

Honduras

National Child Protection Legislation

National Legislation

- **Age of Child: Under 18 years of age**
[Code of Children and Adolescents](#)
Art. 11
For all purposes of this Code, a child will be understood as all persons up to eighteen (18) years of age.

- **Age of Consent: 14 years of age**
[Penal Code of Honduras \(Oct. 2018\)](#)
Art. 140
...
For the purposes of this article, carnal access will be understood as having vaginal, anal or oral access. It will be punished with a penalty of ten (10) to fifteen (15) years of imprisonment.

Carnal access with a person of either sex, without violence or threat, when any of the following circumstances occur, are considered special cases of rape. Such cases will be sanctioned with a penalty of fifteen (15) to twenty (20) years of imprisonment and are the following:
1) When the victim is under fourteen (14) years of age; ...

- **Age of Marriage: 21 years of age**
[Family Code \(Oct. 2017\)](#)
Art. 16
The age of majority is obtained at the age of twenty-one (21).
Only persons of legal age have free access to marriage.
However, it may be contracted by the male and female over eighteen (18) years, provided that authorization is granted in accordance with this Code.

Art. 17
Authorization for minors to marry must be given by:
1) The father and mother jointly, or one of them exercising parental authority;
2) The maternal or paternal grandparents indistinctly in the absence of the parents, preferring those who live in the same domicile with the minor;
3) The adopter(s) when the minor has been adopted;
4) The guardian if the minor is subject to guardianship; and,
5) The competent judge when any of the persons in charge of authorizing it, deny it without justified cause and the minor is older than eighteen (18) years.

- **Age of Criminal Responsibility: 12 years of age**
[Code of Children and Adolescents](#)
Art. 180
All children under twelve (12) years of age are not imputable; if they are assumed responsible for a crime or misdemeanor, they will only be given the special protection that their case

requires, providing for their integral formation through the Honduran Institute for Children and the Family (IHNFA).

▪ **Extraterritoriality**

[Penal Code of Honduras \(Oct. 2018\)](#)

Art. 3

The Honduran Criminal Law shall apply to any person who commits a punishable act in the national territory and other places subject to the jurisdiction of Honduras, except for the exceptions stipulated in International Law.

Art. 4

The Honduran Criminal Law will be applied to those who have committed abroad crimes against public health, public faith, economy or external or internal security of the State; regulated in titles V, IX, X, XI, and XII of Book Two of this Code. It will also apply when a Honduran public official or employee has committed crimes against the national public administration regulated in Title XIII of the Second Book, mentioned above.

Art. 5

The Honduran Courts will also know of the crimes committed abroad when the accused is in Honduras and one of the following situations occurs:

- 1) When he has not been tried for the crime perpetrated on board a Honduran, merchant or private vessel or aircraft, or when having been tried has evaded and has not fully or partially fulfilled the sentence;
- 2) If the accused is being extradited from Honduras by the State in whose territory the punishable act was committed;
- 3) If the person responsible for the crime is an official of the Government of Honduras and enjoys diplomatic or official immunity;
- 4) If the perpetrator of the offense committed against a Honduran has not been tried in the country in which the offense was committed or has requested his extradition or when having been judged has evaded and failed to fully or partially comply with the sentence; and,
- 5) When, in accordance with the international conventions that Honduras is a party to, the offense is subject to Honduran criminal law for reasons other than those mentioned in the preceding paragraphs or seriously damages universally recognized human rights. Preference will be given, however, to the claim of the State in whose territory the punishable act has been committed, provided that it is enforced before it is exercised in the Honduran court competent the respective criminal action.

Art. 10

In no case will extradition be granted for Hondurans who, having committed crimes abroad, are in the national territory. The extradition of foreigners can only be granted by virtue of Law or Treaty, for common crimes that deserve a penalty of not less than one (1) year of deprivation of liberty; and never for political crimes although as a result of these it is a common crime.

- **Dual Criminality**

[Constitution of Honduras \(2013\)](#)

Art. 98

No person may be detained, arrested or imprisoned for obligations that do not arise from crimes or offenses.

- **Mandatory reporting requirements**

[Criminal Procedure Code](#)

Art. 268 – Persons who may report a crime or fault

Any person who witnesses or has direct knowledge of the commission of a crime or lack of public action, including the victim or his legal representative, may report it to the police or other competent authority. Minors under the age of eighteen (18) may also report the alleged act constituting an offense.

The National Police or other competent authority, as the case may be, will immediately inform the Public Prosecutor's Office of any complaints or information received. Private action crimes should only be investigated and punished at the request of an interested party.

Art. 269 – Obligation to report

The following have the obligation to report crimes of public action:

- 1) Officials or public employees who have knowledge of them, during their duties;
- 2) Doctors, pharmacists, dentists, medical or odontology students, nurses, paramedics, midwives and others related to the exercise of professions, trades or techniques related to health, who have knowledge of criminal actions or omissions during the exercise of their activities; and,
- 3) Representatives of natural persons, managers, administrators or legal representatives of legal persons and, in general, those who have under their care the property of others, who have knowledge of crimes committed to the detriment of the interests with which they are related.

[Code of Children and Adolescents](#)

Art. 168

The Directors of public and private hospitals and other assistance centers will inform the Honduran Institute of Children and Family (IHNFA) and the Public Prosecutor's Office within a maximum period of twenty-four (24) hours about children who show obvious signs of aggression and those whose examinations reveal that they have been victims of abuse.

The same obligation applies to the Directors of Educational Centers and Care Centers, as well as those directly responsible for the children, in these centers.

The omission of these reports will be sanctioned with a fine of two (2) to five (5) minimum wages at their highest value, without prejudice to compliance with the obligation.

- **Obligations of Educational Institutions**

[Honduran Teacher's Statute](#)

Art. 9

The obligations of the personnel regulated by the present Statute are:

...

- 8) Observe behavior in accordance with professional and moral ethics;
- 10) Respect the liberty, dignity and physical, mental and moral integrity of the students;
- 12) To practice and promote civic, ethical, moral and cultural values, participating in activities aimed at this end; ...

Art. 12

Teachers are prohibited from:

- 8) Subject their students to sexual harassment, as well as any other person with whom they relate in the exercise of their work; ...

[Penal Code of Honduras \(Oct. 2018\)](#)

Art. 154

Parents, guardians, teachers, or any person who, with abuse of authority or order, cooperate as accomplices in the perpetration of crimes included in this Title shall be punished as authors.

Art. 154-A

For the corresponding purposes, commercial sexual exploitation shall be understood as the use of persons in activities for sexual purposes where there is a payment or promise of payment for the victim or for a third party who trades with it.

- **Prohibition to hold certain positions**

[Penal Code of Honduras \(Oct. 2018\)](#)

Art. 38

Penalties are divided into principal and accessory:

The main penalties are imprisonment, a fine, absolute disqualification and special disqualification.

The accessory penalties are: Civil interdiction and confiscation.

Absolute or special disqualification will be imposed as an accessory penalty to imprisonment, provided that the law does not impose it as the main penalty in a particular crime.

Art. 48

The absolute disqualification is understood for positions or public offices, political rights and professional holders during the time of the conviction and produces:

- 1) The deprivation of all charges or public offices and exercises of titular professions that were in possession of the prisoner, even when the charges are popularly elected;
- 2) The deprivation of all political rights and the inability to obtain them; and,

3) The inability to obtain the positions or public offices, professions and rights mentioned.

Art. 49

The penalty of special disqualification is understood for a certain position or public office, political right or profession for the time of the conviction and produces:

- 1) The deprivation of office, office, right or exercise of the profession on which it rests.
- 2) The inability to obtain this position, office, right, profession or other similar.

Art. 147-B and Art. 147-C provide for special disqualification.

▪ **Employment Law**

[Decree No. 189-59 Labor Code](#)

SUSPENSION OF WORK CONTRACTS

Art. 100

Are causes for suspension of employment contracts without responsibility for the parties:

9. The detention or imprisonment of the worker decreed by the competent authority;
10. The arrest or preventive detention of the employer decreed by the competent authority, when the normal development of the work is necessarily and inevitably interrupted;

...

Art. 106

In the case of subsection 9 of Article 100, the worker will give notice to the employer within five (5) days following the one in which he began his detention or imprisonment, and will have the obligation to resume his work within two (2) days after having been placed in freedom, plus the term of distance in your case.

Failure to comply with one of these obligations, or detention of the worker for more than six (6) months, will result in the termination of the contract, without liability for any of the parties. At the request of the worker or of any person in his name, the Head of the prison will issue the necessary proofs for the proof of the ends referred to in the previous paragraph. In these cases, the rule of the last paragraph of Article 104 governs.

TERMINATION OF THE WORK CONTRACT

Art. 111

Are causes for termination of employment contracts:

5. Loss of freedom of the worker in the case provided for in article 106;
8. Suspension of activities for more than one hundred and twenty (120) days in cases 1), 3), 4), 5), and 6) of article 100;...

Art. 112

Are just causes that empower the employer to terminate the employment contract, without liability on your part:

...

- b) Any act of violence, insult, bad treatment or serious indiscipline, in which the worker incurs during his work, against the employer, his family members, the managerial staff or the co-workers;
- c) Any serious act of violence, insults or bad treatment, outside the service, against the employer, the members of his family or his representatives and partners, or managerial

staff, when he commits them without having preceded immediate and sufficient provocation of the other party or that as a consequence of them, coexistence or harmony for the accomplishment of the work was impossible;

...

e) Any immoral or criminal act that the worker commits in the workshop, establishment or place of work, when duly verified before a competent authority;

...

g) The worker has been sentenced to suffer a penalty for crime or simple crime, in a final judgment;

...

Art. 113

The termination of the contract according to one of the causes enumerated in the previous article, takes effect from the moment when the employer communicates it to the worker, but the latter has the right to summon it before the Labor Courts, before the expiration of the term of the contract. prescription, in order to prove the just cause on which the dismissal was based. If the employer does not prove this cause, he must pay the worker the indemnities that according to this Code may correspond to him and, as damages, the salaries that he would have received from the termination of the contract until the date in which, subject to the rules procedures of this Code should be finalized the respective condemnatory sentence.

The worker can sue his employer for the fulfillment of the contract so that he can be restored to his work, at least on equal terms.

The worker's right to demand compliance with the contract is regulated as follows:

- a) The exercise of the right is alternative to claiming the compensation referred to in the first part of this article; and,
- b) If the judge declares in his ruling the reinstatement requested by the worker, he is not entitled to compensation corresponding to unjustified dismissal; but if the salaries that he had stopped receiving since that occurred, until the reinstatement is completed, and also in case of refusal of the employer to comply with the sentence, he has the right to demand compliance through the means of urgency.

...

▪ **Criminal Law - Defamation**

[Penal Code of Honduras \(Oct. 2018\)](#)

Art. 155

The slander or false accusation of a crime of those that give rise to ex officio procedure, will be punished with imprisonment of two (2) to three (3) years.

If the slandered one requests it, the operative part of the sentence in which the slander is declared in one of the newspapers with the largest circulation in the country will be published, at the expense of the accused.

Art. 156

The defendant for the crime of slander will be exempt from any penalty proving the criminal fact that he had imputed.

Art. 157

He shall be punished for insult with imprisonment from one (1) to two (2) years, who professes expression or executes action in dishonor, discredit or disparagement of another person.

Art. 158

The accused of slander may not present evidence of the truth of the imputation, unless the victim is a public official or employee and the facts are concerning the exercise of his office. In this case, the defendant will be acquitted if the accusation proves to be true.

Art. 159

When the insults are reciprocal, the Judge may, according to the circumstances, declare them not punishable with respect to both parties or to one of them.

The judge will have the same power when it comes to insults uttered in a state of anger, determined by the unjust act of another and immediately after known.

Art. 160

When defamation is committed, the guilty party shall be liable to the penalty of slander or libel, as the case may be, increased by one third, when the accusations constituting slander or libel are made in a form or by means of disclosure that may rally hate or public contempt against the offended.

Art. 161

Whoever publishes or reproduces, by any means, insults or slander inferred by another, will be punished as the author of the insults or slander in question.

- **Private Fostering**

No information found.

Sexual Offenses Against Children

For more information, see [Mapping of the Child Protection System in Honduras \(2018\)](#)

[Penal Code of Honduras \(Oct. 2018\)](#)

Art. 140

The crime of rape is: Carnal access to a person of either sex through violence or threat of causing the passive subject, the spouse of the latter or domestic partner, or one of their relatives within the fourth (4th) degree of consanguinity or second (2nd) of affinity a serious prejudice imminent.

For the purposes of this article, carnal access will be understood as having vaginal, anal or oral access. It will be punished with a penalty of ten (10) to fifteen (15) years of imprisonment.

Carnal access with a person of either sex, without violence or threat, when any of the following circumstances occur, are considered special cases of rape. Such cases will be sanctioned with a penalty of fifteen (15) to twenty (20) years of imprisonment and are the following:

- 1) When the victim is under fourteen (14) years of age;
- 2) When the victim is deprived of reason or will or for any reason cannot resist;

- 3) When the active subject commits the crime of rape by intentionally diminishing or nullifying the will of the victim using psychotropic or narcotic substances, including alcohol, or committed the rape by finding the passive subject in the previous situation;
- 4) When the active subject is in charge of the guardianship or custody of the victim and uses his condition of authority to have access to them; and,
- 5) Those who knowingly carry the Acquired Immune Deficiency Syndrome / Human Immunodeficiency Virus (AIDS / HIV) or a contagious disease of incurable sexual order, commit rape.

With the same penalty, cases of rape committed by more than one person, by a recidivist, when the victim is pregnant, becomes pregnant as a result of the rape or when the victim is over seventy (70) years old will be sanctioned.

Art. 141

Commits acts of lust, whoever using the conditions or means indicated in the previous article victimizes another or others acts of lust other than carnal access, will be punished by imprisonment of five (5) and eight (8) years.

When the victim is under fourteen (14) years of age even though he/she has consented to the act or if he/she is older than that age, the passive subject suffers from a mental illness or incomplete psychic development or delay, or has been deprived of reason or will or for any reason cannot resist, the previous penalty will increase by one half (1/2).

When the acts of lust consist of the introduction of objects or instruments of any nature in the sexual organs or other natural or artificial orifices that simulate the sexual organs of the body of the passive subject, the guilty party shall be punished with imprisonment of ten (10) to fifteen (15) years.

Art. 142

The rape of a person over fourteen (14) and under eighteen (18) years of age taking advantage of trust, hierarchy or authority, shall be punishable by six (6) to eight (8) years of imprisonment. When the rape is committed through deception, it will be sanctioned with a penalty of five (5) to seven (7) years of imprisonment.

Art. 143

The carnal access with ascendants or descendants, between siblings, or in relation between adopter and adopted, stepmother or stepfather, when the victim is over eighteen (18) years constitutes the crime of incest, shall be punished with four (4) to six (6) years of imprisonment and will proceed by virtue of a complaint by the injured party or their legal representative.

When the victim is more than fourteen (14) and less than eighteen (18) years old, the penalty will be aggravated by one half (1/2).

Art. 144

Anyone who, for purposes of a sexual nature and by force, intimidation or deception, abducts or withholds a person, shall be punished with imprisonment of four (4) to six (6) years.

When the victim of this crime is a person under eighteen (18) years of age, it will be sanctioned with the penalty provided in the previous paragraph increased by one half (1/2).

Art. 147- A

One commits the crime of sexual harassment, who by himself/herself or a third party, using a situation of superiority, causes in the victim retaliation for rejection of unseemly acts carried out through insinuations or requests for favors of a sexual nature for themselves or for a third party, concurring with any of the following circumstances:

- 1) Using a situation of hierarchical labor or administrative superiority, causes instability, disqualification or job performance advantage or disadvantage for job promotions or prevent access to a job;
- 2) Using a situation of hierarchical teaching superiority, causes instability, disqualification of their studies, offers the approval or improper condemnation of tests, exams or degrees or any other condition that has a decisive influence on their student status; and,
- 3) Using a situation of religious hierarchical superiority, causes personal or family instability or offer spiritual well-being.

The penalty applicable to this offense will be imprisonment of three (3) to six (6) years and special disqualification for the duration of the sentence.

The penalty will be increased by one (1) third when committed to the detriment of children or of people who suffer from mental illness.

Art. 147-B

When sexual harassment occurs without hierarchical superiority, the applicable penalty shall be imprisonment of two (2) to four (4) years and special disqualification for the duration of the sentence.

Art. 147-C

Those who commit the crime of sexual harassment using electronic means, telecommunication or information technology, will be punished (a) with imprisonment of three (3) to six (6) years and special disqualification for the same period, when appropriate.

The aforementioned penalty will be increased by one (1) third when it is committed to the detriment of children or people suffering from mental illness.

Art. 148

One commits the crime of procuring, who promotes, induces, facilitates, recruits or subjects other persons in commercial sexual exploitation activities, and shall be punished by imprisonment of six (6) to ten (10) years and a fine. of one hundred (100) to two hundred (200) minimum wages.

The previous penalties will be increased by one half (1/2) in the following cases:

- 1) When the victims are persons under the age of eighteen (18);
- 2) When the active subject takes advantage of his/her trade, profession or business;
- 3) When the active subject exercises a relationship of power because of trust, kinship or hierarchy over the victim; and,
- 4) When the victim is subjected to conditions of servitude or other practices analogous to slavery.

Art. 149-A

Anyone who induces or permits the exposure of persons under the age of eighteen (18), in centers that promote commercial sexual exploitation, shall be punished with imprisonment of three (3) to six (6) years and a fine of fifty (50) a one hundred (100) minimum wages.

Art. 149-B

Whoever uses persons under eighteen (18) years of age in public or private exhibitions or shows of a sexual nature, shall be punished with imprisonment of four (4) to eight (8) years and a fine of one hundred (100) to two hundred (200) minimum wages.

Art. 149-C

Carnal access or acts of lust with people over fourteen (14) or under eighteen (18) years of age, made in exchange for payment or any other compensation in money or kind to the minor or a third person, will be sanctioned with a penalty of six (6) to ten (10) years of imprisonment.

Art. 149-D

Whoever, by any means, whether direct, mechanical or computer, electronic or otherwise, finances, produces, reproduces, distributes, imports, exports, offers, markets, or broadcasts materials where a person or image of a person under eighteen (18) years of age is used in pornographic or erotic activities, commits the offense of pornography and will be punished by ten (10) to fifteen (15) years of imprisonment and a fine of two hundred (200) to three hundred (300) minimum wages.

The possession of pornographic material of children and adolescents will be sanctioned with a penalty of four (4) to six (6) years of imprisonment.

Art. 149-E

Whoever, to attract the influx of tourists, promotes or carries out advertising programs or campaigns of all kinds, by any means, to project the country nationally and internationally as an accessible tourist destination for the exercise of sexual activities with people of either sex, will be punished with imprisonment of eight (8) to twelve (12) years plus a fine of one hundred fifty (150) to two hundred fifty (250) minimum wages.

Penalties will be aggravated by one half (1/2):

- 1) When the victims are persons under eighteen (18) years of age; and,
- 2) When the author makes use of being an official or public authority in service.

[Decree 130-2017](#)

Art. 253 – Contact with minors by electronic means for sexual purpose

Who, through communication and information technologies, proposes to a minor under fourteen (14) years of age to arrange a physical encounter to perform sexual activities, provided that such a proposal is accompanied by material acts aimed at said encounter, should be punished with the penalty of house arrest from one (1) to three (3) years.

When the approach is obtained through coercion or intimidation, he must be punished with imprisonment of two (2) to four (4) years.

The penalty established in the first paragraph of this article must be reduced by one quarter (1/4) when the contact with the person under fourteen (14) years consists solely of pretending to obtain images or videos of sexual content in which the minor appears.

[Code of Children and Adolescents](#)

Art. 173

Whoever mistreats a child without incurring the crimes or faults provided by the Penal Code, will be punished with a fine ranging from half (1/2) to two (2) minimum wages at its highest value, without

prejudice to the protection measures adopted by the Honduran Institute for Children and the Family (IHNFA).

For the purposes of this Article, a child is considered mistreated when he or she is subjected to physical or mental violence, exploitation, or when he or she is forced to perform activities that involve risks to his / her physical or mental health or to his / her moral condition or that prevent their attendance at educational establishments and / or interfere or threaten their physical, mental and social development.

Notwithstanding the penalties established for the author of child maltreatment and those imposed by the Penal Code, any child who is a victim of sexual abuse, sexual exploitation in pornographic shows, sex tourism, trafficking in persons, or other illegal sexual practices, will receive medical, psychological and / or psychiatric care from the State, through the Honduran Institute for Children and Families (IHNFA), within the framework of a Program aimed at achieving the prevention and rehabilitation of children victims.

Art. 192

For the purposes of this Code, the preventive measure in numeral 3) of Article 173 of the Code of Criminal Procedure is called precautionary detention and will be governed in accordance with this Title.

The precautionary detention is exceptional, so it will only apply if it were not possible to decree another precautionary measure less burdensome and can only be imposed in the following cases:

- a) That the infraction allegedly committed, has caused damage to life, personal integrity, personal or sexual freedom of the people or involves serious violence against another or other human beings;
- b) That the child has expressly and unjustifiably refused to comply with other Precautionary Measures or sanctions imposed by the competent authority; or,
- c) That there is a risk of flight or obstruction of the investigation.

In all cases, the Prosecutor will base the request for measures and, by means of a reasoned order, the Judge will decide what is lawful.

In order for the Precautionary Detention to be as short as possible, the Courts and the investigative bodies must consider as a top priority the effective processing of cases in which a Child is in custody.

The Precautionary Detention will be fulfilled in the specialized centers that the Honduran Institute for Children and the Family (IHNFA) or the corresponding institution has for that purpose. Those who comply with this measure must be separated from those who have been sentenced with the internment.

In the centers of deprivation of liberty the admission of children without previous and written order of competent Judge will not be admitted.

Art. 282

One cannot be a guardian or supervisory guardian:

- 2) Whoever has been convicted of theft, robbery, fraud, forgery and crimes against the physical, psychological and sexual integrity of persons, domestic violence, intrafamily violence, abuse by transgression, economic exploitation, commercial sexual exploitation, illegal adoption or other crimes of common order that merit a penalty of more than two (2) years; ...

[Law Against Harassment in School \(Ley contra el Acoso Escolar\)](#)

Art. 1

The present Law aims to promote good coexistence in schools to prevent, punish and eradicate all forms of violence, physical or psychological, assault, harassment, intimidation and any act considered as Harassment, among students.

Art. 2

For the purposes of this Law, it is understood as:

- 1) **SCHOOL HARASSMENT OR BULLYING:** It is any way of abuse, aggression, intimidation, contempt, discrimination, exclusion, exercised through a physical act, verbal, written expression or gesture that causes harm psychological or physical, produced among school children in a repeated way both in the classroom or in any physical space within the educational center or outside of it, carried out directly or indirectly, by means of electronic devices, technological, computer, use of software, social networks, videos, images and other digital systems.

School harassment or Bullying is considered to be the exercise against one or other students in the following way:

- a) **Psychological:** When the behavior manifests through shouting, insults, threats, prohibitions, intimidation, indifference, ignorance or all kinds of marginalization, humiliations, disqualifications, blackmail, manipulation, coercion and produces damage or prejudice in the psychological and emotional well-being of another person;
- b) **Physical:** Through the use of force or repetitive violence of minors towards another or others, which produces damage and manifests with blows, shoves, threats or, hides, steals, breaks other people's objects without the aggressor;
- c) **Verbal:** When there is emotional damage to a student through insults, actions of disparagement, ridicule, use of profane vocabulary, in public or privately; and,
- d) **Cybernetic:** When the behavior is manifested through means of information technologies, such as: cell phones, internet, social networks, photographs and videos.

[Decree 59-2012 Law Against Trafficking in Persons](#)

Art. 46 – Crime of Public Action

The offense of Trafficking in Persons contemplated in this Law and the relevant regulations are public action.

Art. 47 – Not Punishable

Victims of the crime of trafficking in persons are not criminally or administratively punishable by the commission of faults or crimes when they occurred during the execution of the criminal activity of trafficking and as a consequence of this.

Art. 48 – Duty to Report

Civil servants and public officials will be required to report to the Public Ministry any situation that constitutes reasonable suspicion of trafficking activity of people.

Art. 52 – Trafficking of Persons

Conducts the crime of Trafficking in Persons, whoever facilitates, promotes or executes the recruitment, retention, transportation, transfer, delivery, harbouring or reception of persons, inside or outside the national territory, to subject them to servitude, slavery or its analogous practices, forced labor or services, begging and forced pregnancy, forced or servile marriage, illicit trafficking in human

organs, fluids and tissues, sale of persons, commercial sexual exploitation, irregular adoption and the recruitment of persons under the age of eighteen (18) years for use in criminal activities and will be punished with a penalty of ten (10) to fifteen (15) years of imprisonment, plus absolute disqualification for twice the length of imprisonment and a fine of one hundred fifty (150) to two hundred fifty (250) minimum wages.

The previous penalties will increase by one half (1/2), in the following cases:

- 1) When the victim is under eighteen (18) years of age;
- 2) When the author is a spouse, partner or relative of the victim up to the third degree of consanguinity or second of affinity;
- 3) When the active subject uses force, intimidation, deception, promise to work or provides drugs or alcohol to the victim;
- 4) When the active subject takes advantage of his business, trade, profession or the function that he/she performs;
- 5) When the active subject takes advantage of the relationship of trust with people who have authority over the victim or makes payments, loans or concessions to obtain their consent;
- 6) When the punishable act was committed by a criminal group composed of three (3) or more members; and,
- 7) When the victim, due to the abuse to which he/she is subjected, remains in a state of disability or contracts an illness that threatens his/her life.

In no case will the consent granted be taken into account for the victim of Trafficking in Persons or their legal representative.

- Female Genital Mutilation (FGM)

No information found.

- Child/Early/Forced Marriage

[Penal Code of Honduras \(Oct. 2018\)](#)

Art. 172

He will incur the penalty of imprisonment from one (1) to four (4) years.

- 1) Who deceiving a person, simulates marriage with her;
- 2) Who contracts marriage knowing that it has an absolute indispensable impediment.

Art. 173

Officials who authorize marriages prohibited by law, knowingly, or without the concurrence of any of the requirements of existence or validity thereof, shall be punished with a fine of fifty thousand (L. 50,000.00) to one hundred thousand (L. 100,000.00) lempiras and special disqualification from four (4) to six (6) years

[Family Code \(Oct. 2017\)](#)

Art. 16

The age of majority is obtained at the age of twenty-one (21).
Only persons of legal age have free access to marriage.

However, it may be contracted by the male and female over eighteen (18) years, provided that authorization is granted in accordance with this Code.

Art. 17

Authorization for minors to marry must be given:

- 1) The father and mother jointly, or one of them exercising parental authority;
- 2) The maternal or paternal grandparents indistinctly in the absence of the parents, preferring those who live in the same domicile with the minor;
- 3) The adopter(s) when the minor has been adopted;
- 4) The guardian if the minor is subject to guardianship; and,
- 5) The competent judge when any of the persons in charge of authorizing it, deny it without justified cause and the minor is older than eighteen (18) years.