

PUBLICATION

Substantial amendments to Egypt's Criminal Code

With the opening of its office in Cairo, Gide is pleased to share with you an article by **Ossama Ebeid**, lawyer admitted to the Cairo Bar, Professor of Criminal law at the Cairo University Faculty of Law, Associate Dean.

New article 106 (bis) (B) of Egypt's Criminal Code punishes the bribery of a public foreign or international official.

On 25 January 2018, new article no. 106 (bis) (B) and second paragraph to article 111 came into force. Both items were added to Egypt's Criminal Code, with Article 106 (bis) (B) incriminating the bribery of a public foreign/international official. It provides that:

“Every public foreign official, or official of a public international institution, who requests, accepts or takes, for him/herself or for others, a promise or a gift to perform an inherent function of his or her international position, or to abstain from or fail at performing such function, shall be considered as bribed and punished to life imprisonment and a fine not less than EGP 1,000 and not more than double what was promised or received.

Whoever offered a rejected bribe to a public foreign official or official of a public international institution shall also be punished by imprisonment and a fine not less than EGP 500 and not more than EGP 1,000”.

Another addition, paragraph 2 of Article 111, states that “Shall be considered a public foreign official, for the purposes of the present chapter, every elected or appointed person occupying a legislative, executive, administrative, or judicial position in a foreign country, and any person who performs a public office for the benefit of a foreign country.

Is considered an official of a public international institution every international employee, or any person authorised to act on behalf of such institution”.

These amendments were introduced to comply with Egypt's international obligations under the UNCAC. They also support the transparency of international trade contracts signed between Egyptian companies and any foreign or international governmental body, while corruption allegations are brought within judicial or arbitral proceedings.

Additionally, the new law highlights broader criminal progress for Egypt to enforce anti-corruption policy more efficiently, and to bridge the gaps between different legal systems in their application of the UNCAC regulations. ■



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