

*Translated from Arabic*

## **Appendix A**

### **Excerpts from the Penal Code of Qatar**

#### **Article 16**

The provisions of the present Code shall apply to the following:

1. Any person outside Qatar who commits an act that renders them the perpetrator of or an accessory to an offence that is perpetrated wholly or partially in Qatar.
  
2. Any person inside Qatar who commits an act that renders them the perpetrator of or an accessory to an offence that is perpetrated wholly or partially outside Qatar, if they are liable to punishment for that offence under the present Code and under the law of the State in which that offence was perpetrated.
  
3. Any person who perpetrates or is an accessory to an offence that takes place outside Qatar and constitutes an offence against external or internal State security, or an offence related to the forgery or copying of official documents, Government seals, insignia or stamps, or the forgery, counterfeiting or copying of any paper currency or coins in legal circulation in Qatar, or the possession or circulation of such forged, counterfeit or imitation currencies.

**Article 17**

The provisions of the present Code shall apply to any person in the country who, as the perpetrator thereof or an accessory thereto, has previously perpetrated abroad any offence related to the trafficking of drugs or persons, piracy or international terrorism.

**Article 18**

Any Qatari citizen who commits an act outside Qatar that constitutes a felony or a misdemeanour under the present Code shall be punished under the provisions thereof upon their return to Qatar if that act is punishable under the law of the State in which it was perpetrated.

**Article 19**

No criminal proceedings shall be instituted in respect of the perpetrator of an offence that is committed abroad if it is established that a foreign court has pronounced a final acquittal or conviction in their regard and the judgement has been carried out or overturned, or if the case has lapsed.

If an acquittal is pronounced in connection with one of the offences set forth in article 16, paragraph 3 of the present Code, a criminal case may be brought before the courts in Qatar if that offence is not subject to penalty under the law of the State in which it was perpetrated.

**Appendix B****Code of Criminal Procedure****Book V: International Judicial Cooperation****Chapter I: General Provisions****Article 407**

Without prejudice to the provisions of the international agreements in force in the State of Qatar, the Qatari judicial authorities shall, on a reciprocal basis and in accordance with the provisions of the present Code, cooperate on criminal matters with foreign and international judicial authorities.

**Chapter II: Extradition of accused and convicted persons and items****Article 408**

The extradition of convicted or accused persons to the State requesting their extradition with a view to imposing criminal sentences that were pronounced in their regard or subjecting them to criminal prosecution shall take place in accordance with the provisions of the following articles:

**Article 409**

Persons may be extradited under the following conditions:

1. The offence for which extradition is requested was perpetrated in the territory of the State requesting extradition or outside the territory of both Qatar and the requesting State, provided that the act committed outside that State's territory is punishable under its laws.
2. The offence is a felony or misdemeanour that is punishable under both Qatari law and the law of the State requesting extradition and carries a custodial sentence of at least two years or a more severe penalty, or the person whose extradition is requested in connection with that offence has been sentenced to a prison term of at least six months.

If the act is not punishable under Qatari law, or if the penalty established for the offence in the requesting State has no equivalent in the State of Qatar, extradition shall not be obligatory unless the person whose extradition is requested is a national of the requesting State or of a third State that provides for the same penalty.

If extradition is requested in connection with several offences, it shall be permitted only for offences that fulfil the two aforementioned conditions.

**Article 410**

Extradition shall not be permitted in the following cases:

1. When the person whose extradition is requested is a Qatari national.
2. When the offence for which extradition is requested is, or is related to, a political offence, or when the person whose extradition is requested was a political refugee at the time of the submission of the extradition request.
3. When the offence for which extradition is requested relates only to a breach of military duties.
4. When there are compelling reasons to believe that the extradition request was submitted with a view to prosecuting or penalizing the person concerned on the basis of race, religion, nationality or political opinion, or when any of those considerations may be prejudicial to the person whose extradition is requested.
5. When the person whose extradition is requested has previously been tried for the same offence and sentenced or acquitted in a final judgement in accordance with the laws of the State in which the sentence was passed and the penalty has been carried out, or when the criminal case or the penalty has lapsed with the passage of time or been pardoned under Qatari law or the law of the State requesting extradition.
6. When Qatari law provides for the individual whose extradition is requested to be prosecuted by the judicial authorities in Qatar for the offence for which extradition is requested.

**Article 411**

If the person whose extradition is requested is under investigation or being tried for another offence that was perpetrated in Qatar, extradition shall be postponed until the investigation is completed or until the court delivers a final verdict and the relevant sentence has been imposed.

**Article 412**

The extradition request shall be submitted through the diplomatic channel and a decision shall be taken in that regard by the competent authorities in accordance with the law. The request shall be submitted together with the following documents and information:

1. An arrest warrant issued by the competent authority that specifies the type of offence, the legal provision under which that offence is punishable, and whether the request pertains to a person under investigation. The request shall be submitted together with official copies of the documents relating to the investigation that have been authenticated by the judicial authority conducting that investigation or with which those documents are deposited.
2. An official copy of the judgement, whether the request concerns a person sentenced in person or in absentia. The request for extradition must, in all cases, be submitted with a certified copy of the legal provisions applicable to the offence, complete information pertaining to the

identity and particularities of the person whose extradition is requested and documents that confirm his or her nationality.

All extradition documents are to be certified by the competent authority in the country requesting extradition.

### **Article 413**

The Public Prosecutor shall rule on the extradition request. If it is apparent that a decision cannot be made on the basis of the information and documents submitted in support of that request, the Public Prosecutor may ask the requesting State to submit further information and documents within a specified time period.

### **Article 414**

Persons whose extradition has been requested shall be notified of the charges against them pursuant to which that request was submitted, the evidence against them and the documents pertaining to the request. A record shall be made of their statements. They are entitled to be questioned in the presence of a lawyer.

### **Article 415**

In urgent cases, and pursuant to a request that is submitted to him directly by the judicial authorities in the State requesting the extradition, using any means of communication, the Public

Prosecutor may decide to detain the requested person in custody temporarily, pending the receipt of the written extradition request and its accompanying documentation.

A person whose extradition is requested may not be held in custody for more than 15 days pending receipt of the written extradition request and its accompanying documentation unless a valid justification for this is provided by the requesting State. Under no circumstances may the period of custody exceed one month. Release of a person whose extradition is sought does not preclude their redetention upon receipt of the extradition request and its accompanying documentation.

#### **Article 416**

If more than one country requests the extradition of the same person, the Public Prosecutor shall determine the State to which that person shall be extradited after taking into consideration the particularities of each case including, in particular:

1. The gravity of the offence
2. The place where and the date on which the offence was perpetrated.
3. The date of each request.
4. The nationality of the person whose extradition is requested.
5. The habitual residence of the person whose extradition is requested.



**Article 417**

Without prejudice to the bona fide rights of third parties, the Public Prosecutor may deliver to the State requesting extradition all items in the possession of the person in respect of whom the extradition order was issued that were obtained from or were used in the commission of the offence or that may be used as evidence thereof.

**Article 418**

If the State requesting extradition does not take custody of the person in respect of whom the extradition order is issued within one month of the date on which that State is notified of the order, that person shall be released. Thereafter, that person may not be extradited unless a new order is issued. Under no circumstances shall the detention of a person whose extradition has been requested exceed three months.

**Article 419**

A person in respect of whom an extradition order has been issued may appeal against that order. In accordance with the procedures set forth in the following two articles, that person and all concerned parties may appeal against an order to surrender articles.

**Article 420**

A notice of appeal shall be drawn up at the office of the clerk of the Court of Appeal within five days of the date on which the order against the appellant was issued or the date on which the petitioner was officially notified thereof. That notice shall set forth the date of the hearing established for the appeal, which shall take place no more than seven days after the petition date, and shall, even if filed by a representative, serve as the hearing notification.

**Article 421**

A criminal chamber in the Court of Appeal shall consider the appeal and shall rule in camera thereon within two weeks of the date of the first session scheduled for consideration of that appeal. A person who is the subject of an extradition request and is being held in custody shall remain in detention. The ruling issued may not be contested in any way whatsoever.

**Article 422**

The Public Prosecutor may request the competent authorities in another State to extradite a convicted person who has been given a custodial sentence or more severe penalty, or a person accused of an offence that is liable to such a penalty and is punishable under Qatari law. The request shall be made to the relevant State through the diplomatic channel and shall be submitted together with the relevant supporting documentation. The Public Prosecutor is empowered to approve the

conditions imposed on the extradition by the foreign State, provided that those conditions do not contravene the key principles of the Qatari legal system.

### **Article 423**

An extradited person cannot be charged with, or prosecuted or punished for any offence that was committed prior to the extradition date other than the offence for which their extradition was requested and any offences related thereto, except in the following two circumstances:

1. If that person or the extraditing State agrees thereto;
2. If, although capable of doing so, that person does not leave the territory of the State for 30 days following either the conclusion of the case proceedings or the implementation of the ruling.

### **Article 424**

The length of time that the suspect was held in custody abroad pursuant to the extradition request shall not be taken into consideration when determining the period that he or she may be held in preventative custody. It shall, however, be deducted from the sentence that is passed.

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