

National Laws

Legislation of Interpol member states on sexual offences against children

Egypt - Egypte - Egipto

Cairo

The information on this page is up to date as of spring 2006

In addition to having their own legislation on crimes against children Egypt has acceded international and territorial conventions and treaties regarding the protection and rights of children. Egypt has also established a national council for "childhood and maternity" in order to guarantee the care and education of children.

I. Ages for legal purposes

Age of majority (legal age)

The legal age is twenty-one years (21) old according to Child Law n°12, 1996.

Age of consent for sexual activity

The Child Law n°12 determines the age of consent for sexual activity at eighteen (18) complete years old.

Age of consent for marriage

Sixteen (16) years old is the age of consent for marriage provided by the Child Law n° 12.

II. Rape

Sexual intercourse with a child involving violence

Article 268/1-2 of the Penal Code enters in application in the case of the practice of sexual intercourse with child involving the use of violence:

1. 'every one that rapes a human being by violence or threat or attempted to do so is punished by penal servitude for 3 to 7 years.'

In the case the victim's age has not yet reached full sixteen (16) years old or the offender is one of those involved in the second paragraph of Article 267 of the Penal

Code, which deals with relatives of the child or all the persons who could have authority over a child, punishment may be extended to reach to the maximum limit of the penal servitude for a certain time.

Sexual intercourse with a minor under eighteen (18)

It is considered as a crime in accordance with Article 267 regardless of consent of the minor, and use of violence:

1. 'Any person who rapes a boy or a girl minor, not yet full eighteen (18) years old, without using violence or threat, is to be punished by imprisonment.
2. If the victim is under full seven years or if the offender is one of those involved in the second paragraph of the article 267, punishment of penal servitude for a certain period of time is to be inflicted .'

Sexual intercourse with a child committed by a person related to the child, or having authority over the child

In that case the Article 267 of Egyptian Penal Code intensified penalties:

(i) 'Any person who copulates with a female without her consent is punished by penal servitude for life or for a certain period of time. If the offender is related to the child or responsible for the child's upbringing or having authority over the child or serving her against salary or one of those previously mentioned, penalty of penal servitude of life is inflicted.

IV. Child prostitution

Article 1 of the Law n° 10, 1961 on 'Combating of prostitution, incitement and its encouragement'

'a) Everyone that incites another whether a male or a female to commit a crime of immorality of prostitution or assists him or her or paves the way for such an act to be committed and also everyone who uses, persuades or entices another for the purpose of committing an act of immorality or prostitution is to be punished by imprisonment for a period which is not less than one year and does not exceed three hundred pounds.

b) If the victim is a person who has not yet reached twenty-one (21) years, punishment is to be inflicted for a period that is not less than one year and doesn't exceed five years besides a fine that ranges between 100 pounds and 500 pounds.'

Article 2 of the Law n° 10, 1961 on 'Combating of prostitution, incitement and its encouragement'

'Punishment, stated in item (b) of the previous article, is to be imposed on:

1) everyone who uses, persuades or entices a male or a female person with the purpose of committing an act of immorality or prostitution by way of deceptions, force, threat or misuse of power or by any other means of coercion.

2) everyone who retains by any of these means a male or a female person against his will in an immorality or prostitution spot.'

Article 3 of the Law n° 10, 1961 on 'Combating of prostitution, incitement and its encouragement'

'Everyone who incites a male person, not yet twenty-one (21) years old or a female person, any age, to depart the country or facilitates the departure or uses or accompanies him or her abroad to be engaged in acts of immorality or prostitution -

Everyone, as well, that assists such an act to be committed, while knowing, is to be punished by a term of imprisonment that is not less than one year and is not to exceed five years and a fine ranging between 100 pounds and 500 pounds.

The maximum period for the term of imprisonment is seven years in case the crime was committed against two or more persons or in case it was committed by any of the means indicated in item (1) of article (2) other than the stated fine.'

Article 4 of the Law n° 10, 1961 on 'Combating of prostitution, incitement and its encouragement'

'The penalty to be inflicted as regards the 3 cases mentioned above is imprisonment for a period ranging between 3 and 7 years, this is to be carried out in case the prejudiced person is under sixteen (16) years old; or the wrongdoer is a relative of the victim or a person who is responsible for raising or taking care of him; or who has authority over him; or a hired servant working for the wrongdoer, or for any of the above-mentioned persons.'

Article 5 of the Law n° 10, 1961 on 'Combating of prostitution, incitement and its encouragement'

'Everyone who helps or facilitates the entry of a person into the A.R.E. to commit acts of immorality or prostitution, is punished with imprisonment for one up to five years and a fine ranging between L.E. 100 and L.E. 500.'

Article 6 of the Law n° 10, 1961 on 'Combating of prostitution, incitement and its encouragement'

'A person will be punished with imprisonment for 6 months up to 3 years:

- a) if he helps a female person to practise prostitution, even by spending money;
- b) if he exploits, by any means, another person's prostitution or immorality.

The punishment to be imposed is imprisonment for 1 up to 5 years, if the offence is linked with any situation mentioned in article 4 of the Law N°10.'

Article 11 of the Law n° 10, 1961 on 'Combating of prostitution, incitement and its encouragement'

'Every exploiter or manager of a public place or any place of entertainment, or any other place opened for the public using persons practising immorality or prostitution, for the purpose of facilitating the practising of such wrong acts, or exploiting persons in propagating the place, is punished with imprisonment for up to two years, and a fine up to L.E. 200.

If the wrongdoer is one of the persons referred to in article 2 (a relative or a person responsible or having authority over the victim), the punishment is imprisonment for 2 to 4 years and a fine ranging between L.E. 200 and L.E. 400.

A sentence is to be issued stating the closing of concerned place for a period not exceeding 3 months; this closing becomes final and decisive in case of recurrence.'

Article 14 of the Law n° 10, 1961 on 'Combating of prostitution, incitement and its encouragement'

'Anyone who publishes by any means of advertisement a call implying a temptation for practising immoral acts or drawing attention to them, shall be punished with imprisonment not exceeding 3 years and a fine not exceeding L.E. 100 or any of said punishments inflicted upon him.'

V. Child pornography

Article 178 of the Penal Code n°58 of 1937

'A punishment of imprisonment for 2 years and a fine from 20 to 500 L.E. or one of these punishments shall be imposed on anyone who:

manufactured or possessed -

printed materials, manuscripts, advertisements, relieves, engravings, manual or photographic drawings, symbolic signs or any other material or photographs violating public morals;

- in case this manufacture or possession was intended to trafficking, adhesion or exhibition.

The same punishment shall be imposed on anyone who:

1. imported, exported or transferred by himself or by any other person any of the above-mentioned materials.
2. Issued an advertisement, publicly exhibited, sold, rented, offered for sale or for rent, even though this was unpublicly effected.

3. Publicly and by direct or indirect means forwarded, even though free of charge and by any means, any of the above-mentioned material.
4. Distributed or handed over with intent to be distributed, by any means, any of these materials.
5. Discretely distributed any of these materials, even though free of charge and with intent to corrupt morals.

As well as the fore-cited punishment is to be inflicted to anyone who:

1. publicly delivered immoral songs, shouting or speeches.
2. publicly seduced committing debauchery or issued advertisements or messages of any expressions.

In case of recidivism the punishment shall be imprisonment and a fine without violating article 50 of this Code.'

Article 89 of the Law n° 12, 1996, called 'Child Law'

'It is prohibited to publish, exhibit or circulate any arranged or audio prints or artistic classifications on children that excite their inner instincts or increase their mal-behaviorism that violates values of society or that encourages their delinquency.

With non violation of any more severe penalty that is stipulated by another law, penalty is to be imposed on the provision of the previous paragraph with a fine that is not to be less than L.E. 100 and is not to exceed 500 pounds and the violating prints or classifications must be confiscated.'

Article 116 of the 'Child Law ' n° 12, 1996

'By preparing the child for practising such an act, assisting, inciting or facilitating to him or her committing such an act by any means, even if delinquency did not actually happen, punishment is to be for not less than 3 months in the case the offender use with the child any means of coercion or threat or the offender was the relative of the victim or responsible for the victim's upbringing or the victim was handed over to him by virtue of law.'

VI. Internet

The Egyptian division for combating cyber-crimes has the means to prosecute all crimes carried out via Internet and to co-ordinate with the divisions dealing with these types of crimes at Interpol.