

REGULATION OF CRIMES THAT AFFECT PUBLIC ORDER AND PEACE IN THE CRIMINAL LAWS OF STATES OUTSIDE THE EUROPEAN UNION

Laurențiu CONSTANTINESCU¹⁸

Abstract. *For a broad and rigorous analysis of the crime that affects public order and peace, it is necessary to approach it not only from the perspective of national criminal law, but also through a comparative research with the criminal legislations of other states, especially those outside the European Union. Such an analysis provides a complex framework of understanding, allowing the identification of the similarities, differences and particularities existing between the legal regulations regarding the acts that affect public order and peace.*

The importance of such an analysis derives from the fact that criminal law does not develop in isolation, but in close interdependence with the historical, social, cultural and political developments of each state. Legal systems were formed on the basis of their own legal traditions and specific sources of law, which, over time, have determined significant differences in the way of incriminating, sanctioning and interpreting crimes that affect public order. Therefore, comparative analysis has not only a descriptive role, but also a critical-reflective one, as it allows observing the way in which various legal systems manage similar situations, but through different legislative mechanisms.

Keywords: *danger, violence, security, order, pogroms.*

In the Criminal Code of the Russian Federation of June 13, 1996, crimes against public security and public order are criminalized in Section 9 of Chapter XXIV „Crimes against public security”. Art. 212 of the Criminal Code of the Russian Federation criminalizes the crime of mass disorder. Thus, it is noted that the name of this illegal act coincides with the name of the crime regulated in Art. 285 of the Criminal Code of the Republic of Moldova.

In par. 1 of Art. 212 of the Criminal Code of the Russian Federation criminalizes „organizing mass riots accompanied by violence, pogroms, arson, destruction of property, use of weapons, explosive devices, explosive, poisonous or other substances and objects that pose a danger to others, as well as providing armed resistance to a representative of the authorities, training a person to organize such riots or participate in them, and is punishable by imprisonment for a term of 8 to 15 years” (Criminal Code of the Russian Federation). It is worth noting that the relevant paragraph was amended by the Federal Law of May 5, 2014 N 130-FZ (Chepestru, 2023: 241).

Russian doctrinaires recognize as organizers persons who plan mass disorders in advance and prepare people in stages, by distributing leaflets, expressing ideas in mass media and online sources. This fact causes indignation and displeasure in a crowd of people and, therefore, directs the crowd towards a certain goal.

¹⁸ member of the Private Institute for Scientific, Humanistic and Technological Research, Romania, email: constantinescul684@gmail.com

Corroborating the norm set forth with paragraph (1) of art. 285 of the Criminal Code of the Republic of Moldova, we note that both the domestic and Russian criminal legislation provides for the action of organizing mass disorders, being accompanied in both cases by the same accompanying actions listed above. Accordingly, a significant similarity is attested between the components of the mentioned offense (Chepestru, 2023: 241).

In par. 1 of art. 212 of the Criminal Code of the Russian Federation there is no criminalization of the action of leading mass disorders, but, optionally, it implies training a person to organize such disorders or participate in them.

In par. 1.1. of art. 212 of the Criminal Code of the Russian Federation, the stimulation, recruitment or other involvement of a person in the commission of the actions provided for in par. 1 is punishable by a fine in the amount of 300 thousand to 700 thousand rubles or in the amount of the salary or any other income of the convicted person for a period of 2 to 4 years, or without them, or by compulsory labor for a term of 2 to 5 years, or by deprivation of liberty for a term of 5 to 10 years (Criminal Code of the Russian Federation). This wording was included in the content of art. 212 by Federal Law No. 375-FZ of July 6, 2016.

In this context, it is certified that regulations similar to the legal norm referred to above are not found in the wording of art. 285 of the Criminal Code of the Republic of Moldova.

Part 2 of Art. 212 of the Criminal Code of the Russian Federation criminalizes „participation in mass disorders, provided for in Part 1, which is punishable by imprisonment for a term of 3 to 8 years” (Criminal Code of the Russian Federation).

The act of participation in mass disorders involves active actions, such as the use of violence, weapons, arson, participation in a pogrom and armed resistance to representatives of the authorities. The most common actions involving participation in mass disorders are pogroms and armed resistance to representatives of the authorities.

Therefore, a similar norm is contained in Part 2 of Art. 285 of the Criminal Code of the Republic of Moldova, which states that „active participation in the commission of the actions provided for in Part 1 is punishable by imprisonment for a term of 3 to 7 years” (Criminal Code of the Republic of Moldova).

The legal norms set forth are practically similar, both in the part relating to the unlawful action and in the part relating to the type and term of criminal punishment. However, the only difference between the invoked legal norms is the word „active”.

In par. 3 of art. 212 of the Criminal Code of the Russian Federation, incitement to mass disorders provided for in par. 1 or participation in them, as well as incitement to use violence against citizens, are criminalized, an act punishable by deprivation of liberty for a term of up to 2 years, or by forced labor for a term of up to 2 years, or by imprisonment for the same term (Criminal Code of the Russian Federation). This paragraph was amended by Federal Law No. 420-FZ of December 7, 2011.

Calls for active disobedience to the lawful requirements of representatives of authority and mass disorder, as well as calls for violence against citizens are expressed by agitation aimed at arousing discontent, aggressive moods among an indefinite number of people. They can be manifested by expressing illegal aggressive ideas at meetings, by writing and distributing written materials containing such ideas. Often, appeals are directed not against specific individuals, but against any groups of people for national, social or religious reasons.

The named act can be likened to paragraph (3) of Art. 285 of the Criminal Code of the Republic of Moldova, according to which calls for active violent disobedience to the legitimate demands of representatives of the authorities and for mass disorder, as well as for committing acts of violence against persons, are punishable by a fine in the amount of 550 to 850 conventional units or by unpaid community service for 180 to 240 hours, or by imprisonment for up to 2 years (Criminal Code of the Republic of Moldova).

So, par. 3 of art. 212 of the Criminal Code of the Russian Federation and par. (3) of art. 285 of the Criminal Code of the Republic of Moldova are considerably similar both in terms of the normative modality and in terms of the type and amount of criminal punishment. However, we consider that the illicit actions incriminated in art. 285 of the Criminal Code of the Republic of Moldova are largely inspired by art. 212 of the Criminal Code of the Russian Federation, especially considering the historical retrospective of the domestic criminal legislation.

In par. 4 of art. 212 of the Criminal Code of the Russian Federation, the action of passing training by a person, carried out for the purpose of organizing mass riots or participating in them, including the acquisition of knowledge, practical skills and abilities in the course of physical and psychological training, while studying methods of organizing mass riots, rules for handling weapons, explosive devices, explosive, toxic substances, as well as other substances and objects that pose a danger to others, is punishable by deprivation of liberty for a term of 5 to 10 years, with or without a fine in the amount of up to 500 thousand rubles, or in the amount of the salary, or any other income of the convicted person for a period of up to 3 years (Criminal Code of the Russian Federation). This paragraph was introduced by Federal Law No. 130-FZ of May 5, 2014.

At the same time, Art. 212 of the Criminal Code of the Russian Federation finally contains a note introduced by Federal Law No. 130-FZ of May 5, 2014, according to which the person who committed a crime provided for in par. 4 will be exempted from criminal liability, if he informed the authorities about the completion of courses conducted for the purpose of organizing mass disorders or participation in them, contributed to the disclosure of the committed crime or to the identification of other persons who underwent such training, who conducted, organized or financed such training, as well as the places where it was conducted, if his actions do not contain another corpus delicti (Criminal Code of the Russian Federation).

We specify that Art. 285 of the Criminal Code of the Republic of Moldova does not contain a regulation establishing cases and conditions for exemption from criminal liability, which makes it distinct in comparison with Art. 212 of the Criminal Code of the Russian Federation

In Russian doctrine, the following characteristic features of mass disorder are recognized:

- „1) the need for a leader to whom the crowd would unconditionally obey or an object of hatred to destroy;
- 2) a decrease in the intellectual beginning and an increase in the emotional one;
- 3) the emergence of a sense of power and awareness of anonymity;
- 4) rapid emotional decline: after achieving a goal or defeat, a change in behavior and an assessment of what is happening occurs;

- 5) increased suggestibility of the group and a decrease in the effectiveness of the mechanisms of independent thinking;
- 6) suppression of the sense of responsibility for one's own actions, the ability for both extreme cruelty and self-sacrifice" (Mass riots).

In the Criminal Code of the Republic of Belarus of July 9, 1999, the crime of mass disorder is found in art. 293 and is located within section 10 „Crimes against public security and public health" of chapter XXVII „Crimes against public security".

In par. 1 of art. 293 of the Criminal Code of Belarus, „organization of mass disorder, accompanied by violence against a person, pogroms, arson, destruction of property or armed resistance to representatives of the authorities, is incriminated, which is punishable by imprisonment for a term of 5 to 15 years" (Criminal Code of the Republic of Belarus).

Just as in the case of Russian and domestic criminal legislation, the first type-variant of the analyzed crime is the action of organizing mass disorder accompanied by the aforementioned acts. In the part referring to criminal punishment, it is noted that in the Republic of Moldova, the Russian Federation and the Republic of Belarus, for the action of organizing mass disorder, the same type of punishment is established, namely deprivation of liberty, but in the Republic of Moldova the legislator established a more lenient term of criminal punishment, compared to the Russian and Belarusian legislators.

According to par. 2 of art. 293 of the Criminal Code of Belarus, „participation in mass disorder, expressed in the direct commission of the actions provided for in par. 1, shall be punished by imprisonment for a term of 3 to 8 years". With reference to the aforementioned legal norm, it is reported that, based on the analysis of Russian legislation in relation to domestic legislation, Belarusian legislation also deals with the act of participation in mass disorder, and the type and amount of punishment are similar to those regulated by the Russian legislator. Par. 3 of art. 293 of the Criminal Code of Belarus criminalizes „the act of training or other preparation of persons for participation in mass disorder, accompanied by the commission of the actions provided for in par. 1, as well as financing or other material support for such activities, which is punishable by imprisonment for a term of up to 3 years" (Criminal Code of the Republic of Belarus).

The criminal legislation of the Republic of Moldova does not criminalize such an act, but we draw attention to par. 4 of art. 212 of the Criminal Code of the Russian Federation, which contains provisions similar to those established in par. 3 of art. 293 of the Criminal Code of Belarus.

In the Criminal Code of the Republic of Kazakhstan of June 16, 1997, the act of mass disorder is found in art. 272 and is located in the content of chapter X „Crimes against public security and public order". Art. 272 has been amended several times, the most recent of which came into force in 2023.

Paragraph 1 of art. 272 of the Criminal Code of the Republic of Kazakhstan criminalizes the organization of mass disorder, accompanied by acts of violence, robbery, arson, destruction, damage to property, the use of firearms, explosive substances or explosive devices, as well as armed resistance to a representative of the authority, including with the use of means obtained from foreign sources, which is punishable by imprisonment for a term of 4 to 10 years (Criminal Code of the Republic of Kazakhstan).

It is relevant to highlight that the above-mentioned action is practically similar to the acts incriminated in the Criminal Code of the Russian Federation, the Republic of Belarus and the Republic of Moldova, the only difference being the amount of the punishment, which varies from one country to another, amounting to the addition or subtraction of one year from the prison sentence. At the same time, in the listed countries, compared to the Republic of Moldova, the spectrum of actions adjacent to the organization of mass disorder is broader, including robberies, the use of explosive substances or explosive devices, the use of means obtained from foreign sources.

In par. 2 of art. 272 of the Criminal Code of the Republic of Kazakhstan it is provided „the action of participation in mass disorders, provided for by the first part of the respective article, an act punishable by imprisonment from 3 to 8 years” (Criminal Code of the Republic of Kazakhstan).

Similarly, as in the case of the first paragraph, a similarity is noted with the criminal legislation of the previously investigated states. However, the amount of the prison sentence coincides exactly with the term of punishment regulated in par. 2 of art. 293 of the Criminal Code of Belarus for the same harmful action, and referring to the criminal legislation of the Republic of Moldova and the Russian Federation, the term of the prison sentence established for the same act is one year shorter.

In par. 3 of art. 272 of the Criminal Code of the Republic of Kazakhstan criminalizes „incitements to active disobedience to the lawful requirements of representatives of authority and to mass unrest or provoking such unrest, as well as incitements to violence against persons, which are punishable by restriction of liberty for a term of three to five years or imprisonment for the same term” (Criminal Code of the Republic of Kazakhstan).

By virtue of what is regulated in the aforementioned par., an obvious and clear similarity is identified with the meaning of the legal norm regulated in par. (3) art. 285 of the Criminal Code of the Republic of Moldova. Likewise, comparing this act with the prejudicial acts regulated in the previously analyzed criminal legislation, it is attested that such a norm is confirmed in the content of par. 3 of art. 212 of the Criminal Code of the Russian Federation. However, given the type and amount of criminal penalties, it is highlighted that each state has its own and unique provisions for such illicit actions, respectively, they are not in consimilitudine. An exclusive aspect is found in par. 4 of art. 272 of the Criminal Code of the Republic of Kazakhstan, which incriminates the acts provided for in par. 3 committed with the use of mass media or telecommunications networks, including the Internet, which are punishable by restriction of liberty for a period of 3 to 7 years or imprisonment for the same period.

Such a legal norm is not found in the Criminal Code of the Republic of Moldova, the local legislator not providing, in a distinct manner, a normative modality or an aggravating form of mass disorders committed through mass communication networks or Internet networks.

In the Criminal Code of the Republic of Azerbaijan of December 30, 1999, the crime of mass disorder is found in art. 220 and is located within section 10 „Crimes against public security and public order” of chapter XXV „Crimes against public safety”.

In par. 220.1 it is incriminated „the organization of mass disorder accompanied by violence, pogroms, arson, destruction of property, use of firearms, explosive substances

or devices, as well as armed resistance to a representative of the authorities or participation in such disorder, which is punishable by imprisonment for a term of 4 to 12 years”. Consecutively, in par. 220.2 contains „the action of calling for active disobedience to the legal requirements of government officials and mass disorder, as well as violence against citizens and is punishable by deprivation of liberty for a period of up to 3 years” (Criminal Code of the Republic of Azerbaijan).

Exactly as in the case of the criminal legislations investigated above, there is an obvious similarity with the provisions of art. 285 of the Criminal Code of the Republic of Moldova, the only difference being the absence of the action of active participation in mass disorder from the content of art. 220 of the Criminal Code of the Republic of Azerbaijan. At the same time, it is mentioned about the existence of differences between the size of criminal penalties regulated in the criminal codes of the studied states.

In the Criminal Code of the Republic of Armenia of April 18, 2003, the crime of mass disorder is placed within Section 9 „Crimes against public security, information security, public order, public morals and public health” of Chapter XXIII „Crimes against public security” of the Special Part.

It is hereby notified that, in par. 1 of art. 225, „organization of mass disorder accompanied by violence, pogroms, arson, destruction or damage to property, use of firearms, explosive substances or devices or armed resistance to a representative of the authority is criminalized, which is punishable by imprisonment for a term of 4 to 10 years”. In par. 2 of the same article, „direct commission of the acts provided for in par. 1 is punishable by imprisonment for a term of 3 to 8 years”. Paragraph 3 expressly states that “the acts provided for in paragraphs 1 or 2, which involve murder, are punishable by imprisonment for a term of 6 to 12 years”. Paragraph 4 punishes „active disobedience to the lawful demands of a representative of the authorities during mass disorder or mass disorder, or violence against people, with corrective labor for a term of up to 2 years, or with arrest for a term of up to 2 months, or with deprivation of liberty for a term of up to 3 years” (Criminal Code of the Republic of Armenia).

In general, the criminal legislation of the Republic of Armenia criminalizes mass disorder, practically, similarly to the criminal legislation of the other examined states, the only gap being highlighted in establishing the type and amount of criminal penalties, which vary from one state to another.

A relatively new element, which was not provided for by any previously examined legislation and which is not regulated by art. 285 of the Criminal Code of the Republic of Armenia, is par. 3 of art. 225 of the Criminal Code of the Republic of Armenia. Respectively, it criminalizes either the commission of the action stipulated in par. 1, or the one stipulated in par. 2, which involves murder (Criminal Code of the Republic of Armenia), or, in fact, the stated legal norm implies the presence of an aggravating circumstance of mass disorder criminalized by the Criminal Code of the Republic of Armenia.

From the point of view of local criminal law, in the case of committing a murder during mass riots, the prejudicial act is to be qualified based on a combination of crimes.

In the Criminal Code of the Republic of Kyrgyzstan of October 28, 2021, the crime of mass riots is criminalized in art. 278, which is located in chapter XXIII „Crimes against public order”.

In para. (1) of art. 278, it is criminalized „organizing mass riots accompanied by violence, pogroms, arson, destruction of property, use of firearms, explosive substances or devices or armed resistance to a representative of the authority, which is punishable by imprisonment for a term of 7 to 10 years”. At the same time, according to para. (2), a criminal penalty is established for „participation in a mass riot provided for in para. (1) with imprisonment for a term of 5 to 8 years”. In para. (3) of the same article establishes the illicit action consisting of „calling for active disobedience to the lawful orders of representatives of the authorities and for mass disorder, as well as calling for violence against citizens, which is punishable by imprisonment from 5 to 8 years” (Criminal Code of the Kyrgyz Republic).

In relation to the aforementioned crime component, it is highlighted that it is indisputably similar to the other crime components subject to investigation, the only differentiation being identified in the type and extent of criminal penalties.

In the Criminal Code of the Republic of Tajikistan of May 21, 1998, the crime of mass disorder is found in art. 188, which is located in section 8 „Crimes against public security and public health” of chapter XXI „Crimes against public security”.

In para. (1) of art. 188 it is stipulated that „organizing mass disorder, accompanied by violence against persons, pogroms, arson, damage or destruction of property, use of firearms, explosive substances and devices or flammable substances and resistance to authorities, accompanied by the use of weapons or other objects used as weapons, as well as participation in such actions, is punishable by imprisonment for a term of 5 to 12 years”. In para. (2) of the same article criminalizes „calling for active disobedience to legitimate requests of representatives of the authorities or for mass disorder, as well as calling for violence against citizens, which is punishable by restriction of liberty for a period of up to 2 years or by arrest for a period of 2 to 4 months, or by deprivation of liberty for a period of up to 3 years” (Criminal Code of the Republic of Tajikistan).

The offense in question, being examined from the perspective of comparative criminal law, an impressive similarity is identified between the composition of the offense provided for in art. 285 of the Criminal Code of the Republic of Moldova and the offense of mass disorder provided for in art. 220 of the Criminal Code of the Republic of Azerbaijan. However, both articles are made up of similar standard variants of the offense under investigation, highlighting identical illicit actions, only the incrimination of the action of active participation in mass disorder within art. 220 of the Criminal Code of the Republic of Azerbaijan is missing.

Subsequently, a difference is observed between the type and amount of criminal punishment, which in Art. 188 para. (2) of the Criminal Code of the Republic of Tajikistan is more selective in terms of categories of criminal punishments.

In the Criminal Code of the Republic of Turkmenistan of June 12, 1997, the crime of mass disorder is found in art. 306, which is located in section 12 „Crimes against public security and public health” of chapter XXIX “Crimes against public security and order”.

Art. 306 para. (1) contains the action of „organizing mass disorder accompanied by violence, pogroms, arson, destruction of property, use of firearms, explosive substances or devices, as well as armed resistance to a representative of the authority, which is pun-

ishable by imprisonment for a term of 5 to 15 years”. Para. (2) incriminates „participation in a mass disorder provided for in para. (1) and is punishable by imprisonment for a term of 3 to 8 years” (Criminal Code of the Republic of Turkmenistan).

Therefore, it is established that, just as in the case of the criminal legislation of the Republic of Azerbaijan and the Republic of Tajikistan, the above-mentioned composition of the crime includes two standard variants of the crime of mass disorder, with only one difference being noted.

Thus, in the case of the criminal codes of the Republic of Azerbaijan and the Republic of Tajikistan, the second standard variant of the crime involves a call to active disobedience to the legitimate demands of representatives of the authorities or to mass disorder, as well as a call to violence against citizens, but in Art. 306 of the Criminal Code of the Republic of Turkmenistan, the second standard variant of the crime refers to participation in a mass disorder.

Moreover, a visible similarity is attested between Art. 306 of the Criminal Code of the Republic of Turkmenistan and the composition of the crime provided for in Art. 285 of the Criminal Code of the Republic of Moldova, the difference being limited only to the fact that the local criminal legislation provides for criminal liability for three standard variants of the crime of mass disorder, including, in paragraph (3) of art. 285, calls for active violent disobedience to the legitimate demands of representatives of the authorities and for mass disorder, as well as for committing acts of violence against persons (Criminal Code of the Republic of Moldova).

In the Criminal Code of the Republic of Uzbekistan of June 12, 1997, the crime of mass disorder is found incriminated in art. 244, which is positioned in section 6 „Crimes against public security and public order” of chapter XVII „Crimes against public security”.

To begin with, it is specified that art. 244 is not grouped into structural elements, and illegal actions can be delimited only by simply moving the paragraphs slightly to the right. Thus, the first standard variant of the crime of mass disorder is carried out by „public call for mass disorder and violence against citizens, which is punishable by a fine of one hundred to three hundred basic monthly salaries, or correctional labor for up to two years, or restriction of liberty for three to five years, or imprisonment for 3 to 5 years”. In our view, the second paragraph of the mentioned article can be considered an aggravating circumstance for public appeal to mass disorder and violence against persons. Accordingly, it regulates the same actions committed: „a) with the prior consent of a group of persons; b) using mass media, telecommunications networks, the global information network Internet, as well as printed media or other methods of text reproduction, which are punishable by a fine of 300 to 400 minimum monthly wages, or correctional labor for a term of 2 to 3 years, or imprisonment for a term of 5 to 10 years”. Paragraph (3) of the same article criminalizes „organizing mass riots accompanied by violence against a person, pogroms, arson, damage or destruction of property, resisting a representative of the authorities, using or threatening to use weapons or other objects used as weapons, as well as active participation in mass riots, which is punishable by imprisonment for a term of 10 to 15 years” (Criminal Code of the Republic of Uzbekistan).

Being examined from the perspective of comparative criminal law aspects, art. 244 of the Criminal Code of the Republic of Uzbekistan has a more eccentric structure com-

pared to the articles that criminalize similar acts in other previously examined states. Similarly, the crime of mass riots regulated in the Criminal Code of the Republic of Uzbekistan differs both from similar crimes criminalized in foreign criminal legislation, and from art. 285 of the Criminal Code of the Republic of Moldova, in that it contains aggravating circumstances for public appeal to mass riots and violence against persons.

Subsidiarily, when establishing the type of criminal punishment and its amount, the legislator used an elitist tactic for the actions regulated in the first two paragraphs, respectively, several types of criminal punishments are regulated.

In the Criminal Code of Georgia of July 22, 1999, the crime of mass disorder is found in art. 225 included in section 9 „Crimes against public security and public order” of chapter XXX „Crimes against public security and public order”.

Thus, in para. (1) of art. 225, „organizing or leading mass disorder involving violence, pogrom, arson, use of weapons or explosive devices or armed resistance against a government representative is incriminated, which is punishable by imprisonment for a period of between 3 and 10 years” (Criminal Code of Georgia).

We specify that a similar provision is also regulated in art. 285 para. (1) of the Criminal Code of the Republic of Moldova, the only difference being only the term of imprisonment. However, in the Republic of Moldova, the minimum term of imprisonment is 4 years, i.e. longer than that indicated in the Criminal Code of Georgia, and the maximum term is shorter, respectively, 8 years.

In para. (2) of the same article, „participation in the action referred to in para. (1), which is punishable by imprisonment from 2 to 8 years” is criminalized (Criminal Code of Georgia). Such an action is also found in para. (2) of art. 285 of the Criminal Code of the Republic of Moldova, but the local legislator operates with the phrase „active participation”, the limits of active participation in mass disorders being difficult to elucidate.

Additionally, art. 225 of the Criminal Code of Georgia includes a note, which indicates that „for the purposes of the said art., the notion of „weapon” includes firearms, ammunition, explosive or flammable substances, explosive devices, tear gas, radioactive substances, poisonous substances, edged weapons or any device or object that can be used to harm people or destroy objects” (Criminal Code of Georgia).

In the Criminal Code of Ukraine of April 5, 2001, as amended on March 21, 2023, the crime of mass disorder is not directly criminalized. However, in Chapter IX „Crimes against public security” a series of criminal acts that threaten public order and security are included.

Although the Ukrainian criminal legislation does not expressly provide for the punishment for mass disorder, among the components of the crime regulated in the said chapter, in Art. 255², a crime similar to the one under analysis is identified, namely the act of organizing, assisting in the conduct of or participating in a criminal assembly (Criminal Code of Ukraine). From the analysis of the content of the said article, we conclude that this crime is completely different from the crime provided for in Art. 285 of the Criminal Code of the Republic of Moldova, implying completely distinct normative ways of committing the crime. Consequently, the crimes in Chapter investigated involves criminal acts committed by criminal groups and organizations, including criminalizing banditry, terrorist acts and other illegal activities related to them.

Conclusion. Given the importance of the legal object protected by the criminalization of mass disorder, it is noted that the Republic of Moldova has adhered to several international normative instruments that defend social values regarding public security, such as: UDHR, ECHR, International Covenant on Civil and Political Rights, etc.

Art. 285 of the Criminal Code of the Republic of Moldova identifies three standard variants of the crime of mass disorder, each constituting a distinct component of the crime. However, in certain foreign criminal legislation (Azerbaijan and Tajikistan, etc.) the normative modalities of committing the aforementioned crime may be regulated in a combined form.

Compared to the domestic criminal legislation, in the criminal legislation of some non-EU states, the most severe criminal punishment is regulated in the criminal legislation of the Russian Federation, the Republic of Belarus, the Republic of Turkmenistan and the Republic of Uzbekistan, where the term of imprisonment is up to 15 years.

BIBLIOGRAPHY

- Criminal Code of the Republic of Moldova No. 985-XV of April 18, 2002 [cited 21.07.2025]. Available: https://www.legis.md/cautare/getResults?doc_id=150640&lang=ro#
- Criminal Code of the Russian Federation [cited 06.07.2025]. Available: https://www.consultant.ru/document/cons_doc_LAW_10699/cdfbaa9aeaf8b47695af18e41433e4e3f5f4be5f/
- Criminal Code of the Republic of Belarus [cited 06.07.2025]. Available: <https://pravo.by/document/?guid=3871&p0=hk9900275>
- Criminal Code of the Republic of Kazakhstan [cited 30.07.2025]. Available: https://online.zakon.kz/Document/?doc_id=31575252&doc_id2=31575252#activate_doc=2&pos=301;-121&pos2=4317;-93
- Criminal Code of the Republic of Azerbaijan [cited 27.07.2025]. Available: https://continent-online.com/Document/?doc_id=30420353#pos=2738;-43
- Criminal Code of the Republic of Armenia [cited 27.07.2025]. Available: <http://www.parliament.am/legislation.php?ID=1349&lang=rus&sel=show>
- Criminal Code of the Republic of Kyrgyzstan [cited 27.07.2025]. Available: https://continent-online.com/Document/?doc_id=36675065#pos=2751;-56
- Criminal Code of the Republic of Tajikistan [cited 27.07.2025]. Available: https://continent-online.com/Document/?doc_id=30397325#pos=1521;-26
- Criminal Code of the Republic of Turkmenistan [cited 27.07.2025]. Available: https://continent-online.com/Document/?doc_id=31295286
- Criminal Code of the Republic of Uzbekistan [cited 27.07.2025]. Available: https://continent-online.com/Document/?doc_id=30421110
- Criminal Code of Georgia [cited 13.07.2025]. Available: <https://matsne.gov.ge/en/document/download/16426/157/en/pdf>
- Criminal Code of Ukraine [cited 28.07.2025]. Available: <https://zakon.rada.gov.ua/laws/show/2341-14#Text>
- CHEPESTRU, Ana-Maria. The crime of mass disorder in the criminal laws of the commonwealth of independent member states. In: Scientific Annals of the “Stefan cel Mare” Academy of the Ministry of Internal Affairs of the Republic of Moldova [online]. 2023, no. 17, p. 241 [cited 30.07.2025]. ISBN 978-9975-170-05-5. Available: https://academy.police.md/wp-content/uploads/2023/09/Anale_Stiintifice_2023_nr_17-1.pdf
- Mass riots [cited 29.07.2025]. Available: https://studme.org/55141/bzhd/massovye_besporядki