from seven to ten years.

Rape:

- a. of a person known to be under eighteen years of age;
- b. of a close relative;
- c. committed by a member of a mass disorder;
- d. committed by a special dangerous recidivist;
- e. that resulted in a grave consequences –

shall be punished with imprisonment from ten to fifteen years.

Rape of a person known to be under fourteen years of age –
shall be punished with imprisonment from fifteen to twenty years.

(As amended by the Law of 29.08.2001).

Article 119. Forceful Sexual Intercourse in Unnatural Form

Sexual intercourse in unnatural form committed by force, threats, or abuse of helpless –

shall be punished with imprisonment from three to seven years.

The same actions:

- a. in respect of at least two persons;
- b. committed repeatedly, by a dangerous recidivist or a person who previously committed a crime envisaged by Article 118 of this Code;
- c. committed by a group of individuals;
- d. committed with a threat to kill –

shall be punished with imprisonment from seven to ten years.

Actions envisaged by Paragraphs 1 and 2 of this Article:

- a. committed in respect of a person known to be under eighteen years of age;
- b. committed in respect of a close relative;
- c. committed by a member of a mass disorder;
- d. committed by a special dangerous recidivist;
- e. that resulted in a grave consequences –

shall be punished with imprisonment from ten to fifteen years.

Rape of a person known to be under fourteen years of age –

shall be punished with imprisonment from fifteen to twenty years.

(As amended by the Law of 29.08.2001).

Article 120. Besoqolbozlik* (Homosexual Intercourse)

Besoqolbozlik, that is, voluntary sexual intercourse of two male individuals –

shall be punished with imprisonment up to three years.

Article 121. Coercion of Woman to Sexual Intercourse

Coercion of a woman to a sexual intercourse in a natural or unnatural form by a person, on which the woman was in financial, service, or other dependence –

shall be punished with by correctional labor up to two years or arrest up to six months.

The same actions accompanied with sexual intercourse in a natural or unnatural form –

shall be punished with correctional labor from two to three years or imprisonment from three to five years.

CHAPTER 5. CRIME AGAINST FAMILY, THE YOUTH, AND MORALITY

Article 122. Failure to Take Care of Persons Aged under Eighteen Years or Disabled

Failure to take care, that is, nonpayment during at least for months leviabale money allowance by court for a destitute persons aged under eighteen years or disabled –

shall be punished with fine up to fifty minimal monthly wages or correctional labor up to three years, or arrest up to six months.

Article 123. Failure to Take Care of Parents

Failure to take care, that is, nonpayment by an adult persons more than three months of leviabale money allowance by court for a destitute parents or surrogate parents –

shall be punished with fine up to fifty minimal monthly wages or correctional labor up to three years, or arrest up to six months.

Article 124. Replacement of Child

Intentional replacement of a child committed from mercenary or other foul motives –

shall be punished with fine from twenty-five to fifty minimal monthly wages or imprisonment from three to five years.

(As amended by the Law of 29.08.2001).

Article 125. Divulging Secret of Adoption

Divulging a secret of adoption of orphans or children deprived of guardianship committed against will of adopters or social guardianship agency –

shall be punished with fine from fifty to one hundred minimal monthly wages or correctional labor up to two years.

The same act:

- a. committed by a person obliged to keep it under seal of secrecy due to his duties or position;
- b. committed from mercenary or other foul motives;
- c. that resulted in grave consequences –

shall be punished with fine from one hundred to two hundreds minimal monthly wages or correctional labor up to three years.

(As amended by the Law of 29.08.2001).

Article 126. Polygyny

Polygyny, that is, cohabitation with at least two women within one household –

shall be punished with fine from one hundred to two hundreds minimal monthly wages or correctional labor up to three years, or imprisonment up to three years.

Article 127. Inducing of Juvenile in Antisocial Conduct

Inducing a juvenile in begging alms, drinking, usage of substances, which, being neither narcotic nor psychotropic, affect, however, will and mentality of the juvenile, committed after a previous administrative penalty for the same actions –

shall be punished with correctional labor up to two years or arrest up to two months, or imprisonment up to three years.

Inducing a juvenile in usage of narcotic or psychotropic substances –

shall be punished with arrest up to six months or imprisonment from three to five years.

Inducing juveniles into illegal trafficking of narcotic or psychotropic substances, as well as the actions envisaged by of Paragraph 2 of this Article, committed:

- a. by a person, who previously committed a crime that constitutes illegal turnover of narcotic of psychotropic substances;
- b. in respect of at least two juveniles;
- c. in educational establishments or other places that are used by schoolchildren or students for educational, sports or public events –

shall be punished with imprisonment from five to ten years.

Article 128. Sexual Intercourse with Person under Sixteen Years of Age

Sexual intercourse in both natural and unnatural form with a person known to be under sixteen years of age –

shall be punished with correctional labor up to two years or arrest up to six months, or imprisonment from three to five years.

The same act committed:

- a. repeatedly or by a dangerous recidivist;
- b. by a person, who previously committed crimes envisaged by Article 118 or 119 of this Code –

shall be punished by imprisonment from three to five years.

Article 129. Vicious Acts in Respect of Person Aged under Sixteen Years

Commission of unforced vicious acts in respect of a person known to be under sixteen years of age –

shall be punished with correctional labor up to two years or arrest up to six months.

The same actions committed by force or threat –

shall be punished with correctional labor from two to three years or imprisonment up to five years.

Article 130. Production and Dissemination of Obscene Objects

Production with a purpose of demonstration and dissemination of, as well as demonstration and dissemination of obscene objects to persons under twenty-one of age committed after imposing of administrative penalty for the same actions –

shall be punished with fine from one hundred to two hundreds minimal monthly wages or correctional labor up to three years.

(As amended by the Law of 29.08.2001).

Article 131. Keeping Disorderly Houses and Procuration

Establishing and keeping disorderly houses, as well as procuration committed from mercenary or other foul motives –

shall be punished with fine from one hundred to two hundreds minimal monthly wages or correctional labor up to three years.

The same actions committed:

- a. with involvement of a juvenile;
- b. repeatedly by a recidivist or a person, who previously committed crimes envisaged by Articles 135 or 137 of this Code –

shall be punished by arrest up to six months or imprisonment up to five years.

(As amended by the Laws of 20.08.1999 and 29.08.2001).

Article 132. Demolition, Destruction, or Waste of Historical or Cultural Heritage

Intentional demolition, destruction, or waste of national historical or cultural heritage committed after imposing of administrative penalty for the same actions –

shall be punished with fine up to fifty minimal monthly wages or correctional labor up to three years, or arrest up to six months.

Intentional demolition, destruction, or waste of national historical or cultural heritage that resulted in a serious damage –

shall be punished with fine from fifty to one hundred minimal monthly wages or imprisonment up to three years.

In the instance of treble compensation of damages, a penalty of imprisonment shall not be imposed.

(As amended by the Law of 20.08.1999).

Article 133. Obtaining of Organs or Tissues from Corpse

Obtaining organs and tissues from a corpse for transplantation or/and conservation thereof for scientific or study purposes without *inter vivos* agreement thereto of the deceased or without permit with his close relatives –

shall be punished with fine from twenty-five to fifty minimal monthly wages, or with deprivation of certain right up to five years, or with correctional labor up to three year.

The same actions committed:

- a. from mercenary or other foul motives;
- b. repeatedly or by a dangerous recidivist –

shall be punished with arrest up to six months or imprisonment from three to five years.

Article 134. Desecration of Grave

Desecration of grave or abuse of corpse as well as robbery of objects being on a corpse, in a grave or tomb –

shall be punished with fine from fifty to one hundred minimal monthly wages or correctional labor up to three years, or imprisonment from three to five year.

CHAPTER 6. CRIMES AGAINST FREEDOM, HONOR, AND DIGNITY

Article 135. Engagement of People for Exploitation

Engagement of people for sexual or any other exploitation by deceit –

shall be punished with fine from one hundred to two hundreds minimal monthly wages or correctional labor up to three years, or arrest up to six months.

The same action committed:

- a. repeatedly or by a dangerous recidivist;
- b. by a previous concert by a group of individuals
- c. in respect of a juvenile –

shall be punished with imprisonment up to five years.

The same action committed with a purpose of traffic of such persons outside the Republic of Uzbekistan –

shall be punished with imprisonment from five to eight years.

(As amended by the Law of 29.08.2001).

Article 136. Forcing or Preventing Marriage

Forcing a woman to get married or continue cohabitation, or abducting her with intend to marry against her will, as well as preventing her to get married

–

shall be punished with fine up to twenty-five minimal monthly wages or correctional labor up to three years, or arrest up to six months, or imprisonment up to three years.

Article 137. Kidnapping

Kidnapping without elements envisaged by Article 245 of this Code –

shall be punished with imprisonment from three to five years.

The same actions committed:

- a. in respect of a juvenile;
- b. from mercenary or other foul motives;
- c. by a previous concert;
- d. repeatedly or by a dangerous recidivist –

shall be punished with imprisonment from five to ten years.

The same actions:

- a. committed by a special dangerous recidivist;
- b. that resulted in grave consequences –

shall be punished with imprisonment from ten to fifteen years.

(Paragraphs 2 and 3 – as amended by the Law of 29.08.2001).

Article 138. Forceful Illegal Deprivation of Liberty

Forceful illegal deprivation of liberty –

shall be punished with fine up to fifty minimal monthly wages or correctional labor up to three years, or imprisonment up to three years.

The same action committed with:

- a. inflicting physical suffering;
- b. placement of a victim in conditions endangering life or health;

shall be punished with imprisonment from three to five years.

Article 139. Denigration

Denigration, that is, dissemination of false, defamatory information committed after a previous administrative penalty for the same action –

shall be punished with fine up to fifty minimal monthly wages or correctional labor up to two years.

Denigration through a printed or otherwise copied text or through mass media –

shall be punished with fine from fifty to one hundred minimal monthly wages or correctional labor from two to three years, or arrest up to six months, or imprisonment up to six years.

Denigration:

- a. aggravated by commission of a serious or especially serious crime;
- b. that resulted in grave consequences;
- c. committed by a special dangerous recidivist;
- d. from mercenary or other foul motives –

shall be punished with imprisonment up to three years.

(As amended by the Law of 29.08.2001).

Article 140. Insult

Insult, that is, intentional grievous degrading of honor and dignity of a person committed after a previous administrative penalty for the same actions –

shall be punished with fine up to fifty minimal monthly wages or correctional labor up to one year.

Insult through a printed or otherwise copied text or through mass media –

shall be punished with fine from fifty to one hundred minimal monthly wages or correctional labor from one to two years.

Insult:

- a. in connection with performing by a victim his a professional or civil duty;
- b. by a dangerous recidivist or a person previously prosecuted for denigration –

shall be punished with fine from one hundred to one hundred fifty minimal monthly wages or correctional labor from two to three years, or by arrest up to six months.

(As amended by the Law of 29.08.2001).

CHAPTER 8. CRIMES AGAINST CONSTITUTIONAL RIGHTS AND FREEDOMS

Article 141. Violation of Equality

Direct or indirect violation or limitation of rights, or according direct or indirect privileges depending on sex, race, ethnic origin, language, religion, social background, beliefs, or personal or social status –

shall be punished with fine up to fifty minimal monthly wages or correctional labor up to one year.

The same actions committed with violence –

shall be punished with correctional labor from two to three years or arrest up to six months, or imprisonment up to three years.

(As amended by the Law of 29.08.2001).

Article 142. Violation of Security of Residence

Illegal forceful entry into a dwelling against the will of dwellers –

shall be punished with correctional labor up to three years or imprisonment up to five years.

Article 143. Violation of Confidentiality of Correspondence, Telephone conversations, Telegraph and Other Communications

Intentional violation of confidentiality of correspondence, telephone conversations, telegraph and other communications committed after inflicting of administrative penalty for the same actions –

shall be punished with fine up to twenty five minimal monthly wages or deprivation of certain right up to three years, or correctional labor up to three years, or arrest up to six months.

Article 144. Violation of Law on Public Communications

Ungrounded refusal in consideration of a communication, violation of time limits for consideration thereof without valid excuse, making an ungrounded, illegal decision or disclosure privacy-related information, as well as other violation of law on public communications that resulted in substantial harm to rights or legally protected interests of individuals, society, and State –

shall be punished with fine up to twenty-five minimal monthly wages or correctional labor up to two years, or arrest up to six months.

(As amended by the Law of 13.12.2002)

Persecution by an official of an individual for his communication to a governmental agency, enterprise, organization, public association, or for criticism expressed therein as well as for otherwise expressed criticism –

shall be punished with fine from twenty-five to fifty minimal monthly wages or correctional labor from two to three years, or imprisonment up to three years.

Article 145. Violation of Freedom of Religion

Impeding to legal activities of religious organizations or to free exercise of religion –

shall be punished with fine up to fifty minimal monthly wages or deprivation of certain right up to five years, or correctional labor up to two years.

Engagement of juveniles in religious organizations, as well as teaching religion to them against their will or will of their parents or surrogate parents –

shall be punished with fine from fifty to seventy-five minimal monthly wages or correctional labor from two to three years, or imprisonment up to three years.

Religious activity impeding individuals to enjoy their civil rights or to perform their civil duties, connected with compulsory collection of donations, or with application of degrading measures, or with compulsion in religious education and in defining one's position to religion, to practise or not to practise a religion, to attend or not to attend a service, rituals, and religious ceremonies, as well as organization and holding religious services that inflicted trivial and medium bodily injuries –

shall be punished with fine from seventy-five to one hundred minimal monthly wages or arrest up to six months, or imprisonment from three to five years.

(Paragraphs 2 and 3 – as amended by the Law of 1.05.1998).

Article 146. Violation of Legislation on Organizing, Holding of Elections or Referendum

Violation of secrecy of a ballot, forgery of election or referendum documents, making false entries into ballots or subscription lists, knowingly false count of votes committed during organization and/or holding of elections or referendum by officials, representatives of political parties or self-government bodies, members of initiative group or election/referendum commissions –

shall be punished with fine from twenty-five to fifty minimal monthly wages or correctional labor from two to three years, or imprisonment up to three years.

Article 147. Impediment to Exercising Electoral Right or Powers of Agents

Impediment to free exercising by individuals their right to elect or to be elected parliament members or President of the Republic of Uzbekistan, to carry out pre-election campaign, or of exercising their powers by the agents of parliamentary or presidential candidates of the Republic of Uzbekistan, by way of violence, threats, deception, or bribe, or of impediment to free participation of individuals in a referendum –

shall be punished with correctional labor up to three years, or arrest up to six months, or imprisonment up to five years.

Article 148. Violation of Right to Labor

A knowingly illegal dismissal or failure to fulfill a court decision to restore a person to a previous position, after infliction of administrative penalty for the same acts –

shall be punished with fine up to twenty-five minimum monthly wages or deprivation of certain right up to three years, or correctional labor up to three years.

A knowingly illegal refusal to employment of woman or her dismissal due to her pregnancy or childcare –

shall be punished with fine up to twenty-five minimum monthly wages or deprivation of certain right up to three years, or correctional labor up to three years.

Article 149. Infringement of Copyright or Inventorship Rights

Appropriation of authorship, compulsion of co-authorship with regard to the objects of intellectual property, disclosure of information about such goods without the consent of the author thereof prior to their official registration or publication –

shall be punished with fine from twenty-five to seventy minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to six months.

SECTION TWO. CRIMES AGAINST PEACE AND SECURITY

CHAPTER 8. CRIMES AGAINST PEACE AND HUMANITY

Article 150. Propaganda of War

Propaganda of war, that is, any form of dissemination of views, ideas or calls with the purpose of making aggression of one country against another one –

shall be punished with imprisonment from five to ten years.

(As amended by Law of 29.08.2001.)

Article 151. Aggression

Planning or preparation of aggressive war or engagement in conspiracy in order to execute the said actions –

shall be punished with imprisonment from ten to fifteen years.

(As amended by Law of 29.08.2001.)

The commencement or conduct of aggressive war –

shall be punished with imprisonment from fifteen to twenty years, or capital punishment.

(As amended by Law of 29.08.2001.)

Article 152. Breach of Laws and Customs of War

Breach of laws and customs of war by tormenting, physical destruction of civilian population or prisoners of war, forced relocation of civilian population for forced labor or with other purposes, application of weapons prohibited under international law, purposeless destruction of cities and populated localities, despoilment of property, and giving orders to carry out such actions –

shall be punished with imprisonment from ten to twenty years.

(As amended by Laws of 29.08.1998 and 29.08.2001.)

Article 153. Genocide

Genocide, that is, intentional creation of such living conditions that lead to physical destruction of a group of individuals, in full or in part, on the basis of its ethnic origin, race, or religion, their physical destruction in full or in part, forced reduction of childbirths, or transfer of children from one of these human groups to another, and giving orders to carry out such acts –

shall be punished with imprisonment from ten to twenty years, or capital punishment.

(As amended by Law of 29.08.2001.)

Article 154. Mercenary

Mercenary, that is, participation of a person in an armed conflict or military actions for the purpose of obtaining remuneration or other personal benefits, in the instance when the said person is not a national or military serviceperson of a country participating in the armed conflict, or is not a permanent resident of the territory being under control of a party to the conflict, or not authorized by any state to perform official duties in armed forces –

shall be punished with imprisonment from five to ten years.

(As amended by Law of 29.08.2001.)

Article 155. Terrorism

Terrorism, that is, violence, use of force, or other acts, which pose a threat to an individual or property, or the threat to undertake such acts in order to force a state body, international organization, or officials thereof, or individual or legal entity, to commit or to restrain from some activity in order to complicate international relations, infringe upon sovereignty and territorial integrity, undermine security of a state, provoke war, armed conflict, destabilize sociopolitical situation, intimidate population, as well as activity carried out in order to support operation of and to finance a terrorist organization, preparation and commission of terrorist acts, direct or indirect provision or collection of any resources and other services to terrorist organizations, or to persons assisting to or participating in terrorist activities –

shall be punished with imprisonment from eight to ten years.

Attempt to life of or infliction of bodily injury to a state official or public figure or representative of authorities, committed in connection with their state or public activities with the purpose of destabilization of situation or influence upon decision making by state bodies or impediment to political or other public activity –

shall be punished with imprisonment from ten to fifteen years.

The actions punishable under Paragraphs 1 or 2 of this Article, resulted in:

- a) death of a person;
- b) other grave consequences –

shall be punished with imprisonment from fifteen to twenty years, or capital punishment.

A person who participated in preparation of terrorism shall be discharged from criminal liability in the instance if he assisted actively to the prevention of occurrence of grave consequences and attainment of terrorists' goals through his timely informing the authorities or in any other way, if his acts do not contain another elements of corpus delicti.

(As amended by Law of 29.08.2001.)

Article 156. Incitement of Ethnic, Racial or Religious Hatred

Intentional acts, humiliating ethnic honor and dignity and insulting religious or atheistic feelings of individuals, carried out with the purpose of incitement of hatred, intolerance, or division on national, ethnic, racial, or religious basis, as well as explicit or implicit setting limitation of rights or preferences on the basis of national, racial, or ethnic origin, or religious beliefs –

shall be punished with imprisonment up to five years.

The same actions committed:

- a) in a way dangerous to lives of other persons;
- b) with infliction of serious bodily injuries;
- c) with forced eviction of individuals from the places of their permanent residence;
- d) by an authorized official;
- e) by previous concert or by a group of individuals –

shall be punished with imprisonment from five to ten years.

CHAPTER 9. CRIMES AGAINST REPUBLIC OF UZBEKISTAN

Article 157. High Treason

High treason, that is, a voluntary act committed by a national of the Republic of Uzbekistan, which is injurious to the sovereignty, territorial integrity, security, defense capacity, and economy of the Republic of Uzbekistan: defection; espionage; giving away state secrets to a foreign state; providing assistance to a foreign State in executing hostile activities against the Republic of Uzbekistan –

shall be punished with imprisonment from ten to twenty years.

(As amended by Law of 29.08.2001.)

A national of the Republic of Uzbekistan, engaged by a foreign State or a foreign organization in cooperation in order to execute activities against the Republic of Uzbekistan, which are injurious to the State, shall be excused from criminal liability, in the instance if he informed voluntarily the national authorities about his cooperation and his activities have not caused damage to the interests of the State.

A national of the Republic of Uzbekistan shall be released from penalty, in the instance if he informed the national authorities about the acts committed, assisted actively to the detection of the crime, which has resulted in the prevention of occurrence of grave consequences to the State.

Article 158. Offences against President of Republic of Uzbekistan

Attempts upon the life of the President of the Republic of Uzbekistan –
shall be punished with imprisonment from ten to twenty years.

(As amended by Laws of 29.08.1998 and 29.08.2001.)

Intentional infliction of bodily injury to the President of the Republic of Uzbekistan –
shall be punished with imprisonment from five to ten years.

(As amended by Law of 29.08.2001.)

Public affront or denigration with regard to the President of the Republic of Uzbekistan as well as using printed or other mass media –
shall be punished with correctional labor up to three years, or arrest up to six months, or imprisonment up to five years.

Article 159. Attempts to Constitutional Order of Republic of Uzbekistan

Public statements to unconstitutional change of the existing state order, assumption of power, or removal of legally elected or appointed authorities from power, or to unconstitutional impairment of integrity of the territory of the Republic of Uzbekistan, as well as dissemination of materials containing such statements –

shall be punished with fine up to two hundred minimum monthly wages, or imprisonment up to five years.

(As amended by Law of 29.08.2001.)

Violent acts aimed at impediment to legal activity of constitutional bodies or replacement thereof with parallel authorities, not envisaged by the Constitution, as well as failure to execute the decisions to dismiss the authorities established in non-compliance with the procedures envisaged by the Constitution of the Republic of Uzbekistan, taken by the duly authorized state bodies –

shall be punished with fine from fifty to one hundred minimum monthly wages, or imprisonment from three to five years.

The acts punishable under Paragraphs 1 or 2 of this Article committed:

- a) repeatedly or by a dangerous recidivist;
- b) by an organized group or in its interests –

shall be punished with imprisonment from five to ten years.

A conspiracy with the purpose of assumption of power or overthrowing of the constitutional order of the Republic of Uzbekistan –

shall be punished with imprisonment from ten to twenty years.

(As amended by Law of 29.08.2001.)

A person who informed voluntarily the national authorities about a conspiracy, resulted in the prevention of the conspiracy through respective measures, shall be released from penalty.

Article 160. Espionage

Conveyance of information which constitutes state secrets to a foreign state, foreign organization, or their intelligence, as well as stealing or collection of such information therefor, committed by a foreign national or a stateless person –

shall be punished with imprisonment from ten to twenty years.

(As amended by Laws of 29.08.1998 and 29.08.2001.)

A person engaged by a foreign intelligence shall be discharged from criminal liability in the instance if he has not undertaken any acts in order to fulfill the intelligence mission assigned and informed voluntarily the national authorities to that effect.

A person who ceased voluntarily his criminal activity, informed the national authorities about the acts committed, assisted actively in the detection of a

crime, resulted in the prevention of occurrence of grave consequences to the State, shall be released from penalty.

Article 161. Sabotage

Sabotage, that is, acts aimed at destruction of people, causing harm to people's health, damage or destruction of property with the purpose of destabilization of the performance of state bodies or of sociopolitical situation or undermining the economy of the Republic of Uzbekistan –

shall be punished with imprisonment from ten to twenty years.

(As amended by Law of 29.08.2001.)

Article 162. Disclosure of State Secrets

Disclosure or conveyance of state secrets, that is information which constitutes state, military, or official secret, by the person whom this information has been entrusted to or has become known due to his official duties or professional activity, in the instance when there are no indicia of high treason –

shall be punished with imprisonment from three to five years.

The same acts resulted in grave consequences –

shall be punished with imprisonment from five to eight years.

Article 163. Loss of Documents Containing State or Military Secret

Loss of documents as well as objects or substances, information about which constitutes a state or military secret, by a person who disposed thereof in connection with his service or professional activity, in the instance if the loss has resulted from non-observance of the regulations on treatment of these documents, objects, or substances –

shall be punished with imprisonment up to three years.

The same act resulted in grave consequences –

shall be punished with imprisonment from three to five years.

SECTION THREE. ECONOMIC CRIMES

CHAPTER 10. LARCENY

Article 164. Banditry

Banditry, that is, assault with the purpose of larceny committed with violence dangerous for life or health, or with threat of application of such violence –

shall be punished with imprisonment from five to eight years.

(As amended by Law of 29.08.2001.)

Banditry committed:

- a) with weapons or other objects used as a weapon;
- b) by previous concert by a group of individuals;
- c) in large amount –

shall be punished with imprisonment from eight to ten years.

(As amended by Law of 29.08.2001.)

Banditry committed:

- a) repeatedly by a dangerous recidivist or a person who has previously committed the crime punishable under Article 242 of the Criminal Code;
- b) in large amount;
- c) with illegal entering a dwelling, depository or other premise;
- d) with infliction of serious bodily injury –

shall be punished with imprisonment from ten to fifteen years.

(As amended by Law of 29.08.2001.)

Banditry committed:

- a) in large amount;
- b) by a special dangerous recidivist;
- c) by an organized group or in its interests –

shall be punished with imprisonment from fifteen to twenty years.

(As amended by Law of 29.08.2001.)

Article 165. Extortion

Extortion, that is demand to transfer someone's property or the right to someone's property, or to provide property preferences, or to commit actions related to property under the threat of application of violence over a victim or his immediate persons, or of damage or destruction of property, or of disclosure of information which the victim and the said persons want to keep undisclosed, or by making the situation that compels the victim to transfer his property or the right thereto –

shall be punished with imprisonment from three to five years.

Extortion committed:

- a) repeatedly or by a dangerous recidivist;
- b) in large amount;
- c) by previous concert or by a group of individuals –

shall be punished with imprisonment from five to ten years.

Extortion committed:

- a) in especially large amount;
- b) by a special dangerous recidivist;
- c) by an organized group or in its interests –

shall be punished with imprisonment from ten to fifteen years.

(As amended by Law of 29.08.2001.)

Article 166. Robbery

Robbery, that is, open larceny –

shall be punished with correctional labor up to three years, or imprisonment up to five years.

Robbery committed:

- a) with violence non-dangerous to life or health or with threat of use of such violence;
- b) in large amount;
- c) by previous concert by a group of individuals –

shall be punished with imprisonment from three to five years.

Robbery committed:

- a) repeatedly or by a dangerous recidivist;
- b) with illegal entering a dwelling, depositary, or other premise;
- c) in large amount –

shall be punished with imprisonment from five to ten years.

Robbery committed:

- a) in especially large amount;
- b) by a special dangerous recidivist;
- c) by an organized group or in its interests –

shall be punished with imprisonment from ten to fifteen years.

(As amended by Law of 29.08.2001.)

Article 167. Larceny by Embezzlement

Larceny by way of embezzlement of property entrusted to or transferred to disposition of a guilty person –

shall be punished with fine up to one hundred minimum monthly wages, or correctional labor up to one year, or arrest up to six months.

The same action committed:

- a) in large amount;
- b) repeatedly or by a special dangerous recidivist;
- c) by previous concert by a group of individuals;
- d) by way of abuse of office –

shall be punished with fine for from one hundred to three hundred minimum monthly wages or correctional labor for up to two years or confinement for up five years.

The same action committed:

- a) in large amount;
- b) by a special dangerous recidivist;
- c) by an organized group or in its interests;
- d) with the aid of computer devices –

shall be punished with fine from three hundred to six hundred of minimum monthly wages or correctional labor for up to three years or confinement for up to ten years.

In the instance of compensation for the pecuniary damage, penalty of imprisonment shall not be applied.

(As amended by Law of 29.08.2001.)

Article 168. Fraud

Fraud, that is, acquisition of someone's property or the right thereto by deception or abuse of confidence –

shall be punished with fine up to one hundred of minimum monthly wages, or correctional labor up to one year, or arrest up to six months.

Fraud committed:

- a) in large amount;
- b) repeatedly or by a dangerous recidivist;
- c) by previous concert by a group of individuals;
- d) with the aid of computer devices –

shall be punished with fine from one hundred to three hundred minimum monthly wages, or correctional labor up to two years, or imprisonment up to five years.

Fraud committed:

- a) in large amount;
- b) by a special dangerous recidivist;
- c) by an organized group or in its interests –

shall be punished with fine from three hundred to six hundred minimum monthly wages, or correctional labor up to three years, or imprisonment from five to ten years.

In the instance of compensation for the pecuniary damage, penalty of imprisonment shall not be applied.

(As amended by Law of 29.08.2001.)

Article 169. Theft

Theft, that is larceny in secret –

shall be punished with fine up to fifty minimum monthly wages, or correctional labor up to two years, or arrest up to six months, or imprisonment up to three years.

Theft committed:

- a) from the clothes, bag, or other personal belonging, carried by the victim (pickpocketing);
- b) in large amount;
- c) by previous concert by a group of individuals;
- d) with illegal entering a dwelling, depositary or other premise –

shall be punished with fine from three hundred minimum monthly wages, or correctional labor from two to three years, or imprisonment from three to five years.

Theft committed:

- a) repeatedly or by a dangerous recidivist;
- b) with unauthorized entering a computer system;
- c) in large amount –

shall be punished with imprisonment from five to eight years.

Theft committed:

- a) in large amount;
- b) by a special dangerous recidivist;

c) by an organized group or in its interests –

shall be punished with imprisonment from eight to fifteen years.

(As amended by Law of 29.08.2001 r.)

CHAPTER 11. CRIMES UNRELATED TO LARCENY OF PROPERTY

Article 170. Causing Pecuniary Damage by Deception or Abuse of Confidence

Causing significant damage to the owner of property by deception or abuse of confidence in the instance when there are no indicia of larceny –

shall be punished with fine up to twenty-five minimum monthly wages, or correctional labor up to two years.

The same action committed:

- a) repeatedly or by a dangerous recidivist;
- b) by a person accountable for property;
- c) with causing large damage –

shall be punished with fine from twenty-five to fifty minimum monthly wages, or correctional labor from two to three years, or arrest up to six months.

In the instance if pecuniary damage is compensated, penalty of arrest shall not be applied.

(As amended by Law of 29.08.2001.)

Article 171. Acquisition or Uttering of Criminally Acquired Property

Acquisition or uttering of knowingly criminally acquired property, not promised in advance –

shall be punished with fine up to twenty-five minimum monthly wages, or correctional labor up to two years.

The same actions committed:

- a) repeatedly or by a dangerous recidivist;
- b) in large amount –

shall be punished with fine from twenty-five to fifty minimum monthly wages, or correctional labor from two to three years, or arrest up to six months, or imprisonment up to three years.

The same actions committed:

- a) in large amount;
- b) by a special dangerous recidivist;
- c) by an organized group or in its interests –

shall be punished with fine from fifty to one hundred of minimum monthly wages, or imprisonment from three to five years.

(As amended by Law of 29.08.2001.)

Article 172. Malpractice of Property Protection

Malpractice by a person with regard to performance of his duties on protection of property, which has caused larceny, damage, or destruction of the property, and which has caused large damage, when there are no indicia of official malfeasance –

shall be punished with fine up to fifty minimum monthly wages, or correctional labor up to two years, or arrest up to three months.

Article 173. Intentional Destruction or Damage of Property

Intentional destruction or damage of property, which caused significant damage –

shall be punished with fine from fifty to seventy minimum monthly wages, or correctional labor up to two years, or arrest up to six months.

The same actions committed:

- a) for the reasons of interethnic or racial hatred or religious prejudices;
- b) in a commonly dangerous way;
- c) with causing large damage –

shall be punished with fine from seventy-five to one hundred minimum monthly wages, or correctional labor from two to three years, or imprisonment up to three years.

The same actions committed:

a) with regard to property of person or of his immediate relatives in relation to the performance of their service or official duties;

b) by an organized group or in its interests –

shall be punished with imprisonment from three to five years.

(Paragraphs 2 and 3 as amended by Law of 29.08.2001.)

In the instance of treble compensation for the pecuniary damage, penalty of imprisonment shall not be applied.

(As amended by Law of 20.08.1999.)

Article 174. Computer-related Crime

Computer-related crime, that is unauthorized access to information networks or authorized access to information networks without taking required security measures, or illegal retrieval of information therefrom, as well as intended change, loss, removal, or erasure of information during authorized work in an information system, which have resulted in a large damage –

shall be punished with fine up to seventy-five minimum monthly wages, or correctional labor up to three years.

Making of computer viruses or software programs and their dissemination without due authorization with the purpose of changing data or software programs, which are stored in computer systems, as well as unauthorized access to an information system which has resulted in corruption, removal, or erasure of information, or cessation of the operation of this system –

shall be punished with fine from seventy-five to two hundred minimum monthly wages, or arrest from three to six months and deprivation of certain right.

(As amended by Law of 29.08.2001.)

CHAPTER 12. ECONOMIC CRIMES

Article 175. Bargaining against Interests of Republic of Uzbekistan

Knowingly unprofitable bargaining by an official of a state body, enterprise, institution, organization, regardless their form of ownership, or public association, which caused a large damage to the interests of the Republic of Uzbekistan –

shall be punished with fine from twenty-five to fifty minimum monthly wages or deprivation of certain right for up to five years or correctional labor for up to three years or arrest for up to six months.

The same act committed:

- a) repeatedly;
- b) by previous concert by a group of individuals;
- c) with causing especially large damage –

shall be punished with fine from fifty to one hundred minimum monthly wages or imprisonment for up to five years and deprivation of certain right.

In the instance of treble compensation for the pecuniary damage, penalty of arrest or imprisonment shall not be applied.

(As amended by Law of 29.08.2001.)

Article 176. Making and Sale of False Money, Excise Stamps or Securities

Making of banknotes, metal coins, excise stamps, and securities, or foreign currency notes or securities in foreign currency –

shall be punished with imprisonment up to five years.

The same actions committed:

- a) repeatedly or by a dangerous recidivist;
- b) in large amount;
- c) by previous concert by a group of individuals –

shall be punished with imprisonment from five to ten years.

The same actions committed:

- a) in especially large amount;
- b) by an organized group or in its interests –

shall be punished with imprisonment from ten to fifteen years.

(As amended by Laws of 29.08.1998, 20.08.1999 and 29.08.2001.)

Article 177. Illegal Purchase or Sale of Foreign Currency

Illegal purchase or sale of foreign currency committed by individuals in large amount, after infliction of administrative penalty for the same actions –

shall be punished with fine up to seventy-five minimum monthly wages, or correctional labor up to three years.

The same actions committed:

- a) repeatedly or by a dangerous recidivist;
- b) in large amount;
- c) by previous concert by a group of individuals –

shall be punished with fine from seventy-five to two hundred minimum monthly wages, or arrest up to six months.

The same actions committed:

- a) in especially large amount;
- b) by an organized group or in its interests –

shall be punished fine from two hundred to five hundred minimum monthly wages, or imprisonment up to three years.

(As amended by Laws of 20.08.1999 and 29.08.2001.)

Article 178. Concealment of Foreign Currency

Intentional concealment of foreign currency, which is subject to transmittance to the bank accounts in the authorized banks of the Republic of Uzbekistan, by the persons executing foreign currency transactions at enterprises, institutions, or organizations –

shall be punished with fine from seventy-five to one hundred minimum monthly wages, or deprivation of certain right from three to five years, or imprisonment up to five years.

(As amended by Laws of 15.04.1999 and 29.08.2001.)

The same act committed:

- a) from mercenary motives;
- b) repeatedly;

c) by previous concert by a group of individuals –
shall be punished with imprisonment from five to eight years.

The same act committed by an organized group or in its interests –
shall be punished with imprisonment from eight to twelve years.

Article 179. False Entrepreneurship

False entrepreneurship, that is, establishment of enterprises and other entrepreneurship organizations, without intent to perform statutory activity, and with the purpose of obtaining loans, credits, exemption (levying) of profit (income) from taxes or other pecuniary benefit –

shall be punished with fine from one hundred to two hundred of minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years, or imprisonment up to three years.

(As amended by Law of 29.08.2001.)

Article 180. False Bankruptcy

False bankruptcy, that is, knowingly inconsistent with reality announcement of economic inability to meet obligations taken before creditors by an entity performing economic activity, which caused large damage to the creditors –

shall be punished with fine from one hundred to two hundred minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years, or imprisonment up to three years.

(As amended by Law of 29.08.2001.)

In the instance of treble compensation for the pecuniary damage, penalty of imprisonment shall not be applied.

(As amended by Law of 20.08.1999.)

Article 181. Concealment of Bankruptcy

Knowingly concealment of its insolvency by an entity performing economic activity by presentation of information and documents inconsistent with the real situation, distorted accountancy reporting or other hiding of its economic insolvency, which caused large damage to creditors –

shall be punished with fine from one hundred to two hundred minimum monthly wages or deprivation of certain right for up to five years or correctional labor for up to three years or imprisonment up to three years.

(As amended by Law of 29.08.2001.)

In the instance of triple compensation for caused pecuniary damage, punishment in the form of imprisonment shall not be applied.

(As amended by Law of 20.08.1999.)

Article 182. Violation of Customs Legislation

Transfer of goods and other valuables across the customs border of the Republic of Uzbekistan without passing customs control or with deceiving use of documents or means of customs identification, or with failure to enter customs declaration or declaration with another name of goods, committed in large amount, after infliction of administrative penalty for the same acts –

shall be punished with fine for up to three hundred minimum monthly wages or correctional labor for up to two years or imprisonment for up to five years.

A violation of the customs legislation committed:

- a) in especially large amount;
- b) by way of breakthrough, that is, open transfer of goods or other valuables across the

customs border of the Republic of Uzbekistan, and not authorized by the customs service;
- c) by an organized group or in its interests;
- d) with abuse of office –

shall be punished with fine from three hundred to six hundred minimum monthly wages, or correctional labor up to three years, or imprisonment from five to eight years.

(As amended by Law 29.08.2001.)

Article 183. Violation of Antimonopoly Legislation

Failure to present information to the body authorized to perform antimonopoly activity, or presentation of knowingly incorrect information, which is committed after infliction of administrative penalty for the same act –

shall be punished with fine up to twenty-five minimum monthly wages, or deprivation of certain right up to three years.

Evasion of execution or untimely execution of the official requests to cease violations, restate, dissolve or amend contracts, or other legal prescriptions, issued by the body authorized to perform antimonopoly activity, after infliction of administrative penalty for the same act –

shall be punished with fine from twenty-five to fifty minimum monthly wages, or deprivation of certain right from three to five years, or correctional labor up to three years.

Article 184. Taxes or Other Payments Evasion

Intentional concealment or understatement of profit (income) or other taxable objects as well as other evasion from taxes, duties, or other payments, established by the State, in large amount, after infliction of administrative penalty for the same act –

shall be punished with fine up to one hundred and fifty minimum monthly wages, or correctional labor up to two years, or arrest for up to six months.

Taxes or other payments evasion committed:

- a) repeatedly;
- b) in large amount –

shall be punished with fine from one hundred and fifty to three hundred minimum monthly wages, or correctional labor from two to three years, or imprisonment up to three years.

Taxes or other payments evasion committed in especially large amount –

shall be punished with fine from three hundred to six hundred minimum monthly wages, or imprisonment from three to five years.

In the instance of full payment of taxes and other payments on intentionally concealed or understated profit (income), penalty of imprisonment shall not be applied.

(As amended by Law 29.08.2001.)

Article 184¹. Violation of Fiscal Discipline

Violation of fiscal discipline, that is, spending budget funds to items which are not provided by the state budget or the budgets of institutions and organizations, funded by the State, overspending of budgetary provisions on articles of expenditures, violation of budgetary and personnel discipline in such institutions and organizations, which is committed after infliction of administrative penalty for the same act –

shall be punished with fine up to fifty minimum monthly wages, or correctional labor up to one year, or arrest up to six months.

The same act committed in large amount –

shall be punished with fine from fifty to seventy minimum monthly wages, or correctional labor up to two years, or imprisonment up to one year.

The same act committed in especially large amount –

shall be punished with fine from seventy-five to one hundred minimum monthly wages, or imprisonment up to two years.

Invalid delay of money to be transacted to institutions and organizations, funded from the state budget, as a wage, social benefit, stipend, and other equal-status expenditures, by managers and other officials of banks, committed after infliction of administrative penalty for the same actions –

shall be punished with fine up to fifty minimum monthly wages or deprivation of certain right up to three years or imprisonment up to one year.

(As introduced by Law of 15.04.1999.)

Article 185. Violation of Regulations of Handing-over of Precious Metals or Gems

Violation of regulations of handing-over of precious metals or gems, mined from underneath the Earth's surface, to the State, which caused large damage thereto –

shall be punished with fine up to fifty minimum monthly wages, or deprivation of certain right up to three years, or correctional labor up to three years, or arrest up to six months.

Article 185¹. Violation of Regulations of Procurement, Purchase, Use, and Sale of Non-ferrous Metals and Scrap and Waste thereof

Violation of regulations of procurement, purchase, use, and sale of non-ferrous metals and scrap and waste thereof, which are not classified as precious metals, which committed after infliction of administrative penalty for the same act –

shall be punished with fine from fifty to one hundred minimum monthly wages or deprivation of certain right, or correctional labor up to three years or arrest up to six months.

(As amended by Law of 29.08.2001.)

CHAPTER 13. CRIMES RELATED TO PERFORMANCE OF ECONOMIC ACTIVITY

Article 186. Commercial Manufacture or Sale of Unsound Products

Commercial manufacture or sale of unsound products, resulted in medium-serious or serious bodily injuries –

shall be punished with fine from one hundred to two hundred minimum monthly wages, or correctional labor up to three years.

The same actions resulted in death of a person –

shall be punished with imprisonment from three to seven years.

The same actions resulted in:

- a) mass death of persons;
- b) other grave consequences –

shall be punished with imprisonment from seven to ten years.

(As amended by Law of 29.08.2001.)

Article 186¹. Illegal Making or Distribution of Ethyl Alcohol, Alcohol, and Tobacco Products

Illegal making or distribution of ethyl alcohol, alcohol and tobacco products, committed after infliction of administrative penalty for the same actions or in large amount –

shall be punished with fine from one hundred to two hundred minimum monthly wages, or correctional labor up to three years, or imprisonment up to three years.

The same actions committed:

- a) in large amount;
- b) by previous concert by a group of individuals;
- c) repeatedly or by a dangerous recidivist;
- d) with abuse of office –

shall be punished with imprisonment from three to seven years.

The same actions committed:

- a) in especially large amount;
- b) by an organized group or in its interests –

shall be punished with imprisonment from seven to ten years.

(As introduced by Law of 25.12.1998.)

(As amended by Law of 20.08.1999 and 29.08.2001.)

Article 187. *(Article is withdrawn by Law of 15.12.2000.)*

Article 188. Illegal Trading or Intermediary Activity

Performance of trading or intermediary activity with evasion from registration in compliance with the established procedures with the purpose of obtaining uncontrollable profit (income) in large amount, after infliction of administrative penalty for the same acts –

shall be punished with fine from one hundred and fifty to two hundred minimum monthly wages and deprivation of certain right up to three years, or correctional labor up to two years.

Performance of trading or intermediary activity with evasion from registration in compliance with the established procedures with the purpose of obtaining uncontrollable profit (income), committed:

- a) by a dangerous recidivist;
- b) in large amount;
- c) by previous concert by a group of individuals –

shall be punished with fine from one hundred and fifty to three hundred minimum monthly wages and deprivation of certain right up to three years, or arrest up to six months.

Performance of trading or intermediary activity with evasion of registration in compliance with the established procedures with the purpose of obtaining uncontrollable profit (income), committed:

- a) in especially large amount;
- b) by an organized group or in its interests –

shall be punished with fine from three hundred to six hundred minimum monthly wages and deprivation of certain right up to three years, or imprisonment for up to five years.

(As amended by Law of 29.08.2001.)

Article 189. Violation of Regulations of Trade or of Service-providing

Violation of the regulations of trade or service-providing in significant amount, after infliction of administrative penalty for similar acts –

shall be punished with fine up to one hundred and fifty minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to one year.

Violation of the regulations of trade or service-providing in large amount as well as violation of the regulations of trade or service-providing, committed:

a) by a dangerous recidivist or a person who has previously committed crimes punishable under Articles 188 or 190 of this Code;

b) by previous concert by a group of individuals –

shall be punished with fine from one hundred and fifty to three hundred minimum monthly wages, or correctional labor up to two years.

Violation of the regulations of trade or service-providing in large amount –

shall be punished with fine from three hundred to six hundred minimum monthly wages, or arrest up to six months.

(As amended by Law 29.08.2001.)

Article 190. Unlicensed Performance of Economic Activity

Performance of economic activity subject to licensing, that is, without obtaining a special permission, after infliction of administrative penalty for the same actions –

shall be punished with fine from twenty-five to seventy-five minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to five years.

Performance of economic activity subject to licensing, that is, without obtaining a special permission, committed:

a) by a special dangerous recidivist;

b) by previous concert by a group of individuals –

shall be punished with fine from seventy-five to one hundred minimum monthly wages, or arrest up to six months.

(As amended by Laws of 1.05.1998 and 29.08.2001.)

Article 191. Illegal Collection, Disclosure or Use of Information

Collection of confidential research, technical, industrial, economic, trading, or other similar information, by any way, with the purpose of the use thereof without consent of its proprietor, or disclosure or use thereof –

shall be punished with fine up to one hundred minimum monthly wages, or correctional labor up to two years.

Intentional disclosure or use of confidential research, technical, industrial, economic, trading, or other similar information without consent of its proprietor, which caused large damage to an entity performing economic activity –

shall be punished with fine from one hundred to two hundred minimum monthly wages, or correctional labor from two to three years, or arrest up to six months.

(As amended by Law of 29.08.2001.)

Article 192. Disparagement of Competitor

Disparagement of competitor, that is, dissemination of knowingly false, inaccurate, or distorted information through texts, printed or copied by any other means, or through mass media, with the purpose of causing damage to the business standing of an entity performing economic activity –

shall be punished with fine from fifty to one hundred minimum monthly wages, or correctional labor up to three years, or arrest up to six months.

SECTION FOURTH. ENVIRONMENTAL SECURITY CRIMES

CHAPTER 14. CRIMES RELATED TO ENVIRONMENT PROTECTION AND CONSERVANCY

Article 193. Violation of Regulations and Requirements of Environmental Safety

Violation of the regulations and requirements of environmental safety by an official when designing, siting, construction, and commissioning industrial, power, transport, public-utilities, agro-industrial, research, or other facilities,

or acceptance of the said facilities for operation by members of state commissions, non-complying with the regulations of acceptance of such facilities, prescribed by the respective regulatory documents, which ensued death of a person, mass disease incidence of people, or adverse changes in natural environment, or other grave consequences –

shall be punished with fine from one hundred to two hundred minimum monthly wages, or deprivation of certain right up to three years, or correctional labor from two to three years, or arrest up to six months, or imprisonment up to three years.

(As amended by Law 29.08.2001.)

Article 194. Intentional Concealment or Distortion of Information about Environmental Pollution

Intentional concealment of information or presentation of distorted information by authorized officials about accidents resulted in harmful environmental consequences or radiation, chemical, bacteriological, or other environmental pollution dangerous to human life and health or fauna, or about health situation, which resulted in mass disease incidence of people, death of animals, birds, fish, or other grave consequences –

shall be punished with fine from one hundred to two hundred minimum monthly wages or deprivation of certain right up to five years, or correctional labor up to three years.

The same acts resulted in death of a person –

shall be punished with arrest from three to six months, or imprisonment up to three years and deprivation of certain right.

(As amended by Law of 29.08.2001.)

Article 195. Failure of Taking Measures for Elimination of Consequences of Environmental Pollution

Evasion or improper conduct of deactivation or other recreational activities by an official in the areas affected with environmental pollution resulted in mass disease incidence of people, death of animals, birds, or fish, or other grave consequences –

shall be punished with fine from one hundred to two hundred minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years.

The same acts resulted in death of a person –

shall be punished with arrest from three to six months, or imprisonment up to three years and deprivation of certain right.

(As amended by Law 29.08.2001.)

Article 196. Pollution of Natural Environment

Pollution or damage of land, water, or atmospheric air, resulted in mass disease incidence of people, death of animals, birds, or fish, or other grave consequences –

shall be punished with fine from one hundred to two hundred minimum monthly wages or deprivation of certain right up to five years, or correctional labor up to three years.

The same acts resulted in death of a person –

shall be punished with arrest from three to six months, or imprisonment up to three years and deprivation of certain right.

(As amended by Law 29.08.2001.)

Article 197. Violation of Requirements of Use of Land, Mineral Resources, or Requirements of Protection thereof

Violation of requirements of use of land, mineral resources, or requirements of protection thereof, resulted in grave consequences –

shall be punished with fine from fifty to one hundred minimum monthly wages, or correctional labor up to three years, or imprisonment up to three years.

Article 198. Damage and Destruction of Crops, Forest, or other Plants

Damage or destruction of crops, forest, or other plants as the result of negligent dealing with fire, resulted in large damage or other grave consequences –

shall be punished with fine up to fifty minimum monthly wages, or correctional labor up to one year, or arrest up to three months.

Illegal felling of timber or other plants, resulted in large damage –

shall be punished with fine from fifty to seventy-five minimum monthly wages, or correctional labor from one year to two years, or arrest from three to six months, or imprisonment up to three years.

Intentional damage or destruction of crops, forest, or other plants, resulted in large damage –

shall be punished with fine from seventy-five to one hundred minimum monthly wages, or correctional labor from two to three years, or imprisonment up to three years.

(As amended by Law of 29.08.2001.)

In the instance of treble compensation for the pecuniary damage, penalty of imprisonment shall not be applied.

(As amended by Law of 20.08.1999.)

Article 199. Violation of Requirements of Plant Pesticide Control

Violation of requirements of plant pesticide control, resulted in grave consequences –

shall be punished with fine from fifty to one hundred minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years, or imprisonment up to three years.

Article 200. Violation of Veterinary or Zootechnic Regulations

Violation of veterinary or zootechnic regulations, resulted in the diffusion of epidemic diseases of animals or birds (epizooty), or mass death thereof, or other grave consequences –

shall be punished with fine from fifty to one hundred minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years, or imprisonment up to three years.

Article 201. Violation of Safety Rules of Handling of Hazardous Chemical Substances

Violation of the rules of production, storage, transportation, or use of chemical substances for pesticide control, mineral fertilizers, plant or animal growth stimulants, resulted in mass disease incidence of people, death of animals, birds, or fish, or other grave consequences –

shall be punished with fine from fifty to one hundred minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years or imprisonment up to three years.

The same actions resulted in death of a person –

shall be punished with arrest from three to six months, or imprisonment from three to five years and deprivation of certain right.

Article 202. Violation of Procedures for Use of Animal or Vegetable Resources

Violation of the rules of hunt, fishery, or appropriation of other species of animal world, violation of the procedures or regulations set for hunting rare animals, or picking or procurement of wild species of medical, food, and ornamental plants, as well as of the procedures for the use of animal or vegetable resources within specially protected areas of natural environment, which cause significant damage –

shall be punished with fine up to fifty minimum monthly wages, or correctional labor up to two years, or arrest up to six months.

The same acts:

- a) related to destruction of animals, birds, fish, and other species of the animal world or plants, entered in the Red Book;
- b) caused large damage;
- c) committed by previous concert by a group of individuals –

shall be punished with fine from fifty to seventy-five minimum monthly wages, or correctional labor from two to three years, or imprisonment up to five years.

The same acts committed:

- a) by a special dangerous recidivist;
- b) by a person with abuse of office;
- c) with use of terrestrial, water, or air vehicles;
- d) with use of explosive devices, pesticides, or in another commonly destructive way;
- e) by an organized group;
- f) with causing especially large damage –

shall be punished with fine from seventy-five to one hundred minimum monthly wages, or imprisonment from three to five years.

In the instance of treble compensation for the pecuniary damage, penalty of imprisonment shall not be applied.

(Paragraphs 2, 3, and 5 as amended by Law of 29.08.2001.)

Article 203. Violation of Requirements of Use of Water or Water Reservoirs

Violation of the requirements of the use of water or water reservoirs, which cause grave consequences –

shall be punished with fine from fifty to one hundred minimum monthly wages, or correctional labor up to three years, or arrest up to six months, or imprisonment up to three years.

Article 204. Violation of Status of Specially Protected Areas of Natural Environment

Violation of the status of specially protected areas of natural environment, which caused large damage or other grave consequences –

shall be punished with fine up to fifty minimum monthly wages or deprivation of certain right up to five years, or correctional labor up to two years.

Intentional destruction or damage of facilities within specially protected areas of natural environment, which caused large damage or other grave consequences –

shall be punished with fine from fifty to one hundred minimum monthly wages, or arrest up to six months, or imprisonment up to five years.

SECTION FIVE. CRIMES AGAINST ORDER OF GOVERNANCE OF AUTHORITIES, ADMINISTRATION BODIES, AND PUBLIC ASSOCIATIONS

CHAPTER 15. CRIMES AGAINST ORDER OF GOVERNANCE

Article 205. Abuse of Power or Office

Abuse of power or office, that is, intentional use of office by an official, which caused large damage or significant damage to the rights or legally protected interests of individuals or to the state or public interests –

shall be punished with fine from one hundred and fifty to three hundred minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years, or imprisonment up to three years.

The same action committed:

- a) with causing especially large damage;
- b) in the interests of an organized group;
- c) by an authorized official –

shall be punished with fine from three hundred to six hundred minimum monthly wages, or imprisonment up to five years and deprivation of certain right.

(As amended by Law of 29.08.2001)

Article 206. Excess of Power or Office

Excess of power or office, that is, intentional commission of actions by an official in excess of the power provided to him by law, resulted in large damage or significant harm to the rights or legitimate interests of individuals or to the state or public interests –

shall be punished with fine from one hundred and fifty minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years, or imprisonment up to three years.

The same action committed:

- a) with causing especially large damage;
- b) in the interests of an organized group;
- c) by an authorized official –

shall be punished with fine from three hundred to six hundred minimum monthly wages, or imprisonment up to five years and deprivation of certain right.

(As amended by Law of 29.08.2001.)

Article 207. Neglect of Office

Neglect of office, that is, failure to perform or improper performance of his office by an official due to his negligence or malpractice with regard to the office, resulted in large damage or significant harm to the rights or legitimate interests of individuals or to the state or public interests –

shall be punished with fine up to one hundred minimum monthly wages, or correctional labor up to two years.

The same act resulted in infliction of medium serious or serious bodily injury –

shall be punished with fine from one hundred to three hundred minimum monthly wages, or correctional labor from two to three years, or arrest up to six months.

The same acts resulted in death of a person –

shall be punished with imprisonment up to five years and deprivation of certain right.

(As amended by Law of 29.08.2001.)

Article 208. Administrative Inaction

Administrative inaction, that is, intentional failure to perform actions by an official, which he must have performed or could have performed according to his official duties, resulted in large damage or significant damage to the rights or legitimate interests of individuals, or the to state or public interests, or connected with connivance to a crime –

shall be punished with fine from one hundred to three hundred minimum monthly wages, or correctional labor up to three years, or imprisonment up to three years.

(As amended by Law of 29.08.2001.)

Article 209. Forgery in Office

Forgery in office, that is, entering knowingly false information and notes to official documents, falsification or making and issuance of knowingly false documents from mercenary or other motives, resulted in significant damage to the to the rights or legitimate interests of individuals, or the to state or public interests –

shall be punished with fine from one hundred to three hundred minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to two years, or imprisonment up to three years.

The same action committed:

a) repeatedly or by a dangerous recidivist;

b) in the interests of an organized group –

shall be punished with fine from three hundred to six hundred minimum monthly wages, or imprisonment up to five years and deprivation of certain right up to three years.

(As amended by Law of 29.08.2001.)

Article 210. Acceptance of Bribe

Acceptance of bribe, that is, knowingly illegal acceptance of tangible valuables by an official, personally or through an intermediate person, or acquisition of pecuniary benefit for performance or nonperformance of certain action, which he must or could have officially performed, in the interests of the person giving a bribe –

shall be punished with fine from one hundred and fifty minimum monthly wages, or imprisonment up to five years and deprivation of certain right up.

Acceptance of a bribe:

- a) repeatedly, by a dangerous recidivist or person who has previously committed crimes punishable under Articles 211 or 212 of this Code;
- b) in large amount;
- c) by extortion;
- d) by previous concert by a group of officials –

shall be punished with imprisonment from five to ten years.

Acceptance of a bribe:

- a) in especially large amount;
- b) by an authorized official;
- c) in the interests of an organized group –

shall be punished with imprisonment from ten to fifteen years.

(As amended by Law of 29.08.2001.)

Article 211. Bribe-giving

Bribe-giving, that is, knowingly illegal provision of tangible valuables to an official, personally or through an intermediate person, or of pecuniary benefit for performance or nonperformance of certain action, which the official must or could have officially performed, in the interests of the person giving a bribe –

shall be punished with fine up to fifty minimum monthly wages, or correctional labor up to three years, or arrest up to six months, or imprisonment up to three years.

Bribe-giving:

- a) repeatedly, by a dangerous recidivist or a person who has previously committed crimes punishable under Articles 210 or 212 of this Code;
- b) in large amount –

shall be punished with imprisonment from three to five years.

Bribe-giving:

- a) in especially large amount;
- b) in the interests of an organized group;
- c) by an authorized official –

shall be punished with imprisonment from five to ten years.

(Paragraphs 2 and 3 as amended by Law of 29.08.2001.)

The person who has given a bribe shall be discharged from criminal liability in the instance if there was extortion with regard to the person, or he communicated voluntarily about the event of the crime, after having committed criminal actions, repented honestly, and facilitated actively detection of the crime.

Article 212. Intermediation in Bribery

Intermediation in bribery, that is, activity carried out to arrive at an agreement about acceptance of or giving a bribe as well as immediate delivery of a bribe upon instructions of the persons concerned –

shall be punished with fine up to fifty minimum monthly wages, or correctional labor up to three years, or arrest up to six months, or imprisonment up to three years.

The same action committed:

- a) repeatedly, by a dangerous recidivist or a person who has previously committed crimes punishable under Articles 210 or 211 of this Code;
- b) in the instance of acceptance of or giving a bribe in large amount;
- c) in the instance of acceptance of a bribe by a group of officials acting by previous concert,

which is known to the agent –

shall be punished with imprisonment from three to five years.

Intermediation in bribery committed:

- a) for remuneration;
- b) in the instance of acceptance or giving of a bribe in especially large amount;
- c) in the interests of an organized group;
- d) by an authorized official –

shall be punished with imprisonment from five to eight years.

(Paragraphs 2 and 3 are as amended by Law of 29.08.2001.)

The person, who acted as an intermediate person in bribery, shall be discharged from liability in the instance if he communicated voluntarily about the event of the crime, after having committed criminal actions, repented honestly, and facilitated actively detection of the crime.

Article 213. Corruption of Officer

Corruption of an officer, that is, knowingly illegal provision of remuneration or pecuniary benefit in significant amount to an officer, who is not an official of a state body, enterprise, institution, or organization, disregarding its ownership pattern, or of a public association or self-governmental body, for performance or nonperformance of certain action, which the officer must or could have officially performed, in the interests of the person committing corruption –

shall be punished with fine up to fifty minimum monthly wages, or correctional labor up to two years, or arrest up to six months.

Knowingly illegal acceptance of remuneration or pecuniary benefit in significant amount by an officer, who is not an official of a state body, enterprise, institution, or organization, disregarding its ownership pattern, or of a public association or self-governmental body, for performance or nonperformance of certain action, which he must or could have officially performed, in the interests of the person committing corruption –

shall be punished with fine from fifty to one hundred minimum monthly wages, or correctional labor from two to three years, or imprisonment up to three years.

The actions punishable under Paragraphs 1 or 2 of this Article committed:

a) repeatedly, by a dangerous recidivist or a person who has previously committed crimes punishable under Articles 210-212 of this Code;

b) in large amount;

c) in the interests of an organized group –

shall be punished with imprisonment from three to five years.

(Paragraphs 2 and 3 are as amended by Law of 29.08.2001.)

Article 214. Extortion of Remuneration

Extortion of remuneration, that is, demand to provide remuneration or pecuniary benefit by an officer, who is not an official of a state body, enterprise, institution, or organization, disregarding its ownership pattern, or of a public association or self-governmental body, for performance of certain work or provision of certain service, which are within the official duties of such an officer, as well as intentional coercion of an individual to provide such remuneration so that the individual cannot otherwise prevent violation of his rights and legal interests –

shall be punished with fine up to fifty minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years, or arrest up to six years.

The same act committed:

a) repeatedly or by a dangerous recidivist;

b) in large amount –

shall be punished with imprisonment up to three years.

(As amended by Law of 29.08.2001.)

Article 215. Disrespect to State Emblems

Disrespect to the State Flag, State Emblem, or State Anthem of the Republic of Uzbekistan or of the Republic of Karakalpakstan –

shall be punished with fine up to twenty-five minimum monthly wages, or correctional labor up to three years, or arrest up to three months.

Article 216. Illegal Establishment of Public Associations or Religious Organizations

Illegal establishment or reactivation of illegal public associations or religious organizations as well as active participation in the activities thereof –

shall be punished with fine from fifty to one hundred minimum monthly wages, or arrest up to six months, or imprisonment up to five years.

(As amended by Law of 15.04.1999.)

Article 216¹. Inducement to Participate in Operation of Illegal Public Associations or Religious Organizations

Inducement to participate in operation of public associations, religious organizations, movements or sects, which are illegal in the Republic of Uzbekistan, after infliction of administrative penalty for the same actions –

shall be punished with fine from twenty-five to fifty minimum monthly wages, correctional labor up to three years, or arrest up to six months, or imprisonment up to three years.

(As introduced by Law of 1.05.1998.)

(As amended by Law of 15.04.1999.)

Article 216². Violation of Legislation on Religious Organizations

Performance of illegal religious activity, evasion from the registration of an organization's chart by leaders of religious organizations, and conducting special meetings for juveniles, labor circles, and other circles and groups, unrelated to worship, by religious leaders and members of religious organizations, after infliction of administrative penalty for the same acts –

shall be punished with fine from fifty to one hundred minimum monthly wages, or arrest up to six, or imprisonment up to three years.

Conversion of believers belonging to certain religion to other religions (proselytism) and other missionary activities, after infliction of administrative penalty for the same actions –

shall be punished with fine from fifty to one hundred minimum monthly wages, or arrest up to six months, or imprisonment up to three years.

(As introduced by Law of 1.05.1998.)

Article 217. Violation of Procedures for Organizing, Holding of Assemblies, Meetings, or Demonstrations

Violation of procedures for organizing or holding of assemblies, meetings, or demonstrations, committed by their organizer, after infliction of administrative penalty for the same actions –

shall be punished with fine from fifty to seventy-five minimum monthly wages, or arrest up to six months, or imprisonment up to three years.

Violation of regulations on holding religious assemblies, processions, and other cultic ceremonies, after infliction of administrative penalty for the same actions –

shall be punished with fine from fifty to seventy-five minimum monthly wages, or arrest up to six months, or imprisonment up to three years.

(As amended by Law of 1.05.1998.)

Article 218. Direction of Illegal Strike or Impediment to Operation of Enterprise, Institution, or Organization in Emergency State

Direction of illegal strike as well as impediment to operation of enterprise, institution, or organization in emergency state –

shall be punished with fine from fifty to one hundred minimum monthly wages, or arrest up to six months, or imprisonment up to five years.

Article 219. Resistance to Authority or Person Fulfilling Civil Duty

Resistance, that is, active counteraction to legitimate activity of official performing his official duties or of a person fulfilling a civil duty –

shall be punished with fine up to fifty minimum monthly wages, or correctional labor up to three years, or arrest up to three months.

Any coercion of the persons referred to in Paragraph 1 of this Article to refuse to perform their official duties or civil duty as well as to commit illegal actions –

shall be punished with arrest from three to six months, or imprisonment up to five years.

Article 220. Actions Disorganizing Operation of Institution of Execution of Penalty of Imprisonment

Actions, disorganizing the operation of an agency of execution of penalty of imprisonment, committed by a person, who serves penalty of imprisonment, manifested in terrorization of the convicted persons or assault to administration officer of such agency, as well as in organizing criminal groupings with the above purposes or active participation in activity thereof –

shall be punishable with imprisonment from three to five years.

The same actions committed:

- a) a special dangerous recidivist;
- b) a person convicted for the commission of a serious or very serious crime;
- c) by a group of individuals –

shall be punished with imprisonment from five to ten years.

Article 221. Disobedience to Legitimate Orders of Administration of Institution of Execution of Penalty

Disobedience to legitimate orders of the administration of execution of penalty or other counteraction to the administration in performing its functions by a person serving his penalty in institutions of confinement, if the person has been penalized with commitment to a premise of cell type (solitary cell) or to a prison for violation of penal security regulations within one year –

shall be punished with imprisonment up to three years.

The same acts committed:

- a) by a special dangerous recidivist;
- b) by a person convicted for a serious or very serious crime –

shall be punished with imprisonment from three to five years.

Article 222. Escape from Institutions of Confinement

Escape from institutions of confinement or custody committed by a person serving penalty or held in pretrial detention –

shall be punished with imprisonment up to five years.

Escape committed:

- a) with infliction of trivial or medium bodily injury;
- b) by a special dangerous recidivist ;
- c) by a group of individuals –

shall be punished with imprisonment from five to eight years.

Article 223. Illegal Exit from or Entry in Republic of Uzbekistan

Exit from or entry in the Republic of Uzbekistan, or crossing the state border, which violate the duly set procedures –

shall be punished with fine from fifty to one hundred minimum monthly wages, or imprisonment from three to five years.

The same actions committed:

- a) by breakthrough;
- b) by previous concert by a group of individuals;
- c) by an official whose exit requires a special approval –

shall be punished with imprisonment from five to ten years.

Foreign nationals and stateless persons, who arrived in Uzbekistan without due formalization of entry documents in order to exercise the right to political asylum envisaged by the Constitution of the Republic of Uzbekistan, shall be excused from liability.

Article 224. Violation of Regulations of Stay in Republic of Uzbekistan

Violation of regulations of stay in the Republic of Uzbekistan by a foreign national or stateless person, that is, habitation without documents confirming the right to habitation or with invalid documents, failure to comply with set procedures for temporary or permanent residence permission (*propiska*), movement or choice of place of residence, evasion from exit upon expiration of the term of stay, as well as nonobservance of procedures for transit travel via the territory of the Republic of Uzbekistan, after infliction of administrative penalty for the same acts –

shall be punished with fine from fifty to one hundred minimum monthly wages, or imprisonment from one year to three years.

(As amended by Law of 15.04.1999.)

Violation of procedures for admission of foreign nationals or stateless persons by an official, envisaged by the regulations of their stay in the Republic of Uzbekistan, after infliction of administrative penalty for the same acts, -

shall be punished with fine from seventy-five to one hundred minimum monthly wages, or imprisonment up to three years.

Failure to take measures by a national of the Republic of Uzbekistan, who invited foreign nationals or stateless persons on private business, for ensuring temporary residence permission (*propiska*) of the said persons and their exit upon expiration of their term of stay, as well as provision of housing, vehicles, or other services to them in the instances when these actions knowingly result in violation of the regulation of stay in the Republic of Uzbekistan, after infliction of administrative penalty for the same acts –

shall be punished with fine from fifty to one hundred minimum monthly wages, or correctional labor up to two years, or imprisonment up to two years.

(As amended by Law of 15.04.1999.)

Article 225. Evasion of Military or Alternative Service

Evasion of active military or alternative draft, after infliction of administrative penalty for the same act –

shall be punished with correctional labor up to two years or imprisonment up to two years.

Evasion of active military or alternative draft committed:

- a) by self-infliction of bodily injury;
- b) by forgery of documents or other deception –

shall be punished with correctional labor from two to three years, or imprisonment up to three years.

Evasion of mobilization draft of the Armed Forces of the Republic of Uzbekistan –

shall be punished with imprisonment from five to ten years.

Violation of a duty by a person in active alternative service, after infliction of administrative penalty for the same act –

shall be punished with fine up to fifty minimum monthly wages, or arrest up to six months.

Article 226. Violation of Regulations of Administrative Supervision

Violation of the regulations of administrative supervision by a person, who subjected to such supervision, after infliction of administrative penalty for the same act –

shall be punished with fine up to fifty minimum monthly wages, or imprisonment up to two years.

Violation of the regulations of administrative supervision manifested in:

- a) voluntary leave from the place of residence with the purpose of evasion of administrative supervision;
- b) failure to arrive at the selected place of residence within the prescribed term without valid reasons in the instances when administrative supervision is imposed after release from institutions of confinement –

shall be punished with imprisonment from two to four years.

Article 227. Acquisition, Destruction, Damage, or Concealment of Documents, Stamps, and Forms

Acquisition of documents, stamps, and forms of strict reporting of enterprises, institutions, and organizations as well as destruction, damage, or concealment thereof committed from mercenary or other foul motives –

shall be punished with fine up to twenty-five minimum monthly wages, or correctional labor up to two years, or arrest up to six months.

The same actions committed:

- a) with regard to a passport, military identity card, or other important identity documents, or with regard to documents, stamps, or forms of especial importance;
- b) resulted in grave consequences –

shall be punished with fine from fifty to one hundred minimum monthly wages, or correctional labor from two to three years, or imprisonment up to three years.

(As amended by Law of 26.05.2000.)

Article 228. Production, Forgery of Documents, Stamps, Seals, Blanks and Their Sale or Use

Production, forgery of an official document that gives a right or relieves of a duty for the purposes of their use by the forger himself or by another person, as well as production of forged stamps, seals, or blanks of enterprises, institutions, or organizations for the same purposes, or their sale -

shall be punished with a fine from fifty to one hundred minimum monthly wages, or correctional labor up to three years, or by an arrest up to six months.

The same actions that have been committed:

- a. repeatedly or by a dangerous recidivist;
- b. by previous concert by a group of individuals –

shall be punished with correctional labor from two to three years, or by imprisonment from three to five years.

Use of a knowingly forged document –

shall be punished with a fine from twenty-five to fifty minimum monthly wages, or correctional labor up to two years, or by imprisonment up to two years.

(As amended by the Law of 26.05.2000)

Article 228¹. Violation of Rules of Production and Use of State Marks of Assay

Illegal production, sale, or use, as well as forgery of a state mark of assay, committed for mercenary or other personal interest –

shall be punished with a fine up to fifty minimum monthly wages, or correctional labor up to two years, or arrest up to six months.

The same actions that have been committed:

- a. repeatedly;
- b. by previous concert by a group of individuals –

shall be punished with correctional labor from two to three years, or by imprisonment up to three years.

(Introduced by the Law of 26.05.2000, amended by the Law of 29.08.2001)

Article 229. Self-will

Self-will, that is unauthorized exercise of one's existing or assumed right, that has caused serious damage to the rights or legally protected interests of individuals, or to state or public interests –

shall be punished with a fine up to fifty minimum monthly wages, or correctional labor up to two years, or arrest up to three months.

Article 229¹. Unauthorized Seizure of Land Plots

Unauthorized seizure of land plots after an administrative penalty having been imposed for the same action –

shall be punished with a fine from fifty to one hundred minimum monthly wages, or correctional labor up to three years, or arrest up to six months.

(Introduced by the Law of 1.05.1998, amended by the Law of 20.08.1999)

Article 229². Violation of Procedure for Teaching Religious Beliefs

Teaching religious beliefs without a special religious education and without a permission from the central organ of a religious organization, as well as teaching religious beliefs privately after an administrative penalty having been imposed for the same action –

shall be punished with a fine from fifty to one hundred minimum monthly wages, or correctional labor up to three years, or arrest up to six months, or imprisonment up to three years.

(Introduced by the Law of 1.05.1998)

CHAPTER 16. CRIMES AGAINST JUSTICE

Article 230. Bringing Innocent Person to Liability

Engaging by an inquiry officer, investigator, or prosecutor of a knowingly innocent person as an accused for commission of a socially dangerous act –

shall be punished with imprisonment up to five years.

The same action that has been jointed with accusation in committing of a serious or especially serious socially dangerous act –

shall be punished with imprisonment from five to eight years.

Article 231. Rendering Unjust Sentence, Decision, Finding, or Ruling

Rendering of a knowingly unjust sentence, decision, finding, or ruling –

shall be punished with imprisonment up to five years.

The same action that has resulted in death of a person or other grave consequences –

shall be punished with imprisonment from five to ten years.

Article 232. Non-Execution of Judicial Decision

Intentional non-execution by an official of a court sentence, decision, finding, or ruling or impeding execution thereof –

shall be punished with fine up to fifty minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years, or imprisonment up to three years.

Article 233. Illegal Disposal of Attached Property

Illegal disposal, that is appropriation, embezzlement, concealment, destruction, or damaging of attached or pledged property by a person, to whom this property has been entrusted, which has resulted in considerable damage –

shall be punished with a fine from fifty to one hundred minimum monthly wages, or correctional labor up to three years, or arrest up to six months, or imprisonment up to five years. *(As amended by the Law of 29.08.2001)*

In the instance of treble recovery of the pecuniary damage, penalty of imprisonment shall not be imposed. *(As amended by the Law of 20.08.1999)*

Article 234. Illegal Detention or Taking into Custody

Knowingly illegal detention, that is short-term restriction of liberty of a person by an inquiry officer, investigator, or prosecutor in the absence of legal grounds –

shall be punished with a fine up to fifty minimum monthly wages or arrest up to six months.

Knowingly illegal taking into custody or holding in custody –

shall be punished with a fine from fifty to one hundred minimum monthly wages or imprisonment up to three years.

Article 235. Coercion to Giving Testimony

Coercion to giving testimony, that is mental or physical pressure on a suspect, accused, witness, victim, or examiner by threats, striking, beating, tormenting, causing of suffering, inflicting of trivial or medium bodily injury or other illegal acts committed by an inquiry officer, investigator, or prosecutor with the purpose to coerce to giving testimony –

shall be punished with arrest up to six months or imprisonment up to five years.

The same action that has resulted in grave consequences –
shall be punished with imprisonment from five to eight years.

Article 236. Interference in Investigation or Consideration of Cases in Court

Interference in investigation or consideration of cases in court, that is illegal influence in any form on an inquiry officer, investigator, or prosecutor with the purpose to impede thorough, full and objective investigation of a case or on a judge for rendering an unjust sentence, decision, finding, or ruling –

shall be punished with correctional labor up to three years or imprisonment up to three years.

The same action that has been committed by an official –

shall be punished with arrest up to six months or imprisonment from three to five years with deprivation of certain right.

Article 237. False Information

False information, that is a knowingly false communication about a crime –

shall be punished with a fine from twenty-five to fifty minimum monthly wages, or correctional labor up to three years, or arrest up to six months.

The same action that has been committed:

- a. with creating artificial evidence of accusation;
- b. from mercenary motives;
- c. in interests of an organized group –

shall be punished with fine from fifty to seventy-five minimum monthly wages or imprisonment up to five years.

The same act that has resulted in grave consequences –

shall be punished with imprisonment from five to eight years.

(Paragraphs 2 and 3 as amended by the Law of 29.08.2001)

Article 238. Perjured Testimony

Perjured testimony, that is knowingly false testimony of a witness or victim or knowingly false opinion of a forensic examiner, as well as knowingly wrong translation/interpretation from one language into another in the course of inquiry, pretrial investigation or in court –

shall be punished with fine up to twenty-five minimum monthly wages, or correctional labor up to two years, or arrest up to six months.

Tampering with witness or victim to give false testimony or with a forensic examiner to give false opinion, or with a translator/interpreter to make a wrong translation/interpretation in the course of inquiry, preliminary investigation or judicial consideration of the case, as well as forcing to perjured testimony by mental and physical pressure on them or on their close relatives –

shall be punished with correctional labor from two to three years or imprisonment up to three years.

The actions punishable under Paragraph 1 or 2 of this Article committed in interests of an organized group –

shall be punished with imprisonment from three to five years.

Article 239. Disclosure of Information of Inquiry or Pretrial Investigation

Disclosure of information of inquiry or preliminary investigation without authorization of inquiry officer, investigator, or prosecutor –

shall be punished with fine up to fifty minimum monthly wages, or correctional labor up to three years, or imprisonment up to three years.

Article 240. Evasion of Participants of Criminal Proceedings from Performing Obligations

Refusal or evasion of a witness from giving testimony or of a forensic examiner from giving opinion during the conduct of inquiry, preliminary investigation or in court –

shall be punished with fine up to twenty-five minimum monthly wages or arrest up to three months.

Close relatives of the suspect, accused, or defendant shall not be liable for refusal or evasion from giving witness testimony.

Article 241. Failure to Report about Crime or Concealment Thereof

Failure to report about a certainly known serious or especially serious crime being prepared or having been committed –

shall be punished with fine up to fifty minimum monthly wages, or correctional labor up to two years, or arrest up to six months, or imprisonment up to three years.

Concealment of a serious or especially serious crime that has not been promised beforehand –

shall be punished with fine up to seventy-five minimum monthly wages, or correctional labor up to three years, or imprisonment up to five years.

SECTION SIX

CRIMES AGAINST PUBLIC SECURITY AND PUBLIC ORDER

CHAPTER 17. CRIMES AGAINST PUBLIC SECURITY

Article 242. Organization of Criminal Community

Organization of a criminal community, that is establishment or direction of a criminal community or divisions thereof, as well as activities aimed at ensuring their existence and operation –

shall be punished with imprisonment from fifteen to twenty years.

Establishment of an armed organized group, as well direction thereof or participation therein –

shall be punished with imprisonment from ten to fifteen years.

(As amended by the Law of 29.08.2001)

Article 243. Legalization of Revenue from Criminal Activities

Legalization of revenue received from criminal activities, that is a transfer, conversion, or exchange of property, which has been obtained in result of criminal activities, as well as non-disclosure or concealment of original nature, source, location, way of disposal, movement, genuine rights in relation to the property or ownership thereof in the instance if such property has been obtained as a result of criminal activities –

shall be punished with imprisonment from ten to fifteen years.

(As amended by the Law of 29.08.2001)

Article 244. Riots

Organization of riots accompanied with personal violence, pogroms, arsons, damage and destruction of property, resistance to a representative of authority with use of or threat to use arms or other objects as arms, as well as active participation in riots –

shall be punished with imprisonment from ten to fifteen years.

(As amended by the Law of 29.08.2001)

Article 244¹. Production and Dissemination of Materials Containing Threat to Public Security and Public Order

Production or keeping with the purpose to dissemination of materials that contain ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent eviction, or aimed at creating a panic among the population, which have been committed after imposition of an administrative penalty for the same acts –

shall be punished with a fine from fifty to one hundred minimum monthly wages, or correctional labor up to three years, or arrest up to six months, or imprisonment up to three years.

Any form of dissemination of information and materials containing ideas of religious extremism, separatism, and fundamentalism, calls for pogroms or violent eviction of individuals, or aimed at creating a panic among the population, as well as the use of religion in purposes of breach of civil concord, dissemination of calumnious and destabilizing fabrications, and committing other acts aimed against the established rules of conduct in society and of public security –

shall be punished with a fine from seventy-five to one hundred minimum monthly wages, or arrest up to six months, or imprisonment from three to five years.

The actions foreseen in Paragraph 1 or 2 of this Article, committed:

- a. by previous concert or by a group of individuals;
- b. with use of official capacity;
- c. with use of financial or other material aid received from religious organizations, as well as from foreign States, organizations, and nationals –

shall be punished with imprisonment from five to eight years.

(Introduced by the Law of 1.05.1998, amended by the Law of 29.08.2001)

Article 244². Establishment, Direction of or Participation in Religious Extremist, Separatist, Fundamentalist or Other Banned Organizations

Establishment, direction of or participation in religious extremist, separatist, fundamentalist or other banned organizations –

shall be punished with imprisonment from five to fifteen years.

The same actions that have resulted in grave consequences –
shall be punished with imprisonment from fifteen to twenty years.

A person shall be discharged from liability for the offense punishable under Paragraph 1 of this Article, if he voluntarily communicated about the existence of banned organizations and assisted to detection of the offense.

(Introduced by the Law of 1.05.1998, amended by the Law of 29.08.2001)

Article 245. Taking Hostage

Taking or holding a person as a hostage in purposes of forcing the State, international organization, or physical or legal entity to commit some action or abstain therefrom as a condition for release of the hostage, in the absence of criteria envisaged in Articles 155 and 165 of this Code, –

shall be punished with imprisonment from five to ten years.

The same actions,

- a. committed in respect of a juvenile;
- b. committed in respect of at least two persons;
- c. that have resulted in grave consequences, –

shall be punished with imprisonment from ten to fifteen years.

(As amended by the Law of 29.08.2001)

Article 246. Smuggling

Smuggling, that is carriage through the customs border of the Republic of Uzbekistan without the knowledge of or with concealment from customs control, or with using false documentation or means of customs identification, or jointed with non-declaration or with declaration under false name of virulent, poisonous, toxic, radioactive, explosive substances, explosive assemblies, armaments, firearms, or ammunition, as well as narcotic or psychotropic substances, or materials that propagandize religious extremism, separatism, and fundamentalism –

shall be punished with imprisonment from five to ten years.

Smuggling of nuclear, chemical, biological and other types of weapons of mass destruction, materials and equipment that knowingly may be used for production thereof, as well as narcotic or psychotropic substances in large amounts –

shall be punished with imprisonment from ten to twenty years.

(As amended by the Laws of 30.08.1996, 1.05.1998, 29.08.1998, and 29.08.2001)

Article 247. Illegal Occupancy of Firearms, Ammunition, Explosive Substances, or Explosive Assemblies

Occupancy of firearms, ammunition, explosive substances, or explosive assemblies, conducted by theft or fraud –

shall be punished with correctional labor up to three years or imprisonment up to five years.

The same action that has been committed:

- a. repeatedly;
- b. by previous concert by a group of individuals;
- c. by appropriation, embezzlement, or abuse of official capacity;
- d. by robbery;
- e. by extortion –

shall be punished with imprisonment from five to ten years.

The same action that has been committed:

- a. by assault related to robbery;
- b. by a special dangerous recidivist;
- c. by an organized group or in its interests –

shall be punished with imprisonment from ten to twenty years.

(As amended by the Law of 29.08.2001)

Article 248. Illegal Possession of Arms, Ammunition, Explosive Substances, or Explosive Assemblies

Production, purchase, bearing, keeping, carriage, or transmission of firearms, as well as ammunition, explosive substances or explosive assemblies without a due authorization –

shall be punished with a fine up to fifty minimum monthly wages, or arrest up to six months, or imprisonment up to five years.

The same actions committed repeatedly or by a dangerous recidivist –

shall be punished with imprisonment from five to ten years.

Sale of firearms, ammunition, explosive substances, or explosive assemblies –

shall be punished with imprisonment from ten to twenty years.

A person who has voluntarily surrendered the objects envisaged in this Article shall be discharged from criminal liability.

(As amended by the Laws of 27.12.1996 and 29.08.2001)

Article 249. Negligent Storing of Firearms or Ammunition

Negligent storing of firearms or ammunition thereto, which has resulted in a death of a person or other grave consequences –

shall be punished with a fine up to fifty minimum monthly wages, or correctional labor up to three years, or imprisonment up to five years.

Article 250. Violation of Rules of Treatment of Explosive Substances or Pyrotechnic Products

Violation of rules of storage, registration, use, carriage, transmission of explosive, flammable, caustic substances or pyrotechnic products that has resulted in infliction of a medium or serious bodily injury –

shall be punished with a fine from fifty to one hundred minimum monthly wages, or correctional labor up to two years, or arrest up to six months, or imprisonment up to three years.

The same act that has resulted in:

- a. death of a person;
- b. other grave consequences –

shall be punished with imprisonment from three to five years.

(As amended by the Law of 29.08.2001)

Article 251. Illegal Occupancy of Strong or Poisonous Substances

Illegal occupancy of strong or poisonous substances done by theft or fraud –

shall be punished with correctional labor up to three years, or imprisonment up to five years.

The same action committed:

- a. repeatedly or by a dangerous recidivist;
- b. by previous concert by a group of individuals;
- c. by appropriation, embezzlement, or abuse of official capacity;
- d. by robbery;

e. by extortion –

shall be punished with imprisonment from five to ten years.

The same action committed:

- a. by assault related to robbery;
- b. in large amount;
- c. by an organized group or in its interests –

shall be punished with imprisonment from ten to twenty years.

(Paragraphs 2 and 3 are as amended by the Law of 29.08.2001)

Article 252. Illegal Occupancy of Radioactive Materials

Illegal occupancy of radioactive materials –

shall be punished with arrest up to six months or imprisonment up to five years.

The same action that has been committed:

- a. repeatedly or by a dangerous recidivist;
- b. by previous concert by a group of individuals;
- c. with use of official capacity –

shall be punished with imprisonment from five to ten years.

The same action that has committed:

- a. by an organized group or in its interests;
- b. by a special dangerous recidivist –

shall be punished with imprisonment from ten to twenty years.

(As amended by the Law of 29.08.2001)

Article 253. Violation of Rules of Treatment of Radioactive Materials

Violation of rules of storage, registration, use, carriage, transmission, and other rules of treatment of radioactive materials that has resulted in infliction of a medium or serious bodily injury –

shall be punished with a fine from fifty to one hundred minimum monthly wages, or correctional labor up to three years, or imprisonment up to three years.

The same act that has resulted in:

- a. death of a person;
- b. other grave consequences –

shall be punished with imprisonment from three to five years with deprivation of certain right.

(As amended by the Law of 29.08.2001)

Article 254. Illegal Treatment with Radioactive Materials

Illegal purchase, storage, use, transfer, or destruction of radioactive materials, that is of sources of ionizing radiation, radioactive substances or nuclear materials in any condition, in a plant or an article, or in another form, which has resulted in infliction of a medium or serious bodily injury –

shall be punished with a fine from twenty-five to fifty minimum monthly wages, or correctional labor up to three years, or imprisonment up to five years.

The same acts that have resulted in:

- a. death of a person;
- b. other grave consequences –

shall be punished with imprisonment from five to eight years.

Article 255. Violation of Rules of Maintenance of Nuclear Plants

Violation of rules of maintenance of objects, related to the use of nuclear energy, which has resulted in infliction of a medium or serious bodily injury –

shall be punished with a fine from fifty to one hundred minimum monthly wages, or correctional labor up to three years, or imprisonment up to five years.

The same act that has resulted in:

- a. death of a person;
- b. other grave consequences –

shall be punished with imprisonment from five to ten years with deprivation of certain right.

Article 255¹. Development, Production, Proliferation, Purchase, Transfer, Storage, Illegal Occupancy and Other Actions with

Bacteriological, Chemical, and Other Types of Weapons of Mass Destruction

Development, production, proliferation, purchase, transfer, storage, illegal occupancy and other actions with bacteriological (biological), chemical, and other types of weapons of mass destruction that are prohibited by international treaties to which the Republic of Uzbekistan is a party –

shall be punished with imprisonment from five to eight years.

The same acts that have resulted in:

- a. death of a person;
- b. other grave consequences –

shall be punished with imprisonment from eight to fifteen years.

(Introduced by the Law of 26.05.2000, amended by the Law of 29.08.2001)

Article 256. Violation of Safety Regulations in Research Activities

Violation of safety regulations when carrying out research or experimental activities that has resulted in infliction of a medium or serious bodily injury –

shall be punished with a fine up to fifty minimum monthly wages or correctional labor up to two years.

The same act:

- a. committed by the person who is responsible for observance of safety regulations;
- b. that has caused large damages –

shall be punished with correctional labor from two to three years or imprisonment up to three years.

The same act that has resulted in:

- a. death of a person;
- b. other grave consequences –

shall be punished with imprisonment from three to five years.

Article 257. Violation of Labor Protection Regulations

Violation of occupational safety, industrial sanitation or other labor protection regulations by a person, who is responsible for their observance, that has resulted in a medium or serious bodily injury –

shall be punished with a fine from twenty-five to fifty minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years, or imprisonment up to three years.

The same act that has resulted in:

- a. death of a person;
- b. other grave consequences –

shall be punished with imprisonment up to five years with deprivation of certain right.

(As amended by the Law of 20.08.1999)

Article 257¹. Violation of Sanitary Legislation or Anti-Epidemic Regulations

Violation of sanitary legislation or anti-epidemic regulations that has resulted in mass disease or intoxication of people –

shall be punished with a fine from fifty to one hundred minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to two years, or imprisonment up to three years.

The same act that has resulted in death of a person –

shall be punished with correctional labor from two to three years, or imprisonment from three to five years.

The same act that has resulted in death of persons –

shall be punished with imprisonment from five to eight years.

(Introduced by the Law of 1.05.1998)

Article 258. Violation of Safety Regulations of Mining, Construction, or Blasting

Violation of mining, construction, or blasting that has resulted in infliction of a medium or serious bodily injury –

shall be punished with a fine from twenty-five to fifty minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years, or imprisonment up to three years.

The same act that has resulted in:

- a. death of a person;

b. other grave consequences –

shall be punished with imprisonment up to five years with deprivation of certain right.

(As amended by the Law of 20.08.1999)

Article 259. Violation of Fire Safety Regulations

Violation of fire safety regulations by a person, who is responsible for their observance, that has resulted in infliction of a medium or serious bodily injury –

shall be punished from twenty-five to fifty minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years, or imprisonment up to three years.

The same act that has resulted in:

- a. death of a person;
- b. other grave consequences –

shall be punished with imprisonment up to five years with deprivation of certain right.

(As amended by the Law of 20.08.1999)

CHAPTER 18. CRIMES AGAINST SAFETY OF TRAFFIC AND OPERATION OF MEANS OF TRANSPORTATION

Article 260. Violation of Regulations on Safety of Movement or Operation of Railway, Sea, River, or Air Transport

Violation of regulations on safety of movement or operation of a means of transport by a person, operating a railway, sea, river, or air transport, that has resulted in infliction of a medium or serious bodily injury –

shall be punished with a fine from twenty-five to fifty minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years, or imprisonment up to three years.

The same act that has resulted in death of a person –

shall be punished with imprisonment up to eight years.

The same act that has resulted in:

- a. death of persons;

- b. fatal accident;
- c. other grave consequences –

shall be punished with imprisonment up to ten years.

(As amended by the Law of 20.08.1999)

Article 261. Allowance to Person in State of Intoxication to Operate Means of Transportation

Allowance to a person in a state of alcoholic intoxication or under the effect of narcotic, psychotropic or other substance that affects intellect and will, to operate a railway, sea, river, air, automobile or other transport by a person, responsible for operation thereof, that has resulted in infliction of a serious bodily injury or death of a person –

shall be punished with a fine up to fifty minimum monthly wages, or correctional labor up to three years, or imprisonment up to three years with deprivation of certain right.

Article 262. Violation of Regulations on Repair and Admission for Operation

Unsound repair of railway, sea, river, air, automobile or other means of transportation, communication lines, means of signaling, communication or other transport equipment, as well as release for operation of knowingly out-of-order transport vehicles, that has been committed by a person, who had carried out repair, or who is responsible for technical condition and operation of the transport vehicle, and that has resulted in infliction of a medium or serious bodily injury –

shall be punished with a fine up to fifty minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years.

The same act that has resulted in death of a person –

shall be punished with imprisonment up to five years.

The same act that has resulted in:

- a. death of persons;
- b. fatal accident;
- c. other grave consequences –

shall be punished with imprisonment up to eight years.

(As amended by the Law of 20.08.1999)

Article 263. Breaking Railway, Sea, River, Air Transport or Communication Lines

Intentional destruction, damaging or otherwise deactivating railway, sea, river or air transport vehicle, communication lines, structures thereon, means of signaling, communication or other transport equipment, that has resulted in infliction of a medium or serious bodily injury –

shall be punished with a up to one hundred minimum monthly wages, or correctional labor up to three years, or imprisonment up to five years.

The same action that has resulted in death of a person –

shall be punished with imprisonment from five to ten years.

The same action that has resulted in:

- a. death of persons;
- b. fatal accident;
- c. other grave consequences –

shall be punished with imprisonment from ten to fifteen years.

Article 264. Hijacking or Seizure of Railway Rolling-Stock, Air, Sea or River Vessel

Hijacking or seizure of a railway rolling-stock, or an air, sea, or river vessel –

shall be punished with imprisonment from five to ten years.

The same actions that have been committed:

- a. by previous concert by a group of individuals;
- b. with violence or threats to use it –

shall be punished with imprisonment from ten to fifteen years.

Article 265. Violation of Outbound Flights Regulations

Failure to observe the routes, places of landing, air gates, flight height that are indicated in the clearance, or other violation of outbound flights regulations –

shall be punished with a fine up to fifty minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years, or arrest up to six months.

Article 266. Violation of Safety Regulations on Movement or Operation of Means of Transportation

Violation of safety regulations on movement or operation of a transport vehicle by a person who operated the vehicle, that has resulted in infliction of a medium or serious bodily injury –

shall be punished with a fine up to fifty minimum monthly wages or correctional labor up to three years.

The same act that has resulted in death of a person –

shall be punished with imprisonment up to seven years with deprivation of certain right.

The same act that has resulted in:

- a. death of persons;
- b. fatal accident;
- c. other grave consequences –

shall be punished with imprisonment up to ten years with deprivation of certain right.

(As amended by the Law of 20.08.1999)

Article 267. Hijacking of Transport Vehicle

Hijacking of a transport vehicle –

shall be punished with imprisonment from three to five years.

The same action that has been committed:

- a. repeatedly or by a dangerous recidivist;
- b. by a previous concert by a group of individuals –

shall be punished with imprisonment from five to ten years.

The same action that has been committed:

- a. by a special dangerous recidivist;
- b. by an organized group;
- c. with violence or threat to use it –

shall be punished with imprisonment from ten to fifteen years.

(Paragraphs 2 and 3 are as amended by the Law of 29.08.2001)

Article 268. Violation of Regulations on Ensuring Safe Operation of Transport

Violation of traffic safety regulations or regulations on safe operation of all types of transport by a passenger, pedestrian, bicyclist, cartage operator and other traffic participants, except for persons referred to in Articles 261-263, 265 or 266 of this Code, that has resulted in infliction of a medium or grave bodily injury –

shall be punished with a fine up to twenty-five minimum monthly wages, or correctional labor up to three years, or imprisonment up to three years.

The same action that has resulted in death of a person –

shall be punished with arrest up to six months or imprisonment from three to five years.

The same action that has resulted in:

- a. death of persons;
- b. other grave consequences –

shall be punished with imprisonment from five to eight years.

Article 269. Violation of Regulations on Use and Protection of Automobile Roads

Violation of regulations on use and protection of automobile roads, that is laying, repair without appropriate permission of underground or surface communications on automobile roads and within road precinct, failure to observe of set conditions and terms of conducting of this work, arbitrary erection of arches, fences, turnpikes or other structures, storage of materials and other objects on roads, destruction of roadbed, that has resulted in infliction of a medium or serious bodily injury –

shall be punished with a fine up to fifty minimum monthly wages, or correctional labor up to three years, or arrest up to six months, or imprisonment up to three years.

The same act that has resulted in death of a person –

shall be punished with imprisonment from three to five years.

The same act that has resulted in:

- a. death of persons;
- b. other grave consequences –

shall be punished with imprisonment from five to eight years.

CHAPTER 19. CRIMES THAT CONSTITUTE ILLEGAL TURNOVER OF NARCOTIC OR PSYCHOTROPIC SUBSTANCES

Article 270. Cultivation of Prohibited Plants

Cultivation, that is illegal sowing or raising of opium or oil poppy, cannabis or other plants that contain narcotic or psychotropic substances –

shall be punished with a fine from twenty-five to fifty minimum monthly wages, or correctional labor up to three years, or imprisonment up to three years.

The same action that has been committed:

- a. by a person, who had previously committed a crime that constitutes illegal turnover of narcotic or psychotropic substances;
- b. by previous concert by a group of individuals;
- c. on a medium-size land plot –

shall be punished with a fine from fifty to one hundred minimum monthly wages, or arrest up to six months, or imprisonment from three to five years.

The same action that has been committed:

- a. by a special dangerous recidivist;
- b. by an organized group or in its interests;
- c. on a large-size land plot –

shall be punished with imprisonment from five to ten years.

(As amended by the Law of 29.08.2001)

Article 271. Illegal Occupancy of Narcotic or Psychotropic Substances

Illegal occupancy of narcotic or psychotropic substances that has been committed by theft or fraud –

shall be punishable by correctional labor up to three years, or arrest up to six months, or imprisonment up to five years.

The same action that has been committed:

- a. by a person, who had previously committed a crime that constitutes illegal turnover of narcotic or psychotropic substances;
- b. by previous concert by a group of individuals;

- c. by appropriation or embezzlement;
- d. by robbery;
- e. by abuse of official capacity;
- f. by extortion;
- g. in large amounts –

shall be punished with imprisonment from five to ten years.

The same action that has been committed:

- a. by a special dangerous recidivist;
- b. by an organized group or in its interests;
- c. by assault related to robbery –

shall be punished with imprisonment from ten to twenty years.

(As amended by the Law of 29.08.2001)

Article 272. *(Abolished by the Law of 20.08.1999)*

Article 273. Illegal Production, Purchase, Storage, and Other Activities Related to Narcotic and Psychotropic Substances with Purpose of Sale as well as Sale thereof

Illegal production, purchase, storage, carriage or transmission of narcotic and psychotropic substances in small amounts with the purpose to sell, as well as sale thereof –

shall be punished with arrest up to six months or imprisonment from three to five years.

The acts foreseen in Paragraph 1 of this Article, committed in amounts larger than small –

shall be punished with imprisonment from five to seven years.

The acts foreseen in Paragraphs 1 or 2 of this Article that have been committed:

- a. by a person, who had previously committed a crime that constitutes illegal turnover of narcotic or psychotropic substances;
- b. by previous concert by a group of individuals;
- c. in places of serving the sentence in the form of imprisonment;
- d. in educational establishments or other places that are used by schoolchildren or students for educational, sports or public events –

shall be punished with imprisonment from seven to ten years.

Illegal production or processing of narcotic or psychotropic substances in laboratories or with use of funds and equipment that are in another's ownership or with use of precursors, as well as organization or keeping disorderly houses for consumption or distribution of these substances, as well as the acts foreseen in paragraphs two or three of this Article that have been committed:

- a. by a dangerous recidivist;
- b. by an organized group or in its interests –

shall be punished with imprisonment from ten to fifteen years.

Illegal sale of narcotic or psychotropic substances in large amounts –

shall be punished with imprisonment from ten to twenty years.

Persons, who have committed the acts punishable under Paragraph 1 of this Article, shall be relieved from penalty if they voluntarily surrendered to authorities and delivered the narcotic or psychotropic substances.

(As amended by the Law of 20.08.1999 and 29.08.2001)

Article 274. Involvement in Use of Narcotic or Psychotropic Substances

Involvement in use of narcotic, psychotropic or other substances that affect intellect and will in any form –

shall be punished with correctional labor up to three years or imprisonment up to three years.

The same action that has been committed:

- a. by a person, who had previously committed a crime that constitutes illegal turnover of narcotic or psychotropic substances;
- b. in places of serving the sentence in the form of imprisonment;
- c. in respect to at least two persons –

shall be punished with arrest up to six months or imprisonment from three to five years.

Article 275. Violation of Regulations on Production or Treatment of Narcotic or Psychotropic Substances

Violation of set regulations on production, storage, registration, release, carriage or transmission of narcotic or psychotropic substances –

shall be punished with a fine from twenty-five to fifty minimum monthly wages, or deprivation of certain right up to five years, or correctional labor up to three years, or imprisonment up to five years.

Article 276. Illegal Production, Purchase, Storage, and Other Activities with Narcotic and Psychotropic Substances without Purpose of Sale

Illegal production, purchase, storage, carriage or transmission of narcotic and psychotropic substances without a purpose to sell –

shall be punished with a fine up to fifty minimum monthly wages, or correctional labor up to three years, or arrest up to six months, or imprisonment up to three years.

The same acts that have been committed:

- a. in large amounts;
- b. by a person, who had previously committed a crime that constitutes illegal turnover of narcotic of psychotropic substances -

shall be punished with imprisonment from three to five years.

A person, who has committed acts punishable under Paragraph 1 of this Article, shall be relieved from penalty if he voluntarily surrendered to authorities and delivered the narcotic or psychotropic substances.

CHAPTER 20. CRIMES AGAINST PUBLIC ORDER

Article 277. Hooliganism

Hooliganism, that is intentional disregard to the rules of conduct in society, accompanied with battery, infliction of trivial bodily injuries or destruction or damaging or another's property, that has caused significant damage –

shall be punished with a fine from fifty to one hundred minimum monthly wages, or correctional labor up to three years, or arrest up to six months.

Hooliganism:

- a. that has resulted in infliction of a medium bodily injury;
- b. that has been committed by a group of individuals;
- c. accompanied with demonstration, threat to use or use of cold arms or objects, use of which objectively may cause damage to health;
- d. that is by its content exceptionally cynical, which is expressed in demonstrative disrespect to common morals;
- e. accompanied with flouting on a child, aged, disabled or a person, who is in helpless condition;

- f. accompanied with intentional destruction or damaging or another's property, that has caused large damage –

shall be punished with imprisonment up to three years.

Hooliganism:

- a. that has been committed repeatedly or by a dangerous recidivist;
- b. accompanied with demonstration, threat to use or use of firearms;
- c. that has been committed during a public event;
- d. accompanied with resistance to a representative of authorities or of public, who performs functions on keeping public order, or to other individuals, who suppress ruffian conduct –

shall be punished with imprisonment from three to five years.

(Paragraphs 2 and 3 are as amended by the Law of 29.08.2001)

Article 278. Organization of Keeping of Gambling House

Illegal organization or keeping of a gambling house –

shall be punished with imprisonment from up to five years.

(As amended by the Law of 29.08.2001)

SECTION SEVEN

CRIMES AGAINST ORDER OF SERVING MILITARY SERVICE

CHAPTER 21. CRIMES AGAINST CHAIN OF COMMAND AND MILITARY HONOR

Article 279. Non-Obedience

Non-obedience, that is open refuse to execute an order, as well as any other intentional failure to execute an order –

shall be punished with deprivation of promotion up to two years or commitment to a disciplinary unit up to one year.

The same act:

- a. that has been committed by a group of individuals;
- b. that has resulted in grave circumstances –

shall be punished with imprisonment from three to five years.

The same act that has been committed in a combat situation –
shall be punished with imprisonment from five to fifteen years.

Article 280. Failure to Execute Order

Failure to execute an order by reckless that has caused large damage or grave consequences –

shall be punished with deprivation of promotion up to two years or commitment to a disciplinary unit up to one year.

The same act that has been committed in a combat situation –
shall be punished with imprisonment from five to ten years.

Article 282. Resistance to Commander or Coercing Him to Violate His Duty

Resistance to commander, and to another person who is performing his duty on military service, or coercing him to violate this duty –

shall be punished with deprivation of promotion up to two years, or commitment to a disciplinary unit up to one year, or imprisonment up to five years.

The same actions:

- a. that have been committed by a group of individuals;
- b. that have been committed with use of arms;
- c. that have resulted in grave consequences –

shall be punished with imprisonment from five to ten years.

The same act that has been committed in a combat situation –
shall be punished with imprisonment from five to fifteen years.

Article 283. Threatening Commander

Threatening a commander by murder or use of violence, when there exist reasonable grounds to be afraid of keeping the threats, that has been committed in a combat situation –

shall be punished with deprivation of promotion up to three years, or commitment to a disciplinary unit up to one year, or imprisonment up to three years.

Infliction of a serious bodily injury, as well as the action foreseen in Paragraph 1 of this Article, that have been committed:

- a. by a group of individuals;
- b. with use of arms –

shall be punished with imprisonment from three to seven years.

The actions foreseen in Paragraphs 1 or 2 of this Article, that have been committed in a combat situation –

shall be punished with imprisonment from seven to ten years.

(As amended by the Law of 29.08.2001)

Article 284. Insulting of Commander by Subordinate or of Subordinate by Commander

Insulting of a commander by a subordinate or of a subordinate by a commander, that has been committed after a disciplinary penalty had been imposed for the same actions –

shall be punished with deprivation of promotion up to two years or arrest up to three months.

(As amended by the Law of 29.08.2001)

Article 285. Violation of Regulations on Inter-Relations Among Military Servicemen Who Are not Subordinated to Each Other

Violation of regulations on inter-relations among military servicemen who are not subordinated to each other, that has been expressed in systematic flouting, tormenting, infliction of a trivial bodily injury with decay of health or a medium bodily injury, illegal deprivation of liberty –

shall be punished with arrest up to six months, or commitment to a disciplinary unit, or imprisonment up to five years.

The same action:

- a. that has been committed by a group of individuals;
- b. that has been committed with use of arms;
- c. that has resulted in infliction of a serious bodily injury –

shall be punished with imprisonment from five to ten years.

The same action that has resulted in death of a person –

shall be punished with imprisonment from ten to fifteen years.

The same action that has resulted in:

- a. death of persons;
- b. other grave consequences –

shall be punished with imprisonment from fifteen to twenty years.

(Paragraphs two, three, and four are as amended by the law of 29.08.1998)

Article 286. Marauding

Marauding, that is appropriation in a combat situation of things belonging to killed and wounded persons –

shall be punished with imprisonment from five to ten years.

CHAPTER 22. CRIMES AGAINST ORDER OF SERVING MILITARY SERVICE

Article 287. Leaving Unit or Place of Service without Official Leave

Leaving unit or place of service without official leave, as well as failure to be present at the service in time without valid excuse at retirement from the unit, at appointment at transfer, from an assignment, from leave or a medical institution for more than one day, but no more than ten days, that have been committed by a serviceman of term service after administrative penalty had been imposed for the same acts –

shall be punished with arrest up to six months or commitment to a disciplinary unit up to one year.

Leaving unit or place of service without official leave, as well as failure to be present at the service in time without valid excuse for more than ten days, but no more than a month days, that have been committed by a serviceman of term service, an officer, ensign, warrant officer, or a contract serviceman –

shall be punished with deprivation of promotion up to two months or imprisonment up to three years.

Leaving unit or place of service without official leave, as well as failure to be present at the service in time without valid excuse for more than a month that have been committed by persons indicated in Paragraph 2 of this Article –

shall be punished with imprisonment from five to ten years.

The acts punishable under this Article that have been committed in a combat situation, regardless duration –

shall be punished with imprisonment from five to ten years.

Article 288. Desertion

Desertion, that is leaving the unit or place of service without an official leave with the purpose to evade from serving military service at all, as well as failure to be present at the service with the same purpose –

shall be punished with imprisonment up to five years.

The same act that has been committed by an officer, *praporshik*, *michman* or a serviceman who serves military service by contract –

shall be punished or imprisonment from five to ten years.

Article 289. Leaving Dying Military Ship

Leaving the dying military ship by the commander, who failed to fully perform his official duties, as well as by a member of the crew of the ship without an appropriate order of the commander to do so –

shall be punished with imprisonment from five to ten years.

The same act that has been committed in a combat situation –

shall be punished with imprisonment from ten to fifteen years.

Article 290. Evading from Military Service by Self-Injury or Otherwise

Self-injury, that is evading of a military serviceman from performing the duties of military service by inflicting himself an injury, as well as evading by simulation of sickness, forgery of documents, or other deceit or refusal to perform the duties of military service –

shall be punished with arrest up to six months, or commitment to a disciplinary unit up to one year, or imprisonment up to five years.

The same action that has been committed in a combat situation –

shall be punished with imprisonment from five to ten years.

Article 291. Violation of Rules of Performing Guard-Duty

Violation of the regulations on performing guard-duty (or watch-duty) that has been committed by a person, who was in the guard, and resulted in malicious consequences, for prevention of which the guard was appointed –

shall be punished with deprivation of promotion up to two years, or arrest up to three months, or commitment to a disciplinary unit up to one year.

The same act that has resulted in:

- a. infliction of serious bodily injury;
- b. death of a person;
- c. other grave consequences –

shall be punished with imprisonment from five to ten years.

The same act committed in a combat situation –

shall be punished with imprisonment from ten to fifteen years.

Article 292. Violation of Rules of Performing Routine Duty or Patrolling in Garrison

Violation of regulations on performing routine duty, as well as rules of patrolling in the garrison, that has resulted in negative consequences, for prevention of which the duty had been appointed –

shall be punished with deprivation of promotion up to two years, or arrest up to six months, or commitment to a disciplinary unit up to one year, or imprisonment up to three years.

Article 293. Violation of Rules of Combat Watch

Violation of rules of keeping combat watch (combat duty), that has resulted in causing damage to protected objects or failure to fulfill the mission –

shall be punished with deprivation of promotion up to two years, or arrest up to six months, or commitment to a disciplinary unit up to one year, or imprisonment up to five years.

The same act that consisted in late detection or repulse of a sneak attack on the Republic of Uzbekistan, as well as resulted in grave consequences –

shall be punished with imprisonment from five to ten years.

Article 294. Violation of Rules on Boundary Duty

Violation of rules of standing the boundary duty by a person, who was in the boundary squad, that might have resulted in damage to inviolability of frontiers –

shall be punished with deprivation of promotion up to two years, or arrest up to three months, or commitment to disciplinary unit up to one year, or imprisonment up to five years.

The same act that has resulted in:

- a. illegal trespass of frontier;
- b. other grave consequences –

shall be punished with imprisonment from five to ten years.

CHAPTER 23. CRIMES AGAINST PROCEDURE OF KEEPING OR USE OF MILITARY PROPERTY

Article 295. Embezzlement, Forfeiture, or Waste of Military Property

Squandering, that is sale, giving for use to other persons, or pledging of military equipment given for personal use, by a serviceman of term service –

shall be punished with arrest up to six months or commitment to a disciplinary unit up to one year.

Forfeiture or waste of arms, ammunition, vehicles, or munitions given for administrative use due to violation of the rules of keeping thereof –

shall be punished with deprivation of promotion for up to two years, or commitment to a disciplinary unit up to one year, or imprisonment up to three years.

The acts punishable under Paragraphs 1 or 2 of this Article that have been committed in a combat situation –

shall be punished with imprisonment from three to five years.

Article 296. Destruction or Damaging of Military Property

Intentional destruction or damaging of arms, ammunition, vehicles, military machinery or other military property –

shall be punished with deprivation of promotion up to two years, or arrest up to six months, or imprisonment up to five years.

The same act that has resulted in grave consequences –

shall be punished with imprisonment from five to ten years.

The same act committed in a combat situation –

shall be punished with imprisonment from ten to fifteen years.

Article 297. Violation of Rules of Treatment of Arms, as well as Substances and Objects That Are of Particular Danger for People

Violation of rules of treatment of arms, as well as ammunition, explosive, radioactive and other substances and objects, which are of particular danger, that has resulted in infliction of a medium bodily injury –

shall be punished with deprivation of promotion for two years or imprisonment up to five years.

The same act that has resulted in:

- a. infliction of a medium bodily injury to at least two persons;
- b. infliction of a serious bodily injury;
- c. death of a person –

shall be punished with imprisonment from five to eight years.

The same act that has resulted in:

- a. death of persons;
- b. other grave consequences –

shall be punished with imprisonment from eight to ten years.

(Paragraphs 2 and 3 are as amended by the Law of 29.08.2001)

Article 298. Violation of Rules of Driving or Operation of Vehicles

Violation of rules of driving or operation of a combat, special, or transport vehicle, that has resulted in infliction of a medium or serious bodily injury –

shall be punished with deprivation of promotion for two years or imprisonment up to three years.

The same act that has resulted in:

- a. infliction of a medium or serious bodily injury to at least two persons;
- b. death of a person –

shall be punished with imprisonment from three to seven years.

The same act that has resulted in:

- a. death of persons;
- b. other grave consequences –

shall be punished with imprisonment from eight to ten years.

(As amended by the Law of 29.08.2001)

Article 299. Violation of Flight Rules or Rules on Preparation Thereto

Violation of flight rules or rules on preparation thereto, as well as violation of rules on maintenance of an aircraft, that has resulted in a fatal accident or other grave consequences –

shall be punished with imprisonment from five to ten years.

Article 300. Violation of Ship Navigation Rules

Violation of ship navigation rules, that has resulted in death or serious damages to the ship, death of persons or other grave consequences –

shall be punished with imprisonment from five to ten years.

CHAPTER 24. MILITARY MALFEASANCES

Article 301. Abuse of Power, Stretch of Power or Administrative Dereliction

Abuse of power or malversation by a commander or another official, stretch of power or misuse of authority, as well as administrative dereliction, that have caused large damage or significant harm to the interests of Armed Forces of the Republic of Uzbekistan, to rights or legally protected interests of servicemen or other individuals –

shall be punished with deprivation of promotion up to three years, or arrest up to six months, or imprisonment up to five years.

The same acts jointed with infliction of a medium or serious bodily injury –

shall be punished with imprisonment from five to ten years.

The same acts that have resulted in:

shall be punished with deprivation of promotion for two years or imprisonment up to five years.

The same act that has resulted in:

- a. death of a person;
- b. other grave consequences –

shall be punished with imprisonment from ten to fifteen years.

The acts envisaged by this Article that have been committed in a combat situation –

shall be punished with imprisonment from fifteen to twenty years.

(Paragraphs two, three, and four are as amended by the Law of 29.08.1998)

Article 302. Neglect to Service

Non-performance or inappropriate performance by a commander or other official of his functions due to careless or unscrupulous regard thereto, that has resulted in large damage or other grave consequences –

shall be punished with deprivation of promotion up to three years, or arrest up to six months, or imprisonment up to three years.

The same act that has been committed in a combat situation –

shall be punished with imprisonment from three to five years.

(As amended by the Law of 20.08.1999)

CHAPTER EIGHT*

LEGAL MEANING OF TERMS

Inaction

- socially dangerous, willful and passive conduct that consists in non-performance by a person of certain actions, which are mandatory to perform as prescribed by normative acts.

Close relatives

- persons, who are in kin or legal relation, that is parents, brothers and sisters, spouses, children, including adopted ones, grand-children, as well as parents, brothers and sisters of spouses.

Large crop area

- crop area of 1,000 sq. meters and more.

Currency operations

- operations, which are related to transfer of the right of ownership to currency valuables, including operations, which are related to use of foreign currency as a means of payment, as well as use of monetary unit of the Republic of Uzbekistan at foreign economic activities; importation and transmission to the Republic of Uzbekistan from abroad, as well as exportation and transmission from the Republic of Uzbekistan to abroad of currency valuables, carrying out of international money transfers.

Currency valuables

- foreign currency; securities in foreign currency – stocks (shares, bonds and others); payment documents in foreign currency (checks, bills, letters of credit and others); precious metals – gold, silver, platinum and platinoids (palladium, iridium, radium, ruthenium and osmium) in any form and state, except for jewelry and other goods from these metals, as well as scrap of these goods; natural precious stones – diamonds, ruby, emeralds, sapphires and alexandrites in raw and processed form, as well as pearls, except for jewelry and other goods from these stones, as well as scrap of these goods.

Bribery

- giving, acceptance, or passing of a bribe.

Military secret

- information of military character, disclosure of which may result in grave consequences for defense capacity, state security and Military Forces of the Republic of Uzbekistan.

Military crimes

- crimes against the set order of serving military service that are committed by a serviceman, as well as by a person who is bound to service during training.

State secrets

- information of particular importance, top-secret and secret military, political, economic, scientific-technologic and other information that is protected by the state and limited by special lists. State secrets of the Republic of Uzbekistan shall be divided into state, military and official secret.

State secret

- information, disclosure of which may negatively affect qualitative state of military-economic potential of the country or entail other grave consequences for defense capacity, state security, economic and political interests of the Republic of Uzbekistan.

National of the Republic of Uzbekistan

- a person, who according to law has a legal status of a national of the Republic of Uzbekistan.

Action

- socially dangerous, willful and active conduct of a person.

Act

- action or inaction.

Document

- written act that certifies facts and events that has legal significance, is duly drawn and contains necessary requisites (stamp, signature, seal, date, number).

Official

- a person, who is empowered to perform organizational or administrative-economic functions and does not have properties of a responsible official.

Knowledge

- relation to conduct or circumstances, which are set forth in law, that evidences that the person is aware thereof.

Significant amounts

- amount from thirty to one hundred minimum monthly wages.

Significant amounts at deceit of buyers or customers

- amount from one to five minimum monthly wages.

Significant damage

- damage from thirty to one hundred minimum monthly wages.

Other measure of legal influence

- measure, envisaged by this Code while not being a penalty (compulsory measures applicable to juveniles, medical measures).

Foreign currency

1) foreign bank-notes being in circulation and being legal payment facilities in a respective foreign state, as well as those being or having been recalled from circulation, but being subject of exchange to bank-notes of the Republic of Uzbekistan;

2) funds on accounts and in investments in money units of foreign states and international units of account.

Foreign national

- a person who has a legal status of a national of a foreign state.

Mercenary motives

- motives that are characterized by an intention to have material or other pecuniary benefit out of the committed crime or with intent to avoid material expenses.

Large amounts

- amount from one hundred to three hundreds minimum monthly wages.

Large amounts at deceit of buyers or customers

- amount from five minimum monthly wages and above.

Large amount at illegal treatment of narcotic or psychotropic substances

- to be determined by a conclusion of a respective public body.

Large damage

- damage from one hundred to three hundreds minimum monthly wages.

Stateless person

- physical person, who does not have a legal status of a national of any state.

Narcotic substance

- any substance, natural or synthetic, that is included in Lists 1 and 2 of the 1961 UN Convention on Narcotic Substances with amendments made by the 1972 Protocol on Amendments to the 1961 UN Convention on Narcotic Substances.

Small amounts at illegal treatment of narcotic or psychotropic substances

- to be determined by a conclusion of a respective public body.

Small amounts at deceit of buyers or customers

- amount from one tenth to one minimum monthly wage.

Small damage

- damage from ten to thirty minimum monthly wages.

Non-completed crime

- a crime that has not reached the stage of complete crime due to its forced interruption for reasons that do not depend on the person or due to a voluntary refuse.

Generally dangerous method

- arson, explosion, flooding and other methods that may entail death of persons or cause material damage.

Completed crime

- a socially dangerous act, which contains all necessary elements of a particular crime.

Large amounts

- amount from three hundreds minimum monthly wages and above.

Large damage

- damage from three hundreds minimum monthly wages and above.

Responsible official

1) representative of authorities;

2) persons, who, permanently or temporarily, elected or appointed, occupy positions in public enterprises, institutions or organizations that are connected with performance of organizational or administrative-economic functions, and authorized to carry out actions, which are relevant in law;

3) heads of enterprises, institutions, or organizations of other forms of ownership, public representatives, who are vested, in compliance with the established procedure, to perform authority on public administration;

4) persons, who occupy positions that are connected to performance of the duties envisaged in Paragraph 2 in organs of self-government.

Previous concert

- agreement to commit a crime or carry out criminal activities, that has been made by accomplices prior to the commitment of the crime.

Representative of authorities

- a person, who represents an organ of public authority, is permanently or temporarily in charge to perform certain functions, and, within the scope of his competence, is entitled to the right of taking actions or giving orders that are mandatory for a majority or all individuals or officials.

Precursors

- any substance, natural or synthetic, that is included in Lists 1 and 2 of the Annex to the 1988 UN Convention on Combating Illegal Traffic of Narcotic or Psychotropic Substances.

Psychotropic substance

- any substance, natural or synthetic, that is included in Lists 1, 2, 3, and 4 of the 1971 UN Convention on Psychotropic Substances.

Official secret

- information in the field of science, technology, production and management, disclosure of which may cause damage to the interests of the Republic of Uzbekistan.

Medium crop area

- crop area from 250 to 1,000 sq. meters.

Economic entity

- enterprises, regardless their form of ownership, or individuals, who are carrying out entrepreneurial activities.