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## **FRANCE: 'Finally': France seeks to establish age of consent at 15**

***France's government wants to set the age of sexual consent at 15 and make it easier to punish long-ago child sexual abuse, amid growing public pressure and a wave of online testimonies about rape and other sexual violence by parents and authority figures.***

By News Wire

France24 (12.02.2021) - <https://bit.ly/3rMIgJQ> - "Finally!" was the refrain Wednesday from victims and child protection activists who have long pushed for tougher laws and greater societal recognition of the problem.

France's lack of an age of consent — along with statutes of limitations — have complicated efforts to prosecute alleged perpetrators, including a prominent modeling agent, a predatory priest, a surgeon and a group of firefighters accused of systematic [sexual abuse](#).

Calling such treatment of children "intolerable," the Justice Ministry said "the government is determined to act quickly to implement the changes that our society expects."

"An act of sexual penetration by an adult on a minor under 15 will be considered a rape," Justice Minister Eric Dupond-Moretti said Tuesday on France-2 television. Perpetrators could no longer cite consent to diminish the charges, he said, though exceptions would be made for teenagers having consensual sex.

The change still needs to be enshrined in law, but the announcement is a major step. "It's very good that there is this revived debate, that there is an idea of a minimum age (of consent), said Fatima Benomar, whose group Les Effrontees has pushed for stronger laws against sexual abusers. "This will make adults more responsible."

An effort to set France's [first age of consent three years ago](#) in the wake of the global [#MeToo](#) movement failed amid legal complications. But it has gained new momentum since accusations emerged last month of incestuous sexual abuse involving a prominent French political expert, [Olivier Duhamel](#). That unleashed an online [#MeTooInceste](#) movement in France that led to tens of thousands of similar testimonies.

The Justice Ministry is in discussions with victims' groups about toughening punishment of incestuous abuse and extending or abolishing the statute of limitations on sexual violence against children, because it creates such deep trauma

that it can take decades for victims to speak out. The law currently allows child victims to file complaints until they are 48.

The ministry also says it wants “to ensure that victims of the same perpetrator do not receive different legal treatment,” which could broaden the scope to prosecute those accused of abusing multiple people over decades.

Legal time limits have hampered French authorities’ ability to investigate an influential cardinal, [Philippe Barbarin](#), convicted then acquitted of covering up for a predatory priest; modeling agent [Jean-Luc Brunel](#), an associate of disgraced late U.S. financier [Jeffrey Epstein](#), accused of an array of sex crimes; and surgeon [Joel le Scouarnec](#), convicted after accusations he sexually abused more than 300 children over decades, as well as other less-prominent cases.

One of Brunel’s alleged victims, former model Thysia Huisman, welcomed the proposed reform, even though it’s too late for her to seek justice for the rape she says she suffered as a teenager.

“It feels empowering, and that’s really important,” she said. “I thought nothing was ever going to change.”

Huisman came forward and testified to police in hopes of eliciting change and encouraging other alleged victims to speak out. “It’s really important to me, as a victim, a survivor, that we came forward as a group,” she said.

France’s highest court considered a case Wednesday involving a woman who said multiple firefighters raped her when she was between the ages of 13 and 15. A lower court downgraded the charges to sexual assault, but her lawyers want them reclassified as rape.

Under current French law, sexual relations between an adult and a minor under 15 are banned. Yet the law accepts the possibility that someone under 15 is capable of consenting to sex, leading to cases where an adult is prosecuted for sexual assault instead of rape, and therefore faces a lighter prison sentence.

In the Duhamel case, the Paris prosecutor opened an investigation into alleged “rapes and sexual abuses by a person exercising authority” over a child following accusations in a book by his stepdaughter that he abused her twin brother in the 1980s, when the siblings were in their early teens.

Duhamel, saying he was “the target of personal attacks,” stepped down from his many professional positions, including as a TV commentator and head of National Foundation of Political Sciences. The foundation manages the prestigious Sciences Po university in Paris, whose director Frederic Mion resigned this week amid the fallout from the affair, which entangled multiple people among France’s elite.

Since the Duhamel accusations surfaced, searing accounts of alleged incestuous abuse filled social networks. Other prominent figures in French cinema and politics have also been accused. The movement spawned an offshoot [#MeTooGay](#) wave in France of long-suppressed testimonies of sexual abuse by older men.

The [World Health Organization](#) says international studies show that one in five women and one in 13 men report having been sexually abused as a child.

## **SPAIN: New stricter rape law to be reviewed**

***Recent rulings led to reduce some jail sentences; judges accused of 'misapplying the law'***

By Graham Keeley

[Euronews](https://bit.ly/3Vca60E) (16.11.2022) - <https://bit.ly/3Vca60E> - Spain is to review a new law to give victims of sexual offences more protection after a series of court rulings led to prison sentences being reduced for offenders because of a loophole in the legislation.

The law came into force last month, six years after what became known as the 'Wolf Pack' case in which five men gang-raped an 18-year-old woman at the Pamplona bull-running festival but were at first handed a lesser sentence for the crime of sexual abuse.

This case prompted demonstrations across Spain and led the government to change the criminal law on sexual offences.

Known as the 'yes means yes' law, the new legislation qualifies any non-consensual sex as rape, bringing Spain into line with 11 other European countries, including Britain, Sweden and Portugal.

The wide-ranging legislation also dealt with sex offences against children and punished catcalling towards women, and proposed re-education of offenders.

However, lawyers for convicted sex offenders used a loophole in the law which allowed for a general reduction of jail sentences when new criminal legislation comes into force in Spain.

### ***Reductions in jail sentences***

When the law was written, it established minimum and maximum sentences and allowed sex offenders to apply to reduce their sentences retroactively.

In some cases, this meant when the maximum sentence was imposed, it could be reduced by defence lawyers citing the new law.

Lawyers for convicted offenders have sought to exploit this loophole in the law.

Before the law was passed, Spain's General Council of the Judiciary, the ruling body of the judiciary, warned this might happen.

In general, when a new criminal law comes into force, the principle is to apply more lenient sentences. Spain is regarded as having some of the most severe sentences in Europe.

In the latest case, a man who was condemned to eight years in prison for sexually abusing his 13-year-old stepdaughter had his sentence cut by a Madrid court to six years.

In Barcelona, a 28-year-old man, who raped a 60-year-old woman in her own home, was sentenced to three years and ten months. Judges ruled that in line with the new law, the sentence should be between two and four years.

Judicial authorities in Madrid told Euronews that there were scores of other cases in which sentences would be reviewed.

Maria Jesus Montero, the Spanish Treasury Minister, told the Senate on Tuesday that "after some sentences that were handed down, I think that this issue needs to be studied...because obviously, it was not the objective of the law that the sentences for child abuse could be lowered. Quite the opposite."

Manuel Cancio Melía, a professor of criminal law at the Autonomous University of Madrid, said when criminal laws changed in Spain, the idea was to reduce sentences in general, but jail terms depended on the circumstances of individual cases.

"I cannot comment on these cases because we will have to see what happens with this law. There have been reductions but also in some cases of sentences being increased," he told Euronews.

"In some cases, the sentences might be reduced if judges decide intimidation or violence was not used."

The reductions in jail terms sparked a political row over a law which was championed by Spain's left-wing government as a way to give victims of sex offences more protection.

### ***'Misapplying the law'***

Ione Belarra, the leader of the far-left Unidas Podemos party, the junior partner in the coalition government which introduced the legislation, accused some judges of misinterpreting the legislation.

"Some of the judges in this country have set themselves up as opposition to the coalition and especially to the Equality Ministry...they are misapplying the law," she tweeted.

Javier Maroto, the spokesman in the Senate for the conservative opposition People's Party, called for a review of the law next week in the Senate.

"Spaniards are angry at the reduction of sentences for assaults on women and children. This should never have happened. The criminals are rubbing their hands together in glee."

Under Spain's previous sexual laws, an attacker had to use physical violence or intimidation for an assault to be classified as rape.

One aspect of the new law classes stalking or street harassment, or catcalling in a humiliating way will become crimes instead of misdemeanours.

Gang rape is considered an aggravating factor which could bring sentences of up to 15 years, a measure designed to deter these attacks, which have shocked Spain.

The law has created a four-hour sexual assault helpline and specialised children's homes for underage victims.

Spain's left-wing coalition government has sought to make sexual politics a cornerstone of its policies, but the opposition claims it is not workable.

In the Wolf Pack case, which got its name from the men's WhatsApp group, they were originally convicted of sexual abuse because the court found that they had not used violence or intimidation and were sentenced to nine years in prison.

The verdict sparked immediate demonstrations across Spain.

In 2019, three years after the original attack, the Supreme Court reversed the original verdict and convicted the five of sexual assault or rape and handed down sentences of up to 15 years.

It was not the only gang rape case to horrify the Spanish public.

Another case in Sabadell, a town near Barcelona, caused similar outrage and paved the way towards the law change.

In 2021, three members of a gang that raped an 18-year-old woman in an abandoned industrial unit in the Catalan city in 2019 were jailed for between 13 and 31 years.

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## **WORLD: A report on conflict-related sexual slavery**

***A report by the Global Network of Women Peacebuilders (2020)***  
***See <https://bit.ly/2M9pVHr>***

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### **Executive summary**

Conflict-related sexual slavery is a widespread, systematic, institutionalized, and deliberate human rights abuse committed by militaries under government supervision, state-sponsored militia groups, non-state armed groups, violent extremist groups, and criminal networks alike. Causing tremendous and long-lasting harm to women, girls, and entire communities, sexual slavery is used as a weapon of war, a wartime strategy, or a tactic of terrorism to recruit and retain fighters, fund operations, instill fear, destroy communities, and promote ideology.

The context in which conflict-related sexual slavery is occurring has evolved since World War Two. The rise of violent extremist groups and criminal networks has contributed to the widespread use of the bodies of women and girls as a form of currency in the political economy of war. Forced displacement, refugee crises, and humanitarian emergencies as a result of armed conflict have further exacerbated insecurity for women and girls, increasing their vulnerability to sexual slavery.

Survivors of sexual slavery are not a homogenous group—each individual experience is unique and affected by geography, socioeconomic status, race, ethnicity, nationality, and religion, among other intersecting factors. Yet survivors across conflict contexts often face high levels of stigmatization and marginalization from their communities and families. In spite of this, many survivors have broken the barrier of silence and actively advocate for accountability and reparations from perpetrators, dispelling the narrative that survivors of conflict-related sexual slavery are passive victims without agency. In the absence of effective action taken by global and national policymakers to address conflict-related sexual slavery, survivors—with the support of women's civil society—call for accountability, justice, relief and recovery services, protection, and prevention of reoccurrence.

Although international human rights, humanitarian, and criminal laws and policies on preventing violent extremism and countering terrorism recognize and condemn conflict-related sexual slavery, significant gaps persist when it comes to consistent, coherent, and specific efforts at prevention, protection, accountability, and relief and recovery for survivors. The failure to address conflict-related sexual slavery through Bender-responsive peace processes, post-conflict resolution, and transitional justice mechanisms contributes to a reoccurrence of the crime, along with continued impunity for perpetrators and inadequate redress for survivors.

**The Women, Peace, and Security resolutions adopted by the United Nations Security Council provide a critical framework to improve the global response to conflict-related sexual slavery.**

However, it is essential to strengthen specific policies, provisions, and programming on conflict-related sexual slavery for the implementation of the Women, Peace, and Security resolutions, including National Action Plans. Localization of United Nations Security Council Resolution (UNSCR) 1325 is an important instrument to ensure that the needs of survivors of sexual slavery are met and to prevent the reoccurrence of the crime, through context-specific, survivor-centered conflict resolution initiatives developed in partnership with women's civil society.

The coinciding 25th anniversary of the Beijing Declaration and Platform for Action, 20th anniversary of UNSCR 1325, and the 20th anniversary of the Women's International War Crimes Tribunal for the Trial of Japan's Military Sexual Slavery in 2020 present a critical opportunity to highlight the need to step up the response to sexual slavery, particularly justice and reparation for survivors as well as prevention efforts. It is a unique moment for survivors, women's rights organizations, and civil society groups worldwide to demand that the United Nations, Member States, regional organizations, the International Criminal Court, and the International Court of Justice take concerted action to end sexual slavery in collaboration with civil society, the media, academia, faith-based institutions and other key stakeholders.

The Global Network of Women Peacebuilders (GNWP), with support from the Korean International Cooperation Agency (KOICA), coordinated a global research to analyze historical and contemporary incidences of sexual slavery, from World War Two to the present geopolitical context. The overall goal of the research is to promote synergies in the implementation of the Women, Peace, and Security (WPS) Agenda, international humanitarian and human rights laws, and policies to prevent and counter violent extremism to improve the prevention of, protection from, accountability mechanisms for, and relief and recovery for survivors of sexual slavery. To ensure that this research reflects the voices of survivors of sexual slavery and women's civil society on the ground in conflict-affected communities, the research team produced three case studies: one on sexual slavery during World War Two in Asia and the Pacific, and two on more recent incidences of sexual slavery in Uganda and Iraq respectively. Key informant interviews and focus group discussions with survivors of conflict-related sexual slavery, women's rights activists, local and national government officials, human rights lawyers, and grassroots peacebuilders in Korea, Uganda, and Iraq, along with global policymakers were conducted.

This advocacy brief summarizes the key findings and recommendations of the global research and case studies. The full-length global research and case studies will also be made available. GNWP hopes that this research will inform and strengthen the global response to conflict-related sexual slavery and survivor-centered implementation of the WPS Agenda. Critically, this research will serve as a key advocacy tool for victims and survivors of sexual slavery and their families, and civil society activists.

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