Question 1.a.

Section 185 – Rape

(1) Whoever forces another person to have sexual intercourse by violence or the threat of violence or a threat of other serious injury, or whoever exploits the person's vulnerability for such an act shall be punished by a prison sentence of six months to five years.

(2) An offender shall be punished by a prison sentence of two to ten years, if they committed an act referred to in Subsection 1

a) by sexual intercourse or other sexual contact carried out in a manner comparable with intercourse,

b) on a child, or

c) with a weapon.

(3) An offender shall be punished by a prison sentence of five to twelve years, if,

a) they committed an act referred to in Subsection 1 on a child under the age of fifteen years,

b) they committed such an act on a person serving detention, a prison sentence, protective treatment, security detention, protective or institutional care or in another place where personal freedom is restricted, or

c) they caused serious injury by committing such an act.

(4) An offender shall be punished by a prison sentence of ten to eighteen years, if they caused death by committing an act referred to in Subsection 1.

(5) Premeditation is punishable.

Section 186 – Sexual Coercion

(1) Whoever forces another person into masturbation, indecent exposure, or other comparable conduct by threat of violence or the threat of other serious injury, or who exploits the person's vulnerability for such behaviour shall be punished by a prison sentence of six months to four years or punishment by disqualification.

(2) An offender who coerces another person into sexual intercourse, masturbation, indecent exposure, or other comparable conduct by exploiting their addiction or the offender's position and, hence, credibility or influence, shall be similarly punished.

(3) An offender shall be punished by a prison sentence of one year to five years, if they committed an act referred to in Subsection 1 or 2

a) on a child, or

b) with at least two persons.

(4) An offender shall be punished by a prison sentence of two to eight years, if,

a) they committed an act referred to in Subsection 1 with a weapon,

b) they committed an act referred to in Subsection 1 or 2 on a person serving detention, a prison sentence, protective treatment, security detention, protective or institutional care or in another place where personal freedom is restricted, or

c) they committed such an act as a member of an organised group.

(5) An offender shall be punished by a prison sentence of five to twelve years, if,

a) they committed an act referred to in Subsection 1 on a child under the age of fifteen years, or

b) they caused serious injury by committing such an act.

(6) An offender shall be punished by a prison sentence of ten to sixteen years, if they caused death by committing an act referred to in Subsection 1 or 2.

(7) Premeditation is punishable.

Section 187 – Sexual Abuse

(1) Whoever performs sexual intercourse with a child under the age of fifteen years or who otherwise sexually abuses them shall be punished by a prison sentence of one to eight years.

(2) An offender shall be punished by a prison sentence of two to ten years, if they committed an act referred to in Subsection 1 on a child younger than fifteen years of age entrusted to their supervision, abusing their addiction or the offender's position and, hence, their credibility or influence.

(3) An offender shall be punished by a prison sentence of five to twelve years, if they caused serious injury by committing an act referred to in Subsection 1.

(4) An offender shall be punished by a prison sentence of ten to eighteen years, if they caused death by committing an act referred to in Subsection 1.

(5) Premeditation is punishable.