



CR Art. 28

Sexual Offences Against Persons

TITLE 04 — OFFENCES AGAINST PERSONS AND DIGNITY · CHAPTER 03 — SEXUAL OFFENCES

- 1 Any national who performs a sexual act on or with another person without that person's consent commits an offence.
 - 2 For the purposes of this Article and [Article 29](#), consent means freely given, informed, specific, and revocable agreement. In particular:
 - a. The absence of physical resistance does not constitute consent.
 - b. Consent cannot be given by a person who is unconscious, asleep, intoxicated to the point of incapacity, or under coercion.
 - 3 Any national who distributes intimate images of a sexual nature depicting another person without the depicted person's consent commits an offence (**non-consensual distribution of intimate images**).
 - 4 Any national who compels a person to engage in sexual acts or to produce sexual material through threats, coercion, or abuse of power commits the offence of **sexual extortion**.
 - 5 An offence under this Article is classified as a **grave** offence.
 - 6 A person convicted of an offence under this Article is liable to the following sanctions, in accordance with [Article 10](#):
 - a. A fine of not less than \$50,000 and not exceeding \$500,000.
 - b. Public censure.
 - c. Exclusion from State services.
 - d. Forfeiture of all materials connected with the offence.
 - 7 A conviction under this Article constitutes a conviction for "violence" or "exploitation" within the meaning of [Article 13\(4\)\(d\)](#) of the Civil Code and bars the convicted person from appointment as guardian.
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