Law No. (15) for the year 2011

On combating trafficking in persons

We, Hamad bin Khalifa Al Thani, Amir of Qatar,

After reviewing the Constitution,
And the Code of Criminal Procedure Law No (23) for the year 2004, as amended by Law No. (24) for the year 2009,
And Decree No. (10) for the year 2009, ratifying the accession to the United Nations Convention against Transnational Organized Crime for 2000,
And the proposal of the Supreme Council for Family Affairs,
And the draft law submitted by the Council of Ministers,
And after taking the opinion of the Advisory Council,
We have decided the following:

Chapter I
Definitions
Article (1)

In the application of the provisions of this Law, the following words have the meanings assigned to them, unless the context otherwise requires:

- Organized criminal group: A group composed according to a particular organization of at least three people to work continuously or for a period of time in order to commit crimes of trafficking in persons, alone or with others, in order to obtain, directly or indirectly, a financial or other material benefit.
- Transnational Organized Crime: any crime committed in more than one country, or committed in one state and its preparing, planning, direction or supervision of or funding was in another state, or committed in one state by an organized criminal group engaged in criminal activities in more than one state, or committed in one state and have had serious effects in another State.
- The competent authorities: All agencies and authorities and institutions concerned with the implementation of the provisions of this law.
- Child: any person under eighteen years of age.

Chapter II
Trafficking in persons
Article (2)

Shall be considered committing the crime of trafficking in persons anybody who used, in any form, or transported or extradite, or harbored him or received or a natural person,
both within the country or across its national borders, whether by use of force or violence or threat, or by abduction, fraud, or deception, or abuse of power, or the exploitation of vulnerability or need, or a promise of giving or receiving of payments or benefits for somebody in exchange for his consent on trafficking another person over whom he has authority. All of these actions are considered crimes under this Law if these acts were committed with a view of exploitation, whatever be its form, including sexual exploitation in prostitution or other forms of sexual exploitation, child exploitation in child pornography or begging, forced labor or servitudes, slavery or semi-slavery practices or servitude or the removal of organs or human tissue, or part of it.

Article (3)

The consent of the victim shall not be inconsiderable in any of the crimes of trafficking in persons whenever any of the means provided in the preceding article is used. For the crime of trafficking in children or incompetent persons to materialize there is no need to verify the use of any of the means referred to.

Article (4)

The victim is not criminally responsible or bears any civil liability for any crime of trafficking in persons, once it was initiated or directly associated with him as a victim.

Chapter III
Protection of victims

Article (5)

The competent authorities guarantee the protection and physical and psychological integrity of the victims and provide them with health, educational, and social care, and work to create conditions for their rehabilitation and reintegration into the society in a manner considers their needs, their human dignity, age and sex. It works also in cooperation with the countries of the victims, or the countries in which they permanently reside to secure their return safely.

Article (6)

The competent authorities shall ensure the following rights of the victims:
1 - The protection of privacy and personal identity.
2 - Give them the opportunity to show their status and identify themselves.
3 - Get advice on their rights, and get enlightened on the observed legal and administrative procedures.
4 - To stay in the country pending the completion of the investigation and trial.
5 - Access to legal assistance, including legal counsel.
6 - Get appropriate compensation for damages that may be suffered by them.
7 - Obtain the necessary security protection.

Article (7)
The competent authorities provide appropriate places to house the victims where they can receive their families and their lawyers and representatives of the competent authorities, as well as other guarantees prescribed by any other law.

**Article (8)**
The competent authorities shall abide by the confidentiality of information relevant to the offenses set forth in this law, and not to disclose it except to the extent required for the implementation of the Law provisions.

**Article (9)**
The Ministry of Foreign Affairs, through its diplomatic missions and consular missions abroad, will provide all necessary assistance to the Qatari victims and the creates all the appropriate conditions to protect them and bring them back to the State of Qatar as soon as possible.

**Article (10)**
The Criminal Court responsible for hearing the criminal case arising from any of the crimes stipulated in this Law, should settle the civil case arising out of the trafficking crime.

**Chapter IV**
**International judicial cooperation**

**Article (11)**
The competent judicial authorities cooperate with its foreign counterpart entities with regard to combating trafficking in persons’ crimes and prosecute the perpetrators, including the exchange of information, conducting investigations, judicial assistance, extradition of things, the recovery of funds and other forms of judicial cooperation. All these are done within the rules established by the Criminal Procedure Act referred to, and the bilateral or multilateral agreements in force in the State of Qatar, or according to the principle of reciprocity, in a manner consistent with the basic principles of the legal system in the State of Qatar.

**Article (12)**
The competent judicial authorities should order the execution of the final criminal judgments issued by the competent foreign judicial authorities for the seizure, confiscation or recovery of funds derived from the crimes of trafficking in persons and its revenues, in accordance with rules and procedures contained in bilateral or multilateral agreements in force in the State of Qatar or according to the principle of reciprocity.

**Chapter V**
**Sanctions**

**Article (13)**
Without prejudice to any severer penalty provided for by another law, the sanctions provided for in this law are applied.

**Article (14)**
Anyone who commits a human trafficking crimes stipulated in Article (2) of this Act is punishable by imprisonment for a term not exceeding seven years and a fine of not more than Qr 250,000 (two hundred and fifty thousand).

**Article (15)**
Any person who commits the crime of trafficking in persons, in any of the following cases, is punishable by imprisonment for a term not exceeding fifteen years and a fine of not more than Qr 300,000 (three hundred thousand riyals):
1. If the victim is a woman or an incompetent child or with a person with disability.
2. If the offense resulted in the death of the victim, an injury that caused him a permanent disability or non-recovery disease.
3. If the perpetrator is a spouse of the victim or one of the ascendants or descendants, or one of those over whom he has mandate or trusteeship or the Authority.
4. If the act was committed by the threat of death or serious harm or physical or psychological torture or by an armed person.
5. If the offender is a public servant or have a public mandate and committed the crime in exploitation of this status.
6. If the crime is committed by an organized criminal group and the accused was one of its members.
7. If the crime is transnational in nature.

**Article (16)**
Anyone who uses force, threat, or offer a gift or advantage of any kind or promised something of that to cause another person to give false testimony or conceal any information or make statements or incorrect information in any stage of evidence collection, investigation or trial on the commission of any of the crimes stipulated in this law, is punishable by imprisonment for a term not exceeding five years and a fine of not more than Qr 200,000 (two hundred thousand).

**Article (17)**
Anyone who attempts to commit any of the crimes of trafficking in persons provided for in Article (2) of this Act is punishable by imprisonment for a term not exceeding three years and a fine of not more than Qr 200,000 (two hundred thousand Riyals).

**Article (18)**
Anybody who knowingly conceals any of the perpetrators or the items or funds derived from any of the crimes stipulated in this Law or concealed any evidence of the crime or its tools, is punishable by a term of imprisonment not exceeding three years and a fine of not more than Qr 150,000 (one hundred and fifty thousand riyals). The court may exempt the violator from punishment if the hidden perpetrator is a spouse or one of his ascendants or descendants up to the second degree.

**Article (19)**
Anyone who is proven to know the commit of any of the crimes stipulated in this Law or embarking on it and did not report that to the competent authorities, is punishable by imprisonment for a term not exceeding three years and a fine of not more than Qr 150,000 (one hundred and fifty thousand riyals). The punishment shall be
imprisonment for a term not exceeding five years and a fine of not more than Qr 200,000 (two hundred thousand), if the perpetrator is a public servant or charged with a public service and the offense occurred as a result of breach of the duties of his office or as assigned to him. The court may exempt the violator from punishment if the perpetrator is his spouse or one of his ascendants or descendants up to the second degree.

Article (20)

Anyone who discloses or reveals the identity of the victim or witness, including exposure to danger or fall in danger or facilitated the contact of the perpetrators with him or provided him with faulty information about his legal rights with a view to harm him or prejudice to his physical, psychological or mental safety, is punishable by imprisonment for a term not exceeding two years and a fine of not more than Qr 50,000 (fifty thousand riyals).

Article (21)

Anyone who instigates someone else in any way to commit an offense set forth in the foregoing Articles of this chapter, even if the incitement had no effect, is punishable by imprisonment for a term not exceeding seven years and a fine of not more than Qr 50,000 (fifty thousand riyals).

Article (22)

The person responsible for the actual management of a body corporate is punishable by imprisonment for a term not exceeding five years and a fine of not more than Qr 200,000 (two hundred thousand) if any of the crimes stipulated in this law is committed by one of the staff persons of this body corporate in the name and for the benefit of this responsible person, if it is proven that such a crime was committed under his knowledge or if the crime has occurred due to breach of the duties.

The body corporate is jointly liable for the payment of the financial penalties if the crime was committed by one of its workers in its own name and for its interest. The court may order the suspension of the activity of the body corporate for a period not exceeding two years or to cancel or revoke its license, as the case may be.

Article (23)

In all cases, the court confiscates the money, the baggage, transportation means or tools derived from any of the crimes stipulated in this law or used in its commission, with no prejudice to the rights of bona fide third parties.

Article (24)

Any perpetrator who takes the initiative to inform the competent authorities of the crime and its perpetrators before the authorities are informed about it, if the reporting led to seizure of the rest of the perpetrators and the money collected from such crime, is exempted from the penalties provided for in this law.
The court may exempt from the reporter from punishment, if the reporting took place after the knowledge of the crime and led authorities to seize the rest of the perpetrators and the money collected from the crime.

The provisions of this Article do not apply, if the crime resulted in the death of the victim or injury that led to permanent disability or non-recovery disease.

**Article (25)**
The victim is exempted from the penalties prescribed for violation of the law No. (4) for the year 2009 regulating the entry and exit of expatriates, residence and sponsorship.

**Article (26)**
Filing a criminal lawsuit arising from any of the crimes stipulated in this Law, does not require lodging a complaint or request by the victim or his representative.

**Article (27)**
Any provision contrary to the provisions of this law is void.

**Article (28)**
All competent authorities, each within its competence, shall implement this law, and to be published in the Official Gazette.

Hamad bin Khalifa Al-Thani
Amir of Qatar