

CRIMINAL CODE OF THE REPUBLIC OF BELARUS

Adopted by the Supreme Soviet of the BSSR on December 29, 1960 Put into force as of April 1, 1961 (with alterations and additions as for May 1, 1994)

GENERAL PART Chapter 1.

GENERAL PROVISIONS

Article 1. Purposes of the Criminal Code of the Republic of Belarus

The criminal Code of the Republic of Belarus is aimed at protecting the life and health of the human being, his rights and freedoms, the constitutional society, state and public interests, property, the environment and the established law against criminal encroachments. The Criminal Code of the republic of Belarus shall promote the prevention of criminal encroachments and contribute to the education of citizens in the spirit of observance of the laws of the Republic of Belarus. To implement these purposes the Criminal Code of the Republic of Belarus specifies which of the socially dangerous actions are criminal actions and establishes punishments which have to be applied to persons who have committed crimes.

Article 2. Criminal Code of the Republic of Belarus

The Criminal Code of the Republic is the single criminal law which is in effect on the territory of the Republic of Belarus.

Article 3. Principles of Criminal Responsibility

Criminal responsibility and punishment may be applied only in respect of the person who has been found guilty of committing a crime, that is, who has committed, intentionally or through negligence, a socially dangerous action envisaged by the criminal law. No one shall be found guilty of committing a crime or be subjected to a criminal punishment unless under a verdict of the court and in compliance with the law. ----- * In accordance with the Law of the Belarusian SSR of September 19, 1991 "On the Name of the Belarusian Soviet Socialist Republic and Making of Alterations into the Declaration of the Supreme Soviet of the Belarusian Soviet Socialist Republic on the State Sovereignty of the Belarusian Soviet Socialist Republic and the Constitution (Principal Law) of the Belarusian SSR" (Records of the Supreme Soviet of the Republic of Belarus, 1991, N 30, p. 490) in the name of the present Code and its articles the words "Belarusian SSR" have been substituted by the words "Republic of Belarus". The names of the bodies (authorities) which have made alterations and additions into the present Code as well as of official sources in which they are published, as they are given in the materials following articles (in brackets), are as they were at the time of their introduction.

Article 4. Effect of the Criminal Code of the Republic of Belarus in Respect of the Actions Perpetrated on the Territory of the Republic of Belarus

All persons who have committed crimes on the territory of the Republic of Belarus shall be penalized under this Code. Issues of criminal responsibility of the diplomatic representatives of foreign states and of other citizens who, in compliance with the laws and international treaties now in force, do not come within the jurisdiction of the Soviet courts shall be resolved diplomatically if such persons have committed a crime on the territory of the Republic of Belarus.

Article 5. Effect of the Criminal Code of the Republic of Belarus in Respect of the Actions Committed Outside the Territory of the Republic of Belarus

Citizens of the Republic of Belarus who have committed a crime abroad shall be liable to criminal responsibility under this Code if they have been brought to criminal responsibility or brought to trial on the territory of the Republic of Belarus. The same grounds shall be used to bring to responsibility apatrides staying in the Republic of Belarus who have committed crimes outside the territory of the Republic of Belarus. If such persons have been penalized abroad for the crimes committed, the court may commute the punishment metered out to them or completely free the guilty person from serving the punishment. Foreign citizens who have committed crimes outside the territory of the Republic of Belarus shall be liable to responsibility under the criminal legislation of the Republic of Belarus in cases envisaged by international treaties.

Article 6. Effect of the Criminal Law in Time

Criminality and punishment of an action shall be defined by the law which was in effect during the perpetration of this action. The law which eliminates the criminality of action or commuted punishment shall be retroactive, that is, shall cover also the actions perpetrated before it was adopted. The law which established the punishment for an action or makes the punishment more severe shall not be retroactive.

Chapter 2. ON CRIME

Article 7. Notion of the Crime

The crime shall be a perpetrated socially dangerous action (omission) which is prohibited by this Code. The crime shall not be an action or omission which, though formally containing signs of any action envisaged by the criminal law, poses no social danger by virtue of its little significance.

Article 7.1. Notion of the Grave Crime

Grave crimes shall be intended actions enumerated in part two of the present Article which pose an increased social danger. Grave crimes shall be: especially dangerous state crimes (Articles 61-70)*; violation of the racial and national equality in aggravating circumstances (Article 71, parts

two and three); banditry (Article 74); actions which disorganize the work of corrective labour institutions (Article 74.1); contraband (Article 75); mass riots (Article 76); damaging of ways of communications and transport means (Article 83); making or sale of counterfeited money or securities (Article 84)**; violation of the rules on the operations with precious metals and stones committed on a preliminary agreement by a group of persons or in especially grand amounts (Article 85, part three)***; stealing of property in grand amounts or in especially grand amounts (Article 87), part four, 90, part three, 91, part three, and 911); robbery in aggravating circumstances (Article 88, parts two, three and four); robbery (Article 89); deliberate destruction or damage of property committed in aggravating circumstances (Article 96, part two); killing by will (Articles 100 and 101); willful severe bodily injury (Article 106); rape (Article 115); taking of hostages (Article 1241); abuse of power or official authorities in aggravating circumstances (Article 167, part two); taking of bribe (Article 160); intermediation in bribery and giving of a bribe in aggravating circumstances (Articles 169.1, part two, and 170, part two); bringing of the knowingly innocent person to criminal responsibility in aggravating circumstances (Article 172, part two); prescribing of a knowingly illegal sentence, decision, ruling or decree entailing grave consequences (Article 173, part two); forcing to giving of evidence in aggravating circumstances (Article 175, part two); encroachment upon the life of a militiaman, people's guard, serviceman or other person, no less than encroachment upon the life of their close relations (Article 189.1); persistent or especially persistent hooliganism (Article 201, parts two and three); hijacking of an aircraft (Article 208.2); stealing of radioactive materials (Article 211.2); stealing of fire-arms, ammunitions or explosives (Article 213.1); stealing of narcotic substances for the purpose of sale, no less than stealing of them in aggravating circumstances (Article 219.2); illegal making, acquisition, keeping, storage, transportation or dispatch of narcotic substances for the purpose of sale or sale of such substances (Article 219.1); disobedience in aggravating circumstances (Article 227, paragraphs "b" and "c"); resistance to the head or forcing of him to the violation of his official duties (Article 229); violent actions towards the head (Article 231); violation of statutory rules of relationship between servicemen in absence of subordination relations between them in aggravating circumstances (Article 233, paragraphs "b" and "c"); desertion (Article 236); deliberate destruction or damage of military property in aggravating circumstances (Article 240, paragraphs "b" and "c"); violation of the rules of the performance of military duties in aggravating circumstances (Article 246, paragraphs "c" and "d"). ----- * Articles 66 and 70 have been excluded from this Code (Law of the Republic of Belarus of March 1, 1994 - Records of the Supreme Soviet of the Republic of Belarus, 1994, N 12, p.176). ** The name of Article 84 of this Code has the following wording "Making, Keeping or Sale Counterfeited Money or Securities" (Law of the Republic of Belarus of June 15, 1993 - Records of the Supreme Soviet of the Republic of Belarus, 1993, N 22, p. 278). *** The qualifying sign "on a preliminary agreement by a group of persons" has been excluded from part three of Article 85 of this Code (Law of the Republic of Belarus of March 1, 1994 - Records of the Supreme Soviet of the Republic of Belarus, 1994, N 12, p. 176).

Article 7.2. Criteria for the Qualification of Certain Crimes Envisaged by the Articles of This Code

Petty stealing shall be recognized as a stealing for the amount which does not exceed the established minimum salary at the time the crime is committed. The grand amount or the great damage (great property damage) when crimes are committed as envisaged by Article 73.1, part

two, Articles 75, 84.2, Article 85, part two, Article 87, part four, Article 88, part four, Article 89, part two, Article 80, part three, Article 91, part three, Article 92.1, part two*, Article 93, part three, Article 95, Article 96, part two, Articles 98, 150.4, 150.5, Article 150.6, part two, Article 151, part one, Article 153, part two, Article 156.1, part two, Article 156.2, part two, Article 160, part one, Article 160.1, part one, Article 161, part two, Article 163, part two, Article 164, Article 165, part two, Article 166, part one, Article 166.1, Article 167, part one, Article 169, part two, Article 203, part two, of this Code shall be the amount or the damage which exceeds by forty or more times the established minimum salary at the time the crime is committed. The especially grand amount or the especially great damage when crimes committed as envisaged by Article 85, part three, Articles 911, 149, Article 150.3, part two, Article 151, part two, Article 160, part two, Article 160.1, part two, Article 168, Article 169, part three of this Code, shall be the amount which exceeds one hundred or more times the established minimum salary. ----- * Article 921 has been excluded from this Code (Law of the Republic of Belarus of March 1, 1994 - Records of the Supreme Soviet of the Republic of Belarus, 1994, N 12, p. 176).

Article 8. Intended Committing of a Crime

A crime shall be recognized as committed intendedly if the person who has committed the crime was aware of the socially dangerous character of his action or omission, foresaw its socially dangerous consequences and wanted them or conscientiously admitted the onset of such consequences.

Article 9. Committing of a Crime of Carelessness

A crime shall be recognized as committed through carelessness if the person who has committed the crime foresaw possible onset of socially dangerous consequences of his action or omission, but thoughtlessly counted on their prevention, or did not foresee possible onset of such consequences although should and could have foresee them.

Article 10. Responsibility of Persons Who Are under Age

Criminal responsibility shall be applied to persons who had reached the age of sixteen before they committed a crime. Persons who have committed a crime at the age of between fourteen and sixteen shall be liable to criminal responsibility only for killing (Articles 100 to 104), encroachment upon the life of a militiaman, people's guard or other person, no less than for encroachment upon the life of their close relations (Article 189.1), deliberate infliction of bodily injuries which have caused derangement of health (Articles 106 to 109, 110, part one*), rape (Article 115), robbery (Article 89), robbery (Article 88), stealing of property in especially grand amounts (Article 911), distortion (Article 93), theft (Article 87), persistent or especially persistent hooliganism (Article 201, part two and three), deliberate destruction or damage of property which has entailed grave consequences (Article 96, part two), stealing of fire-arms, ammunitions or explosives (Article 213.1), stealing of narcotic substances (Article 219.1), as well as for deliberate committing of actions which may cause a crash of a train (Article 83). If the court finds out that it is possible to correct a person who has committed at the age of under eighteen a crime posing no great social danger without applying a criminal punishment, it may apply in respect to this person compulsory measures of educational character which are not a

criminal punishment (Article 60). ----- * Article 110 has one part (Law of the Republic of Belarus of April 23, 1992 - Records of the Supreme Soviet of the Republic of Belarus, 1992, N 15, p. 255).

Article 11. Insanity

Criminal responsibility shall not be applied to a person who, at the time the socially dangerous action was perpetrated, was in the state of insanity, that is, could not be aware of his actions or could not control such actions because of his chronic mental ailment, temporary mental derangement, feeble-mindedness of any other disease. The court may assign enforced medical measures to be applied to such person as envisaged in Article 55 of this Code. Neither shall be punished a person who has committed a crime in the state of sanity but who has become, before the court has made its sentence, mentally deranged which disables him to be aware of his actions or control them. The court may assign enforced medical measures to such person, who may become liable to punishment on his recovery.

Article 12. Responsibility for a Crime Committed in Inebriation

The person who has committed a crime in inebriation shall not be freed from criminal responsibility.

Article 13. Necessary Defence

Any action, although having signs of an action envisaged by this Code, but committed in conditions of the necessary defence, that is, to protect interests of the State, public interests, an individual and the rights of the person who defends himself or another person against a socially dangerous encroachment by inflicting injury to the encroacher, shall not be considered as a crime unless the limits of the necessary defence have been exceeded. The limits of the necessary defence shall be considered to have been exceeded if the defence evidently does not correspond to the character and danger of the encroachment.

Article 14. Extreme Necessity

Any action, although having signs of an action envisaged by this Code, but committed in conditions of the extreme necessity, that is, to eliminate the danger which threatens the interests of the State, public interests, an individual or the rights of the given person or of other citizens unless that danger under the circumstances could be eliminated by other means and unless the damage inflicted is less severe than the one averted.

Article 15. Responsibility for the Preparation to a Crime and an Attempt to Commit a Crime

Preparation to a crime shall be the looking for, or an adaptation of, the means of tools or any other deliberate creation of conditions for committing a crime. An attempt to commit a crime shall be a deliberate action aimed directly at committing a crime if the crime was not accomplished for reasons beyond control of the guilty person. Punishment for the preparation to

a crime or an attempt to commit a crime shall be metered out according to the law which envisages responsibility for the given crime. When metering out the punishment the court shall take into account the character and the degree of social danger of the actions committed by the guilty person, the degree to which the criminal intention was accomplishment and the reasons due to which the crime was not brought to an end.

Article 16. Voluntary Abandonment of a Crime

The person who has voluntarily abandoned the bringing of the crime to an end shall be subject to criminal responsibility only when the action he has actually perpetrated contains another corpus delicti.

Article 17. Complicity

Complicity shall be recognized as a deliberate joint participation of two or more persons in committing a crime. Organizers, instigators and accomplices shall be recognized as accessories of a crime together with the perpetrators of the crime. The perpetrator shall be the person who has committed the crime. The organizer shall be the person who has organized the committing of the crime or who has managed the accomplishment of the crime. The instigator shall be the person who has persuaded to commit the crime. The accomplice shall be the person who has assisted in committing the crime by giving advice, instructions and by providing means or by removing obstacles as well as the person who promised in advance to hide the criminal, tools and means of the crime, traces of the crime or things obtained in the criminal way. The court meters out the punishment it must take into account the degree and the character of participation of each accessories in the committing of the crime.

Article 18. Concealment

Concealment of the criminal as well as of tools and means of the crime, traces of the crime or things obtained in a criminal way, if this concealment has not been promised in advance, shall incur responsibility only in the cases envisaged in Articles 651 and 185 of this Code.

Article 19. Failure to Inform

Failure to inform about a really known prepared or accomplished crime shall incur criminal responsibility only in the cases envisaged in Articles 86 and 186 of the this Code.

Chapter 3. ON PUNISHMENT

Article 20. Purposes of Punishment

Punishment shall not only be a punishment for the committed crime but also shall be aimed at correcting and educating the convicts in the spirit of the exact administration of laws as well as at preventing the committing of new crimes both by convicts and by other persons. Punishment shall not be aimed at causing physical suffering and humiliating human dignity.

Article 21. Types of Punishment

Persons who have committed crimes may be subjected to the following basic types of punishment: 1) a deprivation of freedom; 2) excluded; 3) excluded; 4) corrective labour without deprivation of freedom; 5) a deprivation of the right to hold definite posts or to be engaged in definite activities; 6) a fine; 7) a dismissal from the post; 8) a public censure. Servicemen who are on active service may be punished also by sending them to a disciplinary battalion. Apart from the basic types of punishment imposed on the convicted, the following additional types of punishment may be applied: a confiscation of property; a deprivation of military or special ranks. The deprivation of the right to hold definite posts or to be engaged in definite activities, a fine of a dismissal from the post may be applied not only as basic but as additional types of punishment as well.

Article 22. Capital Punishment

Capital punishment (by firing squad) shall be admitted hereafter, until its total cancellation, as an exclusive penal measure for definite special grave crimes envisaged in the Special Part of this Code. Capital punishment may not be applied to persons who were under eighteen before committing a crime as well as women.

Article 23. Deprivation of Freedom

Deprivation of freedom shall be established for a period from three months to ten years or for special grave crimes, for crimes which resulted in special grave consequences, or in respect to special dangerous recidivists in cases envisaged by this Code - for a period of not more than fifteen years. When the capital punishment is substituted, as a pardon, by a deprivation of freedom, the latter may be given for a period exceeding fifteen years but not more than twenty years. When punishment is given to a person who was under eighteen before he committed a crime the freedom deprivation period may not exceed ten years. Service of sentence as a deprivation of freedom on the verdict of the court shall be assigned in corrective labour settled colonies, colonies of common, increased, strict and special treatment or in a prison as well as in educational and labour colonies of common or increased treatment. Service of sentence in corrective labour colonies shall be assigned to men: who are sentenced to a deprivation of freedom for the first time for crimes committed through carelessness - to stay in settled colonies for the persons who have committed crimes through carelessness; who are sentenced to a deprivation of freedom for the first time for a period of not more than five years for deliberate crimes which are not grave crimes, namely: stealing of property committed by way of misappropriation or embezzlement or by the abuse of the official post with attenuating circumstances (Article 91, part one); stealing of property committed by fraud without aggravating circumstances (Article 90, part one); causing of property damage by fraud or abuse of confidence (Article 92); extortion of property (Article 93, part one); illegal making of an abortion (Article 114, parts two and three); persistent evasion of the payment of alimonies or of

the support of children (Article 120); leaving in a danger (Article 125, part two); libel (Article 128); transfer or dispatch to the consumer of substandard, incomplete or sub-standard products (Article 149); deception of buyers and customers (Article 153, part two); receiving of illegal reward from citizens for the performance of work connected with the rendering of services to the population (Article 165.1, part two); violation of the trade rules (Article 156.2, part two); issue for sale of substandard, non-standard or incomplete products (Article 154); making, keeping with the purpose of sale or sale of home-made strong alcoholic beverages (Article 155); forgery of postal payment notes and of travel tickets (Article 157); violation of veterinary rules (Article 158); violation of the rules established for the combat of plant diseases and pests (Article 159); illegal fishery and other water-related trade (Article 161); illegal hunting (Article 163); illegal cutting of woods in aggravating circumstances (Article 165, part two); abuse of power or official post without aggravating circumstances (Article 166, part one); omission of power (Article 166.1); abuse of power or official powers without aggravating circumstances (Article 167, part one); forgery in office (Article 171); knowingly false information (Article 176); knowingly false evidence (Article 177); failure to inform about a crime (Article 186); bringing a person under legal age to the state of inebriation (Article 205.1); driving of transport means in the state of inebriation (Article 206.1)* - in settled colonies for persons who have committed deliberate crimes; who are sentenced to a deprivation of freedom for the first time for deliberate crimes which are not grave crimes, except those enumerated in paragraph three of part four of the present Article - in colonies of common treatment; who are sentenced to a deprivation of freedom for the first time for grave crimes - in colonies of increased treatment; who are sentenced for special dangerous state crimes (Articles 61-69)** or who have previously served punishment with the deprivation of freedom - in colonies of strict treatment; who have been recognized as special dangerous recidivists - in colonies of special treatment. Women sentenced to the deprivation of freedom shall be assigned serve their sentence in corrective labour colonies as follows: those who have been recognized as special dangerous recidivists as well as those who have been convicted for special dangerous state crimes (Articles 61-69)** - in colonies of strict treatment; those who are sentenced for the first time to the deprivation of freedom for crimes committed through carelessness - in settled colonies for the persons who have committed crimes through carelessness; those who are sentenced for the first time for deliberate crimes enumerated in paragraph three of part four of the present Article - in settled colonies for the persons who have committed deliberate crimes; other women sentenced to the deprivation of freedom - in colonies of common treatment. Service of sentence in educational and labour colonies shall be assigned to: males under eighteen who are sentenced for the first time to the deprivation of freedom as well as females under eighteen - in colonies of common treatment; males under eighteen who have previously served sentence with the deprivation of freedom - in colonies of increased treatment. Depending on the character and degree of social danger of the committed crime, the individual characteristics of the guilty person and other circumstances of the case the court may assign the service of the sentence with the deprivation of freedom as follows specifying the motives for its decision: for those who are sentenced for the first time for crimes committed through carelessness as well as for deliberate crimes specified in paragraph three of part four of the present Article - in corrective labour colonies of common treatment; for other who are sentenced to the deprivation of freedom but who have not been recognized as special dangerous recidivists - in correction labour colonies of any type except colonies of special treatment and settled colonies; for male convicts under eighteen - in educational and labour colonies of common treatment instead of colonies of increased treatment. Deprivation of

freedom with the imprisonment for the whole period of punishment or a part of it may be assigned to: special dangerous recidivists; persons who have committed after the age of eighteen special dangerous state crimes; persons who have committed after the age of eighteen other grave crimes if they are sentenced for these crimes to the deprivation of freedom for a period exceeding five years. A change in the type of the corrective labour establishment assigned to the convict shall be effected by the court on the grounds of and in compliance with the procedure established by the legislation. ----- * Article 206.1 has been excluded from this Code ((Law of the BSSR of June 21, 1991 - Records of the Supreme Soviet of the Belarusian SSR, 1991, N 23, p. 309). ** Article 66 has been excluded from this Code (Law of the Republic of Belarus of March 1, 1994 - Records of the Supreme Soviet of the Republic of Belarus, 1994, N 12, p. 176).

Article 23.1. Conditional Sentencing to the Deprivation of Freedom with the Compulsory Attraction of the Convict to Labour

When a person who is of legal age and able to work is sentenced for the first time to the deprivation of freedom for a deliberate crime for a period of up to three years, or for a crime committed through carelessness - for a period of up to five years, the court may, taking into account the nature and the degree of social danger of the committed crime, the individual characteristics of the guilty person and other circumstances of the case as well as possibility for his correction and education without isolation from the society but in conditions of being under supervision, rule on a conditional sentencing of this person to the deprivation of freedom with his compulsory attraction for the period of the sentence to labour in places defined by bodies which administer the exercise of the sentence with the specification in the sentence of the motives for such ruling. In case of a conditional sentencing to the deprivation of freedom with the compulsory attraction of the convict to labour the court may also assign to this person additional penal measures in cases and in the manner envisaged by this Code. The rules of part three of Article 43 of this Code shall not be applied in respect to such convicts. Conditional sentencing to the deprivation of freedom with the compulsory attraction of the convict to labour shall not be applied to: 1) persons who are sentenced for special dangerous state crime (Articles 61-69)*; banditry (Article 74); killing by will envisaged by Articles 100.1, 101 and paragraph "c" of Article 229; deliberate severe bodily injury envisaged by Article 106; rape committed by a group of persons or rape of a female person under legal age, rape which has entailed especially grave consequences, as well as rape of a female person under fourteen (Article 115, parts three and four); especially persistent hooliganism (Article 201, part three); 2) persons who have been assigned, in addition to the sentence for the committed crime, a forced treatment against alcoholism or narcomania as well as those who have not undergone a complete course of treatment for venereal disease; 3) foreign citizens and apatrides being sentenced. Conditional sentencing to the deprivation of freedom with the compulsory attraction of the convict to labour shall neither be applied to persons who have been recognized in the established manner as invalids of the first, second or third groups; pregnant women; women having as their dependents children under two; or women over 55 and men over 60. Conditional sentencing to the deprivation of freedom with the compulsory attraction of the convict to labour may not be applied to active servicemen who have committed crimes. If the person who has been sentenced conditionally evades from the work at the place defined by the bodies which exercise the execution of the sentence, or systematically or flagrantly violates labour discipline, public order

or the rules of residence established for him, he shall be sent on the ruling of the court to serve his sentence with the deprivation of freedom. In this case the time of evasion from work shall not be counted while the time when the convict has worked may be counted by the court in part or in full as the time of service of sentence on the day-for-day basis. If the person who has been sentenced conditionally has committed a new crime during the period of freedom deprivation determined by the court, the court shall give him the punishment according to the rules envisaged in Article 40 of this Code. ----- * Article 66 has been excluded from this Code (Law of the Republic of Belarus of March 1, 1994 - Records of the Supreme Soviet of the Republic of Belarus, 1994, N 12, p. 176).

Article 24. Special Dangerous Recidivist

According to the sentence of the court a special dangerous recidivist may be: 1) a person who has been previously sentenced to the deprivation of freedom for a special dangerous state crime (Articles 61-69)*; banditry (Article 74); making or sale of counterfeited money or securities in aggravating circumstances (Article 84, part two)**; stealing of property in especially grand amounts (Article 91.1); robbery with the purpose of appropriation of property in aggravating circumstances (Article 89, part two); killing by will envisaged by Articles 100 and 101 (except killing by the mother of her newly born child) and paragraph "c" of Article 229; rape committed by a group of persons or rape of a female person under legal age which has entailed specially grave consequences as well as a rape of a female person under fourteen (Article 115, parts three and four); taking of hostages (Article 124.1); encroachment upon the life of a militiaman, people's guard in connection with their service or public activities on the protection of public order (Article 189.1)***; hijacking of an aircraft (Article 208.2); stealing of radioactive materials (Article 211.2) and who again committed any of the above enumerated crimes for which this person is sentenced to the deprivation of freedom for a term of not less than five years; 2) a person who has been previously sentenced two time in any sequence to the deprivation of freedom for a special dangerous state crime (Articles 61-69)****, banditry (Article 74); mass riots (Article 76); making or sale of counterfeited money or securities (Article 84)*****; stealing of property in aggravating circumstances (Article 87, parts two, three and four, 88, parts two, three and four, 90, parts two and three, 91, parts two and three, and 911); robber with the purpose of appropriation of property (Article 89); killing by will envisaged by Articles 100 and 101 (except the killing by the mother of her newly born child) and the paragraph "c" of Article 229; deliberate severe bodily injury (Article 106); rape (Article 115); taking of hostages (Article 124.1); receiving of a bribe (Article 169); encroachment upon the life of a militiaman, people's guard, serviceman or other person, no less than encroachment upon the life of their near relations (Article 189.1); especially persistent hooliganism (Article 201, part three); hijacking of an aircraft (Article 208.2); stealing of radioactive materials (Article 211.2); stealing of fire-arms, ammunitions or explosives in aggravating circumstances (Article 213.1, parts two and three); illegal making, acquisition, keeping, transportation or dispatch of narcotic substances with the purpose of sale, sale of such substances (Article 219.1); stealing of narcotic substances with the purpose of sale, no less than stealing of them in aggravating circumstances (Article 219.2) and if this person has committed any of the above enumerated crimes for which this person is sentenced to the deprivation of freedom for a term of over three years; 3) the person who has

been previously sentenced three times or more in any sequence to the deprivation of freedom for persistent hooliganism (Article 201, part two) or for crimes enumerated in paragraph two of part one of this Article and if this person has committed an act of persistent hooliganism (Article 201, part two) or any of the crimes enumerated in paragraph 2 of part one of this Article for which this person is sentenced to the deprivation of freedom; 4) a person who is servicing his sentence with the deprivation of freedom for any crime enumerated in paragraphs 2 and 3 of part one of the present Article and has again committed a deliberate crime for which he is sentenced to the deprivation of freedom for a period of not less than five years. When the court considers the issue on the recognition of the person as a special dangerous recidivist shall take into account the individual characteristics of the convict, the degree of social danger of the crimes committed, their motives, the degree of accomplishment of criminal intentions, the degree and the nature of participation in the committing of the crimes and other circumstances of the case. The decision of the court must be motivated in the sentence. When the issue on the recognition of the person as a special dangerous recidivist is decided, the conviction for the crime committed by the person at the age of under eighteen as well as the conviction which has been canceled or quashed in the manner established by the law shall not be taken into account. If the conviction is quashed the recognition of the person as a special dangerous recidivist shall be canceled. Articles of this Code envisaging responsibility for the committing of crimes by a special dangerous recidivist shall be applied in cases when the person was recognized in the manner established by the law as a special dangerous recidivist before the committing of the given crime. -----

*Article 66 has been excluded from this Code (Law of the Republic of Belarus of March 1, 1994 - Records of the Supreme Soviet of the Republic of Belarus, 1994, N 12, p. 176). ** The name of Article 84 of this Code has the following wording "Making, Keeping or Sale of Counterfeited Money or Securities" (Law of the Republic of Belarus of June 15, 1993 - Records of the Supreme Soviet of the Republic of Belarus, 1993, N 22, p. 278). *** The name of Article 189.1 of this Code has the following wording: "Encroachment upon the Life of a Militiaman, People's Guard, Serviceman or another Person, no Less than Encroachment upon the Life of their Close Relations" (Law of the BSSR of February 26, 1991 - Records of the Supreme Soviet of the Belarusian SSR, 1991, N 13, p. 152). **** Article 66 has been excluded from this Code (Law of the Republic of Belarus of March 1, 1994 - Records of the Supreme Soviet of the Republic of Belarus, 1994, N 12, p. 176). ***** The name of Article 84 of this Code has the following wording: "Making, Keeping or sale of Counterfeited Money or Securities" (Law of the Republic of Belarus of June 15, 1993 - Records of the Supreme Soviet of the Republic of Belarus, 1993, N 22, p. 278).

Articles 25 and 26. Excluded

Article 27. Corrective Labour without Deprivation of Freedom

Corrective labour without deprivation of freedom shall be assigned for a period from two months to two years and shall be executed either at the place of work of the convict or in other places in the region of residence of the convict. The remuneration of the person sentenced to corrective labour without deprivation of freedom shall be subjected to deductions to the income of the State in the amount established by the sentence of the court within the range of five to twenty per cent of the remuneration. In respect of the persons recognized as unable to work the court may substitute corrective labour by a fine according to the rules envisaged in Article 30, part two, of

this Code. The procedure of service of corrective labour without deprivation of freedom shall be established by the legislation.

Article 28. Consequences of the Evasion from the Service of Corrective Labour without Deprivation of Freedom

If the person who has been sentenced to corrective labour without deprivation of freedom evades from the service of the sentence at the place of his work the court may, on recommendation of the body of internal affairs or the labour collective, send this person serve the sentence in other places determined by the bodies which administer the performance of corrective labour, but in the region of residence of the convict. In case of repeated evasion from the service of sentence by the person who has been sentenced to corrective labour without deprivation of freedom the court may substitute the unserved period of corrective labour by a punishment represented by a deprivation of freedom for the same period.

Article 29. Deprivation of the Right to Hold Definite Posts or to Be Engaged in Definite Activity

Deprivation of the right to hold definite posts or to be engaged in definite activity may be prescribed by the court for a period from one to five years as the basic or additional punishment. This punishment may be prescribed in cases when the court recognizes that the person may not retain the right to hold definite posts or to be engaged in definite activity because of the nature of crimes committed by him due to the occupation of his post or engagement in definite activity. When such punishment is prescribed as a punishment additional to the deprivation of freedom it shall cover the whole time of service of the deprivation of freedom and, in addition, to a period stipulated in the sentence. If the deprivation of the right to hold definite posts or to be engaged in definite activity has been prescribed as a punishment in addition to another type of punishment, then the time shall be calculated as of the time the convict begins serving the basic punishment.

Article 30. Fine

Fine represents a penalty in terms of money imposed by the court in the events and within the limits specified by the court. The amount of the fine shall fixed by the court depending on the gravity of the committed crime taking into account the property status of the convicts within the range of ten minimum salaries to two hundred minimum salaries or, for mercenary crimes, from twenty minimum salaries to five hundred minimum salaries. In this case the amount of the fine imposed on the person for the committing of a crime envisaged by an article of this Code containing an administrative prejudice may not be less than the minimum amount of the fine imposed as an administrative measure. In case of the evasion of the payment of fine imposed as the basic punishment the convict shall bear responsibility in compliance with Article 1811 of this code. Objects that are not subject to confiscation may not be withdrawn when a fine is collected.

Article 31. Dismissal from the Post

Dismissal from the post may be applied by the court when it recognizes that the convict may not be left to occupy his post.

Article 32. Public Censure

Public censure represents a public expression by the court of a censure in respect of the convict making it known to the public, in necessary cases, through press or in another way.

Article 33. Sending of Servicemen Who Have Committed a Crime to a Disciplinary Battalion and Substitution of Corrective Labour by a Guard House

Active servicemen who have committed crimes may be sent to a disciplinary battalion in the cases envisaged by the law for a period of three months to two years, as well as in the cases when the court, taking into consideration the circumstances of the case and the personality of the convict, finds it expedient to substitute the deprivation of freedom for a term of up to three years by the sending to a disciplinary battalion for the same period. Sending to a disciplinary battalion instead of the deprivation of freedom may not be applied to the persons who have previously served a punishment represented by deprivation of freedom. Corrective labour without deprivation of freedom may be substituted in respect to servicemen by the keeping at a guard house for a term of up to two months.

Article 33.1. Excluded

Article 34. Confiscation of Property

Confiscation of property represents a forced free-of-charge withdrawal of the whole or part of the property being personal property of the convict for the benefit of the state. Confiscation of property may be prescribed only in the cases envisaged by the articles of the Special Part of this Code. In case of confiscation of a part of property the court must specify which part of the property is subject to confiscation or list the objects to be confiscated. Confiscation shall not be applied in respect of the property and objects which are necessary for the convict and the persons dependent on him as included into the list given in the Appendix to this Code. In case of a confiscation of property the State may not be liable for the debts and liabilities of the convict if such have appeared after the bodies of investigation, inquest or the court have taken measures for the preservation of the property and without the consent of these bodies. In respect of claims to be met at the expense of confiscated property the State shall be responsible only within the assets; in this case the sequence of meeting of claims shall be in accordance with the rules specified by the Civil Procedural Code of the Republic of Belarus.

Article 35. Deprivation of Military and Other Ranks

The court may adjudicate to deprive a person who has committed a grave crime of his military or special rank. If a person who has a military or another rank awarded by the Presidium of the Supreme Soviet of the Republic of Belarus or the Council of Ministers of the Republic of Belarus has been sentenced by the court for a grave crime, then the court, when returning its verdict, shall decide on whether it is expedient to make an application to the body which has awarded the rank on the deprivation of the convict of his military or another rank.

Chapter 4. ON PRESCRIBING OF PUNISHMENT AND FREEING FROM PUNISHMENT

Article 36. General Principles for Prescribing Punishment

The court shall prescribe punishment within the limits established by the article of the law which envisages responsibility for the committed crime in strict correspondence with the provisions of this Code. When prescribing punishment the court shall take into consideration the nature and the degree of social danger of the committed crime, the personality of the convict and the circumstances of the case which attenuate or aggravate the responsibility

Article 37. Circumstances Which Attenuate Responsibility

When prescribing punishment the following circumstances shall be recognized as attenuating responsibility: 1) prevention by the culprit of harmful consequences of the crime committed or voluntary reimbursement of the damage caused or the correction of the caused harm; 2) committing of a crime due to a coincidence of grave personal or family circumstances; 3) committing of a crime under a threat or coercion or owing to material or another dependence; 4) committing of a crime under the influence of strong emotional feeling caused by illegal actions of the sufferer; 5) committing of a crime in defence against a socially dangerous encroachment though with excess of the necessary defence limits; 6) committing of a crime by a person under legal age; 7) committing of a crime by a pregnant woman; 8) sincere repentance or giving oneself up; 9) active assistance in the detection of the crime. When the court prescribes punishment it may also take into consideration attenuating circumstances not specified in the law.

Article 38. Circumstances Which Aggravate Responsibility

When prescribing punishment the following circumstances shall be recognized as aggravating responsibility: 1) committing of a crime by the person who has committed a crime before; Depending on the nature of the first crime the court may have every right to ignore that circumstance as the aggravating one; 2) committing of crime by an organized group; 3) committing of a crime for mercenary or other base motives; 3.1) committing of a crime on the grounds of national or racial animosity, strife or contempt; 4) infliction of grave consequences as a result of the crime; 5) committing of a crime in respect of a person under age, an aged person or a person being in a helpless condition as well as in respect of a person being materially or otherwise dependent on the culprit; 6) instigating of persons under legal age to committing a crime or attracting persons under legal age into the participation in a crime; 7) committing of a crime in a most brutal way or with atrocity; 8) committing of a crime by availing oneself of conditions of a social disaster; 9) committing of a crime in a generally dangerous manner; 10) committing of a crime connected with the use of a source of high danger; 11) committing of a crime by a person who has been taken on probation* during the period of probation or within one year on expiration of this period; 12) committing of a crime in condition of inebriation. Depending on the nature of the crime the court may have every right to ignore that circumstance

as aggravating the responsibility. ----- * Exemption of criminal responsibility with the transfer on the probation (Article 50) has been excluded (Law of the Republic of Belarus of March 1, 1994 - Records of the Supreme Soviet of the Republic of Belarus, 1994, N 12, p. 176).

Article 39. Prescribing Punishment When Several Crimes Have Been Committed

If a person has been found guilty in the committing of two or more crimes envisaged by different articles of this Code and if this person has not been convicted for any of the crimes, the court, having prescribe punishment separately for each crime, shall make the final definition of the punishment on the aggregate of the crimes when more severe punishment absorbs less severe punishment or by adding up wholly or partially all the meted out punishments within the limits specified by the article of this Code which envisages the more severe punishment. The basic punishment may be appended by any additional punishments envisaged by the articles of this Code which establish responsibility for the crimes the person has been found guilty of. The same rules shall be used to prescribe punishment if, after a sentence has been pronounced on the case, it has been found out that the culprit is guilty of another crime which he had committed before the verdict was returned on the first case. In such case the term of punishment shall include the punishment which has been served wholly or partially by the first sentence.

Article 40. Prescribing Punishment on Several Sentences

If the convict has committed another crime after a sentence was passed on him and he did not completed the service of his punishment, the court shall add, wholly or partially, the part of punishment to be served under the previous sentence to the punishment prescribed by the new sentence. When punishments are summed up in the manner envisaged in the previous Article, the total term of punishment must not exceed the maximum term established for the given kind of punishment. When punishment represented by deprivation of freedom are summed up, the total term of punishment must not exceed ten years or, for the crimes in respect to which the law permits the application of deprivation of freedom for a term over ten years, must not exceed fifteen years. When punishments represented by deprivation of freedom and keeping in a disciplinary battalion are summed up, one day of deprivation of freedom shall be equal to one day of the time in a disciplinary battalion. When punishments represented by deprivation of freedom or corrective labour are summed up, one day of deprivation of freedom shall be equal to three days of corrective labour. Sentences by which persons are adjudicated to deprivation or freedom and a fine as well as to corrective labour and a fine shall be executed independently.

Article 41. On the Manner of Determination of Terms of Punishment

Terms of deprivation of freedom, keeping in a disciplinary battalion or corrective labour as well as of the deprivation of the right to hold definite posts or to be engaged in definite activity shall be counted in months and years, while terms of keeping in a guard house - in days and months. When punishments are substituted or summed up, it is permitted to count the above punishments in days.

Article 42. Prescribing a Milder Punishment than Envisaged by the Law

Taking into consideration the exclusive circumstances of the case and the personality of the culprit and recognizing the necessity of meting out to him a punishment below the lowest level envisaged by the law for the given crime or of applying another milder kind of punishment, the court may allow such mitigation with the compulsory pointing out the motives for doing so.

Article 43. Conditional Sentencing

If prescribing punishment in the form of deprivation of freedom or corrective labour the court, taking in consideration the circumstances of the case and the personality of the convict, comes to the conclusion on the inexpediency of the service by the culprit of the sentence prescribed, then the court may decide not to enforce the sentence in relation to the convict with the compulsory specification in the sentence of the motives for the conventional sentencing. In this case the court shall pass a judgment not to enforce the sentence if within the period of probation fixed by the court the convict does not commit another crime and justifies this trust through exemplary behaviour and honest labour. Control over the behaviour of persons sentenced conditionally shall be exercised by bodies of internal affairs, while in relation to persons under legal age - also by commissions on the affairs of persons under legal age set up at executive committees of regional, town, town-district Soviets of People's Deputies* in accordance with the legislation. The period of probation shall be assigned by the court with the duration of one to five years. In case of conditional sentencing, additional punishments may be meted out with the exception of cases of property confiscation. Considering the circumstances of the case, the personality of the culprit as well as appeals by public organizations or the labour collective at the place of work of the culprit on his conditional sentencing, the court may hand over the person sentenced conditionally to such organizations or the collective for correction and reformation. If such appeal has not been submitted, the court may impose on the definite labour collective or the person, with their consent, the duty of supervision over the person sentenced conditionally and the carrying on educational work. On appeal of a public organization or the labour collective charged to supervise over the person sentenced conditionally the court may reduce the period of probation set in the sentence. The issue on the reduction of the period of probation may be raised on expiration of not less than half of this period. In case the person who has been sentenced conditionally systematically violates during his period of probation the public order which incurred the application of administrative punishment measures or public influence measures, the court may make a decision on the cancellation of the conditional sentence and on sending the convict for serving the punishment prescribed in the sentence; this shall be made on the request of a body of internal affairs or, in respect of a person under legal age, of a commission on the affairs of persons under legal age at the executive committees of the regional, town, town-district Soviets of People's Deputies*. If the person sentenced conditionally who has been handed over for reformation and correction to a public organization or the labour collective has not justified

their trust, violated the promise to prove his correction through exemplary behaviour and honest labour or has left the labour collective with the aim of evasion of public influence, then on the request of the public organization or the labour collective the court may make a definition on the cancellation of the conditional sentence and on sending the convict to serve the punishment prescribed in the sentence. If the person sentenced conditionally has committed a new crime during the period of probation, the court shall prescribe to him a punishment according to the rules envisaged in Article 40 of this Code. ----- * In accordance with the Constitution of the Republic of Belarus entered into force as of March 30, 1994 the local representative powers shall be named "local Soviets of Deputies".

Article 44. Postponement of the Execution of the Sentence Given to a Serviceman or a Reservist at War Time

At war time the execution of a sentence with the deprivation of freedom given in respect to a serviceman or a reservist liable to call or mobilization may be postponed by the court till the end of war actions with the convict being sent to the regular army. In such cases the court may also postpone the execution of additional punishments. If the convict sent to the regular army shows himself as a staunch defender of the motherland, then on request of the relevant military commandment the court may free him from punishment or substitute the punishment by another milder punishment. If the person in respect of whom the execution of the sentence has been postponed commits a new crime, the court shall add to the new punishment the previous punishment according to the rules envisaged in Article 40 of this Code.

Article 44.1. Postponement of the Execution of the Sentence

When a sentence is pronounced on a person who is sentenced for the first time to deprivation of freedom for a period of up to three years, the court may take into consideration the nature and the degree of social danger of the crime committed, the personality of the guilty person and other circumstances of the case as well as the possibility of his correction and reformation without isolation from the society and may postpone the execution of the sentence in respect of this person for a period of one to two years. In such cases, the court may also postpone the execution of additional punishments. Execution of the sentence may not be postponed in respect to the persons enumerated in paragraphs 1 and 2 of part three of Article 231 of this Code. When deciding to postpone the enforcement of the sentence the court may give the convict a definite period of time to undo the damage inflicted, find a job or take a course of studies, make him not change the place of residence without the consent of the bodies of internal affairs, notify these bodies of a change of place of work or studies, arrive periodically to the body of internal affairs for registration. The court may oblige the convict not to visit definite places, not to leave the place of permanent residence without a notification of the body of internal affairs, to undergo a course of treatment in case of abuse of alcoholic beverages provided the imposition of such duties can facilitate the correction and reformation of the convict. The court may also charge the definite labour collective or a person, on their consent, to exercise supervision over the convict

and perform educational and reforming work in relation to him. Control of the behaviour of convicts in relation to whom the execution of the sentence with the deprivation of freedom has been postponed shall be exercised by bodies of internal affairs or, in relation to persons under legal age, also by commissions on the affairs of persons under legal age at the executive committees of regional, town, town-district Soviets of People's Deputies* in compliance with the legislation. If the convict the enforcement of whose sentence with deprivation of freedom has been postponed fails to discharge the duties the court imposed on him or commits a breach of public order or labour discipline which entailed the application of measures of administrative or disciplinary punishment or of public influence, then on the recommendation of the body of internal affairs, the commission on the affairs of persons under legal age at the executive committees of regional, town, town-district Soviets of People's Deputies or the labour collective charged to exercise supervision over the convict and the performance of reforming work in relation to him, the court may rule on reversing the postponement of the enforcement of the sentence with the deprivation of freedom and on sending the convict for serving the deprivation of freedom as prescribed in the sentence. On expiration of the term of postponement of the enforcement of the sentence, the court shall, on recommendation of the body exercising supervision over the behaviour of the convict and depending on the attitude of the convict to labour or studies, his behaviour during the period of postponement of the execution of the sentence established by the court, make a ruling on freeing the convict from the punishment or on sending the convict for serving the deprivation of freedom as prescribed in the sentence. Should the convict commit another crime while the enforcement of the sentence is postponed, the court shall add to the new punishment the previously meted out punishment according to the rules envisaged in Article 40 of this Code. ----- * In accordance with the Constitution of the Republic of Belarus entered into force as of March 30, 1994 the local representative powers shall be named "local Soviets of Deputies".

Article 45. Counting the Stretch of Detention on Remand

The detention on remand shall be included by the court into the term of punishment; in case of a sentence with deprivation of freedom or sending to a disciplinary battalion this detention on remand shall be counted as a day for a day while in case of corrective labour - a day for three days. When prescribing other measures the court may, taking into account the detention on remand, make a respective mitigation of the punishment prescribed by the court or exempt the convict from the punishment altogether.

Article 45.1. Counting the Stretch in Custody

The term kept in custody for a person sentenced to deprivation of freedom with the compulsory attraction to labour shall be included into the term of the punishment prescribed by the sentence of the court on a day-for-day basis.

Article 46. Expiration of Prescription of Criminal Liability

No person cannot be brought to criminal liability when the following terms have expired as of the date the crime was committed by him: 1) one year as of the date the crime was committed for which the law may prescribe the punishment which is not more severe than corrective labour or a sending to a disciplinary battalion; 2) three years as of the date the crime was committed for which the law may prescribe deprivation of freedom for a term of not more than two years; 3) five years as of the date the crime was committed for which the law may prescribe deprivation of freedom for a term in excess of five years; 4) ten years as of the date the crime was committed for which the law may prescribe a more severe punishment than a deprivation of freedom for a term of five years. The prescription term shall be interrupted if, before the expiration of the term specified in the law, the person commits a new crime for which the law may envisage a deprivation of freedom for a period of over two years. In this case, the term of prescription shall be counted as of the time the new crime is committed. The stretch of prescription shall be suspended if a person who has committed a crime goes into hiding to avoid investigation or does not appear in court. In such cases the stretch of prescription shall be resumed as of the time the person is detained or gives himself up. In such case the person may not be brought to criminal responsibility if fifteen years have passed since the time the crime was committed and the term of prescription has not been interrupted by another crime committed. The issue of application of the term of prescription to a person who has committed a crime that may be punished by the law by death penalty shall be considered by the court. If the court does not find it possible to apply the term of prescription, the death penalty cannot not be applied and shall be substituted by a deprivation of freedom.

Article 47. Expiration of Prescription of the Sentence

The sentence shall not be executed if it has not been executed within the following terms as of the date the sentence entered into legal force: 1) one year - when a person is sentenced to punishment that is not more severe than corrective labour or a sending to a disciplinary battalion; 2) three years - when a person is sentenced to a deprivation of freedom for a period of not more than two years; 3) five years- when a person is sentenced to a deprivation of freedom for a period of not more than five years; 4) ten years - when a person is sentenced to punishment that is more severe than a deprivation of freedom for a period of five years. The term of prescription shall be discontinued if the convict evades of serving the punishment or committed, before the expiration of the term, a new crime for which the courts prescribes a punishment represented by the deprivation of freedom for a period of not less than one year. The counting of the term of prescription in case of a new crime shall begin from the time the crime is committed while in case of an evasion of the service of punishment - from the time the convict arrives to serve the punishment or from the time the convict who is in hiding is detained. This being the case, the sentence cannot be executed if fifteen years have passed since the time the crime was committed and the term of prescription has not been interrupted by another crime committed. The issue of application of the term of prescription to a person who has been sentenced to death penalty shall

be considered by the court. If the court does not find it possible to apply the term of prescription, the death penalty cannot not be applied and shall be substituted by a deprivation of freedom.

Article 48. Exemption from Criminal Liability and Punishment

A person who has committed an action containing signs of a crime may be exempted from criminal liability if it is recognized that by the time the case is investigated or considered by court due to a change of the situation the actions committed by the person has lost the nature of a socially dangerous action or if this person has ceased to be socially dangerous. A person who has committed a crime may be exempted from punishment by the decision of the court if it is recognized that by force of the subsequent flawless behaviour and honest attitude to labour this person cannot be considered as socially dangerous at the time the case is to be considered by the court. A person who has committed an action containing signs of a crime that does not pose a great social danger may be exempted from criminal liability if it is recognized that his correction and reformation is possible without an application of the criminal punishment. In this case one of the following decisions may be taken: 1) excluded; 2) on handing over the materials of the case to be considered by a court of colleagues at the place of work (Article 49); 3) on handing over the materials of the case for the consideration by a commission on the affairs of persons under legal age; 4) excluded.

Article 48.1. Excluded.

Article 49. Exemption from Criminal Liability with the Transfer of the Case to the Court of Colleagues at the Place of Work

A person may be exempted from criminal liability and the case may be transferred for consideration by the court of colleagues at the place of work if the person has committed for the first time an action in respect to which, according to this Code, social measures may be applied or another action containing signs of a crime which poses no great social danger if the nature of the committed action and the personality of this person are such that this person can be reformed and corrected without applying a punishment but using measures of social effect.

Article 50. Excluded

Article 51. Exemption from Punishment Ahead of Time on Conditions and Substitution of the Punishment by a Milder Punishment

Exemption from punishment ahead of time on certain conditions or substitution of the unserved part of the punishment by a milder punishment may be applied in respect to persons who have been sentenced to the deprivation of freedom, persons who have been sentenced to the deprivation freedom with the compulsory attraction to labour, corrective labour or the sending to a disciplinary battalion, as well as to persons freed conditionally from the places of deprivation

of freedom with the compulsory attraction to labour in accordance with Article 512 of this Code, except persons enumerated in Article 511 of this Code. Exemption from punishment ahead of time on certain condition or substitution of the unserved part of the punishment by a milder punishment may be applied to the convict only if he has proved his correction through exemplary behaviour and honest attitude to work. Exemption from punishment ahead of time on certain condition or substitution of the unserved part of the punishment by a milder punishment shall be applied by the court at the place where the convict serves the sentence on a joint recommendation of the body which administers the execution of the punishment and the supervision commission at the executive committee of the Soviet of People's Deputies*, while in relation to persons who have been sentenced to the deprivation of freedom conditionally with the compulsory attraction to the labour and persons who have been freed conditionally from the place where they served their punishment with the compulsory attraction to labour - also on a joint recommendation by the administration and public organizations at the place of work of the convict, or in relation to the person serving his sentence in a disciplinary battalion - on recommendation by the commandment of the disciplinary battalion. Exemption from punishment ahead of time on certain condition or substitution of the unserved part of the punishment by a milder punishment may be applied after the convict has actually served not less than half of the term of punishment prescribed to him. In respect to persons: 1) who have been sentenced for deliberate crimes to the deprivation of freedom for a period of over three years; 2) who have served before a punishment at the place of deprivation of freedom for a deliberate crime and who have committed, before the cancellation or quashing of the conviction, a new deliberate crime for which they have been sentenced to the deprivation of freedom; 3) who during their service of punishment at the place of deprivation of freedom have committed a deliberate crime for which they have been sentenced to deprivation of freedom, - the exemption from punishment conditionally and ahead of time or substitution of the unserved part of the punishment by a milder punishment may be applied after they have actually served not less than two thirds of the prescribed term of punishment. In respect to persons who have been convicted for forgery or sale of counterfeited money or securities in aggravating circumstances (Article 84, part two)** violation of the rules of operations with precious metals and stones in aggravating circumstances (Article 85, parts two and three); stealing of property in especially grand amounts (Article 91.1) except the same committed by way of robbery; rape committed by a group of persons or a rape on a female under legal age (Article 155, part three); receiving, giving of a bribe or intermediation in bribery in aggravating circumstances (Articles 169, parts two and three; 169.1, part two, 170, part two); stealing of radioactive materials (Article 211.2); making, acquisition, keeping, transportation, dispatch with the purpose of sale or sale of narcotic substances in aggravating circumstances (Article 219.1, part two); stealing of narcotic substances in aggravating circumstances, except that committed by robbery, no less than committed in grand amounts (Article 219.2, part two) - the exemption from punishment ahead of time on condition or substitution of the unserved part of the punishment by a milder punishment may be applied after they have actually served not less than three fourths of the prescribed term of punishment.

In case of the exemption from punishment ahead of time on condition or substitution of the unserved part of the punishment by a milder punishment the convict may be also exempted from the additional punishment represented by the deprivation of the right to hold definite posts or to be engaged in definite kinds of activities. When the unserved part of the deprivation of freedom is substituted by corrective labour such labour shall be prescribed for a term established by the law for this type of punishment and must not exceed the unserved part of the deprivation of freedom. When applying the exemption from punishment ahead of time on condition or substitution of the unserved part of the punishment by a milder punishment the court may impose on the definite labour collective, with its consent, the responsibility for the supervision over the person conditionally exempted ahead of time during the unserved part of the term of punishment prescribed by the court or over the person in respect to which the unserved part of the punishment has been substituted by a milder punishment, as well as over the execution of educational and reformatory work in relation to such person. If the person in respect to which a conditional exemption ahead of time has been applied has committed a new crime during the unserved part of the punishment, the court shall prescribe to him the punishment according to the rules envisaged in Article 40 of this Code. ----- * In accordance with the Constitution of the Republic of Belarus entered into force as of March 30, 1994 the local representative powers shall be named "local Soviets of Deputies". ** The name of Article 84 of this Code has the following wording "Making, Keeping or Sale of Counterfeited Money or Securities" (Law of the Republic of Belarus of June 15, 1993 - Records of the Supreme Soviet of the Republic of Belarus, 1993, N 22, p. 278). Article 511. Non-use of Exemption from Punishment Ahead of Time on Conditions and of Substitution of the Punishment by a Milder Punishment Exemption from punishment ahead of time on certain condition or substitution of the unserved part of the punishment by a milder punishment may not be applied to: 1) a special dangerous recidivist; 2) a person who has been convicted for a special dangerous state crime (Articles 61-70)*; 3) persons who have been convicted for banditry (Article 74); actions that disorganize the work of corrective labour institutions (Article 741); robbery (Article 89, part two); stealing of property in especially grand amounts (Article 91.1) committed by robbery; killing by will (Articles 100, 101 and 229, paragraph "c") except the killing in excess of the limits of the necessary defense or in a state of strong mental emotions; deliberate severe bodily injury in aggravating circumstances (Article 106, art two); rape which has entailed especially grave consequences, no less than a rape of a female under fourteen (Article 115, part four); taking of hostages (Article 1241); encroachment upon the life of a militiaman, people's guard, serviceman or another person, no less than encroachment upon the life of their close relations (Article 1891); especially persistent hooliganism (Article 201, art three); hijacking of an aircraft (Article 2082); stealing of fire-arms, ammunition or explosives committed by a robbery assault (Article 213.1, part three); stealing of narcotic substances committed by way of a robbery assault, or in grand amounts (Article 219.2, part three); 4) a person in respect to which a punishment represented by death penalty has been substituted by the deprivation of freedom as a result of pardon or amnesty; 5) a person who has been convicted before more than two time for deliberate crimes if the conviction for the previous

crime has not been canceled or quashed in the manner specified by the law; 6) a person who has been previously freed from the place of deprivation of freedom before the full service of the court-prescribed term of punishment ahead of time on conditions or conditionally with the compulsory attraction to labour but who has committed a new crime during the unserved part of the punishment of the term of compulsory labour. ----- Articles 66 and 70 have been excluded from this Code (Law of the Republic of Belarus of March 1, 1994 - Records of the Supreme Soviet of the Republic of Belarus, 1994, N 12, p. 176).

Article 512. Conditional Freeing from the Place of Deprivation of Freedom with the Compulsory Attraction of the Convict to Labour Conditional freeing from the place of deprivation of freedom with the compulsory attraction of the convict to labour at the places defined by the bodies administering the execution of the sentence. Conditional freeing from the place of deprivation of freedom with the compulsory attraction of the convict to labour may be applied to: 1) persons who have been sentenced for a term of up to ten years inclusive after they have actually served not less than one third of the prescribed term of punishment; 2) persons who have been sentenced for a term over ten years after they have actually served not less than half of the prescribed term of punishment; 3) persons who have been sentenced for crimes enumerated in part six of Article 51 of this Code, after they have actually served not less than two thirds of the prescribed term of punishment. Conditional freeing from the place of deprivation of freedom with the compulsory attraction of the convict to labour shall be applied by the court at the place where the convict serves his punishment on a joint recommendation by the body administering the execution of the punishment and the supervising commission of the local Soviet of People's Deputies* provided the convict has undertaken an obligation to prove his correction through exemplary behaviour and honest attitude to labour. Conditional freeing from the place of deprivation of freedom with the compulsory attraction of the convict to labour shall not be applied to: 1) persons enumerated in paragraphs 2 and 3 of part three of Article 231 of this Code; 2) persons enumerated in Article 511 of this Code; 3) persons who systematically or willfully violate the requirements of the punishment service conditions. If a person who has been freed conditionally evades of labour or systematically or willfully violates labour discipline, public order or the rules of residence established for him, he shall be sent by a ruling of the court to serve the deprivation of freedom prescribed by the sentence. In this case, the time of evasion of labour shall not be included into the term of punishment service, while the time of work of the person freed conditionally may be included by the court either partially or wholly into the term of punishment service on a day-for-day basis. If a person who has been freed conditionally has committed a new crime during the term of compulsory labour, the court shall prescribe him a punishment according to the rules envisaged in Article 40 of this Code. ----- * In accordance with the Constitution of the Republic of Belarus entered into force as of March 30, 1994 the local representative powers shall be named "local Soviets of Deputies".

Article 52. Conditional Exemption from Punishment Ahead of Time and Substitution of Punishment by a Milder Punishment in Respect to Persons Who Have Committed a Crime Under Eighteen

Conditional exemption from punishment ahead of time or substitution of the unserved part of the punishment by a milder punishment may be applied to persons who have been convicted for the deprivation of freedom or corrective labour for crimes committed under the age of eighteen.

Conditional exemption from punishment ahead of time or substitution of the unserved part of the punishment by a milder punishment may be applied to a person convicted for a crime committed at the age of under eighteen only if this person has proved his correction through exemplary behaviour and honest attitude to labour and studies. Conditional exemption from punishment ahead of time or substitution of the unserved part of the punishment by a milder punishment shall be applied by the court at the place where the convict serves the sentence on a joint recommendation of the body which administers the execution of the punishment and the commission on the affairs of persons under legal age at the executive committee of the Soviet of People's Deputies*. Conditional exemption from punishment ahead of time or substitution of the unserved part of the punishment by a milder punishment may be applied to convicts who have been sentenced for a crime committed at the age of under eighteen after they have actually served not less than one third of the prescribed term of punishment. In respect to persons: 1) who have been sentenced to the deprivation of freedom for a period of not less than five years for a deliberate crime committed under the age of eighteen; 2) who have served before a punishment at the place of deprivation of freedom for a deliberate crime and who have committed, before the cancellation or quashing of the conviction, a new deliberate crime at the age under eighteen for which they have been sentenced to the deprivation of freedom; 3) who during their service of punishment at the place of deprivation of freedom have committed, at the age under eighteen, a deliberate crime for which they have been sentenced to deprivation of freedom, - the conditional exemption from punishment ahead of time or substitution of the unserved part of the punishment by a milder punishment may be applied after they have actually served not less than half of the prescribed term of punishment. In respect to persons: 1) who have been previously sentenced to the deprivation of freedom for a deliberate crime and in relation to whom conditional exemption from punishment ahead of time or substitution of the unserved part of the punishment by a milder punishment have applied, if such persons, when they have reached the age of eighteen but before they have served the unserved part of their punishment, have committed a deliberate crime for which they have been sentenced to the deprivation of freedom; 2) who have been convicted for the following types of crimes committed at the age under eighteen: banditry (Article 74); robbery in aggravating circumstances (Article 89); killing by will in aggravating circumstances (Article 100); rape committed by a group of persons or a rape of a female, or a rape which has entailed especially grave consequences, no less than a rape of a female under fourteen (Article 115, parts three and four); taking of hostages (Article 124.1); encroachment upon the life of a militiaman, people's guard, serviceman or another person, no less than encroachment upon the life of their close relations (Article 189.1); especially persistent hooliganism (Article 201, art three); hijacking of an aircraft (Article 208.2); stealing of radioactive materials (Article 208.2); stealing of fire-arms, ammunition or explosives committed by a robbery assault (Article 213.1, part three) - the conditional exemption from punishment

ahead of time or substitution of the unserved part of the punishment by a milder punishment may be applied after they have actually served not less than two thirds of the prescribed term of punishment. When the unserved part of the deprivation of freedom is substituted by corrective labour such labour shall be prescribed for a term established by the law for this type of punishment and must not exceed the unserved part of the deprivation of freedom. When applying the conditional exemption from punishment ahead of time or substitution of the unserved part of the punishment by a milder punishment the court may impose on the definite labour collective, with its consent, the responsibility for the supervision over the person conditionally exempted ahead of time during the unserved part of the term of punishment prescribed by the court or over the person in respect to which the unserved part of the punishment has been substituted by a milder punishment, as well as over the execution of educational and reformatory work in relation to such person. If a person in respect to whom under the age of eighteen a conditional exemption ahead of time has been applied has committed a new crime during the unserved part of the punishment, the court shall prescribe to him the punishment according to the rules envisaged in Article 40 of this Code. ----- * In accordance with the Constitution of the Republic of Belarus entered into force as of March 30, 1994 the local representative powers shall be named "local Soviets of Deputies".

Article 53. Freeing from the Service of Punishment

Freeing of the convict from the service of punishment as well as a mitigation of the prescribed punishment, except freeing from punishment or mitigation of punishment because of amnesty or pardon may be applied by the court only in the cases and in the manner specified in the law.

Article 54. Cancellation of Conviction

The following persons shall be recognized as persons having no conviction: 1) persons who have been exempted from punishment on the basis of Articles 47 and 48 of this Code; 2) persons who have served punishment at a disciplinary battalion or who have been freed from it, as well as servicemen who have served punishment represented by the stay in a guard house instead of corrective labour; 2.1) excluded; 3) persons who have been convicted conditionally if during the period of probation they do not commit a new crime and if during the specified period the conditional conviction in relation to such persons will not be canceled on other reasons envisaged by the law; 3.1) persons who have been convicted conditionally to the deprivation of freedom with the compulsory attraction to labour, if during the period of compulsory attraction to labour they do not commit a new crime or are not sent to the places of deprivation of freedom for serving their punishment on the reasons envisaged by the law; 3.2) persons who have been convicted to the deprivation of freedom with the application of Article 44.1 of this Code, if during the period of postponement of the sentence execution they do not commit a new crime and the sentence in relation to them is not executed in the specified manner; 4) persons who have been sentenced to a public censure, dismissal from the post, a fine deprivation of the right to hold definite posts or be engaged in definite activity or to corrective labour, provided that during one

year as of the day the punishment was served they do not commit a new crime; 5) persons who have been sentenced to deprivation of freedom for a term of not more than three years, provided that during three years as of the day they served their punishment (basic and additional) they do not commit a new crime; 6) persons who have been sentenced to deprivation of freedom for a term of more than three years, but not more than six years, provided that during five years as of the day they served their punishment (basic and additional) they do not commit a new crime; 7) persons who have been sentenced to deprivation of freedom for a term of more than six years, but not more than ten years, provided that during eight years as of the day they served their punishment (basic and additional) they do not commit a new crime; 8) persons who have been sentenced to deprivation of freedom for a term of more than ten years and special dangerous recidivists provided that during eight years as of the day they served their punishment (basic and additional) they do not commit a new crime and provided also that the court finds out that the convict has been corrected and that no need is left to consider this person as having a conviction. If the person sentenced to the deprivation of freedom, after he has served his punishment, has proved his correction through exemplary labour and honest attitude to labour, then on recommendations by public organizations the court may cancel his conviction before the expiration of the terms specified in this Article. If a person has been freed from punishment ahead of time in the manner specified by the law, then the conviction cancellation term shall be counted proceeding from the actually serviced punishment as of the time of freeing from the service of the punishment (basic and additional). If the punishment has been substituted by a milder one the actually served term of punishment shall be counted according to the rules envisaged in Article 45 of this Code. If a person who has served his punishment commits a new crime before the expiration of the conviction cancellation term, the term canceling the conviction shall be discontinued. The term of cancellation of the conviction for the first crime shall be counted anew after the actual service of punishment (basic and additional) for the last crime. In such cases, the person shall be considered as convicted for both crimes before the expiration of the term of cancellation of the conviction for the gravest of them.

Chapter 5. ON COMPULSORY MEASURES OF MEDICAL AND EDUCATIONAL NATURE

Article 55. Application of Compulsory Medical Measures to Mentally Deranged Persons

In relation to persons who have committed socially dangerous action in the state of insanity or who have committed such actions in the state of sanity but who have, before the declaration of the sentence or during the service of the punishment, fallen ill with a mental disease which deprives them of possibility to be aware of their actions or control their actions, the court may apply the following compulsory medical measures to be executed by medical establishments of the health authorities: 1) placement to a psychiatric hospital with an ordinary supervision; 2) placement to a psychiatric hospital with an increased supervision; 3) placement to a psychiatric hospital with a strict supervision.

Article 56. Placement to a Psychiatric Hospital

Placement to a psychiatric hospital with an ordinary supervision may be used by the court in relation to a mentally deranged person who needs clinical keeping and treatment in a compulsory manner by his psychic condition and the nature of the socially dangerous action committed by him. Placement to a psychiatric hospital with an increased supervision may be used by the court in relation to mentally deranged person who has committed a socially dangerous action that is not connected with the encroachment on the life of citizens and who, by his psychic condition, poses no threat to other people, but who needs clinical keeping and treatment in conditions of increased supervision. Placement to a psychiatric hospital with a strict supervision may be used by the court in relation to a mentally deranged person who is dangerous for the society and needs clinical keeping and treatment in conditions of a strict supervision by his psychic condition and the nature of the socially dangerous action committed by him. Persons placed to psychiatric hospitals with an increased or strict supervision shall be kept in conditions which exclude possibility of their committing a new socially dangerous crime.

Article 57. Prescription, Alteration and Discontinuance of Compulsory Medical Measures in Relation to Mentally Deranged Persons

The court, having recognized it necessary to prescribe a compulsory medical measure, shall select its kind depending on the mental disease of the person, the nature and degree of social danger of the action committed by the person. Discontinuance of compulsory medical measures shall be effected by the court on the conclusion made by the medical institution in case of the healing of the person or of such an alteration of the disease which makes the application of such measures unnecessary. An alteration of the kind of the compulsory medical measure shall also be effected by the court on the conclusion of the medical establishment. If the court does not consider it necessary to apply to the mentally deranged person compulsory medical measures no less than in the case when such measures are discontinued, the court may hand him over to the guardianship of relations or guardians with the compulsory medical supervision.

Article 58. Counting of the Period of Application of Compulsory Medical Measures

The court may apply a punishment in relation to a person who has, after the committing of the crime or during the service of the punishment, fallen ill with a mental disease depriving him of possibility to be aware of or control his actions, when this person has been cured, provided that the term of prescription has not expired or that no other grounds exist to exempt him from criminal liability or punishment. If punishment is applied to such person after he has been cured, then the time during which compulsory medical measures have been applied shall be included into the term of punishment according to the rules of Article 45 of this Code.

Article 59. Medical Measures Applicable to Chronic Alcoholics and Narcomaniacs Who Have Committed a Crime

If a person who is a chronic alcoholic or a narcomaniac has committed a crime, the court may apply to such person a compulsory treatment in a corrective-labour establishment along with the punishment for the committed crime. The above persons sentenced to measures of punishment that are not connected with the deprivation of freedom shall be sent to a preventive labour-and-treatment establishment. In case of crime committed by a person who abuse alcoholic beverages thus putting his family into a heavy material situation the court shall, along with the application of he punishment, have every right to make a ruling on taking this person into guardianship if such has been asked for by a public organization, the labour collective or the court of colleagues at the place of work.

Article 60. Compulsory Educational Measures Applicable in Relation to Persons Under Legal Age

If in accordance with part three of Article 10 of this Code the court finds it expedient not to apply a criminal punishment to a person under legal age who has committed a crime, the court may prescribe the following educational measures: 1) to oblige this person to apologize to the sufferer in a public or another manner; 2) to oblige the person under legal age if he has reached the age of fifteen to reimburse the inflicted damage if the person under legal age has his own remuneration and the amount of the damage does not exceed the minimum salary, or oblige him to undo the inflicted material damage with his own labour if this damage does not exceed the minimum salary; 3) to transfer the person under legal age under a strict control of his parents or persons substituting them; 4) to transfer the person under legal age on bail or for control of the labour collective or a public organization; 5) to place the person into a special educational and reforming establishment. The term, procedure and conditions of stay of persons under legal age in special educational and reforming establishments shall be defined by the regulation on the commissions on the affairs of persons under legal age.

SPECIAL PART Chapter 6. CRIMES AGAINST THE STATE

Article 61. High Treason

High treason, that is, an action deliberately committed by the citizen of the Republic of Belarus to the detriment of the external security of the Republic of Belarus, its sovereignty, territorial integrity, defence capacity: a disclosure of a state or military secret to a foreign state, espionage, defection to the enemy at war time or during an armed conflict, giving help to a foreign state in carrying on belligerent activities against the Republic of Belarus by committing special dangerous crimes against the State on instructions of authorities or representatives of a foreign state, - shall be punished by the deprivation of freedom for a term of ten to fifteen years with or

without the confiscation of property, or by a death penalty with or without the confiscation of property. A citizen of the Republic of Belarus recruited by a foreign intelligence service for the purpose of carrying on belligerent activities against the Republic of Belarus shall be exempted from criminal liability if he has not committed any actions for the execution of the criminal task given to him and has voluntarily informed the bodies of power of his connection with the foreign intelligence service.

Article 61.1. Plot with a View to Seize the State Power

A plot with a view to seize the state power by an unconstitutional way: shall be punishable with the deprivation of freedom for term of eight to twelve years with or without the confiscation of property. Seizure of the state power by an unconstitutional way - shall be punishable with the deprivation of freedom for a term of ten to fifteen years with or without the confiscation of property. Actions envisaged in parts one or two of the present Article if they have entailed death of the people - shall be punishable with the deprivation of freedom for a term of twelve to fifteen years with or without the confiscation of property or a death penalty with or without the confiscation of property. The participant of a plot shall be exempted from responsibility envisaged in part one of the present Article if he has reported in time and voluntarily about the crime being prepared to the bodies of power and actively facilitated to its disclosure.

Article 62. Espionage

Transfer, stealing or collection with the view to transfer to a foreign state, foreign organization or their agents of data constituting a state or military secret, as well as a transfer of collection on the instruction of a foreign intelligence service of other data so as to use them to the detriment of the interests of the Republic of Belarus, if an act of espionage is committed by a foreign citizen or an apatriote - shall be punishable with the deprivation of freedom for a term of seven to fifteen years with the confiscation of property or by a death penalty with the confiscation of property.

Article 63. Act of Terrorism

An encroachment on the life of a state or public figure committed in connection with his state or public activities with the view of destabilizing the public order or influencing the decision taken by the state bodies or preventing political or other public activities - shall be punishable with the deprivation of freedom for a term of eight to fifteen years with or without the confiscation of property or a death penalty with or without a confiscation of property.

Article 64. Act of Terrorism Aimed against a Representative of a Foreign State

A murder of a representative of a foreign state with the view of provoking war or international complication - shall be punishable with the deprivation of freedom for a term of ten to fifteen years with a confiscation of property or a death penalty with a confiscation of property. A grave

bodily harm inflicted to the same person with the same purpose - shall be punishable with the deprivation of freedom for a term of eight to fifteen years with the confiscation of property.

Article 65. Sabotage

Committing of explosions, arsons or other actions aimed at mass destruction of people, causing bodily injuries or other harm to the health, destroying or damaging buildings, works, ways and means of communications, or of other property with a view of destabilizing the public order or activities of state bodies of the Republic of Belarus - shall be punishable with the deprivation of freedom for a term of eight to fifteen years with or without the confiscation of property or a death penalty with or without the confiscation of property.

Article 66. Excluded

Article 67. Calls for the Overthrow or Alteration of the Constitutional State of the Republic of Belarus or for the Committing of Special Dangerous Crimes against the State

Public calls for the violent overthrow or alteration of the constitutional state of the Republic of Belarus or for a high treason, committing of an act of terrorism or sabotage, as well as the distribution of materials containing such calls - shall be punishable with the deprivation of freedom for a term of up to three years. The same actions committed anew or by an organized group of persons - shall be punishable with the deprivation of freedom for a term of up to seven years or a fine of up to a hundred thousand roubles. Actions envisaged by parts one or two of the present Article committed on instruction of foreign organizations or their representatives - shall be punishable with the deprivation of freedom for a term of up to ten years with or without the confiscation of property.

Article 67.1. Excluded

Article 68. Propaganda of War

Propaganda of war irrespective of its specific form - shall be punishable with the deprivation of freedom for a term of three to seven years.

Article 69. Organizational Activity Aimed at Committing Special Dangerous Crimes against the State as well as Participation in an Anti-state Organization

Organizational activity aimed at preparing or committing special dangerous crimes against the State, creating an organization having the purpose of committing such crimes as well as participation in an anti-state organization - shall be punishable according to respective Articles 61 to 68 of this Code.

Article 70. Excluded

II. OTHER CRIMES AGAINST THE STATE

Article 71. Violation of the National and Racial Equality as well as of the Equality of Citizens in Dependence on their Attitude towards Religion

Deliberate actions aimed at arising national, racial or religious strife or animosity, humiliating the national honour and dignity, as well as a direct or indirect restriction of the rights or the imposition of direct or indirect advantages for citizens depending on their racial or national status, or their attitude towards religion - shall be punishable with the deprivation of freedom for a term of up to three years or a fine. The same actions connected with violence, deception or threats or committed by an official person - shall be punishable with the deprivation of freedom for a term of up to five years or a fine. Actions envisaged in parts one or two of the present Article committed by a group of persons or if they have entailed death of people or other grave consequences - shall be punishable with the deprivation of freedom for a term of up to ten years.

Article 71.1. Canceled

Article 72. Disclosure of a State Secret

A disclosure of data which constitute a state secret by a person who was entrusted with these data or who have become aware of them due to his work or his post, if this does not contain signs of a high treason or espionage - shall be punishable with the deprivation of freedom for a term of two to five years. The same actions if they have entailed grave consequences - shall be punishable with the deprivation of freedom for a term of five to eight years.

Article 73. Loss of Documents Containing a State Secret

A loss of documents containing a state secret or of objects the data on which constitute a state secret by a person to whom they have been entrusted, if the loss have been the result of a violation of the established rules of handling of the above documents or object - shall be punishable with the deprivation of freedom for a term of one to three years. The same action if it has caused grave consequences - shall be punishable with the deprivation of freedom for a term of three to eight years.

Article 73.1. Transfer to Foreign Organizations of Data Constituting a Official Secret

Transfer or collection with the view of transferring to foreign organization or their representatives of economic, scientific, technical or other data constituting an official secret committed by a person to whom these data have been entrusted due to his work or post or who have become aware of them in another way - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of two years. The same actions if they have caused a great property detriment to the state or public organizations or if they have

entailed other grave consequences - shall be punishable with the deprivation of freedom for a term of up to eight years.

Article 74. Banditry

Organization of armed bands with a view of attacking state or public enterprises, institutions, organizations or individual persons as well as participation in such bands and in attacks committed by them - shall be punishable with the deprivation of freedom for a term of three to fifteen years with the confiscation of property or a death penalty with the confiscation of property.

Article 74.1. Actions Which Disorganize the Work of Corrective-Labour Establishments

Persons serving punishment represented by the deprivation of freedom who terrorize at the place of deprivation of freedom the convicts who have chosen the way of correction, or who make attacks on the administration, as well as persons who organize for these purposes criminal groups or who participate actively in such groups - shall be punishable with the deprivation of freedom for a term of three to eight years. Special dangerous recidivists as well as persons convicted for grave crimes who have committed actions envisaged in part one of this Article - shall be punishable with the deprivation of freedom for a term of eight to fifteen years or a death penalty.

Article 75. Contraband

Contraband, that is, movement across the customs border of the Republic of Belarus of narcotic, poisonous, toxic, psychotropic, radioactive or explosive substances, weaponry and ammunitions, special materials and technical products of military purposes, bypassing, or concealed from, customs clearance, no less than similar movement of things and valuables which are banned or restricted for the movement across the customs border of the Republic of Belarus in a large amount - shall be punishable with the deprivation of freedom for a term of up to eight years with the confiscation of freedom or a fine. The same actions committed on a preliminary agreement by a group of persons or by a person who has previously committed the same crime, or by an official person using his official post - shall be punishable with the deprivation of freedom for a term of three to ten years with the confiscation of property.

Article 76. Riots

Organization of riots accompanied by destruction, arsons and other similar actions not less than committing by their participants of the above crimes or their resistance to the authorities - shall be punishable with the deprivation of freedom for a term of two to fifteen years.

Article 77. Evasion of the Scheduled Conscription

An evasion of the scheduled conscription - shall be punishable with the deprivation of freedom for a term of one to three years. The same action committed by a self-infliction of a bodily injury or a simulation of a disease, through a forgery of documents or another deception no less than the action committed in other aggravating circumstances - shall be punishable with the deprivation of freedom for a term of one to five years.

Article 78. Evasion of Mobilization

An evasion of mobilization to the Armed Forces of the Republic of Belarus - shall be punishable with the deprivation of freedom for a term of three to ten years. The same action as well as an evasion of subsequent calls to the Armed Forces of the Republic of Belarus committed at war time - shall be punishable with the deprivation of freedom for a term of five to ten years or a death penalty.

Article 79. Evasion at War Time of the Fulfillment of Duties or Payment of Taxes

An evasion at war time of a labour mobilization or the fulfillment of other duties no less than of the payment of taxes - shall be punishable with the deprivation of freedom for a term of one to five years or corrective labour for a term of up to two years.

Article 80. Illegal Crossing of the State Border of the Republic of Belarus

A deliberate illegal crossing of the State Border of the Republic of Belarus - shall be punishable with the deprivation of freedom for a term of up to three years or a fine. The same action accomplished on a preliminary agreement by a group of persons or for a new time - shall be punishable with the deprivation of freedom for a term of up to five years with or without the confiscation of property.

Article 81. Violation of the Rules of International Flights

A flight into or out of the republic of Belarus without a special permission, non-observance of the routes, places of landing, aerial gates, the altitude of the flight specified in the permission or other violation of the rules of international flights - shall be punishable with the deprivation of freedom for a term of one to ten years or a fine with or without the confiscation of the aircraft.

Article 82. Violation of the Rules of Safe Traffic and Operation of Transport

A violation by the worker of railway, water or airborne transport of the rules of safe traffic and operation of transport means, if this entailed accidents with people, a crash, an incident or other grave consequences as well as a bad repair of transport means, ways, alarms and communication devices if they have entailed the same consequences - shall be punishable with the deprivation of freedom for a term of three to fifteen years. The same actions if they have not entailed but obviously created a threat for the onset of the same consequences - shall be punishable with the

deprivation of freedom for a term of one to three years or corrective labour for a term of up to two years.

Article 83. Damaging the Ways of Communications and Transport Means

A deliberate damaging or destruction of ways of communications, works on them, rolling stock, communications or alarm means, which have or could have entailed a railway accident, a shipwreck or a violation of the normal operation of the transport and communications means - shall be punishable with the deprivation of freedom for a term of three to fifteen years.

Article 84. Making, Keeping or Sale of Counterfeited Money or Securities

Making or keeping with a view of selling as well as sale of counterfeited money being in circulation on the territory of the Republic of Belarus, coins, state or other securities or foreign currency and securities in foreign currency - shall be punishable with the deprivation of freedom for a term of two to seven years with the confiscation of property. The same actions committed anew or by a group of persons - shall be punishable with the deprivation of freedom for a term of five to fifteen years with the confiscation of property.

Article 84.1. Illegal Issue of Securities

An issue by official persons of an economic subject of securities and their public placement without registration in the specified manner as well as the use of obviously forged documents for registration of securities - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term with the deprivation of the right to hold definite posts or be engaged in definite activity or a fine.

Article 84.2. Forgery of Prospectuses of Issue of Securities

Introduction by an official person of obviously false data into a securities issue prospectus as well as an approval of an issue prospectus containing obviously false data if such actions have caused a great material damage to investors - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for the a term of up to two years, or a fine.

Article 85. Violation of the Rules on Operations with precious Metals and Stones

An operation with precious metals or stones if made with violation of the established rules - shall be punishable with the deprivation of freedom for a term of up to three years or a fine with the confiscation of property and the objects of the operation. The same action committed by a person who has been previously convicted for the crimes envisaged in the present Article, or committed several times or in large amounts - shall be punishable with the deprivation of freedom for a term of three to eight years with the confiscation of property and the objects of the operation. The same actions committed in especially large amounts - shall be punishable with the deprivation of

freedom for a term of five to twelve years with the confiscation of property and the objects of the operation.

Article 85.1. Violation of the Established Procedure of Currency Operations

A violation of the established procedure for the performance of currency operations, that is, purchase, sale, exchange of foreign currency or the use of payment documents in foreign currency and other foreign pecuniary documents if effected without a special permission (licence), executed within one year after an administrative penalty was imposed for similar offenses - shall be punishable with the deprivation of freedom for a term of up to three years or with the confiscation of property and the objects of the operation or a fine. The same actions committed by a person who has been previously convicted for the crimes envisaged by this Article - shall be punishable with the deprivation of freedom for a term of one to five years with the confiscation of property and the objects of the operation.

Article 85.2. Illegal Opening of Accounts Outside the Republic of Belarus

An opening of accounts outside the Republic of Belarus and an execution of operations with such accounts by an official person of an economic subject or a bank without a special permission (licence) of the National Bank of the Republic of Belarus committed within one year after an administrative penalty was imposed for similar violations - shall be punishable with the deprivation of freedom for a term of up to two years with the deprivation of the right to hold definite posts or be engaged in definite activity for a term of up to five years, or a fine.

Article 86. Failure to Inform of Crimes Against the State

A failure to inform of crimes against the State being prepared or committed as envisaged in Articles 61 to 65, 69, 74, 94 of this Code - shall be punishable with the deprivation of freedom for a term of one to three years or corrective labour for a term of up to two years.

Article 86.1. Concealment of State Crimes

Concealment of state crimes envisaged by Articles 61 to 65, 69, 74, 75, 84, 85 of this Code if this concealment was not promised in advance - shall be punishable with the deprivation of freedom for a term of one to five years.

Chapter 7. CRIMES AGAINST PROPERTY

Article 87. Stealing of Property by a Theft

Secret stealing of property (theft) - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years or a fine. A theft committed anew or on a preliminary agreement by a group of persons, or a theft that has caused a significant damage to a citizen - shall be punishable with the deprivation of freedom for a term of up to six years with or without the confiscation of property or corrective labour for a term of one to two

years with or without the confiscation of property. Theft with entering of a home, room or another storage place - shall be punishable with the deprivation of freedom for a term of three to eight years with or without the confiscation of property. Theft committed in great amounts or by a special dangerous recidivist - shall be punishable with the deprivation of freedom for a term of five to fifteen years with the confiscation of property. N o t e: in Articles 87, 88, 90, 91 and 93 a new crime shall mean a crime committed by a person who has before committed any of the crimes envisaged by these Articles or by Articles 74, 89, 91.1, 211.2, 213.1, 219.2 of this Code.

Article 88. Stealing of Property by Robbery

Open stealing of property (robbery) - shall be punishable with the deprivation of freedom for a term of up to four years or corrective labour for a term of one to two years. Robbery connected with violence that is not dangerous for life or health of the sufferer or with a threat of such violence, or committed on a preliminary agreement by a group of persons, or anew, or if it has caused a significant damage to a citizen - shall be punishable with the deprivation of freedom for a term of up to seven years with or without the confiscation of property. Robbery with an entering into a home, room or another place of storage - shall be punishable with the deprivation of freedom for a term of four to ten years with or without the confiscation of property. Robbery committed in great amounts or by a special dangerous recidivist - shall be punishable with the deprivation of freedom for a term of four to ten years with or without the confiscation of property.

Article 89. Robbery

An assault with a view of appropriating property, connected with violence dangerous for life or health of the person who is assaulted, or with a threat to use such violence (robbery) - shall be punishable with the deprivation of freedom for a term of three to ten years with or without the confiscation of property. The same actions committed on a preliminary agreement by a group of persons, or with an infliction of grave bodily injuries, or by a special dangerous recidivist, or a person who has previously committed a robbery or banditry, if such actions have been aimed at appropriating property in great amounts no less than if such actions have been connected with an entering of a home, room or another place of storage - shall be punishable with the deprivation of freedom for a term of up to fifteen years with the confiscation of property.

Article 90. Stealing of Property by Fraud

Appropriation of a property or acquisition of the right for a property by deception or abuse of trust (fraud) - shall be punishable with the deprivation of freedom for a term of up to three years, or corrective labour for a term of up to two years, or a fine. A fraud committed anew or on a preliminary agreement by a group of persons, or if it has caused a significant damage to a citizen - shall be punishable with the deprivation of freedom for a term of up to six years with or without the confiscation of property, or corrective labour for a term of one to two years with or without the confiscation of property. A fraud which has caused a great damage or committed by a special

dangerous recidivist - shall be punishable with the deprivation of freedom for a term of five to fifteen years with the confiscation of property.

Article 91. Stealing of Property by Appropriation, Embezzlement or Abuse of Office

An appropriation or embezzlement of property placed into the care of the guilty person or held in his care no less than an appropriation of property by an abuse of one's office - shall be punishable with the deprivation of freedom for a term of up to four years, or corrective labour for a term of up to two years or a fine with or without the deprivation of the right to hold definite posts or be engaged in definite activity.. The same actions committed anew or on a preliminary agreement by a group of persons - shall be punishable with the deprivation of freedom for a term of up to seven years with or without the confiscation of property, or corrective labour for a term of one to two years with or without the confiscation of property with or without the deprivation of the right to hold definite posts or be engaged in definite activity for a term of two to five years. Actions envisaged in part one or part two of this Article committed in grand amounts - shall be punishable with the deprivation of freedom for a term of six to fifteen years with the confiscation of property with the deprivation of the right to hold definite posts or be engaged in definite activity for a term of two to five years.

Article 91.1. Stealing of Property in Especially Grand Amount

Stealing of property in especially grand amounts irrespective of the method of stealing (Articles 87 to 91) - shall be punishable with the deprivation of freedom for a term of ten to fifteen years with the confiscation of property.

Article 91.2. Excluded

Article 92. Causing of Property Damage by Fraud or Abuse of Confidence

Causing of property damage by a fraud or abuse of confidence with no signs of stealing - shall be punishable with the deprivation of freedom for a term of up to one year, or corrective labour for the same term, or a fine, or the deprivation of the right to hold definite posts or be engaged in definite activity, or a dismissal from the post, or shall incur public effect measures.

Article 92.1. Excluded

Article 92.2. Violation of the Rules of Use of Energy or Gas at Home

Unauthorized use for mercenary purposes of electrical or thermal energy or gas no less than a violation of the rules of use of electrical or thermal energy or gas at home which have been committed after an administrative penalty has been imposed for similar violations or have caused a substantial damage - shall be punishable with the deprivation of freedom for a term of up to two years, or corrective labour for the same term, or a fine.

Article 93. Extortion of Property

The demand to transfer property or the right to the property, or committing of any actions of property nature under a threat of violence in respect of the sufferer or his relations, a spreading of slanderous or libelous information or of other information on him or his near ones which such persons wish to keep secret, or a damage or destruction of their private property or the property kept or guarded by them (extortion) - shall be punishable with the deprivation of freedom for a term of up to four years with or without the confiscation of property, or corrective labour for a term of one to two years with or without the confiscation of property. Extortion committed anew or on a preliminary agreement by a group of persons, or under a threat of murder or infliction of grave bodily injuries, or connected with violence, that is not dangerous for life or health, or with a damage or destruction of property - shall be punishable with the deprivation of freedom for a term of up to seven years with the confiscation of property. Extortion committed by an organized group or a special dangerous recidivist, or connected with violence that is dangerous for life and health, or which has entailed a grand damage or other grave consequences - shall be punishable with the deprivation of freedom for a term of five to ten years with the confiscation of property.

Article 94. Minor Theft

A minor theft of property of an enterprise, institution, organization committed within one year after an administrative penalty has been imposed for a similar violation by a person who has previously committed a crime envisaged in Articles 87 to 911 of this Code, as well as by a person who has been convicted for actions envisaged by the present Article- shall be punishable with the deprivation of freedom for a term of up to two years, or corrective labour for the same term, or a fine.

Article 95. Appropriation of Found Property

Appropriation of found someone else's property in grand amounts - shall be punishable with corrective labour for a term of up to one year, or a fine, or a public censure.

Article 96. Deliberate Destruction or Damage of Property

A deliberate destruction or damage of property - shall be punishable with the deprivation of freedom for a term of up to one year, or corrective labour for the same term, or a fine. A deliberate destruction or damage of property committed by an arson or another generally dangerous method or which has entailed human casualties, or caused a grand damage or other grave consequences, as well as a deliberate destruction or a substantial damage of woods by an arson - shall be punishable with the deprivation of freedom for a term of up to ten years.

Article 97. Destruction or Damage of Property through Carelessness

A destruction or damage of property through carelessness which has entailed human casualties or other grave consequences as well as a destruction or substantial damage of woods as a result of

careless handle of fire or high-hazard sources - shall be punishable with the deprivation of freedom for a term of up to three years, or corrective labour for a term of up to two years.

Article 97.1. Excluded

Article 98. Unconscientious Attitude towards the Protection of Property

Unconscientious attitude of a person, who has been charged to protect property, to his duties if it has entailed a stealing, damage or peril of this property in grand amounts with no signs of a malfeasance in office - shall be punishable with the deprivation of freedom for a term of up to two years, or corrective labour for the same term, or shall entail the application of measures of public effect.

Article 99. Excluded

Chapter 8. CRIMES AGAINST LIFE, HEALTH, FREEDOM AND DIGNITY

Article 100. Aggravated Killing by Will

A killing by will a) of lucrative motives; b) of hooliganism; c) in connection with the execution by the sufferer of his official or social duties; d) of two or more persons; e) a woman whom the culprit knew in advance to be pregnant; f) committed with brutality or by a method dangerous for the life of many people; g) so as to conceal another crime or make the committing of it easier, or if it has been connected with a rape; h) committed by a special dangerous recidivist or a person who has previously committed a killing by will, except a killing envisaged in Articles 102 and 103 of this Code- shall be punishable with the deprivation of freedom for a term of eight to fifteen years, or a death penalty.

Article 101. Killing by Will

A killing by will committed without aggravating circumstances specified in Article 100 of this Code - shall be punishable with the deprivation of freedom for a term of three to ten years.

Article 102. Killing by Will Committed in a State of Strong Emotions

A killing by will committed in a state of sudden strong emotions caused by a violence or a great insult on the part of the sufferer, no less than that caused by other illegal actions of the sufferer if such actions have entailed or could have entailed grave consequences for the culprit or his near people - shall be punishable with the deprivation of freedom for a term of up to five years or corrective labour for a term of up to two years.

Article 103. Killing in Excess of Self-defence

A killing committed in excess of self-defence - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term.

Article 104. Killing by Recklessness

A killing committed by recklessness - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years. A killing by recklessness of two or more persons - shall be punishable with the deprivation of freedom for a term of up to five years.

Article 105. Bringing to Suicide

Bringing to suicide or to an attempted suicide through brutal treatment of the sufferer or systematic humiliation of his personal dignity - shall be punishable with the deprivation of freedom for a term of up to three years. The same action committed in relation to a person who has been materially or otherwise dependent on the culprit - shall be punishable with the deprivation of freedom for a term of up to five years.

Article 106. Wilful Severe Bodily Injury

A wilful severe bodily injury which is dangerous to life or has entailed a loss of sight, hearing or any organ, or the loss by the organ of its functions, a mental disease or another derangement of health connected with a stable loss of ability to work not less than for one third, or which has entailed an interrupted pregnancy or which has been expressed in irreversible disfiguration of the face, no less than that which has caused a derangement of health for a term of over four months - shall be punishable with the deprivation of freedom for a term of up to eight years. The same action if they have entailed a death of the sufferer or has been of the nature of torture or have been committed by a special dangerous recidivist - shall be punishable with the deprivation of freedom for a term of up to ten years.

Article 107. Wilful Less Severe Bodily Injury

A wilful less severe bodily injury which is not dangerous to life and has not entailed consequences specified in Article 106 of this Code, but which has caused a long-time derangement of health or a substantial stable loss of ability to work for less than one third - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years. The same actions if they have been of the nature of torture or have been committed by a special dangerous recidivist - shall be punishable with the deprivation of freedom for a term of up to five years.

Article 108. Wilful Severe or Less Severe Bodily Injury Caused in the State of Strong Emotions

A wilful severe or less severe bodily injury caused in a state of sudden strong emotions caused by a violence or a great insult on the part of the sufferer, no less than that caused by other illegal

actions of the sufferer if such actions have entailed or could have entailed grave consequences for the culprit or his near people - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term.

Article 109. Severe or Less Severe Bodily Injury Caused in Excess of the Necessary Self-Defence

A severe or less severe bodily injury caused in excess of the necessary self-defence- shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for the same term.

Article 110. Wilful Light Bodily Injury or Battery

A wilful causing of a bodily injury or battery which has entailed a short-term derangement of health or a slight stable loss of ability to work - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for the same term.

Article 111. Torture

Systematic infliction of battery or other actions having the nature of torture if they have not entailed consequences specified in Articles 106 and 107 of this Code - shall be punishable with the deprivation of freedom for a term of up to three years.

Article 112. Reckless Severe or Less Severe Bodily Injury

A reckless severe bodily injury - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for the same term. A reckless less severe bodily injury - shall be punishable with corrective labour for a term of up to one year or a public censure.

Article 113. Evasion of Treatment of Venereal Disease and Infecting with Venereal Disease

An evasion of treatment of a venereal disease continued after a warning made by medical bodies - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term, or a fine. Known endangering of another person through a sexual intercourse or other actions with an infection with a venereal disease - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term, or a fine. Infecting of another person with a venereal disease by a person who has known that he himself had this disease - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of one to two years. Actions envisaged in part three of this Article committed by a person who has been previously convicted for he infecting of another person with a venereal disease no less than an infecting of two or more persons, or a person under legal age - shall be punishable with the deprivation of freedom for a term of up to five years.

Article 113.1. Infecting with AIDS

Known endangering of another person with contracting AIDS - shall be punishable with the deprivation of freedom for a term of up to five years. Infecting of another person with AIDS by a person who has known that he himself had this disease - shall be punishable with the deprivation of freedom for a term of up to eight years.

Article 114. Illegal Making of Abortion

An illegal making of an abortion by a doctor - shall be punishable with corrective labour for a term of up to two years, or a fine, a the deprivation of the right to carry on medical practice. A making of an abortion by a person who has no higher medical education - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for a term of one to two years. Actions envisaged in parts one and two of this Article committed repeatedly or which have caused a death of the sufferer or other grave consequences - shall be punishable with the deprivation of freedom for a term of up to eight years.

Article 115. Rape

A rape, that is, a sexual intercourse with the use of physical violence, threat or the use of a helpless state of the sufferer - shall be punishable with the deprivation of freedom for a term of three to seven years. A rape by a person who has previously committed a similar crime - shall be punishable with the deprivation of freedom for a term of five to ten years. A rape committed by a group of persons of a rape of a person under legal age - shall be punishable with the deprivation of freedom for a term of five to fifteen years. A rape committed by a special dangerous recidivist or entailing special grave consequences, no less than a rape of a person under legal age - shall be punishable with the deprivation of freedom for a term of eight to fifteen years or a death penalty.

Article 116. Forcing a Woman for Sexual Intercourse

Forcing of a woman for a sexual intercourse or to satisfaction of a sexual desire in a perverted form by a person in relation to which the woman has been dependent materially or in office - shall be punishable with the deprivation of freedom for a term of up to three years.

Article 117. Sexual Intercourse with a Person Under Sixteen

A sexual intercourse with a person who is known to the culprit to be under sixteen- shall be punishable with the deprivation of freedom for a term of up to three years. The same actions connected with satisfying sexual desire in perverted forms - shall be punishable with the deprivation of freedom for a term of up to six years.

Article 118. Seducing Actions

Seducing actions in relation to a person who is known to the culprit to be under sixteen - shall be punishable with the deprivation of freedom for a term of up to three years.

Article 119. Male Homosexual Act

A male homosexual act committed with the use of physical violence, threats or in relation to a person under legal age or with the use of the dependent position of the sufferer - shall be punishable with the deprivation of freedom for a term of up to eight years.

Article 120. Persistent Evasion of Payment of Alimony or of Maintenance of Children

Persistent evasion of the parents of the payment on a decision of the court or a ruling of a people's judge of resources for the maintenance of their children under legal age or of the maintenance of children of legal age who are not able to work but who are dependent on them - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for a term of up to one year.

Article 121. Persistent Evasion of Giving Aid to Parents

Persistent evasion of the payment, on the decision of the court, of resources for the maintenance of the parents who are not able to work - shall be punishable with corrective labour for a term of up to one year or shall entail measures of public effect.

Article 122. Abuse of Guardian's Duties

The use of guardianship for lucrative purposes or leaving the persons under guardianship without supervision or the necessary help - shall be punishable with corrective labour for a term of up to two years or a fine.

Article 122.1. Disclosure of the Secret of Adoption

A disclosure of the secret of adoption against the will of the adopter - shall be punishable with corrective labour for a term of up to two years or a public censure.

Article 123. Abduction or Substitution of a Child

An abduction or substitution of someone else's child committed for lucrative purpose or of other base motives - shall be punishable with the deprivation of freedom for a term of up to five years.

Article 124. Illegal Deprivation of Freedom

An illegal deprivation of freedom - shall be punishable with the deprivation of freedom for a term of up to six months or corrective labour for the same term. The same action committed by a method dangerous to life or health of the sufferer or accompanied by causing physical suffering to him - shall be punishable with the deprivation of freedom for a term of up to three years.

Article 124.1. Taking of Hostages

Taking, or keeping of, a person as a hostage connected with a threat to kill, inflict bodily injuries or a further keeping of this person for the purpose of forcing the State, an international organization, a physical or legal person or a group of persons to commit or restrain from committing any action as a condition for freeing the hostage - shall be punishable with the deprivation of freedom for a term of up to ten years. The same actions if they have entailed grave consequences - shall be punishable with the deprivation of freedom for a term of five to fifteen years with or without the confiscation of property.

Article 1242. Illegal Placement to a Psychiatric Hospital

Placement to a psychiatric hospital of a person known to be mentally sound - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term with or without the deprivation of the right to hold definite posts or be engaged into definite activity for a term of one to three years.

Article 125. Leaving in Danger

Failure to give a person, who is in a state dangerous to life, the required help which obviously cannot be postponed, if such help could have been obviously given by the culprit without a serious danger to himself or other persons, or failure to inform the respective establishments or persons of the necessity of giving help - shall be punishable with corrective labour for a term of up to one year or a public censure, or shall entail measures of public effect. Known leaving without help of a person who is in a state dangerous to life and unable to take measures for self-preservation because of little age, old age, illness or of his general helplessness in cases if the culprit has had opportunity to give help to the sufferer and has had to take care of him, or put himself the sufferer to a state dangerous to life - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term.

Article 126. Non-feasance of Help to a Patient

Non-feasance in giving help to a patient without justified reasons by a medical person who is obliged to give such help in compliance with the established rules - shall be punishable with corrective labour for a term of up to one year, or a fine, or a public censure, or shall entail measures of public effect. The same action if it has entailed or knowingly could have entail a death of the patient or other grave consequences - shall be punishable with the deprivation of freedom for a term of up to two years with the deprivation of the right to carry on professional activities for a term of up to three years.

Article 126.1. Non-feasance or Inappropriate Fulfilment of Professional Duties by a Medical or Pharmaceutical Worker Which Has Entailed the Infecting of the Person with AIDS

Non-feasance or inappropriate fulfilment of professional duties by a medical or pharmaceutical worker which has entailed the infecting of the person with AIDS - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term, or a fine with or without the deprivation of the right to carry on medical or pharmaceutical activity for a term of up to three years. The same actions which have entailed infecting of two or more persons - shall be punishable with the deprivation of freedom for a term of up to four years or corrective labour for a term of one to two years, or a fine with the deprivation of the right to carry on medical or pharmaceutical activity for a term of up to five years.

Article 126.2. Disclosure of Information on a Person Having a Human Immune- Deficiency Virus or AIDS

Wilful disclosure of information on a person having a human immune-deficiency virus or AIDS by a medical, pharmaceutical or other worker who has become aware of this information due to his work or post - shall be punishable with corrective labour for a term of up to one year, or a fine. The same actions which have entailed grave consequences - shall be punishable with corrective labour for a term of up to two years, or a fine, with or without the deprivation of the right to hold definite posts or be engaged into definite activity for a term of up to three years.

Article 127. Non-feasance of the Captain of the Ship in Giving Help to Persons in Distress

Non-feasance of the captain of the ship in giving help to people being in distress on a river or any other water way, if this help could have been given without a serious danger to his ship, its crew and passengers - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term,

Article 128. Libel

Libel, that is, spreading of knowingly false fabrications defaming another person in a printed work or a work copied by another method, in an anonymous letter, no less than committed by a person who has previously been subjected to measures of administrative penalty for libel or insult - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years, or a fine. A libel connected with accusing of a committing of a special dangerous state crime or another grave crime - shall be punishable with the deprivation of freedom for a term of up to five years.

Article 129. Insult

Insult, that is, a wilful humiliation of honour or dignity of the personality, expressed in a vulgar form and made by a person who has previously been subjected to measures of administrative penalty for an insult or libel - shall be punishable with corrective labour for a term of up to two years, or a fine.

Chapter 9. CRIMES AGAINST POLITICAL, LABOUR, RESIDENCE OR OTHER RIGHTS OF CITIZENS

Article 130. Preventing from the Exercise of Suffrage

Prevention through violence, fraud, threat or in other way of a free exercise by the citizen of the Republic of Belarus of the right to elect or be elected as President of the Republic of Belarus, a people's deputy, carry on election campaign - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term, or a fine. A publication of another spreading of knowingly false fabrications defaming candidates to the presidency of the Republic of Belarus, people's deputies - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years, or a fine. Actions envisaged in part two of the present Article connected with accusation of committing a crime - shall be punishable with the deprivation of freedom for a term of up to five years.

Article 131. Forgery of Election Documents, Knowingly Incorrect Count of Votes or a Violation of the Secrecy of Vote

A forgery of election documents or a knowingly incorrect count of votes no less than a violation of the secrecy of vote, committed by a member of the election commission or an official person of a state or public body - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years, or a fine.

Article 131.1. Violation of the Legislation on People's Voting (Referendum)

Prevention through violence, fraud, threats, bribe or in another way of a free exercise by citizens of the Republic of Belarus of their rights to take part in a referendum no less than a forgery of documents, a knowingly incorrect count of votes, violation of the secrecy of voting committed by an official person of a state or public body, enterprise, institution, organization, a member of an initiative group or a commission on the referendum - shall be punishable with the deprivation of freedom for a term of up to five years or corrective labour for a term of up to two years, or a fine.

Article 131.2. Illegal Use of Pecuniary Resources and Material Resources During Preparation and Holding of Elections

A wilful creation of unequal conditions for candidates during distribution and use of pecuniary resources and material resources of the unified fund set up according to the established procedure for the organization and holding of elections - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years, or a fine.

Article 132. Violation of the Inviolability of Home of Citizens

An illegal search, illegal eviction or other illegal actions violating the inviolability of home of citizens - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for the same term, or a fine, or a dismissal from the post, or shall entail an application of measures of public effect

Article 133. Violation of Legal Rights of Trade Unions

Prevention of legal activity of trade unions and their bodies - shall be punishable with corrective labour for a term of up to one year, or a fine, or a dismissal from the post.

Article 134. Violation of Labour Legislation

An illegal dismissal of a worker from work out of personal motives no less than another wilful violation of the labour legislation committed by an official person of an enterprises, institution, organization - shall be punishable with corrective labour for a term of up to one year, or a dismissal from the post.

Article 135. Violation of the Secrecy of Correspondence, Telephone Talks and Telegraph Messages

Violation of the secrecy of correspondence, telephone talks and telegraph messages of the citizens - shall be punishable with corrective labour for a term of up to six months or a fine, or a public censure, or shall entail an application of measures of public effect.

Article 136. Refusal of Employment to, or Dismissal of, a Pregnant Woman or a Nursing Mother

Refusal of employment to, or dismissal of, a woman for the reasons of her being pregnant no less than a refusal to employ or dismissal from work a nursing mother for the above reasons - shall be punishable with corrective labour for a term of up to one year, or a dismissal from the post.

Article 136.1. Persecution of Citizens for Criticism

A wilful infringement by an official person upon the rights and interests of the citizen protected by the law, connected with a persecution of him for a submission according to the established procedure of proposals, applications, claims or for criticism contained in them, no less than for a criticism in other form - shall be punishable with a fine, or a dismissal from the post. The same actions if they have caused a substantial harm to the rights and interests of the citizens protected by the law - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for a term of one to two years, or a dismissal from the post.

Article 137. Violation of Labour Protection Rules

Violation by an official person of labour precautions, technical sanitation rules or other labour protection rules, if this violation could have entailed accidents with people or other grave consequences - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for the same term, or a dismissal from the post. The same actions if they have entailed causing of bodily injuries or loss of ability to work - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years. Violations specified in part one of this Article which have entailed a death of a human being or causing of severe bodily injuries of several people - shall be punishable with the deprivation of freedom for a term of up to five years.

Article 138. Infringement upon Copyright or Inventor's Right

Issue under one's own name of somebody else's scientific, literature, music or art work or other appropriation of a copyright for such work, or an illegal reproduction or spreading of such work, no less than forcing to a co-authorship - shall be punishable with corrective labour for a term of up to two years, or a fine, or shall entail an application of measures of public effect. Announcing of an invention before the application without consent of the inventor, appropriation of the authorship for the invention, forcing to co-authorship for the invention, no less than appropriation for a rationalization proposal - shall be punishable with corrective labour for a term of up to two years, or a fine, or shall entail an application of measures of public effect.

Article 139. Violation of Laws of Separation of the Church from the State and of the School from the Church

Violation of the laws on the separation of the church from the State and of the school from the church - shall be punishable with corrective labour for a term of up to one year, or a fine. The same actions committed by a person who has previously been convicted for a violation of the laws on the separation of the church from the State and of the school from the church, no less than an organization activity aimed at committing such actions - shall be punishable with the deprivation of freedom for a term of up to three years.

Article 140. Preventing the Performance of Religious Rites

Prevention from the performance of religious rites inasmuch as they do not violate public order and are not accompanied by an infringement upon the rights of the citizens - shall be punishable with corrective labour for a term of up to six months or a public censure.

Chapter 10 (Articles 141, 142, 143, 144, 145, 146, 147, 148). Excluded

Chapter 11. CRIMES IN THE SPHERE OF ENTREPRENEURSHIP AND OTHER ECONOMIC ACTIVITIES*

Article 149. Transfer or Dispatch to the Consumer of Substandard, Incomplete or Non-standard Products

A transfer or dispatch to the consumer from the industrial enterprise of knowingly substandard, incomplete products or of products that do not meet the compulsory standards, specifications or requirements of other normative and technical documentation in especially grand amounts, committed by an official person - shall be punishable with the deprivation of freedom for a term of up to three years, or a fine, or a dismissal from the post. Article 149.1. Excluded. -----
----- * The name of Chapter 11 has the wording of the Law of the Republic of Belarus of March 1, 1994 (Records of the Supreme Soviet of the Republic of Belarus, 1994, N 12, p. 176.)

Article 149.2. Realization of Products Contamination with Radionuclides in Excess of the Permissible Levels

Realization (sale or other transfer) of products contaminated with radionuclides in excess of the permissible levels committed by a citizen after administrative penal measures have been applied for a similar violation - shall be punishable with corrective labour for a term of up to one year or a fine with the confiscation of these products. The same actions committed by an official person after administrative penal measures have been applied for a similar violation - shall be punishable with the deprivation of freedom for a term of up to two years, or corrective labour for the same term, or a fine, or a dismissal from the post.

Article 150. Excluded

Article 150.1. Pseudo-entrepreneurship

Pseudo-entrepreneurship, that is, the creation of enterprises and other entrepreneurial structures without the intention to carry on their statutory activities for the purpose of obtaining of credits, loans or for covering of forbidden entrepreneurial activities, or for concealment, decrease of profits, incomes, other objects of taxation or other obtaining of material benefits - shall be punishable with the deprivation of freedom for a term of up to two years or a fine.

Article 150.2. Fraudulent Obtaining of Credits or Subsidies (Grants)

Submission by an entrepreneur or official person of an economic subject, for the purposes of obtaining a credit or subsidies (grants), of knowingly false documents and certificates on circumstances having a substantial significance for the obtaining of a credit or subsidies (grants), no less than a wilful failure of the entrepreneur or the official person of an economic subject to inform authorized bodies on the onset of circumstances that can entail a suspension of crediting or subsidizing (granting) or a restriction of the amounts of credits or subsidies (grants) being provided - shall be punishable with the deprivation of freedom for a term of up to two years, or corrective labour for the same term with the deprivation of the right to hold definite posts or be engaged in definite activity, or a fine.

Article 150.3. False Bankruptcy

Submission by an entrepreneur or official person of an economic subject of knowingly false documents with the purpose of declaring of the economic subject insolvent or bankrupt (a false bankruptcy) - shall be punishable with the deprivation of freedom for a term of up to three years with or without the deprivation of property. The same actions if they have entailed the causing of especially grand damage or other grave consequences - shall be punishable with the deprivation of freedom for a term of up to five years with the confiscation of property.

Article 150.4. Persistent Bankruptcy

Wilful concealment by an entrepreneur who is an insolvent debtor or by an official person of an economic subject who is an insolvent debtor of his economic insolvency by submitting information that does not correspondent to the reality, forging documents, misrepresenting accounting records or by other methods, if such actions have caused to the creditors a grand material damage (persistent bankruptcy) - shall be punishable with the deprivation of freedom for a term of up to three years, or corrective labour for a term of up to two years with the deprivation of the right to hold definite posts or be engaged in definite activity, or a fine.

Article 150.5. Frustration of Reimbursement of Losses to the Creditor

Concealment, sale or destruction of one's own property in a grand amount by an entrepreneur or official person of an economic subject who faces an economic insolvency or bankruptcy with the purpose of frustrating or reducing reimbursement of losses of the creditor - shall be punishable with the deprivation of freedom for a term of up to two years, or corrective labour for the same term, or a fine.

Article 150.6. Speculation

Buying-out at enterprises (in organizations) of the state trade or consumer cooperation of the Republic of Belarus of commodities designated to be sold to the population through retail trade, and resale of such commodities with the purpose of profits (speculation) - shall be punishable with the deprivation of freedom for a term of up to three years with or without the confiscation of property, or corrective labour for a term of two years, or a fine. Speculation committed in grand amounts or an a preliminary agreement by a group of people no less than by a worker of trade - shall be punishable with the deprivation of freedom for a term of up to six years with the deprivation of property, or a fine.

Article 151. Violation of the Procedure of the Performance of Entrepreneurial Activity

Entrepreneurial activities carried on without the state registration or without a special permission (licence), if such actions have been committed within one year after an administrative penalty has been imposed for a similar violation, or with the obtaining of an income in a grand amount - shall be punishable with the deprivation of freedom for a term of up to three years, or the deprivation of the right to hold definite posts or be engaged in definite activity for a term of up to

five years, or a fine. The same actions committed on a preliminary agreement by a group of persons, or with the obtaining of income in especially grand amount, or by a person who has been previously convicted for crimes envisaged in the present Article - shall be punishable with the deprivation of freedom for a term of three to seven years with or without the deprivation of property, or a fine with or without the deprivation of the right to hold definite posts or be engaged in definite activity for a term of up to five years.

Article 151.1. Excluded

Article 151.2. Excluded

Article 151.3. Violation of the Anti-monopoly Legislation

Evasion by an official person of a body of management or of an economic subject of the fulfillment, or inadequate or untimely fulfilment by him, of instructions of anti-monopoly bodies, as well as a failure to submit information to these bodies (documents, written or oral explanations) or a submission of knowingly false information, required for the anti-monopoly bodies to exercise their functions, if committed within one year after an administrative penalty has been imposed for similar violations - shall be punishable with the deprivation of freedom for a term of up to two years with the deprivation of the right to hold definite posts or be engaged in definite activity, or a fine.

Article 151.4. Establishment and Maintenance of Monopoly Prices

Establishment and maintenance of monopoly prices by way of an agreement of entrepreneurs or official persons of economic subjects on the activities on the joint market or by way of an agreement of the same persons on the division of the markets, if committed within one year after an administrative penalty has been imposed for similar violations - shall be punishable with the deprivation of freedom for a term of up to two years with the deprivation of the right to hold definite posts or be engaged in definite activity, or a fine. Wilful establishment and maintenance of monopoly prices, connected with an application of violence or a threat in relation to the competitors - shall be punishable with the deprivation of freedom for a term of three to seven years with the confiscation of property and with or without the deprivation of the right to hold definite posts or be engaged in definite activity.

Article 151.5. Unfair Competition

Abuse by an entrepreneur or official person of an economic subject of his dominating position at the market, including by restricting or discontinuing the production or withdrawing from the circulation of products (commodities, work, services) for making them in deficit, a conclusion and fulfilment of agreements on the division of the markets, removal of other economic subjects from the markets or on other conditions that restrict competition substantially, committing of other actions aimed at infringing upon legal interests of the person carrying on similar activities,

and of consumers if committed within one year after an administrative penalty has been imposed for similar violations - shall be punishable with the deprivation of freedom for a term of up to two years with or without the confiscation of property or a fine. Actions envisaged in part one of this Article committed with an application of violence or a threat, or by an organized group, or a person who has been previously convicted for crimes envisaged by the present Article or Articles 151.3, 151.4 of this Code - shall be punishable with the deprivation of freedom for a term of two to five years with the confiscation of property.

Article 152. Illegal Use of Trademarks

Illegal use of somebody else's trademark - shall be punishable with corrective labour for a term of up to six months or a fine of up to one thousand five hundred roubles.* -----

* In accordance with the Law of the Republic of Belarus of March 1, 1994 (Records of the Supreme Soviet of the Republic of Belarus, 1994, N 12, p. 176) references to the specific amounts of the fines have been excluded from this Code, except Articles 67 and 152.

Article 152.1. Illegal Use of Business Reputation of a Competitor

Wilful violation by an entrepreneur or official person of an economic subject of the fair competition rules by the use of a trademark or the name of another economic subject, a service mark, the name of the firm, the marking of commodities of a competitor or by copying industrial specimens of the competitor or committing of other actions causing a mixing of products (commodities, work, services) or activities with products or activities of the competitor - shall be punishable with the deprivation of freedom for a term of up to two years, or corrective labour for a term of up to one year, or a fine.

Article 152.2. Discrediting of Business Reputation of a Competitor

Spreading by an entrepreneur or official person of an economic subject through mass media, in advertising or other publications of knowingly false information inflicting harm to the business reputation of a competing economic subject - shall be punishable with the deprivation of freedom for a term of up to two years, or corrective labour for the same term, or a fine.

Article 152.3. Spreading of False Information on Products (Commodities, Work, Services)

Wilful spreading of false information or an application of advertising misleading the consumer about the quality, quantity, composition, method of fabrication or other characteristics of the products (commodities, work, services) - shall be punishable with corrective labour for a term of up to two years, or a fine. The same actions in relation to products (commodities, work, services) if they may cause harm to the health of the consumers - shall be punishable with the deprivation of freedom for a term of up to three years with the deprivation of the right to hold definite posts or be engaged in definite activity.

Article 152.4. Frustration of Public Sales

Committing for lucrative purposes of actions which have frustrated public sales (auctions) to the detriment of the owner of the property or of another economic subject for the benefit of which the sales are carried on - shall be punishable with corrective labour for a term of up to six months or a fine.

Article 152.5. Commercial Bribery

The obtaining by a worker of an economic subject who is not an official person of material values or of services of the property nature for an action (omission) in the interests of the giver, connected with the work which is performed by this person and which is known in advance to be able to cause harm to the interests of the owner of the enterprise or to his clients - shall be punishable with the deprivation of freedom for a term of up to three years with or without the confiscation of property, or corrective labour for a term of two years, or the deprivation of the right to hold definite posts or be engaged in definite activities, or a fine.

Article 153. Deception of Buyers and Customers

Incorrect measuring, weighing, calculation, an exceeding of the established retail prices as well as of prices and tariffs for communal and home services rendered to the population, or other deception of buyers and customers in shops and at other trade enterprises or public catering enterprises, communal service enterprises and communal facilities - shall be punishable corrective labour for a term of up to two years, or a fine, or the deprivation of the right to hold definite posts or be engaged in definite activities for a term of two to five years. The same actions committed on a preliminary agreement by a group of persons or in grand amounts or by persons who have been previously convicted for the same crimes - shall be punishable with the deprivation of freedom for a term of two to seven years with or without the confiscation of property with the deprivation of the right to hold definite posts or be engaged in definite activities for a term of two to five years.

Article 154. Issue for Sale of Substandard, Non-standard and Incomplete Commodities

Repeated issue or an issue in grand amounts for the purpose of sale at trade enterprises of knowingly substandard, non-standard or incomplete commodities by the manager of the shop, warehouse, store, section no less than by a commodity expert or a quality inspector - shall be punishable with the deprivation of freedom for a term of up to two years, or corrective labour for the same term, or a fine, or the deprivation of the right to hold the above posts.

Article 155. Fabrication, Storage with the Purpose of Sale or Sale of Strong Home-Made Alcoholic Beverages

Fabrication or storing with the purpose of sale of home-made strong alcoholic beverages or fabrication or storing for the purpose of sale of distilling devices, no less than sale of the above alcoholic beverages or devices - shall be punishable with the deprivation of freedom for a term of up to two years, or corrective labour for a term of up to one year, or a fine. The same actions committed by a person who has been previously convicted for crimes envisaged by the present Article - shall be punishable with the deprivation of freedom for a term of up to three years, or corrective labour for a term of up to two years.

Article 156. Violation of the Rules of Trade in Alcoholic Beverages

Violation by workers of trade and public catering enterprises (organizations) of the rules of trade in vodka and other alcoholic beverages, committed by a person who has been, within one year, subjected to an administrative penalty for the above violation - shall be punishable with corrective labour for a term of up to two years or a fine with the deprivation of the right to work at trade and public catering enterprises (organizations) for a term of three to five years.

Article 156.1. Obtaining of Illegal Remuneration from Citizens for the Fulfilment of Work Connected with the Services Rendered to the Population

Obtaining by the worker of an enterprise, institution or organization, who is not an official person, by extorting an illegal remuneration from a citizen for the performance of work or rendering of services in the sphere of trade, public catering, communal, medical, transport or other services rendered to the population, which are included into the official duties of such worker - shall be punishable corrective labour for a term of up to one year or a fine. The same actions committed repeatedly or in grand amounts - shall be punishable with the deprivation of freedom for a term of up to three years or a fine.

Article 156.2. Violation of the Trade Rules

Violation of the trade rules, that is, sale of commodities or medicaments from stores, bases, auxiliary rooms of state communal-service, trade (public catering), health enterprises (organizations) or when they are being delivered to the place of keeping (realization), no less than concealment of commodities or medicaments from buyers, if committed within one year after an administrative penalty has been imposed for similar violations, or for lucrative or other personal interests - shall be punishable with the deprivation of the right to hold definite posts or be engaged in definite activities for a term of up to five years or a fine. The same actions committed on a preliminary agreement by a group of persons or in grand amounts - shall be punishable with the deprivation of freedom for a term of up to three years or with the deprivation of the right to hold definite posts or be engaged in definite activities for a term of up to five years, or a fine.

Article 156.3. Excluded

Article 157. Forgery of Postal Payment Notes and Travel Tickets

Forgery of post stamps or other notes of postal payment, or international return coupons, no less than the use or issue for circulation of forged post stamps or other postal payment notes, or international return coupons - shall be punishable with the deprivation of freedom for a term of up to two years, or corrective labour for the same term. Fabrication or sale of forged tickets or other documents for travel of passengers or transportation of cargo - shall be punishable with the deprivation of freedom for a term of up to three years.

Article 158. Violation of Veterinary Rules

Violation of veterinary rules which has entailed a spreading of contagious diseases of animals or other grave consequences - shall be punishable with the deprivation of freedom for a term of up to three years, or corrective labour for a term of up to two years.

Article 159. Violation of the Rules Established for Combating Plant Diseases and Pests

Violation of the rules established for combating plant diseases and pests which has entailed grave consequences - shall be punishable with the deprivation of freedom for a term of up to one year, or corrective labour for the same term, or a fine.

Article 160. Carrying on of Forbidden Types of Entrepreneurial Activities

Carrying on forbidden types of entrepreneurial activities if such actions have been committed within one year after an administrative penalty has been imposed for a similar violation or with the obtaining of income in a grand amount - shall be punishable with the deprivation of freedom for a term of up to three years, or corrective labour for a term of one to two years, or the deprivation of the right to hold definite posts or be engaged in definite activities for a term of up to five years, or a fine. The same actions committed on a preliminary agreement by a group of persons or with the obtaining of incomes in especially grand amounts, or by a person who has been previously convicted for crimes envisaged in this Article - shall be punishable with the deprivation of freedom for a term of one to seven years with or without the confiscation of property, and the deprivation of the right to hold definite posts or be engaged in definite activities for a term of up to five years.

Article 160.1. Concealment, Decrease of Profits and Incomes

Concealment or deliberate decrease of profits, incomes or other objects of taxation, evasion of a submission of a declaration on incomes subject to the income tax, committed within one year after an administrative penalty has been imposed for similar violations, no less than concealment or decrease of profits or incomes entailing a causing of damage in grand amount - shall be punishable with the deprivation of freedom for a term of up to three years with or without the deprivation of the right to hold definite posts or be engaged in definite activities for a term of up to five years, or a fine. The same actions which have entailed a causing of a damage in especially

grand amounts - shall be punishable with the deprivation of freedom for a term of one to seven years with or without the confiscation of property and the deprivation of the right to hold definite posts or be engaged in definite activities for a term of up to five years.

Article 161. Illegal Carrying of Fishery or Other Water-Related Operations

Illegal carrying on of fishery or other water-related operations in rivers, lakes, ponds, water reservoirs without an appropriate permission to do such or at prohibited period or at prohibited places or with the use of disallowed tools, methods or techniques - shall be punishable with the deprivation of freedom for a term of up to one year, or corrective labour for the same term, or a fine with or without the confiscation of the catch, tools of catching and navigation craft with their accessories. The same actions if they been committed anew or are connected with a catch or killing of valuable species of fish or water animals, or with a causing of a great damage - shall be punishable with the deprivation of freedom for a term of up to four years with or without the confiscation of property.

Article 162. Carrying On of Timber Floating or Performance of Explosive Operations with Violation of the Fishery Stock Protection Rules

Carrying on of timber floating or explosive operations with a violation of the rules established for the protection of fish stocks - shall be punishable with corrective labour for a term of up to six months, or a fine.

Article 163. Illegal Hunting

Hunting without an appropriate permission or at prohibited places or prohibited period using prohibited tools or methods, if such actions have been committed after administrative penal measures have been applied for a similar violation - shall be punishable with the deprivation of freedom for a term of up to one year, or corrective labour for the same term, or a fine with the confiscation of the catch, rifles and other tools of hunting. Hunting of animals and birds which are totally prohibited to do this, or illegal hunting that has caused a great damage, or hunting on the territory of a state reserve or with the use of automobile transport means - shall be punishable with the deprivation of freedom for a term of up to three years with the confiscation of the catch, rifles and other tools of hunting.

Article 163.1. Excluded

Article 164. Damaging of Sown Crops

Deliberate damage of sown crops as well as deliberate damage of field-protection woods, fruit and berry as well as other plants if it has caused a great damage - shall be punishable with corrective labour for a term of up to two years or a fine.

Article 165. Illegal Cutting of Wood

Illegal cutting of trees and shrubs and bushes in the first-group woods having water-protection, sanitary-and-hygienic or climate-protection importance, or in woods of the reserves, national and natural parks, reserved parts of the woods, woods of scientific or historic importance, monuments of nature, forest parks, if the amount of damage exceeds twenty minimum salaries, and in other woods referred to the first group - if the amount of the damage exceeds thirty minimum salaries according to the rate established for computing the amounts of collection for the damage caused by an illegal cutting or damage of trees, bushes and shrubs, as well as a cutting of trees, bushes and shrubs in the above woods if this has entailed a damage in a smaller amount, but if committed anew - shall be punishable with the deprivation of freedom for a term of up to one year, or corrective labour for a term of up to one year, or a fine. The same actions which have caused a great damage as well as a destruction of trees, bushes and shrubs registered in the Red Book - shall be punishable with the deprivation of freedom for a term of two to five years, or corrective labour for a term of one to two years, or a fine.

Chapter 12. MALFEASANCE IN OFFICE

Article 166. Abuse of Power or of Office

An abuse of power or abuse of office, that is, deliberate use by an official person of his official position to the detriment of the office, if it has been committed for lucrative or other personal interests and has caused a great damage or a substantial harm to rights and legal interests of the citizens or to state or public interests - shall be punishable with the deprivation of freedom for a term of up to three years, or corrective labour for a term of up to two years, or the dismissal from the post. An abuse of power or of office, if it has been committed by a person holding a responsible post or when performing functions of destatization or privatization of state property, or has caused grave consequences - shall be punishable with the deprivation of freedom for a term of up to eight years. **N o t e:** Official persons (officials) as used in the Articles of this Code shall mean: representatives of power (authorities), that is, civil servants entitled, within their competence, to give instructions, orders and take decisions in respect of persons who are not their official subordinates; representatives of the public, that is, persons who are not civil servants but who exercise, according to the established procedure, authorities of representatives of power when performing duties for the protection of the public order, combating of offenses, administration of justice; persons who hold, permanently or temporarily, in institutions, organizations or at enterprises (irrespective of their form of property) posts connected with the execution of organizational-and-managerial or administrative-and-managerial duties, or persons who are authorized, according to the established procedure, to perform legal actions. Official persons (officials) holding responsible posts, as used in the Articles of this Code, shall mean leaders of the supreme bodies of state power and government of the Republic of Belarus and their deputies, heads of ministers, departments, other state bodies subordinated to the Supreme Soviet of the Republic of Belarus or to the Council of Ministers of the Republic of Belarus and their deputies, heads of executive and managerial bodies of the local Soviets of People's Deputies* and their deputies, judges, prosecutors and their deputies, heads of departments

(offices) of the Committee of State Security of the Republic of Belarus and their deputies, heads of departments (offices) of internal affairs and their deputies. ----- * In accordance with the Constitution of the Republic of Belarus which entered into force as of March 30, 1994 local representative bodies of power shall be named "local Soviets of Deputies".

Article 166.1. Non-feasance of Power Deliberate

Non-feasance (omission) or inappropriate performance by a representative of power of official actions which he should have and could have performed by force of official duties imposed on him, if this has entailed the causing of a great damage or a substantial harm to the rights and legal interests of citizens or to state or public interests or has been connected with the connivance at a crime shall be punishable with the deprivation of freedom for a term of up to three years, or corrective labour for a term of up to two years, or the deprivation of the right to hold definite posts for a term of up to five years, or a fine.

Article 167. Excess of Power or of Official Authorities

Excess of power or official authorities (powers), that is, a deliberate committing by an official person (official) of actions obviously exceeding the limits of rights and powers given to him by the law, if it has resulted in a great damage or a substantial harm caused to the rights and legal interests of the citizens or to state or public interests - shall be punishable with the deprivation of freedom for a term of up to three years, or corrective labour for a term of up to two years, or the dismissal from the post. Excess of power or official authorities, if it has been accompanied by violence, application of weaponry or actions which are tormenting or humiliating to the personal dignity of the sufferer, as well as committed by a person holding a responsible post - shall be punishable with the deprivation of freedom for a term of three to seven years with the deprivation of the right to hold definite posts.

Article 168. Neglect of Duties

Omission or inappropriate performance by an official person (official) of his official duties because of negligent attitude to their performance, if it has entailed, through carelessness, the causing of especially great damage or a substantial harm to the rights and legal interests of the citizens or to state or public interests - shall be punishable with the deprivation of freedom for a term of up to three years, or corrective labour for a term of up to two years, or a fine, or the dismissal from the post.

Article 169. Receiving of a Bribe

Receiving of a bribe, that is, a knowingly illegal acceptance by an official person of material values or an acquisition of benefits of the property nature provided to him exclusively in view of his official post for a support or connivance in office, a favourable solution of issues within his competence, or for a performance or a failure to perform in the interests of the person giving the bribe of any action which this person should have or could have performed using his official post - shall be punishable with the deprivation of freedom for a term of up to ten years with the confiscation of property. The same actions committed on a preliminary agreement by a group of persons or repeatedly or if connected with an extortion of a bribe, or receiving of a bribe in a great amount - shall be punishable with the deprivation of freedom for a term of five to fifteen years with the confiscation of property. Actions envisaged by parts one and two of this Article committed by an official person holding a responsible post, or by a person who has been previously convicted for bribery or who has received a bribe in especially grand amount - shall be punishable with the deprivation of freedom for a term of eight to fifteen years with the confiscation of property.

Article 169.1. Intermediation in Bribery

Intermediation in bribery, that is, a direct passing of a bribe from the bribegiver to the bribetaker - shall be punishable with the deprivation of freedom for a term of two to eight years.

Intermediation in bribery committed repeatedly or by a person who has been previously convicted for bribery or who has used his official post - shall be punishable with the deprivation of freedom for a term of seven to fifteen years with the confiscation of property.

Article 170. Giving of a Bribe

Giving of a bribe - shall be punishable with the deprivation of freedom for a term of three to eight years. Giving of a bribe repeatedly or by a person who has been previously convicted for bribery - shall be punishable with the deprivation of freedom for a term of seven to fifteen years with or without the confiscation of property. A person who has given a bribe shall be exempted from criminal liability if he has been forced to give bribe or if this person, after the giving of the bribe, has voluntarily informed about the happening.

Article 171. Forgery in Office

Forgery in office, that is, introduction by an official person or another authorized person of knowingly false information or records into official documents, a falsification, as well as a making or issue of knowingly false documents which have been committed for lucrative or other person interests with no signs of a graver crime - shall be punishable with the deprivation of freedom for a term of up to two years, or corrective labour for the same term, or the dismissal from the post.

Article 171.1. Concealment of, or Refusal to Present, Official Documents

Deliberate concealment of, or a refusal to present by a person, which works (performs his service) at an enterprise, institution, organization (irrespective of the form of property and conditions of economic management), official documents on the state, official or economic activities to representatives of the bodies of prosecution, internal affairs, state security, court, financial or other bodies of control - shall be punishable with a fine with the deprivation of the right to hold definite posts or be engaged in definite activity.

Chapter 13. CRIMES AGAINST JUSTICE

Article 172. Bringing to Criminal Responsibility of a Knowingly Innocent Person

Bringing of a knowingly innocent person to criminal responsibility by a person instituting the inquiry, an investigator or a prosecutor - shall be punishable with the deprivation of freedom for a term of up to three years. The same actions connected with accusation of a special dangerous crime against the State or other grave crime, or with an artificial creation of proofs of accusation - shall be punishable with the deprivation of freedom for a term of three to ten years.

Article 172.1. Interference into the Settlement of Judicial Cases

Influencing in whatever the form may be of judges or people's assessors with the purpose of preventing an all-round, complete and objective consideration of a concrete case or making an unlawful judicial solution - shall be punishable with corrective labour for a term of up to one year or a fine. The same actions committed with the use of the official post - shall be punishable with the deprivation of freedom for a term of up to three years, or corrective labour for a term of one to two years.

Article 172.2. Threat in Relation to a Judge or a People's Assessor

A threat with killing, violence or destruction of property in relation to a judge or a people's assessor no less than to their close relations in connection with the administration of justice by the judge or the people's assessor - shall be punishable with the deprivation of freedom for a term of up to two years, or corrective labour for the same term.

Article 172.3. Insult of a Judge or a People's Assessor

Insult of a judge or a people's assessor in connection with their activities for the administration of justice - shall be punishable with corrective labour for a term of up to one year or a fine.

Article 173. Passing of a Knowingly Illegal Sentence, Decision, Ruling or Decree

Passing by judges of a knowingly illegal sentence, decision, ruling or decree - shall be punishable with the deprivation of freedom for a term of up to three years. The same actions which have entailed grave consequences - shall be punishable with the deprivation of freedom for a term of three to ten years.

Article 174. Knowingly Illegal Arrest or Detention

A knowingly illegal arrest - shall be punishable with the deprivation of freedom for a term of up to one year. A knowingly illegal detention - shall be punishable with corrective labour for a term of up to one year or the dismissal from the post.

Article 175. Forcing to the Giving of Evidence

Forcing to the giving of evidence by using threats or other illegal actions on the part of the person making inquiry or preliminary investigation - shall be punishable with the deprivation of freedom for a term of up to three years. The same actions connected with the use of violence or brutal mockery in relation to the person being interrogated - shall be punishable with the deprivation of freedom for a term of three to ten years.

Article 176. Knowingly False Information

A knowingly false information about the committing of a crime - shall be punishable with the deprivation of freedom for a term of up to two years, or corrective labour for the same term. The same actions connected with an accusation of a special dangerous crime against the State or another grave crime or with an artificial creation of the proofs of accusation, no less than committed for lucrative purposes - shall be punishable with the deprivation of freedom for a term of two to seven years.

Article 177. Knowingly False Evidence

A knowingly false evidence by a witness, the sufferer or a knowingly false conclusion by an expert, as well as a knowingly incorrect translation made by the interpreter in the court or during the execution of the preliminary investigation or inquiry- shall be punishable with the deprivation of freedom for a term of up to one year, or corrective labour for the same term. The same actions connected with an accusation of a special dangerous crime against the State or another grave crime or with an artificial creation of proofs of accusation, no less than committed for lucrative purposes - shall be punishable with the deprivation of freedom for a term of two to seven years. N o t e : Responsibility for crimes envisaged in Articles 177, 178, 185 and 186 of this Code shall not applied to close relations of the person who has committed crimes enumerated in paragraph 9 of Article 22 of the Criminal Procedural Code of the Republic of Belarus.

Article 178. Refusal of a Witness or the Sufferer from Giving Evidence or of an Expert or Interpreter from Performing the Duties Imposed on Them

Refusal of a witness or the sufferer from giving evidence or refusal of an expert or interpreter without justified grounds from performing at the court, bodies of preliminary investigation or inquiry the duties imposed on them - shall be punishable with corrective labour for a term of up to six months or a fine.

Article 179. Prevention of the Appearance of a Witness, the Sufferer or of Their Giving Evidence, Forcing of Them or of an Expert to the Refusal from Giving Evidence or a Conclusion, or to Giving of False Evidence or a Conclusion

Prevention of the appearance of a witness, the sufferer to the court, bodies of preliminary investigation or inquiry, or of their giving evidence - shall be punishable with corrective labour for a term of up to six months or a fine. Forcing of a witness, the sufferer or an expert to an abandonment of evidence or to a refusal of giving the conclusion, to the giving of knowingly false evidence or conclusion through a threat of killing, violence, destruction of the property of these persons or of their near people, a disclosure of information which these persons wish to retain secret, no less than a bribery of a witness, the sufferer of an expert for the same purpose or a threat to commit the above actions out of vengeance for the previously given evidence or the conclusion - shall be punishable with the deprivation of freedom for a term of up to four years or corrective labour for a term of up to two years.

Article 180. Disclosure of Data of the Preliminary Investigation or Inquiry

Disclosure of the data of the preliminary investigation or inquiry without a permission of the prosecutor, investigator or of the person who makes inquiry - shall be punishable with corrective labour for a term of up to six months or a fine.

Article 181. Embezzlement, Alienation or Concealment of the Property Under Distrain or Arrest

Embezzlement, alienation or concealment of the property being under distraint or arrest, committed by a person to whom this property has been entrusted - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for the same term, or a fine.

Article 181.1. Evasion of the Payment of the Fine

Evasion by the convict of the payment of the fine prescribed by the sentence of the court when it is possible to pay it - shall be punishable with the deprivation of freedom for a term of up to one year.

Article 182. Excluded

Article 183. Excluded

Article 184. Escape from the Place of Confinement or from Custody

Escape from the place of confinement or from custody committed by a person who serves his punishment or is under preliminary confinement - shall be punishable with the deprivation of freedom for a term of up to three years. Escape connected with violence in relation to the guards - shall be punishable with the deprivation of freedom for a term of up to five years.

Article 184.1. Evasion of the Service of Penalty Represented by the Deprivation of Freedom

Evasion of the service of penalty by a person who has been sentenced to the deprivation of freedom but is not in custody, no less than of a person who has been allowed to leave for a short period of time the place of deprivation of freedom - shall be punishable with the deprivation of freedom for a term of up to one year.

Article 184.2. Failure to Execute a Court Decision

Failure to execute the decision of the court on the deprivation of the right to hold definite posts or be engaged in definite activities by a person in relation to whom the sentence was given - shall be punishable with a fine. A deliberate failure of the official person to execute a decision, sentence, ruling or decree of the court or prevention of their execution - shall be punishable with a fine.

Article 184.3. Persistent Disobedience to the Demands of the Management of the Corrective-Labour Institution

Persistent disobedience to the legal demands of the management of the corrective-labour institution or other counteraction to the management in the administration of its functions by a person who serves his punishment at the place of deprivation of freedom, if this person has been subjected within one year to a punishment represented by a transfer to a cell-type room (solitary cell) or to a prison for his violation of the service treatment requirements - shall be punishable with the deprivation of freedom for a term of up to three years. The same actions committed by a special dangerous recidivist or by a person who has been convicted for a grave crime - shall be punishable with the deprivation of freedom for a term of one to five years.

Article 184.4. Illegal Transfer of Forbidden Objects to Persons Kept in Corrective Labour Institutions, Investigation Isolation Rooms, Labour-and- Treatment Preventories

A transfer concealed from examination or an attempted transfer by any method to persons, kept in corrective-labour establishments, investigation isolation rooms, labour-and-treatment preventories, of alcoholic beverages, medication or other substances of intoxicating effect no less than of other objects forbidden to be transferred, committed after an administrative penalty has been imposed for similar actions or committed systematically or in great amounts - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term.

Article 185. Concealment of Crimes

Concealment of crimes envisaged by Articles 87, parts two, three and four (stealing), 88, parts two, three and four (robbery), 89 (robbery), 91.1 (stealing of property in especially grand amounts), 100 and 101 (killing by will), 115, parts two, three and four (rape in aggravated circumstances), 169, parts two and three (receiving of a bribe), 189.1 (encroachment upon the life of a militiaman or of another person committed in aggravating circumstances), 213.1 (stealing of fire-arms, ammunitions or explosives) if the concealment has not been promised in advance - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years. Concealment of crimes envisaged by Articles 124.1 (taking of hostages), 208 (hijacking of an aircraft), 211.1 (illegal acquisition, keeping, use, transfer or destruction of radioactive materials), 211.2 (stealing of radioactive materials), 219.1 (illegal making, keeping, storage, transportation or dispatch with the purpose of sale, no less than an illegal sale of narcotics) and 219.2 (stealing of narcotic substances), if the concealment has not been promised in advance - shall be punishable with the deprivation of freedom for a term of up to five years or corrective labour for a term of one to two years.

Article 186. Failure to Inform about a Crime

Failure to inform about crimes known to be prepared or committed envisaged by Articles 87, parts three and four (stealing), 88, parts three and four (robbery), 89 (robbery), 91.1 (stealing of property in especially grand amount), 100 and 101 (killing by will), 115, parts two, three and four (rape in aggravated circumstances), 169, parts two and three (receiving of a bribe), 189.1 encroachment upon the life of a militiaman or another person committed in aggravating circumstances), 213.1, parts two and three (stealing of fire-arms, ammunitions or explosives) - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for a term of up to two years. Failure to inform about crimes known to be prepared or committed which are envisaged by Articles 124.1 (taking of hostages), 208.2 (hijacking of an aircraft), 211.1 (illegal acquisition, keeping, storage, use, transfer or destruction of radioactive materials), 219.1, part two (illegal making, acquisition, keeping, storage, transportation or dispatch with the purpose of sale, no less than illegal sale of narcotic substances in aggravating

circumstances), and 219.2, part three (stealing of narcotic substances committed by a special dangerous recidivist or through assault and robbery, no less than stealing of narcotic substances in grand amounts) - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of one to two years.

Chapter 14. CRIMES AGAINST THE ORDER OF GOVERNMENT

Article 186.1. Excluded

Article 186.2 Abuse of State Symbols Abuse of the State

Emblem of the Republic of Belarus, the State Flag of the Republic of Belarus or the State Anthem of the Republic of Belarus - shall be punishable with corrective labour for a term of up to two years or a fine.

Article 186.3. Organization or Active Participation in Group Actions Violating Public Order

Organization no less than an active participation in group actions flagrantly violating public order or connected with obvious disobedience to the lawful demands by the representative of power, or entailing disruption of the work of transport, state or public enterprises, institutions, organizations - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years, or a fine.

Article 186.4. Forcing to a Participation in a Strike or to a Refusal from Participating in a Strike

Forcing to a participation in a strike or to a refusal to take part in a legal strike by violence or a threat of violence - shall be punishable with the deprivation of freedom for a term of up to three years or a fine.

Article 187. Resistance to a Representative of Powers

Resistance to a representative of the powers when he performs duties imposed on him by the law or forcing him to perform obviously illegal actions, committed with violence or a threat of violence - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years, or a fine.

Article 187.1. Resistance to a Militiaman, People's Guard, Serviceman or Another Person Who Perform Their Official Duties or the Public Duty on the Protection of Public Order

Resistance to a militiaman, people's guard, serviceman or another person who perform their official duties or the public duty on the protection of public order - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for the same term, or a fine. The same actions connected with violence or a threat of violence, no less than forcing of these persons by violence or a threat of violence to perform obviously illegal actions - shall be punishable with the deprivation of freedom for a term of one to five years or corrective labour for a term of one to two years.

Article 188. Insulting of a Representative of the Powers

Public insulting of a representative of the powers (authorities) in connection with the performance of duties imposed on him - shall be punishable with corrective labour for a term of up to one year or a fine.

Article 188.1. Insulting of a Militiaman, People's Guard, Serviceman or Another Person in Connection with Their Performance of Official Duties or of the Public Duty on the Protection of Public Order

Insulting of a militiaman, people's guard, serviceman or another person in connection with their performance of official duties or of the public duty on the protection of public order - shall be punishable with corrective labour for a term of up to one year or a fine.

Article 188.2. Interference into Actions of a Militiaman When He Performs His Official Duties

Influencing in whatever the form may be a militiaman with the purpose of preventing him from the execution of his official duties - shall be punishable with corrective labour for a term of up to one year or a fine. The same actions committed with the use of the official post - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of one to two years.

Article 189. Threat or Violence in Relation to an Official Person, Militiaman, People's Guard, Serviceman or Another Person in Connection with Their Performance of Official Duties or of the Public Duty

A threat of killing, inflicting of severe bodily injuries or destruction of property by way of an arson or other socially dangerous method in relation to an official person, militiaman, people's guard, serviceman, public worker or another person, no less than to their close relations in connection with the performance by the official person, militiaman, voluntary people's guard, serviceman, public worker or another person of the official or public activities or the performance of the public duty on the protection of public order - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term. Infliction of a light bodily injury, battery or committing of other violent actions in relation to

persons specified in part one of this Article - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of one to two years.

Article 189.1. Encroachment on the Life of a Militiaman, People's Guard, Serviceman or Another Person, No Less than Encroachment on the Life of Their Close Relations

Encroachment on the life of a militiaman, people's guard, serviceman or another person, no less than encroachment on the life of their close relations in connection with the performance by the militiaman, people's guard, serviceman or another person of their official duties of the public duty on the protection of public order - shall be punishable with the deprivation of freedom for a term of eight to fifteen years, or - in case of aggravating circumstances - with the deprivation of freedom for a term of ten to fifteen years or a death penalty.

Article 190. Unauthorized Assumption of the Rank or Powers of the Official Person

Unauthorized assumption of the rank or powers of an official person connected with the performance on these grounds of any socially dangerous actions - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term.

Article 191. Stealing or Damage of Documents, Stamps, Seals, Forms

Stealing, destruction, damage or concealment of documents, stamps, seals, forms existing at enterprises, in institutions, organizations, committed for lucrative or other base purposes - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for the same term, or a fine. The same actions committed in relation to documents, stamps, seals, forms of special importance or entailing grave consequences - shall be punishable with the deprivation of freedom for a term of up to five years. Stealing from citizens of their passport or of other important personal documents - shall be punishable with the deprivation of freedom for a term of up to eight months or corrective labour for a term of up to one year, or a fine.

Article 192. Forgery, Fabrication or Sale of Forged Documents, Stamps, Seals, Forms

Forgery of a certificate or another document provided by an enterprise, institution, organization which gives a right or exempts from duties committed for the purpose of the use of such document by the forger or by another person, or a sale of such document, no less than a fabrication of forged stamps, seals, forms of enterprises, institutions, organizations for the same purposes or the sale of them - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term. The same actions committed systematically - shall be punishable with the deprivation of freedom for a term of up to five years. The use of a knowingly forged document - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for the same term, or a fine.

Article 193. Violation of the Rules of Entry into or Living in the Border Area or Border Zone

Violation of the rules of entry into, or living, or residence registration in a borderline area or zone, committed after an administrative penalty has been imposed for a similar violation - shall be punishable with the deprivation of freedom for a term of up to six months or corrective labour for the same term, or a fine.

Article 193.1. Excluded

Article 194. Excluded

Article 194.1. Excluded

Article 194.2. Violation of the Communication Lines Protection Rules

Violation of the communication lines protection rules which has entailed a damage of lines of inter-town, town, rural communications or wired radiounits as well as a damage of communications, television and radiobroadcasting installations, if they have entailed an interruption of communications, tele- or radiobroadcasting - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years, or a fine.

Article 195. Unauthorized Seizure of Land and Unauthorized Building

Unauthorized seizure or unauthorized exchange, purchase, sale of a lot of land or other actions that violate the right of state ownership for land committed anew within one year after administrative penal measures have been applied for similar violations or which have caused a significant damage to the State - shall be punishable with the corrective labour for a term of six months to one year, or a fine. Unauthorized building of a living building or unauthorized building of an attached building committed anew within one year after administrative penal measures have been applied for similar violation - shall be punishable with the corrective labour for a term of up to one year, or a fine with or without the confiscation of the illegally built building.

Article 196. Arbitrariness

Arbitrariness, that is, unauthorized exercise of one's own real or presumed right with the violation of the established procedure, which has caused a substantial damage to citizens or enterprises, institutions or organizations - shall be punishable with the corrective labour for a term of up to six months, or a fine, or a public censure, or shall entail application of measures of public effect.

Article 196.1. Violation of the Order of Organization and Holding of Meetings, Rallies, Street Marches and Demonstrations

Violation of the order of organization or holding of meetings, rallies, street marches and demonstrations committed by the organizer of the meeting, rally, street march or demonstration after administrative penal measures have been applied for similar actions - shall be punishable with a fine, or corrective labour for a term of up to one year, or the deprivation of freedom for a term of up to six months.

Article 197. Violation of the Laws on the Registration of Civil Status

Concealment of circumstances preventing the marriage, or submission of false information to the bodies (authorities) which register the civil status - shall be punishable with corrective labour for a term of up to one year, or a fine, or a public censure.

Article 197.1. Illegal Actions in Relation to the State Awards of the Republic of Belarus or of the Former USSR

Purchase, sale, exchange or other paid transfer of an order, medal, badge of the honourable rank of the Republic of Belarus of the former USSR - shall be punishable with corrective labour for a term of up to one year or a fine. The same actions committed anew, no less than a forgery or deliberate destruction of an order, medal, badge of honourable rank of the Republic of Belarus or of the former USSR or other abuse of them - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of one to two years, or a fine.

Article 198. Illegal Use of Signs of Red Cross and Red Crescent

Illegal use of the signs of Red Cross and Red Crescent, no less than the name of Red Cross and Red Crescent - shall be punishable with corrective labour for a term of up to one year, or a fine, or a public censure.

Article 199. Evasion by a Reservist of the Training Muster

Evasion by a reservist of the training muster - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for the same term, or a fine. The same action committed through a self-infliction of an injury, simulation of a disease, forgery of documents or other fraud, no less than committed in other aggravating circumstances - shall be punishable with the deprivation of freedom for a term of up to three years.

Article 200. Evasion by a Reservist of the Military Registration

Evasion by a reservist of the military registration if administrative penal measures have been previously applied to the culprit for similar action - shall be punishable with corrective labour for a term of up to three months or a fine.

Chapter 15. CRIMES AGAINST PUBLIC SECURITY, PUBLIC ORDER AND HEALTH OF THE POPULATION

Article 201. Hooliganism

Hooliganism, that is, deliberate actions which flagrantly violate public order and express an obvious disrespect to the society - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for the same term, or a fine. Persistent hooliganism, that is, the same actions characterized, in their content, by exclusive cynicism or a special insolence, or connected with resistance to a representative of authorities or a representative of public who performs duties on the protection of public order, or to other citizens suppressing hooligan actions, no less than actions committed by a person who has been previously convicted for hooliganism - shall be punishable with the deprivation of freedom for a term of one to five years. Actions envisaged by parts one or two of this Article, if they have been committed with the use, a threat of use or an attempt of use of fire arms or knives, knuckle-duster or other cold arms, no less than of other objects specially designed for inflicting bodily injuries - shall be punishable with the deprivation of freedom for a term of three to seven years.

Article 202. Threat to Kill, Inflict Bodily Injuries or Destroy Property

A threat to kill, inflict severe bodily injuries or destroy property by a social dangerous method, if there has been a real danger of the threat to be implemented - shall be punishable with the deprivation of freedom for a term of up to six months, or corrective labour for a term of up to one year, or a fine, or shall entail measures of public effect.

Article 203. Acquisition or Sale of Property Knowingly Obtained by Criminal Method

An acquisition or sale of property knowingly obtained by a criminal method - shall be punishable with corrective labour for a term of up to two years, or a fine, or a public censure, or shall entail measures of public effect. The same actions committed as a trade or in great amounts - shall be punishable with the deprivation of freedom for a term of up to five years with or without the confiscation of freedom.

Article 203.1. Excluded

Article 204 Excluded

Article 204.1. Excluded

Article 205. Involving into Criminal Actions of Persons under Legal Age

Involving persons under legal age into criminal activities, taking of alcoholic drinks, beggary, prostitution, gambling, no less than the use of persons under legal age for purposes of parasitic existence - shall be punishable with the deprivation of freedom for a term of up to five years.

Article 205.1. Bringing a Person under Legal Age to the State of Inebriation

Bringing of a person under legal age to the state of inebriation by a person on whom the person under legal age has been an employment subordinate - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term, or a fine.

Article 205.2. Involving Persons under Legal Age into Non-medical Use of Medication and Other Substances Causing Intoxication

Involving persons under legal age into a non-medical use of medication and other substances that are not narcotic, but cause intoxication - shall be punishable with the deprivation of freedom for a term of up to five years.

Article 206. Violation of the Rules of Safe Traffic and Use of Transport Means by Persons Driving the Transport Means

Violation of the rules of safe traffic and use of transport means by a person driving transport means, if this has entailed the causing to the sufferer of a less severe bodily injury- shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years, or a fine with or without the deprivation of the right to drive transport means for a term of up to two years. The same actions which have entailed a death of the sufferer or the causing to him of a grave bodily injury - shall be punishable with the deprivation of freedom for a term of up to ten years with or without the deprivation of the right to drive transport means for a term of up to five years. Actions envisaged by part one of this Article which have entailed a death of several persons - shall be punishable with the deprivation of freedom for a term of three to fifteen years with or without the deprivation of the right to drive transport means for a term of up to five years. N o t e : Transport means mentioned in Articles 206, 206.1*, 206.2, 206.3, 207.2 of the Code shall mean all types of automobiles, tractors and other self-propelled machines, trams and trolley-buses as well as motorcycles and other mechanical transport means. ----- * Article 206.1* has been excluded from this Code (Law of the Republic of Belarus of June 21, 1991 - Records of the Supreme Soviet of the Belarusian SSR, 1991, N 23, p. 309).

Article 206.2. Allowing for Operation of Technically Defective Transport Means

Allowing for operation of knowingly technically defective transport means or other flagrant violation of the rules of their use, operation which ensure safe traffic, committed by a person who is responsible for the technical condition or operation of transport means, if this has entailed the consequences specified in Article 206 of this Code - shall be punishable with the deprivation of freedom for a term of up to five years or corrective labour for a term of up to two years, or a

fine with or without the deprivation of the right to hold posts connected with the responsibility for the technical condition of transport means for a term of up to five years.

Article 206.3. Allowing Drivers in the State of Inebriation to Drive Transport Means

Allowing drivers in the state of inebriation to drive transport means committed by a person responsible for the technical condition and operation of the transport means, if this has entailed the consequences specified in Article 206 of this Code - shall be punishable with the deprivation of freedom for a term of up to five years or corrective labour for a term of up to two years, or a fine with the deprivation of the right to hold posts connected with the responsibility for the technical condition of transport means for a term of up to five years.

Article 207. Lost Its Force

Article 207.1. Lost Its Force

Article 207.2. Driving Away Transport Means

Driving away of transport means without the purpose of their stealing - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for the same term, or a fine, or shall entail measures of public effect. The same actions committed anew or on a preliminary agreement by a group of persons, no less than connected with violence that is not dangerous to life or health of the sufferer or a threat of application of such violence - shall be punishable with the deprivation of freedom for a term of up to five years or corrective labour for a term of up to two years. Actions envisaged by parts one or two of this Article connected with violence dangerous to life or health of the sufferer or a threat of application of such violence - shall be punishable with the deprivation of freedom for a term of three to seven years.

Article 208. Violation of the Existing Transport Rules

Violation of the existing transport rules on the protection of order and safe traffic, if this has entailed people's casualties or other grave consequences - shall be punishable with the deprivation of freedom for a term of up to five years.

Article 208.1. Unauthorized Stopping of a Train without Necessity

Unauthorized stopping of a train without necessity by means of a stopcock, by disconnecting the air brake system or by other methods, if this has entailed disruption of the normal traffic of trains - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term, or a fine. The same actions if they have entailed accidents with people, a crash, a damage of the rolling stock or other grave consequences - shall be punishable with the deprivation of freedom for a term of up to eight years.

Article 208.2. Hijacking of an Aircraft

Hijacking of an aircraft being on land or in the air - shall be punishable with the deprivation of freedom for a term of three to ten years. Hijacking of an aircraft being on land or in the air or a seizure of such aircraft for the purpose of hijacking committed with application of violence or threats or which has entailed an incident of the aircraft or other grave consequences - shall be punishable with the deprivation of freedom for a term of five to fifteen years with or without the confiscation of property. Actions envisaged by parts one and two of this Article, if they have entailed people's casualties or grave bodily injuries - shall be punishable with the deprivation of freedom for a term of five to fifteen years with the confiscation of property or a death penalty with the confiscation of property.

Article 209. Violation of the Mining Operations Safety Rules

Violation of the mining operations safety rules if this has caused harm to the health of the people - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for the same term. The same violation if this has entailed people's casualties or other grave consequences - shall be punishable with the deprivation of freedom for a term of up to five years or corrective labour for a term of up to two years.

Article 210. Violation of the Rules When Performing Building Operations

Violation of the building and sanitary rules when performing building operations as well as violation of the rules of operation of building mechanisms, if this has caused harm to health of the people - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for the same term. The same violation if this has entailed people's casualties or other grave consequences - shall be punishable with the deprivation of freedom for a term of up to five years or corrective labour for a term of up to two years.

Article 210.1. Violation of the Fire Safety Rules

Violation of the fire safety rules by a person who is responsible for their observance and in relation to whom an administrative penalty has been applied for a similar violation - shall be punishable with corrective labour for a term of up to one year or a fine, or the dismissal from the post. Violation of the fire safety rules by a person who is responsible for their observance if this has entailed a fire that has caused a significant material damage or harm to health of the people - shall be punishable with the deprivation of freedom for a term of up to five years or corrective labour for a term of up to two years with the dismissal from the post. Violation envisaged by part two of this Article, if this has entailed people's casualties or other grave consequences - shall be punishable with the deprivation of freedom for a term of up to eight years.

Article 211. Violation of Production Discipline or Safety Rules at Explosion Hazardous Enterprises and in Explosion-Hazardous Shops

Violation of production and technical discipline or rules assuring safety of production at explosion-hazardous enterprises or in explosion-hazardous shops - shall be punishable with corrective labour for a term of up to one year or a fine, or the dismissal from the post. The same actions if they have entailed people's casualties or other grave consequences - shall be punishable with the deprivation of freedom for a term of up to seven years.

Article 211.1. Illegal Acquisition, Storage, Use, Transfer or Destruction of Radioactive Materials

Illegal acquisition, storage, use, transfer or destruction of radioactive materials (sources of irradiation, radioactive substances and nuclear materials being in any physical state in the plant or in a product, or in any other form) - shall be punishable with the deprivation of freedom for a term of up to five years. The same actions if they have entailed people's casualties or other grave consequences - shall be punishable with the deprivation of freedom for a term of up to ten years.

Article 211.2. Stealing of Radioactive Materials

Stealing of radioactive materials - shall be punishable with the deprivation of freedom for a term of three to ten years with or without the confiscation of property.

Article 211.3. Threat to Commit a Stealing of Radioactive Materials or Use Them

A threat to commit a stealing of radioactive materials for the purpose of forcing a state, an international organization, a physical or legal person to committing any action of restraining from such action, if there have been grounds to apprehend the implementation of such threat - shall be punishable with the deprivation of freedom for a term of up to three years. A threat to use radioactive materials for the purpose of causing people's casualties or other grave consequences, if there have been grounds to apprehend the implementation of such threat - shall be punishable with the deprivation of freedom for a term of up to five years.

Article 211.4. Violation of Rules of Storage, Use, Accounting, Transportation of Radioactive Materials and Other Rules of Their Handling

Violation of rules of storage, use, accounting, transportation of radioactive materials and other rules of their handling, if these actions could have caused people's casualties or other grave consequences - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years, or a fine. The same actions if they have entailed people's casualties or other grave consequences - shall be punishable with the deprivation of freedom for a term of up to ten years.

Article 211.5. Violation of the Radiation Control Rules

The use of radiation control means that have not been checked or metrologically attested in the established manner, or a failure to observe the methods of the performance of radioactive contamination level measurement committed anew within one year after administrative penal measures have been applied - shall be punishable with corrective labour for a term of up to two years, or a fine.

Article 212. Violation of the Rules of Storage, Use, Accounting or Transportation of Explosives

Violation of the rules of storage, use, accounting or transportation of explosives as well as illegal dispatch of these substances by mail or as a baggage, if these actions could have entailed grave consequences - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for the same term. The same actions if they have entailed grave consequences - shall be punishable with the deprivation of freedom for a term of up to seven years.

Article 212.1. Carrying by Air Transport of Explosives or Inflammable Substances

Carrying by a passenger of an aircraft of explosive or inflammable substances - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years, or a fine. The same actions if they have entailed grave consequences - shall be punishable with the deprivation of freedom for a term of three to ten years.

Article 213. Illegal Carrying, Storage, Acquisition, Making or Sale of Weaponry or Explosives

Carrying, storage, acquisition, making or sale of fire-arms (except hunting arms), ammunitions or explosives without a relevant permit - shall be punishable with the deprivation of freedom for a term of up to five years. A person who has voluntarily given up fire-arms, ammunitions or explosives which he has kept without a relevant permit shall be exempted from criminal liability. Carrying, making or sale of daggers or other cold weaponry without a relevant permit - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for a term of up to two years, or a fine.

Article 213.1. Stealing of Fire-Arms, Ammunitions or Explosives

Stealing of fire-arms (except hunting), ammunitions or explosives - shall be punishable with the deprivation of freedom for a term of up to seven years. The same actions committed anew or on a preliminary agreement by a group of persons, or committed by a person who has been given fire-arms, ammunitions or explosives for their use in service or to be kept under guard - shall be punishable with the deprivation of freedom for a term of up to ten years. Stealing of fire-arms

(except hunting), ammunitions or explosives committed by means of a robbery or by a special dangerous recidivist - shall be punishable with the deprivation of freedom for a term of six to fifteen years.

Article 213.2. Illegal Making or Sale of Gas Pistols, Gas Cylinders or Other Devices Using Tear, Paralyzing Gases or Other Substances

Illegal making or sale of gas pistols, gas cylinders or other devices using tear, paralyzing gases or other substances having a paralyzing effect on the people - shall be punishable with the deprivation of freedom for a term of three to five years or corrective labour for a term of up to two years, or a fine. A person who has voluntarily given up gas pistols, gas cylinders, other devices using tear, paralyzing or other substances having a paralyzing effect on the people shall be exempted from criminal liability.

Article 213.3. Creation of Armed Units Which are not Part of the Armed Forces of the Republic of Belarus, Border, Internal, Railway Troops and Other Armed Units

Creation of armed units which are not part of the Armed Forces of the Republic of Belarus, border, internal, railway troops and other armed units Envisaged by the legislation of the Republic of Belarus - shall be punishable with the deprivation of freedom for a term of three to ten years.

Article 214. Negligent Keeping of Fire-Arms

Negligent keeping of fire-arms if this has caused conditions for the use of these arms by another person and has entailed grave consequences - shall be punishable with the deprivation of freedom for a term of up to one year or corrective labour for the same term.

Article 214.1. Excluded

Article 215. Illegal Dispatch of Inflammable or Irritating Substances

Illegal dispatch by mail or as baggage of inflammable or irritating substances, if this has entailed grave consequences - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years.

Article 216. Illegal Medical Practice

Carrying on medical practices as a trade by a person who has no appropriate medical education - shall be punishable with corrective labour for a term of up to two years, or a fine, or shall entail application of measures of public effect.

Article 217. Violation of the Rules Established for Combating Epidemics

Violation of sanitary-hygienic and sanitary-anti-epidemic rules established for the purpose of preventing epidemic and other contagious diseases and for the purpose of combating them, if this has caused or could have caused a spreading of contagious diseases - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term, or a fine.

Article 218. Contamination of Waters, Lands and Atmospheric Air

Contamination of waters, damaging and contamination of lands as well as pollution of the atmospheric air which have caused or can cause harm to health of the people, national economy, plants and animals - shall be punishable with corrective labour for a term of up to one year or a fine. The same actions which have caused a substantial harm to health of the people, the national economy or plant and animals - shall be punishable with the deprivation of freedom for a term of up to five years.

Article 219. Illegal Making, Sale, Acquisition, Keeping, Transportation or Dispatch of Strong and Poisonous Substances

Illegal making, sale, no less than an illegal acquisition, keeping, transportation or dispatch for the purpose of sale of strong or poisonous substances which are not narcotic substances - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of two years with the confiscation of strong and poisonous substances. Violation of the established rules of the production, acquisition, keeping, storage, accounting, provision, transportation or dispatch (sending) of strong and poisonous substances which are not narcotic substances - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term, or a fine.

Article 219.1. Illegal Making, Acquisition, Keeping, Transportation, Dispatch for the Purpose of Sale or Sale of Narcotic Substances

Illegal making, acquisition, keeping (storing), transportation or dispatch for the purpose of sale no less than an illegal sale of narcotic substances - shall be punishable with the deprivation of freedom for a term of up to ten years with or without the confiscation of property. The same actions committed anew or on a preliminary agreement by a group of persons or by a person who has previously committed one of the crimes envisaged by Articles 219.2 to 219.4 and 220 of this Code, or by a special dangerous recidivist, no less than if objects of such actions have been narcotic substances in great amounts - shall be punishable with the deprivation of freedom for a term of up to six to fifteen years with the confiscation of property. **N o t e :** A person who has voluntarily given up narcotic substances shall be exempted from criminal liability for the acquisition of the given-up narcotic substances as well as for their keeping, transportation and dispatch (Articles 219.1, 219.5 and 219.7 of this Code). A person who has voluntarily addressed

to a medical institution for a medical help in connection with the use of narcotic substances in non-medical purposes shall be exempted from criminal liability for the use of narcotic substances without the prescription of a doctor*, as well as for illegal acquisition, keeping, transportation and dispatch of the narcotic substances utilized (Articles 219.5 and 219.7 of this Code) -----

----- * Criminal responsibility for the use of narcotic substances without the prescription of a doctor has been excluded

Article 219.2. Stealing of Narcotic Substances

Stealing of narcotic substances - shall be punishable with the deprivation of freedom for a term of up to five years with or without the confiscation of property. The same action committed anew or on a preliminary agreement by a group of persons, or with the application of violence that is not dangerous to life and health, or by a person who has been given these substances in connection with his official position or for protection, no less than a person who has previously committed one of the crimes envisaged by Articles 219.1, 219.3, 219.4 and 220 of this Code - shall be punishable with the deprivation of freedom for a term of three to ten years with or without the confiscation of property, with or without the deprivation of the right to hold definite posts or be engaged in definite activity. Stealing of narcotic substances committed by a special dangerous recidivist or by a robbery, no less than stealing of narcotic substances in grand amounts - shall be punishable with the deprivation of freedom for a term of seven to fifteen years with the confiscation of property.

Article 219.3. Organization or Keeping of Dens for the Use of Narcotic Substances

Organization or keeping of dens for the use of narcotic substances or the provision of rooms for the same purposes - shall be punishable with the deprivation of freedom for a term of five to ten years with or without the confiscation of property.

Article 219.4. Inclining to the Use of Narcotic Substances

Inclining to the use of narcotic substances - shall be punishable with the deprivation of freedom for a term of up to five years. The same action committed in relation to two or more persons or a person under legal age, or by a person who has previously been convicted for the inclining to the use of narcotic substances, no less than by a person who has previously committed one of the crimes envisaged by Articles 219.1 to 219.3, 220 and 2201 of this Code - shall be punishable with the deprivation of freedom for a term of up to ten years.

Article 219.5. Illegal Making, Acquisition, Keeping, Transportation or Dispatch of Narcotic Substances Without the Purpose of Sale

Illegal making, acquisition, keeping, transportation or dispatch of narcotic substances without the purpose of sale - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years. The same actions committed anew or by

a person who has previously been convicted for one of the crimes envisaged by Articles 219.1 to 219.4, 220 and 220.1 of this Code - shall be punishable with the deprivation of freedom for a term of up to five years.

Article 219.6. Violation of the Rules of Production, Acquisition, Keeping, Storage, Accounting, Giving Out, Transportation or Dispatch of Narcotic Substances

Violation of the established rules of production, acquisition, keeping, storage, accounting, giving out, transportation or dispatch of narcotic substances - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years with or without the deprivation of the right to hold definite posts or be engaged in definite activity.

Article 219.7. Illegal Acquisition or Keeping of Narcotic Substances in Small Amounts

Illegal acquisition or keeping without the purpose of sale of narcotic substances in small amounts, committed anew within one year after an administrative penalty was imposed for similar violations - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term or a fine.

Article 220. Sowing or Growing of Opium Poppy and Hemp Forbidden for Cultivation

Sowing or growing of opium poppy, as well as of Indian, South-Manchurian, South-Chuy, South-Archon or South-Krasnodar hemp which are forbidden to be cultivated - shall be punishable with the deprivation of freedom for a term of up to five years. The same actions committed anew or by a person who has previously committed one of the crimes envisaged by Articles 219.1 to 219.4 and 220.1 of this Code - shall be punishable with the deprivation of freedom for a term of up to eight years.

Article 220.1. Illegal Sowing or Growing of Oil Poppy and Hemp

Illegal sowing or growing of oil poppy as well as of hemp, except kinds specified in part one of Article 220 of this Code committed anew within one year after an administrative penalty has been imposed for similar violations - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years. The same actions committed by a person who has previously committed one of the crimes envisaged by Articles 219.1 to 219.4 and 220.1 of this Code - shall be punishable with the deprivation of freedom for a term of up to eight years.

Article 221. Keeping of Dens and Procuration

Keeping of dens of depravation no less than procuration for lucrative purposes - shall be punishable with the deprivation of freedom for a term of up to five years with or without the confiscation of property. organization or keeping of dens for drinking of alcoholic beverages, no less than a systematic provision of rooms for these purposes - shall be punishable with the

deprivation of freedom for a term of up to two years or corrective labour for the same term, or a fine. Organization or keeping of dens for stupefaction with the use of medical and other substances that are not referred to narcotic substances, or the provision of rooms for these purposes - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term, or a fine.

Article 222. Encroachment upon the Personality and Rights of Citizens under the Guise of Religious Rites

Organization or management of a group the activity of which, disguised as a preach of religious teachings or a performance of religious rites, is connected with an infliction of harm to health of citizens or with other encroachment upon the personality or rights of citizens, no less than with compelling of citizens to abandoning public activities or civil duties - shall be punishable with the deprivation of freedom for a term of up to three years with or without the confiscation of property. Active participation in activities of a group mentioned in part one of this Article, no less than a systematic propaganda aimed at committing actions specified in it - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years. If actions of persons specified in part two of this Article and the persons who commit the actions do not pose a great social danger, they may be subjected to measures of public effect.

Article 223. Making and Sale of Pornographic Objects

Making, spreading or advertising of pornographic works, published works, images or other objects of pornographic nature, as well as trade in them or keeping for the purpose of sale or spreading - shall be punishable with the deprivation of freedom for a term of up to three years or a fine with or without the confiscation of pornographic objects and means of their production.

Article 223.1. Making or Spreading of Works Which Propagandize the Cult of Violence and Brutality

Making, spreading, demonstration or keeping with the purpose of spreading or demonstration of cinema and videofilms or other works which propagandize the cult of violence and brutality - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term, or a fine with the confiscation of the works and the means of their production and demonstration.

Article 224. Abuse of a Grave

Abuse of grave, no less than a stealing of objects placed in the grave or on the grave - shall be punishable with the deprivation of freedom for a term of up to three years or corrective labour for a term of up to two years.

Article 225. Destruction or Damage of Historic and Cultural Values

Careless destruction or damage of historic and cultural values or of objects of nature taken for the protection by the State - shall be punishable with corrective labour for a term of up to two years, or a fine. Deliberate destruction or damage of historic and cultural values or of objects of nature taken for the protection by the State - shall be punishable with the deprivation of freedom for a term of up to two years or corrective labour for the same term, or a fine.

Article 225.1. Brutal Handling of Animals

Brutal handling of animals which has entailed a death or mutilation, as well as torture of animals committed by a person who has been subjected within one year a measure of administrative penalty for similar actions - shall be punishable with corrective labour for a term of up to six months or a fine.

Chapter 16. CRIMES COMMITTED BY SERVICEMEN

Article 226. Notion of the Crime Committed by Servicemen

Crimes committed by servicemen shall be offences against the established order of the execution of military service committed by servicemen of the Armed Forces of the Republic of Belarus, as well as by reservists during their training muster as envisaged by this Code. Respective articles of this Code envisage responsibility for the crimes against the established order of the execution of military service as committed by soldiers, sailors, sergeants, master-sergeants, petty officers, warrant officers and officers of the internal, border and railway troops, troops of the State Security Committee of the Republic of Belarus, the Civil Defense as well as of other military unions created in accordance with the legislation of the Republic of Belarus. Persons unspecified in parts one and two of this Article shall bear responsibility for accompliceship in the committing of crimes as organizers, instigators and accomplices. An action envisaged by the Criminal Code but executed by the order of the head in service shall not be a crime. The responsibility for the consequences resulting from the execution of the order shall be born by the head who has given the order. If a crime has been committed by a knowingly criminal order given by the head the subordinated person shall be liable to responsibility on common grounds. In such case, the execution of the order may be recognized as attenuating circumstances. The subordinated person shall not be liable to responsibility for non-execution of a knowingly criminal order. A person who has committed an action envisaged by Chapter 16 of this Code which does not pose a great social danger may, in case of attenuating circumstances, be exempted from criminal liability with the application of the Disciplinary Regulations Rules.

Article 227. Disobedience

a) Disobedience, that is, an open refusal to execute the order of the head, no less than other deliberate failure to execute the order - shall be punishable with the deprivation of freedom for a

term of one to five years. b) The same action committed by a group of persons or if it has entailed grave consequences - shall be punishable with the deprivation of freedom for a term of three to ten years. c) Disobedience at the time of war or in war situation - shall be punishable with a death penalty or the deprivation of freedom for a term of five to ten years.

Article 228. Failure to Execute an Order

a) Failure to execute an order of the head if committed without signs specified in paragraph "a" of Article 227 of this Code - shall be punishable with the deprivation of freedom for a term of three months to three years. b) The same action committed in attenuating circumstances - shall entail the application of the rules of the Disciplinary Regulation. c) An action envisaged by paragraph "a" of this Article if committed at war time or in war situation - shall be punishable with the deprivation of freedom for a term of three to ten years.

Article 229. Resistance to the Head or Forcing Him to a Violation of Official Duties

a) Resistance to the head as well to another person who executes his military duties or forcing him to a violation of these duties - shall be punishable with the deprivation of freedom for a term of one to five years. b) The same actions committed by a group of persons or with the use of weaponry, or if entailing grave consequences - shall be punishable with the deprivation of freedom for a term of three to ten years. c) Actions envisaged by paragraph "b" of this Article if they are connected with deliberate killing of the head or of another person executing his military duties or if have been committed at war time or in war situation - shall be punishable with a death penalty or the deprivation of freedom for a term of five to fifteen years.

Article 230. Threat towards the Head

a) Threat with killing, inflicting of bodily injuries or battery towards the head in connection with his execution of the military service duties - shall be punishable with the deprivation of freedom for a term of three months to three years. b) The same action committed in attenuating circumstances - shall entail the application of the rules of the Disciplinary Regulation. c) An action envisaged by paragraph "a" of this Article if committed at war time or in war situation - shall be punishable with the deprivation of freedom for a term of three to ten years.

Article 231. Violent Actions in Respect to the Head

a) Infliction of bodily injuries or battery to the head in connection with his execution of the military service duties - shall be punishable with the deprivation of freedom for a term of two to ten years. b) The same actions committed at war time or in war situation if they have entailed grave consequences - shall be punishable with a death penalty or the deprivation of freedom for a term of five to fifteen years.

Article 232. Insult of the Head by the Subordinate or of the Subordinate by the Head

Insult through a violent action of the head by the subordinate, no less than of the subordinate by the head - shall be punishable with the deprivation of freedom for a term of six months to five years.

Article 233. Violation of the Statutory Rules of Relationship between Servicemen with the Absence of Subordination Relationship between Them

a) Violation of statutory rules of relationship between servicemen in case of absence of subordination relationship between them expressed by infliction of battery or other violence - shall be punishable with the deprivation of freedom for a term of up to two years. b) The same action committed in relation to several persons or if it has entailed an infliction to the sufferer of a less grave or light bodily injury - shall be punishable with the deprivation of freedom for a term of up to five years. c) Actions envisaged by paragraphs "a" and "b" of this Article committed by a group of persons or with the use of weaponry, no less than actions which have entailed grave consequences - shall be punishable with the deprivation of freedom for a term of up to twelve years.

Article 234. Unauthorized Leave

a) Unauthorized leaving of the unit of the place of service by an active serviceman, no less than his failure to appear in time and without justified reasons to the place of service in case of a dismissal from the unit, assignment, transfer, back from the business trip, after a leave of from a medical institution if this exceeds 24 hours but does not exceed 72 hours, or although after a time smaller than 24 hours but if committed anew within three months - shall be punishable with sending to a disciplinary battalion for a term of three months to two years. b) The same actions committed at war time - shall be punishable with the deprivation of freedom for a term of two to ten years.

Article 235. Unauthorized Leaving of the Unit or the Place of Service

a) Unauthorized leaving of the unit or the place of service by an active serviceman no less than a failure to appear in time to the place of service without justified reasons in case of a dismissal from the unit, assignment, transfer, return back from the business trip, after a leave of from a medical institution if this exceeds 24 hours but does not exceed one month - shall be punishable with the deprivation of freedom for a term of two to five years. b) Unauthorized leaving of the unit or the place of service by an officer, petty officer, warrant officer or a serviceman on re-engagement, no less than a failure to appear to the place of service without justifiable reasons for a period of over ten years, but not more than one month, or although after a time smaller than ten days but more than three days if committed anew within one year - shall be punishable with the deprivation of freedom for a term of one to five years. c) Actions envisaged by paragraphs "a" and "b" of this Article if the unauthorized absence has been over one month - shall be punishable

with the deprivation of freedom for a term of three to seven years. d) Actions envisaged by paragraphs "a" and "b" of this Article if committed at war time - shall be punishable with the deprivation of freedom for a term of five to ten years.

Article 236. Desertion

a) Desertion, that is, leaving of the military unit or the place of service with the purpose of evasion of the military service, no less than a failure to appear to the place of service in case of a dismissal from the unit, assignment, transfer, return back from the business trip, after a leave of from a medical institution committed by an active serviceman- shall be punishable with the deprivation of freedom for a term of three to seven years. b) The same action committed at war time - shall be punishable with a death penalty or the deprivation of freedom for a term of five to ten years. c) Desertion by an officer, warrant officer, petty officer or a serviceman on re-engagement - shall be punishable with the deprivation of freedom for a term of five to ten years. d) The same action committed at war time - shall be punishable with a death penalty or the deprivation of freedom for a term of seven to ten years.

Article 237. Unauthorized Leaving of the Unit in a War Situation

Unauthorized leaving of the unit or the place of service in a war situation irrespective of the duration - shall be punishable with a death penalty or the deprivation of freedom for a term of three to ten years.

Article 238. Evasion of the Military Service by Self-Injury or by Other Method

a) Evasion by a military serviceman of the military service duties by way of self-injury or simulation of a disease, a forgery of documents or another fraud, no less than a refusal to exercise military service duties - shall be punishable with the deprivation of freedom for a term of three to seven years. b) The same actions committed at war time or in a war situation - shall be punishable with a death penalty or the deprivation of freedom for a term of five to ten years.

Article 239. Misuse or Loss of Military Property

a) Sale, pledge or transfer for use by an active serviceman of objects of the uniform or outfit given to him for personal use (misuse), no less than a loss or damage of these objects because of a violation of the rules of their safeguarding - shall be punishable with sending to a disciplinary battalion for a term of three months to one year. b) The same actions committed in attenuating circumstances - shall entail the application of the Disciplinary Statute rules. c) The same actions envisaged by the paragraph "a" of this Article committed at war time or in a war situation - shall be punishable with the deprivation of freedom for a term of one to five years. d) Loss or damage of weaponry, ammunition, transportation means, technical procurement objects or other military property entrusted for use in service, if this happened because of a violation of the rules of their safeguarding - shall be punishable with the deprivation of freedom for a term of one to three

years. e) Actions envisaged by the paragraph "d" of this Article if committed at war time or in a war situation - shall be punishable with the deprivation of freedom for a term of two to seven years.

Article 240. Deliberate Destruction or Damage of Military Property

a) A deliberate destruction or damage of weaponry, ammunition, transportation means, military equipment, machinery of other military property with no signs of a special dangerous crime against the State - shall be punishable with the deprivation of freedom for a term of one to five years. b) The same action if it has entailed grave consequences - shall be punishable with the deprivation of freedom for a term of three to ten years. c) An action envisaged by the paragraph "b" of this Article if committed at war time or in a war situation - shall be punishable with the deprivation of freedom for a term of five to ten years or a death penalty.

Article 240.1. Violation of the Rules of Handling of Weaponry, or Substances and Objects Presenting an Increased Danger to the People

a) Violation of the rules of handling of weaponry, as well as of ammunition, explosives, radioactive and other substances and objects which present an increased danger to other people if this has entailed an infliction of bodily injuries to the sufferer - shall be punishable with the deprivation of freedom for a term of up to three years. b) The same actions if they have entailed an infliction of bodily injuries to several persons or a death of the sufferer - shall be punishable with the deprivation of freedom for a term of one to ten years. c) An action envisaged by the paragraph "a" of this Article if this has entailed deaths of several persons or other grave consequences - shall be punishable with the deprivation of freedom for a term of three to fifteen years.

Article 241. Violation of the Machines Driving or Operation Rules

Violation of the rules of driving or operation (use) of a war, special or transport machine if this has entailed accidents with people or other grave consequences - shall be punishable with the deprivation of freedom for a term of three to ten years.

Article 242. Violation of the Rules of Flight or of Preparation to Them

Violation of the rules of flight or of preparation to them entailing a catastrophe or other grave consequences - shall be punishable with the deprivation of freedom for a term of three to ten years.

Article 243. Violation of the Ship Navigation Rules

Violation of the ship navigation rules if this has entailed peril or serious damages of the ship, human casualties or other grave consequences - shall be punishable with the deprivation of freedom for a term of three to ten years.

Article 244. Violation of the Statutory Rules of Guard Duties

a) Violation of the statutory rules of guard duties and of orders and instruction issued as the development of these rules - shall be punishable with the deprivation of freedom for a term of up to three years. b) The same action committed in attenuating circumstances - shall entail the application of the Disciplinary Statute rules. c) Actions envisaged by the paragraph "a" of this Article, if they have entailed the harmful consequences which these guard duties have been assigned to prevent - shall be punishable with the deprivation of freedom for a term of one to ten years. d) Violation of the statute rules of patrol if this has entailed the harmful consequences which this patrol has been assigned to prevent - shall be punishable with the deprivation of freedom for a term of up to five years. e) Actions envisaged by the paragraphs "a" and "d" of this Article if committed at war time or in a war situation - shall be punishable with the deprivation of freedom for a term of two to seven years. f) Actions envisaged by paragraph "c" of this Article if committed at war time or in a war situation - shall be punishable with the deprivation of freedom for a term of three to ten years or a death penalty.

Article 245. Violation of the Rules of Border Guarding

a) Violation of the rules of border guarding by a person who is part of the unit guarding the State Border of the Republic of Belarus - shall be punishable with the deprivation of freedom for a term of one to three years. b) The same action if committed in attenuating circumstances - shall entail the application of the Disciplinary Statute rules. c) An action envisaged by the paragraph "a" of this Article if this has entailed grave consequences - shall be punishable with the deprivation of freedom for a term of three to ten years.

Article 246. Violation of the War Duty Rules

a) Violation of the rules of the war duties (service) on the timely detection and repelling of a sudden attack against the Republic of Belarus or on the safeguarding and assuring of the security of the Republic of Belarus - shall be punishable with the deprivation of freedom for a term of one to five years. b) The same action if committed in attenuating circumstances - shall entail the application of the Disciplinary Statute rules. c) An action envisaged by the paragraph "a" of this Article if it has entailed grave consequences - shall be punishable with the deprivation of freedom for a term of three to ten years. d) Actions envisaged by paragraphs "a" and "c" of this Article if committed at war time - shall be punishable with a death penalty or the deprivation of freedom for a term of five to fifteen years.

Article 247. Violation of the Internal Service Statutory Rules

a) Violation by a person who is part of the 24-hour guard (except on guard duties) of the internal service rules - f) Actions envisaged by paragraph "c" of this Article if committed at war time or in a war situation - shall be punishable with the deprivation of freedom for a term of three to six months. b) The same action if committed in attenuating circumstances - shall entail the application of the Disciplinary Statute rules. c) An action envisaged by the paragraph "a" of this Article if it has entailed the grave consequences which this person has had to prevent - shall be punishable with the deprivation of freedom for a term of six months to two years. d) An action envisaged by the paragraph "c" of this Article if committed at war time or in a war situation - shall be punishable with the deprivation of freedom for a term of one to five years.

Article 248. Disclosure of a Military Secret or Loss of Documents Which Contain a Military Secret

a) Disclosure of information of military nature which contains a state secret with no signs of the high treason - shall be punishable with the deprivation of freedom for a term of two to five years. b) Loss of documents containing information of military nature which constitutes a state secret or of objects the information on which constitutes a state secret by a person whom these documents or objects have been entrusted to, if the loss has resulted from the violation of the established rules of handling the above documents or objects - shall be punishable with the deprivation of freedom for a term of one to three years. c) Actions envisaged by the paragraphs "a" and "b" of this Article if they have entailed grave consequences - shall be punishable with the deprivation of freedom for a term of five to ten years. d) Disclosure of military information not to be disclosed but which is not a state secret - shall be punishable with the deprivation of freedom for a term of three months to one year. e) An action envisaged by the paragraph "d" of this Article if committed in attenuating circumstances - shall entail the application of the Disciplinary Statute rules.

Article 249. Abuse of Power, Excess of or Omission of Power

a) Abuse by a head or official person of powers or official post, excess of power or of official authorities, omission of powers, if such actions have been committed systematically or for lucrative purposes or other personal interests, no less than if they have caused a substantial harm - shall be punishable with the deprivation of freedom for a term of up to five years. b) The same actions if they have entailed grave consequences - shall be punishable with the deprivation of freedom for a term of three to ten years. c) Actions envisaged by the paragraphs "a" and "b" of this Article if committed at war time or in a war situation - shall be punishable with the deprivation of freedom for a term of five to fifteen years or a death penalty.

Article 249.1. Negligent Attitude towards Service

a) Negligent attitude towards service by a head or official person if this has caused a substantial harm - shall be punishable with the deprivation of freedom for a term of up to three years. b) The same action if committed in attenuating circumstances - shall entail the application of the

Disciplinary Statute rules. c) An action envisaged by the paragraph "a" of this Article if it has entailed grave consequences - shall be punishable with the deprivation of freedom for a term of up to seven years. d) Actions envisaged by the paragraphs "a" and "c" of this Article if committed at war time or in a war situation - shall be punishable with the deprivation of freedom for a term of three to ten years.

Article 250. Surrender or Leaving to the Enemy of War Means

Surrender to the enemy by a head of military forces entrusted to him, no less than leaving to the enemy of fortification works, military equipment and machinery and other war means (facilities) which have been entrusted to the head, if the above actions have not been committed for the purposes of facilitating the enemy - shall be punishable with the deprivation of freedom for a term of three to ten years or a death penalty.

Article 251. Leaving of a War Ship in Peril

- a) Leaving of a war ship in peril by the commander who has not fulfilled to the end his service duties, no less than by a person who is part of the ship crew without the appropriate order of the commander - shall be punishable with the deprivation of freedom for a term of five to ten years.
- b) The same action if committed at war time or in a war situation - shall be punishable with a death penalty or the deprivation of freedom for a term of ten to fifteen years.

Article 252. Unauthorized Leaving of the Battlefield or Refusal to Use Arms

Unauthorized leaving of the battlefield during a battle or a refusal to use arms - shall be punishable with a death penalty or the deprivation of freedom for a term of fifteen years.

Article 253. Voluntary Surrender

Voluntary surrender because of cowardice or lack of spirit - shall be punishable with a death penalty or the deprivation of freedom for a term of fifteen years.

Article 254. Criminal Actions of a Serviceman Being in Captivity

- a) Voluntary participation of a serviceman being in captivity in work of military nature or other measures which may knowingly cause a damage to the Republic of Belarus or its allies with no signs of a high treason - shall be punishable with the deprivation of freedom for a term of three to ten years.
- b) Violence over other war prisoners or brutal handling of them on the part of a serviceman who is in the position of their superior - shall be punishable with the deprivation of freedom for a term of three to ten years.
- c) Committing by a serviceman being in captivity of actions detrimental to other war prisoners, for lucrative interests or for the purpose of merciful

attitude towards him by the enemy - shall be punishable with the deprivation of freedom for a term of one to three years.

Article 255. Marauding

Stealing at the battlefield of things from the killed and wounded (marauding) - shall be punishable with the deprivation of freedom for a term of three to ten years or a death penalty.

Article 256. Violence over the Population in the Area of War Actions

Robbery, illegal destruction of property, violence, no less than illegal taking away of property under the pretext of war necessity committed in relation to the population in the area of war actions - shall be punishable with the deprivation of freedom for a term of three to ten years or a death penalty.

Article 257. Bad Handling of Prisoners of War

a) Bad handling of prisoners of war if committed repeatedly or connected with a special brutality, or directed against ill and wounded, no less than a negligent performance of duties in relation to ill and wounded by persons who are charged with their treatment and care, with no signs of a graver crime - shall be punishable with the deprivation of freedom for a term of one to three years. b) Bad handling of prisoners of war without the above aggravating circumstances - shall entail the application of the Disciplinary Statute rules.

Article 258. Illegal Wear of Signs of the Red Cross and red Crescent and Abuse of Them

Wear in the area of war actions of the signs of the Red Cross and Red Crescent by persons who have right to do this, no less than abuse at war time of flags or signs of the Red Cross or Red Crescent or of colours assigned for sanitary evacuation transport means- shall be punishable with the deprivation of freedom for a term of three months to one year.

Appendix

List of property which is not liable to be confiscated by the court sentence

Confiscation may not be applied to the following kinds of property and objects owned by the convict by the right of ownership or which are his part in a joint property necessary for the convict and persons who depend on him: 1. The living house with other buildings of the household or their separate parts or the flat if the convict and his family reside permanently in it. 2. In respect of persons who live in the rural area - their single cow, or - if they do not have a cow - their single calf; in homesteads having no cow or calf - their single goat, sheep or pig;

poultry. 3. Fodder for animals or poultry which is necessary for the provision of new fodder or before the pasture season. 4. In respect of person engaged in farming - seeds which are necessary for the next sowing. 5. Objects of household, utensils, clothes which are necessary for the convict and his dependents: a) clothes - for each person: one raincoat and autumn coat, one winter coat or sheepskin coat, one winter suit (for women - two winter dresses or two two-piece dresses), one summer suit (for women - two summer dresses or two two-piece dresses), head clothes - one for each season (for women - in addition to this, two summer kerchiefs and one warm kerchief or shawl), other clothes and head clothes which have been in use for a long time and are of no value; b) footwear, underwear, bed linen, kitchen and dinner utensils which have been in use (except objects made of precious materials, as well as objects of art value); c) furniture - one bed (or ottoman) and one chair for each person, one table, one wardrobe, one refrigerator for a family; d) all things for children. 6. Foodstuff in the amount necessary for the convict and his family before the new harvest (for persons living in the rural area), and in other cases - foodstuff and money for the entire amount of one monthly remuneration of the convict, but not less than four minimum salaries as established by the legislation of the Republic of Belarus. 7. Fuel necessary for the preparation of meals and for the heating of the living room of the family during the heating season. 8. Implements (including manuals and books) necessary for the continuation of professional occupation of the convict, except in cases when the convict has been sentenced by the court for the deprivation of the right to carry on definite activities or when the implements (tools) have been used by him for the illegal entrepreneurial activities. 9. Shares paid for cooperative organizations if the convict is not excluded from the cooperative. 10. The living house transferred according to the contract of alienation with the term of life holding. 11. In case of the confiscation of the convict's share in the property of the farm (farming homestead), the amount of the share shall be determined after the exclusion of the property envisaged in paragraphs 1, 2, 3 and 4 of this List.