Ministry of State for Family and Population
Anti-Human Trafficking Unit

The Law regarding Combating Human Trafficking

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In the name of The People
The President of the Republic

The People's Assembly decided the law, the text of which follows:

Chapter One
Definitions

Article (1) :

In applying the provisions of this law, the following phrases and words shall have the meanings indicated alongside:

An organized criminal group: a group composed in accordance with a certain structure of at least three or more persons, acting continuously or for a period of time with the aim of committing one or more specified crimes, including crimes of human trafficking; on its own or with others in order to obtain, directly or indirectly, a material or moral benefit.

A crime of a transnational nature: any crime committed in more than one State, committed in one State with its preparation, planning, direction, supervision or funding in another State or through another State; committed in one State by an organized criminal group engaged in criminal activities in more than one State, or committed in one State with effects in another State.

The victim: a natural person who suffered any material or moral harm, in particular bodily, psychological or mental harm; or economic loss if the harm or loss was caused directly by one of the crimes stipulated in this law.

Article (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.

Article (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.

Chapter Two
Crimes and Punishments

Article (4) :
Without prejudice to any harsher penalty prescribed in another law, the crimes stipulated in the following articles shall be subject to the penalties prescribed thereto.

Article (5) :
Aggravated imprisonment and a fine not less than 50,000 pounds and not to exceed 200,000 pounds or a fine equal to the value of the benefit gained, whichever is greater, shall be imposed on anyone who committed the crime of human trafficking.

Article (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:
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 belonged thereto, or if the crime was of a transnational nature;
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;
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;
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;
If the crime resulted in the death of the victim or caused him to suffer a permanent disability or an incurable disease;
If the victim was a child, was incapacitated or was a person with disabilities;
If the crime was committed by an organized criminal group.

Article (7) :
Imprisonment shall be imposed on anyone who uses force, threats, or offers gifts or benefits of any kind or a promise thereof to induce another to provide false testimony, to conceal a matter, or to provide untrue statements or information in any stages of evidence collection, investigation, or trial in procedures related to the commission of any of the crimes stipulated in this law.

Article (8) :
Imprisonment shall be imposed on anyone who knowingly conceals one of the perpetrators, objects, or funds derived from any of the crimes stipulated in this law or dealt therein or concealed any traces of the crime or its instrumentalities. The court may exempt from penalty a person who concealed the perpetrators if he was the spouse, one of the ascendants or descendants.

Article (9) :
Imprisonment shall be imposed on anyone who disclosed or revealed the identity of a victim or witness, endangering him; or caused him to suffer harm, facilitated the perpetrator›s contact with him, or provided him with inaccurate information regarding his legal rights, with the intent to harm him or to violate his physical, psychological or mental well-being.

Article (10) :
Imprisonment shall be imposed on anyone who induces another by any means to commit a crime referenced to in the aforementioned articles, irrespective of whether the inducement had an effect.

Article (11) :
The person responsible for the actual management of a juristic person shall be punished if any of the crimes stipulated in this law was committed by one of the employees of the juristic person in his name and for his benefit with the same penalties specified for the committed crime if it is proven that he had knowledge of the crime or if the crime occurred due to breach of the duties of his job.
A juristic person shall be jointly liable for fulfilling the financial penalties and damages prescribed in the judgment; if the crime was committed by one of the employees in his name and for his benefit, the court shall order in its decision of conviction the publication of the decision at the expense of the juristic person in two widely circulated daily newspapers and may order a cessation of the activity of the juristic person for a period not to exceed one year.

Article (12) :
Imprisonment shall be imposed for a period not less than six months and a fine not less than 10,000 pounds and not to exceed 20,000 pounds or one of these two penalties on anyone who had knowledge of the commission of one of the crimes stipulated in this law or of an attempt to commit such a crime and did not notify the competent authority; if the perpetrator was a public official and the crime occurred in breach of the duties of his job, the maximum imprisonment shall be five years.
The court may exempt from punishment a person who fails to make a notification if the person was a spouse of the perpetrator, one of his ascendants or descendents, or one of his brothers or sisters.

Article (13) :
Without prejudice to the rights of a bona fide third party, in all cases, confiscation of funds, possessions, means of transport, or tools derived from any of the crimes stipulated in this law or used in its commission shall be ordered.

Article (14) :
The crimes stipulated in this law shall be considered principal crimes provided for in Article (2) of the Anti-Money Laundering Act No. 80 of 2008, which also applies to the money laundering derived therefrom.
The provisions of Article 208 bis(a), 208 bis(b), and 208bis(c) of the Code of Criminal Procedures shall also apply to these crimes.

Article (15) :
If one of the perpetrators takes the initiative to notify any of the competent authorities about the crime and its perpetrators before their knowledge thereof, the court shall exempt him from penalty if his notification causes the apprehension of the other perpetrators and the seizure of funds derived from this crime.
The court may exempt him from the principal penalty if the notification occurred after the authorities knew about the crime and led to the disclosure of the other perpetrators, their apprehension, and the seizure of the funds derived therefrom.
The previous two paragraphs shall not apply if the result of the crime was the death of the victim or his suffering an incurable disease or permanent disability.

Chapter Three
Scope of the Territorial Application of the Law

Article (16) :

Subject to the provision of Article (4) of the Penal Code, the provisions of this law shall apply to non-Egyptians who commit the crime of human trafficking stipulated in Articles 5 and 6 of this law outside of the Arab Republic of Egypt, as long as the act is punishable in the State in which it occurred, under any legal description, in the following cases:

If the crime was committed on board any air, land, or water means of transportation that was registered in the Arab Republic of Egypt or under its flag;

If one or more of the victims was Egyptian;

If the preparation for the crime or its planning, direction, supervision, or financing occurred in the Arab Republic of Egypt;

If the crime was committed by an organized criminal group engaged in criminal activities in more than one State, including the Arab Republic of Egypt;

If the crime caused harm to any citizen or resident, to the security, or to any of the interests of the Arab Republic of Egypt within the country or abroad;

If the one who committed the crime in the Arab Republic of Egypt was found after the crime was committed and was not extradited.

Article (17) :

In the cases provided for in the previous Article, jurisdiction shall be extended to the competent Egyptian authorities through evidence collection, investigation and trial.

Chapter Four
International Judicial Cooperation

Article (18) :

The Egyptian judicial authorities and police shall cooperate with respective foreign authorities to combat and prosecute crimes of human trafficking, including: exchange of information, conducting investigations, judicial assistance and rogatory, extradition of perpetrators and objects, asset recovery, transfer of sentenced persons, and other forms of judicial and police cooperation, all under the rules decided by bilateral and multilateral agreements in force in the Arab Republic of Egypt or in accordance with the principle of reciprocity.

Article (19) :

The Egyptian and foreign judicial authorities may request the necessary legal procedures for the tracking, seizure, or freezing of funds that are the subject of the crimes of trafficking or their revenues and retain them without prejudice to the rights of bona fide third parties.

Article (20) :

The competent Egyptian judicial authorities may order the execution of the final criminal judgments issued by the competent foreign judicial authorities, including seizure, freezing, confiscation, or recovery of funds derived from the crimes of human trafficking and their revenues in accordance with the rules and procedures embodied in bilateral and multilateral agreements in force in the Arab Republic of Egypt or in accordance with the principle of reciprocity.

Chapter Five
Protection of Victims

Article (21) :
The victim shall not be criminally or civilly liable for any of the crimes of human trafficking as long as the crime occurred or was directly related to being a victim.

Article (22) :
The State shall guarantee the protection of the victim and shall work to create the appropriate conditions for his assistance, health, psychological, educational and social care; and rehabilitation and reintegration into the society, within the framework of liberty and human dignity, as well as his return to his homeland in an expeditious and safe manner, if he was a foreigner or a non-permanent resident in the State, in accordance with the rules and procedures established by a decision of the Counsel of Ministers.

Article (23) :
In all stages of evidence collection, investigation or trial of the crimes of human trafficking, efforts shall be made to identify the victim, to classify him, to determine his identity, nationality, and age to ensure that he is far removed from his perpetrators.
In addition, the following rights of the victim shall be guaranteed:
The right to physical, psychological and mental safety;
The right to protect his inviolability and identity;
The right to inform him of relevant administrative, legal and judicial procedures and access to information related thereto;
The right to be heard and to have his views and interests considered during all

stages of criminal proceeding without prejudice to the rights of the defense;
The right to legal assistance, in particular the right to counsel in the investigation and trial stages; if he has not chosen a lawyer, the public prosecutor or the court, whichever the case, may assign him a lawyer in accordance with the rules prescribed in the Criminal Procedures Code regarding assigning a lawyer to the accused;
In all cases, the competent court shall take measures to ensure that protection is provided to the victims and witnesses to avoid any influence upon them and shall take whatever measures required to conceal their identity, all without prejudice to the rights of the defense and the requirements of the principle of confrontation between adversaries.

Article (24) :
The State shall provide appropriate premises to host the victims of the crimes of human trafficking, which shall be separate from those of the perpetrators and shall allow them to receive their families and lawyers, as well as representatives of the competent authorities, all without prejudice to the various safeguards set forth in this regard in the Child Law or any other law.

Article (25) :
The Foreign Ministry, through its diplomatic and consular missions abroad, shall provide all possible assistance to Egyptian victims in crimes of human trafficking in coordination with the competent authorities in the host States, in particular by returning them to the Arab Republic of Egypt in an expeditious and safe manner. The Foreign Ministry shall also coordinate with the relevant authorities in other countries to facilitate the safe and expeditious return of foreign victims to their countries of origin.

Article (26) :
The competent authorities shall provide care, education, training, and rehabilitation programs to the Egyptian victims, whether through governmental or non-governmental institutions.

Article (27) :
A fund shall be established to assist victims of human trafficking, which shall have a public juristic personality under the Prime Minister to provide financial assistance to the victims who have suffered harm resulting from any of the crimes stipulated in this law.
A decision by the President of the Republic shall regulate this fund and determine its jurisdiction, resources and the sources of its funding.
The proceeds of the fines sentenced for the crimes stipulated in this law, as well as the properties, objects, and means of transportation forfeited shall be allocated directly to the fund, which may also accept contributions, grants, and donations from national and foreign entities.

Chapter Six
Concluding Provisions

Article (28) :
A National Committee to Combat Human Trafficking shall be established under the Prime Minister and shall have jurisdiction to coordinate at the national level among policies, plans, and programs set forth to combat human trafficking to protect the victims and provide them with services and to protect the witnesses.
A decision by the Prime Minister shall be issued to regulate this Committee and determine its other jurisdictions and its structure.

Article (29) :
The Prime Minister shall issue an executive regulation to this law one month from the date of its publication.

Article (30) :
This law shall be published in the Official Gazette and shall enter into force the day following the date of its publication.
This law shall have the seal of the State and shall apply as one of its laws.

Anti-Trafficking Unit

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