



Sexual and gender based violence

Sexual and gender based violence embraces all acts of violence related to gender, aimed at a person. These acts include among others: inferring physical, psychical or sexual harm or suffering of a person, as well as a threatening to do such harm, forcing a person to behave in a certain way or other forms of deprivation of liberty related to gender. Sexual and gender based violence may affect women and girls, as well as men and boys. Such violence may take various forms, such as: **rape, including spousal rape, sexual abuse, forced prostitution, forced marriages, sexual harassment, human trafficking, humiliation, female genital mutilation.**

Rape, including spousal rape – rape is an assault where an aggressor uses sex to deprive the victim of humanity and to harm her. Rape is effected when the perpetrator forces the consent of their victim using physical force or a threat to use force. The victim is not responsible for the rape nor for rapist's acts. It is not important what the victim has done prior to being raped – it is the rapist who is fully responsible for the offence, NOT the victim. The fact that the victim survived a sexual assault means that they did the proper thing at the time to stay alive. **Spousal rape** is a situation where one spouse forces the other, against their consent, to sexual intercourse. When a woman says NO – this is rape, even if she is a wife of the perpetrator. Not only rape but also **an attempt** to rape is punishable.

Forced marriage – is a marriage established against the will of one party. In Poland a forced marriage may be annulled if the declaration of entering into a marriage is expressed under unlawful threat of the other party or of a third party, provided that the person making that declaration could fear that she or another person be in imminent and serious danger.

Sexual abuse – violation of physical integrity of a sexual nature, including touching in an inappropriate way, with the use of force or in the situation of inequality or duress, where a sexually mature person forces another to any sexual activity for the purpose of sexual satisfaction.

Minors' marriage – marriage between minor persons or between an adult and a minor (usually a girl). Such relationships are typically ar-

ranged by families and formed under duress of the family. This afflicts especially young girls from poor families who in this context are treated as merchandise of a commercial value. After wedding they often become victims of violence, including sexual violence.

Lecherous act against minors under the age of 15 – criminal law prohibits subjecting a minor person (under 15) to sexual intercourse or another sexual activity, even if they give their consent.

Domestic violence/ family violence – is a single act or recurring deliberate act against closest persons as well as neglecting necessary actions to protect their health or life. These acts violate the personal rights of the family member (the immediate relatives as well as other persons residing together). Domestic violence subjects closest persons to danger of losing life or health. It violates personal dignity, personal integrity, freedom, liberty and norms related with sexual life. It causes damages to physical and mental health as well as suffering and moral harm to victims of that violence.

Other forms of sexual and gender based violence:

Forced prostitution – enforced trafficking in sexual services in exchange for material value, services and aid, usually aimed at most vulnerable women or girls, unable to provide for their own or their children's needs.

Sexual harassment – unwanted, usually recurring and unreturned attempts of sexual intercourse of any kind, undesirable sexual interest,