

Egypt

National Child Protection Legislation

National Legislation

- **Age of Child – Under the age of 18**
[Child Law No. 12 of 1996](#)
Art. 2
For the purposes of this Law, the term “child” within the context of care and welfare, shall mean all individuals who have not reached the age of eighteen (18) complete calendar years.
- **Age of Consent – 18 years**
[Criminal Code](#)
Art. 269
Whoever indecently assaults a lad or lass not yet attaining eighteen complete years of age, without force or threat shall be punished with detention. If he or she has not attained seven complete years of age, or the person committing the crime is one of those specified in the second clause of Article 267 (from the victim’s ancestors), the penalty shall be temporary hard labor.
- **Age of Marriage – 18 years**
[Child Law No. 12 of 1996](#)
Art. 31-bis
The marriage contract shall not be registered for those who have not reached eighteen (18) years of age.
- **Age of Criminal Responsibility – 12 years**
[Child Law No. 12 of 1996](#)
Art. 94
Criminal responsibility shall not apply to the child who has not reached the age of twelve (12) years at the time of committing the crime.

- **Extraterritoriality**

- [Criminal Code](#)

- **Art. 1**

- The provisions of this law shall apply to any person who commits any of the offenses set forth in this law in the Egyptian territory.

- **Art. 2**

- The provisions of the Law shall also apply to the following persons:

- (i) Any person who committed outside of the country an act which makes him an accomplice in a crime, wholly or partly, committed in the Egyptian territory.
 - (ii) Any person who commits outside the country one of the following offenses:
 - (a) A felony that violates the security of the Government, as stipulated in sections 1 and 2 of the second book of this Law;

- (b) A felony of forgery provided for in article 206 of this Law;
- (c) A felony of imitating or falsifying a paper or metal currency, as provided for in article 202, or a felony, the introduction, removal, promotion or possession of the counterfeit currency or metal for the purpose of promoting or dealing with it, article 203 provided that the currency is legally traded in Egypt.

- **Dual Criminality**

- [Criminal Code](#)

- **Art. 3**

- Every Egyptian who commits a felony or misdemeanor in this Law shall be punished under its provisions if he returned to the country and the act was punishable under the law of the country in which he committed it.

- **Art. 4**

- The public prosecution shall not be instituted against an offender or an act abroad except by the Public Prosecution, and may not be instituted against those who prove that foreign courts acquitted him of what was assigned to him or that he sentenced him finally and fulfilled his sentence.

- **Mandatory reporting requirements**

- [Child Law No. 12 of 1996](#)

- **Art. 98-bis**

- Any person who finds that a child is at risk should provide urgent help that is adequate to shield or remove this child from danger.

- **Obligations of Educational Institutions**

- **No information found.**

- **Prohibition to hold certain positions**

- **No information found.**

- **Employment Law**

- [Labour Law 2003](#)

- **Art. 59**

- The act for which the worker may be impeached disciplinarily shall conditionally be related to the work.

- The sanctions statute shall determine the violations and sanctions prescribed therefore, as provided in article (60) of the present law, in a way realizing the commensurability of sanctions with the violations.

- **Art. 67**

- If the worker is charged with committing a crime or a misdemeanor of moral turpitude, or breach of honor or honesty, or committing a misdemeanor within the circle of work, the employer may suspend him provisionally from work, and shall refer the matter to the

committee referred to in article (71) of the present Law within three days from the date of his suspension.

- **Criminal Law - Defamation**

[Criminal Code](#)

Art. 303

The slanderer shall be punished with detention for a period not exceeding one year and a fine of not less than two thousand and five hundred pounds and not exceeding seven thousand and five hundred pounds or either penalty.

If slander takes place against a public official/civil servant, or a person with a public representative quality, or charged to perform a public service, and it occurs due to the performance of duties or position or representation or public service, the penalty shall be detention for a period not exceeding two years and a fine of not less than five thousand pounds and not exceeding ten thousand pounds, or either penalty.

Art. 304

This penalty shall not be inflicted on whoever informs the judicial or administrative judges, honestly and without bad faith, of a matter necessitating the infliction of an effective penalty.

Art. 305

If a person is told that he is a liar with a bad intention, then the punishment will be deserved, even if there is no rumor from him, other than the said news.

Art. 306

Any insult that does not include the attribution of a particular incident, but in any way includes a breach of honor or consideration, shall be punishable in the cases described in article 171 with a fine not less than two thousand pounds and not more than ten thousand pounds.

Sexual Offenses Against Children

[Egypt's Constitution of 2014](#)

Art. 80 – Rights of the child

...The state shall care for children and protect them from all forms of violence, abuse, mistreatment and commercial and sexual exploitation...

Art. 89 – Slavery, oppression, trafficking

Slavery and all forms of oppression and forced exploitation against humans are forbidden, as is sex trafficking and other forms of human trafficking, all of which are punishable by law.

[Criminal Code](#)

Art. 267

Whoever lies with a female without her consent shall be punished with permanent or temporary hard labor.

If the felon is from the victim's ancestors, or those in charge of rearing, observing, or having power over her, or is a paid servant to her or to the aforementioned persons, he shall be punished with permanent hard labor.

Art. 268

Whoever indecently assaults a person by force or threat, or attempts such assault shall be punished with hard labor for three to seven years.

If the victim of the said crime has not attained complete sixteen years of age, or the perpetrator of the crime is among those prescribed in the second clause of Article 267, the period of the penalty may be extended to the ceiling determined for temporary hard labor.

Art. 269

Whoever indecently assaults a lad or lass not yet attaining eighteen complete years of age, without force or threat shall be punished with detention. If he or she has not attained seven complete years of age, or the person committing the crime is one of those specified in the second clause of Article 267, the penalty shall be temporary hard labor.

Art. 291

Any violation of the child's right to protection against trafficking, sexual, commercial or economic exploitation, or use in scientific research and experiments, shall be prohibited and the child shall have the right to awareness and be empowered to confront those risks.

Without prejudice to any stricter penalty prescribed by another law, shall be penalized with forced labor for a period not less than five (5) years and a fine of not less than fifty thousand (50,000) pounds, and not exceeding two hundred thousand (200,000) pounds, anyone who buys or sells a child, or offers a child for sale, or anyone who delivers or accepts or transfers a child as a slave, or exploits the child sexually or commercially, or exploits the child in forced labor, or other illegal purposes, even if the crime is committed transnationally.

Shall also be subject to the same punishment anyone who engages or induces in the said acts aforementioned in the preceding paragraph, even if the crime was not committed as a result of said acts.

Without prejudice to the provisions of Article 116 bis of the Child Law, the penalty shall be doubled if committed transnationally by an organized criminal group. Taking into account the provisions of Article 116 bis of the Child Law, shall be punished by imprisonment anyone who has transferred from a child one of his organs or part thereof. The child's consent or the consent of the person in charge of the child shall not be recognized.

Art. 306 bis (a)

Individuals who carry out sexual or obscene gestures in any manner, including by modern means of communication, will be punished with a term of imprisonment of not less than six months or a fine of EGP 3000. It also states that if the act of sexual harassment is repeated by the same individual, the punishment of imprisonment will be increased to one year and the fine to EGP 5,000-10,000.

b) if the harassment is done with the intent of receiving sexual gratification from the victim, the punishment will be a term of imprisonment of not less than one year and a fine of EGP 10,000-20,000. Moreover, any individual who uses duress to receive sexual gratification will be punished with a term of imprisonment of between two and five years and a fine of EGP 20,000-50,000.

Article 306 bis (b)

Sexual harassment shall be deemed to be a sexual offense if the offense provided for in article 306 bis (a) of this Act is committed with a view to obtaining a benefit of a sexual nature from the victim. The offender shall be punished by imprisonment for a period of not less than one year and a fine of not less than ten thousand pounds and not more than twenty thousand pounds or one of these two penalties.

If the offender is one of the persons stipulated in the second paragraph of article 267 of this law, or has a functional, family or study authority over the victim or has exercised any pressure that the circumstances allow him to practice, or the crime was committed by two or more persons or at least one of them carries a weapon that the penalty shall be imprisonment for a period not less than two years and not exceeding five years and a fine of not less than twenty thousand pounds and not more than fifty thousand pounds.

[Child Law No. 12 of 1996, amended by Law No. 126 of 2008](#)

Art. 7-bis (a)

With due consideration to the duties and rights of the person who is responsible for the care of the child, and his right to discipline him through legitimate means, it is prohibited to intentionally expose the child to any illegitimate physical abuse or harmful practice.

Art. 96

The child shall be considered at risk if he is exposed to a situation threatening the sound upbringing that should be made available to him, or in any of the following cases:

- 6 - If the child is exposed in the family, school, care institutions, or other to violence, or to acts contrary to public morals, or pornographic material, or to commercial exploitation of children, or to harassment or sexual exploitation, or to the illegal use of alcohol or narcotic substances affecting the mental state.

Art. 116

Without prejudice to the provisions of criminal involvement, any adult who induces a child to commit a misdemeanor, or trains him to do it, or helps him, or facilitates it in any way, but did not attain his goal, shall be sentenced to half the maximum sentence decreed for this crime.

The penalty shall be imprisonment for a period of not less than six (6) months if the offender uses coercive or threatening methods with the child, or if he is related to him, or is one of those responsible for his upbringing or watching over him, or one to whom the child was delivered to by virtue of the Law, or was a servant to any of the aforementioned.

In all cases, if the crime is committed on more than one child, even at different times, the penalty shall be imprisonment for a period not less than one (1) year, and not exceeding seven (7) years.

Shall be penalized with the penalty set forth for cases of instigating a crime, any adult who induces a child to commit a felony, or prepares the child for this, or helps him, or facilitates it in any way, but did not attain his goal.

Art. 116-bis

The minimum penalty decreed for any crime shall be doubled if the crime is committed by an adult against a child, or if it is committed by one of the parents, or by one of the child's guardians, or by people in charge of supervising or upbringing the child, or by those who have authority over the child, or by a servant to any of the above mentioned.

Art. 116-bis (a)

Shall be imprisoned for a period of not less than two (2) years and a fine of not less than ten thousand (10,000) Egyptian pounds, and not exceeding fifty thousand (50,000) Egyptian pounds any one importing, or exporting, or producing, or preparing, or viewing, or printing, or promoting, or possessing, or broadcasting pornographic material using children, or related to the sexual exploitation of children. Tools and other instrumentalities used to commit these crimes and proceeds derived from such offences shall be seized, and the premises used to commit such offences shall be closed for a period not less than six (6) months. All the above shall be undertaken without violating the rights of those with good intentions.

Without prejudice to any stronger penalty prescribed in any other law, each of the following shall be subject to the same penalty:

- a) anyone using a computer or internet or information networks or cartoons to prepare, or save, or process, or display, or print or publish or promote pornographic activities, or induce or exploit children to engage in prostitution or pornographic activities or defame them, or sell them.
- b) anyone using a computer or internet or information networks or cartoons to induce children to delinquency or use them in committing crimes or engage them in illegitimate activities or immoral acts, even if the crime did not occur.

[Law Regarding Human Trafficking, 2010](#)

Art. 2

A person who commits the crime of human trafficking shall be considered one who deals in any manner in a natural person, including: the sale, offer for sale, purchase, or promise thereof; or the use, transport, delivery, harboring, reception, or receipt, whether within the country or across its national borders; if this occurred through the use of force, violence, or threat thereof; or through abduction, fraud, deception, abuse of power, or exploitation of a position of vulnerability or need; or through a promise to give or receive payments or benefits in exchange for obtaining the consent of a person to traffic another having control over him; or if the purpose of the transaction was exploitation in any of its forms, including: exploitation of acts of prostitution and all forms of sexual exploitation, exploitation of children in such acts and in pornography, forced labor or services, slavery or practices similar to slavery or servitude, or begging or removal of human organs, tissues or a part thereof.

Art. 3

The consent of the victim to exploitation in any of the forms of human trafficking shall be irrelevant as long as any of the means stipulated in Article (2) of this law have been used. To establish trafficking in a child or in the incapacitated, use of any of the means referred to is not required, and in all cases his consent or the consent of the person responsible for him or his guardian shall be irrelevant.

Art. 6

Life imprisonment and a fine not less than 100,000 pounds and not to exceed 500,000 pounds shall be imposed on anyone who committed the crime of human trafficking in the following cases:

- 1) If the perpetrator established, organized, or managed an organized criminal group for the purposes of human trafficking, if he was a leader thereof, if he was one of its members or belongs thereto, or if the crime was of a transnational nature;
- 2) If the act was committed by way of threats of death, serious harm or physical or psychological torture; or if the act was committed by a person carrying a weapon;
- 3) If the perpetrator was the spouse, one of the ascendants or descendants, or custodian or guardian of the victim, or was responsible for the supervision or care or had authority over the victim;

- 4) If the perpetrator was a public official or was assigned to carry out a public service and committed the crime by exploiting the office or public service;
- 5) If the crime resulted in the death of the victim or caused him to suffer a permanent disability or an incurable disease;
- 6) If the victim was a child, was incapacitated or was a person with disabilities;
- 7) If the crime was committed by an organized criminal group.

- **Female Genital Mutilation**

- [Criminal Code](#)

- **Art. 242-bis**

- Taking into consideration the provisions of Article 61 of the Penal Code, and without prejudice to any stronger penalty prescribed by another law, shall be penalized by imprisonment for not less than three (3) months and not exceeding two (2) years, or with a fine of not less than one thousand (1000) Egyptian pounds, and not exceeding five thousand (5000) Egyptian pounds, any one who caused the injury which is punishable by Articles 241, 242 of the Penal Code, through performing female genital mutilation.