

CRIMINAL CODE OF THE KYRGYZ REPUBLIC

of October 28, 2021 No. 127

(as amended on 10-10-2023)

General part

Section I. Penal statute

Chapter 1. Penal statute, its purposes, task and principles

Article 1. Penal statute, its purposes and task

1. The penal statute of the Kyrgyz Republic consists of of this Code based on [the Constitution](#) of the Kyrgyz Republic, the conventional principles of international law and regulations, the international treaties which became effective according to the legislation of the Kyrgyz Republic.

2. Other legal acts providing criminal liability for crimes are subject to application after their inclusion in this Code.

3. The purposes of this Code are protection of the rights and personal freedoms, property, public order, society, the state, the environment, the constitutional system of the Kyrgyz Republic from criminal encroachments, providing the world and safety of mankind, the prevention of crimes and recovery of the justice broken by crimes.

4. Tasks of the Criminal code of the Kyrgyz Republic are determination of the principles of criminal liability, the bases of criminal liability, signs of general concept of crime, circle of socially dangerous acts recognized by crimes, types of the punishments and other measures of criminal and legal nature applied to persons who committed crimes.

Article 2. Principle of legality

Crime of act and its punishability, and also other criminal consequence in law are determined only by this Code.

Article 3. Principle of legal definiteness

1. Legal definiteness means possibility of exact establishment by this Code of the basis for criminal prosecution for crime, and also all signs of actus reus.

2. The penal statute shall determine accurately and clearly punishable offense (action or failure to act) and is not subject to extensive interpretation.

3. Application of the penal statute by analogy is forbidden.

Article 4. Principle of equality of citizens before the law

Persons who made the acts provided by this Code are equal before the law and races, language, disability, ethnic origin, religion, age, political or other convictions, education, origin, property, official or other status, and also other circumstances which can be the basis for discrimination are subject to criminal liability irrespective of floor.

Article 5. Principle of fault

1. Person is subject to criminal liability only for those actions (failure to act) and the effects which were caused their making concerning which his guilt is ascertained.

2. Nobody can be found guilty of crime execution and will subject to criminal penalty until his guilt is proved legally and established by the conviction of court which took legal effect.

Article 6. Concept of justice

1. The punishment and other measures of criminal law action applied to person who made the act provided by this Code shall correspond to weight of crime, and also circumstances of its making.
2. Nobody can be repeatedly brought to trial for the same crime.

Article 7. Principle of individualization of criminal liability and punishment

In case of the solution of question of criminal liability and assignment of punishment the court shall consider nature and severity of the committed crime, motives and the purposes of deeds, the identity of the guilty person, the extent of damage suffered, circumstance which commute or aggravate penalty, opinion of the victim and to motivate the chosen measure of punishment in sentence.

Article 8. Principle of personal nature of criminal liability and punishment

Only person who is intentional is subject to criminal liability and punishment for crime or on imprudence made the act provided by this Code.

Article 9. Principle of humanity

1. This Code provides protection of the personality, his life and health, honor and advantage, immunity and safety as the highest social values.
2. To person who committed crime, the court imposes the penalty necessary and sufficient for the purpose of its correction, resocialization and the prevention of making of new crimes, and also for the purpose of recovery of social justice. Punishment and other measures of criminal law action shall not inflict physical suffering or degrade human dignity.
3. Changes which unreasonably toughen punishability and other criminal consequence in law of the acts provided by it cannot be made to this Code.

Article 10. Principle of inevitability of criminal liability

Person who made the act provided by this Code is subject to punishment and (or) other measures of criminal law action. Release from criminal liability, punishment or its serving, and also replacement of punishment to softer are allowed only in the cases provided by this Code.

Chapter 2. Limits of action of the penal statute

Article 11. Action of the penal statute in time

1. Crime and punishability of act are determined by the law existing during making of this act.
2. Time of crime execution time of committing by person of the action provided by the law or failure to act is recognized.

Article 12. Retroactive effect of the penal statute in time

1. The law canceling crime of act or mitigating criminal consequence in law of criminal action has retroactive effect in time, that is extends to persons who made the corresponding act to the introduction of such law in force including to the persons serving sentence or who left it.
2. The law establishing crime of act or toughening criminal consequence in law of criminal action has no retroactive effect.
3. The law which is partially mitigating and partially toughening act criminal consequence in law has retroactive effect in time only in that part which mitigates these effects.
4. If since crime execution until adjudgement the penal statute changed repeatedly, the softest law is applied.
5. Enforcement powers of educational and medical nature are applied only based on the law existing during permission of case in court.

Article 13. Action of the penal statute concerning the crimes committed in the territory of the Kyrgyz Republic

1. Person who committed crime in the territory of the Kyrgyz Republic is subject to responsibility according to this Code.

2. The crime is recognized committed in the territory of the Kyrgyz Republic cases when it was:

- 1) it is begun, ended or stopped in the territory of the Kyrgyz Republic;
- 2) it is made in the territory of the Kyrgyz Republic, and effects came beyond its limits;
- 3) is formed in total or along with other acts by crime, one of stages of which is made in the territory of the Kyrgyz Republic.

3. The question of criminal liability of diplomatic representatives of foreign states and other citizens who according to current laws and international treaties are incompetent to courts of the Kyrgyz Republic in case of making by these persons of crime in the territory of the Kyrgyz Republic is allowed in the diplomatic way on the basis of rules of international law.

Article 14. Action of the penal statute concerning persons who committed crime outside the Kyrgyz Republic

The citizens of the Kyrgyz Republic and also who are constantly living in the Kyrgyz Republic of the stateless person, committed crime outside the Kyrgyz Republic are subject to responsibility according to this Code if they were not punished according to the court verdict of other state.

Article 15. Issue of persons who committed crime (extradition)

1. The citizens of the Kyrgyz Republic who committed crime in the territory of other state are not subject to issue.

2. The foreign citizens and persons without citizenship who committed crime outside the Kyrgyz Republic and being in its territory can be issued to other state for criminal prosecution or serving sentence if such issue is provided by the international treaty, and in case of lack of the international treaty - on the terms of the principle of reciprocity.

3. Cases when person cannot be issued to other state, are determined by the Code of penal procedure of the Kyrgyz Republic. The issue of criminal liability of such person is resolved according to this Code.

Article 16. Transfer of convicts for serving sentence

The foreign citizens who committed crime in the territory of the Kyrgyz Republic and condemned for it based on of this Code can be transferred for serving sentence to the state which citizens they are if such transfer is provided by the international treaty, and in case of lack of the international treaty - on the terms of the principle of reciprocity.

Article 17. Criminal consequence in law of condemnation of person outside the Kyrgyz Republic

Crime committing by person criminal consequence in law in the territory of other state have no criminal and legal value for the solution of question of criminal liability of this person for the act made in the territory of the Kyrgyz Republic if:

- 1) other is not provided by the international treaty which became effective according to the legislation of the Kyrgyz Republic;
- 2) the crime committed in the territory of other state does not infringe on interests of the Kyrgyz Republic.

Section II. Crime

Chapter 3. Concept and classification of crimes. Basis of responsibility for crime

Article 18. Concept of crime

1. Crime socially dangerous, guilty and punishable offense (action or failure to act) provided by the penal statute is recognized.

2. Action or failure to act though it is formal and falling under signs of the act provided by the Special part of this Code, but owing to insignificance not constituting public danger is not crime.

Article 19. Classification of crimes

1. Crimes depending on nature and degree of public danger are subdivided into the crimes of small weight, less heavy heavy and especially heavy.

2. Weight of crime is determined by the maximum term of the punishment prescribed by the sanction of Article:

1) intentional and careless crimes for which custodial sanction is not prescribed belong to crimes of small weight;

2) intentional crimes for which the law prescribes custodial sanction for the term of not over five years, and also careless crimes for which custodial sanction for the term of not over ten years is prescribed belong to less serious crimes;

3) intentional crimes for which the law prescribes custodial sanction for the term of more than five years, but not over ten years belong to serious crimes;

4) intentional crimes for which the law prescribes custodial sanction for the term of over ten years or lifelong imprisonment belong to especially serious crimes.

Article 20. The lasting crime

1. The lasting crime the act provided by the Special part of this Code whose making begins with action or failure to act which then is performed continuously is recognized.

2. The lasting crime is ended from the moment of cancellation or failure to act.

Article 21. Cumulative offenses

Cumulative offenses committing by person of two or more crimes is recognized. At the same time crimes for which person was already condemned based on the court verdict which took legal effect or for was justified or exempted from criminal liability, or for it is exempted from punishment are not considered.

Article 22. Rules of criminal and legal qualification in case of the competition of general and special regulations and the competition whole and parts

1. The regulation which provides responsibility for the same act is special, as general, but contains additional signs of actus reus which are not in general regulation.

2. If the act provided by Articles (parts of Articles) of this Code creates the competition of general and special regulations, then only Article (part of Article) of this Code containing special regulation is applied. Simultaneous application of Articles (parts of Articles) of this Code which provide general and corresponding special regulations is not allowed.

3. Article (part of Article) of this Code containing regulation which covers committed act in general has advantage in application before Article (part of Article) of this Code containing regulation which covers part of committed act.

The regulation about completed crime over regulation about unfinished crime, regulation about execution of crime over regulation about partnership in it of the organizer, instigator or helper, regulation about divisible crime (the cumulative offenses considered by the law) over the regulation providing component of such crime has such advantage.

Article 23. Basis of criminal liability for crime

The basis of criminal liability for crime is making of the illegal act containing all signs of the actus reus provided by this Code.

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

Article 24. Subject of crime

1. Subject of crime is the physical responsible person who committed crime aged from whom according to this Code there comes criminal liability.
2. Special subject is person having the signs specified regarding 1 this Article and the committed crime which subject can be only certain person.
3. The legal entity is not subject of crime, criminal liability and punishment.

Article 25. Diminished responsibility

1. Person who during making of the act provided by this Code was in diminished responsibility condition is not subject to criminal liability, that is could not realize the actual nature and harm of the action (failure to act) or to direct it owing to chronic sincere disease, temporary mental disturbance, weak-mindedness or other disease state of mentality.
2. Person who committed crime in sanity condition is not subject to punishment, but before removal of sentence by court got sick with the sincere disease depriving of it opportunity to realize the action (failure to act) or to direct it. Enforcement powers of medical nature are by a court decision applied to such person, and after recovery such person is subject to punishment.

Article 26. Limited sanity

1. Person can is recognize as court be limited imputed if owing to the mental disturbance which is available for it it during crime execution could not realize fully the actual nature and public harm of the actions (bezdeystviye) or direct them.
2. Recognition of person is limited by responsible can the basis for application to it enforcement powers of medical nature, but does not exempt it from punishment.

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

Person who committed crime in the state of intoxication caused by the use of psychoactive agents is subject to criminal liability.

Note: the qualifier of psychoactive agents is determined by the World Health Organization.

Article 28. Age from which there comes criminal liability

1. Person to whom before crime execution sixteen years were performed is subject to criminal liability.
2. The child to whom before crime execution fourteen years were performed is subject to criminal liability according to this Code for murder ([Article 122](#)), causing severe harm to health ([Article 130](#)), causing less severe harm to health ([Article 131](#)), rape ([Article 154](#)), violent acts of sexual nature ([Article 155](#)), kidnapping ([Article 165](#)), human trafficking ([Article 166](#)), theft ([Article 205](#)), robbery ([Article 206](#)), robbery ([Article 207](#)), racketing ([Article 208](#)), stealing of the automotor-vehicle ([Article 211](#)), destruction or damage of alien property (part 2, 3 [Articles 216](#)), the act of terrorism (parts 2 and 3 [of Article 252](#)), taking of the hostage ([Article 257](#)), plunder or racketing of firearms ([Article 271](#)), hooliganism (part 2 [Articles 280](#)), illegal manufacture of drugs, psychotropic substances and their analogs with sales objective ([Article 282](#)), plunder or racketing of drugs or psychotropic substances ([Article 286](#)), reduction in worthlessness of vehicles or means of communication ([Article 314](#)).

Chapter 5. Wine

Article 29. Wine

1. Fault is the mental relation of person to the act (action or failure to act) provided by this Code made by it and its illegal effects. The intention or imprudence can be forms of fault.
2. Harmful effects are recognized harm of the personality, to society, the state or safety of mankind, and also creation of threat of its causing.
3. If in Article (part of Article) of the Special part of this Code it is directly not specified damnification on imprudence, then responsibility comes only for intentional damnification.

Article 30. Intentional crime

1. Intentional crime the illegal act made with direct or indirect intent is recognized.
2. The crime is recognized committed with direct intention if person realized criminal illegality of the act, expected possibility of damnification and wished its causing or provided inevitability of its causing.
3. The crime is recognized committed with indirect intent if person realized criminal illegality of the act, expected possibility of damnification, did not wish, but consciously allowed its causing (was indifferent to its causing).

Article 31. Careless crime

1. Careless crime the illegal act made by levity or negligence is recognized.
2. The crime is recognized committed by levity if person, without regarding the act as criminally illegal, nevertheless realized need to show care and expected possibility of damnification, but is groundless hoped that harm will not be done.
3. The crime is recognized committed due to negligence if person, because of negligence to need to show care, did not realize such need and did not expect possibility of damnification though it shall and could realize and expect them.
4. Need to show care can be caused by requirements of regulatory legal acts and (or) interests of other persons.

Article 32. Innocent damnification (case)

Harm is considered caused without fault if person did not realize nature and value of the action or failure to act, did not expect possibility of damnification and based on the circumstances of a matter shall not and (or) could not expect it.

Chapter 6. The ended and unfinished crime (crime execution stage)

Article 33. Completed crime

The crime having all signs of structure of the act provided by this Code is recognized ended.

Article 34. The continued crime

1. The crime provided by one of Articles (one of parts of Article) of this Code, including two or more homogeneous acts made with single intention is continued.
2. The continued crime is considered ended from the moment of making of the last act.

Article 35. Unfinished crime

Unfinished crime preparation for crime and attempted crime are recognized.

Article 36. Preparation for crime

1. Preparation for crime the committed by person finding or adaptation of means or crime instruments, finding of accomplices, collusion on crime execution or other intentional creation of conditions for crime execution are recognized intentionally if at the same time the crime was not finished by person for the reasons which are not depending on its will.
2. Criminal liability comes only for preparation for heavy or especially serious crime.
3. Criminal liability for preparation for crime comes under the same Article of this Code, as for completed crime, with reference to this Article.

Article 37. Attempted crime

1. Attempted crime committing by person with direct intention of the act (actions or failure to act) which is directly directed to crime execution, provided by the relevant article of the Special part of this Code

is recognized if at the same time the crime was not finished by person for the reasons which are not depending on its will.

2. Criminal liability for attempted crime is determined by the relevant article of this Code providing responsibility for completed crime with reference to this Article.

Article 38. Voluntary refusal of crime execution

1. Voluntary refusal of crime the termination-faced preparatory actions either cancellation or the failure to act which is directly directed to crime execution is recognized if person understood and had real possibility of finishing crime up to the end.

2. Act concerning which the voluntary refusal is performed does not attract criminal liability. Person who voluntarily refused finishing crime up to the end is subject to criminal liability only if the act which is actually made by it contains structure of other crime.

3. The voluntary refusal of the organizer of crime, the instigator or helper excludes criminal liability if these persons timely took all measures depending on them for prevention of crime execution and socially dangerous effects at the same time did not come.

4. The organizer, the instigator or the helper are not exposed to criminal prosecution in case of voluntary refusal if they prevented crime execution or timely notified relevant organs of the government on the preparing or committed crime. Voluntary refusal of the helper is also non-presentation by it of means or tools of crime execution or not removal of obstacles to crime execution.

5. In case of voluntary refusal any of accomplices the contractor is subject to criminal liability for preparation for crime or attempted crime depending on on what of these stages its act was interrupted.

Chapter 7. Partnership in crime

Article 39. Concept of partnership

Partnership in crime intentional joint participation of two or more persons in making of intentional crime is recognized.

Article 40. Principal offender

Contractor is the person who directly committed crime or directly participating in its making together with other person (collaborator), and person who committed crime by means of other person which is not subject according to this Code of criminal liability owing to age, diminished responsibility or other circumstances is equal.

Article 41. Types of assisting offenders

1. Assisting offenders along with contractors organizers, instigators and helpers are recognized.

2. The organizer the person who organized crime execution or directing its execution is recognized, and the person who created organized group, criminal society or directing them is equal.

3. The instigator person which inclined other accomplice to crime execution is recognized.

4. The helper person which was consciously promoting councils, instructions, provision of means or removal of obstacles to crime execution by other accomplices is recognized, and person who was in advance promising to hide the criminal the tools or means of crime execution, traces of crime or objects got in the criminal way to acquire or sell such objects or to otherwise promote concealment of crime is equal.

5. In advance not promised concealment of the criminal, the tools or means of crime execution, traces of crime or objects got in the criminal way, either acquisition or sale of such objects is not partnership. Persons who made these acts are subject to criminal liability only in cases, stipulated in Article the 367th of this Code.

Article 42. Forms of partnership in crime

1. Group of persons are two or more persons who jointly committed crime without previous concert.

2. Group of persons by previous concert are two or more persons who jointly committed crime and at the same time in advance, that is prior to crime execution, agreed about its joint making.

3. Organized group is the group which is characterized by the following signs:

- 1) consists of two and more persons;
- 2) between all her participants there is previous concert about crime execution (crimes);
- 3) is steady consolidation;
- 4) the purpose is making of one or several crimes;
- 5) functions between participants are previously distributed.

4. Criminal society is the group which is characterized by the following signs:

- 1) consists of three and more persons;
- 2) between all her participants there is previous concert about crime execution (crimes);
- 3) is steady and hierarchical consolidation;
- 4) the purpose is making of several heavy or especially serious crimes;
- 5) functions between participants are previously distributed.

Article 43. Responsibility of contractors and assisting offenders, made by group of persons and group of persons by previous concert

1. The contractor and other assisting offenders, made by group of persons and group of persons by previous concert, are subject to criminal liability only based on their personal fault in joint illegal act, taking into account nature and extent of participation of each of them in crime execution.

2. The contractor (collaborator) is subject to criminal liability under Article (part of Article) of the Special part of this Code providing the crime committed by him.

3. The organizer, the instigator and the helper are subject to criminal liability under the same Article of the Special part of this Code, as the contractor, with reference to the corresponding part of Article of 41 of this Code.

4. In case of making by the contractor of unfinished crime other accomplices are subject to criminal liability for partnership in unfinished crime.

5. Person who on the circumstances which are not depending on it did not manage to incline other persons to crime execution is subject to criminal liability for preparation for crime.

Article 44. Responsibility of organizers and participants of organized group, criminal society

1. The person who created organized group, criminal society or directing them is subject to criminal liability for all crimes committed by them if they were covered by its intention.

2. Other participants of organized group, criminal society are subject to criminal liability for crimes, in preparation or making of which they participated, irrespective of role which was carried out in crime by each of them if they were covered by their intention and entered in is abrupt the purposes of creation of organized group, criminal society.

Article 45. Excess of the principal offender

Excess of the contractor making by the principal offender which goes beyond the arrangement of accomplices and is not covered by their intention is recognized.

Section III. The acts which are not crime

Chapter 8. The circumstances excluding criminal illegality of act

Article 46. Justifiable defense

1. Action for which this Code provides responsibility, but made in condition of justifiable defense, that is for the purpose of the protection of the personality, property of the person, the dwelling and other objects which are at it in property or other right, and also other rights of the defending or other person protected by the law of interests of society and state from socially dangerous encroachment is not crime if this encroachment was integrated to violence, life-threatening and health of the defending or other person, or to direct threat of application of such violence.

2. Protection against the encroachment which is not integrated to violence, life-threatening and health of the defending or other person or with direct threat of application of such violence, and also protection against infringement of occupancy of someone else's property are lawful if at the same time exceeding of limits of justifiable defense, that is the intentional actions which are not corresponding to nature and danger of encroachment was not allowed.

3. Exceeding of limits of justifiable defense discrepancy of protection to nature and degree of public danger of encroachment therefore encroaching the excessive, not caused by situation severe harm is caused is recognized.

4. Are not exceeding of limits of justifiable defense of action of the defending person if this person owing to unexpectedness of encroachment could not estimate objectively degree and nature of danger of attack. Causing at the same time to the encroaching person of the bodily harms including which entailed his death in connection with unexpected attack or because of imprudence does not attract criminal liability.

5. Are not exceeding of limits of justifiable defense of action of the defending person in case of protection against illegal and violent penetration of the encroaching face into the dwelling made against the will of living (staying) in it on legal causes person, with causing to the forward of the bodily harms including which entailed his death.

6. Irrespective of weight of the harm done encroaching is also not exceeding of limits of justifiable defense and does not attract criminal liability use of weapons or any other means or the tool for:

- 1) protection against attack of the armed individual;
- 2) protection against group attack.

Group attack in this Article attack of two and more persons, except for attacks of the women who are in condition of pregnancy or children aged up to fourteen years is considered.

7. Provisions of this Article equally extend to all persons irrespective of their professional or other special training and official position, and also irrespective of opportunity to avoid socially dangerous encroachment or to ask for the help other persons or authorities.

Article 47. Emergency

1. Causing-faced harm to the right protected interests in emergency condition, that is for elimination of the danger menacing to the personality and the rights of this person or other persons, to interests of society, state or mankind is not crime if this danger could not be under these circumstances eliminated with other means.

2. The condition of emergency is recognized also if the actions made for the purpose of prevention of danger did not achieve the goal and harm came, despite efforts of person who honesty expected to prevent it.

3. Exceeding of limits of emergency intentional damnification, not corresponding to nature and degree of the threatening danger and circumstances under which danger was eliminated when harm was done to the right protected interests is recognized. Causing at the same time harm on imprudence does not attract criminal liability.

4. Person is not subject to criminal liability for exceeding of limits of emergency if owing to the heat passion caused by the menacing danger it could not estimate compliance of damage suffered of this danger.

Article 48. Physical or mental compulsion

1. Action (failure to act) of person which did harm to the right protected interests is not crime, the this person made under direct impact of physical compulsion, owing to which could not direct the actions (failure to act).

2. The question of criminal liability for damnification to the right protected interests as a result of mental and (or) physical compulsion owing to which person kept opportunity to direct the actions is solved taking into account provisions of article 47 of this Code.

Article 49. Detention of person who committed crime

1. Are not crime of action of the victim or other persons who do harm to person during his detention at the moment or directly after making of criminal and illegal encroachment by it (crime or illegal act of person who according to this Code cannot bear criminal liability owing to age, diminished responsibility or other circumstances) if they are made for the purpose of transfer of the detainee to authorities and if otherwise to detain such person it was not represented possible, and at the same time discrepancy of measures of the detention to nature and severity made by the detained person of criminal and illegal encroachment and to circumstances of detention of this person was not allowed.

2. Exceeding of the measures necessary for detention of person who made act, the provided this Code discrepancy of means and methods of the detention to nature and severity made by the detained person of criminal and illegal encroachment and to circumstances of detention of this person therefore the harm which is not caused by need of detention is intentionally done to person is recognized. Exceeding of the measures necessary for detention of person attracts responsibility for crime only in the cases provided by Articles 124 and 132 of this Code. Causing at the same time harm on imprudence does not attract responsibility.

Article 50. Execution of the law, order (order), obligations on position

1. Damnification in case of lawful execution-faced the law, the order (order), and equally in the obligations provided by its position is not crime.

2. Person who committed crime in pursuance of the criminal order (order) is subject to criminal liability in accordance with general practice.

3. Person is not subject to criminal liability for non-execution or other violation of the order (order) or job responsibilities if they were assigned to it illegally.

Article 51. Reasonable risk

1. Damnification to the right protected interests is not crime in case of reasonable risk for achievement of the socially useful purpose.

2. The risk is recognized reasonable if the specified objectives could not be achieved by the actions (failure to act) which are not connected with risk and person which allowed risk took sufficient measures for prevention of harm to the interests protected by this Code.

3. The risk is not recognized reasonable if it was obviously integrated to threat of death of people, environmental disaster or approach of other heavy effects.

Article 52. Accomplishment of special task

1. Forced damnification to the right protected interests-faced which performed special task is not crime, taking part in organized group or criminal society for the purpose of the prevention or disclosure of their criminal activities.

2. Person specified regarding 1 this Article is subject to criminal liability only for making as a part of organized group or criminal society of the intentional heavy or especially serious crime which entailed causing death, severe harm.

3. In the case specified in part 2 of this Article, the court cannot impose penalty in the form of lifelong imprisonment. Custodial sanction to such person cannot be imposed for term bigger, than half of the maximum term of deprivation of freedom provided by the law for this crime.

Chapter 9. Other acts which are not crime

Article 53. The acts which are not crime

According to this Code are not crime insignificant act (Article 54), voluntary refusal of crime execution (Article 38), preparation for crime of small weight and less serious crime (part 2 Articles 36).

Article 54. Insignificant act

Insignificant act action (failure to act) which though formally and contains signs of any act provided by this Code, but did not cause is recognized and could not do insignificant harm.

Section IV. Measures of criminal law action and their application

Chapter 10. The criminal law action measures which do not have forced nature

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

Person is immediately exempted from criminal liability in case of act decriminalization, that is entry into force of the law with which criminal punishability of the act provided by this Code is eliminated.

Article 56. Release from criminal liability based on provisions of the Special part of this Code

Person can be exempted from criminal liability in the cases provided by the Special part of this Code.

Article 57. Release from criminal liability in case of achievement of consent with the victim

1. Person who committed crime of small weight and (or) less serious crime, and also the crimes provided [by part 1 of Article 154](#) (Rape) and [part 1 of Article 155](#) (Violent acts of sexual nature) of this Code can be exempted from criminal liability if it conciliated with the victim and indemnified the caused loss, except as specified, infringing on interests of society and state.

2. The person who committed crime as a part of organized group or criminal society or committed the crime provided [by part 4 of article 312](#) of this Code is not subject to release from criminal liability as regards 1 this Article.

Article 58. Release from criminal liability in connection with the expiration of prescriptive limits of criminal prosecution

1. Person is exempted from criminal liability if from the date of making of crime by it and about day of the introduction of sentence in legal force the following terms expired:

- 1) two years - in case of crime execution of small weight;
- 2) three years - in case of making of less serious crime;
- 3) seven years - in case of making of serious crime;

4) ten years - in case of making of especially serious crime and also if the crime is committed as a part of organized group, criminal society.

2. The course of prescription stops if person who committed crime evaded from the investigation or court. In these cases the course of prescription renews from the date of detention of person. In this case person is exempted from criminal liability if since crime execution of small weight or less serious crime there passed ten years.

3. The course of prescription is interrupted if before the expiration of the terms specified in parts 1 and 2 of this Article, person committed new crime. Calculation of prescriptive limits in this case begins from the date of making of new crime. At the same time prescriptive limits are estimated separately for each crime.

4. Question of use of prescription to person who committed especially serious crime for which according to the law lifelong imprisonment can be appointed, decides court. If the court does not find possible to apply prescription, lifelong imprisonment cannot be appointed and is replaced with imprisonment for a period of fifteen up to twenty years.

5. If concerning person who is immune criminal case is brought and it is suspended in connection with immunity availability, then prescriptive limit stops.

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