

Criminal law in Egypt

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Crimes can be generally separated into four categories:

- Felonies
- misdemeanors,
- Inchoate offenses
- and strict liability offenses

Crime code origin

After years of reforms, amendments and changes, in August of 1937, the parliament of Egypt voted and passed the Egyptian Penal Code of 1937, which has been continuously amended and still remains in place. This penal code heavily relies on the principle of legality. This means that the law is the highest ranking authority regarding any criminal issues. The penal code becomes the most important guide in dealing with criminal acts and punishment. This penal code is divided in four broad sections called "Books" which have subdivisions that address specific topics. The code is addressed in terms of articles that explain all the provisions in detail.[8] The code explains jurisdiction in terms of people, location, and courts. This means which people are subject of the rule of the code, where can their crimes be prosecuted, and which courts are in charge of specific issues and matters. The code explains types of crimes and their category. The penal code also explains the procedure of prosecution of crimes.

- The Egyptian penal code is the supreme body regarding criminal law. Criminal law is a branch of law used by a country to determine punishment for those committing acts that the state deems detrimental for the wellness of society

- The Egyptian penal code is not the only source of criminal law; other sources include the bills passed by the legislature, the judiciary, the executive, and scholars. The purpose of the state is to protect its citizenry. Based on that principle, the state has the right to punish those who commit acts that negatively affect society and in doing so violate the law. Criminal law determines which acts are considered unacceptable and their respective punishments. The underlying purpose of punishment is deterrence. This works as a mechanism of prevention from future actions by the people

- Criminal law started as a way to maintain peace between groups of people. Throughout history, it evolved and shaped in different forms. In some periods of time it was understood as a form of vengeance and retaliation. Later, it evolved as a form to fix problems in society. Most recently, it has been accepted as a mechanism to make amends and bring peace. Currently, criminal law has evolved into a form of protection for the citizenry and as a way to maintain the peace of the state. In Egypt, criminal law has gone through a similar pattern of development. Egypt is different from other parts of the world due to its location as a meeting point between the West and East

- The law takes the idea that the crime is not only an aggression against the victim, but an aggression against the entire Egyptian society. For this reason, the accusation and the imposition of the penalty are carried out by the community through its representatives from among the members of the judicial bodies; For this reason, too, the law is distinguished by the imperative of its application by the state, regardless of the opponents' desire to do so. The occurrence of the crime entails the judiciary carrying out investigation and trial procedures, even if the litigants do not wish to do so

- The first criminal procedure law appeared in Egypt in 1875 under the name "The Criminal Investigation Law", which was taken from the French law issued in 1810, and was applied to mixed courts. Then the Civil Criminal Investigation Law was issued in 1883 to be applied to civil courts, and it was amended in 1904. Following the abolition of foreign concessions in 1937, a new criminal investigation law was issued in 1949. As for the current criminal procedure law, it was issued in October 1950, and it deals with To a lot of modifications so far

- According to the provisions of the Child Law, it is any person from the age of one day to the age of 18 years, and this age is divided into 3 stages, the first stage is from the age of one day to the age of 7 years, and the second stage is from the age of 7 years to 12 years, and in these two stages there is no The child will be held criminally accountable and no penalty will be imposed on him. According to Article 94 of the Child Law: “Criminal responsibility is prohibited for a child under 12 years of age.” Most of the time a child under 12 years old is rarely held.

- The child is prosecuted all the time according to the criminal treatment section of the Child Law, Law No. 12 of 1996, which was amended by Law 126 of 2008, noting that the legal procedures in any crime are the same, whether for children or adults, but only the crime is decided upon. The child He has his own prosecution and court, and he is tried with adults only in one case, if it is a felony and there are adults with him, then he is tried with them but also according to the law of the child.

- The penalty for the child varies according to the crime, for each crime is separate and he is held accountable for it, but the penalties are generally reduced than those in the adult trial, and in the end, each crime is according to its severity, so the maximum penalty for misdemeanors is from 3 months to a year, and in felonies Starting from one year for a maximum of 15 years, a child may not be executed, for example, and may not receive a life sentence, according to Article 111 of the Child Law