

LEGAL REGULATION OF EXEMPTION FROM PUNISHMENT DUE TO ILLNESS: DOCTRINAL GAPS AND ENFORCEMENT CHALLENGES

REGULAMENTAÇÃO JURÍDICA DA ISENÇÃO DE PENA POR MOTIVO DE DOENÇA: LACUNAS DOUTRINÁRIAS E DESAFIOS DE APLICAÇÃO

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Abstract

The article explores issues arising in the case of early release from serving a sentence in the form of imprisonment due to illness. The authors consider the grounds for such exemption and raise the issues of the lack of legal criteria to be considered by the court when deciding on the exemption from punishment due to illness and preventing and combating recidivism among these persons. The authors conclude that the reasons behind recidivism among prisoners released on medical grounds include the lack of control and insufficient consolidation of norms regulating legal relations arising with this category of persons after their release in criminal, penal, and criminal procedural legislation.

Resumo

O artigo explora questões que surgem no caso de libertação antecipada de pena de prisão por motivo de doença. Os autores consideram os fundamentos para tal isenção e levantam questões sobre a falta de critérios legais a serem considerados pelo tribunal ao decidir sobre a isenção de pena por motivo de doença, bem como sobre a prevenção e o combate à reincidência entre essas pessoas. Os autores concluem que as razões para a reincidência entre presos libertados por motivos médicos incluem a falta de controle e a insuficiente consolidação de normas que regulamentam as relações jurídicas com essa categoria de pessoas após a sua libertação, na legislação penal e processual penal.



Keywords: Exemption from Punishment due to Illness. Serious Illness. Mental Disorder. Imprisonment. Criminal-Executive System. Control.

Palavras-chave: *Isenção de Pena por Motivo de Doença. Doença Grave. Transtorno Mental. Prisão. Sistema Penal-Executivo. Controle.*

1 INTRODUCTION

The development of the institution of release from imprisonment in connection with illness raises many theoretical and practical questions related to the definition of its legal nature, its significance, and its role among other forms of influence on the convicted person, as well as the legal regulation of its application and execution.

Analysis of current legislation leads to the conclusion that the existing normative-legal regulation of post-penitentiary support for these persons is inadequate (Shugurov & Pechatnova, 2023). In this paper, we substantiate the need to improve Russian legislation governing the institutions of exemption from punishment and the resocialization of this category of convicts (Petrovskaya, 2023).

The importance of exploring exemption from punishment due to illness stems from significant inconsistency in the enforcement of the norms provided for by criminal, penal, and criminal procedural legislation. The lack of clear grounds for exemption gives rise to different interpretations and approaches.

More attention should be devoted to post-penitentiary monitoring of persons released from serving a sentence on this basis and the lack of criteria guiding the law enforcer in resolving this issue in the manner prescribed by law.

In the Russian legal system, the institution of exemption from punishment due to illness is mainly regulated by criminal law (Chirkov et al., 2022). Aspects of its functioning are reflected in the norms of penal enforcement and criminal procedural law and normative legal acts enshrining medical grounds for such exemption (Iarutin & Gulyaeva, 2023).

The Criminal Code of the Russian Federation (CC RF) (State Duma of the Federal Assembly of the Russian Federation, 1996) provides three independent types of exemption from punishment due to illness: exemption from punishment due to mental disorders, exemption from punishment due to other serious illnesses, and exemption from punishment for convicted military personnel due to an illness that renders them unfit for military service.

Part 1 of Article 81 of the CC RF regulates exemption from punishment for persons who, after committing a crime, develop a mental disorder that deprives them of the ability to realize the actual nature and public danger of their actions (inactions) or to be guided by them and the release of such persons.

In our view, this exemption applies to the release of persons convicted, imprisoned, and released under Part 5 of Article 302 of the Criminal Procedure Code of the Russian Federation (CPC RF) (State Duma of the Federal Assembly of the Russian Federation, 2001) and to the type of exemption of persons who have been convicted with the imposition of a punishment but for some reason have not started serving the sentence in a correctional institution.

The type of exemption under which the person serving a criminal sentence develops a mental disorder after convicting the crime while serving their sentence is to be exempted from serving it further does not raise any questions.

However, the legislator does not distinguish between the concepts of exemption from punishment and release from serving a sentence when applying Part 1 of Article 81 of the CC RF. Analyzing the practical aspect of this issue, we find that any person serving a sentence is released for reasons of developing a mental illness under the conditions that they are recognized as insane. The latter concept is interpreted differently compared to when the person is recognized as a subject of the crime. In this case, insanity is characterized by the person's inability to realize the factual nature and public danger of their actions (inaction) or control them and their inability to perceive correctional influence. This problem is partially resolved by separate clarifications of these concepts, for example, by the Plenum of the Supreme Court of the Russian Federation, and by the harmonization of legislative terminology in various branches of law.

We believe that another important factor in the study of mental disorders as a ground for exemption from punishment is the prescription of compulsory medical measures (CMM) upon such exemption.

As per Article 99 of the CC RF, the court may assign one of the following types of CMM to a person released from serving their sentence on these grounds:

- 1) compulsory supervision and treatment by a psychiatrist in an outpatient setting,
- 2) compulsory treatment in a general type of medical institution providing psychiatric care in inpatient conditions,
- 3) compulsory treatment in a specialized type of medical institution providing

psychiatric care in an inpatient setting,

4) compulsory treatment in a specialized medical institution providing psychiatric care in an inpatient setting with intensive supervision.

First, the procedural aspect of this issue has not been determined by law. Second, we cannot but note that the appointment of CMM is merely a right of the court and not a duty, which raises the issue of who should control the persons to be released from imprisonment on these grounds without CMM and whether this control is needed.

Another significant aspect of such an exemption is its legal nature.

Speaking of the onset of mental disorder as a ground for exemption from punishment, Iu.M. Tkachevskii (1962, p. 110) argues that no matter what crime was committed by the person before developing a mental disorder, if this is “a chronic mental illness”, the person can no longer serve the sentence as they cannot be subjected to correctional impact.

Agreeing with Tkachevskii, we would like to note that the presence of acquired mental disorder in a convicted person during the execution of their sentence provides a reason for terminating criminal law relations because such a person can be subjected neither to punitive legal restrictions nor to corrective and preventive action.

The grounds for exemption from serving a sentence due to the onset of a mental disorder in the convicted person require special attention on the part of the legislator (Muradyan, 2023). A person with a mental illness that renders them unable to realize the factual nature and public danger of their action or inaction and control it poses a serious threat to society.

The problems of legal regulation of exemption from punishment due to mental illness need to be resolved primarily at the legislative level. It seems necessary to legally regulate not only the post-penitentiary control of persons released from punishment on this basis but also their legal status.

Exemption from punishment due to other serious illnesses also raises several questions. The list of so-called conditions, or criteria, under which a person may be released for reasons of illness is not provided. The legislator has regulated specific criteria to be considered at release on parole and replacement of the unexecuted part of the punishment with a milder type but the criteria for the type of release under study still have not been identified. Only the presence of a disease, which must be reflected in the conclusion of the medical commission, is enshrined as a ground, whereas the

simultaneous submission of the convicted person's file with the conclusion and petition is only an addition.

In this connection, let us ask how the court should consider characterizing materials from the personal files of the convicted person released from punishment due to illness. As of now, there is no clarification on this issue. We believe that the lack of such criteria may indicate that, on the one hand, an illness that precludes the person from serving a sentence seemingly acts as an unconditional ground for release. On the other hand, it is worth pondering whether it would be appropriate to disregard the identity of a convicted person, for example, serving a life sentence, when they apply for release.

According to the Resolution of the Plenum of the Supreme Court of the Russian Federation of April 21, 2009 No. 8 "On judicial practice of conditional early release from serving punishment, the replacement of the unexecuted part of punishment with a milder type of punishment" (RP SC No. 8) (Plenum of the Supreme Court of the Russian Federation, 2009), the nature and degree of public danger of the crime committed by the convicted person, including its gravity and consequences, cannot be grounds for refusing to satisfy a petition or submission, since they serve as criteria for establishing the time limits specified in articles 79, 80, and 93 of the CC RF and are also considered by the court in the sentence when punishing the convicted person. However, these explanations concern release on parole and replacement of the unexecuted part of the punishment with a more lenient kind of punishment and do not apply to the release from punishment in connection with illness.

Thus, the court is not prohibited from releasing particularly dangerous convicts, including those serving life sentences, on these grounds, because there is no reservation in the legislative acts regarding the gravity of the crime committed, the personality of the convicted person, etc.

Scientific literature offers various opinions on the nature of early release from punishment in connection with other serious illnesses. Several scholars interpret this exemption as an act of humanism on the part of the state and, along with human rights organizations, believe that the presence of a disease is sufficient for exemption.

We believe that a fair point of view, particularly regarding the exemption from punishment due to illness for persons serving life imprisonment, was expressed by Professor A.S. Mikhlin.

Mikhlin (2006, p. 35) asserts that criminal punishment in the form of life

imprisonment for a person found guilty of a particularly grave crime against human life, for which the death penalty is provided for under the Constitution of the Russian Federation (1993), is not a punishment by its legal nature, since it is imposed by the court as an alternative to the death penalty by way of pardon.

We agree with this statement. In this case, the replacement of the death penalty with life imprisonment is undoubtedly an act of humanism on the part of the state. Therefore, it is questionable whether a second application of an act of humanism with unimpeded release from punishment due to illness is possible for this category of convicts.

Gaps in the legal regulation of the procedure for such release and the absence of legislative criteria to be considered by the court along with the presence of a relevant serious illness lead to the violation of the rights, freedoms, and legitimate interests of convicted persons and society, including the victims of the crime.

According to paragraphs 24 and 25, when deciding on the release of a person from punishment in the form of deprivation of liberty due to illness, at the time of considering the petition of the convicted person, their legal representative, or the head of the institution executing the punishment, the court needs to consider the conclusion of the medical commission of a medical organization of the penal and correctional system of the Russian Federation or a medical and social expert assessment institution, considering the List approved by the Decree of the Government of the Russian Federation of February 6, 2004 No. 54 "On the medical examination of convicts submitted for exemption from sentence due to illness" (DG RF No. 54) (Government of the Russian Federation, 2004). According to the document, when considering the relevant application, the court also considers other circumstances relevant to the resolution of the case on the merits.

It is prescribed that when the court considers an application or submission, it should consider that the provisions of Article 81 of the CC RF do not preclude exemption from punishment due to illness, including in cases when the person has served an insignificant part of their sentence, is characterized negatively by the administration of the correctional institution, has received no incentives over the course of their sentence, or lacks a permanent place of residence or social ties.

Normative acts do not clarify what circumstances the legislator understands as "other circumstances", leading to their varied interpretations by courts when considering the cases.

2 METHODS

The methodological basis of the study is provided by the dialectical method, which involves the consideration of objects in an integrated way, in interrelation with each other. The general scientific methods used in the study included comparative legal, concrete sociological, statistical, and formal logical methods (analysis, synthesis, deduction, induction, etc.).

3 RESULTS

Analysis of court practice shows that cases of unlawful refusal exist precisely because of insufficient legal regulation of the criteria considered along with the illness that prevents further serving of the sentence. As a rule, the courts of first instance refuse to satisfy petitions for release from punishment motivated by the fact of the convicted person filing the petition having no permanent place of residence or by the negative characterization of the convicted person submitted by the administration of the correctional institution. Courts of appeal or cassation instances, on the contrary, overturn these decisions, considering the arguments of the first instance courts to be unfounded and unlawful.

A problematic issue in terms of regulation of early release from punishment due to serious illness is the discrepancy in the conceptual apparatus and the lack of consistency in the classification of relations in the legal regulation of a uniform procedure.

Thus, in Article 81 of the CC RF, the legislator uses the concepts "mental disorder", "other serious illness", and "disease that renders a person unfit for military service". The norms of Articles 172, 174, and 175 of the Penal Code of the Russian Federation (PC RF) (State Duma of the Federal Assembly of the Russian Federation, 1997) contain the concepts "serious illness", "mental disorder", "other serious illness", and "disease making one unfit for military service". The CPC RF in paragraph 6 of part 2 of Article 397 on exemption from punishment due to illness uses the concept "illness of the convicted person".

The situation is different with the release from punishment for military servicemen due to an illness that renders them unfit for military service according to part 3 of Article 81 of the CC RF. Examining this norm, we can conclude that servicemen serving a

sentence in the form of a restriction on military service are not subject to release due to illness. However, part 1 of Article 174 of the PC RF defines this category of servicemen as persons who can be released from further serving of punishment in the form of restriction on military service on similar grounds.

Sharing the opinion of L.M. Ivanova (2023, p. 6), we believe that the norms of part 3 of Article 81 of the CC RF and part 1 of Article 174 of the PC RF have a common subject of legal regulation, yet the PC RF norm is supplemented with an additional category of servicemen, which shows a conflict between these norms.

Attention should be paid to the fact that the issue regarding military personnel serving other types of punishments, including probation, in case of their illness falling under the list of those determining their ineligibility for military service, is still open. For servicemen who have a disease that makes them unfit for military service, this type of release is unconditional and final and is not subject to the discretion of the court, nor can it be revoked on any grounds. The unexecuted part of their punishment can be replaced by a more lenient kind of punishment, which is not provided for persons exempted from punishment due to illness according to paragraphs 1 and 2 of Article 81 of the CC RF.

Continuing the study of early release from punishment due to illness, it is generally interesting that this type of exemption is the only one in case of which legislation provides for no post-penitentiary supervision.

According to official judicial statistics of the Judicial Department under the Supreme Court of the Russian Federation, more than 2,000 petitions for exemption from punishment due to illness are granted annually. Thus, in 2022, the courts of general jurisdiction in first-instance criminal cases granted 2,132 petitions (8,940 petitions were received in proceedings). In the first half of 2023, 1,086 petitions were granted (out of 4,309 petitions received in proceedings) (Judicial Department at the Supreme Court of the Russian Federation, n.d.).

This is a considerable number of people released due to illness. If a person released due to illness recovers, they are subject to punishment based on paragraph 4 of Article 81 of the CC RF. In this case, the range of subjects authorized to initiate this process and exercise control over this category of persons, their behavior, and their health needs to be addressed.

Of note is the position of S.A. Klipov (2012, p. 11), who considers the subjects of the probation system and the criminal-executive inspection as potential subjects to control

the persons released from correctional institutions, including those due to illness.

We are also convinced that the subjects of probation must surely become active participants in control over the persons released from punishment due to illness. The main subject of such control is proposed to be the criminal-executive inspection. It is advisable to develop a unified mechanism of control over persons prematurely released from places of deprivation of liberty due to illness and the mechanism of bringing them to serve the sentence in case several conditions arise.

Release from punishment in connection with illness requires the same conditions as parole. According to Part 7 of Article 79 of the CC RF, the court may revoke such a release in the following circumstances:

- if during the unexecuted part of the sentence the convict released on parole commits a violation of public order and receives an administrative penalty or maliciously evades the obligations imposed on them by the court when applying conditional parole and court-ordered CMM,

- if during the unexecuted part of the sentence the convict commits a crime of negligence or an intentional crime of minor or medium gravity,

- if during the unexecuted part of the sentence the convict commits a serious or particularly serious crime.

These conditions may well be used as universal conditions. However, it is logical to assume that the fact of a person released from punishment due to illness and recovering from said illness will be a special condition, which the court may deem sufficient to resume the execution of punishment in respect of the released person.

We agree with the position of D.N. Sergeev (2016) that the lack of a universal approach to the control of those released from punishment after their departure from the correctional institution has led to numerous contradictions, including difficulties "in their interaction with other measures of criminal responsibility" (p. 3).

Article 398 of criminal procedural legislation allows postponing the execution of a sentence, including imprisonment, provided that the convicted person has a disease that prevents them from serving the sentence. Deferred execution of a sentence may be granted to a convicted person serving a criminal sentence of deprivation of liberty during serving such a sentence if the convicted person's illness prevents them from serving the sentence but is not included in the List of diseases approved by the DG RF No. 54. According to this article, punishment can be postponed for a certain term, as a rule, until

the convicted person recovers.

The legislator also fails to regulate who and how should monitor the process and the fact of recovery of these persons for the subsequent resumption of the execution of their sentence. This is inappropriate and fundamentally unacceptable due to the fact that these persons, on the one hand, pose a danger to society and, on the other hand, need proper treatment and assistance from the state. From this also follows the issue concerning the gap in the regulation and legal status of the category of persons under study, when they are released from punishment in connection with a mental disorder or other serious illness and when they are granted a postponement of execution of the sentence.

Control, acting as an integral feature of early release of the convicted person from serving a sentence and release from punishment due to illness not only realizes one of the main objectives of the penal enforcement legislation, which is to prevent the commission of new crimes by released persons, but also clarifies the recovery of those released from punishment due to illness and those who have been granted a postponement of serving a sentence of imprisonment. The implementation of control by authorized bodies ensures the objectivity of court decision-making on the renewal or the final termination of criminal-executive legal relations with these persons.

The problems of legal regulation of exemption from punishment in connection with mental disorders and other serious illnesses need to be solved at the legislative level. It is necessary not only to legally enshrine control over convicts released on this basis as an inherent feature of the institution of exemption due to illness but also to regulate the legal status of these persons.

It is appropriate to establish a clear regulation of criteria for release from serving a sentence of imprisonment in connection with other serious illnesses that prevent further serving of such a sentence and to enshrine in the norms of criminal and penal enforcement law a prohibition on release from punishment in connection with illness for persons serving a sentence of life imprisonment. It is important to provide an exception for the category of seriously ill convicts who are at the terminal stage of the disease and for persons with mental disorders that render them unable to be the subject of punitive law-enforcement restrictions and the subject of correctional-preventive influence. For such convicts, it is necessary to establish a rule of unconditional release, while all other cases require a clearer order of release.

To adopt a unified approach to the interpretation of legal norms enshrining the

grounds for exemption from punishment due to illness, we consider it most appropriate to legally develop and subsequently consolidate a unified conceptual apparatus regulating this type of exemption, specifically, to use only the concepts "mental illness", "other severe illness", and "illness that renders a person unfit for military service".

4 CONCLUSIONS

The analysis of current legislation regulating the grounds for exemption from punishment due to illness demonstrates that criminal and penal relations with convicted persons exempted from serving their sentence due to illness are not terminated. On the contrary, the CC RF does not rule out the restoration of such relations in case the person recovers from their illness, provided that the statute of limitations established in Articles 78 and 83 of the CC RF has not expired. For this reason, a person prematurely released from punishment in the form of imprisonment due to illness will remain a prisoner for the entire period of their remaining sentence. From our point of view, by analogy with other types of early release, regulated control needs to be established for release due to illness.

The functions of monitoring the considered category of prisoners are expedient to be entrusted with the penal inspection. It is advisable to establish clear boundaries for the interaction of the supervisory body with the subjects of the probation system and health care organizations where the person released from punishment due to illness is registered or undergoes treatment.

REFERENCES

- Chirkov, D., Plohih, G., Kapustina, D., & Vasyukov, V. (2022). Opportunities for using digital data in evidence for criminal cases. *Revista Juridica*, 4(71), 364-380. <http://dx.doi.org/10.26668/revistajur.2316-753X.v1i68.5782>
- Constitution of the Russian Federation adopted at National Voting on December 12, 1993. (1993). *Rossiiskaia Gazeta [Ros. Gaz.]* 25.12.1993 No. 237.
- Government of the Russian Federation. (2004). Decree of February 6, 2004 No. 54 "On the medical examination of convicts submitted for exemption from sentence due to illness". *Sobranie Zakonodatel'stva Rossiiskoi Federatsii [SZ RF] [Collection of Legislation of the RF]* 16.02.2004, No. 7, Item 524.

- Iarutin, I. K., & Gulyaeva, E. E. (2023). International and Russian legal regulation of the turnover of crypto-assets: Conceptual-terminological correlation. *Journal of Digital Technologies and Law*, 1(3), 725–751. <https://doi.org/10.21202/jdtl.2023.32>
- Ivanova, L.M. (2023). Nekotorye problemy pravovogo regulirovaniia i pravoprimeneniia osvobozhdeniia ot nakazaniia v sviazi s bolezniiu [Several aspects of law regulatory and law enforcement related to exemption from punishment due to disease]. *Glagol pravosudiia*, 2(32), 6-11.
- Judicial Department at the Supreme Court of the Russian Federation. (n.d.). Judicial statistics. Retrieved March 14, 2024 from <http://www.cdep.ru/index.php?id=79&item=5258>
- Klipov, S.A. (2012). *Kontrol za litsami, osvobozhdennymi iz ispravitelnykh uchrezhdenii* [Monitoring of persons released from correctional institutions]: Dissertation for the Degree of Candidate of Legal Sciences: Specialty 12.00.08 "Criminal law and criminology; penal enforcement law". Krasnodar University of the Ministry of Internal Affairs of Russia, Krasnodar, 240 p.
- Mikhlin, A.S. (2006). Pozhiznennoe lishenie svobody: Pravovaia priroda, naznachenie, ispolnenie [Life imprisonment: Legal essence, sentencing, enforcement]. *Ugolovno-ispolnitelnoe pravo*, 1, 34-40.
- Muradyan, S. V. (2023). Digital assets: Legal regulation and estimation of risks. *Journal of Digital Technologies and Law*, 1(1), 123–151. <https://doi.org/10.21202/jdtl.2023.5>
- Petrovskaya, M. I. (2023). Problems of administrative and legal regulation of emergency migration in Russia. *National Security*, 6, 1-15. <https://doi.org/10.7256/2454-0668.2023.6.69139>
- Plenum of the Supreme Court of the Russian Federation. (2009). Resolution of April 21, 2009 No. 8 "On judicial practice of conditional early release from serving punishment, the replacement of the unexecuted part of punishment with a milder type of punishment". Retrieved from <https://www.vsrp.ru/documents/own/8106/?ysclid=lzv27ogiip666342951>
- Sergeev, D.N. (2016). *Sotsialno-pravovye grani postpenitentsiarnogo kontroliia* [Social and legal aspects of post-penitentiary control]: Dissertation for the Degree of Candidate of Legal Sciences: Specialty 12.00.08 "Criminal law and criminology; penal enforcement law". Ural State Law University, Yekaterinburg, 256 p.
- Shugurov, M. V., & Pechatnova, Y. V. (2023). The sanctions regimes of Germany and Great Britain in the field of international scientific cooperation with the participation of Russia: The political and legal nature and consequences. *International Law*, 4, 1-35.
- State Duma of the Federal Assembly of the Russian Federation. (1996). Criminal Code of the Russian Federation of June 13, 1996 No. 63-FZ. *Sobranie Zakonodatel'stva*

Rossiiskoi Federatsii [SZ RF] [Collection of Legislation of the RF] 17.06.1996, No. 25, Item 2954.

State Duma of the Federal Assembly of the Russian Federation. (1997). Penal Code of the Russian Federation of January 8, 1997 No. 1-FZ. *Sobranie Zakonodatel'stva Rossiiskoi Federatsii* [SZ RF] [Collection of Legislation of the RF] 13.01.1997, No. 2, Item 198.

State Duma of the Federal Assembly of the Russian Federation. (2001). Criminal Procedure Code of the Russian Federation of December 18, 2001 No. 174-FZ. *Sobranie Zakonodatel'stva Rossiiskoi Federatsii* [SZ RF] [Collection of Legislation of the RF] 24.12.2001, No. 52 (Part 1), Item 4921.

Tkachevskii, Iu.M. (1962). *Dosrochnoe osvobozhdenie ot nakazaniia* [Early release from punishment]. Moscow: Iurid. literatura, 136 p.

Authors' Contribution

All authors contributed equally to the development of this article.

Data availability

All datasets relevant to this study's findings are fully available within the article.

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