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CRIMINAL CODE OF THE RSFSR

- USSR -

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CRIMINAL CODE OF THE RSFSR

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DECREE

of the

RUSSIAN SOVIET FEDERATIVE SOCIALIST REPUBLIC

Concerning the Adoption of the Criminal Code RSFSR

The Supreme Soviet of the Russian Soviet Federative Socialist Republic decrees:

Article 1. That the Criminal Code RSFSR be adopted and put into effect as of 1 January 1961.

Article 2. That it be established that Article 24 of the Criminal Code RSFSR shall not apply, with respect to the period of deprivation of freedom, to persons convicted, prior to the adoption of the Basic Principles of Criminal Legislation of the USSR and the Union Republics of 25 December 1958, of especially dangerous crimes against the state as specified in Chapter One of the Special Part of the Criminal Code RSFSR, of banditry, of premeditated homicide under aggravating circumstances, of the theft of state or public property in large amounts, and of assault with intent to rob.

Article 3. That the Presidium of the Supreme Soviet RSFSR be instructed to establish a procedure for putting into effect the Criminal Code RSFSR and publish a list of those legislative acts of the RSFSR which will lose their legal force owing to the promulgation of the Criminal Code RSFSR.

Chairman of the Presidium, Supreme Soviet RSFSR
Secretary of the Presidium, Supreme Soviet RSFSR

N. ORGANOV
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GENERAL PART

Chapter One

General Principles

Article 1. The purposes of the Criminal Code RSFSR.

It is the purpose of the Criminal Code RSFSR to protect the Soviet social and governmental system, socialist property, the person and rights of citizens and of the entire socialist legal order against criminal encroachments.

With a view to achieving this purpose, the Criminal Code RSFSR specifies what socially dangerous acts are criminal, and prescribes the penalties to be applied to persons who have committed crimes.

Article 2. The Criminal Code RSFSR and all-union criminal legislation.

The Criminal Code RSFSR is based on the principles and general premises established by the Basic Principles of Criminal Legislation of the USSR and the Union Republics.

The all-union laws concerning criminal liability for crimes against the state and military crimes, and the all-union laws fixing liability for other crimes directed against the interests of the USSR, are included in the present Code. Pending inclusion of all-union criminal laws in the Criminal Code RSFSR, the latter are applied on the territory of the RSFSR directly.

The General Part of the Code applies both to the acts enumerated in the present Code and to those acts liability for which is specified in all-union laws not yet included in the present Code.

Article 3. The basis of criminal liability.

Criminal liability and punishment shall be applied only to a person who is guilty of committing a crime; i.e., a person who, intentionally or through negligence, has committed a socially dangerous act specified by criminal statute.

Criminal punishment shall be assigned only by sentence of a court.

Chapter Two

The Scope of the Criminal Code

Article 4. The force of the present Code with respect to acts committed on the territory of the RSFSR.

All persons who have committed crimes on the territory of the RSFSR are liable under the present Code.

In the event of the commission of a crime on the territory of the RSFSR by diplomatic representatives of foreign states and other persons who pursuant to currently effective laws and international agreements are not subject to the jurisdiction of Soviet judicial institutions with respect to criminal cases, the question of their criminal liability is decided by diplomatic means.

Article 5. The force of the present Code with respect to acts committed outside the boundaries of the USSR.

Citizens of the USSR who have committed crimes abroad, if they have been subjected to criminal prosecution or brought to trial on the territory of the RSFSR, are liable under the present Code.

Stateless persons who have committed crimes outside the boundaries of the USSR and who are present within the RSFSR, are liable on the same basis.

If the persons enumerated in the first and second parts of the present article have served a sentence abroad for the crimes committed, the court may mitigate the punishment assigned or completely exempt the accused person from serving a sentence, as may be appropriate.

Foreigners who have committed crimes outside the boundaries of the USSR are liable under Soviet criminal statutes in those cases specified in international agreements.

Article 6. The force of a criminal statute in time.

The criminal nature and punishability of an act is determined by the statute in force at the time the act was committed.

A statute making an act no longer subject to penalty, or mitigating the penalty, is retroactive; that is, it also applies to acts committed before its promulgation.

A statute establishing the punishability of an act, or increasing the penalty, does not possess retroactive force.

Chapter Three
Concerning Crimes

Article 7. The concept of crime.

A crime is a socially dangerous act (of commission or omission) specified in the Special Part of the present Code which infringes upon the Soviet social or governmental system, the socialist system of economy, socialist property, the person, political, labor, property, and other rights of citizens, or any other dangerous act infringing upon the socialist legal order specified by the Special Part of the present Code.

An act of commission or omission which, although it formally contains the elements of an act specified in the Special Part of the present Code, does not represent a social danger owing to its insignificance, is not a crime.

Article 8. The premeditated commission of a crime.

A crime is considered to have been premeditated if the person who committed it was aware of the socially dangerous character of his action or inaction, foresaw its socially dangerous consequences, and desired or consciously permitted the occurrence of those consequences.

Article 9. The commission of a crime through negligence.

A crime is considered to have been committed through negligence if the person who committed it foresaw the possibility of the occurrence of the socially dangerous consequences of his action or inaction but frivolously counted on their prevention, or if he did not foresee the possibility of the occurrence of such consequences although he could have foreseen them.

Article 10. The liability of minors.

Persons who have reached the age of 16 years prior to the commission of a crime are criminally liable.

Persons who have committed crimes between the ages of 14 and 16

years are criminally liable only for homicide (articles 102-106), the premeditated infliction of bodily injuries harmful to the health (articles 108-111, and 112, first part), rape (Article 117), assault with intent to rob (articles 91 and 146), theft (articles 89 and 144), robbery (articles 90 and 145), malicious hooliganism (Article 206, second part), the premeditated destruction or damaging of state or public property or the personal property of citizens entailing serious consequences (Article 98, second part, and Article 149, second part), and for the premeditated commission of acts capable of causing the wreck of a train (Article 86).

If the court considers that a person who, while less than 18 years of age, has committed a crime which does not represent a great social danger, can be reformed without the application of criminal punishment, it may apply to such a person compulsory measures of an educational character which do not constitute criminal punishment (Article 63).

In the presence of the conditions enumerated in the third part of the present article, the minor may be exempted from criminal liability and punishment and transferred to a commission on minors for consideration of the question of applying compulsory measures of an educational character to him.

Article 11. Irresponsibility.

Criminal liability is not applicable to a person who at the time of committing a socially dangerous act was in a state of irresponsibility; that is, who was unable to realize the significance of his actions, or to control them, as a result of a chronic mental illness, a temporary disturbance of psychic behavior, feeble-mindedness, or other state of illness. Compulsory measures of a medical character may be applied to such a person by order of the court (articles 58-61).

A person who has committed a crime while in a state of responsibility but who, prior to the passing of sentence by the court, has contracted a mental illness depriving him of the possibility of realizing the significance of his actions, or of controlling them, shall not be subject to punishment. Compulsory measures of a medical character may be applied to such a person by order of the court, but upon recovery he is subject to punishment.

Article 12. Liability for a crime committed in a state of inebriation.

A person who has committed a crime while in a state of inebriation is not exempted from criminal liability.

Article 13. Necessary defense.

An act is not a crime if, although it falls within the category of an act specified in the Special Part of the present Code, it was committed in a state of necessary defense; that is, in defending the interests of the Soviet state, social interests, the person or rights of the individual defending himself or another person, against socially dangerous infringement by means of inflicting harm on the infringer, provided that the limits of necessary defense were not exceeded.

Obvious disparity between the defense and the character and danger of the infringement constitutes going beyond the limits of necessary defense.

Article 14. Extreme necessity.

An act is not a crime if, although it falls within the category of an act specified in the Special Part of the present Code, it was committed in a state of extreme necessity; that is, in order to eliminate a danger threatening the interests of the Soviet state, social interests, the person or rights of the individual in question or other citizens, provided that under the circumstances in question such danger could not have been eliminated by other means, and also provided that the damage caused is less extensive than the damage that was prevented.

Article 15. Liability for making preparations for a crime and attempting a crime.

Finding or arranging the means or weapons, or any other intentional creation of the conditions for the commission of a crime, constitutes preparation for a crime.

A premeditated act directly aimed at the commission of a crime constitutes an attempted crime, provided the crime was not carried out for reasons not depending upon the will of the guilty party.

Punishment for making preparations for a crime and for an attempted crime is assigned in accordance with that article in the Special Part of the present Code which specifies the liability for the crime in question.

In assigning punishment the court shall take into account the character and degree of social danger of the acts committed by the guilty party, the extent to which the criminal intentions were carried out, and the causes why the crime was not consummated.

Article 16. Voluntary abstention from the commission of a crime.

A person who has voluntarily abstained from the consummation of a crime is criminally liable only if the act he has in fact committed contains the elements of another crime.

Article 17. Complicity.

The premeditated, joint participation of two or more persons in the commission of a crime constitutes complicity.

The accomplices in a crime include, in addition to the principals, organizers, instigators, and accessories.

The principal is the person who has directly committed the crime.

An organizer is a person who has organized the commission of a crime or directed its commission.

An instigator is a person who has abetted the commission of a crime.

An accessory is a person who has contributed to the commission of a crime by means of advice or instructions, by making means available or eliminating obstacles, or a person who has promised in advance to conceal the criminal, the weapon, and the means of committing the crime, the evidence of the crime, or objects acquired by criminal means.

The degree and character of participation in the commission of the crime on the part of each of the accomplices shall be taken into account by the court in assigning punishment.

Article 18. Concealment.

The concealment, when not previously promised, of a criminal, or of the weapons and means of committing a crime, evidence of the crime, or objects acquired by criminal means, entails liability only in those cases specially stipulated by the Special Part of the present Code.

Article 19. Misprision.

Misprision of a crime reliably known to be in the stage of preparation, or to have been committed, entails criminal liability only in those cases specially stipulated by the Special Part of the present Code.

Chapter Four

Concerning Punishment

Article 20. The purposes of punishment.

Punishment does not merely constitute chastisement for the crime committed; it also has the purpose of reforming and reeducating convicted persons in a spirit of an honorable attitude toward labor, scrupulous compliance with the law, and respect for the rules of socialist communal living, and the prevention of the commission of further crimes either by the convicted persons or by others.

It is not the purpose of punishment to inflict physical suffering or to denigrate human dignity.

Article 21. Types of punishment.

The following penalties may be assigned to persons who have committed crimes:

- 1) deprivation of freedom;
- 2) exile;
- 3) banishment;
- 4) corrective labor without deprivation of freedom;
- 5) deprivation of the right to occupy certain positions or to engage in certain activities;
- 6) fines;
- 7) removal from position;
- 8) imposition of an obligation to make restitution for damages;
- 9) public censure;
- 10) the confiscation of property;
- 11) deprivation of a military or special title.

Punishment in the form of transfer to a disciplinary battalion may also be applied to military personnel with a fixed term of service.

Article 22. Basic and supplementary measures of punishment.

The basic measures of punishment are deprivation of freedom, corrective labor without deprivation of freedom, public censure, and transfer to a disciplinary battalion.

Banishment, exile, deprivation of the right to occupy certain positions or to engage in certain activities, fines, removal from position, the imposition of an obligation to make restitution for

damages may be employed as either basic or supplementary penalties.

Confiscation of property and deprivation of a military or special title may be employed only as supplementary penalties.

Article 23. An exceptional measure of punishment: the death penalty

Application of the death penalty, by shooting, is permitted in the form of an exceptional measure of punishment, pending its complete abrogation, for treason (Article 64), espionage (Article 65), acts of terrorism (articles 66 and 67), sabotage (Article 68), banditry (Article 77), premeditated homicide with aggravating circumstances as enumerated in Article 102 and Item c of Article 240 of the present Code, and in time of war or under combat conditions, for other especially serious crimes in those cases specially stipulated by the legislation of the USSR.

The following shall not be sentenced to the death penalty: persons who had not reached the age of 18 years prior to the commission of the crime, and women who were in a state of pregnancy at the time of commission of the crime or by the time sentence was passed. The death penalty shall not be applied to a woman who is in a state of pregnancy at the time of execution of sentence.

Article 24. Deprivation of freedom.

Deprivation of freedom is prescribed for periods of from three months to ten years; or, for especially serious crimes and for especially dangerous recidivists, in those cases enumerated in the Special Part of the present Code, for not more than 30 years.

When sentencing a person who was under 18 years of age at the time of commission of the crime, the period of deprivation of freedom shall not exceed ten years.

Adult persons condemned to deprivation of freedom serve their sentences in a corrective labor colony or in prison. Minors serve their sentences in a labor colony for minors.

Deprivation of freedom in the form of confinement in prison for the entire period of the sentence, or part of such period, may be assigned by the court to persons who have committed serious crimes, or to especially dangerous recidivists.

In the case of persons who have served not less than one half of the period of confinement in prison, provided their behavior has been exemplary, the court may substitute detention in a colony for

confinement in prison.

In the case of persons who have maliciously violated the regulations established at a corrective labor colony, detention in a colony may, by order of the court, be replaced by confinement in prison for a period not to exceed three years, the remainder of the sentence to be served in a corrective labor colony.

The procedure and conditions for serving a sentence of deprivation of freedom are governed by the Corrective Labor Code RSPOR.

Occupational guidance for persons released from places of confinement is the responsibility of the executive committees of local soviets of workers' deputies.

Note. The following may be considered especially dangerous recidivists with respect to the sentence of the court:

1) a person previously convicted of an especially dangerous crime against the state (articles 64-73), banditry (Article 77), premeditated homicide (articles 102, 103, and 240, Item c), premeditated serious bodily injury (Article 108), rape (Article 117), the theft of state or public property in large amounts (Article 89, third part; Article 90, third part; Article 92, third part; Article 93, third part), assault with intent to rob (articles 91 and 146), and who has again committed one of the above-mentioned crimes, irrespective of which of such crimes the person was convicted of the first time;

2) a person with two previous convictions of theft (articles 89 and 144), robbery (articles 90 and 145), fraud (articles 93 and 147), speculation (Article 154), bribery (Article 173), or malicious hooliganism (Article 206, second part) who has subsequently committed any of the crimes enumerated in the first paragraph of the present note, or a person previously convicted of any of the crimes enumerated in the first paragraph of the present note who has subsequently committed, on two occasions, theft, robbery, fraud, speculation, bribery, or malicious hooliganism;

3) a person with three previous convictions for theft, robbery, fraud, speculation, bribery, or malicious hooliganism and who has subsequently committed any of such crimes.

In considering the question as to whether a person is to be ruled a dangerous recidivist, the court shall take into account the character and degree of the social danger of the crime committed, the character of the guilty party, and the circumstances of the case.

In considering whether a person is to be ruled an especially dangerous recidivist, account shall not be taken of the crimes

committed by such person when less than 18 years of age, or of crimes with respect to which the conviction was cancelled or remitted.

Article 25. Exile.

Exile consists in removing the convicted person from his place of residence, with mandatory settlement in a definite place.

Exile as either basic or supplementary punishment may be prescribed for a period of from two to five years. Exile as extra punishment may be applied only in those cases specially enumerated in articles of the Special Part of the present Code.

Vocational guidance for exiled persons is the responsibility of the executive committees of local soviets of workers' deputies.

Exile is not prescribed for persons who had not reached the age of 18 years prior to the commission of the crime, for pregnant women, and for women with dependent children under eight years of age.

The procedure, place, and conditions for serving a sentence of exile are prescribed by legislation of the USSR and the RSFSR.

Article 26. Banishment.

Banishment consists in removing the convicted person from his place of residence and forbidding him to reside in certain specific areas.

Banishment as both basic and extra punishment may be prescribed for a period of from two to five years. Banishment as extra punishment may be applied only in those cases specially enumerated in articles of the Special Part of the present Code.

Banishment is not prescribed for persons who had not reached the age of 18 years prior to the commission of the crime, for pregnant women, and for women with dependent children under eight years of age.

The procedure and conditions for banishment are prescribed by legislation of the USSR and the RSFSR.

Article 27. Corrective labor without deprivation of freedom.

Corrective labor without deprivation of freedom may be assigned for a period of from one month to one year and performed, in accordance with the sentence of the court, either at the place of employment of the convicted person or at another place determined

by the organ responsible for applying corrective labor, but in the area of residence of the convicted person.

Deductions from the earnings of a person convicted to corrective labor without deprivation of freedom are withheld in an amount fixed by sentence of the court, ranging from five to 20 percent of the earnings, and transferred to the state.

In the case of persons considered to have lost their working capacity, the court may replace corrective labor with a fine, public censure, or imposition of an obligation to make restitution for damage done.

Time spent in the performance of corrective labor, including such labor at the place of employment of the convicted person, is not counted toward job seniority.

In the event of conscientious work and exemplary behavior on the part of the convicted person during the performance of corrective labor, the court may, at the request of a social organization or collective of workers, after the convicted person has served his sentence, rule that the time spent in performing corrective labor be counted toward job seniority.

Article 28. The consequences of declining to perform corrective labor.

If the person in question avoids performing corrective labor at his place of employment, the court may replace it by corrective labor at a place designated by the organ responsible for applying this punishment. If he avoids performing corrective labor at a place designated by the organ above-mentioned, the court may replace it with deprivation of freedom. In this case every three days of time remaining to be served at corrective labor shall be replaced by one day of deprivation of freedom.

Article 29. Deprivation of the right to occupy certain positions or to engage in a particular activity.

Deprivation of the right to occupy certain positions or to engage in a particular activity may be prescribed by the court for a period of from one year to five years, as basic or extra punishment.

This punishment may be assigned in those cases where, by reason of the character of the crimes committed by the guilty party in connection with a position or when engaged in a particular activity, the court deems it unfeasible to grant him the right to occupy certain positions or to engage in a particular activity.

When this punishment is assigned in addition to deprivation of freedom it applies throughout the period of deprivation of freedom and, in addition, during a period established by the sentence. If, however, deprivation of the right to occupy certain positions or to engage in a particular activity is prescribed in addition to another kind of basic punishment, the period is computed from the time when the serving of the basic sentence is commenced.

Article 30. Fines

A fine is a monetary penalty imposed by the court in those cases, and within those limits, specified by the appropriate articles of the Special Part of the present Code.

The amount of the fine is fixed in accordance with the seriousness of the crime which has been committed, taking into account the property position of the guilty party.

In the event that it is impossible to collect the fine, the court may rule that it be replaced by corrective labor without deprivation of freedom, taking one month of corrective labor as the equivalent of a fine of 100 rubles, but the period of corrective labor shall not exceed one year.

The substitution of deprivation of freedom for a fine, or of a fine for deprivation of freedom, is prohibited.

Objects not subject to confiscation shall not be seized by way of collecting a fine.

Article 32. Imposition of an obligation to make restitution for damage done.

The performance of an obligation to make restitution for damage done consists in the direct elimination of the damage by one's own resources, restitution for material damage in one's own funds, or a public apology to the injured party or to members of a collective in a form prescribed by the court.

A penalty in the form of imposing an obligation directly to eliminate the damage by one's own resources may be assigned in a case where, taking into account the character of the damage done, the court considers that the guilty party is capable of eliminating it directly by the above-mentioned means.

A penalty in the form of imposing an obligation to make restitution for material damage in one's own funds may be assigned

if the extent of the damage done does not exceed 1,000 rubles.

A penalty in the form of imposing an obligation to make a public apology to the injured party or the members of the corresponding collective may be assigned if there has been infringement of the inviolability or dignity of the person or violation of the rules of socialist communal living which has not caused material damage.

If the convicted person fails to fulfill his obligation to make restitution for the damage done within the period fixed by the court, the court may replace this penalty by corrective labor, or a fine, or removal from position, or public censure. In this case, and also in case the material damage done amounts to more than 1,000 rubles, restitution to the injured party for the damage done is effected by way of civil procedure.

Article 33. Public censure.

Public censure consists in the public expression by the court of censure of the guilty party and, where necessary, in bringing this fact to the attention of the public through the press or by other means.

Article 34. The transfer to a disciplinary battalion of military personnel who have committed crimes, and the replacement of corrective labor by detention in a guardhouse.

Military personnel with a fixed term of service who have committed crimes may be transferred to a disciplinary battalion for a period of from three months to two years in those cases specified by law, and also in those cases where the court, having taken into account the circumstances of the case and the character of the convicted person, considers it desirable to replace deprivation of freedom for a period of up to two years by transfer to a disciplinary battalion for the same period.

Corrective labor without deprivation of freedom is replaced, in the case of military personnel, by confinement in a guardhouse for a period of up to two months.

Article 35. Confiscation of property.

Confiscation of property consists in the compulsory seizure and transfer to the state, without compensation, of all or a part of property which is the private property of the convicted person. If a part of the property is being confiscated, the court shall specify which part of the property is being confiscated, or list

the confiscated objects.

Confiscation of property may be prescribed only for crimes against the state and serious venal crimes in those cases enumerated in articles of the Special Part of the present Code.

When property is confiscated the state is not answerable for the debts and obligations of the convicted person if they have arisen after the taking of measures to confiscate property by organs of police inquiry, investigative organs, or judicial organs, and without agreement on the part of such organs.

With respect to claims against confiscated property, the state is answerable only within the limits of the assets. With regard to the priority for satisfying claims, the rules prescribed by the Code of Civil Procedure RSFSR shall be observed.

Article 36. Deprivation of military and other titles; also, of orders, medals, and honorary titles.

When a person possessing a military or special title is convicted of a serious crime he may, by sentence of the court, be deprived of such title.

When a person who has been awarded an order or medal, or who possesses an honorary title, conferred by the Presidium of the Supreme Soviet USSR, the Presidium of the Supreme Soviet RSFSR, or of another union republic, or of an autonomous republic, or a military or other titles conferred by the Presidium of the Supreme Soviet USSR, the Council of Ministers USSR, the Council of Ministers RSFSR, or of another union republic, has been convicted of a serious crime, the court when passing sentences decides the question as to whether to submit to the organ which awarded the order or medal to the convicted person, or which conferred the title upon him, that the convicted person be deprived of the order or medal, or the honorary, military, or other title.

Chapter Five

Assigning Punishment and Exemption from Punishment

Article 37. The general principles of assigning punishment.

The court assigns punishment within the limits established by the articles of the Special Part of the present Code, which prescribe

liability for the crime committed in close conformity with the provisions of the Basic Principles of Criminal Legislation of the USSR and the Union Republics and the General Part of the present Code. In assigning punishment the court, guided by the socialist legal philosophy, takes into account the character and degree of social danger of the crime committed, the character of the guilty party, and the circumstances of the case mitigating or aggravating liability.

Article 38. Circumstances mitigating liability.

When punishment is assigned, the following shall be considered as circumstances mitigating liability:

- 1) the prevention, by the guilty party, of harmful consequences of the crime which was committed, or voluntary restitution for damage done, or elimination of damage done;
- 2) the commission of a crime as a result of the concurrence of serious personal or family circumstances;
- 3) the commission of a crime under the influence of a threat or coercion, or by reason of material, occupational, or other dependence;
- 4) the commission of a crime for the first time as a result of a concurrence of circumstances, provided such crime does not represent a great social danger;
- 5) the commission of a crime under the influence of strong emotion caused by the unjust acts of the injured party;
- 6) the commission of a crime when offering defense against a socially dangerous infringement, although the limits of necessary defense have been exceeded;
- 7) the commission of a crime by a minor;
- 8) the commission of a crime by a woman in a state of pregnancy;
- 9) sincere contrition or confession, and active assistance in discovering a crime.

When assigning punishment the court may consider that the liability has been mitigated by other circumstances as well.

Article 39. Circumstances aggravating liability.

When punishment is assigned, the following shall be considered as circumstances aggravating liability:

- 1) the commission of a crime by a person who has previously committed a crime.

The court shall have the right, depending upon the character of the first crime, to rule that it possesses no significance as an aggravating circumstance.

- 2) the commission of a crime by an organized group;

- 3) the commission of a crime for venal or other base motives;
- 4) the production of serious consequences by the crime;
- 5) the commission of a crime with respect to a young person, old person, or other person in a helpless condition, and with respect to a person in a state of material, official, or other dependence upon the guilty party;
- 6) the instigation of minors to the commission of a crime, or the enlistment of minors for participation in a crime;
- 7) the commission of a crime involving particular harshness or mockery toward the injured party;
- 8) the commission of a crime which involves profiting from the conditions of a public disaster;
- 9) the commission of a crime by a method involving general danger;
- 10) the commission of a crime associated with the use of a source of heightened danger by a person in a state of inebriation;
- 11) denouncing a person known to be innocent;
- 12) the commission of a new crime by a person released under surety during the period of surety or within one year after the expiration of such period.

Article 40. Assigning punishment when several crimes have been committed.

If a person is found guilty of having committed two or more crimes specified in various articles of the Special Part of the present Code for none of which he had been convicted, the court, after having assigned punishment for each crime individually, makes its final determination of punishment on the basis of their totality by means of absorbing the less severe sentence by the more severe one, or by means of the full or partial compounding of the sentences within the limits established by the articles providing for a more severe penalty.

The extra penalties enumerated in those articles of the Special Part of the present Code which prescribe the liability for those crimes of whose commission the person was found guilty, may be added to the basic sentence.

Punishment is assigned in accordance with the same rules if, after sentence has been passed, it is established that the convicted person is guilty of another crime committed prior to the passing of sentence in the first case. In this case, the sentence fully or partially served under the first judgment is counted as a part of the period of the sentence.

Article 41. Assigning punishment in several sentences.

If, after pronouncement of sentence but prior to the full serving of the sentence, the convicted person has committed a new crime, the court adds to the new sentence, fully or in part, the unserved part of the sentence under the previous judgment.

When sentences are compounded in accordance with the procedure prescribed in the present article, the overall period of the sentence shall not exceed the maximum period fixed by the present Code for the kind of sentence in question. When compounding sentences in the form of a deprivation of freedom, the overall period of the sentence shall not exceed ten years, except that for crimes for which the present Code permits assigning deprivation of freedom for a period of more than ten years, it shall not exceed 15 years.

When compounding sentences in the form of a deprivation of freedom and service in a disciplinary battalion, one day of service in a disciplinary battalion is taken as equal to one day of deprivation of freedom.

When compounding sentences in the form of a deprivation of freedom and in the form of exile, banishment, or corrective labor, three days of exile, banishment, or corrective labor are taken as equal to one day of deprivation of freedom.

Sentences involving deprivation of freedom plus a fine, or corrective labor plus a fine, are put into execution independently.

Article 42. Concerning the procedure for determining the length of sentences.

Periods of deprivation of freedom, service in a disciplinary battalion, exile, banishment, corrective labor, or deprivation of the right to occupy certain positions or to engage in a particular activity, are computed in months and years. Periods of detention in a guardhouse are computed in days and months.

Computation of the above-mentioned sentences in days is permissible when replacing or compounding sentences.

Article 43. Assigning a less severe penalty than that prescribed by law.

If the court, having taken into consideration exceptional circumstances in the case and the character of the convicted person, deems it necessary to assign to him a penalty below the minimum level

fixed by law for the crime in question, or to assign a different and less severe form of punishment, it may so mitigate the punishment. In this case it is mandatory to set forth the reasons therefor.

Article 44. Conditional conviction.

If, when assigning punishment in the form of a deprivation of freedom or corrective labor, the court, having taken into account the circumstances of the case and the character of the convicted person, is convinced that it is not desirable for the convicted person to serve the sentence assigned, it may make a ruling as to the conditional non-application to the convicted person of the punishment in question, mandatorily setting forth in the sentence the reasons for the conditional conviction. In this case the court rules that the sentence shall not be executed, provided that during the probationary period fixed by the court the convicted person does not commit a new crime of a similar nature, or a not less serious crime.

A probationary period of from one to five years is fixed by the court.

In the event of a conditional conviction no extra penalties may be assigned, with the exception of a fine.

Taking into account the circumstances of the case, the character of the convicted person, and petitions filed by social organizations or by the collective of workers, employees, or kolkhoz farmers at the place of employment of the convicted person, the court may make such organizations or such a collective responsible for the reeducation and reformation of the convicted person.

If the court decides upon conditional conviction in the absence of the above-mentioned petitions, it may impose upon a particular collective of workers, or a person, with their permission, the responsibility for surveillance of the conditionally convicted person, and for doing educational work with him.

At the request of the social organization or workers' collective charged with surveillance of the conditionally convicted person, the court may reduce the probationary period fixed by the sentence. The question of reducing the probationary period shall not be raised until after the expiration of at least one-half of such period.

The court and the higher prosecutor are responsible for keeping account of conditionally convicted persons and for exercising general control over their behavior.

Article 45. Assigning punishment to a conditionally convicted person when he has committed another crime.

In the event of the commission, by a conditionally convicted person, of another crime of like nature, or of a no less serious crime, during the probationary period, the court shall assign punishment in accordance with the provisions of Article 41 of the present Code.

Article 46. Deferring execution of sentence, in time of war, upon a person in military service or subject to military service.

In time of war the execution of a sentence involving deprivation of freedom pronounced with respect to a person in military service, or a person subject to mobilization or being called up for service, may be deferred by the court until the termination of hostilities, and the convicted person may be put on active service. In such cases the court may also defer execution of supplementary sentences.

If the convicted person put on active service shows himself to be a staunch defender of the socialist motherland the court may, at the request of the appropriate military command, suspend sentence or substitute another and less severe sentence.

In the event that the person with respect to whom execution of sentence was deferred, commits another crime, the court shall add the previously assigned sentence to the new one in accordance with the provisions of Article 41 of the present Code.

Article 47. Deducting pre-trial confinement time.

When sentencing a person to deprivation of freedom or transfer to a disciplinary battalion, the court deducts pre-trial confinement time, one day of which is taken as equivalent to one day of sentence time. When sentencing a person to corrective labor, exile, or banishment, one day of confinement time is taken as equivalent to three days of sentence time.

In assigning other measures of punishment the court, taking pre-trial confinement time into account, may either mitigate the punishment assigned or fully exempt the convicted person from serving a sentence, whichever is appropriate.

Article 48. The period of limitation for initiating criminal prosecution.

A person may not be criminally prosecuted if, since the time of commission of the crime, the following periods have run:

1) one year since the time of commission of any of the crimes specified in articles 94, 96 (first part), 97, 112 (second part), 131, 143, 158 (first part), 165, 166, 182, 192, 197, 198, 200, 207, and 209;

2) three years since the time of commission of a crime punishable, in accordance with the present Code, by deprivation of freedom for a period not to exceed two years or by a penalty not involving deprivation of freedom, except for the crimes specified in the articles enumerated in the first paragraph;

3) five years since the time of commission of a crime punishable, in accordance with the present Code, by deprivation of freedom for a period not to exceed five years;

4) ten years since the time of commission of a crime punishable, in accordance with the present Code, by a more severe penalty than deprivation of freedom for a period of five years.

The period of limitation is broken if, prior to the expiration of the above-mentioned periods, the person commits another crime punishable, in accordance with the present Code, by deprivation of freedom for a period of more than two years. In this case the period of limitation is considered to begin at the time of commission of the new crime.

The period of limitation is broken if the person who has committed the crime conceals himself from the investigation or the court. In such cases the period of limitation is computed from the moment the person is arrested or surrenders himself in order to confess. In such a case the person shall not be criminally prosecuted if five years have elapsed since the time of committing the crime, and if the period of limitation was not broken by the commission of another crime.

The question as to applying a period of limitation to a person who has committed a crime punishable by death according to law, shall be decided by the court. If the court considers that it is not feasible to apply the period of limitation, the death sentence shall not be imposed but shall be replaced by deprivation of freedom.

Article 49. The period of limitation for executing an inculpatory sentence.

An inculpatory sentence shall not be executed if it was not executed within the following periods of time, counting from the day the sentence entered into legal force:

1) three years -- when a person is sentenced to deprivation of freedom for a period not to exceed two years, or to punishment not involving a deprivation of freedom;

- 2) five years -- when a person is sentenced to deprivation of freedom for a period not to exceed five years;
- 3) ten years -- when a person is sentenced to a more severe punishment than deprivation of freedom for a period of five years.

The period of limitation is broken if the convicted person avoids serving the sentence or commits, prior to the expiration of the period, another crime for which the court has assigned punishment in the form of deprivation of freedom for a period not less than one year, or exile or banishment for a period of not less than three years. In the event of the commission of another crime the period of limitation is counted from the time of its commission. In the event of avoiding the serving of a sentence it is counted from the time the person surrenders himself in order to serve sentence, or from the time of arrest of a convicted person who has concealed himself. In this case an inculpatory sentence shall not be put into execution if five years have elapsed since the time of its pronouncement, and if the period of limitation was not broken by the commission of another crime.

The question of applying the period of limitation to a person who has been sentenced to death is decided by the court. If the court does not consider it feasible to apply the period of limitation, the death penalty shall be replaced by deprivation of freedom.

Article 50. Exemption from criminal liability and punishment

A person who has committed a crime may be exempted from criminal liability if it is acknowledged that, by the time of the investigation or the trial, as a result of a change in the situation, the act committed by the guilty party has lost its character of being socially dangerous, or that the person has ceased to be socially dangerous.

A person who has committed a crime may be exempted from punishment if it is acknowledged that by reasons of his subsequent irreproachable behavior and honorable attitude toward labor, the person may not, by the time of the trial, be considered socially dangerous.

Article 51. Exemption from criminal liability and the transfer of the case to a comrades' court.

A person may be exempted from criminal liability and punishment, and the case transferred for hearing by a comrades' court, if he committed any of the following acts, specified by the Special Part of the present Code, as a first offense:

- 1) the premeditated infliction of slight bodily injury, or

battery, not resulting in a disturbance of health (Article 112, second part); the spreading, in a collective, of false rumors defaming a member of the collective (Article 130, first part); contumely (Article 131);

2) any other act with respect to which, pursuant to an article in the Special Part of the present Code, the application of measures of social action is permitted;

3) any other minor felony if, by reason of the character of the act committed and the character of the guilty party, he can be reformed without the application of punishment, employing measures of social action.

Article 52. Exemption from criminal liability and transferring the guilty party to the custody of guarantors.

If by reason of the circumstances of the case the crime which has been committed by the person in question, and the person himself, do not represent a great social danger, and if the act of the guilty party did not result in serious consequences and he himself has evidenced sincere contrition, such person may, at the request of a social organization or collective of workers, be exempted from criminal liability and punishment and released on surety for reeducation and reformation to the social organization or collective of workers which filed the petition.

A person previously convicted of a premeditated crime, or a person previously released on surety, shall not be released on surety.

In like manner, a person who does not acknowledge his guilt, or who for some other reasons insists that his case be tried, shall not be released on surety.

If a person who has been released on surety, in the course of one year, has not justified the trust of the collective, has violated his promise to demonstrate his reformation by exemplary behavior and honest labor, has failed to respect the norms of socialist communal living, or has left the labor collective in order to avoid social action, the social organization or workers' collective which provided surety for him shall issue a decision refusing surety and shall transmit such decision to a prosecutor or court for consideration of the question of the criminal prosecution of the guilty party for the crime with respect to whose commission he was released on surety.

Article 53. Conditional pre-term release from punishment, and the substitution of a less severe sentence.

If a person sentenced to deprivation of freedom, corrective labor,

exile, banishment, or transfer to a disciplinary battalion demonstrates the fact of his reformation by exemplary behavior and an honorable attitude toward labor, the court may, after he has actually served no less than one-half of the sentence assigned, order his conditional pre-term release from punishment and the substitution of a less severe penalty for the unserved portion of the sentence. In this case the convicted person may also be release from extra penalties in the form of exile, banishment, or deprivation of the right to occupy certain positions or to engage in a particular activity.

Conditional pre-term release and the substitution of a less severe penalty for the unserved portion of the sentence may be applied, after the factual serving of no less than two-thirds of the sentence imposed by the court, in the case of persons convicted for especially dangerous crimes against the state (articles 64-73), banditry (Article 77), mass disturbances (Article 79), damaging ways and means of communication and transportation facilities (Article 96), the manufacture or sale of counterfeit coins or currency (Article 87), the theft of state or public property in large amounts (Article 89, third part; Article 90, third part; Article 92, third part; Article 93, third part), robbery under aggravating circumstances (Article 90, second part; Article 145, second part), assault with intent to rob (articles 91 and 146), the premeditated destruction or damaging of state or public property, or the personal property of citizens, under aggravating circumstances (Article 98, second part; Article 149, second part), premeditated homicide (articles 102 and 103), the premeditated infliction of serious bodily injury (Article 108), rape under aggravating circumstances (Article 117, parts two and three), the excessive exercise of authority or official powers under aggravating circumstances (Article 171, second part), the taking of a bribe under aggravating circumstances (Article 173, second part), instigating the criminal prosecution of a person known to be innocent (Article 176, second part), issuing a clearly unjust sentence, decision, order, or ruling resulting in serious consequences (Article 177, second part), eliciting testimony by means of coercion under aggravating circumstances (Article 179, second part), malicious hooliganism (Article 206, second part), insubordination (Article 238, items b and c), resisting a superior or compelling him to violate official obligations (Article 240, items b and c), using force with respect to a superior (Article 242).

The same provision applies to persons previously convicted of any of the above-enumerated crimes who have subsequently been convicted of theft under aggravating circumstances (Article 89, second part; Article 144, second part) and to persons previously convicted of theft committed under aggravating circumstances and

subsequently convicted again of aggravated theft.

Conditional pre-term release and the substitution of a less severe penalty for the unserved portion of a sentence shall not be applied in the case of dangerous recidivists.

When granting conditional pre-term release the court may impose upon a particular person or collective of workers, with their agreement, responsibility for surveillance of the conditionally released person and for doing educational work with him for the duration of the unserved portion of the sentence.

Article 54. Assigning punishment for the commission of another crime by a person granted conditional pre-term release.

If, in the course of the unserved portion of the sentence, a person who has been granted conditional pre-term release commits another crime of similar nature, or a crime which is no less serious, the court shall impose sentence in accordance with the provisions of Article 41 of the present Code. In this case the court shall add to the basic penalty the additional penalty assigned in the first sentence.

Article 55. Exemption from punishment and the substitution of a less severe penalty in the case of persons who have committed a crime before reaching the age of 18 years.

If a person sentenced to deprivation of freedom or corrective labor for a crime committed before he had reached the age of 18 years has demonstrated the fact of his reformation by exemplary behavior and an honorable attitude toward labor, the court may, after no less than one-third of the sentence has actually been served, apply one of the following to him:

- 1) conditional pre-term release from punishment, if the liberation from punishment is applied when the convicted person reaches the age of 18 years; or
- 2) pre-term release from punishment, if the release from punishment is applied prior to the 18th birthday of the convicted person; or
- 3) substitution of a less severe penalty for that portion of the sentence not yet served.

Article 56. Suspension of sentence.

Suspension of sentence, or mitigation of sentence, except for suspension or mitigation of sentence by way of amnesty or pardon, shall be applied only by the court in those cases, and under that

procedure, prescribed by law.

Article 57. Cancellation of conviction.

The following shall be considered as having no record of conviction:

- 1) persons released from punishment under articles 49 and 50 of the present Code;
- 2) persons who have served a sentence in a disciplinary battalion or who have been prematurely released from such, and military personnel who have served a sentence in the form of detention in a guardhouse in lieu of corrective labor;
- 3) persons conditionally convicted, provided they do not commit another crime during the period of probation;
- 4) persons sentenced to public censure, the imposition of an obligation to make restitution for damage done, removal from position, a fine, deprivation of the right to occupy certain positions or to engage in a particular activity, or to corrective labor, provided that in the course of one year from the time the sentence was served they have not committed another crime;
- 5) persons sentenced to deprivation of freedom for a period of not more than three years, to exile, or to banishment, provided that in the course of three years from the time the sentence was served (both the basic and extra penalty) they have not committed another crime;
- 6) persons sentenced to deprivation of freedom for a period of more than three years but not to exceed six years, provided that in the course of five years from the time the sentence was served (both the basic and extra penalty) they have not committed another crime;
- 7) persons sentenced to deprivation of freedom for a period of more than six years but not to exceed ten years, provided that in the course of eight years from the time the sentence was served (both the basic and the extra penalty) they have not committed another crime;
- 8) persons sentenced to deprivation of freedom for a period of more than ten years, provided that in the course of eight years from the time the sentence was served (both the basic and the extra penalty) they have not committed another crime, and provided, further, that the court shall have established the fact that the convicted person has reformed himself and that there is no necessity for considering him to have had a conviction.

If a person sentenced to deprivation of freedom has, after serving his sentence, demonstrated the fact of his reformation by his exemplary behavior and honorable attitude toward labor, the court may, at the request of a social organization, cancel his

conviction prior to the expiration of the period specified in the present article.

If the sentence assigned by judgment of the court has been reduced or replaced by a less severe penalty by virtue of an act of amnesty or pardon, or by the application of conditional pre-term release or pre-term release, the period for cancellation of conviction is computed on the basis of the amount of the sentence actually served. If the sentence has been replaced by a less severe penalty, the time actually served is computed in accordance with the provisions of Article 47 of the present Code.

The period for cancellation of a conviction is computed from the day of completion of the serving of a sentence, or the day of release from sentence.

Chapter Six

Concerning Compulsory Measures of a Medical and Educational Character

Article 58. The application of compulsory measures of a medical character to mentally ill persons.

In the case of persons who have committed socially dangerous acts while in a state of irresponsibility, or who have committed such acts while in a state of responsibility, but who prior to passing of sentence or while serving sentence have contracted a mental illness depriving them of the possibility of realizing the significance of their acts, or of controlling them, the court may apply the following compulsory measures of a medical character:

- 1) placement in a psychiatric hospital of the general type;
- 2) placement in a psychiatric hospital of the special type.

Article 59. Placement in a psychiatric hospital.

Compulsory treatment in a psychiatric hospital of the general type may be applied by the court with respect to a mentally ill person who by reason of his mental state and the character of the socially dangerous act he has committed, requires hospitalization and treatment under compulsory conditions.

Placement in a psychiatric hospital of the special type may be designated by the court with respect to a mentally ill person who, by reason of his mental state and the character of the socially

dangerous act he has committed, represents a special danger to society.

Persons placed in a psychiatric hospital of the special type are kept under close observation excluding the possibility of their committing another socially dangerous act.

Article 60. Ordering, changing, and discontinuing the application of compulsory measures of a medical character to mentally ill persons.

The court, when it has found it necessary to order a compulsory measure of a medical character, selects such measure in accordance with the mental illness of the person, and the character and degree of social danger of the act he has committed.

Discontinuation of the application of compulsory measures of a medical character is effected by the court in accordance with the conclusion of a medical institution in the event of the recovery of the person in question or a change in the character of his illness such that it is no longer necessary to employ such measures.

Changes in the type of compulsory measure of a medical character are also effected by the court in accordance with the conclusion of the medical institution.

If the court does not consider it necessary to apply compulsory measures of a medical character to a mentally ill person, and also in the event of the discontinuation of employment of such measures, the court may release him to the custody of his parents or foster parents, in which case medical observation is mandatory.

Article 61. Making allowance for the time of application of compulsory measures of a medical character.

A person who after committing a crime or during the serving of a sentence has contracted a mental illness depriving him of the possibility of realizing the significance of his actions, or of controlling them, may, after his recovery, be assigned a penalty by the court, provided the period of limitation has not run, and provided there are no other grounds for exempting him from criminal liability and punishment.

If punishment is assigned to such a person after his recovery, the time during which compulsory measures of a medical character were applied shall be taken into account in the period of the sentence.

Article 62. The application of compulsory measures of a medical character to alcoholics and drug addicts, or the establishment of surveillance over them.

In the event of the commission of a crime by an alcoholic or a drug addict the court, at the petition of a social organization, collective of workers, comrades' court, or organ of public health, may in addition to the penalty for the crime committed, apply compulsory treatment to such a person.

Persons of the above type who have been sentenced to receive punishment of a type not involving deprivation of freedom shall be given compulsory treatment at medical institutions with a special therapeutic and work regimen.

If such persons are sentenced to deprivation of freedom, they shall be given compulsory treatment while serving sentence, and after their release from the place of confinement such treatment shall, where necessary, be continued at medical institutions with a special therapeutic and work regimen.

Discontinuation of compulsory treatment is effected by the court at the suggestion of the medical institution in which the person has been placed for treatment.

In the event of the commission of a crime by a person who abuses alcoholic beverages, and who as a result has placed his family in a difficult material position, the court, in addition to assigning punishment for the crime committed, when such punishment does not involve deprivation of freedom, shall have the right, at the petition of a social organization, collective of workers, or comrades' court, to establish surveillance over such person.

Article 63. The application of compulsory measures of an educational character to minors.

If the court, pursuant to the third part of Article 10 of the present Code, deems it desirable not to assign criminal punishment to a minor who has committed a crime, it may order the following compulsory measures of an educational character:

- 1) imposition of the obligation to make an apology to the injured party, either in public or in another form determined by the court;
- 2) issuance of a reprimand or a strict reprimand;
- 3) warning;
- 4) imposition upon a minor who has reached the age of 15 years of an obligation to make restitution for damage done, provided the minor possesses his own source of income and that the damage does not exceed 200 rubles in extent, or imposition of an obligation to eliminate, by his own labor, damage not in excess of 200 rubles; when the damage exceeds 200 rubles, restitution shall be made by way

of civil procedure;

5) releasing the minor to the strict custody of his parents or to persons acting in loco parentis;

6) releasing the minor, for purposes of surveillance, to a collective of workers or to a social organization, with their agreement, or to individual citizens at their request;

7) placement in a special educational or therapeutic and educational institution for children and adolescents;

8) transfer of the minor to an educational colony for minors.

The periods, procedure, and conditions for keeping minors in educational colonies and special therapeutic and educational institutions are governed by the Decree on Commissions for Minors.

SPECIAL PART

Chapter One

Crimes against the State

I. Especially dangerous crimes against the state.

Article 64. Treason

a) Treason; that is, an act intentionally committed by a citizen of the USSR which is damaging to the state independence, territorial inviolability, or military power of the USSR: defection to the enemy, espionage, communicating a state or military secret to a foreign state, flight to a foreign country or refusal to return from a foreign country to the USSR, assisting a foreign country in carrying on hostile activity against the USSR, or plotting with a view to seizing power --

shall be punishable by deprivation of freedom for a period of from ten to 15 years, with confiscation of property, or death, with confiscation of property.

b) Citizens of the USSR who have been recruited by a foreign intelligence network to carry on hostile activity against the USSR shall not be subject to criminal liability, provided they committed no acts in the execution of the criminal task assigned to them, and provided they voluntarily reported their connection with the foreign intelligence network to organs of the government.

Article 65. Espionage

The communication, or the theft or collection with a view to transmission to a foreign state, foreign organization, or their agents, of information constituting a state or military secret, or the communication or collection, in accordance with instructions from a foreign intelligence network, of other information to be used in a manner prejudicial to the interests of the USSR, if the espionage was committed by a foreign national or a stateless person --

shall be punishable by deprivation of freedom for a period of from seven to 15 years, with confiscation of property, or death, with confiscation of property.

Article 66. Acts of terrorism

The murder of a state or public official or representative of the government committed in connection with his state or public activity with the aim of overthrowing or weakening the Soviet state --

shall be punishable by deprivation of freedom for a period of from ten to 15 years, with confiscation of property, or death, with confiscation of property.

The infliction of serious bodily injury, for the same purposes, upon a state or public official or representative of the government in connection with his state or public activity --

shall be punishable by deprivation of freedom for a period of from eight to 15 years, with confiscation of property.

Article 67. Acts of terrorism against the representative of a foreign state.

The murder of a representative of a foreign state with the purpose of provoking war or international complications --

shall be punishable by deprivation of freedom for a period of from ten to 15 years, with confiscation of property, or death, with confiscation of property.

The infliction of serious bodily injury upon the same persons for the same purpose --

shall be punishable by deprivation of freedom for a period of from eight to 15 years, with confiscation of property.

Article 68. Sabotage

The destruction or damaging by explosion, arson, or other means of enterprises, installations, ways and means of communication, communications facilities, or other state or public property, the carrying out of mass poisonings, or the spreading of epidemics and

epizooties with a view to weakening the Soviet state ---

shall be punishable by deprivation of freedom for a period of from eight to 15 years, with confiscation of property, or death, with confiscation of property.

Article 69. Wrecking

An act of commission or omission aimed at undermining industry, transportation, agriculture, the monetary system, trade, or other branches of the national economy, or the activity of state organs or social organizations for the purpose of weakening the Soviet state, provided such act was committed by means of utilizing state or public institutions, enterprises, or organizations, or by means of obstructing their normal functioning ---

shall be punishable by deprivation of freedom for a period of from eight to 15 years, with confiscation of property.

Article 70. Anti-Soviet agitation and propaganda

Agitation or propaganda carried on with the purpose of undermining or weakening the Soviet state, or the commission of individual crimes against the state which are especially dangerous, or the dissemination of libelous fabrications defaming the Soviet governmental and social system, or the dissemination or production or keeping of literature of similar content for the same purposes ---

shall be punishable by deprivation of freedom for a period of from six months to seven years, or exile for a period of from two to five years.

The same acts committed by a person previously convicted of especially dangerous crimes against the state, or committed during time of war ---

shall be punishable by deprivation of freedom for a period of from three to ten years.

Article 71. The propagandizing of war

The propagandizing of war, irrespective of the form in which it is carried on ---

shall be punishable by deprivation of freedom for a period of from three to eight years.

Article 72. Organizational activity aimed at the commission of especially dangerous crimes against the state; and membership in an anti-Soviet organization.

Organizational activity aimed at the preparation or commission of especially dangerous crimes against the state, at the creation of

an organization having as its purpose the commission of such crimes, and in like manner, membership in an anti-Soviet organization -- shall be punishable in accordance with articles 64-71 of the present Code.

Article 73. Especially dangerous crimes against the state committed against another workers' state

By virtue of the international solidarity among the workers, especially dangerous crimes against the state committed against another workers' state -- shall be punishable in accordance with articles 64-72 of the present Code.

II. Other crimes against the state.

Article 74. Violation of national and racial equality

Propaganda or agitation for the purpose of inciting racial or national enmity or discord, or the direct or indirect restriction of rights, or the establishment of direct or indirect advantages of citizens in accordance with the race or nationality to which they belong --

shall be punishable by deprivation of freedom for a period of from six months to three years, or exile for a period of from two to five years.

Article 75. Disclosure of state secrets

The disclosure of information constituting a state secret by a person to whom such information was entrusted, or to whom it became known in connection with his employment or work, in the absence of indicia of treason or espionage --

shall be punishable by deprivation of freedom for a period of from two to five years.

The same act, if it has resulted in serious consequences -- shall be punishable by deprivation of freedom for a period of from five to eight years.

Article 76. The loss of documents containing state secrets

The loss of documents containing state secrets, or of objects information concerning which constitutes a state secret, by a person to whom such were entrusted, provided the loss was the result of

a violation of the established regulations for handling such documents or objects --

shall be punishable by deprivation of freedom for a period of from one year to three years.

The same act, if it resulted in serious consequences -- shall be punishable by deprivation of freedom for a period of from three to eight years.

Article 77. Banditry

The organization of armed bands with the purpose of attacking state or public institutions or enterprises or individual persons, and in like manner participation in such bands and in the attacks carried out by them --

shall be punishable by deprivation of freedom for a period of from three to 15 years, with confiscation of property, or death, with confiscation of property.

Article 78. Smuggling

Smuggling; that is, the illegal transportation of goods or other things of value across the state boundary of the USSR with concealment of the objects in special containers, or with the fraudulent use of customs and other documents, or in large amounts, or by a group of persons organized for the purpose of engaging in smuggling, or by an official making use of his official position, and in like manner the smuggling of explosives, narcotics, strong and poisonous substances, weapons, and military equipment --

shall be punishable by deprivation of freedom for a period of from three to ten years, with confiscation of property.

Article 79. Mass disturbances

The organization of mass disturbances accompanied by pogroms, destruction, arson, and other actions of a similar nature, and in like manner the direct commission of such crimes by participants in them, or the offering of armed resistance to authority by such persons --

shall be punishable by deprivation of freedom for a period of from two to 15 years.

Article 80. The avoidance of regular summons to active military service

The avoidance of a regular summons to active military service -- shall be punishable by deprivation of freedom for a period

of from one to three years.

The same act, committed by means of the self-infliction of bodily injury or by means of simulating illness, by means of forging documents, or by means of other fraud, or the same act committed under aggravating circumstances --

shall be punishable by deprivation of freedom for a period of from one year to five years.

Article 81. Avoidance of summons for mobilization

The avoidance of summons for mobilization in the ranks of the armed forces of the USSR --

shall be punishable by deprivation of freedom for a period of from three to ten years.

The same act, or avoidance of subsequent draft orders to build up the armed forces of the USSR, committed during time of war --

shall be punishable by deprivation of freedom for a period of from five to ten years, or death.

Article 82. Avoidance of the fulfillment of obligations or the payment of taxes in time of war

The avoidance, in time of war, of labor mobilization, or of the fulfillment of other obligations, and in like manner of the payment of taxes --

shall be punishable by deprivation of freedom for a period of from one to five years, or by corrective labor for a period of from six months to one year.

Article 83. Illegal departure from, and illegal entry into, the USSR

Departure from, or entry into, the USSR, or crossing the border, without a regular passport or the permission of the appropriate authorities --

shall be punishable by deprivation of freedom for a period of from one to three years.

The force of the present article shall not apply to cases of the arrival in the USSR of foreign nationals lacking a regular passport, or permission, for purposes of taking advantages of the right of sanctuary guaranteed by the Constitution of the USSR.

Article 84. Violation of the regulations governing international flights

Flight into the USSR or out of the USSR without proper authorization, failure to observe the routes, flight altitudes, and landing field approaches indicated in the authorization, or other violation of the regulations governing international flights -- shall be punishable by deprivation of freedom for a period of from one to ten years, or a fine in the amount of not more than 10,000 rubles, with confiscation of the aircraft, or without such confiscation.

Article 85. Violation of the regulations for the safe movement and operation of transportation facilities.

The violation, by an employee of the railroad, water, or air transportation system, of the regulations for the safe movement and operation of transportation facilities resulting in accidents involving human beings, a wreck, damage, or other serious consequences, and in like manner improper repair of transportation facilities, tracks, and signalling and communications equipment resulting in the same consequences --

shall be punishable by deprivation of freedom for a period of from three to 15 years.

The same acts, if they have not resulted in the same consequences but have clearly created a threat of the occurrence of such consequences --

shall be punishable by deprivation of freedom for a period of from one to three years, or by corrective labor for a period not to exceed one year.

Article 68. Damaging ways and means of communication and transportation facilities.

The intentional destruction or damaging of ways and means of communication, installations thereon, rolling stock or ships, and signalling or communications equipment resulting in, or which might have resulted in, the wreck of a train, damage to a ship, or interference with the normal functioning of transportation and communications --

shall be punishable by deprivation of freedom for a period of from three to 15 years.

Article 87. The making or passing of counterfeit coins or currency

The manufacture for the purpose of passing, or in like manner the passing, of counterfeit state treasury notes, the currency of the State Bank USSR, metallic monies, state securities, or foreign currency --

shall be punishable by deprivation of freedom for a period of from three to 15 years, with confiscation of property.

Article 88. Violation of the regulations governing currency operations

Violation of the regulations governing currency operations, and in like manner speculation in currency or securities --

shall be punishable by deprivation of freedom for a period of from three to eight years, with confiscation of the currency and securities.

Chapter Two

Crimes against Socialist Property

Article 89. The appropriation of state or public property by means of theft

The concealed appropriation of state or public property (theft)--- shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year.

Theft when committed as a second offense, or in accordance with prearranged agreement by a group of persons, or when technical means are employed --

shall be punishable by deprivation of freedom for a period not to exceed six years.

Theft when committed by an especially dangerous recidivist, or in large amounts --

shall be punishable by deprivation of freedom for a period of from five to 15 years, with or without confiscation of property.

Note. A second offense in the meaning of articles 89, 90, 92, and 93 is a crime committed by a person who has previously committed any of the crimes specified in these articles, or in articles 77, 91, or 144-147 of the present Code.

Article 90. The appropriation of state or public property by means of robbery

The open appropriation of state or public property (robbery), when committed without the use of violence --

shall be punishable by deprivation of freedom for a period not to exceed four years, or by corrective labor for a period not to

exceed one year.

Robbery accompanied by violence not dangerous to life and health, or when committed by prearranged agreement by a group of persons, or as a second offense --

shall be punishable by deprivation of freedom not to exceed seven years.

Robbery when committed by an especially dangerous recidivist, or in large amounts --

shall be punishable by deprivation of freedom for a period of from six to 15 years, with or without confiscation of property.

Article 91. Assault with intent to appropriate state or public property

Assault with intent to appropriate state or public property when accompanied by violence dangerous to the life and health of the person assaulted, or by the threat of employing such violence (armed robbery) --

shall be punishable by deprivation of freedom for a period of from three to ten years, with or without confiscation of property.

The same acts, if committed:

a) in accordance with a prearranged agreement by a group of persons;

b) with the use of weapons or other objects utilized as weapons;

c) with infliction of serious bodily injuries;

d) by an especially dangerous recidivist;

e) by a person who has previously committed assault with intent to appropriate state or public property, or the personal property of citizens, or who has committed banditry; or

f) if such acts were aimed at the appropriation of state or public property in large amounts --

shall be punishable by deprivation of freedom for a period of from six to 15 years, with or without exile, and with or without confiscation of property.

Article 92. The appropriation of state or public property by means of speculation or embezzlement, or by means of the abuse of one's official position

The speculation or embezzlement of state or public property entrusted to the guilty party, or the appropriation for venal purposes of state or public property by means of the abuse, by an official, of his official position --

shall be punishable by deprivation of freedom for a period not to exceed four years, or by corrective labor for a period not to exceed one year, or by deprivation of the right to occupy certain positions or to engage in a particular activity.

The same acts, when committed as a second offense or by prearrangement by a group of persons --

shall be punishable by deprivation of freedom for a period not to exceed seven years, with deprivation of the right to occupy certain positions or to engage in a particular activity, or without such deprivation.

The acts specified in the first or second part of the present article, when they have caused great damage to the state or to a social organization --

shall be punishable by deprivation of freedom for a period of from six to 15 years, with or without confiscation of property, and by deprivation of the right to occupy certain positions or to engage in a particular activity.

Article 93. The appropriation of state or public property by means of fraud

The appropriation of state or public property by means of deceit or the abuse of trust (fraud) --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year.

Fraud when committed as a second offense or by prearranged agreement by a group of persons --

shall be punishable by deprivation of freedom for a period not to exceed six years.

Fraud, when it has caused great damage to the state or to a social organization, or when it has been committed by an especially dangerous recidivist --

shall be punishable by deprivation of freedom for a period of from five to 15 years, with or without confiscation of property

Article 94. The infliction of property damage by means of fraud or the abuse of trust

The infliction of property damage upon the state or a social organization by means of fraud or the abuse of trust, in the absence of indicia of appropriation --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period,

or by deprivation of the right to occupy certain positions or to engage in a particular activity, or by removal from position, or by application of measures of social action.

Article 95. Extortion of state or public property

Demanding the transfer of state or public property, or of the right to same, under threat of violence to the person responsible for the management or custody of such property, or violence to his intimates, or publicizing defamatory information concerning him or his intimates, or destroying their property (extortion) —

shall be punishable by deprivation of freedom for a period not to exceed four years.

Article 96. The petty appropriation of state or public property

The petty appropriation of state or public property by means of theft, fraud, peculation, embezzlement, or abuse of official position, when committed by a person who has already been subjected to measures of social action for petty appropriation, or who, although he has not been subjected to such measures, has committed petty appropriation on more than two occasions, or when committed by a person to whom, by reason of the circumstances of the case, measures of social action may not be applied —

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period.

Article 97. The appropriation of state or public property which has been found, or which chanced to be in the possession of the guilty party

valuable

The appropriation of property known to belong to the state, or to a social organization, which has been found or which chanced to be in the possession of the guilty party —

shall be punishable by deprivation of freedom for a period not to exceed six months, or by corrective labor for a period not to exceed one year, or by application of measures of social action.

Article 98. The wilful destruction or damaging of state or public property

The wilful destruction or damaging of state or public property — shall be punishable by corrective labor for a period not to exceed one year, or by a fine not to exceed 1,000 rubles, or by imposition of an obligation to make restitution for damage done.

The wilful destruction or damaging of state or public property

by means of arson, or other means involving general danger, or which results in the loss of human lives, or which causes great damage or other serious consequences, and in like manner the wilful destruction or serious damaging of forests by means of arson. --

shall be punishable by deprivation of freedom for a period not to exceed ten years.

Article 100. Negligence in the custody of state or public property

Negligence on the part of a person entrusted with the custody of state or public property with respect to his obligations, which has resulted in the theft, damaging, or destruction of such property in large amounts, in the absence of indicia of a crime committed in the course of official duties --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year, or by public censure.

Article 101. Crimes against the state or public property of other socialist states

Crimes against the state or public property of other socialist states committed with respect to property located on the territory of the RSFSR --

shall be punishable in accordance with the articles of the present chapter.

Chapter Three

Crimes against the Life, Health, Freedom, and Dignity
of the Individual

Article 102. Premeditated homicide under aggravating circumstances

Premeditated homicide:

- a) for venal motives;
- b) for motives of hooliganism;
- c) committed in connection with the discharge, by the injured party, of his official or public duty;
- d) committed with extraordinary harshness;
- e) committed by a method involving danger to the lives of many persons;
- f) with the purpose of concealing another crime or facilitating its commission, or when accompanied by rape;
- g) of a woman known to the guilty party to be in a state of

pregnancy;

- h) of two or more persons;
- i) committed by a person who had previously committed premeditated homicide, except for those homicides specified in articles 104 and 105 of the present Code;
- j) committed for motives of vengeance;
- k) committed by an especially dangerous recidivist -- shall be punishable by deprivation of freedom for a period of from eight to 15 years, with or without exile, or by death.

Article 103. Premeditated homicide

Premeditated homicide when committed in the absence of those aggravating circumstances specified in Article 102 of the present Code --

shall be punishable by deprivation of freedom for a period not to exceed ten years.

Article 104. Premeditated homicide committed in a state of intense emotion

Premeditated homicide committed in a state of sudden, intense emotion provoked by violence or gross contumely on the part of the injured party, or provoked by other illegal acts of the injured party, if such acts have resulted, or might have resulted, in serious consequences for the guilty party, or for his intimates --

shall be punishable by deprivation of freedom for a period not to exceed five years, or by corrective labor for a period not to exceed one year.

Article 105. Homicide occurring when the limits of necessary defense are exceeded

Homicide committed when the limits of necessary defense are exceeded --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year.

Article 106. Manslaughter

Manslaughter --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year.

Article 107. Incitement to murder

The incitement to murder, of a person in a state of material or other dependence upon the guilty party, or instigation to murder by means of harsh treatment of the injured party, or regular and repeated denigration of his personal dignity --

shall be punishable by deprivation of freedom for a period not to exceed five years.

Article 108. The premeditated infliction of serious bodily injury

The premeditated infliction of bodily injury which endangers life, or which causes the loss of vision, hearing, or of any organ, or the loss by an organ of its functions, or mental illness, or any disturbance of the health accompanied by a permanent loss of working capacity to the extent of no less than one-third, or which causes a miscarriage, or which is manifested in the disfiguration of the person --

shall be punishable by deprivation of freedom for a period not to exceed eight years.

The same acts, if they have resulted in the death of the injured party, or if they possessed the character of torture or torment, or if they were committed by an especially dangerous recidivist --

shall be punishable by deprivation of freedom for a period of from five to 12 years.

Article 109. The premeditated infliction of less serious bodily injury

The premeditated infliction of bodily injury which does not endanger life and does not result in those consequences specified in Article 108 of the present Code, but which has caused prolonged disturbance of health or a considerable loss of working capacity amounting to less than one-third --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year.

The same acts, if they possessed the character of torture or torment, or if they were committed by an especially dangerous recidivist --

shall be punishable by deprivation of freedom for a period of not more than five years.

Article 110. The premeditated infliction of serious or less serious bodily injury while in a state of intense emotion

The premeditated infliction of serious or less serious bodily injury while in a state of sudden, intense emotion provoked by violence or gross contumely on the part of the injured party, or provoked by other illegal acts of the injured party, if such acts have resulted, or might have resulted, in serious consequences for the guilty party, or for his intimates --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year.

Article 111. Serious or less serious bodily injury inflicted when the limits of necessary defense are exceeded

Serious or less serious bodily injury inflicted by way of exceeding the limits of necessary defense --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period.

Article 112. The premeditated infliction of slight bodily injury, or battery

The premeditated infliction of bodily injury, or battery, which results in a temporary disturbance of health or a slight but permanent loss of working capacity --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period.

The same acts, if they do not result in the consequences specified in the first part of the present article --

shall be punishable by deprivation of freedom for a period not to exceed six months, or by corrective labor for the same period, or by a fine not to exceed 500 rubles, or by application of measures of social action.

Article 113. Torture

Regular and repeated battery, or other acts possessing the character of torture, if not resulting in the consequences specified in articles 108 and 109 of the present Code --

shall be punishable by deprivation of freedom for a period not to exceed three years.

Article 114. The unintentional infliction of serious or less serious bodily injury

The unintentional infliction of serious bodily injury --
shall be punishable by deprivation of freedom for a period
not to exceed two years, or by corrective labor for a period not to
exceed one year.

The unintentional infliction of less serious bodily injury --
shall be punishable by corrective labor for a period
not to exceed one year, or by public censure.

Article 115. The communication of a venereal disease

The communication to another person of a venereal disease by
a person who knows that he himself has such a disease --
shall be punishable by deprivation of freedom for a period
not to exceed three years, or by corrective labor for a period not to
exceed one year.

Article 116. Illegal abortion

The illegal causing of an abortion by a physician --
shall be punishable by deprivation of freedom for a period
not to exceed one year, or by corrective labor for the same period,
or by deprivation of the right to engage in medical practice.

The causing of an abortion by a person who does not have a
higher medical education --
shall be punishable by deprivation of freedom for a period
not to exceed two years, or by corrective labor for a period not to
exceed one year.

The acts specified in the first and second parts of the present
article, when committed repeatedly or when they have resulted in
the death of the injured party or in other serious consequences --
shall be punishable by deprivation of freedom for a period
not to exceed eight years.

Article 117. Rape

Rape; that is, sexual relations involving the use of physical
force, or a threat, or taking advantage of the helpless state of the
injured party --
shall be punishable by deprivation of freedom for a period
of from three to seven years.

Rape when accompanied by the threat of murder, or the infliction
of serious bodily injury, or when committed by a group of persons,
or by a person who has previously committed rape --

shall be punishable by deprivation of freedom for a period of from five to ten years.

Rape when committed by an especially dangerous recidivist, or when it has resulted in especially serious consequences, and in like manner the rape of a minor --

shall be punishable by deprivation of freedom for a period of from seven to 15 years, with or without exile.

Article 118. Coercion of a woman into sexual intercourse

The coercion of a woman into sexual intercourse, or into the satisfaction of sexual desire in another form, by a person with respect to whom the woman is in a state of material or occupational dependence --

shall be punishable by deprivation of freedom for a period not to exceed three years.

Article 119. Sexual relations with a person who has not reached puberty

Sexual relations with a person who has not reached puberty -- shall be punishable by deprivation of freedom for a period not to exceed three years.

The same acts when accompanied by the satisfaction of sexual desire in perverted forms --

shall be punishable by deprivation of freedom for a period not to exceed six years.

Article 120. Acts of perversion

Acts of perversion with respect to minors --

shall be punishable by deprivation of freedom for a period not to exceed three years.

Article 121. Pederasty

Sexual relations between men (pederasty) --

shall be punishable by deprivation of freedom for a period not to exceed five years.

Pederasty when committed with physical violence, a threat, or with respect to a minor, or when taking advantage of the dependent position of the injured party --

shall be punishable by deprivation of freedom for a period not to exceed eight years.

Article 122. Wilful evasion of payments for the support or maintenance of children

The wilful evasion, on the part of parents, of payments ordered by a court for the maintenance of minor children, or the maintenance of dependent children who, although not minors, are not able to work -- shall be punishable by deprivation of freedom for a period not to exceed one year, or exile for a period not to exceed three years; or corrective labor for a period not to exceed one year.

Article 123. Wilful failure to provide assistance to parents

The wilful failure to make payments for the support of parents who are unable to work, as ordered by a court -- shall be punishable by corrective labor for a period not to exceed one year, or by public censure, or by application of measures of social action.

Article 124. Abuse of the obligations of guardianship

The use of guardianship for venal purposes, or the failure to provide supervision and requisite care for wards -- shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year.

Article 125. Abduction or substitution of a child

The abduction of a child belonging to others, or the substitution of a child, committed for venal purposes or for other base motives -- shall be punishable by deprivation of freedom for a period not to exceed seven years.

The same acts, when committed in the absence of the indicia specified in the first part of the present article -- shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period.

Article 126. Illegal deprivation of freedom

Illegal deprivation of freedom -- shall be punishable by deprivation of freedom for a period not to exceed six months, or by corrective labor for the same period, or by public censure.

The same act, when committed by means dangerous to the life or

health of the injured party, or when accompanied by the infliction of physical suffering upon such person --

shall be punishable by deprivation of freedom for a period not to exceed three years.

Article 127. Abandonment in danger

The failure to render necessary and clearly urgent aid to a person in a state in which his life is endangered, if such aid might have been rendered by the guilty party without serious danger to himself or to other persons, or the failure to inform the appropriate institutions or persons of the necessity for rendering assistance --

shall be punishable by corrective labor for a period not to exceed six months, or by public censure, or by application of measures of social action.

The wilful abandonment of a person in a state in which his life is endangered and who is incapable of taking measures to save his life by reason of his extreme youth, old age, illness, or as a result of his helplessness in general, in cases where the guilty party could have rendered assistance to the injured party and was under obligation to provide care for him, or when he himself put such person in a situation endangering his life --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year.

Article 128. Failure to render assistance to a sick person

The failure to render assistance to a sick person, without good and sufficient reason, on the part of a person under obligation to render such assistance under the law or by virtue of special regulations --

shall be punishable by corrective labor for a period not to exceed one year, or by a fine not to exceed 1,000 rubles, or by public censure, or by application of measures of social action.

The same act, if it has caused, or clearly might have caused, the death of the patient, or other serious consequences for him --

shall be punishable by deprivation of freedom for a period not to exceed two years, with deprivation of the right to engage in professional practice for a period not to exceed three years.

Article 129. Failure, by the master of a vessel, to render assistance to the victims of a catastrophe

The failure, on the part of the master of a vessel, to render

assistance to persons perishing at sea or in another waterway, if such assistance might have been rendered without serious danger to the ship, the crew, or the passengers --

shall be punishable by deprivation of freedom for a period not to exceed two years, or corrective labor for a period not to exceed one year, with or without deprivation of the right to occupy the position of master.

Article 130. Defamation

Defamation; that is, the dissemination of deliberately false fabrications defaming another person --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 500 rubles, or by public censure, or by application of measures of social action.

Libel, or defamation by other means of reproduction than print, or defamation committed by a person previously convicted of same --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year.

Defamation when accompanied by charges of having committed a crime against the state or other serious crime --

shall be punishable by deprivation of freedom for a period not to exceed five years.

Article 131. Contumely

Contumely; that is, the intentional denigration of the honor and dignity of a person, expressed in unpleasant form --

shall be punishable by corrective labor for a period not to exceed six months, or by a fine not to exceed 500 rubles, or by public censure, or by the application of measures of social action.

Contumely in print, or contumely committed by a person previously convicted of same --

shall be punishable by corrective labor for a period not to exceed one year, or by a fine not to exceed 1,000 rubles.

Chapter Four

Crimes against the Political and Labor Rights of Citizens

Article 132. Obstructing the execution of an electoral law

The obstruction, by means of violence, fraud, threat, or bribery, of the execution of an electoral law by a citizen of the USSR --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year.

Article 133. Forgery of electoral documents or improper counting of votes

The forgery of electoral documents or the wilfully improper counting of votes, and in like manner the violation of the secrecy of the voting process, when committed by a member of an electoral commission or by another official --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year.

Article 134. Obstructing the exercise of equal rights by women

Obstruction of the participation by a woman in governmental, public, or cultural activity which substantially violates the equal rights of the woman, if accompanied by violence or the threat of violence --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year.

Article 135. Violation of privacy of correspondence

Violation of the privacy of correspondence among citizens --

shall be punishable by corrective labor for a period not to exceed six months, or by a fine not to exceed 300 rubles, or by public censure.

Article 136. Violation of the privacy of a citizen's home

Illegal search, illegal eviction, or other illegal acts violating the privacy of a citizen's home --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 500 rubles, or by removal from position.

Article 137. Violation of the legal rights of trade unions

Obstruction of the legal activity of trade unions and their organs --

shall be punishable by corrective labor for a period not to exceed one year, or by a fine not to exceed 1,000 rubles, or by removal from position.

Article 138. Violation of labor legislation

The illegal discharge of a worker from his employment for personal motives, failure to comply with a court order restoring a person to employment, or any other intentional violation of labor legislation committed by an official of the state or of a public enterprise or institution --

shall be punishable by corrective labor for a period not to exceed one year, or by removal from position.

Article 139. Refusal to employ, or the discharge of, a pregnant woman or nursing mother

The refusal to employ, or the discharge from employment of, a woman by reason of her pregnancy, or the refusal to employ, or discharge of, a nursing mother by reason of such condition --

shall be punishable by corrective labor for a period not to exceed one year, or by removal from position.

Article 140. Violation of labor protection regulations

The violation, by an official, of the regulations for accident prevention, industrial sanitation, or other regulations for the protection of labor, if such violation has resulted, or might have resulted, in accidents involving human beings, or in other serious consequences --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 1,000 rubles, or by removal from position.

The same violations, if they have caused bodily injuries or the loss of working capacity --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year.

The violations specified in the first part of the present article, if they have caused the death of a human being or have resulted in serious bodily injuries to several persons --

shall be punishable by deprivation of freedom for a period not to exceed five years.

Article 141. Violation of authors' and inventors' rights

The publication, under one's own name, of a scientific, literary, musical, or artistic work created by another person, or any other appropriation of the authorship of such a work, or the illegal reproduction or dissemination of such a work, and in like manner coercion into collaboration --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by a fine not to exceed 5,000 rubles.

Making public an invention, prior to its patenting, without the agreement of the inventor, appropriation of the authorship of an invention, coercion into collaboration on an invention, and in like manner the appropriation of the authorship of a rationalization suggestion --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 5,000 rubles.

Article 142. Violation of laws pertaining to the separation of church and state, and school and church

The violation of laws pertaining to the separation of church and state, and of school and church --

shall be punishable by corrective labor for a period not to exceed one year, or by a fine not to exceed 500 rubles.

Article 143. Obstructing the performance of religious ceremonies

Obstruction of the performance of religious ceremonies, insofar as they do not disturb the public order and are not accompanied by infringement of the rights of citizens --

shall be punishable by corrective labor for a period not to exceed six months, or by public censure

Chapter Five

Crimes against the Personal Property of Citizens

Article 114. Theft

The concealed appropriation of the personal property of citizens (theft) --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year.

Theft, when committed as a second offense, or by prearranged agreement by a group of persons, or with the use of technical means, or when it has caused substantial damage to the injured party --
shall be punishable by deprivation of freedom for a period not to exceed five years.

Theft when committed by an especially dangerous recidivist --
shall be punishable by deprivation of freedom for a period of from four to ten years.

Note. A second offense, in the meaning of articles 144, 145, and 147 is a crime committed by a person previously having committed any of the crimes specified in these articles or in articles 77, 89-93, and 146 of the present Code.

Article 145. Robbery

The open appropriation of the person property of citizens (robbery) --
shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year.

Robbery, when committed as a second offense, or by prearranged agreement by a group of persons, or when accompanied by violence not dangerous to the life and health of the injured party, or when it has caused substantial damage to the injured party --
shall be punishable by deprivation of freedom for a period not to exceed seven years.

Robbery, when committed by an especially dangerous recidivist --
shall be punishable by deprivation of freedom for a period of from five to ten years.

Article 146. Assault with intent to rob

Assault with intent to appropriate the personal property of a citizen, when accompanied by violence dangerous to the life and health of the injured party, or by the threat of such violence (armed robbery) --
shall be punishable by deprivation of freedom for a period of from three to ten years.

The same acts, if committed:
a) in accordance with prearranged agreement by a group of persons;
b) with the use of a weapon or other objects used as weapons;

c) with consequent serious bodily injuries;
d) by an especially dangerous recidivist;
e) by a person who has previously committed armed robbery for the purpose of appropriating state or public property, or the personal property of citizens, or banditry --
shall be punishable by deprivation of freedom for a period of from six to 15 years, with or without exile, and with or without confiscation of property.

Article 147. Fraud

The appropriation of the personal property of citizens, or the acquisition of a right to property, by means of deceit or the abuse of trust (fraud) --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year.

Fraud, when committed as a second offense, or in accordance with prior agreement by a group of persons --

shall be punishable by deprivation of freedom for a period not to exceed four years.

Fraud, when it causes substantial damage to the injured party, or when it is committed by an especially dangerous recidivist --

shall be punishable by deprivation of freedom for a period of from three to ten years.

Article 148. Extortion

Demanding the transfer of the personal property of citizens, or the right to property, or the commission of any actions of a property character, under a threat of violence to the person of the injured party, or to his intimates, the publicizing of information defamatory to them, or the destruction of their property (extortion) --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year.

Article 149. Wilful destruction or damaging of the personal property of citizens

The wilful destruction or damaging of the personal property of citizens resulting in substantial damage to the injured party --

shall be punishable by corrective labor for a period not to exceed six months, with imposition of the obligation to make restitution for the damage done, or by a fine not to exceed 1,000

rubles, with or without imposition of the obligation to make restitution for the damage done.

The wilful destruction or damaging of the personal property of citizens committed by means of arson or another means involving general danger, or which has caused the loss of human life, or other serious consequences --

shall be punishable by deprivation of freedom for a period not to exceed eight years.

Article 150. Negligence resulting in the destruction or damaging of the personal property of citizens

The destruction or damaging of the personal property of citizens as the result of negligence with respect to fire, which has caused the loss of human life or other serious consequences --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year.

Article 151. Crimes against the property of associations which are not socialist organizations

Crimes against the property of associations which are not socialist organizations, when committed with respect to property located on the territory of the RSFSR --

shall be punishable in accordance with the articles of the present chapter.

Chapter Six

Economic Crimes

Article 152. The issuing of products which are of low quality, not standard, or incomplete

The issuing, repeatedly or in large amounts, from an industrial enterprise, of products which are of low quality, or which do not meet the requirements of standards or technical specifications, or which are incomplete, by a director, chief engineer, or head of a technical control section, or by persons holding other positions but performing the duties of the aforementioned persons --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year, or by removal from position.

Article 153. Private entrepreneurial activity and activity as a commercial middleman

Private entrepreneurial activity with the utilization of state, cooperative, or other social forms --

shall be punishable by deprivation of freedom for a period not to exceed five years, with confiscation of property, or by exile for a period not to exceed five years, with confiscation of property.

Activity as a commercial middleman carried on by private persons in the form of a business, or with a view to acquiring riches --

shall be punishable by deprivation of freedom for a period not to exceed three years, with confiscation of property, or by exile for a period not to exceed three years, with confiscation of property.

Article 154. Speculation

Speculation; that is, the buying up and resale of commodities or other objects for the purpose of making profits --

shall be punishable by deprivation of freedom for a period not to exceed two years, with or without confiscation of property, or by corrective labor for a period not to exceed one year, or by a fine not to exceed 3,000 rubles.

Speculation in the form of a business, or on a large scale --

shall be punishable by deprivation of freedom for a period of from two to seven years, with confiscation of property.

Small-scale speculation committed as a second offense --

shall be punishable by corrective labor for a period not to exceed one year, or by a fine not to exceed 2,000 rubles, with confiscation of the objects of speculation.

Article 155. Illegal use of trademarks

The illegal use of trademarks belonging to others --

shall be punishable by corrective labor for a period not to exceed six months, or by a fine not to exceed 3,000 rubles.

Article 156. Defrauding purchasers

False measuring, false weighing, the marking up of established retail prices, false reckoning, or other defrauding of purchasers at stores or other trading enterprises, or at enterprises serving food to the public --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to

exceed one year, or by deprivation of the right to occupy positions at trading enterprises or enterprises serving food to the public.

The same acts, when committed on a large scale or by persons previously convicted of the same crime --

shall be punishable by deprivation of freedom for a period of from two to seven years, with or without confiscation of property, with deprivation of the right to occupy positions at trading enterprises or enterprises serving food to the public.

Article 157. The release for sale of goods which are of low quality, non-standard, or incomplete

The release for sale to trading enterprises, repeatedly or on a large scale, of goods known to be of low quality, non-standard, or incomplete, by the head of a store, base, warehouse, or section, or by a spoilage specialist or a marketing specialist --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year, or by a fine not to exceed 1,000 rubles, or by deprivation of the right to hold the positions in question.

Article 158. The illegal manufacture, sale, and storage of alcoholic beverages

The manufacture or storage, not for purposes of sale, of primitively distilled vodka or other strong alcoholic beverages with respect to which there exists a special prohibition, and in like manner the manufacture, not for purposes of sale, of equipment for their distillation, if the guilty party has previously been subjected to measures or social or administrative action for the same acts --

shall be punishable by corrective labor for a period not to exceed six months, or by a fine not to exceed 1,000 rubles.

The manufacture or storage, for purposes of sale, of primitively distilled vodka or other strong alcoholic beverages with respect to which there exists a special prohibition, or the manufacture, for purposes of sale, of equipment for their distillation, and in like manner the sale of such alcoholic beverages and such equipment --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year, or by a fine not to exceed 3,000 rubles.

Article 159. Forgery of postage stamps and transportation tickets

The forgery of postage stamps or other tokens of postal payment, or of international reply coupons, and in like manner the use or

putting into circulation of forged postage stamps or other tokens of postal payment, or of international reply coupons --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year.

The manufacture or sale, in the form of a business, of forged transportation tickets or other documents for the travel of passengers or the shipment of freight --

shall be punishable by deprivation of freedom for a period not to exceed three years.

Article 160. Violation of veterinary regulations

The violation of veterinary regulations which has caused the spread of an epizooty or other serious consequences --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year.

Article 161. Violation of the regulations established for purposes of combatting diseases and agricultural pests

Violation of the regulations established for purposes of combatting diseases and agricultural pests which has caused serious consequences --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period.

Article 162. Engaging in a prohibited trade

Engaging in a trade with respect to which there exists a special prohibition, after the imposition of an administrative penalty for engaging in such trade --

shall be punishable by corrective labor for a period not to exceed one year, or by a fine not to exceed 2,000 rubles.

The same acts, committed on a substantial scale or with the utilization of hired labor --

shall be punishable by deprivation of freedom for a period not to exceed four years, with or without confiscation of property.

Article 163. The illegal pursuit of fishing and other aquatic extractive trades

The pursuit of fishing, hunting, and other aquatic extractive trades on the territorial waters of the USSR, inland seas, lakes,

rivers, ponds, reservoirs, and their tributaries, without due authorization, or out of season, or at places where such pursuit is prohibited, or with the use of illegal weapons, methods, or means -- shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 1,000 rubles, with or without confiscation of the catch, the hunting or fishing gear, and the floating facilities and their equipment.

The same acts, when committed as a second offense, or when they involve the catching of valuable species of fish, or the killing of valuable kinds of marine life, or when substantial damage is caused --

shall be punishable by deprivation of freedom for a period not to exceed four years, with or without confiscation of property.

Article 164. Illegal hunting for seals and beavers

The hunting of seals and beavers in the open sea or in no-hunting zones --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 10,000 rubles, with the confiscation of the catch, the hunting gear, and floating facilities with their equipment.

Article 165. Floating timber, or blasting, in violation of the regulations for the protection of fish reserves

Floating timber, or doing blasting work, in violation of the regulations established for the protection of fish reserves -- shall be punishable by corrective labor for a period not to exceed six months, or by a fine not to exceed 2,000 rubles.

Article 166. Illegal hunting

Hunting without due authorization, or in no-hunting zones, or out of season, using illegal weapons and methods, if such acts are committed subsequent to the application of measures of administrative action for the same violation --

shall be punishable by corrective labor for a period not to exceed one year, or by a fine not to exceed 2,000 rubles.

Hunting for game and birds with respect to which hunting is completely prohibited, or illegal hunting which causes substantial damage --

shall be punishable by deprivation of freedom for a period

not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 5,000 rubles, with or without confiscation of the game and weapons used in hunting.

Article 167. Violation of the regulations for surrendering gold to the state

Violation by individual citizens of the regulations for the surrendering to the state of the gold, or other precious metals, or precious rocks, which they have mined from the earth --

shall be punishable by a fine not to exceed 10,000 rubles, with confiscation of the substance mined.

The same acts, if they have caused substantial damage to the state --

shall be punishable by deprivation of freedom for a period not to exceed five years, with confiscation of property.

Article 168. Wilful damaging of crops, and the damaging of shelter belts and other plantings

The wilful damaging of crops, and likewise the wilful damaging of shelter belts, fruit and berry orchards, and other plantings, which has caused substantial damage to a kolkhoz, sovkhov, or other socialized farm --

shall be punishable by corrective labor for a period not to exceed one year, or by a fine not to exceed 1,000 rubles, or by imposition of an obligation to make restitution for damage done.

Article 169. Illegal felling of timber

The illegal felling of timber in belts sheltering fields, the soil, or the shores or banks of bodies of water, in state reservations, resort woodlands, parks, or stands of timber in belts of vegetation around cities and industrial enterprises, when committed after the application of measures of social or administrative action --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 3,000 rubles, with confiscation of the timber illegally felled.

The illegal felling of timber in any tract of forest, when committed in the form of a business or when it has caused substantial damage, even though a first offense --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by a fine not to exceed 5,000 rubles, with confiscation of the illegally felled timber.

Chapter Seven

Crimes of Officials

Article 170. The abuse of authority or of official position

The abuse of authority or of official position; that is, the deliberate utilization by an official of his official position contrary to the interests of the service, if committed for reasons of venal or other personal interest, and if it has caused substantial damage to state or public interests, or the rights and interests of citizens protected by law ---

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year, or by removal from position.

The abuse of authority or of official position, if it has caused serious consequences ---

shall be punishable by deprivation of freedom for a period not to exceed eight years.

Note: For purposes of the articles of the present chapter, officials are defined as persons permanently or temporarily fulfilling the functions of representatives of the state, persons occupying, temporarily or permanently, positions at state or public institutions, organizations, or enterprises associated with the performance of organizational-executive or administrative-managerial duties, or performing such duties at the aforementioned institutions, organizations, and enterprises by virtue of a special delegation of authority.

Article 171. Excessive exercise of authority or official powers

The excessive exercise of authority or official powers; that is, the deliberate performance, by an official, of acts clearly going beyond the limits of the rights and powers guaranteed to him by law, if such performance has caused substantial damage to state or public interests, or to the rights and interests of citizens guaranteed by law ---

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year, or by removal from position.

The excessive exercise of authority or official powers, if accompanied by violence, the use of a weapon, or acts which constitute torture or an offense against the personal dignity of the injured party ---

shall be punishable by deprivation of freedom for a period not to exceed ten years.

Article 172. Negligence

The non-performance, or improper performance, of his duties by an official as a result of a negligent or unconscientious attitude toward such duties, which causes substantial damage to state or public interests, or to the rights and interests of citizens guaranteed by law --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year, or by removal from position.

Article 173. The taking of bribes

The taking by an official, either personally or through an intermediary, of any type of bribe for the performance or non-performance of any act in the interests of the person giving the bribe, which act the official should have performed or might have performed by virtue of his official position --

shall be punishable by deprivation for a period not to exceed five years.

The same acts, when committed by an official occupying a responsible position, or who had previously been convicted of taking a bribe, or who had taken bribes repeatedly, or when accompanied by extortion of the bribe --

shall be punishable by deprivation of freedom for a period of from five to ten years, with or without confiscation of property.

Article 174. The giving of a bribe

The giving of a bribe, or acting as an intermediary in bribery -- shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year.

The giving of a bribe, or acting as an intermediary in bribery, when committed repeatedly or by a person previously convicted of bribery --

shall be punishable by deprivation of freedom for a period not to exceed five years.

Note. A person who has given a bribe shall be exempted from criminal liability if, with respect to him, there was extortion of the bribe, or if, after giving the bribe, he voluntarily reported

what had taken place.

Article 175. Forgery by an official

Forgery by an official; that is, the entering, by an official, for venal purposes or other personal motives, in official documents, of deliberately false information, forged notations, erasures, or altered dates, or the preparation and issue by such person of falsified documents, or the entering of falsified notations in books ---

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year, or by removal from position.

Chapter Eight

Crimes against Justice

Article 176. The initiation of criminal proceedings against a person known to be innocent

The initiation of criminal proceedings against a person known to be innocent on the part of the person conducting the police inquiry, an investigator, or a prosecutor ---

shall be punishable by deprivation of freedom for a period not to exceed three years.

The same acts, when accompanied by charges of having committed an especially dangerous crime against the state or other serious crimes, or by the fabrication of evidence for the charges ---

shall be punishable by deprivation of freedom for a period of from three to ten years.

Article 177. Formulation of a deliberately unjust sentence, decision, opinion, or ruling

The formation by the court of a deliberately unjust sentence, decision, opinion, or ruling ---

shall be punishable by deprivation of freedom for a period of from three to ten years.

Article 178. Clearly illegal arrest or detention

Clearly illegal arrest ---

shall be punishable by deprivation of freedom for a period not to exceed one year.

Clearly illegal detention --

shall be punishable by corrective labor for a period not to exceed one year, or by removal from position.

Article 179. Eliciting testimony by coercion

The forced eliciting of testimony by means of threats or other illegal acts on the part of a person conducting a police inquiry or a preliminary investigation --

shall be punishable by deprivation of freedom for a period not to exceed three years.

The same acts, when accompanied by violence or contumely directed against the person of the subject being interrogated --

shall be punishable by deprivation of freedom for a period of from three to ten years.

Article 180. Deliberately false denunciation

Deliberately false denunciation for the commission of a crime --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year.

The same acts, when accompanied by charges of having committed an especially dangerous crime against the state, or other serious crime, or by the fabrication of evidence for the charges, or when committed for venal purposes --

shall be punishable by deprivation of freedom for a period of from two to seven years.

Article 181. Deliberately false testimony

Deliberately false testimony given by a witness, or a deliberately false conclusion given by an expert, or a deliberately false translation made by an interpreter in court, or in the course of the police inquiry or preliminary investigation --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period.

The same acts, when accompanied by charges of having committed an especially dangerous crime against the state, or other serious crime or by the fabrication of evidence for the charges, or when committed for venal purposes --

shall be punishable by deprivation of freedom for a period of from two to seven years.

Article 182. Refusal or avoidance of giving testimony on the part of a witness, or of giving a conclusion on the part of an expert

The refusal or avoidance of giving testimony, on the part of a witness, or of giving a conclusion, on the part of an expert, during a trial or in the course of the preliminary investigation or the police inquiry, and in like manner obstructing the appearance of a witness or the giving of testimony by such --

shall be punishable by corrective labor for a period not to exceed six months, or by a fine not to exceed 500 rubles, or by public censure.

Article 183. Coercion of a witness or injured party into giving false testimony, or of an expert into giving a false conclusion, or the bribery of such persons

The coercion of a witness, injured party, or expert into giving false testimony or a false conclusion to judicial-investigative organs, committed by means of a threat of murder, violence, destruction of the property of such persons or of their intimates, and in like manner the bribing of a witness, injured party, or expert with a view to their giving false testimony or a false conclusion --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year.

Article 184. Public disclosure of information from a preliminary investigation or police inquiry

Public disclosure of information from a preliminary investigation or police inquiry without the permission of the prosecutor, investigator, or person conducting the police inquiry --

shall be punishable by corrective labor for a period not to exceed six months, or by a fine not to exceed 500 rubles.

Article 185. Misappropriation, alienation, or concealment of property which has been inventoried or sequestered --

The misappropriation, alienation, or concealment of property which has been inventoried or sequestered, when committed by the person to whom such property was entrusted --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period.

Article 186. Escape from place of exile

Escape from place of exile, or en route to a place of exile --

shall be punishable by deprivation of freedom for a period not to exceed one year.

Article 187. Voluntary return of a banished person to areas from which he has been banished

The voluntary return of a banished person to areas from which he has been banished --

shall be punishable by replacement of banishment by exile for the unserved portion of the sentence

Article 188. Escape from place of confinement or from guards

Escape from a place of confinement, or from guards, when committed by a person serving a sentence or under preliminary arrest -- shall be punishable by deprivation of freedom for a period not to exceed three years.

Escape, when accompanied by violence towards guards --

shall be punishable by deprivation of freedom for a period not to exceed five years.

Article 189. Concealment of crimes

The concealment of the crimes specified in articles 64 (treason), 65 (espionage), 66 and 67 (acts of terrorism), 68 (sabotage), 69 (wrecking), 72 (organizational activity aimed at the commission of especially dangerous crimes against the state, or membership in an anti-Soviet organization), 77 (banditry), 87 (the manufacture or passing of counterfeit coins or currency), 102, 103, and 240 (item c) (premeditated homicide), 117 (second and third parts) (rape under aggravating circumstances), 89 (third part) and 144 (third part) (theft), 90 (third part) and 145 (third part) (robbery), 91 and 146 (assault with intent to rob), if such concealment was not promised beforehand --

shall be punishable by deprivation of freedom for a period of from one to five years, or by corrective labor for a period not to exceed one year.

Article 190. Misprision

The failure to report any of the crimes specified in articles 64 (treason), 65 (espionage), 66 and 67 (acts of terrorism), 68 (sabotage), 69 (wrecking), 72 (organizational activity aimed at the commission of especially dangerous crimes against the state, or membership in an anti-Soviet organization), 77 (banditry), 87 (the manufacture or passing of counterfeit coins or currency),

102, 103, and 240 (item c) (premeditated homicide), 117 (second and third parts) (aggravated rape), 89 (third part) and 144 (third part) (theft), 90 (third part) and 145 (third part) (robbery), 91 and 146 (assault with intent to rob), when such crimes are reliably known to be in preparation or to have been committed --

shall be punishable by deprivation of freedom for a period of from one to three years, or by corrective labor for a period of from six months to one year.

Chapter Nine

Crimes against the Order of Government

Article 191. Resisting a representative of established government or of society who is performing his duty to keep public order

Offering resistance to a representative of established government who is performing duties imposed upon him by law, or resisting a representative of society who is carrying out his duty to keep public order, or coercing them into the performance of clearly illegal acts, when committed with violence or with a threat of violence --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year, or by a fine not to exceed 600 rubles.

Article 192. Contumely toward a representative of established government or a representative of society who is performing his duty to keep public order

The offering of a public insult to a representative of established government or a representative of society who is performing his duty to keep public order, in connection with the performance by such persons of the obligations incumbent upon them --

shall be punishable by corrective labor for a period not to exceed one year, or by a fine not to exceed 500 rubles, or by application of measures of social action.

Article 193. Using threats or violence toward an official or public worker

A threat of murder, the infliction of serious bodily injuries, or of destroying property by means of arson, toward an official or public workers, employed with a view to terminating judicial or social activity, or changing its character, in the

interests of the person making the threat --

shall be punishable by deprivation of freedom for a period not to exceed eight months, or by corrective labor for a period not to exceed one year, or by public censure.

The infliction of slight bodily injury, battery, or the commission of other acts of violence with respect toward an official or public worker in connection with his official activity or the fulfillment by him of his public duty --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year.

Article 194. Wilful appropriation of the title or authority of an official

The wilful appropriation of the title or authority of an official when accompanied by the commission, on that basis, of any socially dangerous acts --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year.

Article 195. Misappropriation or damaging of documents, stamps, seals, and blank forms

The misappropriation, destruction, damaging, or concealment of documents, stamps, seals, or blank forms kept in state institutions, enterprises, or social organizations, when committed for venal or other base motives --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 1,000 rubles.

The same acts, when committed with respect to documents, stamps, seals, and blank forms of particular importance, or when resulting in serious consequences --

shall be punishable by deprivation of freedom for a period not to exceed five years.

The theft of a passport or other important document from a citizen --

shall be punishable by deprivation of freedom for a period not to exceed eight months, or by corrective labor for a period not to exceed one year, or by a fine not to exceed 800 rubles.

Article 196. The forgery, manufacture, or selling of forged documents, stamps, seals, or blank forms

The forgery of a certificate or other document issued by a state institution or enterprise or a social organization, granting rights or providing exemption from obligations, for the purpose of the utilization of such document by the forger himself or by another person, or the selling of such a document, or the manufacture of forged stamps, seals, or blank forms of state institutions and enterprises or social organizations for the same purposes, or for their sale --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year.

The same acts, when committed regularly and repeatedly -- shall be punishable by deprivation of freedom for a period not to exceed five years, or by exile for the same period.

The utilization of a document known to be forged -- shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 300 rubles.

Article 197. Violation of the regulations governing entry into, or sojourn in, a border zone

Violation of the regulations governing entry into, sojourn in, or the visaing of passports in, a border zone, when committed subsequent to the imposition of administrative penalty for the same violation --

shall be punishable by deprivation of freedom for a period not to exceed six months, or by corrective labor for the same period, or by a fine not to exceed 500 rubles.

Article 198. Violation of passport regulations

The wilful violation of passport regulations in areas where special regulations are in force respecting sojourn and the visaing of passports, if such violation is manifested in sojourning without a passport or without a visa, and if the person in question has been subjected to administrative penalty for said violation on two previous occasions --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 500 rubles.

Article 199. Unauthorized appropriation of land and unauthorized construction

The unauthorized appropriation, or barter, or buying and selling, of a tract of land, or other acts violating the laws concerning the nationalization of land --

shall be punishable by corrective labor for a period of from six months to one year, or by a fine not to exceed 1,000 rubles.

The unauthorized construction of a residential building, or the unauthorized construction of an addition to a building --

shall be punishable by corrective labor for a period of from six months to one year, with confiscation of the illegally constructed building.

Article 200. Arrogation

Arrogation; that is, the arbitrary exercise of one's own real or assumed rights, in violation of the procedure established by law, with substantial damage to other citizens or to state or social organizations --

shall be punishable by corrective labor for a period not to exceed six months, or by a fine not to exceed 500 rubles, or by public censure, or by application of measures of social action.

Article 201. Violation of civil registration laws

The concealment of facts serving as an impediment to marriage, or the furnishing of false information to organs of civil registration --

shall be punishable by corrective labor for a period not to exceed one year, or by a fine not to exceed 500 rubles, or by public censure.

Article 202. Illegal use of symbols of the Red Cross and Red Crescent

The illegal use of symbols of the Red Cross and Red Crescent, or of the name of the Red Cross or Red Crescent --

shall be punishable by corrective labor for a period not to exceed one year, or by a fine not to exceed 1,000 rubles, or by public censure.

Article 203. The illegal display of the national ensign of the USSR or of a union republic, on a merchant vessel

The display of the national ensign of the USSR, or of a union republic, on a merchant vessel not authorized to fly such ensign --

shall be punishable by deprivation of freedom for a period not to exceed one year, with or without confiscation of the vessel and with or without a fine not to exceed the full value of the ship.

Article 204. Failure to render assistance in a collision of ships, or failure to communicate the ship's name

The failure, on the part of the master of a vessel which has collided with another at sea, to take the necessary steps to save the other vessel, if such steps might have been taken without seriously endangering his own passengers, crew, and vessel, independently of the liability for failure to render assistance to the passengers and crew of a vessel in distress (Article 129) --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 3,000 rubles.

The failure, on the part of the master of a vessel, to communicate to another vessel with which it has collided at sea, the name and port of registry of his own vessel, or its port of departure and port of destination, despite the possibility of communicating such information --

shall be punishable by corrective labor for a period not to exceed three months, or by a fine not to exceed 1,000 rubles.

Article 205. Damaging an undersea telegraph cable

The negligent damaging of an undersea telegraph cable, if it has caused, or might have caused, an interruption in telegraphic service --

shall be punishable by corrective labor for a period not to exceed three months, or by a fine not to exceed 1,000 rubles.

Chapter Ten

Crimes against the Public Security, Public Order, and the Health of the Population

Article 206. Hooliganism

Hooliganism; that is, wilful acts grossly violating public order and manifesting an evident lack of respect for society --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 500 rubles, or by public censure.

Malicious hooliganism; that is, the same acts when committed by a person previously convicted of hooliganism, or when associated with resistance to a representative of established government, or a representative of society, who is performing his duty to keep public order, or when such acts, by virtue of their content, are characterized by extraordinary cynicism or insolence --

shall be punishable by deprivation of freedom for a period not to exceed five years.

Petty hooliganism committed by a person who has been subjected, on two occasions in the course of one year, to measures of social or administrative action for petty hooliganism --

shall be punishable by corrective labor for a period not to exceed one year, or by a fine not to exceed 500 rubles.

Article 207. Threat of murder, the infliction of serious bodily injuries, or the destruction of property

A threat of murder, of the infliction of serious bodily injuries, or of the destruction of property by means of arson, provided there are grounds for fearing that such threats will be carried out --

shall be punishable by deprivation of freedom for a period not to exceed six months, or by corrective labor for a period not to exceed one year, or by public censure, or by application of measures of social action.

Article 208. Acquisition of property known to have been acquired by criminal means

The acquisition of property known to have been acquired by criminal means --

shall be punishable by corrective labor for a period not to exceed six months, or by a fine not to exceed 1,000 rubles, or by public censure, or by application of measures of social action.

The same acts, when committed in the form of a business or on a large scale --

shall be punishable by deprivation of freedom for a period not to exceed five years, with or without confiscation of property, or by exile for a period not to exceed five years, with or without confiscation of property.

Article 209. Habitual vagrancy or beggary

Habitual vagrancy or beggary, continued after repeated warning on the part of an administrative organ --

shall be punishable by deprivation of freedom for a period

not to exceed two years, or by corrective labor for a period of from six months to one year.

Article 210. Inducing minors to engage in criminal activity

The inducing of minors to engage in criminal activity, in the practice of beggary, prostitution, or gambling, and in like manner the exploitation of minors for purposes of a parasitic existence -- shall be punishable by deprivation of freedom for a period not to exceed five years.

Article 211. Violation of the regulations for safety of movement and of operation of motor vehicles or urban electric streetcars

The violation, by an employee of a motor vehicle transportation system or urban electric streetcar system, of the regulations for the safe movement and operation of transportation facilities, which violation has caused slight, or less than grievous, bodily injury to the injured party, or has resulted in substantial material damage -- shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year, with or without deprivation of the right to operate transportation facilities for a period not to exceed two years, or by a fine not to exceed 1,000 rubles.

The same acts, if they have caused the death of the injured party, or have inflicted grievous bodily injury upon him -- shall be punishable by deprivation of freedom for a period not to exceed ten years, with or without deprivation of the right to operate transportation facilities for a period not to exceed three years.

Article 212. Violation of the regulations for the safe movement of motor vehicles by a person who is not an employee of a motor vehicle transportation system

Violation of the regulations for the safe movement of motor vehicles by a person who is not an employee of a motor vehicle transportation system, which violation has caused slight, or less than grievous, bodily injury to the injured party -- shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year, with or without deprivation of the right to operation a motor vehicle for a period not to exceed two years.

The same acts, if they have caused the death of the injured party or have inflicted grievous bodily injury upon him --

shall be punishable by deprivation of freedom for a period not to exceed ten years, with or without deprivation of the right to operate a motor vehicle for a period not to exceed three years.

Article 213. Violation of regulations in effect in a transportation system

Violation of current regulations in a transportation system with respect to safety of movement and the preservation of order, if such violation has resulted in the loss of human lives or other serious consequences --

shall be punishable by deprivation of freedom for a period not to exceed five years.

Article 214. Violation of safety regulations in mining work

Violation of safety regulations in mining work, if it has caused damage to the health of human beings --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period.

Violation of safety regulations in mining work, if it has resulted in the loss of human lives or other serious consequences --

shall be punishable by deprivation of freedom for a period not to exceed five years, or by corrective labor for a period not to exceed one year.

Article 215. Violation of regulations in construction work

The violation, in the course of doing construction work, of building, sanitation, and fire regulations, and likewise of regulations for the operation of construction equipment, if such violation has caused damage to the health of human beings --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period.

Such violation, if it has caused the loss of human lives or other serious consequences --

shall be punishable by deprivation of freedom for a period not to exceed five years, or by corrective labor for a period not to exceed one year.

Article 216. Violation of safety regulations at enterprises handling explosives or shops handling explosives

Violation of production-technical discipline or regulations

ensuring safety of production at enterprises handling explosives or shops handling explosives --

shall be punishable by corrective labor for a period not to exceed one year, or by a fine not to exceed 1,000 rubles, or by removal from position.

The same acts, if they have caused the loss of human lives or other serious consequences --

shall be punishable by deprivation of freedom for a period not to exceed seven years.

Article 217. Violation of regulations for the storage, use, accountability, or transportation of explosives and radioactive materials

Violation of the regulations for the storage, use, accountability or transportation of explosives and radioactive materials, or the illegal shipping of such materials or explosives via mail or as baggage, if such acts might have resulted in serious consequences --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period.

The same acts, if they have resulted in serious consequences -- shall be punishable by deprivation of freedom for a period not to exceed seven years.

Article 218. Illegal carrying, custody, manufacture, or sale of weapons or explosives

The carrying, custody, manufacture, or sale of firearms (except for smooth-bore hunting weapons), ammunition, or explosives without due authorization --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year, or by a fine not to exceed 1,000 rubles.

The carrying, manufacture, or sale of daggers, Finnish knives, or other cutting weapons without due authorization, except for those areas where the carrying of a knife is associated with the national costume or with hunting --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 300 rubles.

Article 219. Negligence in the custody of firearms

Negligence in the custody of a firearm, which has created the conditions for the use of such firearm by another person, if such negligence has resulted in serious consequences --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period.

Article 220. The illegal shipping of inflammable or acid substances

The illegal shipping, via mail or as baggage, of inflammable or acid substances, if it has resulted in serious consequences --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year.

Article 221. Illegal practice of medicine

The practice of medicine by a person who does not possess the requisite medical education --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 3,000 rubles, or by application of measures of social action.

Article 222. Violation of regulations established for the purpose of combatting epidemics

Violation of mandatory regulations established for the purpose of preventing epidemic and other infectious diseases, and to control them, if such violation has caused the spread of infectious diseases --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 500 rubles.

Article 223. Pollution of bodies of water, and of the atmosphere

The pollution of rivers, lakes, and other bodies of water and sources of water supply with unpurified and untreated sewage water, or with the refuse and waste products of industrial and communal enterprises, which pollution might cause damage to the health of human beings, or to agricultural production, or to fisheries, and in like manner the pollution of the atmosphere with waste products of industry which are harmful to the health of human beings --

shall be punishable by corrective labor for a period not to exceed one year, or by a fine not to exceed 3,000 rubles.

Article 224. The manufacture or sale of poisonous or narcotic substances

The manufacture or sale, and in like manner the storage or acquisition for purposes of sale, of strong, poisonous, or narcotic substances without special authorization, or violation of established regulations governing the production, storage, issue, accountability, transportation, and shipment of strong, poisonous, or narcotic substances --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period, or by a fine not to exceed 1,000 rubles.

The same acts, when committed regularly and repeatedly -- shall be punishable by deprivation of freedom for a period not to exceed five years.

Article 225. Unauthorized planting of opium poppy or marijuana

The planting of opium poppy or marijuana without due authorization --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year, with mandatory confiscation of the crops planted.

Article 226. Maintaining dens of debauchery, and procuring

Maintaining dens of debauchery, procuring for venal purposes, and in like manner maintaining dens for the use of narcotics, and maintaining gambling dens --

shall be punishable by deprivation of freedom for a period not to exceed five years, with or without banishment, and with or without confiscation of property, or by exile for the same period, with or without confiscation of property.

Article 227. The organization of a group causing damage to the health of citizens

The organization of a group whose activity, carried on under the pretext of propagating religious doctrines, is accompanied by damage to the health of citizens, or by sexual debauchery, and in like manner the direction of such a group, or inducing the participation of minors therein --

shall be punishable by deprivation of freedom for a period not to exceed five years, with or without exile, and with or without confiscation of property.

Article 228. The manufacture or sale of pornographic objects

The manufacture, distribution, or advertising of pornographic writings, publications, pictures, or other objects of a pornographic character, and in like manner, trading in such objects or keeping them for the purpose of their sale or distribution --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by a fine not to exceed 1,000 rubles, with confiscation of the pornographic materials and the means of producing them.

Article 229. Violation of graves

The violation of a grave, and in like manner the theft of objects in or upon a grave --

shall be punishable by deprivation of freedom for a period not to exceed three years, or by corrective labor for a period not to exceed one year.

Article 230. Wilful destruction, damaging, or disfiguring of cultural monuments

The wilful destruction, damaging, or disfiguring of cultural monuments, or of natural objects taken under the protection of the state --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year, or by a fine not to exceed 1,000 rubles.

Chapter Eleven

Crimes Representing Vestiges of Local Customs

Article 231. Refusal of reconciliation

The refusal, on the part of the relatives of a person who has been murdered, to desist from the pursuit of a blood feud with respect to the murderer and his relatives in accordance with the procedure established by the Decree on Reconciliation Proceedings in Cases Involving Blood Feuds --

shall be punishable by exile for a period not to exceed two years, or by banishment for a period not to exceed three years.

Article 232. Payment and acceptance of a bride price

The acceptance of a bride price by the parents, kinsmen, or relatives by marriage of the bride, in the form of money, livestock, or other property --

shall be punishable by deprivation of freedom for a period not to exceed one year, with confiscation of the bride price, or by corrective labor for the same period, with confiscation of the bride price.

The payment of a bride price by the groom, his parents, his kinsmen, or his relatives by marriage --

shall be punishable by corrective labor for a period not to exceed one year, or by public censure.

Article 233. Coercion of a woman into marriage, or obstruction of marriage

The coercion of a woman into marriage, or into cohabitation, or obstruction of marriage --

shall be punishable by deprivation of freedom for a period not to exceed two years.

Article 234. The conclusion of a contract for marriage to a person who has not attained marriageable age

The conclusion, in accordance with local custom, of a contract for marriage to a person who has not attained marriageable age --

shall be punishable by deprivation of freedom for a period not to exceed two years, or by corrective labor for a period not to exceed one year.

In this connection, the commission of rape, or entering into sexual relations with a person who has not reached the age of puberty, shall be punishable in accordance with the appropriate article of the present Code.

Article 235. Bigamy or polygamy

Bigamy or polygamy; that is, cohabitation with two or several women in a single household --

shall be punishable by deprivation of freedom for a period not to exceed one year, or by corrective labor for the same period.

Article 236. The scope of Chapter Eleven of the present Code

The force of the present chapter shall apply to those autonomous

republics, autonomous oblasts, and other areas of the USSR where the socially dangerous acts enumerated in the present chapter constitute vestiges of local customs.

Chapter Twelve

Military Crimes

Article 237. The concept of a military crime

Military crimes are crimes specified by the present Code against the established procedure for the performance of military service committed by military personnel, or by persons subject to military service when assembled for training.

Officers, non-commissioned officers, and other ranks of organs of state security, and also persons with respect to whom special mention is made in the legislature of the USSR, shall be liable for crimes against the procedure established for their performance of military service in accordance with the appropriate articles of the present Code.

Participation in military crimes by persons not mentioned in the present article shall be punishable in accordance with the appropriate articles of the present Code.

Article 238. Insubordination

- a) Insubordination; that is, the direct refusal to carry out the order of a superior, and in like manner any deliberate failure to carry out an order --
shall be punishable by deprivation of freedom for a period of from one to five years;
- b) the same act, when committed by a group of persons, or when it has resulted in serious consequences --
shall be punishable by deprivation of freedom for a period of from three to ten years;
- c) insubordination, when committed in time of war or under combat conditions --
shall be punishable by death or by deprivation of freedom for a period of from five to ten years.

Article 239. Failure to carry out an order

- a) The failure to carry out the order of a superior, when

committed in the absence of the indicia specified in Item a,
Article 238 of the present Codex--

shall be punishable by deprivation of freedom for a period
of from three months to three years;

b) the same act, in the presence of mitigating circum-
stances --

shall be punishable by application of the rules of the
Disciplinary Regulations of the Armed Forces USSR;

c) the act specified in Item a of the present article,
when committed in time of war or under combat conditions --

shall be punishable by deprivation of freedom for a period
of from three to six years.

Article 240. Resisting a superior, or coercing him into the viola-
tion of his official obligations

a) Resisting a superior, or any other person performing
duties imposed upon him by military service, or coercing him into
the violation of such obligations --

shall be punishable by deprivation of freedom for a period
of from one to five years;

b) the same acts, when committed by a group of persons,
or with the use of a weapon, or if it has resulted in serious
consequences --

shall be punishable by deprivation of freedom for a period
of from three to ten years;

c) the acts specified in Item b of the present article,
if accompanied by the premeditated murder of the superior or other
person performing his military duties, or if they were committed
in time of war or under combat conditions --

shall be punishable by death or by deprivation of freedom
for a period of from five to 15 years.

Article 241. Threatening a superior

a) A threat of murder, the infliction of bodily injuries,
or battery toward a superior in connection with the performance of
military duties by the latter --

shall be punishable by deprivation of freedom for a period
of from three months to three years;

b) the same act, under mitigating circumstances --
shall be punishable by application of the rules
of the Disciplinary Regulations of the Armed Forces USSR;

c) the act specified in Item a of the present article,
if committed in time of war or under combat conditions --

shall be punishable by deprivation of freedom for a period
of from three to ten years.

Article 242. Acts of violence toward a superior

a) The infliction of bodily injuries, or the beating, of a superior in connection with the performance of military duties by the latter --

shall be punishable by deprivation of freedom for a period of from two to ten years;

b) the same acts, when committed in time of war or under combat conditions, or if they have caused serious consequences --

shall be punishable by death, or by deprivation of freedom for a period of from five to 15 years.

Article 243. Abuse of a superior by a subordinate, or of a subordinate by a superior

a) The abuse, verbally or by means of a non-violent act, of a superior by a subordinate, or of a senior by a junior, and in like manner the abuse of a subordinate by a superior, or of a junior by his senior, in the performance of military duties by one or more of the aforementioned --

shall be punishable by deprivation of freedom for a period of from three to six months;

b) the same acts, under mitigating circumstances --

shall be punishable by application of the rules of the Disciplinary Regulations of the Armed Forces USSR;

c) abuse involving an act of violence committed under the circumstances enumerated in Item a) of the present article --

shall be punishable by deprivation of freedom for a period of from six months to five years.

Article 244. Assault and battery of one person in military service by another, in the absence of relations of subordination or seniority between them

a) Assault and battery of one person in military service by another, if there is no relationship of subordination or seniority between them, and provided that at least one of such persons was carrying out military duties at the time --

shall be punishable by deprivation of freedom for a period of from three months to one year;

b) the same act, under mitigating circumstances --

shall be punishable by application of the rules of the Disciplinary Regulations of the Armed Forces USSR.

Article 245. Absence over leave

a) Absence over leave from a unit or place of service,

on the part of a person serving a regular period of enlistment in military service, and in like manner his failure, in the absence of a valid reason, to report for duty at the specified time when being discharged from a unit, assigned, transferred, when returning from temporary detached duty, or from leave, or from a medical institution, for a period in excess of one day but not more than three days, or a period of less than one if such absence has occurred at least twice in the course of three months --

shall be punishable by transfer to a disciplinary battalion for a period of from three months to two years;

b) the same acts, when committed in time of war -- shall be punishable by deprivation of freedom for a period of from two to ten years;

c) the act specified in Item a of the present article, when committed by a person in military service who is serving a sentence in a disciplinary battalion --

shall be punishable by deprivation of freedom for a period of from one to three years.

Article 246. Absence without leave from a unit or place of service

a) absence without leave from a unit or place of service, on the part of a person serving a regular period of enlistment in military service, and in like manner his failure, in the absence of a valid reason, to report for duty at the specified time when being discharged from a unit, assigned, transferred, when returning from temporary detached duty, from leave, or from a medical institution, for a period of more than three days --

shall be punishable by deprivation of freedom for a period of from one year to five years;

b) the same acts, when committed in time of war -- shall be punishable by deprivation of freedom for a period of from five to ten years;

c) absence without leave from a unit or place of service, on the part of an officer or a person serving beyond the term of enlistment in military service, and in like manner the failure of such person, without valid reason, to report for duty at the specified time, for a period of more than ten days --

shall be punishable by deprivation of freedom for a period of from one to five years;

d) the acts specified in Item c of the present article, when committed in time of war, if the person is absent without leave for a period of more than one day --

shall be punishable by deprivation of freedom for a period of from five to ten years.

Article 247. Desertion

a) Desertion; that is, absenting oneself from a military unit or place of service for the purpose of avoiding military service, and in like manner the failure, for the same purpose, to report for duty at the specified time when assigned, transferred, returning from temporary detached duty, from leave, or from a medical institution, when committed by a person serving a regular period of enlistment in military service --

shall be punishable by deprivation of freedom for a period of from three to seven years;

b) the same acts, when committed in time of war --

shall be punishable by death, or by deprivation of freedom for a period of from five to ten years;

c) desertion, when committed by an officer or a person serving beyond the regular period of enlistment --

shall be punishable by deprivation of freedom for a period of from five to seven years;

d) the same act, when committed in time of war --

shall be punishable by death, or by deprivation of freedom for a period of from seven to ten years.

Article 248. Absence without leave from a unit under combat conditions

Absence without leave from a unit or place of service under combat conditions, irrespective of the duration of absence --

shall be punishable by death, or by deprivation of freedom for a period of from three to ten years.

Article 249. Evasion of military service by means of mutilation or other method

a) The evasion, on the part of a person in military service, of performance of such military service by means of inflicting injury upon himself (mutilation), or by means of malingering, the forgery of documents, or other fraud, and in like manner the refusal to perform the obligations of military service --

shall be punishable by deprivation of freedom for a period of from three to seven years;

b) the same acts, if committed in time of war or under combat conditions --

shall be punishable by death, or by deprivation of freedom for a period of from five to ten years.

Article 250. Misappropriation or loss of military property

- a) The sale, pawning, or rental, by a person serving a regular period of enlistment in military service, of articles of clothing, or equipment, entrusted to him (misappropriation), and in like manner the loss or spoilage of said objects as a result of violating the regulations for their custody --
shall be punishable by transfer to a disciplinary battalion for a period of from three months to one year;
- b) the same acts, under mitigating circumstances --
shall be punishable by application of the rules of the Disciplinary Regulations of the Armed Forces USSR;
- c) the acts specified in Item a of the present article, when committed in time of war or under combat conditions --
shall be punishable by deprivation of freedom for a period of from one to five years;
- d) the loss or spoilage of weapons, ammunition, transportation facilities, objects of technical supply, or other military property entrusted for official use, as a result of violating the regulations for their custody --
shall be punishable by deprivation of freedom for a period of from one to three years;
- e) the acts specified in Item d of the present article, when committed in time of war or under combat conditions --
shall be punishable by deprivation of freedom for a period of from two to seven years.

Article 251. Wilful destruction or damaging of military equipment

- a) The wilful destruction or damaging of weapons, ammunition, transportation facilities, military equipment, or other military property, in the absence of the elements of an especially dangerous crime against the state --
shall be punishable by deprivation of freedom for a period of from one to five years;
- b) the same act, if it has caused serious consequences --
shall be punishable by deprivation of freedom for a period of from three to ten years;
- c) the act specified in Item b of the present article, when committed in time of war or under combat conditions --
shall be punishable by deprivation of freedom for a period of from five to ten years, or by death

Article 252. Violation of regulations for driving or operating motor vehicles

Violation of the regulations for driving or operating military

vehicles, special vehicles, or trucks, when such violation has resulted in an accident involving human beings, or in other serious consequences --

shall be punishable by deprivation of freedom for a period of from two to ten years.

Article 253. Violation of regulations governing flights or preparation for flights

Violation of flight regulations, or regulations governing the preparations for flights, when such violation has resulted in a crash or other serious consequences --

shall be punishable by deprivation of freedom for a period of from three to ten years.

Article 254. Violation of regulations governing ship handling

Violation of the regulations for handling a ship, when such violation has resulted in the loss of the vessel, serious damage to the vessel, the loss of human lives, or other serious consequences --

shall be punishable by deprivation of freedom for a period of from three to ten years.

Article 255. Violation of established regulations for standing guard

a) Violation of established regulations for guard (guard-house) or escort duty, and of the orders and instructions promulgated by way of supplement to such regulations --

shall be punishable by deprivation of freedom for a period of from three to six months;

b) the same act, under mitigating circumstances --

shall be punishable by application of the rules of the Disciplinary Regulations of the Armed Forces USSR;

c) violation of established regulations for guard (guard-house) duty, committed when standing guard at weapons and ammunition depots, or during other guard duty, and at posts for the protection of facilities possessing special state and military importance --

shall be punishable by deprivation of freedom for a period of from six months to three years;

d) the act specified in Item c of the present article, when committed in time of war or under combat conditions --

shall be punishable by deprivation of freedom for a period of from two years to seven years;

e) violation of established regulations for guard (guard-house) or escort duty, when accompanied by the occurrence of harmful consequences for the prevention of which the guard or escort in

question was established --

shall be punishable by deprivation of freedom for a period of from one to ten years;

f) the act specified in Item e of the present article, when committed in time of war or under combat conditions --

shall be punishable by deprivation of freedom for a period of from three to ten years, or by death.

Article 256. Violation of regulations governing the performance of border duty

a) Violation of the regulations governing the performance of border duty by a person assigned to a detachment for the protection of the national border of the USSR --

shall be punishable by deprivation of freedom for a period of from one to three years;

b) the same act, under mitigating circumstances --

shall be punishable by application of the rules of the Disciplinary Regulations of the Armed Forces USSR;

c) the act specified in Item a of the present article, when it has caused serious consequences --

shall be punishable by deprivation of freedom for a period of from three to ten years.

Article 257. Violation of regulations governing the performance of duty at radar stations and lookout units

a) Violation of the regulations governing the performance of duty at radar stations, lookout units, and other facilities for preventing the violation of the air space or territorial waters of the USSR --

shall be punishable by deprivation of freedom for a period of from one to five years;

b) the same act, under mitigating circumstances --

shall be punishable by application of the rules of the Disciplinary Regulations of the Armed Forces USSR;

c) the act specified in Item a of the present article, if it has caused serious consequences --

shall be punishable by deprivation of freedom for a period of from three to ten years;

d) the acts specified in items a and c of the present article, when committed in time of war --

shall be punishable by death, or by deprivation of freedom for a period of from five to 15 years.

Article 258. Violation of established regulations governing internal service

a) The violation of established regulations governing internal service on the part of a person in the duty section of a unit (apart from guard or watch) --

shall be punishable by deprivation of freedom for a period of from three to six months;

b) the same act, under mitigating circumstances -- shall be punishable by application of the rules of the Disciplinary Regulations of the Armed Forces USSR;

c) the act specified in Item a of the present article, if it has resulted in harmful consequences for the prevention of which the person in question was responsible --

shall be punishable by deprivation of freedom for a period of from six months to two years;

d) the act specified in Item c of the present article, when committed in time of war or under combat conditions --

shall be punishable by deprivation of freedom for a period of from one to five years.

Article 259. Disclosure of a military secret, or loss of documents containing military secrets

a) Disclosure of information of a military character constituting a state secret, in the absence of indicia of treason -- shall be punishable by deprivation of freedom for a period of from two to five years;

b) the loss of documents containing information of a military character constituting a state secret, or of objects information concerning which constitutes a state secret, by a person to whom such documents or objects were entrusted, if such loss was the result of a violation of established regulations for handling such documents or objects --

shall be punishable by deprivation of freedom for a period of from one to three years;

c) the acts specified in items a and b of the present article, if they have caused serious consequences --

shall be punishable by deprivation of freedom for a period of from five to ten years;

d) disclosure of military information which is classified, but which does not constitute a state secret --

shall be punishable by deprivation of freedom for a period of from three months to one year;

e) the act specified in Item d of the present article, if committed under mitigating circumstances --

shall be punishable by application of the rules of the

Disciplinary Regulations of the Armed Forces USSR.

Article 260. Abuse of authority, excessive exercise of authority, and neglect of duty

a) The abuse of authority or official position by a commander or official, the excessive exercise of authority, or failure to exercise same, and in like manner the negligence of duty, if such acts have been committed regularly and repeatedly, or for venal motives, or out of personal interest, or if they have caused substantial damage --

shall be punishable by deprivation of freedom for a period of from six months to ten years;

b) the same acts, under mitigating circumstances -- shall be punishable by application of the rules of the Disciplinary Regulations of the Armed Forces USSR;

c) the acts specified in Item a of the present article, when committed in time of war or under combat conditions --

shall be punishable by deprivation of freedom for a period of from three to ten years, or by death.

Article 261. Surrendering or abandoning military resources to the enemy

The surrender to the enemy, by a commanding officer, of the forces under his command, and in like manner the abandonment to the enemy, when not necessitated by the tactical situation, of fortifications, military equipment, and other military resources, provided such acts were not committed for the purpose of giving aid to the enemy --

shall be punishable by deprivation of freedom for a period of from three to ten years, or by death.

Article 262. Abandonment of a sinking combat vessel

a) The abandonment of a sinking combat vessel by a captain who has not carried out his official duties to the end, or by one of the ship's officers without due authorization from the captain -- shall be punishable by deprivation of freedom for a period of from five to ten years;

b) the same act, when committed in time of war or under combat conditions --

shall be punishable by death, or by deprivation of freedom for a period of from ten to 15 years.

Article 263. Quitting the field of battle without permission, or refusal to use a weapon

Quitting the field of battle without permission during combat, or refusing to use a weapon during combat --- shall be punishable by death, or by deprivation of freedom for a period of 15 years.

Article 264. Voluntary surrender

Voluntary surrender out of cowardice or pusillanimity --- shall be punishable by death, or by deprivation of freedom for a period of 15 years.

Articles 265. Criminal acts by a military prisoner of war

a) The voluntary participation, by a military man who is a prisoner of war, in activities of a military nature or in other measures clearly capable of causing damage to the Soviet Union or to its allies, in the absence of indicia of treason -- shall be punishable by deprivation of freedom for a period of from three to ten years;

b) violence toward other prisoners of war, or harsh treatment of the latter on the part of a prisoner of war who is in the position of senior officer present -- shall be punishable by deprivation of freedom for a period of from three to ten years;

c) the commission by military personnel who are prisoners of war, of acts having the purpose of harming other prisoners of war, for venal motives or for the purpose of assuring lenience towards oneself on the part of the enemy -- shall be punishable by deprivation of freedom for a period of from on to three years.

Article 266. Pillage

The theft, on the field of battle, of articles found on the person of dead and wounded personnel (pillage) --- shall be punishable by deprivation of freedom for a period of from three to ten years, or by death.

Article 267. Violence toward inhabitants of a battle zone

Armed robbery, the illegal destruction of property, violence, and in like manner the illegal seizure of property under the pretext of military necessity, committed with respect to the inhabitants of a battle zone -- shall be punishable by deprivation of freedom for a period of from three to ten years, or by death.

Article 268. Mistreatment of prisoners of war

a) The mistreatment of prisoners of war, if it has taken place repeatedly, or if accompanied by extraordinary harshness, or if directed against persons who are ill or wounded, and in like manner laxity in the performance of obligations toward the sick and wounded by persons responsible for their treatment and care, in the absence of indicia of a more serious crime --

shall be punishable by deprivation of freedom for a period of from one to three years;

b) the mistreatment of prisoners of war in the absence of the aforementioned aggravating circumstances --

shall be punishable by application of the rules of the Disciplinary Regulations of the Armed Forces USSR.

Article 269. Illegal wearing of emblems of the Red Cross and Red Crescent, and abuse of same

The wearing, in battle zones, of emblems of the Red Cross or Red Crescent by persons not possessed of such right, and in like manner the abuse, during time of war, of flags or emblems of the Red Cross and Red Crescent, or of the color assigned to transportation facilities for medical evacuation --

shall be punishable by deprivation of freedom for a period of from three months to one year.

Appendix

LIST OF PROPERTY NOT SUBJECT TO CONFISCATION BY SENTENCE OF A COURT

The following kinds of property and objects, belonging to a convicted person by virtue of personal property rights, or representing his share in communal property, necessary to the convicted person and to persons dependent upon him, are not subject to confiscation:

1. House, plus outbuildings or individual parts thereof -- in the case of persons whose basic occupation is agriculture, provided the convicted person and his family are permanently domiciled therein.

2. In the case of persons whose basic occupation is agriculture -- a sole cow; in the absence of a cow, a sole heifer; in the case of households possessing neither cow nor heifer, a sole goat, sheep, or pig; also, in the case of kolkhoz farmers, sheep, goats, and hogs not to exceed one-half of the norm established for a kolkhoz

household as established by the charter of the agricultural artel, plus poultry.

In the taiga and tundra regions of the Far North -- breeding does and young deer, and also draft-deer, in the amount of 25 head per household.

3. Livestock feed (if the livestock are not subject to confiscation) required pending the laying by of the next fodder crop, or until such time as the livestock is driven out to pasture.

4. In the case of persons whose basic occupation is agriculture -- the seed required for regular planting.

5. Household objects, utensils, and clothing necessary to the convicted person and to those dependent upon him.

a) clothing: for each person: one summer or fall coat; one winter overcoat or sheepskin coat; one winter suit (for women: two winter dresses); one summer suit (for women: two summer dresses); one piece of headwear for each season. For women, in addition: two summer shawls and one warm shawl (or heavy shawl); other clothing and headwear which has been in use for a substantial period of time and which is not valuable;

b) footwear, underclothing, bedclothes, kitchen and table utensils in use (except for objects made of valuable materials, or objects of artistic value);

c) furniture: one bed and chair for each person; one desk, one wardrobe, and one trunk for the family;

d) all children's belongings.

6. Food products in an amount necessary for the convicted person and his family pending the next harvest, if the basic occupation of the convicted person is agriculture. In all other cases: food products and money in a total amount equal to the monthly earnings of the convicted person, but not less than 1,000 rubles.

7. That amount of fuel necessary for preparing food and for heating the living quarters of the family during the cold season.

8. Tools (including manuals and books) required for the continuation of the occupational activities of the convicted person, except for those cases where the convicted person, by sentence of the court, has been deprived of the right to engage in the activity in question, or when he has used the tools in an illegal occupation.

9. Shares in cooperative organizations, provided the convicted person has not been expelled from the cooperative.

10. In the event of the confiscation of the convicted person's share in the communal property of a peasant household (kolkhoz or private), the amount of the share is determined after deduction of the following from this property: the house in which the members of the household live, plus outbuildings; the seed necessary for regular planting; one cow; or in the absence of a cow, one heifer; (likewise, in a kolkhoz household: sheep, goats, hogs, and poultry not to exceed one-half of the norm established by the charter of the agricultural artel); and the food required for the remaining livestock.

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END