

National Laws

Legislation of Interpol member states on sexual offences against children

Ukraine - Ukraine - Ucraina

Kiev

The information on this page is up to date as of spring 2006

I. Ages for legal purposes

Age of simple majority

The legal age of majority is eighteen (18) years.

Persons who were sixteen (16) years old before committing a crime are subject to the criminal liability.

Persons who committed crimes when they are 14-16 years of age are subject to the criminal liability for intentional murder only and other serious forms of crimes.

Age of consent for sexual activity

The legal age of consent for sexual activity is to be established by decision of a medical examiner.

Age of consent for marriage

The legal age of consent for marriage is eighteen (18) years for male persons and seventeen (17) years for female persons

II. Rape

Article 152 -Rape

1) Sexual intercourse with the use of physical strength, threat of its using, or using the helplessness of a victim is rape, and it is punishable by imprisonment for a term from 3 to 5 years.

2) Rape committed repeatedly or by person who committed before any of crimes provided by the art. 153-155 of the criminal code is punishable by imprisonment for a term from 5 to 10 years.

3) Rape committed by group of persons or a rape over minor is punishable by imprisonment for a term from 7 to 12 years.

4) Rape, that entailed particularly serious consequences and also rape of juvenile (boy or a girl) is punishable by imprisonment for a term from 8 to 15 years.

III. Other forms of child sex abuse

Article 153 - Satisfaction of sexual passion in perverted forms

1) Satisfaction of sexual passion in perverted forms with the use of physical strength, threat of its using or with the use of helplessness of the victimized person, is punishable by imprisonment for the term to 5 years.

2) The same action committed repeatedly, or by group of persons, or by person committed before any of crimes provided by article 152 or 154 of this code and also committed in respect of female or male minor, is punishable by imprisonment for the term from 3 to 7 years.

3) The same action committed in respect of a juvenile (male or female) if it was entailed by particularly serious consequences is punishable for a term from 8 to 12 years.

Article 154 - Compulsion to make sexual contact

1) Compulsion of women or men to make sexual contact in natural or in perverted forms from whom the women or man are dependant materially or by service position, is punishable by fine to 50- untaxed minimums of profits of citizens or by arrest for the term to 6 months.

2) The same action, connected with threat of destroying, damaging or seizure of the property of the victimized person or her/his close relatives or divulgation of information discrediting her/him or close relatives, is punishable by arrest for the term of 6 months or deprivation of liberty for the term to 3 years.

Article 155- Sexual Intercourse with person who does not reached puberty

1) Sexual intercourse with person whop does not reach puberty is punishable by limiting the liberty for 3 years or by 3 years of imprisonment.

2) The same action committed by father, mother or person substituted of them or if the action entailed bareness or other serious consequences, is punishable by imprisonment for a term from 3 to 5 years.

Article 156 - Depravation of minors

1) Committing a deprave action in respect of the person who is not 16 years old is punishable by arrest up to 6 months or deprivation of liberty for 3 years.

2) For the same action committed with respect to minors by father, mother or person

substituting them, is punishable by deprivation of liberty for up to 5 years or for 3 years of imprisonment

IV. Child prostitution

Article 302 - Creation or keeping of dens and procuration

1) Creation or keeping of dens and also procuration for debauch is punishable by fine to 50 untaxed minimums of profits of citizens or deprivation of liberty for 2 years.

2) The same action, committed for making money or by person who has convictions prior for this crime otherwise committed by organized group is punishable by deprivation of liberty for 5 years or by imprisonment for the same period.

3) Action provided by parts 1) and 2) of this article committed with involvement of minors is punishable by deprivation of liberty for a term from 2 to 7 years.

Article 303 - Prostitution, compulsion or otherwise implication in prostitution

1) Systematic involvement in prostitution (i.e. giving sexual services to obtain profits) is punishable from 50 to 500 untaxed minimums of profits of the citizens or by social labours with term for 120 hours.

2) Compulsion or implication in engaging in prostitution (i.e. giving sexual services for making money by way of using the violence or threat of it's using, destroying or damaging the property, blackmail or deception) is punishable by fine from 500 to 1000 untaxed minimums of profits of the citizens or by arrest for term from 6 months or by imprisonment for a term of 1 to 3 years.

3) Action, provided by parts 1 and 2 of this article , committed in respect of minor or by organized group is punishable by imprisonment for a term from 3 to 5 years.

V. Child pornography

Art 301- Importation, production, sale and distribution of pornographic items.

1) Importation into Ukraine of the works, images or another items of pornographic nature for sale or distribution otherwise their production, transportation or another movement with the same aim, otherwise their sale or distribution or compulsion to participation in their manufacturing is punishable by fine at the rate from 50 to 100 untaxed minimums of profits of citizens or by arrest for 6 months or by deprivation of liberty for 3 years with confiscation of pornographic items and means of their

production and distribution.

2) The same action committed in respect of cinematographic and video production computer programs of pornographic nature and also sale to minors or distribution among them, works, images and other items of pornography is punishable by fine from 100 to 300 untaxed minimums of profits of citizens or deprivation of liberty for 5 years or imprisonment for the same period with confiscation of pornographic cinema and video production, means of its production and demonstration.

3) Actions provided by part 1) and 2) of this article, if those are committed repeatedly or due to prior collusion by group of persons and also compulsion of minors to participation in creation of works, images or cinema and video production, computer programs of pornographic nature is punishable by imprisonment for the term of 3 to 7 years with deprivation to take definite positions or to engage definite activity until 3 years and with confiscation of pornographic items, cinema and video production, computer programs, means for their manufacturing, distribution and demonstration.

VI. Internet

The below mentioned **article 301 of the Criminal Code of Ukraine** covers crimes against children using the Internet.