

UKRAINE

CRIMINAL CODE OF UKRAINE

(This Code enters into force on September 1, 2001)

(excerpts - emphasis added)

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(...)

SPECIAL PART

(...)

Chapter III. CRIMINAL OFFENSES AGAINST LIBERTY, HONOR AND DIGNITY OF A PERSON

Article 146. Illegal confinement or abduction of a person

1. Illegal confinement or abduction of a person, -

shall be punishable by restraint of liberty for a term up to three years, or imprisonment for the same term.

2. The same acts committed **in regard of a minor**, or for mercenary purposes, or in regard of two or more persons, or by a group of persons upon their prior conspiracy, or by a method dangerous to the victim's life or health, or causing bodily suffering to him or her, or with the use of weapons, or within a lasting period of time, -

shall be punishable by restraint of liberty for a term up to five years, or imprisonment for the same term.

3. Any such acts as provided for by paragraph 1 or 2 of this Article, where committed by an organized group, or where they caused any grave consequences, -

shall be punishable by imprisonment for a term of five to ten years.

(...)

Article 149. Trafficking in human beings and other illegal transfer deals in respect of a human being

1. Sale, other transfer for payment or any other illegal deals with regard to a person, involving legal or illegal movement of that person, with or without his/her consent, across the border of Ukraine for further sale or other transfer to any person (or persons) for the purpose of sexual exploitation, use in pornobusiness, engagement in criminal activities, peonage, adoption for commercial purposes, use in armed conflicts, labor exploitation, -

shall be punishable by imprisonment for a term of three to eight years.

2. The same actions committed **in respect of a minor**, or several persons, or repeated, or committed by a group of persons upon their prior conspiracy, or through abuse of office, or by a person on whom the victim was financially or otherwise dependent, -

shall be punishable by imprisonment for a term of five to twelve years, with or without the forfeiture of property.

3. Any such actions as provided for by paragraphs 1 and 2 of this Article, where committed by an organized group, or involving illegal taking of children abroad or failure to bring them back to Ukraine, or for the purpose of removal of the victim's organs or tissues for transplantation or forcible donor purposes, or where these actions caused any grave consequences, -

shall be punishable by imprisonment for a term of eight to fifteen years with the forfeiture of property.

Article 150. Exploitation of children

1. Exploitation of children, who are under legally employable age, by way of profit-seeking employment, -

shall be punishable by arrest for a term up to six months, or restraint of liberty for a term up to three years, with the deprivation of the right to occupy certain positions or engage in certain activities for a term up to three years.

2. The same actions committed in regard of several children, or where they caused significant harm to health, physical development or educational level of a child, or accompanied with the use of children labor in hazardous production, -

shall be punishable by imprisonment for a term of two to five years with the deprivation of the right to occupy certain positions or engage in certain activities for a term up to three years.

(...)

Chapter IV. CRIMES AGAINST SEXUAL FREEDOM AND SEXUAL INVIOLABILITY OF A PERSON

Article 152. Rape

1. Rape, that is sexual intercourse combined with violence, threats of violence, or committed by taking advantage of the victim's helpless condition, -

shall be punishable by imprisonment for a term of three to five years.

2. Rape, where it was repeated, or committed by a person who previously committed any of the offenses provided for by Articles 153 to 155 of this Code, -

shall be punishable by imprisonment for a term of five to ten years.

3. Rape committed by a group of persons, **or rape of a minor**, -

shall be punishable by imprisonment for a term of seven to twelve years.

4. Rape which caused any grave consequences, and **also rape of a young child**, -

shall be punishable by imprisonment for a term of eight to fifteen years.

Article 153. Violent unnatural gratification of sexual desire

1. Violent unnatural gratification of sexual desire combined with physical violence, or threats of violence, or committed by taking advantage of the victim's helpless condition, -

shall be punishable by imprisonment for a term up to five years.

2. The same act, if repeated, or committed by a group of persons, or by a person who previously committed any of the offenses provided for by Articles 152 or 154 of this Code, and also **committed in regard of a minor**, -

shall be punishable by imprisonment for a term of three to seven years.

3. The same act committed **in regard of a young child**, where it caused especially grave consequences, -

shall be punishable by imprisonment for a term of eight to twelve years.

(...)

Article 155. Sexual intercourse with a sexually immature person

1. Sexual intercourse with a sexually immature person, -

shall be punishable by restraint of liberty for a term up to three years or imprisonment for the same term.

2. The same actions committed by a parent or surrogate parent, or where they caused sterility or other grave consequences, -

shall be punishable by imprisonment for a term of three to five years.

Article 156. Debauchery of minors

1. Debauched actions committed in regard of a person under 16 years of age, -

shall be punishable by arrest for a term up to six months, or restraint of liberty for a term up to three years.

2. The same actions committed in regard of a young child, or by a parent or surrogate parent, -

shall be punishable by restraint of liberty for a term up to five years, or imprisonment for a term up to three years.

(...)

Chapter XII. CRIMINAL OFFENSES AGAINST PUBLIC ORDER AND MORALITY(...)

Article 302. Creating or running brothels and trading in prostitution

1. Creating or running brothels, and also trading in prostitution, -

shall be punishable by a fine up to 50 tax-free minimum incomes, or restraint of liberty for a term up to two years.

2. The same actions committed for gainful purposes, or by a person previously convicted of this offense, or by an organized group, -

shall be punishable by restraint of liberty for a term up to five years, or imprisonment for the same term.

3. Any such acts as provided for by paragraph 1 or 2 of this Article, **if committed by engaging a minor**, -

shall be punishable by imprisonment for a term of two to seven years.

Article 303. Prostitution or compelling to and engaging in prostitution

1. Systematic prostitution, that is gainful provision of sexual services, -

shall be punishable by a fine of 50 to 500 tax-free minimum incomes, or community service for a term up to 120 hours.

2. Compelling to or engaging in prostitution, that is to provide sexual services for a fee by use of violence or threats of violence or destruction or endamage of property, or by blackmail or deceit, -

shall be punishable by a fine of 500 to 1000 tax-free minimum incomes, or arrest for a term up to six months, or imprisonment for a term of one to three years.

3. Any such acts as provided for by paragraph 1 or 2 of this Article, **if committed in regard of a minor**, or by an organized group, -

shall be punishable by imprisonment for a term of three to five years.

4. Trading in prostitution, that is creating, leading or participating in an organized group which supports activities related to the provision of paid sex services by males and females for gainful purposes, -

shall be punishable by imprisonment for a term of five to seven years.

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