

This section of this file corresponds to book 1, title 6 (compensation for losses and damages due to crime) of the Portuguese penal code.

Article 129 - in relation to civil liability arising from a crime: compensation for losses and damages arising from a crime is regulated by civil law.

Article 130 - in relation to compensation for the injured party:

1 - special legislation establishes the conditions under which the state may guarantee the compensation due as a result of the practice of criminal acts, whenever it cannot be satisfied by the agent.

2 - in cases not covered by the legislation referred to in the previous number, the court may award to the injured party, at his request and up to the limit of the damage caused, the instruments, products or advantages declared lost in favor of the state under the articles 109.^o to 111.^o, including the corresponding value or the revenue generated by their sale.

3 - outside of the cases provided for in the legislation referred to in paragraph 1, if the damage caused by the crime is so serious that the injured party is deprived of means of subsistence, and if it is expected that the perpetrator will not repair it, the court assigns to the same injured party, at his/her request, in whole or in part and up to the limit of the damage, the amount of the fine.

4 - the state is subrogated to the injured party's right to compensation up to the amount it has satisfied.

This section of this file corresponds to book 2, title 1 (crimes against persons) of the Portuguese penal code.

Chapter 1 - crimes against life

Article 131 - in relation to homicide: whoever kills another person is punished with a prison sentence of 8 to 16 years.

Article 132 - in relation to qualified homicide:

1 - if the death is caused in circumstances that reveal particular reprehensibility or perversity, the offender is punished with a prison sentence of 12 to 25 years.

2 - it is likely to reveal the special blameworthiness or perversity referred to in the previous paragraph, among others, the circumstance that the agent:

a) be a descendant or ascendant, adopted or adopting, of the victim;

b) committing the act against a spouse, ex-spouse, person of another or the same sex with whom the agent maintains or has maintained a dating relationship or a relationship similar to that of spouses, even without cohabitation, or against the parent of a common descendant in 1st degree;

c) commit the act against a particularly defenseless person, due to age, disability, illness or pregnancy;

d) employ torture or acts of cruelty to increase the suffering of the victim;

e) be determined by greed, the pleasure of killing or causing suffering, for excitement or satisfaction of the sexual instinct or for any base or futile reason;

f) be determined by racial, religious, political hatred or hatred generated by the color, ethnic or national origin, sex, sexual orientation or gender identity of the victim;

g) with a view to preparing, facilitating, executing or covering up another crime, facilitating escape or ensuring the impunity of the perpetrator of a crime;

h) commit the act together with at least two other people or use particularly dangerous means or that results in the commission of a crime of common danger;

i) use poison or any other insidious means;

j) acting with coldness of mind, with reflection on the means used or having persisted in the intention to kill for more than twenty-four hours;

l) committing the act against a member of a sovereign body, the council of state, representative of the republic, magistrate, member of a body of the autonomous regions' own government, ombudsman, member of a body of local authorities or of a service or body that exercises public authority, public force commander, juror, witness, lawyer, solicitor, enforcement agent, judicial administrator, all those who perform functions within the scope of extrajudicial conflict resolution procedures, agent of security forces or services, public servant, civil or military, public budget agent or citizen person in charge of public service, teacher, examiner or member of a school community, minister of religious worship, journalist, or judge or sports referee under the jurisdiction of sports federations, in the exercise of their functions or because of them;

m) being an employee and carrying out the act with serious abuse of authority.

Article 133 - in relation to privileged homicide: whoever kills another person dominated by understandable violent emotion, compassion, despair or motive of relevant social or moral value, which significantly diminishes his guilt, is punished with a prison sentence of 1 to 5 years.

Article 134 - in relation to homicide at the request of the victim:

1 - whoever kills another person determined by a serious, instant and express request that he or she has made to him or her is punished with a prison sentence of up to 3 years.

2 - the attempt is punishable.

3 - the conduct is not punishable when carried out in compliance with the conditions established in law no. 22/2023.

This section of this file corresponds to book 2, title 1, special part (on crimes against people) of the Portuguese penal code.

Article 135 - in relation to incitement or assistance to suicide:

1 - whoever incites another person to commit suicide, or provides help for that purpose, is punished with a prison sentence of up to 3 years, if the suicide is actually attempted or completed.

2 - if the person being incited or being helped is under 16 years of age or has, for any reason, their capacity for assessment or determination significantly diminished, the agent is punished with a prison sentence of 1 to 5 years.

3 - the conduct is not punishable when carried out in compliance with the conditions established in law no. 22/2023.

Article 136 - in relation to infanticide: the mother who kills her child during or shortly after birth and while still under her disturbing influence, is punished with a prison sentence of 1 to 5 years.

Article 137 - negligent homicide:

1 - whoever kills another person through negligence is punished with a prison sentence of up to 3 years or a fine.

2 - in case of gross negligence, the agent is punished with a prison sentence of up to 5 years.

Article 138 - exposure or abandonment:

1 - whoever puts another person's life in danger, exposing them to a place that subjects them to a situation from which they, on their own, cannot defend themselves or by abandoning them without defense, whenever the agent has the duty to do so to guard, monitor or assist it; he is punished with a prison sentence of 1 to 5 years.

2 - if the act is committed by an ascendant or descendant, adopter or adoptee of the victim, the perpetrator is punished with a prison sentence of 2 to 5 years.

3 - if the act results in serious harm to physical integrity, the agent is punished with a prison sentence of 2 to 8 years or death, the agent is punished with a prison sentence of 3 to 10 years.

Article 139 - in relation to suicide propaganda:

1 - whoever, in any way, advertises or publicizes a product, object or method recommended as a means of causing death, in a manner suitable for causing suicide, is punished with a prison sentence of up to 2 years or a fine of up to 240 days .

2 - a doctor or nurse who, without inciting or advertising, merely provides information, at the express request of another person, about medically assisted suicide, in accordance with paragraph 3 of article 135, is not punished.

Chapter 2 - crimes against intrauterine life

Article 140 - in relation to abortion:

1 - whoever, by any means and without the consent of the pregnant woman, causes her to have an abortion is punished with a prison sentence of 2 to 8 years.

2 - whoever, by any means and with the consent of the pregnant woman, causes her to have an abortion is punished with a prison sentence of up to 3 years.

3 - a pregnant woman who gives consent to an abortion carried out by a third party, or who, through her own or someone else's actions, has an abortion, is punished with a prison sentence of up to 3 years.

Article 141 - in relation to aggravated abortion:

1 - when the abortion or the means used result in death or serious harm to the physical integrity of the pregnant woman, the limits of the penalty applicable to the person who causes her to have an abortion are increased by one third.

2 - the aggravation is also applicable to the agent who habitually engages in the practice of abortion punishable under the terms of numbers 1 or 2 of the previous article or performs it with the intention of making a profit.

Article 142 - in relation to non-punishable termination of pregnancy:

1-the termination of pregnancy carried out by a doctor, or under his direction, in an official or officially recognized health establishment and with the consent of the pregnant woman, is not punishable when:

a) constitute the only means of removing the danger of death or serious and irreversible injury to the body or physical or mental health of the pregnant woman;

b) is indicated to avoid danger of death or serious and lasting injury to the body or physical or mental health of the pregnant woman and is carried out in the first 12 weeks of pregnancy;

c) there are safe reasons to predict that the unborn child will suffer, incurably, from a serious illness or congenital malformation, and it is carried out in the first 24 weeks of pregnancy, with the exception of situations where fetuses are not viable, in which case termination may be practiced at all times;

d) the pregnancy resulted from a crime against sexual freedom and self-determination and the termination was carried out within the first 16 weeks.

e) is carried out, at the woman's option, in the first 10 weeks of pregnancy.

2 - verification of the circumstances that make the termination of pregnancy unpunishable is certified in a medical certificate, written and signed before the intervention by a doctor other than the one by whom, or under whose direction, the termination is carried out, without prejudice to the provisions of the following number .

3 - in the situation provided for in paragraph e of number 1 of this article, the certification referred to in the previous number is limited to proving that the pregnancy does not exceed 10 weeks.

4 - consent is given:

a) in the cases referred to in paragraphs a, b, c and d of number 1, in a document signed by the pregnant woman or at her request and, whenever possible, at least three days in advance of the date of the intervention;

b) in the case referred to in paragraph e of number 1, in a document signed by the pregnant woman or at her request, which must be delivered to the health establishment until the moment of the intervention and always after a reflection period of not less than three days after count from the date of the first consultation designed to provide pregnant women with access to relevant information to form their free, conscious and responsible decision.

5 - if the pregnant woman is under 16 years of age or mentally incapable, respectively and successively, depending on the case, consent is provided by the legal representative, by an ascendant or descendant or, failing that, by any relatives in the collateral line.

6 - if a pregnant woman under 16 years of age has the necessary discernment to oppose the legal representative's decision, consent is legally granted.

7 - if the pregnant woman does not have the capacity to consent, consent is provided, if a minor, by her legal representative and, if an adult, by decision of the court.

8 - if it is not possible obtaining consent in accordance with the previous paragraphs and the termination of the pregnancy is urgent, the doctor decides conscientiously in light of the situation, using, whenever possible, the opinion of another doctor or doctors.

9 - for the purposes of the provisions of this article, the number of weeks of pregnancy is proven ultrasound or by other appropriate means in accordance with the *leges artis*.

Chapter 3 - crimes against physical integrity

Article 143 - in relation to simple physical integrity offenses:

1 - anyone who offends another person's body or health is punished with a prison sentence of up to 3 years or a fine.

2 - criminal proceedings depend on a complaint, except when the offense is committed against agents of the security forces and services, in the exercise of their functions or because of them.

3 - the court may waive the penalty when:

- a) there have been reciprocal injuries and it has not been proven which of the contenders attacked first; or
- b) the agent has only exerted retort on the aggressor.

Article 144 - in relation to serious physical harm:

Anyone who offends another person's body or health in such a way as to:

- a) deprive him of an important organ or limb, or seriously and permanently disfigure him;
- b) take away or seriously affect their ability to work, intellectual capabilities, procreation or sexual enjoyment, or the possibility of using their body, senses or language;
- c) cause a particularly painful or permanent illness, or serious or incurable mental anomaly; or
- d) cause danger to his life;

shall be punished with a prison sentence of two to ten years.

Article 144. A - in relation to female genital mutilation:

1 - whoever genitally mutilates, totally or partially, a female person through clitoridectomy, infibulation, excision or any other harmful practice of the female genital system for non-medical reasons is punished with a prison sentence of 2 to 10 years.

2 - acts preparatory to the crime referred to in the previous paragraph are punishable by a prison sentence of up to 3 years.

Article 144.º B - in relation to trafficking in human organs:

1 - whoever extracts a human organ:

a) either from a living donor, without their free, informed and specific consent, or from a deceased donor, when unavailability for the donation has been validly declared;

b) or when, in exchange for the extraction, the living donor, or a third party, is promised or given a material or non-material advantage, or they have received them, he must be punished with a prison sentence of 3 to 10 years.

2 - the same penalty of 3 to 10 years must be applied to anyone who, having knowledge of the conduct provided for in the previous paragraph:

a) or by any means, prepare, preserve, store, transport, transfer, receive, import or export human organs extracted under the conditions set out therein;

b) or use a human organ, or part, tissue or cells thereof for the purpose of transplantation, scientific research or other non-therapeutic purposes.

3 - whoever, with the intention of obtaining, for himself or for a third party, a material or non-material advantage, requests, entices or recruits a donor or recipient for the purposes of extracting or transplanting a human organ, is punished with a prison sentence of 3 to 10 years.

4 - the people indicated in paragraph 1 of article 150 who extract, transplant or allocate a human organ to a recipient other than the one who would be eligible, violating the *leges artis* or contradicting the general criteria for transplantation in relation to clinical urgency, immunogenetic compatibility or preference and priority, are punished with a prison sentence of 1 to 5 years, if a more serious penalty is imposed on them. does not fit under another legal provision.

5 - the penalties provided for in the previous paragraphs are increased by one third, at their minimum and maximum limits, if the conduct was carried out in an organized manner or if the victim is particularly vulnerable.

6 - the penalty is especially mitigated whenever the agent, until the end of the trial hearing in the first instance, concretely assists in obtaining or producing decisive evidence for the identification of other responsible parties.

Article 145 - in relation to the offense of qualified physical integrity:

1 - if the offenses against physical integrity are produced in circumstances that reveal the agent's particular reprehensibility or perversity, he or she is punished:

- a) with a prison sentence of up to four years in the case of article 143;
- b) with a prison sentence of 1 to 5 years in the case of paragraph 2 of article 144-a;
- c) with a prison sentence of 3 to 12 years in the case of article 144 and paragraph 1 of article 144-a.

2 - the circumstances provided for in paragraph 2 of article 132 and article 146 are likely to reveal the special blameworthiness or perversity of the agent, if the offenses to physical integrity are produced in the circumstances provided for in article 133, the agent is punished:

- a) with a prison sentence of up to two years or a fine in the case of article 143;
- b) with a prison sentence of six months to four years in the case of article 144.

Article 147 - in relation to aggravation due to the result:

1 - if the offenses provided for in articles 143 to 146 result in the death of the victim, the offender is punished with the penalty applicable to the respective crime increased by one third in its minimum and maximum limits.

2 - if the offenses provided for in article 143, in paragraph a of number 1 of article 145 and in paragraph a of article 146 result in the offenses provided for in article 144, the offender is punished with the penalty applicable to the crime respective increase of one quarter in its minimum and maximum limits.

Article 148 - in relation to the offense to physical integrity due to negligence:

1 - whoever, through negligence, offends the body or health of another person, is punished with a prison sentence of up to 1 year or a fine of up to 120 days.

2 - in the case provided for in the previous paragraph, the court may waive the penalty when:

- a) or the agent is a doctor in the exercise of his profession and the medical act does not result in illness or inability to work for more than 8 days;
- b) or the offense does not result in illness or inability to work for more than 3 days.

3 - if the act results in a serious offense to physical integrity, the agent is punished with a prison sentence of up to 2 years or a fine of up to 240 days.

4 - criminal proceedings depend on a complaint.

Article 149 - in relation to consent:

1 - for the purposes of consent, physical integrity is considered freely available.

2 - to decide whether the offense to the body or health is contrary to good customs, the motives and purposes of the agent or the offended party are taken into account, as well as the means employed and the foreseeable extent of the offense.

3 - the consent of the victim of the crime provided for in article 144-a does not in any case exclude the illegality of the act.

Article 150 - in relation to medical-surgical interventions and treatments:

1 - interventions and treatments that, according to the state of knowledge and experience in medicine, are indicated and are carried out, in accordance with the *leges artis*, by a doctor or other legally authorized person, with the intention of preventing, diagnosing, alleviating or alleviating illness, suffering, injury or bodily fatigue, or mental disturbance, are not considered an offense to the entire physical integrity.

2 - the people indicated in the previous number who, in view of the purposes indicated therein, carry out interventions or treatments in violation of the *leges artis* and thus create a danger to life or a danger of serious harm to the body or health are punished with a prison sentence of up to 2 years or a fine of up to 240 days, if a more serious penalty is not applicable to them due to another

legal provision.

Article 151 - in relation to participation in a fight:

1 - whoever intervenes or takes part in a fight between two or more people, resulting in death or serious harm to physical integrity, is punished with a prison sentence of up to 2 years or a fine of up to 240 days.

2 - participation in a fight is not punishable when it is determined for a non-objectionable reason, namely when it aims to react against an attack, defend others or separate the contenders.

Article 152 - in relation to domestic violence:

1 - whoever, repeatedly or not, inflicts physical or psychological abuse, including corporal punishment, deprivation of liberty, sexual offenses or prevents access to or enjoyment of their own or common economic and property resources:

a) or to the spouse or ex-spouse;

b) or a person of another or the same sex with whom the agent maintains or has maintained a dating relationship or a relationship similar to that of spouses, even without cohabitation;

c) or the parent of a common descendant in the 1st degree; or

d) or a particularly defenseless person, particularly due to age, disability, illness, pregnancy or economic dependence, who lives with him/her;

e) or a minor who is his descendant or one of the people referred to in subparagraphs a, b and c, even if he does not live with him;

shall be punished with a prison sentence of one to five years, if a more severe penalty is not applicable under another legal provision.

2 - in the case provided for in the previous paragraph, if the agent:

a) commit the act against a minor, in the presence of a minor, in the common home or in the victim's home; or

b) disseminate, via the internet or other means of widespread public dissemination, personal data, namely image or sound, relating to the privacy of one of the victims without their consent; is punished with a prison sentence of two to five years.

3 - if the facts set out in paragraph 1 result in:

a) serious offense to physical integrity, the offender is punished with a prison sentence of two to eight years;

b) death, the agent is punished with a prison sentence of three to ten years.

4 - in the cases provided for in the previous paragraphs, including those in which a more serious penalty is applicable under another legal provision, the additional penalties of prohibition of contact with the victim and prohibition of the use and carrying of weapons may be applied to the defendant, at least period of six months to five years, and the obligation to attend specific programs to prevent domestic violence.

5 - the additional penalty of prohibition of contact with the victim must include removal from the victim's residence or place of work and compliance with it must be monitored by technical means of remote control.

6 - whoever is convicted of a crime provided for in this article may, taking into account the concrete gravity of the fact and its connection with the function performed by the agent, be prohibited from exercising parental responsibilities, guardianship or the exercise of measures relating to an adult accompanied by a period of 1 to 10 years.

Article 152 - in relation to ill-treatment:

1 - whoever, having in their care, custody, under the responsibility of their direction or education or working in their service, a minor or particularly defenseless person, due to age, disability, illness or pregnancy, and:

a) or inflict on him, in repeated or not, physical or psychological abuse, including corporal punishment, deprivation of liberty and sexual offenses, or cruel treatment;

b) or to employ in dangerous, inhumane or prohibited activities; or

c) or overload with excessive work;

shall be punished with a prison sentence of one to five years, if a more severe penalty is not applicable under another legal provision.

2 - if the facts set out in the previous paragraph result in:

a) serious offense to physical integrity, the offender is punished with a prison sentence of two to eight years;

b) death, the agent is punished with a prison sentence of three to ten years.

Article 152.^{9B} - in relation to violation of security rules:

1 - whoever, without observing legal or regulatory provisions, subjects a worker to danger to life or to the danger of serious harm to body or health, is punished with a prison sentence of one to five years, if a more serious sentence is not applicable to him pursuant to another legal provision.

2 - if the danger foreseen in the previous paragraph is created by negligence, the agent is punished with a prison sentence of up to three years.

3 - if the facts set out in the previous paragraphs result in serious harm to physical integrity, the agent is punished:

a) with a prison sentence of two to eight years in the case of paragraph 1;

b) with a prison sentence of one to five years in the case of no. 2.

4 - if the facts set out in paragraphs 1 and 2 result in death, the offender is punished:

a) with a prison sentence of three to ten years in the case of paragraph 1;

b) with a prison sentence of two to eight years in the case of no. 2.

Chapter 4 - crimes against personal freedom

Article 153 - in relation to threats:

1 - whoever threatens another person with the commission of a crime against life, physical integrity, personal freedom, sexual freedom and self-determination or property of considerable value, in a manner suitable to cause fear or unrest or to harm their freedom of determination, is punished with a prison sentence of up to 1 year or a fine of up to 120 days.

2 - criminal proceedings depend on a complaint.

Article 154 - in relation to coercion:

1 - whoever, through violence or threat of serious harm, constrains another person into an action or omission, or into supporting an activity, is punished with a prison sentence of up to 3 years or a fine.

2 - the attempt is punishable.

3 - the act is not punishable:

a) if the use of the means to achieve the intended end is not objectionable; or

b) if it aims to prevent suicide or the practice of a typical illicit act.

4 - if the incident takes place between spouses, ascendants and descendants, adopters and adopted, or between people, of another or the same sex, who live in a situation similar to that of the spouses, the criminal procedure depends on a complaint.

Article 154-A - in relation to persecution:

1 - whoever repeatedly persecutes or harasses another person, by any means, directly or indirectly, in a way that causes them fear or unrest or undermines their freedom of determination, is punished with a prison sentence of up to 3 years or fine, if a more serious penalty is not applicable due to another legal provision.

2 - the attempt is punishable.

3 - in the cases provided for in paragraph 1, additional penalties of prohibition of contact with the victim for a period of 6 months to 3 years and obligation to attend specific programs to prevent conduct typical of persecution may be applied to the defendant.

4 - the additional penalty of prohibiting contact with the victim must include removal from the victim's residence or place of work and compliance with it must be monitored by technical means of remote control. was going.

5 - criminal proceedings depend on a complaint.

Article 154-B - in relation to forced marriage: anyone who forces another person to enter into marriage or a union comparable to marriage is punished with a prison sentence of up to 5 years.

Article 154-C - in relation to preparatory acts: the preparatory acts for the crime provided for in the previous article, including that of attracting the victim to a territory other than that of their residence with the intention of forcing them to enter into a marriage or union comparable to that of the marriage, are punished with a prison sentence of up to 1 year or a fine of up to 120 days.

Article 155 - in relation to aggravation:

1 - when the facts provided for in articles 153 to 154-c are carried out:

a) by threatening to commit a crime punishable by a prison sentence of more than 3 years; or

b) against a particularly defenseless person, due to age, disability, illness or pregnancy;

c) against one of the people referred to in paragraph 1 of number 2 of article 132, in the exercise of their functions or because of them;

d) by an employee with serious abuse of authority;

e) by determining the circumstance provided for in paragraph f of number 2 of article 132;

the agent must be punished with a prison sentence of up to 2 years or a fine of up to 240 days, in the cases of articles 153 and 154-C, with a prison sentence of 1 to 5 years, in the cases of nos. 1 of article 154 and article 154-A, and with a prison sentence of 1 to 8 years, in the case of article 154-B.

2 - the same penalties are applied if, due to threat, coercion, persecution or forced marriage, the victim or the person on whom the harm must befall commits suicide or attempts to commit suicide.

Article 156 - in relation to arbitrary medical-surgical interventions and treatments:

1 - the people indicated in article 150 who, in view of the purposes indicated therein, carry out interventions or treatments without the patient's consent are punished with a prison sentence of up to 3 years or a fine.

2 - the act is not punishable when consent:

a) can only be obtained with a delay that involves danger to life or serious danger to body or health; or

b) it was given for a certain intervention or treatment, and a different one was carried out because it proved to be imposed

by the state of knowledge and experience of medicine as a means of avoiding a danger to life, body or health; and there are no circumstances that allow us to safely conclude that consent would be withheld.

3 - if, through gross negligence, the agent falsely represents the prerequisites for consent, he or she will be punished with a prison sentence of up to 6 months or a fine of up to 60 days.

4 - criminal proceedings depend on a complaint.

Article 157 - in relation to the duty of clarification: for the purposes of the provisions of the previous article, consent is only effective when the patient has been duly informed about the diagnosis and the nature, scope, scope and possible consequences of the intervention or treatment, unless this involves communicating circumstances that, if known to the patient, would endanger their life or be likely to cause serious harm to their health, physical or mental.

Article 158 - in relation to kidnapping:

1 - whoever detains, arrests, holds or detains another person or otherwise deprives them of their freedom is punished with a prison sentence of up to 3 years or a fine.

2 - the agent must be punished with a prison sentence of 2 to 10 years if the deprivation of liberty:

a) or last for more than 2 days;

b) or is preceded or accompanied by serious harm to physical integrity, torture or other cruel, degrading or inhuman treatment;

c) or is practiced with the false pretext that the victim suffered from a psychic abnormality;

d) or results in suicide or serious harm to the victim's physical integrity.

e) or is committed against a particularly defenseless person, due to age, disability, illness or pregnancy;

f) or is committed against one of the people referred to in paragraph 1 of number 2 of article 132, in the exercise of their functions or because of them;

g) or is carried out through simulation of public authority or by an official with serious abuse of authority.

3 - if the deprivation of liberty results in the death of the victim, the offender is punished with a prison sentence of 3 to 15 years.

Article 161 - in relation to kidnapping:

1 - whoever, through violence, threat or cunning, kidnaps another person with the intention of:

a) subject the victim to extortion;

b) commit a crime against the victim's sexual freedom and self-determination;

c) obtain ransom or reward; or

d) constrain the public authority or a third party to an action or omission, or to support an activity;

shall be punished with a prison sentence of 2 to 8 years.

2 - if the foreseen situations occur:

a) in number 2 of article 158, the agent is punished with a prison sentence of 3 to 15 years;

b) in number 3 of article 158, the agent is punished with a prison sentence of 8 to 16 years.

3 - if the offender voluntarily renounces his claim and releases the victim, or makes a serious effort to achieve this, the sentence may be particularly mitigated.

Article 159 - in relation to slavery:

1 - who:

a) or reduce another person to the status or condition of a slave;

b) or alienate, assign or acquire a person or take possession of them with the intention of maintaining them in the situation provided for in the previous paragraph;

shall be punished with a prison sentence of 5 to 15 years.

Article 160 - in relation to human trafficking or human trafficking:

1 - anyone who offers, delivers, recruits, entices, accepts, transports, houses or welcomes a person for the purposes of exploitation, including sexual exploitation, labor exploitation, begging, slavery, organ harvesting or the exploitation of other activities criminals:

a) through violence, kidnapping or serious threat;

b) through ruse or fraudulent maneuver;

c) with abuse of authority resulting from a relationship of hierarchical, economic, work or family dependence;

d) taking advantage of the victim's mental incapacity or situation of special vulnerability or

e) by obtaining the consent of the person who has control over the victim;

shall be punished with a prison sentence of 3 to 10 years.

2 - the same penalty is applied to anyone who, by any means, recruits, entices, transports, accommodates or welcomes a

minor, or delivers, offers or accepts him or her, for the purposes of exploitation, including sexual exploitation, labor exploitation, begging, slavery, organ harvesting, adoption or exploitation of other criminal activities.

3 - in the case provided for in the previous paragraph, if the agent uses any of the means provided for in the paragraphs of paragraph 1 or acts professionally or with profit-making intent, he or she will be punished with a prison sentence of three to twelve years.

4 - the penalties provided for in the previous paragraphs are increased by one third, at their minimum and maximum limits, if the conduct referred to therein:

a) has endangered the life of the victim;

b) it was committed with particular violence or caused the victim particularly serious harm;

c) was committed by an employee in the exercise of his duties; d) was committed within the framework of a criminal association; or

e) results in the victim's suicide.

5 - whoever, for payment or other consideration, offers, delivers, requests or accepts a minor, or obtains or provides consent to their adoption, is punished with a prison sentence of one to five years.

6 - whoever, having knowledge of the commission of a crime provided for in paragraphs 1 and 2, uses the services or organs of the victim is punished with a prison sentence of one to five years, if a more serious penalty is not applicable to him under another provision Cool.

7 - whoever retains, hides, damages or destroys identification or travel documents of a person who is a victim of a crime referred to in paragraphs 1 and 2 is punished with a prison sentence of up to three years, if a more serious penalty is not applicable to him due to another legal provision.

8 - the consent of the victim of the crimes set out in the previous paragraphs does not in any case exclude the illegality of the act.

Article 162 - in relation to hostage taking:

1 - whoever, with the intention of achieving political, ideological, philosophical or confessional purposes, kidnaps or abducts another person, threatening to kill him, inflict serious physical harm on him or keep him in detention, thus aiming to embarrass a state, a international organization, a legal person, a group of people or a natural person for an action or omission, or supporting an activity, is punished with a prison sentence of 2 to 10 years.

2 - the provisions of paragraph 2 of the previous article are correspondingly applicable.

3 - whoever takes advantage of the taking of hostages committed by others, with the intention and for the purposes of embarrassment referred to in paragraph 1, is punished with the penalties provided for in the previous paragraphs.

4 - the provisions of paragraph 3 of the previous article are correspondingly applicable.