

AGE OF SEXUAL CONSENT IN UKRAINE

The age of sexual consent is the age at which a person is considered capable of giving conscious consent to sexual interaction with another person.

In Ukraine, the age of sexual consent is 16 years old. This means that a person under 16 years old cannot give consent to sexual intercourse, even if such intercourse is voluntary.

According to Ukrainian legislation, sexual intercourse with a person under the age of 16 is criminalized and treated as:

- committing sexual acts with a person who has not reached the age of sixteen (Article 155 of the Criminal Code of Ukraine);
- corrupting minors (Article 156 of the Criminal Code of Ukraine).

Article of the Criminal Code of Ukraine	The text of the Article [1]	Punishment	Other important elements
Part 1 Article 155 of the Criminal Code of Ukraine	The commission by an adult of acts of a sexual nature, associated with vaginal, anal, or oral penetration of the body of a person who has not reached the age of sixteen, using genitalia, another organ or body part, or any object.	The punishment for this offense is imprisonment for a term of up to five years or deprivation of liberty for the same term.	The composition of this criminal offense is formed if the perpetrator knew (consciously knew or suspected) that the victim had not reached the age of sixteen. Similarly, it is formed when the perpetrator should have and could have been aware of this fact.
Part 2 Article 155 of the Criminal Code of Ukraine	The same actions committed by close relatives or family members, by a person entrusted with the upbringing or care of the victim, or if combined with providing monetary or other rewards to the victim or a third party, or with a promise of such a reward, or if they result in infertility or other serious consequences.	The punishment is imprisonment for a term of five to eight years with the deprivation of the right to hold certain positions or engage in certain activities for up to three years or without it.	A sincere mistake regarding the attainment of the age of sixteen by the person with whom the sexual acts were committed excludes liability under Article 155 of the Criminal Code of Ukraine.

[1] In Articles 155 and 156 of the Criminal Code of Ukraine, close relatives or family members are understood to mean persons defined in paragraph 1 of Article 3, Part 1 of the Criminal Procedure Code of Ukraine, namely: one of spouse, parents, stepparents, children, stepchildren, grandparents, great-grandparents, grandson, granddaughter, great-grandson, great-granddaughter, adopter or adoptee, guardian or custodian, person under guardianship or custody, as well as persons who live together, are linked by a common household, and have mutual rights and obligations, including persons who live together but are not married.

Article of the Criminal Code of Ukraine	The text of the Article	Punishment	Other important elements
Part 1 Article 156 of the Criminal Code of Ukraine	Committing lewd acts against a person under the age of sixteen.	The punishment for this offense is imprisonment for a term of up to five years or restriction of liberty for the same term.	This crime involves engaging in lascivious acts of a sexual nature capable of causing physical and moral depravity of minors. The perpetrator's actions should not involve vaginal, anal, or oral penetration of the victim's body, as specified in Article 155 of the Criminal Code of Ukraine.
Part 2 Article 156 of the Criminal Code of Ukraine	The same actions committed against a minor or by family members or close relatives, by a person entrusted with the upbringing or care of the survivor.	The punishment is imprisonment for a term of five to eight years with the deprivation of the right to hold certain positions or engage in certain activities for up to three years or without such deprivation.	Lascivious acts may include:: <ul style="list-style-type: none"> • physical (exposure of the genitalia of the perpetrator or the victim, indecent touching of genitalia causing sexual arousal, teaching sexual perversion, imitation of sexual intercourse, encouraging or forcing victims to engage in certain sexual acts with each other, engaging in sexual intercourse, acts of masturbation in the presence of the victim, etc.) • intellectual (cynical conversations with the victim on sexual topics, familiarizing the child with pornographic images, video films, etc.).

In addition, criminal liability under Articles 155 and 156 of the Criminal Code of Ukraine arises in the event of such crimes committed by an adult – **a person who has reached the age of 18.**

IMPORTANT!

If sexual intercourse occurred between two individuals who have not reached the age of consent but did so mutually, criminal liability is excluded.

This briefing note has been produced by the Danish Refugee Council (DRC) with funding from the European Union and the generous support of the American people through the USAID's Bureau for Humanitarian Assistance.

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