

المملكة العربية السعودية

KSA



Anti-Trafficking in Persons Law

Royal Decree No. (M/40)

Dated 21/7/1430H - 14/7/2009



Article 1

The following terms, wherever mentioned in this Law, shall have the meanings assigned thereto, unless otherwise required by context:

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 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 eighteen 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 or services, mendicancy, slavery or slavery-like practices, servitude or the 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 fifteen years or a fine not exceeding one million riyals, or by both.

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, or has authority over the victim.
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 crime inflicts severe harm on or results in permanent disability of the victim.

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 two hundred thousand riyals, or by both:



1. Using physical force, threat, terror, deprivation 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, threat or terror 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 one hundred thousand riyals, or by both.

The competent court may exclude parents, children, spouse 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 a perpetrator.

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 two hundred thousand riyals, or by both.

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 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. 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 ten



million 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. Inform the victim of his legal rights, using a language that he understands.
2. Avail 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. Refer the victim to the relevant physician if he appears to be in need for medical or psychological care or if he requests such care.
4. Admit the victim to a medical, psychological or social rehabilitation center if so necessitated by his medical or psychological condition or age.
5. Admit the victim to a specialized center if he needs shelter.
6. Provide 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 Prosecution shall have the power to investigate and prosecute crimes provided for in this Law, and to inspect



rehabilitation centers of victims of such crimes in order to ensure enforcement of relevant judicial rulings.

Article 17

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