

Uruguay

National Child Protection Legislation

National Legislation

- Age of Child: **Child - Under 13 Years; Adolescent - 13-17 Years**

[Code on Childhood and Adolescence](#)

Art. 1

For the purposes of the application of this Code, a child means every human being up to thirteen years of age and adolescent persons are over the age of thirteen and under the age of eighteen years.

- Age of Consent: **15 years of age**

[Penal Code](#)

Art. 272 – Rape

Whoever compels a person of the same or different sex, with violence or threats, to suffer carnal conjunction, even if the act was not consummated commits the act of rape.

Violence is presumed when carnal conjunction takes place:

1. With a person of the same or different sex, under fifteen years of age. However, evidence to the contrary is admissible when the victim is twelve years of age.

...

- Age of Marriage: **16 years of age**

[Civil Code Law No 16.603](#)

Art. 91

The following are nullifying impediments to marriage:

1. Any of the parties are under sixteen years of age.
2. Lack of consent in the contracting parties.
The deaf and dumb who cannot be understood in writing are able to marry, provided it is proven that they can give consent. The verification will be done by judicially approved medical report.
3. The undisclosed bond of a previous marriage.
4. Kinship in a straight line by consanguinity or affinity, be legitimate or natural.
5. In the transversal line, the kinship between legitimate or natural brothers.
6. Homicide, attempt or complicity in the homicide against the person of one of the spouses, with respect to the survivor.
7. The lack of religious consecration, when this had occurred stipulated as a condition in the contract and claiming compliance with it on the same day of the marriage.

- Age of Criminal Responsibility: **18 Years of Age**

[Penal Code](#)

Art. 34 – Minority of age

It is not imputable who executes the fact before having reached the age of 18 years.

- **Extraterritoriality**

[Penal Code](#)

Art. 9 – Criminal law and territory

Crimes committed in the territory of the Republic, will be punished according to Uruguayan law, whether national or foreign authors, notwithstanding the exceptions established by domestic public law or by International Law.

In the case of conviction abroad of an offense committed in the national territory, the penalty fulfilled in whole or in part, will be taken into account for the application of the new one.

Art. 10 – Criminal law: The principle of defense and personality

The crimes of foreign nationals or foreigners in foreign territory are subtracted from the application of Uruguayan law, with the following exceptions:

1. Crimes committed against the security of the State.
2. The crimes of falsification of the seal of the State, or use of falsified seal of the State.
3. The crimes of counterfeiting of currency of legal tender in the territory of the State, or of national titles of public credit.
4. Crimes committed by officials at the service of the Republic, with abuse of their functions or by violation of the duties inherent to the position.
5. Crimes committed by a Uruguayan, punished both by foreign law and national law, when the author was in the territory of the Republic and was not required by the authorities of the country where he committed the crime, applying in that case the more benign law.
6. Crimes committed by a foreigner to the detriment of a Uruguayan, or to the detriment of the country, subject to the provisions of the preceding paragraph, and provided that the circumstances articulated in it concur.
7. All other crimes subject to Uruguayan law by virtue of special provisions of internal order, or international agreements.

Art. 11 – Of the conditions required so that crimes committed abroad may be punished in the country

Article 10 shall not apply:

1. When the criminal action is prescribed according to one or another legislation.
2. When the crime committed was of a political nature.
3. When the subject has been acquitted in the foreign country, or served the sentence, or it is prescribed.

Art. 12 – Regime in the case that the most benign penalty is the foreign one and this is not included in the national legislation

If the most benign penalty is the foreign one and this is not admitted in Uruguay, the penalty will be applied closest to him, in the judge's opinion.

Art. 13 – Extradition

Extradition is not admitted for political offenses, for common crimes related to political crimes, nor for common crimes whose repression obeys political purposes.

Nor is it admissible, when the fact that motivates the order has not been foreseen as an offense by national legislation.

Extradition may be granted or offered even for offenses not contemplated in the Treaties, provided that there is no prohibition on them.

Art. 14 – Conditions governing extradition not mediating the Treaty

If there is no Treaty, the alien's extradition can only be verified subject to the following rules:

1. That they are crimes punished by this Code with a penalty of imprisonment for an indefinite period, or imprisonment for more than six years.
2. That the claim be presented by the respective government to the Executive Branch, accompanied by a condemnatory sentence or a prison sentence, with the justifications required by the laws of the Republic to proceed with the arrest.
3. That there be a judicial declaration that extradition is appropriate, after hearing the accused and the Public Prosecutor's Office.

Art. 15 – Of the criminal law in order of time

When the penal laws configure new crimes, or they establish a more severe penalty, they do not apply to the acts committed prior to their validity.

When existing crimes are suppressed or the penalty of the same is reduced, they are applied to the facts prior to their validity, determining the cessation of the procedure or of the sentence in the first case, and only the modification of the sentence, in the second, as soon as it is not fixed by an enforceable sentence).

Art. 16 – Of the statutes of limitation and of procedure

The laws of prescription follow the rules of the previous article, and the procedural ones apply to the crimes committed before its validity, unless they suppress a resource or eliminate certain kind of evidence.

Art. 17 – Regime of special criminal laws

The provisions of this Code are applied to the facts provided for by special criminal laws, unless otherwise established in them.

▪ **Dual Criminality**

[Penal Code](#)

Art. 13 – Extradition

Extradition is not admitted for political offenses, for common crimes related to political crimes, nor for common crimes whose repression obeys political purposes.

Nor is it admissible, when the fact that motivates the order has not been foreseen as an offense by national legislation.

Extradition may be granted or offered even for offenses not contemplated in the Treaties, provided that there is no prohibition on them.

▪ **Mandatory reporting requirements**

Hotline: Blue Line – 0800 5050; for more information visit <https://tramites.gub.uy/ampliados?id=1401>.

[Penal Code](#)

Art. 177 – Omission by officials in proceeding to report crimes

The competent judge who, having knowledge of the execution of a crime, did not intervene or delay his intervention, and the one that does not being competent, omit or delay to make his complaint, will be punished with the penalty of three months to eighteen months in prison.

The same penalty shall apply to the police officer who omitted or delayed making the complaint of any crime of which he had knowledge by reason of his functions, and to the other officials, in the same circumstances, of the crimes that are committed in their distribution or whose effects the repartition will experience particularly.

Exceptions to the rule are crimes that can only be prosecuted through a complaint by the individual insulted.

It constitutes a special aggravating circumstance, with respect to public officials and in relation to facts that are committed in their distribution, the fact that they are the crimes foreseen in articles 153, 155, 156, 157, 158, 158 bis, 159, 160, 161, 162, 163 and 163 bis.

[Code of Children and Adolescents](#)

II - The abuse and abuse of the child or adolescent

Art. 130 – Definition

For the purposes of this title abuse and abuse of the child or adolescent include the following situations, and are not necessarily exhaustive: physical abuse, psychic-emotional abuse, child prostitution, pornography, sexual abuse and physical abuse or psychological.

Art. 131 – Reporting

Before written or verbal denunciation for the accomplishment of any of the conduct mentioned in the previous article, the receiving authority must communicate the fact in a reliable and immediate way to the competent Court. In any case the principle will be to prevent secondary victimization.

[Law No. 19.580 of 2018](#)

Art. 49 – Reporting

The organs, agencies and public and private institutions that assist children and adolescents must implement accessible and effective mechanisms for reporting. They must also ensure confidentiality, the reservation of information and consider especially situations of disability and those who are interned in public or private centers.

In the same way, we must proceed with regard to older women or women with disabilities.

▪ **Statute of Limitations**

[Penal Code](#)

Art. 119 – Starting point for the computation of crimes

The term begins to run, for the consummated crimes, from the day of the consummation; for attempted crimes, from the day on which execution was suspended; for crimes whose existence or modality require different acts or actions - (collective crimes and continued) - from

the day the last act is executed or the last action is carried out; for permanent crimes from the day its execution ceases.

The statute of limitations for criminal action derived from the crimes envisaged in articles 272, 272 bis, 272 ter, 273, 273 bis and 274, and in the Law No. 17,815, of September 6, 2004, in which the victim was a child or adolescent, is suspended until after having fulfilled the age of majority to formulate the complaint or ratify the one formulated by your legal representatives during your minority. If, as a consequence of any of the indicated crimes, the death of the underage person, will start running from the day in that it has reached the age of majority. (*)

[Law No. 19.580 of 2018](#)

Art. 78 – Criminal action and prescription

Criminal action with respect to the crimes foreseen in articles 272, 272 bis, 272 ter, 273, 273 bis and 274 of the Penal Code is public, not requiring the offended instance.

The statute of limitations of the criminal action is suspended while the victim is a minor and until he or she has reached the age of majority, formulates the complaint or ratifies the one formulated by his legal representatives during his or her minority. If, as a consequence of any of the aforementioned crimes, the death of the underage person has occurred, it will begin to run from the day on which the minor has reached the age of majority.

■ **Obligations of Educational Institutions**

[Statute of the Teacher](#)

Art. 59 – Causes of cessation

The teacher's dismissal will occur due to:

- a) Resignation accepted.
- b) Abandonment of charge verified through the administrative procedures of the case.
- c) Dismissal due to physical or mental ineptitude accredited by the Medical Board.
- d) Dismissal for proven ineptitude for the exercise of the teaching function, in accordance with article 40.
- e) Dismissal in serious cases of misconduct, such as the one provided in article 3, subparagraph e), omission or offense.
- f) Having reached the limit of years of service or age established by articles 58 and 60.

Art. 64 – Of the responsibilities of the teaching hierarchies

The respective hierarchy is responsible for compliance with the duties and obligations that the Constitution of the Republic, the Law and the present Statute or the complementary provisions impose on the personnel that are under its dependency.

They are hierarchies especially responsible for ensuring compliance with the duties and obligations of teaching staff: the Inspectors in the order of their degrees on the areas of their competence, following in authority the teachers who hold positions of Director and Deputy Director or whoever takes their place regarding the officials at your orders.

Art. 66 – Of the disciplinary regime

Sanctions will be applied in agreement with the entity of the fault committed and the background of the official, and following the corresponding administrative procedure.

They may consist of:

- a) Verbal observation.
- b) Written observation, with annotation in the personal file.
- c) Warning, with notation in the personal file.
- d) Suspension of duties with loss of assets up to 6 months.
- e) Dismissal.

Art. 68

Penalties greater than suspension for fifteen (15) days may only be applied as a result of a summary that the respective Council has provided. The other sanctions will be applied, giving the defendant the opportunity to articulate his defense and make defenses.

- 68.1. The preventive suspension in the teaching function may not exceed six (6) months and will be with the withholding of assets provided by the respective Ordinance.
- 68.2. The authority, as a preventive measure, may decree:
 - Transfer to another position of your degree.
 - Separation of the hierarchical position.
- 68.3. Any dismissal requires preliminary investigation, during which the accused has had the opportunity to present his defense, articulate his defense and produce evidence.

▪ **Prohibition to hold certain positions**

[Penal Code](#)

Art. 67 – Of accessory penalties

They are accessory penalties:

Absolute disqualification for public positions, public offices, political rights, academic, commercial or industrial professions.

The suspension of public positions or offices or academic, commercial or industrial professions, the loss of parental authority and the capacity to manage, in cases where, not imposing a sentence, the law orders that other penalties be applied.

Convictions for offenses provided for in articles 272, 272 bis, 272 ter, 273, 273 bis, and 274, and in Law No. 17,815, of September 6, 2004, will entail in all cases the loss or disqualification for the exercise of parental authority, guardianship, custody or possession of children or adolescents or persons with disabilities and elderly people in situations of dependency, as well as for the exercise of public and private functions in the educational area, health and all those that involve direct treatment with children and adolescents, people with disabilities and elderly people in situations of dependence, public or private positions in education or health.

Art. 75 – Absolute disqualification

The absolute disqualification for positions, public offices and political rights produces:

1. Loss of public positions and jobs of which the convicted person is in possession, even when they come from popular election;
2. Deprivation, during the sentence, of all political, active and passive rights;
3. Inability to obtain the positions and jobs mentioned during the term of the sentence.

Art. 76 – Special disqualification

The penalty of special disqualification produces:

1. The loss of the position or public office on which it falls;
2. Inability to obtain others of the same gender, during the term of the sentence.

Art. 77 – Special disqualification for a certain profession

The penalty of special disqualification for a certain academic, commercial or industrial profession, produces the inability to practice the profession for the time of the sentence.

Art. 78 – Suspension

The suspension of office or public office disqualifies for exercise during the sentence.

[Law No. 19.580 of 2018](#)

Art. 79 – Suspension of the exercise of parental authority and disqualification from exercising public and private functions

Persons subject to prosecution for the offenses set forth in articles 272, 272 bis, 272 ter, 273, 273 bis, and 274 of the Criminal Code and in Law No. 17,815, of September 6, 2004, are suspended in the year of the custody or guardianship and disabled for the exercise of public and private functions in the educational area, health and all those involving direct dealings with children and adolescents, people with disabilities and elderly people in situations of dependency, a term of ten years if a sentence of conviction or until his dismissal or acquittal.

▪ **Employment Law**

[Labor Code](#)

Art. 78

It is also a cause of suspension of the work contract, without liability for the employer or for the worker, the arrest that any judicial or administrative authority imposes on the latter, or the preventive detention against him that is decreed, provided that be followed by acquittal.

It is the obligation of the worker to notify the employer of the cause that prevents him/her from attending work, within three days following the one which began his/her arrest or imprisonment; and resume work within two days following the one in which said circumstances ceased. If he/she does not do so, the contract will be terminated, without any of the parties incurring responsibility.

At the request of the worker, the Head of the Prison will issue the necessary proofs for the proof of the ends referred to in the previous paragraph.

[Law No. 19.580 of 2018](#)

Art. 28 – Guidelines for the policies of childhood and adolescence

The Institute of Children and Adolescents of Uruguay, the National Institute for Adolescent Inclusion and any other body and organization linked to childhood and adolescence policies and care institutions of girls, boys and adolescents, within the scope of their competences, they must:

...

- i. Promote the issuance of procedures for reporting, investigating and sanctioning intra-institutional violence, which ensure immediate protection and guarantee non-repetition. All forms of sexual violence or mistreatment by officials or workers of child or adolescent services will be considered a serious offense.

- J. Establish as a requirement for the admission and hiring of personnel, the absence of administrative or criminal records in matters of physical, psychological, sexual, domestic violence, considering it a disabling condition for the function.

- **Criminal Law - Defamation**

- [Penal Code](#)

- **Art. 333 – Defamation**

- The one that in front of several people gathered or separated, but in such a way that the version can be disseminated, will attribute to a person a certain fact, that if it were true, could result in criminal or disciplinary proceedings against her, or expose her to hatred or public contempt, will be punished with four months of imprisonment to three years in prison or a fine of 80 U.R. (eighty readjustable units) to 800 U.R. (eight hundred resettable units).

- **Art. 334 – Injury**

- The one that out of the cases foreseen in the preceding article, offends in any way, with words, writings or deeds, the honor, the rectitude or the decorum of a person, will be punished with a sentence of three to eighteen months in prison or a fine of 60 U.R. (sixty readjustable units) to 400 U.R. (four hundred readjustable units).

- **Art. 335 – Aggravating circumstances**

- The preceding offenses shall be punished with an increase of one sixth to one third of the penalty, when committed in public documents, or with writings, drawings or paintings publicly disclosed or exposed to the public.

- **Article 336 – Exemption from liability and proof of the truth**

- It will be exempt from liability if:

- A) Carry out or disseminate any kind of manifestation on matters of public interest, referring either to public officials or to persons who, by profession or trade, have a relevant social exposure, or to any person who has voluntarily become involved in matters of interest public;
- B) reproduced any kind of manifestation on matters of public interest, when the author of the same is identified;
- C) perform or disseminate any kind of humorous or artistic expression, provided that it refers to any of the preceding hypotheses.

- The exemption of responsibility will not proceed when the actual malice of the author is proved to aggravate the persons or violate his private life.

- Those accused of the offenses set forth in article 333 and even article 334, when there is an imputation, shall have the right to prove the truth of the facts and the credibility of the qualities attributed to the person, except that the case refers to the private life of the person or when the disclosure of the facts is not of public interest. If the truth or the verisimilitude is proven, the author of the imputation will see exempt from punishment, unless there was actual malice used.

Art. 337 – Of the offenses inferred in court

The slander or injury caused in court, will be disciplinarily judged according to the Code of Civil Procedure by the Judge or Court that knows the cause, except in the case in which its seriousness, in the opinion of the same Judge or Court, gives merit to proceed criminally.

In the latter case, the action may not be filed until after the litigation in which the slander or injury has been caused.

Art. 338 – These offenses may only be punished by complaint of the offended party

If he / she passed away prior to the filing of the complaint, but still has time to exercise that right, or if the offenses would have been directed against the memory of a dead person, the complaint may be articulated by the spouse or by close relatives.

In cases of offense against a social, political or administrative corporation, only proceed with authorization of the offended corporation or its hierarchical head when it is an authority that is not collegially organized.

Art. 339 – Prescription

The criminal action of the offenses provided for in this chapter, shall be prescribed a year in the cases of article 333 and three months in the case of article 334.

▪ **Private Fostering**

No legislation found.

For the Friendly Family (foster care) site, see <http://www.inau.gub.uy/familia-amiga>.

Sexual Offenses Against Children

[Penal Code](#)

Art. 272 – Rape

Committing rape that compels a person of the same or different sex, with violence and threats to suffer the carnal conjunction, although the act will not be consummated.

Violence is presumed when carnal conjunction takes place:

1. With a person of the same or different sex, under fifteen years of age. However, evidence to the contrary is admissible when the victim is twelve years old;
2. With a person who, due to congenital or acquired causes, permanent or transitory, finds himself/herself, at the moment of execution of the act, deprived of discernment or will;
3. With arrested or detained person, provided that the culprit turns out to be in charge of their care or custody;
4. With fraud, laying blame on another person.

This offense is punishable, as appropriate, with prison from two to twelve years.

Art. 272bis – Sexual abuse

Whoever, through intimidation, psychological pressure, abuse of power, threat, force or any other coercive circumstance, performs an act of a sexual nature against a person, of the same or different sex, will be punished with a penalty of eight months to six years imprisonment. The same penalty will

apply when in the same circumstances a person is forced to perform an act of a sexual nature against a third party.

Violence is presumed when the act of a sexual nature is carried out:

1. With a person under fifteen years of age. This presumption will not apply in the case of consensual relations between persons older than twelve years of age and when there is not a difference greater than ten years between them.
2. With a descendant or person under their care or authority under eighteen years of age.
3. With a person who, due to congenital or acquired causes, permanent or transitory, finds himself, at the moment of execution of the act, deprived of discernment or will.
4. With arrested or detained person, provided that the accused turns out to be in charge of their custody or custody.

In the cases provided for in numerals 1 to 4 above, the minimum penalty will be raised to two years of penitentiary. (*)

Art. 272ter – Especially aggravated sexual abuse

Sexual abuse will be considered aggravated when any part of the body of the victim or the author is invaded, through penetration, however insignificant, anal or vaginal, with a sexual organ, another part of the body or an object, as well as oral penetration with a sexual organ, punishable by a penalty of two to twelve years of penitentiary. The penalty to be applied in case of attempt will never be less than two years of penitentiary. (*)

Art. 273 – Violent attack on modesty

He/she commits a violent attack on modesty, which by the means established in the previous article, or taking advantage of the circumstances enunciated in it, will perform on a person of the same or different sex, obscene, diverse acts of carnal conjunction, or have them perform said acts on themselves or on the person of the guilty party or of a third party.

This offense is punishable by a sentence of eight months to six years imprisonment.

If the victim of the crime was less than twelve years of age, the penalty to be applied is two to six years imprisonment.

Art. 273bis - Sexual abuse without bodily contact

The person who executes or has executed another person acts of sexual exhibition before a person under eighteen years of age, will be punished with six months of prison to three years of penitentiary.

The same penalty shall apply in the event that said acts to a person under eighteen years of age or prevailing the physical or intellectual disability of a victim older than that age. (*)

Art. 274 – Corruption

He/she commits corruption that, to serve their own lasciviousness, with libidinous acts corrupts a person over twelve and under eighteen years of age.

This crime is punishable by a sentence that can range from six months to three years in prison.

He/she commits the crime of procuring and is subject to the respective penalties that execute any of the events provided for by the Special Law of May 27, 1927.

Art. 275 – Statutory Rape (Estupro)

A person who, by a promise of marriage, makes the conjunction with a maiden woman under twenty years of age and over fifteen years of age commits rape.

One commits statutory rape, who by simulating marriage, carried out said acts with a maiden woman older than twenty years of age.

Rape is punishable which can range from six months imprisonment to three years imprisonment.

Art. 276 – Incest

Those who, with public scandal, have sexual relations with legitimate ascendants and natural fathers recognized or declared as such, with legitimate descendants and natural children recognized or declared as such, and with legitimate siblings commit incest.

This offense is punishable by six months to five years imprisonment.

Art. 277 – Public outrage to modesty

A person commits outrage to modesty who, in a public place or exposed to the public, executes obscene acts or pronounces discourses of similar character.

This crime will be punished with three months to three years in prison.

Art. 277bis

The one who, by means of the use of technologies, of the internet, of any computer system or any means of communication or data transmission technology, contacts a person who is under age or exerts influence on him/her, for the purpose of committing any crime against their sexual integrity, acts with sexual connotations, obtaining pornographic material or forcing him/her to do or not do something against his/her will, will be punished with six months to four years imprisonment.

Art. 278 – Pornographic exhibition

The crime of pornographic exhibition is committed by publicly offering obscene theatrical or cinematographic shows, which transmits auditions or carries out publications of the same character.

This crime is punishable by three to twenty-four months of imprisonment.

Art. 279 – Aggravating circumstances

The penalties provided in articles 272, 272 bis, 272ter, 273, 273 bis and 274 will increase by one third to half when the following aggravations are present:

- A. The status of ascendant, brother or sister, uncle, aunt, guardian, spouse, concubine, guardian, custodian, curator or person with authority over the victim.
- B. When the agent takes advantage of his status as responsible for care or health care of the victim, their quality of educator, teacher, police or security official.
- C. If the victim was under eighteen years of age.
- D. If it results in serious damage to the physical or mental health of the victim.
- E. The author has knowledge of being a carrier of a disease of serious sexual transmission, and there would have been a danger of contagion.
- F. If contamination of sexually transmitted disease occurs or pregnancy.
- G. If the author takes advantage of a coercion environment or is prevails of the physical or intellectual disability of the victim.
- H. If the act is committed with the participation of two or more people.

I. The continuity over time of abusive behavior with respect to the same person (*)

Art. 279bis – Omission of the duties inherent to parental authority or custody

The one who intentionally omits the fulfillment of duties legal assistance issues inherent in parental authority, guardianship, or judicial guardianship conferred, endangering health physical, psychic or emotional nature of the people in their care, will be punished with a penalty of three to twelve months in prison.

It is an aggravating circumstance of this crime the use of stratagems or pretexts to avoid compliance with the duties of assistance inherent in these responsibilities. (*)

Art. 280quater – Forced prostitution

Whoever, in order to obtain an economic benefit or any other advantage, through force, threats or other forms of coercion or intimidation, has one or more persons perform one or more acts of a sexual nature, shall be punished with a penalty of two to ten years of penitentiary. (*)

(*) Notes: Added by: Law No. 19.643 of 07/20/2018 article 49.

[Law No. 19.580 of 2018](#)

Art. 92 – Disclosure of images or recordings with intimate content

The person who broadcasts, discloses, exhibits or transfers to third parties images or recordings of a person with an intimate or sexual content, without his authorization, shall be punished with a penalty of six months in prison to two years of penitentiary.

In no case will the authorization granted by a person under eighteen years of age be considered valid. This crime is configured even when the person who broadcasts the images or recordings has participated in them.

The administrators of internet sites, portals, search engines or similar who, notified of the lack of authorization, do not immediately download the images, will be sanctioned with the same penalty provided in this article.

[Law No. 18.561 of 2009 on Sexual Harassment](#)

Art. 13 – Sexual harassment in the teaching relationship

In a teaching relationship, the student object of sexual harassment shall have all the rights provided for by this law, including the right to claim from the employer or hierarchy of the teacher the application of the sanctions provided in the respective internal regulations and the compensation referred to in article 11. The calculation of the compensation will be taken as a basis for calculating the salary of the worker responsible for sexual harassment.

If you prove that your educational situation is prejudicial as a result of the harassment, you will be entitled to restored in the state previous to it.

[Code on Childhood and Adolescence](#)

Art. 15 – Special protection

The State has the obligation to provide special protection to children and adolescents with respect to any form of:

- A) Abandonment, sexual abuse or exploitation of prostitution.
- B) Discriminatory treatment, harassment, segregation or exclusion in places of study, leisure or work.
- C) Economic exploitation or any type of work harmful to their health, education or for their physical, spiritual or moral development.
- D) Cruel, inhuman or degrading treatment.

- E) Stimulus to the consumption of tobacco, alcohol, inhalants and drugs.
- F) Situations that put your life at risk or incite violence, such as the use and trade of weapons.
- G) Situations that endanger their security, such as detentions and unlawful transfers.
- H) Situations that put your identity in danger, such as illegitimate adoptions and sales.
- I) Breach of the parents or responsible to feed them, take care of their health and watch over their education.

[Commercial or NonCommercial Sexual Violence Committed Against Children Law](#)

Art. 1 – Manufacture or production of pornographic material with the use of minors or incapacitated persons

Anyone who in any way makes or produces pornographic material using underage persons or elderly persons incapable, or will use their image, will be punished with sentence of twenty-four months of prison to six years of penitentiary.

Art. 2 – Commerce and dissemination of pornographic material in which the image or other form of representation of minors or incapable persons appears

Whoever trades, distributes, exhibits, stores for distribution, import, export, distribute or offer material pornographic image in which the image or any other form of representation of a minor or incapacitated person appears, shall be punished with a penalty of twelve months in prison to four years in prison.

Art. 3 – Facilitation of the commercialization and dissemination of pornographic material with the image or other representation of one or more minors or incapable persons

Anyone who in any way facilitates, for their own benefit or that of others, the marketing, dissemination, exhibition, import , export, distribution, offer, storage or acquisition of pornographic material that contains the image or any other form of representation of one or more minors or incapacitated persons will be punished with a penalty of six months of imprisonment to two years in prison.

For the purposes of this article and the foregoing, it is understood that it is a pornographic product or material that by any means contains the image or other form of representation of minors or incapacitated persons engaged in explicit, real or simulated sexual activities, or the image or representation of their genital parts, with primarily sexual purposes. (Law No. 17,559 of September 27, 2002, Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and the use of children in pornography).

Art. 4 – Retribution or promise of compensation to minors or incapable of executing sexual or erotic acts of any kind

The person who will pay or promise to pay or give in return an economic or other advantage to a person Minor or incapable of any sex, to perform sexual or erotic acts of any kind, will be punished with a penalty of two to twelve years in prison.

Art. 5 – Contribution to the sexual exploitation of minors or incapacitated persons

Anyone who contributes in any way to the prostitution, exploitation or sexual servitude of minors or incapacitated persons, will be punished with punishment from two to twelve years in prison.

The penalty will be increased by one-third to one-half if it occurs with abuse of domestic relations or authority or hierarchy, public or private, or the status of police officer of the agent.

Art. 6 – Trafficking of minors or incapacitated persons

Anyone who in any way favors or facilitates the entry or exit of the country of minors or incapacitated persons, to be prostituted or sexually exploited, will be punished with a penalty of two to twelve years imprisonment.

- **Female Genital Mutilation (FGM)**

No legislation found.

- **Child/Forced Marriage**

[Penal Code](#)

Art. 280ter – Marriage or forced concubinage or servile

The one who forces a person through violence, threats or abuse of a situation of vulnerability, to marry or to maintain a concubinage to change of an economic benefit or of another type, for himself or for a third party, will be punished with two to ten years imprisonment.

Whoever, abusing a situation of vulnerability, establishes or maintains a union of a matrimonial, concubinary, dating or analogous nature, with a teenager, girl or child as a condition for access to housing, food, clothing or other basic needs for subsistence, even with their consent, will be punished with imprisonment of two to fifteen years.