

Articles

Chapter XXI of the CC criminalizes crimes and misdemeanours against freedom of a person's sexual self-determination and inviolability.

Article 149. Rape

1. A person who has sexual intercourse with a person against his will by using physical violence or threatening the immediate use thereof or by otherwise depriving of a possibility of resistance or by taking advantage of the helpless state of the victim shall be punished by a custodial sentence for a term of up to seven years.
2. A person who rapes another person with a group of accomplices shall be punished by a custodial sentence for a term of up to ten years.
3. A person who rapes a minor shall be punished by a custodial sentence for a term of three up to ten years.
4. A person who rapes a young child shall be punished by a custodial sentence for a term of five up to fifteen years.
5. A person shall be held liable for the act provided for in paragraph 1 of this Article only under a complaint filed by the victim or a statement filed by the legal representative thereof or at a prosecutor's request or when a pre-trial investigation is opened upon establishing signs of domestic violence.
6. A legal entity shall also be held liable for an act provided for in paragraphs 3 and 4 of this Article.

Article 150. Sexual Assault

1. A person who, against a person's will, satisfies his sexual desires through anal, oral or interfemoral intercourse by using physical violence or by threatening the immediate use thereof or by otherwise depriving the victim of a possibility of resistance or by taking advantage of the helpless state of the victim shall be punished by arrest or by a custodial sentence for a term of up to seven years.
2. A person who carries out the actions provided for in paragraph 1 of this Article together with a group of accomplices shall be punished by a custodial sentence for a term of up to eight years.
3. A person who carries out the actions provided for in paragraph 1 of this Article in respect of a minor shall be punished by a custodial sentence for a term of two up to ten years.
4. A person who carries out the actions provided for in paragraph 1 of this Article in respect of a young child shall be punished with a custodial sentence for a term of three up to thirteen years.
5. A person shall be held liable for the act provided for in paragraph 1 of this Article only under a complaint filed by the victim or a statement filed by the legal representative thereof or at the prosecutor's request or when the pre-trial investigation is initiated upon establishing signs of domestic violence.
6. A legal entity shall also be held liable for an act provided for in paragraphs 3 and 4 of this Article.

Article 151. Sexual Abuse

1. A person who, by threatening to resort to violence, using other mental coercion or by taking advantage of a person's dependency, compels the person to have sexual intercourse with or otherwise satisfy sexual desires of the offender or a third person shall be punished by arrest or by a custodial sentence for a term of up to three years.
2. A person who carries out the actions provided for in paragraph 1 of this Article in respect of a minor shall be punished by a custodial sentence for a term of up to eight years.
3. A person shall be held liable for the act provided for in paragraph 1 of this Article only under a complaint filed by the victim or a statement filed by the legal representative thereof or at the prosecutor's request or when the pre-trial investigation is initiated upon establishing signs of domestic violence.
4. A legal entity shall also be held liable for an act provided for in paragraph 2 of this Article.

Article 151(1). Satisfaction of Sexual Desires by Violating a Minor's Freedom of Sexual Self-Determination and/or Inviolability

1. An adult person who has a sexual relationship or otherwise satisfies his sexual desires with a person under the age of sixteen years, in the absence of signs of raping, sexual abuse or coercing into a sexual act, shall be

punished by a fine or by restriction of liberty or by arrest or by a custodial sentence for a term of up to five years.

2. A person who has sexual intercourse or otherwise satisfied his sexual desires with a minor upon offering, promising to provide or upon providing to him or to another person in consideration money or a consideration of another form, in the absence of characteristics of a rape, sexual assault or sexual abuse, shall be punished by community service or by a fine or by restriction of liberty or by arrest or by a custodial sentence for a term of up to five years.

3. A father, mother, guardian, custodian or other legal representative of the child, or a person with statutory authority over a minor, or a person who has abused his or her trust, authority or influence over a minor, who has had sexual intercourse or otherwise fulfilled his or her sexual passion with that minor, provided that there have been no indications of rape, sexual abuse or forcing the minor to have sexual relations, shall be punished by a fine or by restriction of liberty or by arrest or by a custodial sentence for a term of up to six years.

4. A person who committed the acts provided for in paragraph 3 of this Article with a person under the age of 16 years shall be punished by a custodial sentence for a term of up to eight years.

5. A legal entity shall also be held liable for the acts provided for in this Article.

6. The actions indicated in paragraph 1 of this Article shall not be considered a crime, if there is no significant age, mental and physical maturity difference between participants in the actions.

Article 152(1). Grooming of a Person under the Age of Sixteen Years

1. An adult person who proposes a person under the age of sixteen years to meet for the purpose of having a sexual relationship/intercourse or otherwise satisfying his sexual desires or exploiting him for the production of pornographic material, provided that following this proposal he undertakes specific actions for the meeting to take place, shall be punished by a fine or by restriction of liberty or by arrest or by a custodial sentence for a term of up to one year.

2. A legal entity shall also be held liable for the acts provided for in this Article.

Article 153. Sexual Molestation of a Person under the Age of Sixteen Years

1. A person who carries out sexual molestation actions in respect of a person under the age of sixteen years shall be punished by a restriction of liberty or by arrest or by a custodial sentence for a term of up to five years.

2. A legal entity shall also be held liable for the acts provided for in this Article.