

Teaching society that rape is no joke...

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Define Rape & Sexual Assault

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Make you and your family safer. Help prevent **rape**.

(A Paper on Gender-Based Violence)

INDEX - Global definitions in the category of sexual violence.

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1. Rape

- **RAPE:** The RINJ Foundation has, after two years of global rape research, adopted the World Health Organization (WHO) definition of "rape" (which in somewhat different terms is also the United States' federal meaning of rape) as

the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another

person, without the consent of the victim.

2. Sexual Assault

- **Sexual Assault: The RINJ Foundation defines** sexual assault as any forced, unwanted, non consensual sexual contact or activity. Sexual assault is a serious crime against the person.
 - **Note about FGM: Female Genital Mutilation (FGM)** is a violent sexual assault of a high order of criminality at many levels. FGM is usually committed against female babies, children, or women, without consent. The claimed purpose of the crime of FGM is protection of personal property inasmuch as the female is considered to be a chatel or 'property' and the alleged "protection" of FGM is the curbing of female promiscuity since the vicious attack on the genitals damages many nerve endings thus destroying sexual pleasure and blunting libido. This is a crime equal to or greater than rape in its violence and consequences. It is a sinister conduct practiced all over the world in concealed places. The perpetrators of FGM are often performing the FGM violence on many victims and therefore the sentencing for FGM criminals should reflect the impact of the crime. Some countries have legislated FGM as a crime and others have not and in those cases it must be treated as a serious sexual assault crime.

3. Was I Raped?

- **Around the world there is a great variance in the statutes** and in common law in defining rape. Most laws require some form of penetration without consent before a charge is laid. That is the fundamental act of rape but the primary ingredient of the crime is lack of consent. Wherever you are, contact us if you need help. +1647-739-9279. We have many doctors, lawyers and other professional volunteers some of whom may be near you.
- **Even if you did not resist the sexual attack**, or were intoxicated, or if you know the person who raped or sexually assaulted you, any forced, unwanted, non consensual sexual contact or activity is a sex crime (of at least sexual assault) and any form of penetration no matter how slight makes it a crime of rape. [What to do if I have been raped.](#)

- **If someone has threatened, coerced, forced, intimidated, compelled you** in any way to have intercourse (penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person), even if you were forced to say "yes", you were raped. [What to do.](#)
- **If you were asleep, intoxicated, incapacitated by other means**, if there was penetration no matter how slight of your vagina or anus with any of the rapists body parts or any object, or oral penetration by a sex organ, it is a rape crime, regardless of your incapacitation. [What to do if I have been raped.](#)
- **Unwanted sexual contact is a major assault crime, even if not rape (penetration).** An act that impugns the safety of the person in any manner whatsoever, anywhere, is an assault, but based on the victim-impact-consequences a sexual assault can never be considered a summary/misdemeanor/minor crime. The safety of the person from this form of crime is an inalienable human right.

4. When Combatants Rape in War Zones it is a War Crime

Because of the inherent coerciveness of armed conflict, The RINJ Foundation adduces that in any instance a combatant in a [war zone](#) has sexual contact with a civilian, a [rape](#) and therefore a [War Crime](#) has been committed.

Case Report of Rape in A War Zone Please Complete [This Form](#)

With volunteer investigators in the field and with online data collection our goal is to gather evidence and build a war-crime case to arrest and imprison war criminals who have committed the [war crime of rape](#) in a war zone. If you have pictures of the location of the crime or the perpetrator(s) or any pictures or documents that would help the case please [upload them here](#). You can come back [to this form](#) and complete it. In the message area of the [form](#), please provide as much information as possible including languages you speak. A representative of the RINJ Foundation will contact you to get more details. If you have questions the following links may provide you with answers. Feel free to phone [Tel:+16477399279](tel:+16477399279)

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5. Who can be raped?

- **Think about the need to assure every person equally** (no matter their gender, sexual preference, race, colour or creed) the basic inalienable human right of personal safety. Rape is one of the most horrible violations of personal safety. It's an extremely egregious crime that impacts everyone.
- **In the experience of The RINJ Foundation's volunteers and advisors**, rape crime is prolific and has no gender nor age boundaries. While the majority of cases of reported rape/sexual assault occur to females between the ages of 13 and 25, regardless of race, class, religion, occupation or physical appearance, a significant number of men are sexually assaulted or raped every year. A significant number of women are sexually assaulted or raped every single minute. A significant number of children (boys and girls) are raped every minute somewhere in the world.
- **Any person is a potential victim of this crime.** There is a large number of boys and men raped by both men and women. Rape is everyone's problem.

6. Rape Crime Predominantly Victimizes Women and Children

- **The RINJ Foundation asserts that violence toward women is a growing problem. Some females fall prey to violence before they are born**, when expectant parents abort their unborn daughters, hoping for sons instead. In other societies, girls are subjected to such traditional practices as complex female genital mutilation (FGM) or simple FGM-circumcision, which leave them maimed and traumatized. In other instances, they are compelled to marry as children, before they are physically, mentally or emotionally mature.
- **Women are victims of incest, rape and domestic violence** that often lead to trauma, physical handicap or death.
- **And rape is still being used as a weapon of war**, a strategy used to subjugate and terrify entire communities. Soldiers deliberately impregnate women of different ethnic groups and abandon them when it is too late to get an abortion.

In 2012, the USA's FBI changed their definition of rape to "The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim."

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7. What are common consequences of rape for survivors?

Following a sexual assault, due to the severe psychological loss, feelings of wholeness, strength, trust and self control are lost.

The physical impact of sexual assault involves a higher chance of having a sexually transmitted disease (STD), unwanted pregnancy, chronic pelvic pain, gastrointestinal tract disorders, gynecological and pregnancy complications, migraine headaches, back and facial pains.

The psychological impact includes shock, denial, fear, confusion, anxiety, withdrawal, guilt, distrust of others, emotional detachment, depression, post-traumatic stress disorder, and eating/feeding disorders including unhealthy eating habits.

The social impact can include strained relationships, less emotional support, less frequent contact with friends and family, and a lower likelihood of marriage. In some countries, complete ostracization and death can be the social impact.

From time immemorial, rape has been regarded as spoils of war. Now it will be considered a war crime. We want to send out a strong message that rape is no longer a trophy of war but a serious war crime. ~ The RINJ Foundation

8a. Consent

In the absence of clear, positive agreement for sexual contact there is no

consent. Lack of consent is the crucial component of sex crime. Sexual conduct becomes criminal when sexual touch is not consented to, either because the offender forces another person to be sexual against his or her will, or because the other person is considered incapable of consent or to have a diminished mental capacity to give consent.

8b. Those who are deemed incapable of consent include:

1. minor children under the jurisdiction's age of consent, regardless of their mental abilities to understand the nature of the act and their ability to refuse;
2. a developmentally disabled person;
3. someone who is mentally ill; and
4. a person who is incapacitated, drugged, drunk, or unconscious or otherwise physically helpless. [What to do if I have been raped.](#)

8c. Minors Can't Consent Thus Sex with a Minor by an Adult is Rape

The possible exception would be sex with a minor above a certain age (usually 14 plus) is criminalized only if the offender is older than the victim by a certain number of years (i.e.: teenage boy friend/girl friend of close age but not more than four years.)

8d. Diminished Consent Sex by a Person in Authority or a Mental Health Care Provider is a crime

Many nations criminalize diminished-consent sex between a person in authority, such as a teacher, police officer or prison guard, and someone over whom that person has authority, like a student, a person in police custody, or a prisoner. The rationale for criminalizing this conduct is that the capacity to consent is diminished by the authority that the teacher or other authority figure has over the student or other person.

Sex is sometimes criminalized between a psychotherapist or other mental health care provider and a client or patient, on the grounds that the nature of the relationship and the client's vulnerable position makes the client or patient incapable of knowing, voluntary consent.

9. Legal Defence Against Rape Charges

Defendants charged with rape have the usual defenses available to all criminal defendants, starting with 'It was someone else who did this rape.' A defendant can also claim that the sexual activity was consensual and therefore not rape. In a rape case, there can be significant questions about what constitutes consent or what constitutes refusal. This has led to the infamous question of when does 'No' mean 'No?' Does the word constitute a lack of consent as soon as it is spoken, or must the victim object more vigorously?

Another possible defense is an insanity plea, in which the defense argues that the person accused of rape is mentally ill and did not have the capacity to control his behavior, to form criminal intent to do the rape, or to understand what he was doing or that his actions were unlawful.

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10. Gender Violence - What does that Mean?

Gender violence is a complex issue that includes a variety of aggressive acts like relationship violence in heterosexual and same sex partnerships, and also rape, sexual assault, sexual harassment, stalking, prostitution, confinement, restraint, forcible oppression, and even sex trafficking. Gender violence is nearly always seen in crimes of genocide.

"Gender-based violence" (GBV) as a phrase is most often used to convey the idea that the violence serves to maintain some type of structural gender inequality, and in reality includes all types of violence against women, children, adolescents, gay and transgender people. This type of violence in some way influences or is influenced by gender relations

Gender is also the most powerful predictor of rape, sexual assault and relationship violence. Statistically these crimes are predominantly against women and perpetrated by men. Gender violence highlights a male-patterned violence in war zones and in 'peace-time': a prevalent violence committed most often by men, often motivated by aggression, revenge, competition, and entitlement, and includes sexual and other violence against women, partners and children.

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11. RINJ seeks universal penalty increases for rape & attempt rape.

Preamble: Current penalties seem ineffective in preventing recidivism. (i.e.: Very few men rape but those that do rape often.)

The RINJ Foundation urges the Court to follow these sentencing guidelines on conviction of a rapist:

- * Make all rapists and most attempted rapists subject to long indeterminate sentences (min. 5 years for 'attempt rape');
- * Use prison terms ranging from 10 years to 30 years to life;
- * Use life without parole for forcible rapes of victims under 14;
- * Use a range of 7, 10, or 15-to-25 years for rapes of adult victims, while using a 30 to life term when a sexually violent repeat predator specification is proved;
- * For 15-year + sentences, impose a mandatory release-review by the sentencing court, available after the minimum term is served, parallel to the Parole Board's reviews. If either entity rejects release the term is extended by another year. On failing a review at that time, an application can be made each three years;
- * For repeat violent offender penalties, increase the definite term to 20 years.

The RINJ Foundation

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Rape is no joke

Sexual assault is any forced, unwanted, non consensual sexual contact or activity.

Who gets sexually assaulted?

In the experience of The RINJ Foundation, most cases of reported sexual assault occur to females between the ages of 13 and 25, regardless of race, class, religion, occupation or physical appearance. Any person is a potential victim of this crime.

What in our experience are the common consequences to the survivor?

Following a sexual assault, due to the severe psychological loss, feelings of wholeness, strength, trust and self control are lost.

The physical impact of sexual assault involves a higher chance of having a sexually transmitted disease, unwanted pregnancy, chronic pelvic pain, gastrointestinal tract disorders, gynecological and pregnancy complications, migraine headaches, back and facial pains.

The psychological impact includes shock, denial, fear, confusion, anxiety, withdrawal, guilt, distrust of others, emotional detachment, depression, post-traumatic stress disorder, and eating/feeding disorders including unhealthy eating habits.

The social impact can include strained relationships, less emotional support, less frequent contact with friends and family, and a lowered likelihood of marriage. In some countries, complete ostracization and death can be the social impact.

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12. What To Do If You Have Been Raped

[Define 'Rape' For me](#)

We know you may not choose to call police. We support you in any case.

If you have a sexual assault emergency call 911. Get to safety, get medical help and get police help. If you have been raped your first priority is to put yourself safely into the care of first responders before doing *anything* and that includes going to the washroom -- call 911.

1. Take quick stock of your location and resources and get to a safe place. You are alive. Stay that way. Be certain you are away from your attacker.
2. You really should report the crime. It starts a daisy chain reaction of things you need. Reporting the crime can help you regain a sense of control. Meanwhile you need safety and medical help.
3. Call a friend, a family member, or someone else you trust who can be with you and give you support.
4. Preserve all physical evidence of the assault. Do not shower, bathe, douche, eat, drink, wash your hands, or brush your teeth until after you have had a medical examination. Save all of the clothing you were wearing at the time of the assault.
5. Unless you have summoned police immediately to preserve the crime scene place each item of clothing in a separate paper bag. Do not use plastic bags. Do not clean or disturb anything in the area where the assault occurred. Biological evidence such as semen, blood, vaginal secretions, saliva, and vaginal epithelial cells (typically collected with a [rape kit](#)) may be identified and genetically typed by a crime lab. That is why [rape kit](#) use and testing is so critical to the criminal justice process.
6. Get medical care as soon as possible. Go to a hospital emergency department or a specialized forensic clinic that provides treatment for sexual assault survivors. Even if you think that you do not have any physical injuries, you should still have a medical examination and discuss with a health care provider the risk of exposure to sexually transmitted infections and the possibility of pregnancy resulting from the sexual assault. Having a medical exam is also a way for you to preserve physical evidence of a sexual assault.
7. If you suspect that you may have been given a "rape drug," ask the hospital or clinic where you receive medical care to take a urine sample. Drugs, such as Rohypnol and GHB, are more likely to be detected in urine than in blood.

8. Write down as much as you can remember about the circumstances of the assault, including a description of the assailant.
 9. Get information whenever you have questions or concerns. After a sexual assault, you have a lot of choices and decisions to make e.g., about getting medical care, making a police report, and telling other people. You may have concerns about the impact of the assault and the reactions of friends and family members. You can get information by calling a rape crisis center, a hotline, or other victim assistance agencies.
 10. Talk with a counselor who is trained to assist rape survivors. Counseling can help you learn how to cope with the emotional and physical impacts of the assault.
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