



شعبة الترجمة الرسمية
Official Translation Department

Anti-Trafficking in Persons Law

Royal Decree No. M/40
July 23, 2009

Translation of Saudi Laws



NOTE:

The translation of Saudi laws takes the following into consideration:

- Words used in the singular form include the plural and vice versa.
- Words used in the masculine form include the feminine.
- Words used in the present tense include the present as well as the future.
- The word “person” or “persons” and their related pronouns (he, his, him, they, their, them) refer to a natural and legal person.



Anti-Trafficking in Persons Law

Article 1

In this Law, the following terms shall have the meanings assigned thereto, unless the context requires otherwise:

1. **Trafficking in persons:** Use, recruitment, transportation, harboring, or receipt of a person for the purpose of exploitation.
2. **Transnational crime:** A crime shall be deemed transnational in the following cases:
 - a) If committed in more than one country.
 - b) If committed in one country, yet, a significant part of the preparation, planning, direction, or supervision thereof is carried out in another country.
 - c) If committed in one country with the participation of an organized crime group engaged in criminal activities in more than one country.
 - d) If committed in one country but gravely affects another country.
3. **Organized crime group:** Any group of two or more persons carrying out planned acts to traffic in persons in order to receive, whether directly or indirectly, material, financial, or other benefits.
4. **Child:** Any person not exceeding 18 years of age.

Article 2

It is prohibited to commit any act of trafficking in persons, including coercion, threat, fraud, deceit, or abduction of a person, abuse of position or power or any authority thereon, taking advantage of the person's vulnerability, giving or receiving payments or benefits to achieve the consent of a person having control over another person for the purpose of sexual assault, forced labor, services, mendicancy, slavery or slavery-like practices, servitude, removal of organs, or for conducting medical experiments thereon.

Article 3

Any person who commits an act of trafficking in persons shall be punished by imprisonment for a period not exceeding 15 years or a fine not exceeding 1,000,000 riyals, or by both penalties.

Article 4

Penalties provided for in this Law shall be made harsher in the following cases:

1. If the crime is committed by an organized crime group.
2. If the crime is committed against women or people with special needs.
3. If the crime is committed against a child, even if the perpetrator is not aware of the fact that the victim is a child.



4. If the perpetrator uses or threatens to use a weapon.
5. If the perpetrator is the spouse, ascendant, descendant, or guardian of the victim, or has authority over him.
6. If the perpetrator is a law enforcement officer.
7. If the crime is committed by more than one person.
8. If the crime is transnational.
9. If the victim is severely harmed or becomes permanently disabled as a result of the crime.

Article 5

Consent of victims shall be deemed irrelevant in any of the crimes provided for in this Law.

Article 6

Any person who commits the following acts shall be punished by imprisonment for a period not exceeding five years or a fine not exceeding 200,000 riyals, or by both penalties:

1. Using physical force, threatening, terrorizing, depriving of due benefits, or promising, offering or granting an undeserved benefit to incite false testimony or interfere therewith, or present false evidence relating to committing any of the crimes provided for in this Law.
2. Using physical force, threatening, or terrorizing to interfere with the performance of official duties by a judicial or law enforcement officer in relation to any of the crimes provided for in this Law.

Article 7

Any person who becomes aware that any of the crimes provided for in this Law is committed or attempted to be committed, even if bound by professional confidentiality, or who receives information or leads related directly or indirectly to such crimes; and does not immediately notify the competent authorities thereof; shall be punished by imprisonment for a period not exceeding two years or a fine not exceeding 100,000 riyals, or by both penalties.

The competent court may exclude parents, children, spouses, and siblings from the provisions of this Article.

Article 8

Any person who participates in trafficking in persons or takes part in any of the crimes provided for in Articles 2, 4, and 6 of this Law shall receive the same penalty as the perpetrators of such crimes.



Article 9

Any person who knowingly possesses, conceals, or disposes of items resulting from any of the crimes provided for in this Law, or who harbors one or more persons involved therein with the intention of assisting them to evade justice, or helps conceal evidence of the crime, shall be punished by imprisonment for a period not exceeding five years or a fine not exceeding 200,000 riyals, or by both penalties.

The competent court may relieve a defendant from the penalty imposed on harboring fugitives if the fugitive in question is a spouse, ascendant, or descendent thereof.

Article 10

Attempts to commit any of the crimes provided for in Articles 2, 4, and 6 of this Law shall receive the penalties prescribed for completed crimes.

Article 11

The competent court may, in all cases, confiscate private property, personal effects, tools, and other items used, prepared for use in, or resulting from trafficking in persons.

Article 12

Any perpetrator who notifies the competent authorities of information regarding a crime prior to its commencement, leading to detection of said crime prior to its commission, apprehension of the perpetrators, or prevention of completion thereof, shall be exempted from the penalties prescribed for crimes specified in this Law. If notification of the competent authorities takes place after the crime has been committed, said perpetrator may be exempted from the penalty if such notification leads to the arrest of the remaining perpetrators by the competent authorities before the commencement of the investigation. If the notification takes place during the investigation, the penalty may be reduced.

Article 13

Without prejudice to the liability of natural persons, if a crime of trafficking in persons is knowingly committed through, to the benefit of, or on behalf of a corporate person, said person shall be punished by a fine not exceeding 10,000,000 riyals, and the competent court may order temporary or permanent dissolution or closure of the same or any branch thereof.

Article 14

Penalties provided for in this Law shall not prejudice the imposition of any harsher penalties provided for in other laws.



Article 15

The following measures shall be adopted regarding victims of trafficking in persons during investigation or prosecution:

1. Informing the victim of his legal rights, using a language that he understands.
2. Availing the victim of the opportunity to set forth his status as a victim of trafficking in persons, as well as his legal, physical, psychological, and social status.
3. Referring the victim to the relevant physician if he appears to be in need of medical or psychological care, or if he requests such care.
4. Admitting the victim to a medical, psychological, or social rehabilitation center if so necessitated by his age, or his medical or psychological condition.
5. Admitting the victim to a specialized center if he needs shelter.
6. Providing police protection for the victim if necessary.
7. If the victim is non-Saudi and there is a need for him to stay or work in the Kingdom during investigation or prosecution, the Public Prosecution or competent court shall have the discretion to decide upon such need.

Article 16

The Bureau of Investigation and Public Prosecution shall have the power to investigate and prosecute crimes provided for in this Law, and to inspect the rehabilitation centers of victims of such crimes in order to ensure enforcement of relevant judicial rulings.

Article 17

This Law shall enter into force 90 days from the date of publication in the Official Gazette.