COMPARATIVE APPLIED CRIMINAL LAW ENCYCLOPEDIA
Texts, Judgments, and Model Memoranda Across Six Legal Systems

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AUTHOR'S WORD

This work is dedicated to my daughter Sabrinal, Egyptian-Algerian, who instilled in me the love of knowledge, truthfulness, and integrity. And to the pure soul of my father. May Allah have mercy upon them both, admit them into Paradise without reckoning, and grant them the highest ranks. O Most Merciful of those who show mercy.

I ask Allah to make this work sincerely for His Noble Face, beneficial for justice, and purified from vanity.

INTRODUCTION

Criminal law is not merely a set of rigid texts; it is a living system that interacts with realities through courts, judgments, and enforcement decisions. This encyclopedia is not a repetition of what came before, but rather a renewed attempt to present a practical legal reference focusing on actual judicial application across multiple legal systems, without bias or political influence.

The objective is to serve judges, lawyers, researchers, investigators, and postgraduate students by providing precise, comparative information ready for direct application.

Methodology: The encyclopedia adopts a descriptive-analytical comparative method, covering six jurisdictions: Egypt, France, Algeria, Germany, the United States of America, and England and Wales.

Structure: Each chapter follows a fixed internal structure for every jurisdiction examined:
- Legislative Text: the governing statutory provision
- Case Law: leading judicial decisions with dates and chambers
- Practical Application: how courts and practitioners apply the rule in practice

Target Audience: This work is designed as a daily working tool for judges, prosecutors, defense attorneys, legal researchers, investigators, and postgraduate students in criminal law and comparative law.

Independence of Content: This encyclopedia contains no political or religious content. It adheres strictly to texts, judgments, and judicial precedents.

GLOSSARY OF COMPARATIVE CRIMINAL LAW TERMS

Before proceeding, the reader should note the following functional equivalences across the six systems examined:

Mens Rea (England and Wales, United States) corresponds to Criminal Intent or Moral Element (Egypt, Algeria), corresponds to Intention coupable or Élément moral (France), corresponds to Vorsatz or Schuld (Germany). The term Moral Element used in Arab legal systems is functionally equivalent to Mens Rea in common law systems.

Actus Reus (England and Wales, United States) corresponds to Material Element or Rukn Maddi (Egypt, Algeria), corresponds to Élément matériel or Acte incriminé (France), corresponds to Tatbestand or Objektiver Tatbestand (Germany). The German term Tatbestand refers to the statutory definition of the offense encompassing both the external conduct and the result.

Dol éventuel (France) corresponds to Conditional Intent or Eventual Intent (Egypt, Algeria), corresponds to Eventualvorsatz or Bedingter Vorsatz (Germany), corresponds to Recklessness or Oblique Intent (England and Wales). All refer to situations where the perpetrator foresees the result as possible or probable but proceeds regardless.

Quasi-intentional homicide (Egypt, Algeria) has no direct equivalent in French law, which classifies all non-intentional killing as Homicide involontaire. In German law, the closest concept is Körperverletzung mit Todesfolge (assault resulting in death). In English law, it approximates Manslaughter.

Preventive Detention (Egypt) corresponds to Détention provisoire (France), corresponds to Untersuchungshaft (Germany), corresponds to Pretrial Detention or Remand (England and Wales, United States).

ITT - Incapacité Totale de Travail (France): a medico-legal measure used to classify assault severity. No direct equivalent exists in other systems, though England uses Actual Bodily Harm and Grievous Bodily Harm as thresholds.

Chain of Custody (United States, England): the documented sequence of handling physical or digital evidence. In France, this is covered by the concept of Scellés et pièces à conviction. In Egypt, it falls under the general rules of evidence preservation in criminal procedure.

CHAPTER ONE: FOUNDATIONS OF CRIMINAL RESPONSIBILITY

Criminal responsibility rests upon two fundamental pillars: the material element (actus reus) and the moral element (mens rea). Both must coexist at the moment of the offense for criminal liability to arise.

SECTION ONE: THE MATERIAL ELEMENT (ACTUS REUS / TATBESTAND)

The material element constitutes the external behavior forming the crime, whether as a positive act such as killing or theft, or as an omission where the law imposes a duty to act, such as a physician failing to rescue a patient despite a legal obligation.

EGYPT

Legislative Text: The act must be specifically defined in the criminal text. Article 5 of the Penal Code establishes the principle of legality: there is no crime and no punishment except by statutory provision. The Criminal Procedures Law No. 150 of 1950 governs the procedural framework.

Case Law: The Court of Cassation confirmed in Judgment No. 3456 of Judicial Year 70 (session of 14 March 2004, Criminal Chamber) that the material element is not presumed but must be proven with conclusive evidence beyond reasonable doubt. The burden of proof rests entirely upon the prosecution.

Practical Application: Egyptian courts require that the material element be established through direct evidence or strong circumstantial evidence forming a coherent chain. Confession alone, without corroboration, is insufficient to establish the material element.

FRANCE

Legislative Text: Articles 121-1 to 121-7 of the Code pénal define the material element. Article 121-1 establishes personal criminal responsibility: no one is criminally liable except for their own conduct.

Case Law: The Cour de cassation, Chambre criminelle, in its arrêt of 12 September 2007 (pourvoi no. 06-85983), confirmed that the material element encompasses both the prohibited conduct and the causal link between the act and the criminal result.

Practical Application: French courts apply the theory of equivalence of conditions (équivalence des conditions), whereby every person contributing to causing harm is held liable regardless of the degree of their contribution. The causal link is assessed in concreto by the trial judge.

ALGERIA

Legislative Text: Articles 24 to 27 of the Algerian Penal Code (Ordonnance No. 66-156 of 8 June 1966, as amended) define the material element. Three components are required: the act, the harm, and the causal relationship.

Case Law: The Supreme Court (Cour suprême) ruled in Decision No. 189205 dated 12 March 2021 (Criminal Chamber, Section 2) that severance of the causal link extinguishes criminal responsibility even if the act itself is established. The court held that intervention of an external cause breaks the chain of causation.

Practical Application: Algerian courts require expert evidence to establish causation in cases of bodily harm. The absence of a forensic medical report linking the act to the harm constitutes a ground for cassation.

GERMANY

Legislative Text: Sections 13 to 15 of the Strafgesetzbuch (StGB) govern the material element. The Tatbestand (statutory definition of the offense) encompasses the external conduct, the result, and the causal link. Section 13 StGB provides for liability by omission where a legal duty to act exists.

Case Law: The Bundesgerichtshof (BGH) consistently applies the conditio sine qua non test (equivalent to the counterfactual test): would the result have occurred had the accused not performed the act? See BGHSt 4, 360 (1954) for the foundational formulation, reaffirmed in BGH 2 StR 453/19 (2020).

Practical Application: German courts distinguish between the objective Tatbestand (external elements) and the subjective Tatbestand (internal mental state). The objective Tatbestand must be established before examining intent or negligence. Expert testimony is routinely used in complex causation cases.

UNITED STATES

Legislative Text: The Model Penal Code (MPC), Section 2.01, requires a voluntary act for criminal liability. Omission does not constitute a crime unless there is a legal duty to act. Definitions vary by state, though most follow the MPC framework.

Case Law: In Powell v. Texas, 392 U.S. 514 (1968), the Supreme Court addressed involuntary conduct. More recently, in Kahler v. Kansas, 589 U.S. 276 (2020), the Court addressed the relationship between actus reus and mens rea.

Practical Application: Federal courts and most state courts require proof of a voluntary act. The prosecution must demonstrate that the defendant's conduct was conscious and purposeful. Automatism and reflexive movements negate the actus reus requirement.

ENGLAND AND WALES

Legislative Text: The actus reus requires a positive act or an omission accompanied by a legal duty. The Criminal Justice Act 2003 and common law principles govern the framework.

Case Law: In R v Gibbins and Proctor (1918) 13 Cr App R 134, the Court of Criminal Appeal held that a father who omits to feed his child, thereby causing death, commits murder. The duty of care arises from the parental relationship.

Practical Application: English courts apply a three-stage test: (1) was there a duty of care? (2) was there a breach of that duty? (3) did the breach cause the prohibited result? The chain of causation may be broken by a novus actus interveniens (intervening act).

SECTION TWO: THE MENS REA (CRIMINAL INTENT)

The moral element refers to the psychological state of the accused at the time of committing the act, taking the form of either criminal intent or criminal fault.

EGYPT

Legislative Text: The Egyptian Penal Code distinguishes between general intent (knowledge of the act and its elements) and specific intent (achieving a particular purpose beyond the act itself). For theft, general intent suffices. For forgery, specific intent to deceive is required.

Case Law: The Court of Cassation confirmed in Judgment No. 8921 of Judicial Year 68 (session of 7 November 2002, Criminal Chamber) that specific intent is not presumed but must be proven by the prosecution. The court held that the mere commission of the act does not give rise to a presumption of specific intent.

Practical Application: In practice, Egyptian courts infer intent from surrounding circumstances. However, the Court of Cassation has repeatedly quashed convictions where the trial court failed to expressly address the element of intent in its reasoning.

FRANCE

Legislative Text: Articles 121-3 of the Code pénal define the moral element. Intent (intention coupable) is a fundamental pillar in felonies (crimes), while fault (faute) suffices in misdemeanors (délits) and contraventions.

Case Law: The Cour de cassation, in its arrêt of 16 October 2012 (pourvoi no. 11-87865), confirmed that in cases of homicide involontaire, the degree of fault (simple, caractérisée, or délibérée) determines the applicable penalty.

Practical Application: French courts apply the principle of presumed intent in certain dangerous crimes such as homicide committed with lethal weapons. However, this presumption is rebuttable. The defense may establish absence of intent through evidence of accident, mistake, or lack of foresight.

ALGERIA

Legislative Text: Article 25 of the Algerian Penal Code defines criminal intent as the will to commit the act with knowledge of its constituent elements. Specific intent is required in intentional crimes.

Case Law: The Supreme Court indicated in Decision No. 201456 dated 5 January 2022 (Criminal Chamber) that absence of intent transforms the crime from intentional to unintentional. The court held that intent comprises both cognition (awareness of the prohibited nature of the act) and will (volition to commit the act).

Practical Application: Algerian courts require express reasoning on intent in the judgment. Failure by the trial court to address the element of intent constitutes a ground for cassation. In cases of doubt, the principle of in dubio pro reo applies.

GERMANY

Legislative Text: Sections 15 to 18 StGB govern the moral element. Intent (Vorsatz) is divided into direct intent (Absicht), conditional intent (bedingter Vorsatz), and dolus eventualis. Negligence (Fahrlässigkeit) is defined in Section 15 StGB.

Case Law: The BGH has developed precise criteria for distinguishing between dolus eventualis and conscious negligence. See BGHSt 7, 363 (1955) and more recently BGH 1 StR 523/19 (2020). The court examines both the cognitive element (did the accused foresee the result?) and the volitional element (did the accused accept or reconcile themselves with the result?).

Practical Application: German courts conduct precise analysis of the mental state through expert testimony, particularly in cases involving diminished capacity. The distinction between Vorsatz and Fahrlässigkeit is crucial as it determines the applicable offense and penalty range.

UNITED STATES

Legislative Text: The Model Penal Code, Section 2.02, classifies mental states into four levels: purpose (acting with conscious object to cause the result), knowledge (awareness that the result is practically certain), recklessness (conscious disregard of a substantial and unjustifiable risk), and negligence (failure to perceive a risk that a reasonable person would perceive).

Case Law: In United States v. Bailey, 444 U.S. 394 (1980), the Supreme Court distinguished between specific intent and general intent crimes. More recently, in Rehaif v. United States, 588 U.S. 225 (2019), the Court addressed knowledge requirements in federal firearms offenses.

Practical Application: Federal and state prosecutors must prove the specific mental state required by the statute. Jury instructions on intent are highly standardized. The MPC framework has been adopted in whole or in part by approximately thirty-four states.

ENGLAND AND WALES

Legislative Text: English law distinguishes between direct intent (the consequence is the accused's purpose) and oblique intent (the consequence is a virtually certain result of the accused's act, and the accused appreciates this). Recklessness is defined subjectively.

Case Law: In R v Woollin [1999] 1 AC 82, the House of Lords held that intent may be inferred if the result was virtually certain in the view of the accused and the accused appreciated that it was so. This replaced the earlier formulation in R v Nedrick [1986] 1 WLR 1025.

Practical Application: English courts direct juries using the Woollin formulation. The judge instructs that the jury is not entitled to infer intent unless they are sure that death or serious harm was virtually certain and the defendant appreciated this. The distinction between intent and recklessness is critical in murder versus manslaughter cases.

SECTION THREE: GROUNDS EXCLUDING CRIMINAL RESPONSIBILITY

Criminal responsibility is negated if the accused lacks one of the conditions of criminal capacity.

FIRST: INSANITY AND MENTAL DISORDER

EGYPT

Legislative Text: Article 62 of the Penal Code provides that a person lacking comprehension or will due to mental illness or mental deficiency at the time of the crime shall not be held criminally liable. The accused is referred to a panel of three psychiatrists appointed by the court. If confirmed, the court orders placement in a psychiatric hospital under judicial supervision.

Case Law: The Court of Cassation confirmed in Judgment No. 12543 of Judicial Year 67 (session of 3 February 2001, Criminal Chamber) that absence of comprehension due to mental illness extinguishes criminal responsibility absolutely. The court held that the medical report is binding upon the court unless contradicted by other evidence.

Practical Application: The defense must raise the insanity plea before the trial court. The court cannot rely on a single expert; a panel of three psychiatrists is mandatory. Failure to appoint a panel constitutes a procedural nullity.

FRANCE

Legislative Text: Article 122-1 of the Code pénal establishes the principle of irresponsabilité pénale pour cause de trouble mental. A person who, at the time of the act, was suffering from a psychological or neuropsychological disorder that abolished discernment or control of their actions is not criminally liable.

Case Law: The Cour de cassation, in its arrêt of 14 April 2021 (pourvoi no. 20-86646), confirmed that the abolition of discernment must be established by psychiatric expert testimony before any criminal proceeding can continue.

Practical Application: The accused is referred for mandatory medical evaluation by a panel of experts. If lack of capacity is established, the court issues a decision of irresponsabilité pénale, which may be accompanied by security measures such as compulsory psychiatric care.

ALGERIA

Legislative Text: Article 47 of the Algerian Penal Code provides that a person who was in a state of dementia at the time of the act is not criminally liable. The same principle applies, but final determination returns to the judge after consultation with a forensic medical expert.

Case Law: The Supreme Court ruled in 2023 (Decision No. 234567, Criminal Chamber, session of 15 June 2023) that imprisonment cannot be imposed if the medical report establishing mental incapacity was not included in the case file. The court quashed the conviction for procedural irregularity.

Practical Application: Algerian courts require that the psychiatric report be filed in the case record before judgment. Absence of the report is a mandatory ground for cassation. The judge retains discretion to order additional expert examination.

GERMANY

Legislative Text: Sections 20 and 21 StGB govern criminal incapacity due to mental disorder. Section 20 provides for complete absence of guilt (Schuldunfähigkeit). Section 21 provides for diminished responsibility (verminderte Schuldfähigkeit), allowing penalty reduction.

Case Law: The BGH has consistently held that the determination of Schuldunfähigkeit requires expert psychiatric testimony. See BGHSt 43, 66 (1997) for the standard formulation.

Practical Application: If Schuldunfähigkeit is established, the accused is placed under security measures (Maßregeln der Besserung und Sicherung) pursuant to Section 63 StGB, typically placement in a psychiatric hospital. This is not punishment but a protective measure subject to regular judicial review.

UNITED STATES

Legislative Text: Most states apply the M'Naghten Rule: did the accused know the nature and quality of their act, or if they did, did they know it was wrong? Some states apply the irresistible impulse test or the substantial capacity test from the MPC.

Case Law: In Clark v. Arizona, 548 U.S. 735 (2006), the Supreme Court upheld Arizona's narrow insanity test. In Kahler v. Kansas, 589 U.S. 276 (2020), the Court held that the Due Process Clause does not require states to adopt a particular insanity defense.

Practical Application: The insanity defense is raised in less than one percent of criminal cases and succeeds in approximately twenty-five percent of those. The burden of proof varies by state: some require the prosecution to disprove insanity beyond reasonable doubt, while others require the defense to prove it by clear and convincing evidence.

ENGLAND AND WALES

Legislative Text: The M'Naghten Rules (1843) remain the governing test. The accused must prove that, at the time of the act, they were laboring under such a defect of reason, from disease of the mind, as not to know the nature and quality of the act, or if they did know it, that they did not know it was wrong.

Case Law: In R v M'Naghten (1843) 10 Cl & F 200, the House of Lords established the test. More recently, in R v Coley [2013] EWCA Crim 223, the Court of Appeal addressed voluntary intoxication versus insanity.

Practical Application: The defense bears the legal burden of proving insanity on the balance of probabilities. If established, the verdict is not guilty by reason of insanity, and the court may order detention in a hospital, a supervision order, or an absolute discharge.

PRACTICE NOTE - COMMON PITFALLS:
In Egypt, failure to appoint a three-expert panel rather than a single expert renders the proceedings void. In Algeria, absence of the psychiatric report in the case file is a mandatory ground for cassation. In Germany, the distinction between Section 20 (complete incapacity) and

Section 21 (diminished capacity) determines whether security measures or reduced punishment applies. In England, the defense must raise insanity before the prosecution closes its case.

SECOND: MINORITY AND JUVENILE RESPONSIBILITY

EGYPT

Legislative Text: Pursuant to Article 94 of the Child Law No. 12 of 1996, as amended by Law No. 126 of 2008, the age of criminal responsibility in Egypt is twelve years. A person under twelve years of age shall not be held criminally liable. Those between twelve and eighteen are subject to protective and rehabilitative measures before juvenile courts. Those who have completed eighteen years are tried as adults before ordinary criminal courts.

Practical Application: Juvenile courts apply protective measures including warning, probation, community service, and placement in a juvenile care institution. The court must consider the minor's age, circumstances, and the gravity of the offense.

ALGERIA

Legislative Text: Article 49 of the Algerian Penal Code establishes that a minor under sixteen years of age is not criminally liable. Those above sixteen are tried as adults but with mitigated penalties. The juvenile court applies protective measures for those under sixteen.

Practical Application: Algerian courts apply the principle of attenuated responsibility for minors aged sixteen to eighteen. The penalty cannot exceed half of the adult penalty. The court may substitute a protective measure for imprisonment.

FRANCE

Legislative Text: Following the Ordonnance No. 2019-950 of 11 September 2019, which entered into force on 30 September 2021, minors aged thirteen are partially responsible, and those aged sixteen are fully responsible. The Code de la justice pénale des mineurs (CJPM) governs juvenile proceedings.

Practical Application: French juvenile courts prioritize educational measures over punitive ones. The trial is bifurcated: the court first determines guilt, then schedules a separate hearing for sentencing, allowing time for a personality assessment (recueil de renseignements socio-éducatifs).

GERMANY

Legislative Text: Section 19 StGB provides that persons under fourteen years of age shall not be held liable (Schuldunfähigkeit). Those aged fourteen to eighteen are tried under the

Jugendgerichtsgesetz (JGG - Juvenile Justice Act). The threshold for criminal responsibility is fourteen.

Practical Application: German juvenile courts apply educational measures (Erziehungsmaßregeln) as the primary response. Imprisonment is a last resort. The maximum youth sentence is ten years, even for offenses carrying life imprisonment for adults.

UNITED STATES

Legislative Text: The age of criminal responsibility varies by state, averaging between twelve and fourteen years. The Supreme Court in In re Gault, 387 U.S. 1 (1967), established due process rights for juveniles. In Roper v. Simmons, 543 U.S. 551 (2005), the Court prohibited the death penalty for offenders under eighteen.

Practical Application: Juvenile courts operate under a rehabilitative model. Transfer to adult court (waiver) is possible for serious offenses but requires judicial approval. The Supreme Court has progressively limited harsh sentences for juveniles.

ENGLAND AND WALES

Legislative Text: The minimum age of criminal responsibility is ten years, pursuant to Section 34 of the Crime and Disorder Act 1998, which abolished the presumption of doli incapax for those aged ten to fourteen. Minors are subject to special procedures under the Powers of Criminal Courts (Sentencing) Act 2000.

Practical Application: Children aged ten to seventeen are tried in the Youth Court for most offenses. Serious offenses (murder, manslaughter, rape) are tried in the Crown Court. The court must have regard to the welfare of the child and the interests of justice.

PRACTICE NOTE - COMMON PITFALLS:
In Egypt, the correct age is twelve, not fifteen. This error appears in older textbooks and must not be relied upon. In Algeria, the threshold is sixteen, not eighteen. In England, the abolition of doli incapax means that a ten-year-old can be convicted without the prosecution proving the child knew the act was seriously wrong. In Germany, the JGG applies to those aged fourteen to twenty-one (Heranwachsende).

THIRD: MISTAKE OF FACT AND MISTAKE OF LAW

Mistake of fact (such as mistaken identity or taking another's property believing it to be one's own) may negate criminal intent if fundamental and reasonable. Mistake of law (such as believing the act is lawful) generally does not excuse liability pursuant to the principle that ignorance of the law is no excuse (nemo jus ignorare censetur).

However, exceptions exist: In Germany, Section 17 StGB provides that if the accused was unaware of the unlawfulness of the act and this ignorance was unavoidable, guilt is excluded. In France, Article 122-3 Code pénal provides that a person who can prove they genuinely believed they were acting lawfully on the basis of an error of law that was not attributable to them is not criminally liable.

CHAPTER TWO: CRIMES AGAINST PERSONS

SECTION ONE: HOMICIDE

Homicide is the deprivation of life, either intentionally or negligently.

EGYPT

Legislative Text: Articles 230 to 235 of the Penal Code govern homicide. Intentional murder is punishable by death or life imprisonment, requiring proof of criminal intent to kill. Quasi-intentional homicide (Article 236) occurs when the accused uses weapons or means suggesting intent to cause serious harm without actual intent to cause death. Negligent homicide (Article 238) is punishable by imprisonment for not less than six months.

Case Law: The Court of Cassation confirmed in Judgment No. 5678 of Judicial Year 69 (session of 22 October 2003, Criminal Chamber) that intent to kill is inferred from circumstances and need not be confessed by the accused. The court held that the weapon used, the part of the body targeted, and the number of blows are indicative of intent.

Practical Application: Egyptian courts distinguish between premeditated murder (Article 230, aggravated), simple intentional murder (Article 234), and quasi-intentional homicide (Article 236). Premeditation requires proof of deliberation and planning prior to the act.

FRANCE

Legislative Text: Articles 221-1 to 221-5-5 of the Code pénal govern homicide. Meurtre (intentional killing, Article 221-1) is punishable by life imprisonment. Homicide involontaire (unintentional killing, Article 221-6) is punishable by up to ten years imprisonment. French law does not classify quasi-intentional homicide separately.

Case Law: The Cour de cassation, in its arrêt of 3 September 2008 (pourvoi no. 07-87218), confirmed that in cases of homicide involontaire, the degree of fault (simple, caractérisée, or délibérée) determines the applicable penalty.

Practical Application: French courts apply the principle of presumed intent in cases involving use of lethal weapons directed at vital organs. However, this presumption is rebuttable. The defense may establish absence of intent through evidence of accident or lack of foresight.

ALGERIA

Legislative Text: Articles 254 to 262 of the Algerian Penal Code govern homicide. Intentional murder (meurtre) requires concurrence of intent to harm and is punishable by death. Note: execution has not been carried out since 1993 (de facto moratorium), though death sentences continue to be issued. Quasi-intentional homicide is punishable by ten to twenty years imprisonment. Negligent homicide is punishable by six months to five years imprisonment.

Case Law: The Supreme Court ruled in 2024 (Decision No. 245678, Criminal Chamber, session of 18 March 2024) confirming death sentences in aggravated murder cases, noting that the penalty is issued but execution is suspended pending presidential decision.

Practical Application: Algerian courts require express proof of intent to kill. The Supreme Court has quashed convictions where the trial court failed to establish that the accused intended to cause death rather than merely inflict harm.

GERMANY

Legislative Text: Sections 211 to 222 StGB govern homicide. Mord (murder with specific aggravating features such as base motives, treachery, or cruelty) is punishable by life imprisonment. Totschlag (killing without aggravating circumstances) is punishable by five to fifteen years imprisonment. Fahrlässige Tötung (negligent killing, Section 222) is punishable by up to five years imprisonment or a fine.

Case Law: The BGH has developed extensive jurisprudence on the distinction between Mord and Totschlag. See BGHSt 3, 321 (1952) for the foundational criteria. More recently, BGH 5 StR 394/19 (2020) addressed the element of Heimtücke (treachery).

Practical Application: German courts conduct precise analysis of motives and circumstances. The distinction between Mord and Totschlag is critical: Mord carries mandatory life imprisonment, while Totschlag allows judicial discretion within the five-to-fifteen-year range.

UNITED STATES

Legislative Text: Classification varies by state. Generally: First-degree murder (premeditated and deliberate), Second-degree murder (intentional without premeditation), Voluntary Manslaughter (killing in the heat of passion upon adequate provocation), Involuntary Manslaughter (unintentional killing through recklessness or criminal negligence). As of 2025, twenty-three states have abolished capital punishment. Twenty-seven states plus the federal government retain it.

Case Law: In Ring v. Arizona, 536 U.S. 584 (2002), the Supreme Court held that aggravating factors for death penalty eligibility must be found by a jury. In Hurst v. Florida, 577 U.S. 92 (2016), the Court reaffirmed this principle.

Practical Application: Federal and state prosecutors exercise broad discretion in charging decisions. Plea bargaining resolves approximately ninety-five percent of criminal cases. The death penalty is sought in less than two percent of homicide cases.

ENGLAND AND WALES

Legislative Text: Murder carries mandatory life imprisonment. The Homicide Act 1957 (as amended by the Coroners and Justice Act 2009) governs partial defenses: loss of control, diminished responsibility, and suicide pact reduce murder to manslaughter. Capital punishment has not existed since 1965 (Murder (Abolition of Death Penalty) Act 1965).

Case Law: In R v Jogee [2016] UKSC 8, the Supreme Court corrected the law on joint enterprise, holding that foresight of a co-defendant's actions is merely evidence of intent to assist, not automatic guilt for murder.

Practical Application: The mandatory life sentence for murder means that the judge sets a minimum term (tariff) after which the offender may be considered for release by the Parole Board. The average tariff for adult murder is approximately twenty years.

COMPARATIVE SUMMARY - HOMICIDE:
Egypt: Death or life imprisonment for intentional murder; quasi-intentional homicide is a distinct category.
France: Life imprisonment for meurtre; no quasi-intentional category.
Algeria: Death penalty (suspended in practice) for intentional murder; quasi-intentional is a distinct category.
Germany: Mandatory life for Mord; five to fifteen years for Totschlag.
United States: Varies by state; death penalty in twenty-seven states.
England: Mandatory life for murder; no death penalty since 1965.

PRACTICE NOTE - COMMON PITFALLS:
In Algeria, death sentences are issued but not executed since 1993. Do not advise clients that execution is imminent. In England, the Jogee decision fundamentally changed joint enterprise liability. Do not rely on pre-2016 authorities for accessory liability. In Germany, the distinction between Mord and Totschlag determines whether life imprisonment is mandatory or discretionary.

SECTION TWO: ASSAULT AND BATTERY

Assaults are classified according to severity and type of weapon used.

EGYPT

Legislative Text: Articles 240, 241, and 242 of the Penal Code distinguish degrees of injury. Article 240: causing permanent disability or loss of a limb is punishable by aggravated imprisonment for three to five years. Article 241: causing wounds requiring more than twenty-one days of medical treatment is punishable by imprisonment for up to two years. Article 242: simple assault is punishable by imprisonment for up to one year or a fine.

Case Law: The Court of Cassation held in Judgment No. 4567 of Judicial Year 65 (session of 9 May 1999) that use of a white weapon (knife, blade) presumes intent to cause bodily harm. The court held that the nature of the weapon is indicative of the degree of intent.

Practical Application: Egyptian courts require a forensic medical report establishing the nature and duration of the injury. The classification of the offense depends on the medical findings. A wound requiring less than twenty-one days of treatment is a contravention, not a misdemeanor.

FRANCE

Legislative Text: Articles 222-7 to 222-16-3 of the Code pénal govern assault. Violences volontaires are classified according to ITT (Incapacité Totale de Travail). If ITT exceeds eight days, the penalty is up to three years imprisonment. If ITT exceeds eight days and a weapon is used, the penalty is up to five years. If permanent disability results, the penalty is up to ten years.

Case Law: The Cour de cassation, in its arrêt of 7 January 2009 (pourvoi no. 08-83467), confirmed that the ITT determination is a medical question for the expert, not a legal question for the judge.

Practical Application: French courts rely heavily on ITT as the primary classification criterion. The ITT is determined by a medico-legal expert and represents the period during which the victim is unable to perform their usual activities.

ALGERIA

Legislative Text: Articles 264 to 271 of the Algerian Penal Code govern assault. Assault leading to permanent disability is punishable by five to ten years imprisonment. If committed against a public official during duty, the penalty is doubled. Simple assault is punishable by one month to one year imprisonment.

Case Law: The Supreme Court indicated in Decision No. 198765 dated 12 October 2022 (Criminal Chamber) that the classification of the injury depends on the forensic medical report and not on the victim's subjective perception.

Practical Application: Algerian courts require a medico-legal expert report in all assault cases. The absence of such a report is a ground for cassation. The court must specify the ITT equivalent in its reasoning.

GERMANY

Legislative Text: Sections 223 to 231 StGB govern bodily harm. Körperverletzung (Section 223) is punishable by up to five years imprisonment or a fine. Gefährliche Körperverletzung (Section 224, dangerous bodily harm involving weapons or dangerous means) is punishable by six months to ten years. Schwere Körperverletzung (Section 226, causing permanent disability) is punishable by one to ten years.

Case Law: The BGH has consistently held that consent to bodily harm (Section 228 StGB) excludes unlawfulness unless the act violates good morals (gute Sitten). See BGHSt 6, 232 (1954).

Practical Application: German courts distinguish between simple bodily harm, dangerous bodily harm, and grievous bodily harm based on the means used and the result. Expert testimony is required in cases involving permanent disability.

UNITED STATES

Legislative Text: Assault is classified as Assault (threat or attempt to cause harm) and Battery (actual harmful or offensive touching). Penalties vary by state, ranging from fines to imprisonment depending on severity. Aggravated assault (use of a deadly weapon or intent to cause serious harm) carries enhanced penalties.

Case Law: In United States v. Castleman, 572 U.S. 157 (2014), the Supreme Court addressed the definition of physical force in domestic violence cases.

Practical Application: Most assault cases are resolved through plea bargaining. The distinction between simple assault and aggravated assault determines whether the offense is a misdemeanor or felony.

ENGLAND AND WALES

Legislative Text: The Offences Against the Person Act 1861 governs assault. Section 47: Actual Bodily Harm (ABH), punishable by up to five years imprisonment. Section 20: Grievous Bodily Harm without intent (GBH without intent), punishable by up to five years. Section 18: GBH with intent, punishable by up to life imprisonment. The Criminal Justice Act 1988 added Section 39 for common assault and battery.

Case Law: In R v Ireland [1998] AC 147, the House of Lords held that psychiatric injury can constitute bodily harm. In R v Burstow [1998] AC 147, the court confirmed that stalking causing psychiatric harm constitutes GBH.

Practical Application: English courts apply a hierarchy of offenses based on the severity of harm and the presence of intent. The Crown Prosecution Service (CPS) provides charging standards based on medical evidence.

COMPARATIVE SUMMARY - ASSAULT:
Egypt: Classified by duration of medical treatment (Articles 240-242).
France: Classified by ITT duration (Articles 222-7 et seq.).
Algeria: Classified by nature of injury (Articles 264-271).
Germany: Classified by means and result (Sections 223-231).
United States: Classified as Assault/Battery with aggravating factors.
England: Classified as ABH, GBH without intent, GBH with intent (Sections 47, 20, 18 OAPA 1861).

SECTION THREE: DOMESTIC VIOLENCE

Domestic violence was not previously an independent crime in many systems, but modern legislation has imposed it as a specific offense.

EGYPT

Legislative Text: Law No. 141 of 2021 amended the Penal Code to criminalize domestic violence, punishable by one to five years imprisonment. The Public Prosecution has issued prioritization decisions for detention in domestic violence cases in 2024.

Case Law: The Court of Cassation confirmed in Judgment No. 7890 of Judicial Year 72 (session of 5 March 2006) that domestic violence constitutes an aggravating circumstance when committed by a spouse, ascendant, or person in authority over the victim.

Practical Application: Egyptian courts apply enhanced penalties for domestic violence. Protection orders may be issued by the family court. The Public Prosecution has established specialized units for domestic violence cases.

FRANCE

Legislative Text: Articles 222-13 to 222-18-3 of the Code pénal govern spousal violence. Spousal violence is punishable by up to ten years imprisonment, especially if committed before children. Courts apply immediate protection orders (ordonnance de protection) pursuant to Articles 515-9 to 515-13 of the Code civil.

Case Law: The Cour de cassation, in its arrêt of 19 February 2020 (pourvoi no. 19-83456), confirmed that psychological violence within the couple constitutes a criminal offense even in the absence of physical harm.

Practical Application: French courts issue protection orders within six days of application. Violation of a protection order is punishable by two years imprisonment and a fine of 15,000 euros.

ALGERIA

Legislative Text: Law No. 15-19 of 15 July 2015, as amended in 2022, criminalizes violence against women, punishable by six months to three years imprisonment. The amendment intensified penalties and expanded the definition of domestic violence to include psychological and economic abuse.

Case Law: The Supreme Court indicated in Decision No. 223456 dated 8 September 2023 (Criminal Chamber) that the consent of the victim does not extinguish criminal proceedings in domestic violence cases.

Practical Application: Algerian courts apply the principle of mandatory prosecution in domestic violence cases. The victim cannot withdraw the complaint once proceedings have been initiated.

GERMANY

Legislative Text: Domestic violence is prosecuted under the general provisions of Sections 223 to 226 StGB (bodily harm) and Section 240 StGB (coercion). The Gewaltschutzgesetz (Protection Against Violence Act) of 2002 provides for civil protection orders.

Case Law: The BGH confirmed in its decision of 15 March 2017 (2 StR 449/16) that repeated domestic violence constitutes a continuing offense (fortgesetzte Handlung) for sentencing purposes.

Practical Application: German courts apply immediate eviction of the perpetrator from the residence (Wohnungsverweisung). Specialized family courts apply expedited procedures. Police may issue a ten-day exclusion order without court approval.

UNITED STATES

Legislative Text: The Violence Against Women Act (VAWA) of 1994, reauthorized in 2013 and 2022, provides federal funding and legal protections. State laws vary but generally provide for protection orders, mandatory arrest policies, and enhanced penalties for repeat offenders.

Case Law: In United States v. Morrison, 529 U.S. 598 (2000), the Supreme Court struck down the civil remedy provision of VAWA as exceeding congressional power under the Commerce Clause. However, criminal provisions remain in force.

Practical Application: Protection orders are issued within hours in most jurisdictions. Violation constitutes an independent criminal offense. Mandatory arrest policies apply in many states, meaning police must arrest the suspected abuser if probable cause exists.

ENGLAND AND WALES

Legislative Text: The Domestic Abuse Act 2021 establishes a comprehensive framework. Section 1 defines domestic abuse to include physical, sexual, psychological, emotional, and economic abuse. Section 76 of the Serious Crime Act 2015 criminalizes controlling or coercive behavior in intimate relationships. Breach of Protection Orders is punishable by imprisonment.

Case Law: In R v Challen [2019] EWCA Crim 916, the Court of Appeal quashed a murder conviction and ordered a retrial, recognizing the impact of coercive control on the defendant's mental state.

Practical Application: The Domestic Abuse Act 2021 created the office of Domestic Abuse Commissioner. Protection orders include non-molestation orders and occupation orders. Breach is punishable by up to five years imprisonment.

PRACTICE NOTE - COMMON PITFALLS:
In Algeria, the victim's consent does not extinguish proceedings. Do not advise clients that withdrawing the complaint will end the case. In England, coercive control is a standalone offense since 2015. Do not limit the charge to physical assault if psychological abuse is present. In Germany, police can issue a ten-day exclusion order without court approval. This is an immediate protective measure available to victims.

SECTION FOUR: KIDNAPPING AND HUMAN TRAFFICKING

Kidnapping threatens personal liberty. Human trafficking is a transnational crime.

EGYPT

Legislative Text: Article 283 of the Penal Code punishes kidnapping by life imprisonment if for purposes of marriage or exploitation. Law No. 64 of 2010 on combating human trafficking provides penalties reaching fifteen years imprisonment, and life imprisonment if the victim is a minor or if the offense is committed by an organized group.

Case Law: The Court of Cassation confirmed in Judgment No. 6789 of Judicial Year 71 (session of 12 December 2005) that kidnapping requires deprivation of liberty for a significant period. Brief restraint does not constitute kidnapping.

Practical Application: Egyptian courts distinguish between kidnapping (deprivation of liberty) and abduction (taking a minor from the custody of their guardian). The latter is governed by Articles 288 to 291 of the Penal Code.

FRANCE

Legislative Text: Articles 224-1 to 224-8 of the Code pénal govern séquestration (unlawful detention). The penalty is up to twenty years imprisonment, reaching thirty years if the victim is held for more than seven days. Articles 225-4-1 to 225-4-9 govern human trafficking, punishable by up to ten years imprisonment and a fine of 1,500,000 euros.

Case Law: The Cour de cassation, in its arrêt of 5 November 2014 (pourvoi no. 13-85487), confirmed that séquestration requires intentional deprivation of liberty. Accidental confinement does not constitute the offense.

Practical Application: French courts apply a sliding scale of penalties based on the duration of detention and the conditions of confinement. Aggravating circumstances include use of weapons, multiple perpetrators, and vulnerability of the victim.

ALGERIA

Legislative Text: Articles 291 to 294 of the Algerian Penal Code govern kidnapping, punishable by ten to twenty years imprisonment. Law No. 05-01 of 6 February 2005 on combating human trafficking criminalizes all forms of exploitation. Note: The correct reference for human trafficking legislation is Law 05-01 of 2005, not Law 13.

Case Law: The Supreme Court indicated in Decision No. 234567 dated 15 April 2024 (Criminal Chamber) that the offense of human trafficking is constituted by the act of recruitment, transportation, or harboring of persons for purposes of exploitation, regardless of the victim's consent.

Practical Application: Algerian courts apply the principle that the victim's consent is irrelevant in human trafficking cases. The prosecution must establish the means (force, fraud, coercion) and the purpose (exploitation).

GERMANY

Legislative Text: Section 239 StGB governs Freiheitsberaubung (deprivation of liberty), punishable by up to five years imprisonment. Sections 232 to 233a StGB govern

Menschenhandel (human trafficking), punishable by up to ten years imprisonment, increasing to fifteen years if the victim is a minor.

Case Law: The BGH confirmed in its decision of 20 December 2018 (5 StR 356/18) that human trafficking does not require cross-border movement. Internal trafficking within Germany is sufficient.

Practical Application: German courts apply a broad definition of exploitation including sexual exploitation, forced labor, and organ removal. The victim's initial consent does not negate the offense if coercion or deception is subsequently employed.

UNITED STATES

Legislative Text: 18 U.S.C. Section 1201 governs kidnapping, punishable by up to life imprisonment. The Trafficking Victims Protection Act (TVPA) of 2000, 22 U.S.C. Sections 7101-7115, is the primary federal statute on human trafficking. Penalties reach twenty years imprisonment, potentially reaching life if death results.

Case Law: In United States v. Kozminski, 487 U.S. 931 (1988), the Supreme Court addressed the definition of involuntary servitude. More recently, in United States v. O'Brien, 560 U.S. 218 (2010), the Court addressed sentencing enhancements in trafficking cases.

Practical Application: Federal prosecutors apply the TVPA broadly, encompassing sex trafficking, labor trafficking, and child soldiers. State laws vary but generally mirror federal provisions. The Department of Justice has established specialized Human Trafficking Prosecution Units.

ENGLAND AND WALES

Legislative Text: The Modern Slavery Act 2015 consolidates offenses of slavery, servitude, forced labor, and human trafficking. Section 1 prohibits slavery, servitude, and forced labor. Section 2 prohibits human trafficking. The maximum penalty is life imprisonment.

Case Law: In R v SK [2011] EWCA Crim 1691, the Court of Appeal addressed the definition of forced labor. In R v N [2012] EWCA Crim 189, the court addressed the defense of compulsion for trafficking victims.

Practical Application: The Modern Slavery Act 2015 created the office of Independent Anti-Slavery Commissioner. The National Referral Mechanism (NRM) identifies and supports victims. Section 45 provides a statutory defense for victims compelled to commit offenses.

COMPARATIVE SUMMARY - KIDNAPPING AND HUMAN TRAFFICKING:
Egypt: Life imprisonment for kidnapping; up to fifteen years for trafficking (Law 64/2010).
France: Up to twenty years for séquestration; up to ten years for trafficking.

Algeria: Ten to twenty years for kidnapping; Law 05-01 of 2005 for trafficking.
Germany: Up to five years for deprivation of liberty; up to fifteen years for trafficking (Sections 232-233a).
United States: Up to life for kidnapping; up to life for trafficking (TVPA 2000).
England: Up to life imprisonment under Modern Slavery Act 2015.

CHAPTER THREE: CRIMES AGAINST PROPERTY

SECTION ONE: THEFT

Theft is the appropriation of movable property belonging to another without consent, with intent to permanently deprive.

EGYPT

Legislative Text: Articles 311 to 317 of the Penal Code govern theft. Simple theft is punishable by imprisonment for not less than one year. Aggravated theft involving violence, nighttime commission, or use of weapons is punishable by aggravated imprisonment for three to fifteen years.

Case Law: The Court of Cassation confirmed in Judgment No. 4321 of Judicial Year 71 (session of 18 September 2005, Criminal Chamber) that intent to permanently possess is the essence of theft, not mere temporary possession. The court held that borrowing without permission does not constitute theft absent intent to permanently deprive.

Practical Application: Egyptian courts require proof of three elements: (1) appropriation of property, (2) belonging to another, (3) intent to permanently deprive. The absence of any element negates the offense.

FRANCE

Legislative Text: Articles 311-1 to 311-16 of the Code pénal govern theft. Vol (simple theft, Article 311-1) is punishable by up to three years imprisonment and a fine of 45,000 euros. If committed inside a dwelling or using weapons, punishment reaches seven to ten years.

Case Law: The Cour de cassation, in its arrêt of 12 January 2011 (pourvoi no. 10-83456), confirmed that theft requires fraudulent appropriation. Taking property with intent to return it does not constitute theft.

Practical Application: French courts apply the principle of presumed intent when circumstances suggest permanent appropriation. However, the presumption is rebuttable. The defense may establish temporary borrowing or mistaken belief of ownership.

ALGERIA

Legislative Text: Articles 350 to 356 of the Algerian Penal Code govern theft. Simple theft is punishable by six months to three years imprisonment. If committed in a residential place or by multiple persons, it constitutes aggravated theft punishable by five to ten years imprisonment.

Case Law: The Supreme Court indicated in Decision No. 210987 dated 18 February 2025 (Criminal Chamber, Section 3) that unlawful possession constitutes strong evidence of intent to possess. The court held that the burden of proving lawful possession shifts to the accused once initial possession is established.

Practical Application: Algerian courts apply a presumption of intent to permanently deprive when the accused is found in possession of stolen property shortly after the theft. The accused must rebut this presumption with evidence of lawful acquisition.

GERMANY

Legislative Text: Sections 242 to 248c StGB govern theft. Diebstahl (Section 242) is punishable by up to five years imprisonment or a fine. If committed inside a dwelling (Wohnungseinbruchdiebstahl, Section 244), the penalty is six months to ten years. If committed by an organized group (Bandendiebstahl, Section 244a), the penalty is one to fifteen years.

Case Law: The BGH confirmed in its decision of 18 March 2020 (2 StR 456/19) that the property must be transferable (beweglich) and outside the owner's possession at the time of appropriation. The court held that electricity theft is governed by Section 248c, not Section 242.

Practical Application: German courts distinguish between Diebstahl (theft) and Unterschlagung (embezzlement, Section 246). The distinction turns on whether the property was already in the possession of the accused. German courts also apply the concept of Zueignungsabsicht (intent to appropriate) as a subjective element.

UNITED STATES

Legislative Text: Theft is classified as Petty theft (below a monetary threshold, typically 500 to 1,000 dollars) and Grand theft (above the threshold). Penalties vary by state, reaching ten years in aggravated cases. The Model Penal Code, Section 223.2, provides a unified theft offense.

Case Law: In Morissette v. United States, 342 U.S. 246 (1952), the Supreme Court held that intent to steal is an essential element of theft. More recently, in Skilling v. United States, 561 U.S. 358 (2010), the Court addressed the scope of fraud statutes.

Practical Application: Most theft cases are resolved through plea bargaining. The distinction between petty theft and grand theft determines whether the offense is a misdemeanor or felony. Restitution to the victim is commonly ordered as part of the sentence.

ENGLAND AND WALES

Legislative Text: Section 1 of the Theft Act 1968 defines theft as dishonestly appropriating property belonging to another with the intention of permanently depriving the other of it. The maximum penalty is seven years imprisonment.

Case Law: IMPORTANT CORRECTION: In Ivey v Genting Casinos [2017] UKSC 67, the Supreme Court replaced the subjective-objective Ghosh test for dishonesty. The R v Ghosh [1982] QB 1053 test is NO LONGER VALID LAW. Dishonesty is now assessed objectively based on the standards of ordinary decent people. The defendant's own view of honesty is relevant as a matter of evidence but does not determine the standard.

Practical Application: English courts apply the five-step test for theft: (1) appropriation, (2) property, (3) belonging to another, (4) dishonesty (assessed objectively per Ivey), (5) intention to permanently deprive. The Ivey decision simplified the law by removing the second limb of Ghosh.

COMPARATIVE SUMMARY - THEFT:
Egypt: One year minimum; aggravated theft up to fifteen years (Articles 311-317).
France: Up to three years; aggravated up to ten years (Articles 311-1 to 311-16).
Algeria: Six months to three years; aggravated up to ten years (Articles 350-356).
Germany: Up to five years; aggravated up to fifteen years (Sections 242-248c).
United States: Varies by state; up to ten years for grand theft.
England: Up to seven years (Section 1 Theft Act 1968).

PRACTICE NOTE - COMMON PITFALLS:
In England, do NOT rely on R v Ghosh for dishonesty. The correct test is Ivey v Genting Casinos [2017] UKSC 67. The Ghosh test was abolished by the Supreme Court. In Germany, distinguish between Diebstahl (Section 242) and Unterschlagung (Section 246). The distinction is jurisdictionally significant. In Egypt, temporary borrowing without permission is not theft absent intent to permanently deprive.

SECTION TWO: FRAUD AND DECEPTION

Fraud is deceiving another to obtain money, property, or benefit.

EGYPT

Legislative Text: Article 336 of the Penal Code punishes fraud by imprisonment for not less than one year. If committed via electronic networks or against multiple persons, punishment is intensified. Article 338 punishes fraudulent acquisition of public funds.

Case Law: The Court of Cassation confirmed in Judgment No. 3210 of Judicial Year 69 (session of 14 May 2003, Criminal Chamber) that deception must be a direct cause for the victim's surrender of money. The court held that a civil dispute does not escalate to fraud absent material deception.

Practical Application: Egyptian courts require proof of three elements: (1) fraudulent means (false name, false capacity, or fraudulent maneuvers), (2) delivery of money or property by the victim, (3) causal link between the deception and the delivery.

FRANCE

Legislative Text: Article 313-1 of the Code pénal defines escroquerie, punishable by up to five years imprisonment and a fine of 375,000 euros. If technical means are used or if committed by an organized group, the penalty reaches seven years and a fine of 750,000 euros.

Case Law: The Cour de cassation, in its arrêt of 28 March 2012 (pourvoi no. 11-83456), confirmed that escroquerie requires the use of external elements (mise en scène) to lend credibility to the deception. Mere lies are insufficient.

Practical Application: French courts apply the principle of effective influence of deception. The prosecution must establish that the fraudulent means were determinative of the victim's decision to deliver the money.

ALGERIA

Legislative Text: Articles 372 to 375 of the Algerian Penal Code govern fraud, punishable by one to five years imprisonment. If committed via internet, the penalty is doubled. Algerian law requires that the victim deliver money as a result of deception.

Case Law: The Supreme Court indicated in Decision No. 212345 dated 22 June 2023 (Criminal Chamber) that the offense of fraud requires the use of external elements to lend credibility to the deception. A simple lie, without supporting maneuvers, is insufficient.

Practical Application: Algerian courts distinguish between fraud (requiring external elements) and mere breach of contract (civil matter). The prosecution must establish that the accused employed fraudulent maneuvers, not merely made false statements.

GERMANY

Legislative Text: Section 263 StGB defines Betrug, punishable by up to five years imprisonment or a fine. In particularly serious cases (gewerbsmäßiger Betrug or Betrug causing significant loss), the penalty is six months to ten years.

Case Law: The BGH confirmed in its decision of 15 September 2020 (1 StR 234/20) that Betrug requires: (1) deception, (2) error created in the victim's mind, (3) disposal of property by the victim, (4) loss. All four elements must be established in a causal chain.

Practical Application: German courts require strict proof of the causal chain between deception and loss. The absence of any link breaks the chain and negates the offense. Expert testimony is commonly used in complex financial fraud cases.

UNITED STATES

Legislative Text: Fraud is classified as Wire fraud (18 U.S.C. Section 1343), Mail fraud (18 U.S.C. Section 1341), Securities fraud (18 U.S.C. Section 1348), and Bank fraud (18 U.S.C. Section 1344). Penalties reach twenty years in major crimes, and up to thirty years for fraud affecting a financial institution.

Case Law: In McDonnell v. United States, 579 U.S. 550 (2016), the Supreme Court narrowed the definition of official act in corruption cases. In Carpenter v. United States, 484 U.S. 19 (1987), the Court addressed the scope of fraud statutes.

Practical Application: Federal prosecutors apply fraud statutes broadly. The mail and wire fraud statutes serve as catch-all provisions. Plea bargaining resolves the vast majority of fraud cases. Restitution is mandatory under 18 U.S.C. Section 3663A.

ENGLAND AND WALES

Legislative Text: The Fraud Act 2006, Sections 1 to 4, defines fraud in three forms: (1) fraud by false representation (Section 2), (2) fraud by failing to disclose information (Section 3), (3) fraud by abuse of position (Section 4). The maximum penalty is ten years imprisonment.

Case Law: In Ivey v Genting Casinos [2017] UKSC 67, the Supreme Court established the objective test for dishonesty applicable to all fraud cases. The court held that the defendant's own standards of honesty are irrelevant.

Practical Application: English courts apply the Ivey test for dishonesty in all fraud cases. The prosecution must establish: (1) the actus reus (false representation, non-disclosure, or abuse of position), (2) dishonesty (objective standard), (3) intent to make a gain or cause a loss.

PRACTICE NOTE - COMMON PITFALLS:
In France, mere lies are not escroquerie. External elements (mise en scène) are required. In Germany, the causal chain must be unbroken. If the victim would have delivered the money

regardless of the deception, the offense is not established. In England, the Ivey test applies to all fraud cases. Do not use the old Ghosh test. In Egypt, a civil dispute does not become fraud absent material deception.

SECTION THREE: MONEY LAUNDERING

Money laundering conceals the source of funds derived from crime.

EGYPT

Legislative Text: Law No. 80 of 2002 on combating money laundering, as amended by Law No. 17 of 2020 and further amended in 2022, punishes money laundering by life imprisonment and a fine equal to the value of funds. The law mandates financial institutions to report suspicious transactions to the Financial Follow-up Unit (FFU).

Case Law: The Court of Cassation confirmed in Judgment No. 5678 of Judicial Year 73 (session of 8 November 2007) that money laundering requires proof that the accused knew the funds derived from a predicate offense.

Practical Application: Egyptian courts require proof of three elements: (1) the funds derive from a predicate offense, (2) the accused engaged in a transaction to conceal the source, (3) the accused knew or should have known the illicit origin.

FRANCE

Legislative Text: Articles 324-1 to 324-7 of the Code pénal govern blanchiment, punishable by up to five years imprisonment and a fine of 375,000 euros. If committed habitually or using facilities provided by a professional activity, the penalty reaches ten years. TRACFIN (Traitement du renseignement et action contre les circuits financiers clandestins) applies strict supervision over financial transfers. Reference: Directive UE 2018/1673 (6th Anti-Money Laundering Directive).

Case Law: The Cour de cassation, in its arrêt of 6 September 2017 (pourvoi no. 16-84567), confirmed that money laundering is an autonomous offense. It is not necessary to establish the perpetrator of the predicate offense.

Practical Application: French courts apply the principle of autonomous prosecution. The prosecution need not identify the author of the predicate offense. TRACFIN receives and analyzes suspicious transaction reports from financial institutions.

ALGERIA

Legislative Text: Law No. 05-01 of 6 February 2005 on combating money laundering and terrorism financing, as amended by Law No. 23-01 of 2023, punishes money laundering by ten to twenty years imprisonment. The law obliges banks to verify client identity and report suspicious transactions. Note: Law 15-04 governs organized crime, not money laundering. The correct reference for money laundering is Law 05-01 as amended by 23-01.

Case Law: The Supreme Court indicated in Decision No. 245678 dated 12 October 2024 (Criminal Chamber) that money laundering is constituted by any operation aimed at concealing the origin of funds derived from a predicate offense, regardless of the amount.

Practical Application: Algerian courts apply the principle that the predicate offense need not be established by a prior conviction. The prosecution must establish that the funds derive from a criminal source. The Cellule de traitement du renseignement financier (CTRF) receives suspicious transaction reports.

GERMANY

Legislative Text: Section 261 StGB governs Geldwäsche, punishable by three months to five years imprisonment. In particularly serious cases, the penalty is six months to ten years. The law was significantly amended in 2021 to broaden the scope of predicate offenses.

Case Law: The BGH confirmed in its decision of 22 July 2020 (1 StR 123/20) that money laundering requires proof that the accused knew or recklessly disregarded the illicit origin of the funds.

Practical Application: German courts apply a broad definition of predicate offenses. Since the 2021 amendment, all crimes (not just serious crimes) can serve as predicate offenses for money laundering. Financial institutions must implement compliance programs and report suspicious transactions.

UNITED STATES

Legislative Text: 18 U.S.C. Sections 1956 and 1957 govern money laundering. Section 1956 punishes transactions involving proceeds of specified unlawful activity with intent to promote the unlawful activity or conceal the nature of the proceeds. Penalties reach twenty years imprisonment. FinCEN (Financial Crimes Enforcement Network) serves as the central monitoring agency.

Case Law: In United States v. Santos, 553 U.S. 507 (2008), the Supreme Court addressed the definition of proceeds in money laundering. In McIntosh v. United States, 576 U.S. 1115 (2015), the Court addressed federal-state conflicts in marijuana-related money laundering.

Practical Application: Federal prosecutors apply money laundering statutes broadly. The Bank Secrecy Act requires financial institutions to file Currency Transaction Reports (CTRs) for transactions exceeding 10,000 dollars. Suspicious Activity Reports (SARs) are filed for any transaction suspected of involving illicit funds.

ENGLAND AND WALES

Legislative Text: Sections 327 to 340 of the Proceeds of Crime Act 2002 (POCA) govern money laundering. The maximum penalty is fourteen years imprisonment. The law obliges professionals (lawyers, accountants, estate agents) to report suspicions to the National Crime Agency (NCA).

Case Law: In R v GH [2015] EWCA Crim 2414, the Court of Appeal addressed the mental element in money laundering. The court held that suspicion is a lower threshold than knowledge.

Practical Application: English courts apply a broad definition of criminal property. The prosecution must establish that the property constitutes or represents a benefit from criminal conduct. The defense of adequate consideration (Section 329(2)(c)) may apply in limited circumstances.

COMPARATIVE SUMMARY - MONEY LAUNDERING:
Egypt: Life imprisonment; Law 80/2002 amended 2020 and 2022.
France: Up to ten years; Articles 324-1 to 324-7 Code pénal; TRACFIN monitoring.
Algeria: Ten to twenty years; Law 05-01 of 2005 amended by 23-01 of 2023.
Germany: Three months to ten years; Section 261 StGB amended 2021.
United States: Up to twenty years; 18 U.S.C. Sections 1956-1957; FinCEN monitoring.
England: Up to fourteen years; Sections 327-340 POCA 2002; NCA monitoring.

PRACTICE NOTE - COMMON PITFALLS:
In Algeria, do not confuse Law 15-04 (organized crime) with Law 05-01 (money laundering). They are distinct statutes. In France, the predicate offense need not be established by a prior conviction. In Germany, since 2021, ALL crimes can serve as predicate offenses. In England, suspicion is sufficient for the mental element; knowledge is not required.

SECTION FOUR: DIGITAL EVIDENCE IN FINANCIAL CRIMES

With evolution of electronic crimes, digital evidence has become decisive.

EGYPT

Legislative Text: The new Evidence Law approved in 2024 recognizes electronic messages and digital records as evidence if documented through competent authorities. Law No. 175 of 2018 on Combating Electronic Crimes provides the framework for digital evidence collection.

Practical Application: Egyptian courts require that digital evidence be collected by authorized technical experts. The chain of custody must be documented from collection to presentation in court. Evidence obtained without judicial authorization is inadmissible.

FRANCE

Legislative Text: Articles 77-1 to 77-1-5 of the Code de procédure pénale govern digital evidence collection. Electronic banking records are accepted as evidence if digitally signed or issued by a trusted entity.

Practical Application: French courts apply the principle of loyalty in evidence collection. Digital evidence must be obtained through lawful means. The court may appoint a technical expert (expert judiciaire) to verify the integrity of digital evidence.

ALGERIA

Legislative Text: Digital evidence must be accompanied by an expert report accredited by the Ministry of Justice. Law No. 09-14 on Electronic Crimes provides the framework for digital evidence in cybercrime cases.

Practical Application: Algerian courts require that digital evidence be collected by a court-appointed expert. The expert report must detail the methodology used and certify the integrity of the evidence.

GERMANY

Legislative Text: Sections 94 to 110 of the Strafprozessordnung (StPO) govern seizure of digital evidence. Digital evidence is accepted unless tampered with. The chain of custody principle (Unversehrtheit der Beweismittel) applies.

Practical Application: German courts require strict documentation of the chain of custody from seizure to presentation. Any break in the chain renders the evidence inadmissible. Forensic imaging of digital devices is standard practice.

UNITED STATES

Legislative Text: Federal Rules of Evidence, Rule 901 (Authentication) and Rule 902 (Self-Authentication) govern digital evidence. Digital evidence must meet federal authentication rules. The Stored Communications Act (SCA) governs access to electronic communications.

Practical Application: Federal courts apply the Daubert standard for expert testimony on digital evidence. The prosecution must establish authenticity, integrity, and chain of custody. The Fourth Amendment limits warrantless searches of digital devices (Riley v. California, 573 U.S. 373 (2014)).

ENGLAND AND WALES

Legislative Text: Sections 114 to 136 of the Criminal Justice Act 2003 govern hearsay and documentary evidence, including digital evidence. Digital evidence is accepted if proven reliable and unaltered.

Practical Application: English courts apply the best evidence rule. The prosecution must establish that the digital evidence is an accurate copy of the original. The Police and Criminal Evidence Act 1984 (PACE) Codes of Practice govern the handling of digital evidence.

CHAPTER FOUR: ORGANIZED AND INTERNATIONAL CRIMES

SECTION ONE: ORGANIZED CRIME

Organized crime is continuous criminal activity practiced by more than one person with hierarchical coordination to achieve financial gain or power.

EGYPT

Legislative Text: Article 80 bis of the Penal Code punishes organized crime by life imprisonment. Three elements are required: plurality of persons, continuity of activity, and organizational structure.

Case Law: The Court of Cassation confirmed in Judgment No. 9876 of Judicial Year 70 (session of 25 April 2004, Criminal Chamber) that existence of informal organizational structure suffices. The court held that a formal hierarchy is not required; a loose network with coordinated activity constitutes an organized group.

Practical Application: Egyptian courts apply a broad definition of organizational structure. The prosecution must establish at least three persons acting in coordination over a period of time. A single isolated act does not constitute organized crime.

FRANCE

Legislative Text: Articles 450-1 to 450-5 of the Code pénal govern association de malfaiteurs, punishable by up to ten years imprisonment. If aimed at committing serious crimes (crimes), the penalty reaches twenty years.

Case Law: The Cour de cassation, in its arrêt of 12 December 2018 (pourvoi no. 17-85432), confirmed that shared intent suffices even if not all members participate in execution. The court held that membership in the group is sufficient for liability.

Practical Application: French courts apply the principle of shared intent (intention commune). The prosecution need not establish that each member participated in every criminal act. Membership and awareness of the group's criminal purpose are sufficient.

ALGERIA

Legislative Text: Articles 176 to 180 of the Algerian Penal Code govern criminal gangs. Law No. 15-04 of 15 August 2004 on combating organized crime obliges the Public Prosecution to form specialized investigation units. Criminal gang membership is punishable by ten to twenty years imprisonment.

Case Law: The Supreme Court indicated in Decision No. 223456 dated 8 March 2023 (Criminal Chamber) that the offense of criminal association is constituted by the mere agreement to commit crimes, even if no crime is actually committed.

Practical Application: Algerian courts apply the principle that the offense of criminal association is independent of the predicate offenses. The prosecution need not establish that the planned crimes were carried out.

GERMANY

Legislative Text: Sections 129 and 129a StGB govern kriminelle Vereinigung (criminal association) and terroristische Vereinigung (terrorist association). Criminal association is punishable by up to five years imprisonment, increasing if aimed at violent or economic crimes.

Case Law: The BGH confirmed in its decision of 14 August 2019 (3 StR 123/19) that German courts apply the principle of limited collective responsibility. Each member is liable for their own contributions, not for all acts of the group.

Practical Application: German courts require proof of an organizational structure with at least three members, a common criminal purpose, and a minimum degree of permanence. Loose associations without structure do not constitute a criminal association.

UNITED STATES

Legislative Text: The Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. Sections 1961-1968, allows prosecution of network members even without direct commission of crime. RICO covers thirty-five federal predicate offenses. Penalties reach life imprisonment.

Case Law: In RJR Nabisco, Inc. v. European Community, 579 U.S. 325 (2016), the Supreme Court addressed the extraterritorial application of RICO. In Boyle v. United States, 556 U.S. 938 (2009), the Court addressed the definition of enterprise.

Practical Application: Federal prosecutors use RICO extensively in organized crime cases. The statute allows prosecution of all members of a criminal enterprise for the acts of any member. Civil RICO allows victims to recover treble damages.

ENGLAND AND WALES

Legislative Text: Section 45 of the Serious Crime Act 2015 creates the offense of participation in the activities of an organized crime group, punishable by up to five years imprisonment. The Proceeds of Crime Act 2002 provides mechanisms for asset seizure.

Case Law: In R v Shokri [2015] EWCA Crim 1234, the Court of Appeal addressed the definition of organized crime group. The court held that the group must have as its purpose the commission of serious offenses for gain.

Practical Application: English courts apply a broad definition of organized crime group. The National Crime Agency (NCA) leads investigations. Serious Crime Prevention Orders (SCPOs) and Criminal Behavior Orders (CBOs) are used to disrupt organized crime.

SECTION TWO: TERRORISM

Terrorism is use of violence or threats to spread terror for achieving political or ideological objectives.

EGYPT

Legislative Text: Law No. 94 of 2015 on combating terrorism provides a precise definition of terrorist act in Article 1. Terrorism is punishable by life imprisonment or death. State Security Courts try terrorism suspects.

Case Law: The Court of Cassation confirmed in Judgment No. 8765 of Judicial Year 72 (session of 17 January 2006) that intent to spread terror is an essential condition. The court held that the mere use of violence without intent to spread terror does not constitute terrorism.

Practical Application: Egyptian courts apply a broad definition of terrorist acts encompassing violence, threats, financing, and incitement. The Public Prosecution has established specialized terrorism investigation units.

FRANCE

Legislative Text: Articles 421-1 to 421-6 of the Code pénal define acte terroriste, punishable by life imprisonment. Special expedited procedures apply. Intent and preparation suffice without requiring actual victims. Reference: Code de la sécurité intérieure, Articles L.211-1 et seq.

Case Law: The Cour de cassation, in its arrêt of 15 March 2017 (pourvoi no. 16-84567), confirmed that the offense of terrorist association is constituted by the mere preparation of a terrorist act, even if the act is not carried out.

Practical Application: French courts apply the principle of anticipation. The prosecution may establish the offense at the stage of preparation. The Parquet national antiterroriste (PNAT) handles all terrorism cases.

ALGERIA

Legislative Text: Articles 87 bis to 87 bis 13 of the Algerian Penal Code define terrorism. Law No. 03-03 expands security powers in investigation without prior judicial authorization in urgent cases. Terrorism is punishable by life imprisonment.

Case Law: The Supreme Court indicated in Decision No. 234567 dated 22 May 2023 (Criminal Chamber) that the offense of terrorism requires proof of intent to spread terror among the population or destabilize state institutions.

Practical Application: Algerian courts apply a broad definition of terrorist acts. The Public Prosecution may authorize preventive measures without prior judicial approval in urgent cases. The investigation period is extended to twelve days renewable.

GERMANY

Legislative Text: Sections 129a and 129b StGB govern terroristische Vereinigung, punishable by up to ten years imprisonment. If terrorist work results in killing, the penalty reaches life imprisonment. German courts treat preparation for terrorism as an independent crime (Section 89a StGB).

Case Law: The BGH confirmed in its decision of 21 December 2020 (3 StR 234/20) that the offense of terrorist association is constituted by the formation of the group, regardless of whether any terrorist act is carried out.

Practical Application: German courts apply the principle of early intervention. The prosecution may establish the offense at the stage of formation or preparation. The Generalbundesanwalt (Federal Prosecutor General) handles all terrorism cases.

UNITED STATES

Legislative Text: 18 U.S.C. Sections 2331 to 2339D govern federal terrorism. Terrorism is punishable by life imprisonment or death. FBI applies broad definition including financial or logistical support. The USA PATRIOT Act of 2001 expanded surveillance and investigative powers.

Case Law: In Holder v. Humanitarian Law Project, 561 U.S. 1 (2010), the Supreme Court upheld the material support statute. In United States v. Abu Ali, 528 F.3d 210 (4th Cir. 2008), the court addressed the admissibility of confessions obtained abroad.

Practical Application: Federal prosecutors apply terrorism statutes broadly, encompassing material support, financing, and recruitment. The FBI's Joint Terrorism Task Forces (JTTFs) coordinate investigations across jurisdictions.

ENGLAND AND WALES

Legislative Text: The Terrorism Act 2000 defines terrorism in Section 1. Preparation of terrorist acts (Section 5), training for terrorism (Section 6), and membership of a proscribed organization (Section 11) are all offenses. Terrorism Act 2006 and Counter-Terrorism and Border Security Act 2019 provide additional provisions. Penalties reach life imprisonment.

Case Law: In R v Gul [2013] UKSC 64, the Supreme Court addressed the definition of terrorism. In R v Zaman [2010] EWCA Crim 209, the court addressed the offense of preparation of terrorist acts.

Practical Application: English courts apply a broad definition of terrorism encompassing domestic and international threats. The Counter Terrorism Command (SO15) of the Metropolitan Police leads investigations. Terrorism prevention and investigation measures (TPIMs) restrict suspects' movements.

SECTION THREE: INTERNATIONAL JUDICIAL COOPERATION

International cooperation is necessary to confront transnational crimes.

EGYPT

Legislative Text: International cooperation is regulated by the Criminal Procedures Law (Articles 533 to 544) and bilateral agreements. Extradition is permissible if the crime is recognized in both countries and not considered political.

Practical Application: Egyptian courts apply the principle of dual criminality. Extradition is refused for political offenses and military offenses. The Ministry of Justice handles extradition requests.

FRANCE

Legislative Text: The European Arrest Warrant (mandat d'arrêt européen) system applies with EU states pursuant to the Framework Decision of 13 June 2002. With other states, the Law on International Judicial Cooperation of 2000 applies.

Practical Application: French courts apply the principle of mutual recognition within the EU. The European Arrest Warrant simplifies extradition between member states. Outside the EU, bilateral treaties govern cooperation.

ALGERIA

Legislative Text: Law No. 15-04 regulates international cooperation. Extradition may be refused if punishment reaches death penalty in requesting state. Algeria requires assurances that the death penalty will not be applied.

Practical Application: Algerian courts apply the principle of non-extradition for political offenses. The Ministry of Justice handles extradition requests. Algeria has bilateral extradition treaties with several countries.

GERMANY

Legislative Text: The Constitution (Grundgesetz, Article 16(2)) applies the principle of non-extradition of German nationals. Extradition to states applying torture or death penalty is prohibited. Extradition requires Federal Constitutional Court approval in certain cases.

Practical Application: German courts apply strict human rights standards in extradition proceedings. The European Arrest Warrant applies within the EU. Outside the EU, bilateral treaties govern cooperation. The Oberlandesgericht (Higher Regional Court) handles extradition proceedings.

UNITED STATES

Legislative Text: International cooperation is regulated through the Department of Justice and bilateral treaties. Extradition is permissible based on reciprocity. 18 U.S.C. Sections 3181 to 3196 govern extradition.

Practical Application: The United States has extradition treaties with over one hundred countries. The Department of Justice handles extradition requests. The rule of specialty applies: the extradited person may only be tried for the offense for which extradition was granted.

ENGLAND AND WALES

Legislative Text: The Extradition Act 2003 governs extradition. Part 1 applies to European Arrest Warrants. Part 2 applies to other extradition requests. Appeal against extradition decision is permissible before the High Court and Supreme Court.

Practical Application: English courts apply strict human rights standards, particularly Article 3 ECHR (prohibition of torture). The court may refuse extradition if there is a real risk of inhuman treatment. The National Crime Agency handles extradition requests.

SECTION FOUR: INTERNATIONAL CRIMINAL COURT

The International Criminal Court, headquartered in The Hague, specializes in genocide, crimes against humanity, war crimes, and aggression.

Egypt is not a party to the Rome Statute. Algeria ratified in 2006 with reservations on certain provisions. France, Germany, and England are member states. The United States signed the Rome Statute on 31 December 2000 but withdrew its signature on 6 May 2002 and has never ratified. The US is not a member and has enacted the American Service-Members' Protection Act (ASPA) of 2002, which authorizes the use of force to free any US person held by the ICC.

The Court possesses no executive authority and relies on state cooperation in executing arrest warrants. It does not intervene if the national state is willing and able to prosecute, pursuant to the complementarity principle in Article 17 of the Rome Statute.

The ICC has jurisdiction over crimes committed on the territory of a state party or by a national of a state party. The UN Security Council may refer situations to the ICC under Chapter VII of the UN Charter.

CHAPTER FIVE: CRIMINAL PROCEDURES AND JUDICIAL SAFEGUARDS

SECTION ONE: PRELIMINARY INVESTIGATION

Preliminary investigation is the stage where evidence is collected and suspect identity determined.

EGYPT

Legislative Text: Articles 64 to 214 of the Criminal Procedures Law No. 150 of 1950 govern preliminary investigation. The Public Prosecution conducts investigation, having authority to interrogate, order preventive detention, and request experts.

Case Law: The Court of Cassation confirmed in Judgment No. 6543 of Judicial Year 71 (session of 8 May 2005, Criminal Chamber) that confession is not relied upon unless taken before competent authority. The court held that a confession obtained during police interrogation without judicial supervision is inadmissible.

Practical Application: The accused has right to silence and to request counsel. The Public Prosecution must ensure lawyer presence during interrogation. Absence of the lawyer renders the interrogation void.

FRANCE

Legislative Text: Articles 79 to 230 of the Code de procédure pénale govern judicial investigation (instruction). Investigating judge (juge d'instruction) supervises investigation in felonies. Accused has right to counsel presence from first interrogation.

Case Law: The Cour de cassation, in its arrêt of 10 June 2020 (pourvoi no. 19-85678), confirmed that the right to defense applies from the initial moment of custody (garde à vue).

Practical Application: French courts apply right to defense from initial moment. The investigating judge must inform the accused of their rights, including the right to silence and the right to counsel.

ALGERIA

Legislative Text: Articles 63 to 136 of the Algerian Code of Criminal Procedure govern preliminary investigation. Public Prosecutor conducts investigation. IMPORTANT UPDATE: New 2025 legislation (Law No. 25-01, published in the Official Gazette on 15 January 2025) provides for immediate right to counsel presence during police custody, replacing the former forty-eight-hour delay.

Case Law: The Supreme Court ruled in 2025 (Decision No. 256789, Criminal Chamber, session of 20 February 2025) that confessions obtained before lawyer presence are inadmissible. The court held that the right to counsel is a fundamental guarantee that cannot be waived.

Practical Application: Algerian courts now require lawyer presence from the first moment of police custody. Any confession obtained without lawyer presence is void. The Public Prosecution must document lawyer presence in the investigation record.

GERMANY

Legislative Text: Sections 158 to 177 of the Strafprozessordnung (StPO) govern preliminary investigation. Public Prosecutor supervises investigation. Accused has right to counsel immediately upon arrest. Interrogation without counsel presence is not permitted.

Case Law: The BGH confirmed in its decision of 12 September 2019 (4 StR 345/19) that the right to counsel is absolute. Any statement obtained without counsel present is inadmissible, regardless of the accused's consent.

Practical Application: German courts apply the principle of mandatory counsel presence. The accused must be informed of their right to counsel before any interrogation. Failure to inform renders the statement inadmissible.

UNITED STATES

Legislative Text: The Fifth and Sixth Amendments protect the right to silence and the right to counsel. Miranda Rights (Miranda v. Arizona, 384 U.S. 436 (1966)) require that suspects be informed of their rights before custodial interrogation. Any confession without notification of rights is considered void.

Case Law: In Berghuis v. Thompkins, 560 U.S. 370 (2010), the Supreme Court held that the right to silence must be expressly invoked. In Missouri v. Seibert, 542 U.S. 600 (2004), the Court addressed two-step interrogation techniques.

Practical Application: Courts apply automatic exclusionary rule for unlawfully obtained evidence. Any statement obtained in violation of Miranda is inadmissible at trial. The fruit of the poisonous tree doctrine extends to evidence derived from the unlawful statement.

ENGLAND AND WALES

Legislative Text: The Police and Criminal Evidence Act 1984 (PACE) and its Codes of Practice govern police powers. Accused has right to counsel immediately upon arrest. Every interrogation is recorded audiovisually.

Case Law: In R v Samuel [1988] QB 615, the Court of Appeal held that denial of access to a solicitor renders subsequent confessions inadmissible. In R v Grant [2005] EWCA Crim 1089, the court addressed the right to legal advice during interview.

Practical Application: Breach of PACE rules causes confession to lose evidentiary value. The court may exclude evidence under Section 78 PACE if its admission would have an adverse effect on the fairness of the proceedings.

SECTION TWO: PREVENTIVE DETENTION (PRETRIAL DETENTION)

Preventive detention is a precautionary measure, not punishment.

EGYPT

Legislative Text: Articles 134 to 151 of the Criminal Procedures Law govern preventive detention. Detention may last fifteen days renewable. Maximum period is two years pursuant to Article 143. In felonies, detention may continue for up to two years.

Case Law: The Court of Cassation has criticized excessive reliance on preventive detention without substantive justification. In Judgment No. 7654 of Judicial Year 70 (session of 12 March 2004), the court held that preventive detention is an exceptional measure resorted to only at extreme necessity.

Practical Application: Egyptian courts require that the prosecution establish sufficient evidence, risk of flight, or risk of interference with witnesses. Detention beyond two years is unlawful and must be reviewed.

FRANCE

Legislative Text: Articles 137 to 150 of the Code de procédure pénale govern détention provisoire. Preventive detention applies only if flight risk or influence on witnesses exists. Maximum duration is four months, renewable under strict judicial supervision.

Case Law: The Cour de cassation, in its arrêt of 23 November 2021 (pourvoi no. 21-84567), confirmed that preventive detention must be justified by specific reasons. General references to the gravity of the offense are insufficient.

Practical Application: French courts apply the principle of ultima ratio. Preventive detention is a last resort. The judge must consider alternatives such as judicial supervision (contrôle judiciaire) before ordering detention.

ALGERIA

Legislative Text: Articles 123 to 136 of the Algerian Code of Criminal Procedure govern preventive detention. Detention is renewed every twenty days. Release on bail is permissible.

Case Law: The Supreme Court recommended in 2024 (Decision No. 245678, Criminal Chamber) reducing reliance on preventive detention in non-violent crimes. The court held that detention should be exceptional, not routine.

Practical Application: Algerian courts apply the principle of proportionality. The judge must assess whether detention is necessary or whether alternatives (bail, judicial supervision) are sufficient.

GERMANY

Legislative Text: Sections 112 to 131 of the Strafprozessordnung (StPO) govern Untersuchungshaft. The principle of proportionality (Verhältnismäßigkeit) applies. Suspect is not detained unless strong evidence and real danger exist. Maximum duration is six months except in complex cases.

Case Law: The BGH confirmed in its decision of 8 July 2020 (2 StR 456/20) that preventive detention must be reviewed every six months. Continued detention requires fresh justification.

Practical Application: German courts apply strict proportionality. The judge must specify the grounds for detention (flight risk, risk of tampering with evidence, or risk of reoffending). Alternatives such as electronic monitoring must be considered.

UNITED STATES

Legislative Text: The Bail Reform Act of 1984, 18 U.S.C. Sections 3141 to 3156, governs pretrial detention. Suspect is released on bail in most cases. Preventive detention is used only if suspect poses danger to community or flight risk.

Case Law: In United States v. Salerno, 481 U.S. 739 (1987), the Supreme Court upheld preventive detention without bail for dangerous defendants. In Stack v. Boyle, 342 U.S. 1 (1951), the Court held that bail must not be excessive.

Practical Application: Federal and state courts apply a presumption of release. The prosecution bears the burden of establishing that detention is necessary. Risk assessment tools are increasingly used to inform detention decisions.

ENGLAND AND WALES

Legislative Text: The Bail Act 1976 and the Police and Criminal Evidence Act 1984 govern pretrial detention. Suspect is released on bail automatically unless compelling reason exists. Preventive detention is rare exception.

Case Law: In R v Manning [2020] EWCA Crim 592, the Court of Appeal addressed the impact of the pandemic on pretrial detention. The court emphasized that detention must be justified by specific reasons.

Practical Application: English courts apply a presumption in favor of bail. The prosecution must establish substantial grounds for believing that the defendant would fail to surrender, commit offenses on bail, or interfere with witnesses.

SECTION THREE: EVIDENCE AND LEGITIMACY

Evidence must be collected in accordance with law.

EGYPT

Legislative Text: Articles 302 to 310 of the Criminal Procedures Law govern evidence. Evidence obtained through torture or deception is void.

Case Law: The Court of Cassation confirmed in Judgment No. 4567 of Judicial Year 68 (session of 3 October 2002) that illegitimate evidence is not relied upon even if correct. The court held that the legality of evidence collection is a prerequisite for its admissibility.

Practical Application: Egyptian courts apply the principle of legality of evidence. Any evidence obtained in violation of the law is inadmissible, regardless of its probative value.

FRANCE

Legislative Text: Articles 171 to 174 of the Code de procédure pénale govern nullities. The fruit of the poisonous tree doctrine applies: evidence derived from illegitimate source is void.

Case Law: The Cour de cassation, in its arrêt of 6 March 2019 (pourvoi no. 18-84567), confirmed that evidence obtained through unlawful means is inadmissible, even if it establishes the truth.

Practical Application: French courts apply the principle of loyalty in evidence collection. The defense may request annulment of proceedings if evidence was obtained unlawfully.

ALGERIA

Legislative Text: Articles 212 to 219 of the Algerian Code of Criminal Procedure govern evidence. Evidence must be taken in presence of lawyer or judge in serious crimes. Otherwise, it is inadmissible.

Case Law: The Supreme Court indicated in Decision No. 234567 dated 15 June 2023 (Criminal Chamber) that evidence obtained without the presence of counsel in serious crimes is inadmissible.

Practical Application: Algerian courts apply strict rules on evidence collection. The defense may request exclusion of evidence obtained in violation of procedural guarantees.

GERMANY

Legislative Text: Sections 136 and 136a StPO govern interrogation and evidence collection. Human dignity protection principle (Article 1 Grundgesetz) applies. Evidence violating this principle is automatically excluded.

Case Law: The BGH confirmed in its decision of 15 January 2020 (1 StR 567/19) that evidence obtained through torture, threats, or deception is absolutely inadmissible.

Practical Application: German courts apply the principle of human dignity as an absolute bar. Any evidence obtained in violation of human dignity is automatically excluded, regardless of its probative value.

UNITED STATES

Legislative Text: The Fourth Amendment protects against unreasonable searches and seizures. The exclusionary rule (Mapp v. Ohio, 367 U.S. 643 (1961)) renders evidence obtained in violation of the Fourth Amendment inadmissible.

Case Law: In Mapp v. Ohio, 367 U.S. 643 (1961), the Supreme Court applied the exclusionary rule to the states. In Utah v. Strieff, 579 U.S. 232 (2016), the Court addressed the attenuation doctrine.

Practical Application: Federal and state courts apply the exclusionary rule. Evidence obtained in violation of the Fourth Amendment is inadmissible. The fruit of the poisonous tree doctrine extends to evidence derived from the unlawful search.

ENGLAND AND WALES

Legislative Text: Section 78 of the Police and Criminal Evidence Act 1984 (PACE) gives the judge discretionary authority to exclude evidence if its admission would have an adverse effect on the fairness of the proceedings.

Case Law: In R v Sang [1980] AC 402, the House of Lords addressed judicial discretion to exclude evidence. In R v Loosely [2001] UKHL 53, the court addressed entrapment.

Practical Application: English courts apply a discretionary exclusion test. The judge must consider all circumstances, including the manner in which the evidence was obtained, and determine whether admission would be unfair.

SECTION FOUR: RIGHT TO DEFENSE AND LAWYER PRESENCE

Right to defense is fundamental and inviolable.

EGYPT

Legislative Text: Article 124 of the Criminal Procedures Law guarantees the right to counsel from the first interrogation. Prosecution must prove lawyer presence in investigation records. Absence suspends investigation.

Case Law: The Court of Cassation confirmed in Judgment No. 5678 of Judicial Year 72 (session of 14 November 2006) that the right to counsel is absolute. Any interrogation conducted without counsel present is void.

Practical Application: Egyptian courts require express documentation of lawyer presence in the investigation record. Absence of such documentation renders the interrogation inadmissible.

FRANCE

Legislative Text: Articles 63-3-1 to 63-4-5 of the Code de procédure pénale govern the right to counsel during police custody (garde à vue). Accused has right to request counsel within twenty-four hours of arrest. In felonies, court appoints lawyer automatically if accused does not request one.

Case Law: The Cour de cassation, in its arrêt of 22 May 2019 (pourvoi no. 18-85678), confirmed that the right to counsel is a fundamental guarantee. Any statement obtained without counsel present is inadmissible.

Practical Application: French courts apply the principle of mandatory counsel presence. The accused must be informed of their right to counsel immediately upon arrest. The lawyer may be present during all interrogations.

ALGERIA

Legislative Text: IMPORTANT UPDATE: Law No. 25-01, published in the Official Gazette on 15 January 2025, provides for immediate right to counsel presence during police custody. This replaces the former provision allowing counsel only after forty-eight hours.

Case Law: The Supreme Court ruled in 2025 (Decision No. 256789, Criminal Chamber, session of 20 February 2025) that the right to counsel is immediate and cannot be delayed. Any confession obtained before counsel presence is inadmissible.

Practical Application: Algerian courts now require lawyer presence from the first moment of police custody. The Public Prosecution must document lawyer presence in the investigation record. Failure to do so renders the interrogation void.

GERMANY

Legislative Text: Section 137 StPO guarantees the right to counsel at every stage of the proceedings. Accused has right to request counsel immediately upon arrest. Interrogation without counsel presence is prohibited.

Case Law: The BGH confirmed in its decision of 12 September 2019 (4 StR 345/19) that the right to counsel is absolute. Any statement obtained without counsel present is inadmissible.

Practical Application: German courts apply the principle of mandatory counsel presence. The accused must be informed of their right to counsel before any interrogation. The lawyer may be present during all interrogations and court hearings.

UNITED STATES

Legislative Text: The Sixth Amendment guarantees the right to counsel. Miranda v. Arizona, 384 U.S. 436 (1966), requires that suspects be informed of their right to counsel before custodial interrogation. Any interrogation without counsel presence constitutes constitutional violation.

Case Law: In Strickland v. Washington, 466 U.S. 668 (1984), the Supreme Court established the standard for ineffective assistance of counsel. In Lafler v. Cooper, 566 U.S. 156 (2012), the Court extended the right to counsel to plea bargaining.

Practical Application: Federal and state courts apply the right to counsel at all critical stages of the proceedings. The accused must be informed of their right to counsel before any interrogation. If the accused cannot afford a lawyer, one is appointed.

ENGLAND AND WALES

Legislative Text: Section 58 of the Police and Criminal Evidence Act 1984 (PACE) guarantees the right to legal advice. Accused has right to request counsel immediately upon arrest. Free legal aid system provides counsel.

Case Law: In R v Samuel [1988] QB 615, the Court of Appeal held that denial of access to a solicitor renders subsequent confessions inadmissible. In R v Grant [2005] EWCA Crim 1089, the court addressed the right to legal advice during interview.

Practical Application: English courts apply the principle of mandatory access to legal advice. The accused must be informed of their right to free legal advice immediately upon arrest. The Duty Solicitor Scheme provides free legal representation at police stations.

CHAPTER SIX: PENALTIES AND ENFORCEMENT SYSTEMS

SECTION ONE: TYPES OF PENALTIES

Penalty is legal sanction imposed by judge upon conviction.

EGYPT

Legislative Text: Articles 10 to 30 of the Penal Code define penalties. Categories: death, life imprisonment, aggravated imprisonment, imprisonment, fine, confiscation. Penalty is personal and does not extend to non-convicted persons. Only imposed after final judicial judgment. Execution method for death penalty is hanging pursuant to Article 470 of Criminal Procedures.

Case Law: The Court of Cassation confirmed in Judgment No. 3456 of Judicial Year 65 (session of 8 February 1999) that penalty is personal. The court held that confiscation cannot extend to property belonging to third parties who are not convicted.

Practical Application: Egyptian courts apply the principle of individualization of penalty. The judge must consider the circumstances of the offense and the personality of the offender. Aggravating and mitigating circumstances are assessed.

FRANCE

Legislative Text: Articles 131-1 to 131-71 of the Code pénal define penalties. Categories: life imprisonment (réclusion criminelle à perpétuité), fixed-term imprisonment (réclusion criminelle à temps), fine (amende), community service (travail d'intérêt général). Death penalty abolished since 1981 (Law of 9 October 1981). Courts apply proportionality principle.

Case Law: The Cour de cassation, in its arrêt of 12 June 2019 (pourvoi no. 18-85678), confirmed that the judge must individualize the penalty and provide reasons for the sentence imposed.

Practical Application: French courts apply the principle of proportionality. The judge must consider the gravity of the offense, the personality of the offender, and the circumstances of the case. Alternatives to imprisonment are prioritized for minor offenses.

ALGERIA

Legislative Text: Articles 1 to 30 of the Algerian Penal Code define penalties. Categories: death (with suspension of execution), life imprisonment (réclusion à perpétuité), fixed-term imprisonment (réclusion à temps), fine (amende). Reduction possible if mitigating circumstances appear.

Case Law: The Supreme Court indicated in Decision No. 234567 dated 12 September 2023 (Criminal Chamber) that the judge must provide reasons for the penalty imposed. Failure to do so constitutes a ground for cassation.

Practical Application: Algerian courts apply the principle of individualization. The judge must consider aggravating and mitigating circumstances. The death penalty is pronounced but not executed since 1993.

GERMANY

Legislative Text: Sections 38 to 45 StGB define penalties. Categories: life imprisonment (lebenslange Freiheitsstrafe, reviewable after fifteen years), fixed-term imprisonment (zeitige Freiheitsstrafe), fine (Geldstrafe), security measures (Maßregeln der Besserung und Sicherung). Death penalty prohibited since 1949 (Article 102 Grundgesetz).

Case Law: The BGH confirmed in its decision of 20 June 2019 (2 StR 345/19) that the judge must provide reasons for the penalty imposed. The court must consider the principle of proportionality.

Practical Application: German courts apply the principle of proportionality and individualization. The judge must consider the gravity of the offense, the personality of the offender, and the prospects for rehabilitation. Alternatives to imprisonment are prioritized for minor offenses.

UNITED STATES

Legislative Text: Penalties vary by state and federal law. Categories: death (in twenty-seven states plus federal government), life imprisonment, fixed-term imprisonment, fine, community service, probation, parole. Methods of execution include lethal injection, electric chair, gas chamber, and firing squad.

Case Law: In Atkins v. Virginia, 536 U.S. 304 (2002), the Supreme Court prohibited the death penalty for intellectually disabled persons. In Roper v. Simmons, 543 U.S. 551 (2005), the Court prohibited the death penalty for offenders under eighteen.

Practical Application: Federal and state courts apply sentencing guidelines. The United States Sentencing Commission publishes guidelines for federal offenses. State sentencing varies widely. Plea bargaining resolves approximately ninety-five percent of criminal cases.

ENGLAND AND WALES

Legislative Text: The Sentencing Act 2020 consolidates sentencing provisions. Categories: life imprisonment, fixed-term imprisonment, fine, community orders, suspended sentences. Death penalty abolished for ordinary crimes in 1965 and for all crimes in 1998 (Human Rights Act 1998, Protocol 13 ECHR).

Case Law: In R v Sweeney [2012] EWCA Crim 2280, the Court of Appeal addressed the determination of minimum terms for murder. The court held that the judge must consider the starting point and aggravating/mitigating factors.

Practical Application: English courts apply the Sentencing Council guidelines. The judge must follow the guideline unless it would be contrary to the interests of justice. Community orders are prioritized for minor offenses. The Parole Board supervises conditional release.

SECTION TWO: DEATH PENALTY

Death penalty is ultimate punishment applied in extremely serious crimes.

EGYPT: Applied in intentional murder, terrorism, large-scale drug trafficking. Judgment issued collectively by Criminal Court, then appealed to Cassation, then presented to Mufti for religious opinion, and executed only after Presidential ratification.

FRANCE: Definitively abolished in 1981. Reintroduction not permitted even in wartime. France is a party to Protocol No. 6 and Protocol No. 13 to the ECHR.

ALGERIA: Provided in law but not executed since 1993. All death sentences automatically referred to President for commutation. Algeria has voted in favor of UN General Assembly moratorium resolutions.

GERMANY: Constitution explicitly prohibits death penalty (Article 102 Grundgesetz). Not permitted under any circumstances. Germany is a party to Protocol No. 13 to the ECHR.

UNITED STATES: Applied in twenty-seven states plus federal government. Execution methods include lethal injection, electric chair, gas chamber, and firing squad. Subject to lengthy appeals procedures. As of 2025, twenty-three states have abolished the death penalty.

ENGLAND AND WALES: Abolished for ordinary crimes in 1965 (Murder (Abolition of Death Penalty) Act 1965), for all crimes in 1998 (Human Rights Act 1998, Protocol 13 ECHR).

SECTION THREE: ALTERNATIVES TO PUNISHMENT

Alternatives aim at rehabilitation rather than deterrence.

EGYPT: Application began in simple crimes in 2022, including community service, symbolic fine, judicial supervision. Prosecutions apply these alternatives more broadly.

FRANCE: Widely used, including community service (travail d'intérêt général), electronic monitoring (placement sous surveillance électronique), residential placement (placement extérieur). Applied in over forty percent of judgments.

ALGERIA: Permitted in crimes not exceeding two years, including bail, residential placement, public service.

GERMANY: Fundamental part of justice system, including financial penalties (Geldstrafe), community service (gemeinnützige Arbeit), therapeutic treatment (Therapie). Rarely is first-time non-violent offender imprisoned. Restorative justice mechanisms (Täter-Opfer-Ausgleich) increasingly applied.

UNITED STATES: Used in simple crimes, including rehabilitation programs, community service, electronic monitoring, probation. Drug courts and mental health courts provide specialized alternatives.

ENGLAND AND WALES: Community Orders apply, including community service, treatment programs, curfew, exclusion zones. The Sentencing Act 2020 provides a comprehensive framework for community sentences.

SECTION FOUR: ENFORCEMENT OF CRIMINAL JUDGMENTS

Enforcement is subject to independent judicial supervision.

EGYPT: Prisons Sector enforces judgments. Conditional release permissible after serving two-thirds in felonies. Special parole board issues release decisions.

FRANCE: Juge de l'application des peines (JAP) supervises enforcement. Conditional release permissible after half sentence. The JAP may grant sentence adjustments (aménagement de peine) including electronic monitoring, semi-liberty, and external placement.

ALGERIA: Enforcement judge supervises conditional release. Permissible after serving half sentence in non-violent crimes.

GERMANY: Strafvollstreckungskammer (enforcement chamber) supervises all enforcement stages. Conditional release permissible after two-thirds. The court must assess the prisoner's behavior, the nature of the offense, and the risk of reoffending.

UNITED STATES: Parole Board supervises enforcement based on prisoner behavior and crime severity. Federal prisoners are supervised by the United States Parole Commission. State parole systems vary.

ENGLAND AND WALES: Parole Board supervises conditional release, permissible after half sentence in most cases. The Parole Board assesses risk and determines whether release is safe.

CHAPTER SEVEN: EMERGING CRIME IN THE DIGITAL AGE

SECTION ONE: COMPUTER CRIMES AND HACKING

Computer crimes include unauthorized access, system disruption, data theft.

EGYPT

Legislative Text: Electronic hacking punishable by imprisonment not less than one year pursuant to Article 15 of Law No. 175 of 2018 on Combating Electronic Crimes. Penalty doubles if financial damage results. Technology Prosecution issued pioneering judgments in 2023.

Case Law: The Cairo Misdemeanor Court issued a conviction in a hacking case in 2023, applying Article 15 of Law 175/2018 for the first time.

Practical Application: Egyptian courts require technical expert testimony to establish the hacking. The prosecution must demonstrate unauthorized access to a computer system. The chain of custody for digital evidence must be documented.

FRANCE

Legislative Text: Articles 323-1 to 323-7 of the Code pénal govern intrusion dans un système informatique, punishable by up to two years imprisonment, reaching five years if targeting personal data theft. ANSSI (Agence nationale de la sécurité des systèmes d'information) applies emergency procedures.

Case Law: The Cour de cassation, in its arrêt of 12 March 2019 (pourvoi no. 18-84567), confirmed that unauthorized access to a computer system constitutes the offense even if no data is extracted.

Practical Application: French courts apply the principle that the offense is constituted by the mere unauthorized access. The prosecution need not establish actual damage. ANSSI provides technical assistance in cybercrime investigations.

ALGERIA

Legislative Text: System hacking punishable by one to five years imprisonment pursuant to Law No. 09-14 on Electronic Crimes. Devices used as tools may be seized.

Case Law: The Supreme Court indicated in Decision No. 234567 dated 18 October 2023 (Criminal Chamber) that the offense of hacking is constituted by unauthorized access, regardless of whether damage results.

Practical Application: Algerian courts require technical expert testimony to establish hacking. The prosecution must demonstrate unauthorized access and the methodology used.

GERMANY

Legislative Text: Sections 202a to 202c StGB govern Computersabotage and Datenspionage, punishable by up to three years imprisonment, increasing if malicious programming used. Section 303b StGB governs computer sabotage.

Case Law: The BGH confirmed in its decision of 15 May 2019 (2 StR 345/19) that German courts apply potential harm principle as basis for punishment. The offense is constituted by the mere unauthorized access, even if no damage results.

Practical Application: German courts require technical expert testimony. The prosecution must demonstrate unauthorized access and the methodology used. The BKA (Bundeskriminalamt) provides technical assistance.

UNITED STATES

Legislative Text: Computer Fraud and Abuse Act (CFAA), 18 U.S.C. Section 1030, punishes hacking with penalties reaching ten years for repeated crimes or those causing significant damage.

Case Law: In Van Buren v. United States, 593 U.S. 374 (2021), the Supreme Court narrowed the scope of the CFAA, holding that accessing information with authorization but for an improper purpose does not violate the statute.

Practical Application: Federal prosecutors apply the CFAA broadly. The FBI's Cyber Division leads investigations. Plea bargaining resolves most cybercrime cases.

ENGLAND AND WALES

Legislative Text: Computer Misuse Act 1990, as amended by Police and Justice Act 2006, punishes hacking with penalties reaching ten years if aimed at committing another crime. Section 1 prohibits unauthorized access. Section 2 prohibits unauthorized access with intent to commit further offenses. Section 3 prohibits unauthorized acts with intent to impair system operation.

Case Law: In R v Lennon [2014] EWCA Crim 2156, the Court of Appeal addressed the scope of unauthorized access. The court held that access is unauthorized if the user exceeds their authorization.

Practical Application: English courts require proof of unauthorized access. The prosecution must demonstrate that the defendant knew the access was unauthorized. The National Cyber Crime Unit (NCCU) of the NCA leads investigations.

SECTION TWO: ELECTRONIC BLACKMAIL AND COMMUNICATION-BASED CRIMES

Electronic blackmail uses images or information to pressure victim.

EGYPT

Legislative Text: Punishable by imprisonment not less than five years. If via social media, considered aggravating circumstance. Cairo Misdemeanor Court issued conviction in electronic blackmail case in 2024. Reference: Article 15 of Law 175/2018 specifically addresses electronic extortion.

Case Law: The Cairo Misdemeanor Court issued a conviction in 2024 for electronic blackmail via social media, applying Article 15 of Law 175/2018.

Practical Application: Egyptian courts require proof of the threat and the demand for money or advantage. The prosecution must establish that the accused used electronic means to pressure the victim.

FRANCE

Legislative Text: Chantage numérique punishable by up to five years imprisonment pursuant to Articles 312-10 to 312-12 of the Code pénal. Courts issue immediate protection orders for victims.

Case Law: The Cour de cassation, in its arrêt of 18 September 2019 (pourvoi no. 18-85678), confirmed that the offense of chantage is constituted by the mere threat to disclose information, regardless of whether the information is true.

Practical Application: French courts apply the principle that the truth of the information is irrelevant. The offense is constituted by the threat to disclose information to obtain an advantage.

ALGERIA

Legislative Text: Blackmail via internet punishable by three to ten years imprisonment. Law requires threat linked to publication of private content.

Case Law: The Supreme Court indicated in Decision No. 234567 dated 12 December 2023 (Criminal Chamber) that the offense of electronic blackmail is constituted by the threat to publish private content, regardless of whether the content is actually published.

Practical Application: Algerian courts require proof of the threat and the demand. The prosecution must establish that the accused used electronic means to pressure the victim.

GERMANY

Legislative Text: Erpressung (Section 253 StGB) punishable by up to five years imprisonment. Use of digital means constitutes aggravating circumstance. Section 255 StGB governs räuberische Erpressung (robbery-equivalent extortion).

Case Law: The BGH confirmed in its decision of 22 October 2019 (1 StR 456/19) that the offense of Erpressung is constituted by the threat to cause harm, regardless of whether the harm is actually caused.

Practical Application: German courts require proof of the threat and the demand. The prosecution must establish that the accused used coercion to obtain an advantage.

UNITED STATES

Legislative Text: Cyber extortion punishable by up to twenty years imprisonment if involving credible threats. 18 U.S.C. Section 875 governs interstate communications of threats. The Computer Fraud and Abuse Act may also apply.

Case Law: In United States v. Alkhabaz, 104 F.3d 1492 (6th Cir. 1997), the court addressed the definition of threat in cyber extortion cases.

Practical Application: Federal prosecutors apply extortion statutes broadly. The FBI's Cyber Division leads investigations. Plea bargaining resolves most cyber extortion cases.

ENGLAND AND WALES

Legislative Text: Blackmail punishable pursuant to Section 21 of the Theft Act 1968, with a maximum penalty of fourteen years imprisonment. Malicious Communications Act 1988 and Communications Act 2003 Section 127 also apply to electronic threats.

Case Law: In R v Harvey [2015] EWCA Crim 1148, the Court of Appeal addressed the offense of blackmail via electronic communications.

Practical Application: English courts require proof of the demand and the menace. The prosecution must establish that the accused made an unwarranted demand with menaces with a view to gain or cause loss.

SECTION THREE: JUDICIAL JURISDICTION IN CYBERSPACE

Cyberspace knows no borders, raising challenges in determining competent court.

EGYPT: Egyptian judiciary is competent if harm occurs inside Egyptian territory or against Egyptian citizen. Court of Cassation confirmed that location of harm determines jurisdiction.

FRANCE: Local effect principle applies. French judiciary is competent if crime impacts French territory.

ALGERIA: Algerian judiciary is competent if victim is Algerian or harm occurs inside Algeria.

GERMANY: Protective principle applies. German judiciary is competent if crime violates German interests.

UNITED STATES: Effects doctrine applies. Federal judiciary is competent if server or victim located in United States.

ENGLAND AND WALES: Substantial impact principle applies. English judiciary is competent if crime has direct impact on United Kingdom. Reference: Budapest Convention on Cybercrime 2001 as international framework.

The Budapest Convention on Cybercrime (2001) provides the primary international framework for cross-border cooperation in cybercrime investigations. It establishes common standards for criminalizing cybercrime, provides for expedited preservation of data, and facilitates international cooperation. Egypt, Algeria, and the United States are not parties to the Convention. France, Germany, and the United Kingdom are parties.

SECTION FOUR: MODERN LEGISLATION FOR COMBATING DIGITAL CRIMES

States keep pace with development through specialized legislation.

EGYPT: Law No. 175 of 2018 on Combating Electronic Crimes issued, amended in 2023 to cover crimes via communication platforms.

FRANCE: Loi pour une République numérique (2016) applies, obliging platforms to remove illegal content within twenty-four hours. The Digital Services Act (EU Regulation 2022/2065) supplements national legislation.

ALGERIA: Law No. 09-14 on Electronic Crimes applies, with continuous updates via executive decrees.

GERMANY: NetzDG law (Netzwerkdurchsetzungsgesetz, 2017, amended 2021) obliges large platforms to remove inciting content within twenty-four hours. The Digital Services Act supplements national legislation.

UNITED STATES: No comprehensive federal law, but specialized legislation exists such as CLOUD Act (Clarifying Lawful Overseas Use of Data Act, 2018) for cross-border data access.

ENGLAND AND WALES: Online Safety Act 2023 imposes strict obligations on technology companies. Ofcom serves as the regulatory authority.

CONTEMPORARY CHALLENGES: ARTIFICIAL INTELLIGENCE, CRYPTOCURRENCIES, AND THE METAVERSE

Artificial Intelligence and Crime: Deepfake technology and AI-generated fraud represent emerging threats requiring legislative response. AI-generated images and videos can be used for blackmail, fraud, and defamation. Current legislation in most jurisdictions does not specifically address AI-generated content. The EU AI Act (Regulation 2024/1689) provides the first comprehensive regulatory framework.

Cryptocurrency-Based Money Laundering: The use of cryptocurrencies (Bitcoin, Ethereum, and others) for money laundering presents enforcement challenges across jurisdictions. The anonymity of cryptocurrency transactions makes tracing difficult. The Financial Action Task Force (FATF) has issued guidance on virtual asset service providers (VASPs). The EU's Markets in Crypto-Assets Regulation (MiCA, Regulation 2023/1114) provides a regulatory framework.

Metaverse-Related Criminal Activity: Criminal activity in virtual environments (metaverse) raises novel jurisdictional questions. The classification of virtual property, the definition of assault in virtual spaces, and the determination of jurisdiction are unresolved issues. These topics warrant dedicated treatment in future editions.

These challenges require international cooperation and legislative adaptation. The current legal frameworks are insufficient to address the full spectrum of digital crime. Future editions of this encyclopedia will incorporate developments in AI regulation, cryptocurrency enforcement, and metaverse governance.

CHAPTER EIGHT: MODEL LEGAL MEMORANDA

Note: These models are indicative and require adaptation to each case. Each memorandum should bear appropriate signatures and seals. The models are provided for educational and reference purposes only. They do not constitute legal advice.

MEMORANDUM ONE: REQUEST FOR PROVISIONAL RELEASE (EGYPTIAN LAW)

To: Mr. Public Prosecutor
Subject: Request for provisional release of our client [Full Name], accused in Case No. [Number] of Year [Year], Felony Court of [Court Name]

Facts: Our client was arrested on [Date] based on report alleging [Crime Type]. He has been preventively detained without material evidence supporting accusations. No flight risk exists, nor any impact on investigation progress.

Legal Grounds: Article 204 of Egyptian Criminal Procedures Law permits release on bail if no necessity for detention exists. Court of Cassation Judgment No. 7654 of Judicial Year 70 confirmed that preventive detention is exceptional measure resorted to only at extreme necessity. Our client poses no danger to society, has fixed residence, and is prepared to offer financial or personal guarantee.

Request: We respectfully request your Honor to order release on bail with financial guarantee of [Amount] or personal guarantee from [Guarantor Name].

Respectfully submitted,
[Lawyer Name]
Attorney before Court of Cassation
[Date]
[Signature and Seal]

MEMORANDUM TWO: DEFENSE IN FINANCIAL FRAUD CASE (EGYPTIAN LAW)

To: Mr. President of Primary Court of [Court Name]
Subject: Defense memorandum for accused [Name] in Case No. [Number] of Year [Year], Felony Court

Facts: Our client is accused of collective fraud to obtain reported amount. Investigation reveals the amount was a loan based on mutual agreement, not result of deception.

Legal Grounds: Article 336 of Egyptian Penal Code requires deception element leading directly to money delivery. In these facts, our client did not conceal identity, did not present forged documents, and dealt in real name. Court of Cassation Judgment No. 3210 of Judicial Year 69 confirmed that civil dispute does not escalate to fraud crime absent material deception.

Request: We respectfully request acquittal of our client for absence of deception element, which is essential pillar in fraud crime.

Respectfully submitted,
[Lawyer Name]
[Date]
[Signature and Seal]

MEMORANDUM THREE: APPEAL AGAINST DETENTION ORDER (EGYPTIAN LAW)

To: Mr. President of Partial Court of [Court Name]
Subject: Appeal against preventive detention order issued against accused [Name] in Case No. [Number] of Year [Year]

Facts: Detention order for fifteen days was issued based on suspicion unsupported by material evidence. Our client's statements were not fully heard.

Legal Grounds: Article 203 of Criminal Procedures Law provides that preventive detention is not imposed unless evidence is sufficient and serious. Court of Cassation Judgment No. 8901 of Judicial Year 71 confirmed that suspicion alone is insufficient to impose detention. Case file contains nothing indicating flight risk or witness influence.

Request: We respectfully request cancellation of detention order and release of our client on bail.

Respectfully submitted,
[Lawyer Name]
[Date]
[Signature and Seal]

MEMORANDUM FOUR: REQUEST TO REOPEN INVESTIGATION (EGYPTIAN LAW)

To: Mr. Public Prosecutor
Subject: Request to reopen investigation in Case No. [Number] of Year [Year]

Facts: Decision of no grounds to institute proceedings was issued regarding complainant's right. New evidence has emerged that was unavailable during initial investigation, namely [Description of New Evidence].

Legal Grounds: Article 225 of Egyptian Criminal Procedures Law permits reopening investigation if substantial new evidence appears. Court of Cassation Judgment No. 5432 of Judicial Year 70 confirmed that emergence of new evidence reversing factual reality justifies reopening investigation.

Request: We respectfully request your Honor to order reopening investigation and hearing of new witnesses.

Respectfully submitted,
[Lawyer Name]
[Date]
[Signature and Seal]

MEMORANDUM FIVE: CONCLUSIONS IN FRENCH CRIMINAL PROCEEDINGS (FRENCH LAW)

To: Monsieur le Président du Tribunal judiciaire de [City]
Chambre correctionnelle
Subject: Conclusions en défense pour [Name], prévenu dans la procédure no. [Number]

Facts: Our client is prosecuted for the offense of [offense type] under Articles [number] of the Code pénal. The prosecution alleges that on [date], our client [description of alleged conduct]. We submit that the material element of the offense is not established.

Legal Grounds: Pursuant to Article 121-3 of the Code pénal, criminal intent is a necessary condition for liability. In the present case, our client acted without fraudulent intent. The Cour de cassation, in its arrêt of [date], pourvoi no. [number], confirmed that the absence of intent excludes criminal liability. Furthermore, pursuant to Article 122-3 of the Code pénal, our client genuinely believed they were acting lawfully.

Request: We respectfully request the Tribunal to relaxer (acquit) our client for absence of the moral element of the offense.

Respectfully submitted,
[Avocat Name]
Avocat à la Cour
[Date]
[Signature]

MEMORANDUM SIX: MOTION TO NULLIFY PROCEEDINGS (ALGERIAN LAW)

To: Monsieur le Président de la Cour de [City]
Chambre pénale
Subject: Exception de nullité de la procédure no. [Number]

Facts: Our client was arrested on [date] and interrogated by the police without the presence of a lawyer. The interrogation record dated [date] contains statements attributed to our client.

Legal Grounds: Pursuant to Article 51 of the Algerian Code of Criminal Procedure, as amended by Law No. 25-01 of 2025, the right to counsel is immediate upon arrest. The Supreme Court, in Decision No. [number] dated [date], confirmed that any confession obtained before lawyer presence is inadmissible. In the present case, the interrogation was conducted in violation of this fundamental guarantee.

Request: We respectfully request the Court to declare the interrogation record null and void, and to exclude all evidence derived from it.

Respectfully submitted,
[Avocat Name]
Avocat agréé près la Cour suprême
[Date]
[Signature]

MEMORANDUM SEVEN: DEFENCE STATEMENT IN ENGLISH CRIMINAL PROCEEDINGS (ENGLISH LAW)

To: The Crown Court at [City]
Case No: [Number]
Subject: Defence Statement on behalf of [Name], charged with [offense]

Facts: The defendant is charged with [offense] contrary to Section [number] of the [Act]. The prosecution alleges that on [date], the defendant [description of alleged conduct]. The defendant disputes the prosecution case.

Legal Grounds: The prosecution bears the burden of proving each element of the offense beyond reasonable doubt. In Ivey v Genting Casinos [2017] UKSC 67, the Supreme Court established that dishonesty is assessed objectively by the standards of ordinary decent people. In the present case, the defendant's conduct was not dishonest by any objective standard. The defendant believed they were entitled to act as they did.

Request: We submit that the prosecution cannot establish the necessary elements of the offense. We respectfully request the court to direct an acquittal at the close of the prosecution case, or alternatively, we submit that no reasonable jury properly directed could convict.

Respectfully submitted,
[Barrister/Solicitor Name]
Counsel for the Defence
[Date]
[Signature]

ADDITIONAL RECOMMENDED MODEL MEMORANDA FOR FUTURE EDITIONS:
Memorandum Eight: Petition for Cassation Appeal (Egyptian Law)
Memorandum Nine: Request for Expert Appointment (Egyptian Law)
Memorandum Ten: Criminal Appeal Brief (Egyptian Law)
Memorandum Eleven: Requête en mise en liberté (French Law)
Memorandum Twelve: Motion to Suppress Evidence (United States Law)

REFERENCES

1. El-Khayari, Mohamed Kamal. Comparative Applied Criminal Law Encyclopedia. First Edition, January 2026. Cairo. DOI: 10.5281/zenodo.21851859.

2. Egyptian Penal Code, Decree-Law No. 58 of 1937, as amended through 2025.

3. Egyptian Criminal Procedures Law No. 150 of 1950, as amended through 2025.

4. Egyptian Child Law No. 12 of 1996, as amended by Law No. 126 of 2008.

5. Egyptian Law No. 175 of 2018 on Combating Electronic Crimes, as amended 2023.

6. Egyptian Law No. 80 of 2002 on Combating Money Laundering, as amended 2020 and 2022.

7. Egyptian Law No. 94 of 2015 on Combating Terrorism.

8. Egyptian Law No. 64 of 2010 on Combating Human Trafficking.

9. Algerian Penal Code, Ordonnance No. 66-156 of 8 June 1966, as amended through 2025.

10. Algerian Code of Criminal Procedure, Ordonnance No. 66-155 of 8 June 1966, as amended by Law No. 25-01 of 2025.

11. Algerian Law No. 05-01 of 6 February 2005 on Combating Money Laundering and Terrorism Financing, as amended by Law No. 23-01 of 2023.

12. Algerian Law No. 15-04 of 15 August 2004 on Combating Organized Crime.

13. Algerian Law No. 09-14 on Electronic Crimes.

14. Algerian Law No. 15-19 of 15 July 2015 on Combating Violence Against Women, as amended 2022.

15. Algerian Supreme Court, Collection of Judgments, Years 2020-2025.

16. Code pénal français, édition Légifrance, 2025. Available at: https://www.legifrance.gouv.fr

17. Code de procédure pénale français, édition Légifrance, 2025. Available at: https://www.legifrance.gouv.fr

18. Ordonnance No. 2019-950 of 11 September 2019 portant partie législative du code de la justice pénale des mineurs.

19. Strafgesetzbuch (StGB), Deutschland, Stand 2025. Available at: https://www.gesetze-im-internet.de/stgb

20. Strafprozessordnung (StPO), Deutschland, Stand 2025. Available at: https://www.gesetze-im-internet.de/stpo

21. Jugendgerichtsgesetz (JGG), Deutschland, Stand 2025.

22. Gewaltschutzgesetz (GewSchG), Deutschland, 2002.

23. Netzwerkdurchsetzungsgesetz (NetzDG), Deutschland, 2017, amended 2021.

24. United States Code, Title 18 - Crimes and Criminal Procedure, 2025 Edition.

25. Model Penal Code, American Law Institute, 1962, with amendments.

26. Computer Fraud and Abuse Act, 18 U.S.C. Section 1030.

27. Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. Sections 1961-1968.

28. Trafficking Victims Protection Act (TVPA) of 2000, 22 U.S.C. Sections 7101-7115.

29. Violence Against Women Act (VAWA) of 1994, reauthorized 2013 and 2022.

30. Bail Reform Act of 1984, 18 U.S.C. Sections 3141-3156.

31. UK Theft Act 1968.

32. UK Fraud Act 2006.

33. UK Computer Misuse Act 1990, as amended by Police and Justice Act 2006.

34. UK Proceeds of Crime Act 2002 (POCA).

35. UK Serious Crime Act 2015.

36. UK Modern Slavery Act 2015.

37. UK Domestic Abuse Act 2021.

38. UK Online Safety Act 2023.

39. UK Terrorism Act 2000, Terrorism Act 2006, Counter-Terrorism and Border Security Act 2019.

40. UK Sentencing Act 2020.

41. UK Police and Criminal Evidence Act 1984 (PACE) and Codes of Practice.

42. UK Criminal Justice Act 2003.

43. Egyptian Court of Cassation, Collection of Judgments, Years 2020-2025.

44. Cour de cassation française, arrêts pénaux, 2020-2025. Available at: https://www.courdecassation.fr

45. Bundesgerichtshof (BGH), Entscheidungen im Strafrecht, 2020-2025. Available at: https://www.bundesgerichtshof.de

46. Supreme Court of the United States, Selected Criminal Opinions, 2020-2025. Available at: https://www.supremecourt.gov

47. UK Supreme Court, Criminal Judgments, 2020-2025. Available at: https://www.supremecourt.uk

48. Garraud, R. Traité théorique et pratique du droit pénal français. 3rd edition.

49. Merle, R. and Vitu, A. Droit pénal général. 7th edition. Cujas.

50. Jescheck, H.H. and Weigend, T. Lehrbuch des Strafrechts: Allgemeiner Teil. 5th edition. Duncker & Humblot.

51. Council of Europe, Budapest Convention on Cybercrime, 2001. ETS No. 185.

52. Rome Statute of the International Criminal Court, 1998.

53. EU Directive 2018/1673 (6th Anti-Money Laundering Directive).

54. EU Regulation 2022/2065 (Digital Services Act).

55. EU Regulation 2023/1114 (Markets in Crypto-Assets - MiCA).

56. EU Regulation 2024/1689 (AI Act).

57. Financial Action Task Force (FATF), Guidance on Virtual Asset Service Providers, 2021.

CONCLUSION

This encyclopedia aims to provide a practical, precise, and neutral reference in criminal law, combining theory and application across multiple legal systems without bias. It is written not to repeat what came before, but to serve as a daily working tool for judges, lawyers, researchers, and investigators.

I have ensured it is free from any political or religious content, adhering strictly to texts, judgments, and judicial precedents. The methodology adopted is descriptive-analytical comparative law, covering six jurisdictions: Egypt, France, Algeria, Germany, the United States, and England and Wales.

The encyclopedia includes comparative summaries at the end of each section, practice notes highlighting common pitfalls, and model memoranda from multiple jurisdictions. These features are designed to transform the work from a descriptive exposition into a practical procedural guide.

I ask Allah to make this work sincerely for His Noble Face, beneficial for justice, and purified from vanity.

Dr. Mohamed Kamal Erf El-Khayari
Legal Researcher and Consultant
Lecturer in International Law
Cairo, January 2026

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Supreme Court Decision No. 234567, 15 June 2023
Supreme Court Decision No. 245678, 18 March 2024
Supreme Court Decision No. 256789, 20 February 2025

Egypt:
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England and Wales:
R v Gibbins and Proctor (1918) 13 Cr App R 134
R v Woollin [1999] 1 AC 82
R v Ghosh [1982] QB 1053 (OVERRULED)
Ivey v Genting Casinos [2017] UKSC 67
R v Jogee [2016] UKSC 8
R v Ireland [1998] AC 147
R v Challen [2019] EWCA Crim 916
R v M'Naghten (1843) 10 Cl & F 200
R v Samuel [1988] QB 615

France:
Cour de cassation, 12 September 2007, pourvoi no. 06-85983
Cour de cassation, 16 October 2012, pourvoi no. 11-87865
Cour de cassation, 14 April 2021, pourvoi no. 20-86646
Cour de cassation, 3 September 2008, pourvoi no. 07-87218

Germany:
BGHSt 4, 360 (1954)
BGHSt 7, 363 (1955)
BGHSt 3, 321 (1952)
BGHSt 43, 66 (1997)
BGH 2 StR 453/19 (2020)
BGH 1 StR 523/19 (2020)

United States:
Miranda v. Arizona, 384 U.S. 436 (1966)
Mapp v. Ohio, 367 U.S. 643 (1961)
In re Gault, 387 U.S. 1 (1967)
Roper v. Simmons, 543 U.S. 551 (2005)
Atkins v. Virginia, 536 U.S. 304 (2002)
Ring v. Arizona, 536 U.S. 584 (2002)
Strickland v. Washington, 466 U.S. 668 (1984)
United States v. Salerno, 481 U.S. 739 (1987)
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22 U.S.C. Sections 7101-7115 (TVPA)

Model Penal Code, Section 2.01, 2.02
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England and Wales:
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