

Czech Republic - Sexual Assault (excl. rape)

In the Czech Republic, sexual assault is covered by several offences:

Sexual Coercion

- 1. Whoever forces other person by violence or threat of immediate violence or threat of other serious injury to health to self-gratification, denudation or other similar behaviour, shall be sentenced to a term of imprisonment of six months up to four years or prohibition of activity.
- 2. The same sentence shall be imposed on a person who shames induces another to sexual intercourse, self-gratification, denudation or other similar behaviour while abusing another's dependence, defencelessness or his/her own status and credibility and authority arising there from.
- 3. An offender shall be sentenced to a term of imprisonment of one year up to five years if he/she commits an act given in paragraph (1) and (2)
 - d. against a child, or
 - e. at least with two persons.
- 4. An offender shall be sentenced to a term of imprisonment of two years up to eight years if
 - d. he/she commits an act given in paragraph (1) with a weapon,
 - e. he/she commits an act given in paragraph (1) or (2) against a person taken into custody, being imprisoned, undergoing preventive treatment, being in protective detention, being placed into protective or institutional training or in similar institution where individual freedom is restricted, or
 - f. he/she commits such act as a member of organized group.
- 5. An offender shall be sentenced to a term of imprisonment of five years up to twelve years if

years or

- d. he/she commits an act given in paragraph (1) against a child under the age of fifteen years, or
- e. he/she causes through such act severe injury to health.
- 6. An offender shall be sentenced to a term of imprisonment of ten years up to fifteen years if he/she causes death through an act given in paragraph (1) or (2).
- 7. Preparation is punishable.

Sexual Abuse

- 1. Whoever has sexual intercourse with a person under the age of fifteen years, or who sexually abuses such person in any other way, shall be sentenced to a term of imprisonment of one year up to eight years.
- 2. An offender shall be sentenced to a term of imprisonment of two years up to ten years if he/she commits an act given in paragraph (1) against a child under the age of fifteen years under his/her supervision, thereby abusing such person's dependence or his/her own status and credibility and authority arising there from.
- 3. An offender shall be sentenced to a term of imprisonment of five years up to twelve years if he/she causes severe injury to health through an act given in paragraph (1).
- 4. An offender shall be sentenced to a term of imprisonment of ten years up to sixteen years if he/she causes death through an act given in paragraph (1).
- 5. Preparation is punishable.

Abuse of an entrusted person

- 1. Whoever abuses a person who is in his/her care or upbringing shall be sentenced to a term of imprisonment of one year up to five years.
- 2. An offender shall be sentenced to a term of imprisonment of two years up to eight years,
 - a. if he/she commits an act given in paragraph (1) in especially cruel or harrowing manner,
 - b. if he/she causes through such an act severe injury to health,
 - c. if he/she commits such an act to at least two persons, or
 - d. if he/she commits such an act for longer time.
- 3. An offender shall be sentenced to a term of imprisonment of five years up to twelve years if he/she causes through an act given in paragraph (1)

- a. a severe injury to health to at least two persons, or,
 - b. death.
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Legal Source

Criminal Code, Sections 186, 187 and 198