

**UKRAINE**  
**Criminal Code, 2001**

**Article 134. Illegal abortion**

1. Performance of an abortion by a person who has no special medical education:

shall be punishable by a fine of 50 to 100 tax-free minimum incomes, or community service for a term of 100 to 240 hours, or correctional labor for a term up to two years, or restraint of liberty for a term up to two years.

2. Illegal performance of an abortion that caused a lasting health disorder, sterility or death of the victim:

shall be punishable by restraint of liberty for a term up to five years, or imprisonment of the same term, with or without deprivation of the right to occupy certain positions or engage in certain activities for a term up to three years.

**Article 135. Leaving in danger**

1. Willful leaving of a person without help, if he/she remains in a condition dangerous to life and is unable to ensure his/her self-preservation due to young age, old age, illness or helpless condition and where the one, who left this person without help, was obliged to care after this person and was able to provide help to him or her, and where this one himself put the victim in a condition dangerous to life:

shall be punishable by restraint of liberty for a term up to two years, or imprisonment for the same term.

2. The same actions committed by a mother in respect of her newborn child, unless this mother was in a condition of lying-in:

shall be punishable by restraint of liberty for a term up to three years, or imprisonment for the same term.

3. Any such acts as provided for by paragraph 1 or 2 of this Article, where they caused death of a person or other grave consequences:

shall be punishable by imprisonment for a term of three to eight years.

**Article 136. Failure to provide help to a person who is in a condition dangerous to life**

1. Failure to provide help to a person, who is in a condition dangerous to life, where such help could have been provided, or failure to inform appropriate institutions or persons of this person's condition, where this has caused grievous bodily injuries:

shall be punishable by a fine of 200 to 500 tax-free minimum incomes, or community service for a term of 150 to 240 hours, or arrest for a term up to six months.

2. Failure to provide help to a young child, who is known to be in condition dangerous to life, where such help could have been provided, or failure to inform appropriate institutions or persons of this child's condition:

shall be punishable by a fine of 500 to 1000 tax-free minimum incomes, or arrest for a term up to six months, or restraint of liberty for a term up to three years.

3. Any such acts as provided for by paragraph 1 or 2 of this Article, where they caused death of the victim:

shall be punishable by restraint of liberty for a term of three to five years, or imprisonment for a term of two to five years.

(Article 136 as amended by Law No 270-VI (270-17) of 15.04.2008)

### **Article 137. Improper performance of duty with regard to children's life safety and health care**

1. Failure to perform or improper performance of professional or official duty with regard to life safety and health care of minors resulting from neglect or careless discharge of this duty, where this has significantly deteriorated health of the victim:

shall be punishable by a fine of 100 to 300 tax-free minimum incomes, or restraint of liberty for a term up to three years, or imprisonment for the same term with or without the deprivation of the right to occupy certain positions or engage in certain activities for a term up to three years. (Item 2 of paragraph 1 of Article 137 in version of Law No 2556-VI (2556-17) of 23.09.2010)

2. Any such actions that caused death of a minor or other grave consequences:

shall be punishable by restraint of liberty for a term of three to five years, or imprisonment for the same term, with or without deprivation of the right to occupy certain positions or engage in certain activities for a term up to three years.

(Paragraph 2 of Article 137 in version of Law No 2556-VI (2556-17) of 23.09.2010)

### **Article 138. Illegal medical practice**

Engaging in an illegal medical practice without a special license by a person who has no proper medical education, where this has caused grave consequences for the patient:

shall be punishable by correctional labor for a term up to two years, or restraint of liberty for a term up to three years, or imprisonment for a term up to three years.

**Article 139. Failure of a member of medical profession to provide help to a patient**

1. Failure to provide help to a patient, without good excuse, by a member of medical profession who was obliged to provide such help in line with the established rules, where this member knew that this may lead to grave consequences for the patient:

shall be punishable by a fine up to 50 tax-free minimum incomes with deprivation of the right to occupy certain positions or engage in certain activities for a term up to three years, or community service for a term up to 200 hours, or correctional labor for a term up to two years.

2. The same act that caused death of the patient or other grave consequences:

shall be punishable by restraint of liberty for a term up to four years, or imprisonment for a term up to three years, with or without deprivation of the right to occupy certain positions or engage in certain activities for a term up to three years.

(Article 139 as amended by Law No 270-VI (270-17) of 15.04.2008)

**Article 140. Improper performance of professional duty by a member of medical or pharmaceutical profession**

1. Failure to perform or improper performance of professional duty by a member of medical or pharmaceutical profession due to neglect of careless discharge of this duty, which caused grave consequences for a patient:

shall be punishable by deprivation of the right to occupy certain positions or engage in certain activities for a term up to five years, or correctional labor for a term up to two years, or restraint of liberty for a term up to two years, or imprisonment for the same term.

2. This same act that caused grave consequences to a minor:

shall be punishable by restraint of liberty for a term up to five years, or imprisonment for a term up to three years, with deprivation of the right to occupy certain positions or engage in certain activities for a term up to three years.

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[Jacobson note: From 1920 to 1991, the policy on abortion for Ukraine was governed by the Union of Soviet Socialist Republics, which authorized abortion on request from 1920 to 1936, for limited reasons between 1936 and 1955, and again on request from 1955.]