

THE RAPE LAW

Summary of Sections that Most Apply to Adolescent Girls

In 2006, the Ministry of Foreign Affairs released “An Act to Amend the New Penal Code Chapter 14 Sections 14.70 and 14.71 and to Provide for Gang Rape,” which was approved by the National Assembly in 2005. This policy brief summarizes that law as it relates to adolescent girls.

DEFINITIONS OF RAPE AND GANG RAPE

Under the law, **the following acts are defined as rape:**

- Intentional penetration (however slight) of a penis into the vagina, anus, mouth, or any opening of another person, without that person’s consent.
- Intentional penetration (however slight) of another body part (such as a finger) or an object (such as a gun, stick, candle, or bottle) into the vagina or anus of another person, without that person’s consent.
- Sexual intercourse (including any of the actions described above) between a person who is over 18 years of age and a person who is not yet 18 years of age, even if the younger person agreed to the act or was not forced into it.

Under the law, **the following acts constitute gang rape:**

- When a person agrees with one or more other people to engage in rape or to cause rape to occur.
- When a person purposely promotes or facilitates rape.

DEFINITIONS OF CONSENT

A person is said to have consented to the act if she agrees to it by choice, and has the freedom and capacity to make that choice.

A person is said not to have consented to the act if:

- Violence was used against her at the time of the act or immediately before it.
- The perpetrator caused her to fear that immediate violence would be used against her.
- The perpetrator made her fear that violence was being used against another person, or would be used against another person.
- The victim was detained at the time of the act.
- The victim was asleep or otherwise unconscious at the time of the act.

- Due to a physical disability, the victim was not able to communicate to the perpetrator whether she consented at the time of the act.
- The victim was administered or forced to take a substance that could have caused her to be stupefied or overpowered at the time of the act.
- The perpetrator intentionally induced the victim to consent to the act by impersonating someone else whom the victim knows personally.

PUNISHMENT FOR RAPE

In certain cases, rape is considered to be a felony of the first degree, which can garner a maximum sentence of life imprisonment. These cases include those in which:

- The victim was less than 18 years old at the time of the offense.
- The offense involves gang rape.
- The rape results in permanent or serious bodily injury to the victim.
- The perpetrator threatened the victim with a firearm or other deadly weapon at the time of the rape or immediately before it.

In all other cases, rape is a second degree felony. This carries a maximum sentence of 10 years imprisonment.

FOR A COPY OF THE RAPE LAW AND RELATED RESOURCES

PLEASE VISIT:

Ministry of Gender and Development:
UN Drive and Gurley Streets,
P.O. Box 10-1375, Monrovia, Liberia

ABOUT LET GIRLS LEAD AND AGALI

The Adolescent Girls’ Advocacy and Leadership Initiative (AGALI) is a program of Let Girls Lead. AGALI improves the health, education, and lives of adolescent girls in Latin America and Africa. AGALI strengthens the capacity of leaders to advocate in favor of girl-friendly policies and programs and provides seed funding to support their work on behalf of adolescent girls.

FOR MORE INFORMATION, VISIT:

www.agaliprogram.org | www.letgirlslead.org