

# Argentina

## National Child Protection Legislation

### National Legislation

**a) Age of Consent**

- 18 years

**b) Age of Criminal Responsibility**

- 16 years, children older than 16 but younger than 18 can only be held criminally responsible where the offence is punishable by deprivation of liberty for more than two years (Juvenile Penal Code)

**c) Age of Marriage**

- Women: 18 years; Men: 18 years, however those under 18 can marry with permission of their parents and/or a judge (Civil and Commercial Code)  
Source: Civil and Commercial Code 2014 (Chapter 2 Article 404):  
[http://www.saij.gob.ar/docs-f/codigo/Codigo\\_Civil\\_y\\_Comercial\\_de\\_la\\_Nacion.pdf](http://www.saij.gob.ar/docs-f/codigo/Codigo_Civil_y_Comercial_de_la_Nacion.pdf)

### Family Law – primarily governed by the Civil Code

- Section I Title IX states that minors under the age of 18 can get married with the express consent of their parents  
Source: [http://www.saij.gob.ar/docs-f/codigo/Codigo\\_Civil\\_y\\_Comercial\\_de\\_la\\_Nacion.pdf](http://www.saij.gob.ar/docs-f/codigo/Codigo_Civil_y_Comercial_de_la_Nacion.pdf)

### Penal Code of Argentina

- Article 119 states that if an act against sexual integrity committed against a child under 18 years is punishable by 8 to 20 years of imprisonment.
- Article 125 states that to promote or facilitate the prostitution of children under 18 years shall be punished with imprisonment for 4 to 10 years. The penalty shall be 6 to 15 years imprisonment when the victim is under 13 years of age. Regardless of the age of the victim, the penalty is increased to 10 to 15 years imprisonment if the victim was subject to deception, violence, threat, abuse of authority, or any other means of intimidation or coercion.
- Article 128 states that distribution of pornographic images whose external characteristics makes clear that they have recorded or photographed the exhibition of children under the age of 18 years at the time of creation of the image shall be punishable by 6 months to 4 years of imprisonment.
- Article 129 states that viewing obscene exhibitions where third parties were involved involuntarily and were under 18 years of age is punishable by imprisonment from 6 years to 4 months.  
Source: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/15000-19999/16546/texact.htm#15>

### Act No. 23.511 National Bank of Genetic Data (1987)

Source: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/20000-24999/21782/norma.htm>

International Centre for Missing & Exploited Children

*Updated August 2017*

**Decree No. 719/2000 creating the National Commission for the Eradication of Child Labor**

Source: <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/57102/109203/F-77435044/ARG57102.pdf>

**Act No. 25.854 of 2003 establishing the National Registry of Information concerning Missing Minors**

Source: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/90000-94999/91602/norma.htm>

**Act No. 25.974 of 2004 on the Historical Reparation Fund for the Tracing and Restitution of Children Kidnapped or Born in Captivity in Argentina**

Source: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/100000-104999/102405/norma.htm>

**Act No. 26.061 of 2005 on Comprehensive Protection of the Rights of Children and Adolescents**

Source: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/110000-114999/110778/norma.htm>

**Act No. 26.165 of 2006 on Refugee Recognition and Protection**

Source: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/60000-64999/60511/norma.htm>

**National Decree No. 415/2006 regulating the Law of Integral Protection of the Rights of Children and Adolescents**

Source: <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/73394/109201/F1365659840/ARG73394.pdf>

**Act No. 26.390 on the prohibition of child labor and protection of adolescent labor (2008)**

Source: <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/78842/84492/F-95191793/ARG78842.pdf>

**National Decree no. 2044/2009 of creation of the registry of integral protection of the childhood and the adolescence**

Source: <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/83153/91546/F466315523/ARG83153.PDF.pdf>

**National Decree 1117/2016 of 20 October on the types of work that is hazardous for minors**

Source: <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102906/124616/F678984966/decreto%201117%20de%202016%20ARGENTINA.pdf>