

RAPE, SEXUAL ABUSE, ENGAGING IN SEXUAL INTERCOURSE AND MOLESTATION

FEATURE	RAPE	SEXUAL ABUSE	ENGAGING IN SEXUAL INTERCOURSE	MOLESTATION
Behaviour	<p>Using violence or threatening to use violence or taking advantage of the victim's defenselessness or other tricks to engage in non-consensual sexual intercourse or other sexual activities.</p> <p>Engaging in sexual intercourse or other sexual activities with a person under 13.</p>	<p>Employing trickery to make his/her care-dependent or a person in extreme need to reluctantly engage in sexual intercourse or other sexual activities.</p>	<p>Having other sexual activities, except activities of rape and sexual abuse</p>	<p>Having an act of physical contact that is direct or indirect through clothing with the victim's sexual body's parts but not to engage in sexual intercourse or other sexual activities.</p>
Victim's wishes	<p>Against the victim's wishes.</p> <p>In case of engaging in sexual intercourse or other sexual activities with a person under 13 years old, the victim's wishes shall not be considered.</p>	<p>The victim reluctantly engages in.</p>	<p>The victim's wishes shall not be considered.</p>	<p>The victim's wishes shall not be considered.</p>
Age of criminal responsibility	<p>From full 14 to under 16 shall bear criminal responsibility for very serious crimes and extremely serious crimes.</p> <p>From full 16 and above shall bear criminal responsibility for every crime</p>	<p>From full 14 to under 16 shall bear criminal responsibility for very serious crimes and extremely serious crimes.</p> <p>From full 16 and above shall bear criminal responsibility for every crime</p>	<p>From full 18 and above.</p>	<p>From full 18 and above.</p>
Victim's age	<p>Divided into 02 age groups with different penalties:</p> <ul style="list-style-type: none"> - Under 16. - From full 16 and above. 	<p>Divided into 03 age groups with different penalties:</p> <ul style="list-style-type: none"> - From full 13 to under 16. - From full 16 to under 18. - From full 18 and above 	<p>From full 13 to under 16.</p>	<p>Under 16.</p>
Penalty	<p>Facing a penalty of 02 years' imprisonment to life imprisonment.</p> <p>Facing a penalty of 07 years' imprisonment to the death penalty in case of rape a person under 16.</p>	<p>Facing a penalty of 01 - 18 years' imprisonment.</p> <p>Facing a penalty of 05 years' imprisonment to life imprisonment in case of sexual abuse of a person aged from 13 to under 16.</p>	<p>Facing a penalty of 01 - 15 years' imprisonment.</p>	<p>Facing an imprisonment penalty of 06 months to 12 years.</p>

Legal basis: Articles from 141 to 146 Criminal Code 2015 (amended and supplemented in 2017), Resolution No. 06/2019/NQ-HĐTP.