

Appendix II

This appendix contains translation of Law No.10/1961 pertaining to Combating of Prostitution. The translation is an edited, redacted version of the unofficial translation provided by the UNCHR¹ and editors at EIPR.

Law No. 10/1961, on the Combating of Prostitution in The United Arab Republic²

Article (1):

(a) Whoever incites a person, be they male or female, to engage in debauchery or in prostitution, or assists in this or facilitates it, and similarly whoever employs a person or tempts him or induces him with the intention of engaging in debauchery or prostitution, is to be sentenced to imprisonment for a period not less than one year and not more than three years and a fine between 100 and 300 LE in the Egyptian administration and between 1000 and 3000 Lira in the Syrian administration.

(b) If the person upon whom the crime is perpetrated has not reached the age of twenty-one years, the punishment is imprisonment for a period not less than one year and not more than five years and a fine between 100 and 500 LE in the Egyptian administration and between 1000 and 5000 Lira in the Syrian administration.

Article (2):

The punishment set down in paragraph (b) of the previous article applies to:

(a) Whoever employs, persuades or induces a person, be they male or female, with the intention of committing debauchery or prostitution and this is by means of deception, force, threats, abuse of authority or other means of coercion.

(b) Whoever detains by such means a person, male or female, against his will in a place for debauchery or prostitution.

Article (3):

Whoever incites a male under twenty-one (Gregorian) years of age or a female irrespective of age to leave the United Arab Republic, facilitates this for them, employs them or accompanies them abroad for the purpose of working in debauchery or prostitution and whomsoever knowingly assists in this is

1 Egypt: Law No. 10/1961, on the Combating of Prostitution [], 1961, available at: <http://www.refworld.org/docid/5492d8784.html> [accessed 16 November 2017]

2 This law was promulgated during the union of Egypt and Syria, under one republic, the United Arab Republic (1958-1961), hence the many references to Syria throughout the articles of the law (Translator's note)

to be sentenced to prison for a period not less than one year and not exceeding five years and a fine between 100 LE and 500 LE in the Egyptian administration and between 1000 and 5000 Lira in the Syrian administration.

The maximum term of imprisonment is seven years if the crime is perpetrated against two or more persons or if it is committed by one of the means indicated in the first paragraph of article 2 besides the decreed fine.

Article (4):

In the cases stipulated in the three prior articles, a prison term of three to seven years will be meted out if the crime is perpetrated against an individual no more than 16 years of age or if the perpetrator is related to the victim, or one who is responsible for his upbringing or under his watch, or one who has authority over the victim or one who is a salaried servant for the victim or those mentioned above.

Article (5):

Whoever brings in a person into the United Arab Republic or facilitates their entry to commit prostitution or debauchery shall be sentenced to prison for a period not less than one year and not exceeding five years and a fine between 100 LE and 500 LE in the Egyptian administration and between 1000 and 5000 Lira in the Syrian administration.

Article (6):

The following are sentenced to prison for a period not less than six months and not exceeding three years:

(a) Whoever assists a female to carry on prostitution, even if only by way of monetary expenditure.

(b) Whoever exploits in any fashion the prostitution or debauchery of a person. The punishment shall be a year to five years if the crime is associated with any of the parties emphasized in article 4.

Article (7):

Whoever intended to commit any of the crimes mentioned in the previous articles shall be punished with the decreed punishment as if the crime was fully committed.

Article (8):

Whoever opens or manages premises for the purpose of debauchery or prostitution or cooperates in any way whatsoever in their management, is to be punished by imprisonment for a period not less than one year and not exceeding three years and a fine not less than 100 LE and not exceeding 300 LE in the Egyptian administration and not less than 1000 Lira and not exceeding 3000 Lira in the Syrian administration. Closure of the premises and confiscation of goods and furnishings found therein is

directed.

If the one committing the crime is related to the one carrying on debauchery or prostitution, is charged with his upbringing or has authority over him, the prison sentence is for not less than two years and not exceeding four years besides the decreed fine.

Article (9):

Punishment by imprisonment for a period not less than three months and not exceeding three years and a fine not less than 25 LE and not exceeding 300 LE in the Egyptian administration and not less than 250 Lira and not exceeding 3000 Lira in the Syrian administration or one of these two punishments applies in the following cases:

(a) Whoever lets or offers in whatever fashion a residence or place run for the purpose of debauchery or prostitution, or for the purpose of housing one or more persons, if they are to his knowledge practising debauchery or prostitution.

(b) Whoever owns or manages a furnished residence or furnished rooms or premises open to the public and who facilitates the practice of debauchery or prostitution, either by admitting persons so engaged or by allowing on his premises incitement to debauchery or prostitution.

(c) Whoever habitually engages in debauchery or prostitution.

Upon the apprehension of a person in the last category, it is permitted to send him for a medical

examination. If it is discovered that he is carrying an infectious venereal disease, it is permitted to

detain him in a therapeutic institute until his cure is completed.

It is permitted to determine that the convicted person be placed, upon completion of his sentence, in a special reformatory until the administrative agency orders his release. This judgement is obligatory in cases of recidivism, and the period spent in the reformatory is not allowed to be more than three years.

In the cases decreed in sections (a) and (b) the premise shall be closed for a period not more than three months and the closure will be enforced with no consideration to the objection of the other, even if he was in possession of a valid contract with a verified date.

Article (10):

A place shall be considered a premise for prostitution or debauchery according to article (8) and (9), every place that was habitually used to practice prostitution for the benefit of the other or his own benefit, even if only one person was practising prostitution or debauchery.

Article (11):

Anyone who profits from or manages public premises or a public nightclub or other premises open to

the public and employs persons who are engaged in debauchery or prostitution with the intention of

facilitating this for them or with the intention of taking advantage of them to promote his premises is to be punished with a prison term not exceeding two years and a fine not exceeding 200 LE in the

Egyptian administration and 2000 Lira in the Syrian administration.

The punishment is imprisonment for a term not less than two years and not exceeding four years and a fine from 200 LE to 400 LE in the Egyptian administration and 2000 Lira to 4000 Lira in the Syrian administration if the perpetrator falls into the category of persons mentioned in the last paragraph of article 8.

The closure of the premises for a period not exceeding three months or permanently in the case of a repeat offence is imposed.

The Public Prosecution, as soon as it apprehends the incident, as decreed in the cases mentioned in articles (8), (9) and (11) is authorized to issue a warrant to close the premise, residence used for prostitution or debauchery.

The confiscated items and furniture in such premises, outlined in article (8), (9) and (11) are considered in the category of administratively confiscated items as soon as they are apprehended until the case is terminally decided then they are delivered after being audited and recorded in a report to a guard with no salary from the below mentioned:

The person who opened the premise, or managed it, or assisted in managing it, or its owner or its landlord or one of its residents or one who works in the premise and their objection shall not be considered. If none of those could be identified, then the guardianship will be assigned in exchange for payment to whoever the police deem as fit until the time when one of those mentioned attends and receives it.

The guard of the confiscated items shall be tasked with guarding the stamps on the closed premise and if there are no confiscated items, guarding the stamps shall be assigned to whoever is mentioned in the previous paragraph and in the same fashion. In all former cases, the court shall decide in the general case, quickly, in a period not more than three weeks, and in case of an acquittal, the closure decree shall be annulled.

Article (13):

Any person who habitually works or resides in premises used for debauchery or prostitution and is aware of this is to be punished by imprisonment for a period not exceeding one year.

Article (14):

Whoever publicizes by any form of publicity an invitation which includes inducement to debauchery or prostitution, or draws attention to this, is to be punished by imprisonment for a period not exceeding three years and a fine not exceeding 100 LE in the Egyptian administration and 1000 Lira in the Syrian administration, or one of the two punishments.

Article (15):

As a consequence of a judgement of guilty in one of the crimes stipulated in this law, the convicted person may be placed under observation by the police for a period equivalent to the length of the sentence. This is without infringement of the special laws regarding homelessness.

Article (16):

The punishments stipulated in this law shall not interfere in implementing harsher penalties stipulated in other laws.

Article (17):

The law concerning prostitution promulgated in 24/6/1933 and its amendments and law no.68 for the year 1951 shall be abrogated and every statute that contravenes the stipulations of this law.

Article (18):

The Minister of Social Affairs in the Syrian administration shall be authorized to place prostitutes who were authorized to work from the date of that law, in a special institution and for a period of time that he deems appropriate to rehabilitate them to a dignified life and train them for a decent living.

Whoever violates this shall be imprisoned with a sentence not exceeding three months.

Article (19):

This decree shall be promulgated in the official newspaper and will go into effect in the Egyptian administration starting the date of publication and in the Syrian administration after six months of promulgation. It was issued by the presidency on 21 Ramadan 1380 (8 March 1961). Gamal Abdel Nasser.