

# Costa Rica

## National Child Protection Legislation

### National Legislation

- Age of Child – Adolescent – over 12 and under 18 years; Young person – between 12 and 35 years.

#### Civil Code

##### **Art. 37**

Those who have turned eighteen years are of legal age; and minors are those who have not reached that age.

#### Law on Young People No. 8261 of 2004

##### **Art. 2 – Definitions**

Adolescent: Person over twelve years of age and under eighteen to years old.

Young Persons: People aged between twelve and thirty-five years, call teenagers, young people or young adults; The foregoing without prejudice to what other laws provide for the benefit of children and adolescents.

- Age of Consent – 15 years

#### Ley de Relaciones Impropias

##### **Art. 161 – Sexual abuse against minors and incapable people**

Anyone who abusively performs acts for sexual purposes against a minor or incapacitated person or forced to a minor or incapacitated person to perform sexual acts on the agent, himself, or another person will be punished with from three to eight years in prison as long as it does not constitute a crime of violation.

The penalty will be four to ten years in prison when:

1. The offended person is under fifteen.

[...]

- Age of Marriage – 18 years (15 years with parent or guardian consent)

#### Ley de Relaciones Impropias

##### **Art. 14**

Marriage is legally impossible:

...

- 7) For a person under the age of 18 years.

- Age of Criminal Responsibility – 18 years

#### Penal Code

##### **Art. 17**

This Code will apply to people who at the time of the event were older than seventeen.

The special juvenile law will determine the extent to which the provisions of this Code apply. However, according to the Law on Juvenile Justice of Costa Rica, children can be subjected to penalties including the deprivation of liberty from the age of 12.<sup>1</sup>

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- **Extraterritoriality**

- [Penal Code](#)

- Art. 5 – Extraterritoriality**

- The Costa Rican criminal law shall also apply to punishable acts committed abroad when:

- 1) attempt against the internal or external security of the State, the same against its economy; and
    - 2) be committed against the public administration, by officials at its service, whether or not they are Costa Ricans.

- **Dual Criminality**

- [Penal Code](#)

- Art. 6 – Possibility to initiate process for facts punishable committed abroad**

- Proceedings may be opened for punishable acts committed abroad and in that case, Costa Rican law shall apply when:

- 1) They produce or can produce their results in whole or in part, in the national territory;
    - 2) They have been committed by persons in the service of Costa Rica and have not been tried in the place of commission of the act, by virtue of diplomatic or functional immunity;
    - 3) They will be perpetrated against a Costa Rican or their rights;
    - 4) They have been committed by a Costa Rican.

- **Mandatory reporting requirements**

- [Childhood and Adolescence Code Law No. 7739](#)

- Art. 49 - Denunciation of abuse or abuse**

- The directors and staff in charge of health centers, public or private, where minors are taken to attend them, will be required to report to the Public Prosecutor any reasonable suspicion of abuse or abuse committed against them. The same obligation will have the authorities and staff of educational centers, nurseries or any other place where they remain, attend or provide some service to these people.

- **Statute of Limitations**

- [No. 9685 The Legislative Assembly of the Republic of Costa Rica Decree: Law of Right to Time: Addition of Incise C\) to Article 31 of Law 7594, Criminal Procedure Code, April 1 of 1996, to Extend the Prescription Period of the Criminal Action in Cases of Sexual Crimes Against Minors or Without Violative or Cognostic Capacity](#)

SINGLE ARTICLE- Subsection c) is added to article 31 of Law No. 7594, Criminal Procedure Code, of April 10, 1996. The text is as follows:

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<sup>1</sup> Juvenile Criminal Justice Code of Costa Rica, Law. 8460, at [http://www.youthpolicy.org/wp-content/uploads/library/2011-Law-on-juvenile-justice-costa-rica\\_SPA.pdf](http://www.youthpolicy.org/wp-content/uploads/library/2011-Law-on-juvenile-justice-costa-rica_SPA.pdf) (last visited Sep. 5, 2019).

**Art. 31 - Prescription terms of the criminal action**

If the criminal prosecution has not been initiated, the action shall prescribe:

- a) After a period equal to the maximum penalty has elapsed, in crimes punishable by imprisonment, it may not exceed ten years or be less than three, except in crimes committed against minors, in which the prescription will begin to run after the victim has reached the age of majority.
- b) At two years, in crimes punishable only with non-custodial sentences and in offenses or contraventions.
- c) Twenty-five years after the victim reached the age of majority, in the case of sexual crimes committed against minors or without volitional or cognitive capacity. The previous rule shall apply interchangeably for any author, accomplice or participant responsible for the respective punishable act, provided that at the time of the offense they have acquired the majority.

It applies from its publication.

▪ **Obligations of Educational Institutions**

[Childhood and Adolescence Code Law No. 7739](#)

**Art. 49 - Denunciation of abuse or abuse**

The directors and staff in charge of health centers, public or private, where minors are taken to attend them, will be required to report to the Public Prosecutor any reasonable suspicion of abuse or abuse committed against them. The same obligation will have the authorities and staff of educational centers, nurseries or any other place where they remain, attend or provide some service to these people.

[Law No. 7476 Law Against Sexual Harassment in Employment and Teaching 1995](#)

**Art. 3 – Definitions**

Sexual harassment or harassment is understood as any unwanted sexual conduct by the person who receives it, repeated and that causes harmful effects in the following cases:

- a) Material conditions of employment or teaching.
- b) Work and educational performance and compliance.
- c) General state of personal well-being.

Sexual harassment is also considered serious behavior that, having occurred only once, harms the victim in any of the aspects indicated.

**Art. 4 – Manifestations of sexual harassment**

Sexual harassment can manifest itself through the following behaviors:

1. Requirements for sexual favors that involve:
  - a) Promise, implicit or express, of preferential treatment, with respect to the current or future situation of employment or study of who receives it.
  - b) Threats, implicit or express, physical or moral, of damages or punishments referring to the current or future situation of employment or study of who receives them.
  - c) Requirement of a conduct whose subjection or rejection is, in form implicit or explicit, condition for employment or study.
2. Use of words of a sexual nature, written or oral, that are hostile, humiliating or offensive to those who receive them.
3. Body approaches or other physical behaviors of a sexual nature, unwanted and offensive for those who receive them.

#### **Art. 5 – Prevention responsibilities**

Every employer or hierarch will have the responsibility of maintaining, in the workplace, conditions of respect for those who work there, through an internal policy that prevents, discourages, avoids and punishes sexual harassment behaviors. With that, finally, they must take express measures in the internal regulations, collective agreements, direct or other arrangements. Without limiting themselves to them, they will include the following:

1. Communicate, in written and oral form, to supervisors, representatives, employees, employees and clients the existence of a policy against sexual harassment.
2. Establish an internal procedure, adequate and effective, to allow reports of sexual harassment, guarantee the confidentiality of complaints and punish harassing persons when there is cause.

The procedure mentioned in the previous paragraph, in no case, may exceed the period of three months, counted from the filing of the complaint for sexual harassment.

#### **Art. 6 – Disclosure of the Law**

Every employer or hierarch will have the responsibility of disseminating the content of this Law. The Ombudsman's Office may contribute to this process.

#### **Art. 7 – Information on complaints**

Every employer will be obliged to report the allegations of sexual harassment that are received in their workplace, as well as the result of the procedure that is carried out, to the Ombudsman's Office, in the case of public institutions, or to the National Directorate General Labor Inspection of the Ministry of Labor and Social Security, in the case of private employers.

For purposes of the public sector, the employer is understood as the superior of each institution.

#### **Art. 8 – Duty of the Ministry of Labor and Social Security**

The National Directorate and Labor Inspection of the Ministry of Labor and Social Security shall ensure compliance with the provisions of article 5 of this Law.

#### **Art. 9 – Duty of the educational centers**

In all educational centers, the provisions of articles 5, 6 and 8 of this Law must be complied with.

#### ▪ **Prohibition to hold certain positions**

##### [Penal Code](#)

#### **Art. 57 – Absolute disqualification**

The absolute disqualification that extends from six months to twelve years, except the one indicated in subsection 6) of this article, which extends from four years to fifty years, results in the following:

- 1) Loss of employment, position or public commissions that you exercise, including that of popular election.
- 2) Inability to obtain the positions, jobs or public commissions mentioned.
- 3) Deprivation of active and passive political rights.
- 4) Inability to practice the profession, trade, art or activity that you perform.

- 5) Inability to exercise parental rights, guardianship, conservatorship or judicial administration of property.
- 6) Inability to exercise or obtain employment, position, profession, trade, art or activity that places you in a power relationship in front of one or more minors.

**Art. 58 – Special disqualification**

Special disqualification, the duration of which will be the same as that of absolute disqualification, will consist of deprivation or restriction of one or more of the rights or functions referred to in the previous article.

**Art. 161a – Common provision for sexual offenses against minors.**

When a sexual crime is committed whose victim is a minor, the judges are empowered to impose, in addition to the penalties recorded in each case, those of absolute disqualification as long as they consider relevant, according to the seriousness of the fact and within the limits set for this penalty. The disqualification will be in force for the entire period established in the conviction, without the possibility of it being diminished by the benefits that, in accordance with criminal procedural legislation, may be granted to the convicted.

**Art. 168 bis**

The disqualification for the exercise of the trade from three to ten years shall be imposed on the owner, manager or in charge of a travel agency, a lodging establishment, an airline, a tour operator or a ground transportation that promotes or facilitates the commercial sexual exploitation of persons under eighteen.

▪ **Employment Law**

[Law No. 7476 Law Against Sexual Harassment in Employment and Teaching 1995](#)

**Art. 5 – Prevention responsibilities**

Every employer or hierarchy will have the responsibility of maintaining, in the workplace, conditions of respect for those who work there, through an internal policy that prevents, discourages, avoids and punishes sexual harassment behaviors. With that, finally, they must take express measures in the internal regulations, collective agreements, direct or other arrangements. Without limiting themselves to them, they will include the following:

1. Communicate, in written and oral form, to supervisors, representatives, employees, employees and clients the existence of a policy against sexual harassment.
2. Establish an internal procedure, adequate and effective, to allow reports of sexual harassment, guarantee the confidentiality of complaints and punish harassing persons when there is cause.

The procedure mentioned in the previous paragraph, in no case, may exceed the period of three months, counted from the filing of the complaint for sexual harassment.

[Labor Code of Costa Rica](#)

**Art. 81** – These are just causes that entitle the employer to terminate the employment contract:

a) When the worker conducts himself during his work in an openly immoral manner, or goes to injury, slander or de facto means against his employer;

...

k) When the worker suffers imprisonment by executory sentence.

- **Criminal Law – Defamation**

Penal Code

**Art. 146 – Defamation**

A person will be punished with twenty to sixty days fine when he dishonors another or propagate suitable species to affect his reputation.

**Art. 147 – Slander**

A person will be punished with fifty to one hundred and fifty days fine in which he falsely attributes to a person the commission of a criminal act.

- **Case Law database - <https://nexuspj.poder-judicial.go.cr/>**

- **Criminal Procedure Code – [https://www.imprentanacional.go.cr/editorialdigital/libros/textos%20juridicos/17\\_cod\\_proc\\_penal\\_edincr.pdf](https://www.imprentanacional.go.cr/editorialdigital/libros/textos%20juridicos/17_cod_proc_penal_edincr.pdf)**

- **Sentencing Guidelines**

Penal Code

**Art. 50 – Penalty Classes**

The penalties established by this Code are:

- 1) Main: prison, alienation, fine and disqualification
- 2) Accessories: special disqualification
- 3) Provision of public utility services

**Art. 51 – Prison and Security Measures**

Imprisonment and security measures will be enforced in places and in the manner in which a special law determine, so that they exercise a rehabilitative action on the convicted. Its maximum limit is fifty years.

**Art. 52 – Alienation**

The penalty of alienation, applicable only to foreigners, consists in the expulsion from the territory of the Republic, with prohibition to return to him, during the time of the sentence. It extends from six months to ten years.

**Art. 53 – Penalty fee**

The penalty of fine obliges the convicted person to pay a sum of money to the institution designated by law, within fifteen days after the final decision.

When the penalty of fine days is imposed, the judge, in a reasoned sentence, will first determine the number of fine days that the convicted person must cover, within the limits indicated for each crime, depending on the seriousness of the fact, the circumstances of mode, time and place as well as the author's own characteristics, directly related to criminal behavior. This penalty may not exceed three hundred and sixty days fine.

In said judgment, in a reasoned manner, the judge must determine the sum of money corresponding to each fine day, according to the economic situation of the convicted person,

taking into account their standard of living, all their daily income and reasonable expenses to attend both your needs and those of your family. Each fine day may not exceed fifty percent (50%) of the sentenced person's daily income. The prosecutor or the judge in your case, with the Collaboration of the Social Work Office of the Judiciary must make the necessary inquiries to determine the true economic situation of the accused and their possibilities of payment.

#### **Art. 57 – Absolute disqualification**

The absolute disqualification that extends from six months to twelve years, except the one indicated in subsection 6) of this article, which extends from four years to fifty years, results in the following:

- 1) Loss of employment, position or public commissions that you exercise, including that of popular election.
- 2) Inability to obtain the positions, jobs or public commissions mentioned.
- 3) Deprivation of active and passive political rights.
- 4) Inability to practice the profession, trade, art or activity that you perform.
- 5) Inability to exercise parental rights, guardianship, conservatorship or judicial administration of property.
- 6) Inability to exercise or obtain employment, position, profession, trade, art or activity that places you in a power relationship in front of one or more minors.

#### **Art. 58 – Special disqualification**

Special disqualification, the duration of which will be the same as that of absolute disqualification, will consist of deprivation or restriction of one or more of the rights or functions referred to in the previous article.

Penalty Fixation

#### **Art. 71 – Fixing Mode**

The Judge, in a reasoned sentence, will determine the duration of the penalty that must be imposed in accordance with the limits indicated for each crime, taking into account the seriousness of the event and the personality of the participant. To appreciate them it will be taken in bill:

- a) The subjective and objective aspects of the punishable act;
- b) The importance of the injury or danger;
- c) The circumstances of mode, time and place;
- d) The quality of the determining grounds;
- e) The other personal conditions of the active subject or the victim to the extent that they have influenced the commission of the crime; and
- f) The conduct of the post-crime agent. The psychological, psychiatric and social characteristics, the same as those related to education and background, will be requested of the Criminology Institute which may include in its report any other aspect that may be of interest for better information of the Judge.

#### ▪ **Private Fostering**

No information found.

## **Sexual Offenses Against Children**

### **[Penal Code Law No. 4573](#)**

#### **Art. 156 – Violation**

Persons will be punished by imprisonment from 10 to 16 years who have sexual relations, whether oral, anal, or vaginal, in the following cases:

- 1) when the victim is under 13 years old;
- 2) when advantage is taken of the vulnerability of the victim or the victim is incapable of resisting or unable to resist; and
- 3) when corporal punishment or intimidation is used.

#### **Art. 159 - Sexual Relations with Minors**

Persons will be punished by imprisonment from 2 to 6 years when they take advantage of the victim's age and have sexual intercourse orally, anally, or vaginally, with a person over 13 years of age and under 15 years of age. The same penalty will be imposed if the action involves fingers, objects, or animals. The penalty will be four to 10 years in prison when the victim is older than 13 years and under 18 years of age and the agent is an ascendant, uncle, aunt, brother, or sister, or guardian.

#### **Art. 160 – Paid Sexual Acts with Minors**

Persons who pay or promise to pay or give in return an economic or other advantage to a minor so that the minor performs sexual or erotic acts will be punished with the following penalties

- 1) prison from 4 to 10 years, if the offended person is less than 13 years old;
- 2) prison from 3 to 8 years, if the offended person is older than 13 but less than 15 years old; and
- 3) prison from 2 to 6 years, if the offended person is older than 15 but younger than 18 years old.

#### **Art. 161 - Sexual Abuse Against Minors and Incapacitated Persons**

Persons will be punished with a prison sentence of 3 to 8 years, who, in an abusive manner, perform acts for sexual purposes against a minor or incapable person or oblige them to perform the sexual acts to the agent, themselves or another person, provided that it does not constitute the crime of rape.

The penalty will be 4 to 10 years in prison when:

- 1) The offended person is under 13 years old.
- 2) The author takes advantage of the vulnerability of the offended person, or the victim is unable to resist, or bodily violence or intimidation is used.
- 3) The author is an ascendant, descendant, sister or brother of the victim.
- 4) The author is an uncle, aunt, niece, nephew, cousin or cousin of the victim.
- 5) The author is a stepmother, stepfather, stepsister or stepbrother of the victim.
- 6) The author is a guardian or in charge of the education, guardianship or custody of the victim.
- 7) The author commits the conduct against any of the relatives of their spouse or cohabitants, indicated in subsections 3) and 4) above.
- 8) The author holds a position of trust with the victim or the victim's family, whether or not a relationship of kinship.

#### **Art. 162bis – Sex tourism**

Persons will be punished with imprisonment from 4 to 8 years, who promote or carry out programs, campaigns or commercials, using any means to project the country nationally and internationally as an accessible tourist destination for commercial sexual exploitation or prostitution of people of any sex or age.



**Art. 164 – Improper Abduction**

Persons shall be punished with imprisonment from 6 months to 3 years, who abduct for libidinal purposes an honest woman over 12 years and under 15 years of age, with their consent.

**Art. 167 – Corruption**

Whoever maintains or promotes the corruption of a minor or incapacitated person, for erotic, pornographic or obscene purposes, in public or private exhibitions or shows, will be punished with imprisonment of 3 to 8 years, even if the minor or incapacitated person consents.

The penalty will be 4 to 10 years in prison, if the actor, using social networks or any other computer or telematic means, or other means of communication, seeks sexual encounters for themselves, for another or for groups, with a person underage or incapable; uses these people to promote corruption or force them to perform perverse, premature or excessive sexual acts, even if the victim consents to participate in them or watch them executed.

**Art. 167bis – Seduction or Encounters with Minors through Electronic Means**

Any person who, through any means, establishes communication of a sexual or erotic nature, whether or not it includes images, videos, text or audio with a legally incapacitated person under the age of 15 will be imprisoned for 1 to 3 years.

The same penalty shall be imposed upon any person who, by impersonating a third party or through the use of false documentation, through any means intends communication of sexual or erotic nature, whether or not it includes images, video, text or audio with a underage of legally incapacitated person.

Punishment shall be imprisonment for 2 to 4 years in the acts described in the above two paragraphs, when the party procures a personal encounter in a physical location with an underage or legally incapacitated person.

**Art. 168 – Aggravated Corruption**

In the case of the previous article, the penalty will be 4 to 10 years in prison, provided that:

- 1) the victim is under 13 years of age;
- 2) the fact is executed for profit purposes;
- 3) the act is executed with deception, violence, abuse of authority or any other means of intimidation or coercion;
- 4) the author is ascendant, descendant, sister or brother of the victim;
- 5) the author is an uncle, aunt, niece, nephew, cousin or cousin of the victim;
- 6) the author is a stepmother, stepfather, stepsister or stepbrother of the victim;
- 7) the author is guardian or in charge of the education, custody, or custody of the victim;
- 8) the author carries out the conduct against any of the relatives of his or her spouse or partner, indicated in subsections 4), 5), and 6);
- 9) the author prevails in his relationship of trust with the victim or with his family, with or without a relationship of kinship.

**Art. 169 - Procuration**

Anyone who promotes the prostitution of persons of any sex or induces them to exercise or maintains them or recruits them for that purpose, shall be punished by imprisonment of two to five years. The same penalty shall be imposed on anyone who keeps another person in sexual servitude.

**Art. 170 - Aggravated Pimping**

The penalty shall be 4 to 10 years imprisonment, when one of the actions provided for in the preceding article is carried out and in addition, one of the following circumstances occurs:

1) the victim is under 18 years of age

...

#### **Art. 171 – Pimping**

A person will be punished with imprisonment for 2 to 8 years, who, coercively, is maintained, even partially, by a person who practices prostitution, exploiting the profits derived from that activity. The penalty will be:

- 1) prison 4 to 10 years, if the offended person is less than 13 years old;
- 2) prison from 3 to 9 years, if the person offended is older than 13 but younger than 18 years.

#### **Art. 172 - [Offense of Trafficking in Persons](#)**

Anyone who promotes, facilitates or favors the entry or exit of the country, or the displacement within the national territory, of persons of either sex to carry out one or several acts of prostitution or subject them to exploitation shall be punished with a prison sentence of 6 to 10 years. sexual or labor servitude, slavery or practices analogous to slavery, forced labor or services, servile marriage, begging, illegal extraction of organs or irregular adoption. The penalty of imprisonment will be from eight to sixteen years, if it also means any of the following circumstances:

- a) The victim is under 18 years of age or is in a situation of vulnerability or disability,
- b) Deception, violence or any means of intimidation or coercion,
- c) The author is a spouse, partner or relative of the victim up to the third degree of consanguinity or affinity,
- d) The author prevails in his relationship of authority or trust with the victim or his family, with or without a relationship of kinship,
- e) The author takes advantage of the exercise of his profession or the role he plays,
- f) The victim suffers serious damage to his health, and
- g) The punishable act was committed by a criminal group composed of two or more members.

#### **Art. 173 – Manufacture, Production, or Reproduction of Pornography**

Persons who manufacture, produce, or reproduce child pornographic material in any way will be sanctioned with imprisonment for 4 to 8 years. Anyone who transports or enters the country with this type of material will be sanctioned with imprisonment for 3 to 6 years. For the purpose of this Code, child pornographic material means any written, visual or auditory representation produced by any means, of an underage person, is/her image or voice, altered or modified, dedicated to explicit sexual activities, whether real or simulated, or any representation of an underage person's genitalia with sexual purposes.

#### **Art. 173bis – Possession of Pornographic Material**

Any person who possesses child pornographic material will be sanctioned with imprisonment for 1 to 4 years.

#### **Art. 174 – Diffusion of pornography**

Whoever trades, disseminates or exhibits pornographic material to minors or incapacitated persons, will be punished with penalty of prison of one to four years. The same penalty will be imposed on who exhibits, disseminate, distribute or trade, by any means and by any title, pornographic material in which minors appear or where your image is used, or possessed for these purposes.

#### **Art. 174bis – Virtual Pornography and Pseudo Pornography**

Imprisonment for 6 months to 2 years shall be imposed to any person who, through any means possesses, produces, sells, distributes, showcases or facilitates pornographic material that shows an adult person who simulates being an underage person performing sexual acts, uses an image, cartoon,

drawing or representation of any kind, that impersonates or simulates an underage person performing sexual acts.

**Art. 189bis – Forced labor or services**

The person will be punished with imprisonment of 6 to 10 years, who induces, maintains or subjects one or more people to perform work or services under force, deceit, coercion or threat. The prison sentence will be 8 to 16 years if the victim is a person under 18 years of age or is in a situation of vulnerability or disability.

In no case, the consent granted by the victim will exempt from criminal responsibility.

**Article 196bis – Violation of personal data**

The person will be punished with imprisonment of 1 to 3 years who for their own benefit or a third party, with danger or damage to privacy or privacy and without the authorization of the owner of the data, seize, modify, interfere, access, copy, transmit, publish, disseminate, collect, disable, intercept, retain, sell, buy, divert for a different purpose for which they were collected or give unauthorized treatment to images or data of a natural or legal person stored in computer or telematic systems or networks, or in electronic, optical or magnetic containers.

The penalty will be 2 to 4 years in prison when the behaviors described in this rule:

- a) They are carried out by people in charge of administering or supporting the computer or telematic system or network, or, because of their functions they have access to said system or network, or to electronic, optical or magnetic containers.
- b) The information violated corresponds to a minor or incapable person.
- c) The behaviors affect data that reveal the ideology, religion, beliefs, health, racial origin, preference or sexual life of a person.

The publication, dissemination or transmission of information of public interest, public documents, data contained in public records or unrestricted public databases when it has been accessed in accordance with the procedures and limitations of law is not a crime.

Nor is the collection, copying and use by financial entities supervised by the SUGEF (General Superintendent of Financial Institutions) of the information and data contained in databases of legitimate origin in accordance with the procedures and limitations of law.

**Art. 230 – Impersonation**

Any person who falsely impersonates another person in any social network, website, electronic or technological media, shall be sanctioned with imprisonment for 3 to 6 years. The same penalty shall be imposed upon any person who, assuming a false or non-existing identity, causes injury upon a third party. Imprisonment shall be for a term of 4 to 8 years if the aforementioned conducts cause injury upon a legally incapable or underage person.

**Criminal Procedure Code**

**Art. 71 - Rights of the Victim**

...

- (2)(c) Victims of child victims, women victims of sexual abuse or of violence and victims of trafficking in persons and violent acts, shall be entitled to have assistance and support measures, by the personnel designated for such effect, both in the Judiciary and in the Ministry of Security and other institutions, in order to reduce revictimization because of their intervention in the process and facilitate their participation in the various judicial proceedings, such as expert audiences.

- **Female Genital Mutilation (FGM) / Female Circumcision**

No specific information found.

- **Child / Early / Forced Marriage**

[Law Against Trafficking in Persons and Creation of National Coalition Against the Illicit Traffic of Migrants and Trafficking in Persons No. 9095](#)

**Art. 5 – Concept of trafficking in persons**

**Trafficking in persons shall mean** the action in which through the use of technologies or any other means, resorting to the threat, the use of force or other forms of coercion, the abduction, the fraud, the deceit, the abuse of power, to a situation of vulnerability, or to the granting or receipt of payments or benefits to obtain the consent of a person who has authority over another, promote, facilitate, favor or execute, the acquisition, transfer, transport, accommodation, concealment, retention, delivery or receipt of one or more persons within or outside the country, to subject them to forced labor or services and other forms of labor exploitation, servitude, slavery or practices similar to slavery, **servile or forced marriage**, irregular adoption, forced begging, forced pregnancy and forced abortion and the execution of any form of sexual exploitation.

In the case of minors, the recruitment, transfer, transport, accommodation, concealment, retention, delivery or receipt, it will be considered trafficking, even when not resorting to any of the circumstances described in the First paragraph of this article.

It also means trafficking, promotion, facilitation, favoring or execution of recruitment, transfer, transport, accommodation, concealment, retention, delivery or receipt of one or more people inside or outside from the country, for illegal extraction.

**Art. 7 - Definitions**

m) **Forced or servile marriage:** any practice by virtue of which a person, without being assisted by the right to object, is promised or given in marriage in exchange for a counterpart in money or in kind given to their parents, mothers, to your guardian, your family or any other person or group of people. Forced or servile marriage also occurs when a person marries and is subjected to exploitation....