

New Legislation in Congress Targets Recruitment of Minors for Criminal Activities

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The initiative penalizes this conduct with sentences of up to five years if carried out with violence, threats, coercion, or by taking advantage of the minor's vulnerability. Additionally, the minor's consent will not exempt the adult recruiter from responsibility.



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The Constitution Commission of the Chamber of Deputies has approved and sent to the Chamber the draft law ([Bill 17637](#)) that amends the Penal Code to criminalize the recruitment of minors by criminal associations.

This legislation, currently in its initial constitutional review, specifies a minimum to medium prison sentence (ranging from 61 days to three years and one day) for those who recruit a minor to join a criminal organization.

The penalty could increase to a maximum of five years if the recruitment involves violence, threats, coercion, or exploits the minor's vulnerability or dependency. Furthermore, the law stipulates that the minor's consent does not absolve the adult recruiter from responsibility, according to a press release from the Chamber regarding this initiative.

During debates, discussions focused on the recruiter's liability, especially if the recruiter is also a minor. In such cases, the penalties will refer to the provisions established in Law 20.084 regarding juvenile criminal responsibility.

This initiative was proposed by a cross-party group of deputies, led by Vlado Mirosevic (PL), in response to growing concerns about the evolution of crime in Chile, which has shifted from traditional forms to transnational criminal structures. This urgency is reflected in the legislative proposal, emphasizing the need for proactive measures.

The document states, «Among these, penalizing the recruitment of minors is a priority. This practice not only heightens insecurity but also severely violates the rights of children and adolescents,» adds the Chamber's report.

The text defines recruitment as the act of inducing, promoting, facilitating, or attracting a child or adolescent to participate in a criminal association.

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