

**Baker
McKenzie.**

Real Rights: young people engaging with law enforcement

 Qatar



Developed by Baker McKenzie and the Global Initiative on Justice with Children, Real Rights provides young people – especially young people in vulnerable populations – with legal information for when children encounter police in public settings. Thanks to the pro bono work of over 1,500 volunteer professionals, this database provides answers for children in contact with the police from initial contact to searches and questioning.

Rights:

What rights do I have when I encounter law enforcement?

Question Asked

- Stopped by the police on the street, now what?
- When can police search you and your surroundings?
- Reasons police may Detain or Arrest you
- The difference between police TELLING me what to do and ASKING me to do something
- Do police need a warrant to arrest you?
- How do you know if you are under arrest?
- What to do after being warned of your rights?
- Police questioning you
- How do I contact a lawyer and when?
- Do police always have to tell the truth?
- How do I make a complaint if I have questions or feel my rights have been violated?
- What if I feel I was a victim of discrimination or racism?
- How can I respond to circumstances involving discrimination?
- What can you do if the police perform an improper search? Or I was improperly detained?

Stopped by the police on the street, now what?

Proposed Information

It is important to follow this advice:

- Stay calm. It is not a good idea to run. Speak carefully and clearly. Anything you say can be used against you in a court of law.
- It is not a good idea to touch the officers. Keep your hands where the police can see them.
- It is not a good idea to resist, even if you're innocent or if you think the police are acting unfairly or unlawfully.

Can the police arrest you for refusing to answer questions?

Yes, if the police think that "circumstances demand for it" or if a juvenile (aged 7-16) is "subject to delinquency", for a maximum period of 48 hours (unless extended by the court).

Juvenile Police Department

The Legal Atlas for Street Children - Consortium for Street Children

The Constitution prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court[1].

For juveniles[2] aged 7-16 when involved in the offence for which he was being arrested, the Juvenile Police[3], considering the best interest of the investigation or juvenile, may detain the delinquent juvenile in a guidance house for a period of no more than 48 hours[4] [unless extended by the court].

However, police have powers to conduct investigations, investigate juvenile cases, arrest juvenile delinquents (see paragraph below for definition) and those subject to delinquency[5].

A juvenile is subject to delinquency if he/she is:

1. In contact with homeless persons, who are suspected to be or are known for bad conduct or corruption[6];
2. If he used to flee from home or from education or training institutes[7];
3. If he does not have legitimate means of subsistence or a foster family[8]; or
4. If he is rogue from the authority of his or her parents or the authority of a guardian[9];or
5. If he does not have a stable place of residence, or normally dwells on the roads or in other places not intended for accommodation or overnight stay[10].

It can therefore be assumed that police have the power to round-up street-connected children.

[1] The Permanent Constitution of the State of Qatar (<http://www.almeezan.qa/LawPage.aspx?id=2284&language=en>) Article 36 provides that personal freedom shall be guaranteed and no person may be arrested, detained, searched, neither may his freedom of residence and mobility be restricted save under the provisions of the law; and no person may be subjected to torture, or any degrading treatment; and torture shall be considered a crime punishable by law.

[2] "Juvenile": every male or female who has completed seven years of age and not reached sixteen years at the time the crime was committed or when he was involved in any cases of exposure to the deviation.

[3] "Juvenile Police": one of the police divisions which is formed as per the decision of the Minister of Interior Affairs, which is devoted to juveniles (<https://portal.moi.gov.qa/wps/portal/MOIIInternet/departmentcommittees/juvenilepolice>)

[4] Article 26, first paragraph of the Law of Juvenile (<https://www.almeezan.qa/LawArticles.aspx?LawTreeSectionID=1397&lawId=167&language=ar>) "*The juvenile police may - taking into account the interest of the investigation or the interest of the juvenile himself - detain the delinquent juvenile in precaution for a period not exceeding forty-eight hours from the date of his arrest. If it is deemed that his detention will continue, the papers must be presented to the juvenile court to consider extending his detention for a period not exceeding one week, and it may be renewed for another period or extensions. Similar. Pretrial detention shall be carried out in the observation home. The juvenile police or the court, as appropriate, may also order the juvenile to be handed over to one of his parents or to someone who has the right of guardianship or guardianship over him, in order to take custody of him and present him upon every request*".

[5] Article 5, The Law of Juveniles (Law No. 1 of 1994)

[6] Article 1 (2C) of the Law of Juvenile

[7] Article 1 (2D) of the Law of Juvenile

[8] Article 1 (2E), of the Law of Juvenile

[9] Article 1 (2F) of the Law of Juvenile

[10] Article 1 (2G) (The Law of Juveniles (Law No. 1 of 1994))

What if the officers do not identify themselves?

You could ask the officers to identify themselves, show you their police card. You have the right to contact your father or another legal guardian and remain silent until your father / legal guardian shows up. You should inform the officer that you would like to contact your legal guardian and remain silent.

Sources:

- The Family Law (Lawful Guardianship)
<https://www.almeezan.qa/LawArticles.aspx?LawTreeSectionID=2427&lawId=307&language=en>
- The Criminal Procedures Law (Judicial Commissioners and their Obligations)
<https://almeezan.qa/LawArticles.aspx?LawTreeSectionID=12778&lawId=3971&language=en>

What if an officer just begins speaking to me but does not order me to do anything?

Remain calm, follow the police's instruction (after you they have identified themselves) and inform them you would like to contact your father / legal guardian.

What if the officer is not in uniform or identified as an officers but I think it is one?

Remain calm. Even when you think it is an officer, you have the right to ask them to identify themselves, contact your father / legal guardian and remain silent until your legal guardian shows up.

Can I tell police I do not want to speak without a lawyer?

Yes, you have such right. You have the right to remain silent and contact your father / legal guardian or an authority that can represent you or tell the police you would like to assign a lawyer.

Source: The Criminal Procedure Code,

- Art 40

No person shall be arrested or detained save for pursuant to an order issued by the competent authorities, and in the cases prescribed by the law. The arrested person shall be treated in such a way that maintains his human dignity, and shall not be harmed physically or morally.

The Judicial Commissioner shall remind the suspect of his right to remain silent and to communicate with any persons he so wishes.

If I sit down, am I resisting?

You can sit down if you need to (such as, if you are feeling unwell), but please let the police officer know that you need to sit down. Please do not resist and this might make things

worse. It is recommended that you follow the instructions given by the police as far as possible.

Source:

- *According to Art 40, Criminal Procedure Code, "no person shall be arrested or detained save for pursuant to an order issued by the competent authorities, and in the cases prescribed by the law. The arrested person shall be treated in such a way that maintains his human dignity, and shall not be harmed physically or morally." Detainment must be based on an order (save for flagrante delicto) by the Judicial Commissioner and the suspected / involved people must be treated with dignity and no harm physically or morally.*

Unfortunately, Qatari law and other online sources that I have searched and read (such as, UN reports) are silent on this, so I have proposed a more "common sense" type of answer for this question.

If I am stopped in a group, and some kids run, can I run?

Please do not run away even if other kids do. This will likely only make the situation worse as the police might think you are resisting or running away and may take measures they deem necessary, including requesting to arrest. You should stay calm, follow the instructions given by the police as far as possible and remain silent until your legal guardian or lawyer shows up.

Source: Unfortunately, Qatari law and other online sources that I have searched and read (such as, UN reports) are silent on this, so I have proposed a more "common sense" type of answer for this question.

[Qatar - Is it illegal for a child to run away? - The Legal Atlas for Street Children](#)

- Criminal Procedure Code, Art 42

If there is sufficient evidence indicating that someone is suspected of committing **or attempting to commit a felony or misdemeanor of theft or fraud or resisting public officers by force or violence**, in cases other than those prescribed in the previous section, **the Judicial Commissioner may undertake the appropriate precautionary measures and immediately request the Public Prosecution to issue a warrant of arrest against him.**

In all cases, the orders of arrest, summon and precautionary measures may be executed by public authority officers.

Can I tell others (siblings, for example) to run?

Please do not tell the other kids that you might be with to run away. This will likely only make the situation worse as the police might think that you or the other kids (whether they have run away or not) have committed a crime or done something wrong. It is recommended that you and the other kids follow the instructions given by the police as far as possible.

Source: Unfortunately, Qatari law and other online sources that I have searched and read (such as, UN reports) are silent on this, so I have proposed a more "common sense" type of answer for this question.

If the officer's language is not my first language, can I tell them without waiving my rights?

Yes, you should tell the police officer about any language difficulties that you might have. This is especially important if you are being investigated for a potential crime or juvenile delinquency. Investigations are conducted in Arabic.

[back to top](#)

Depending on the case (such as, seriousness of the crime), the police generally have to act in your best interest, so they might allow you access to your parents or legal guardian if you are detained (and they can be reached), who should be able to arrange for legal assistance from someone who can speak your language.

In addition, if you are brought to the Juvenile Court, the Court can also provide you with an interpreter if you are non-Arabic speaking.

Sources: Ministry of Interior of the State of Qatar website on the Juvenile Power Department: [MOI Qatar - Ministry of interior Qatar](#), and also based on information drawn from the UK Government / British Embassy in Doha's 2014 Prison Information Pack, Doha, State of Qatar, available at: [Prisoner Pack BE Doha 2014.pdf \(publishing.service.gov.uk\)](#).

If I did not do anything, can they stop me?

Yes, the police has a general power to stop you. This is usually done if they need to investigate juvenile cases and hold juvenile delinquents or juveniles prone to delinquency.

The police (Juvenile Power Department) has the power to detain you for up to 48 hours in a juvenile guidance house. The police can also ask the Juvenile Court to extend this period if necessary (such as, if the police need more time to do their investigation).

They are required to treat you in such a way that maintains human dignity, and shall not harm physically or morally.

Sources:

- *Qatary Criminal Procedure Code (Art. 36)*
- *Ministry of Interior of the State of Qatar website on the Juvenile Power Department: MOI Qatar - Ministry of interior Qatar, and also refer to Article 5, The Law of Juveniles (Law No. 1 of 1994): [الميزان | البوابة القانونية القطرية | التشريعات | قانون رقم 1 \(لسنة 1994 بشأن الأحداث\) \(almeezan.qa\)](#) (no English translation available on official Qatar Legal Portal website).*
- *Additional resource: Consortium for Street Children website: Qatar - Is it illegal for the police to round up street children? - The Legal Atlas for Street Children, which applies to street children or homeless children, but might also be relevant or analogous to youth or kids in general for this Real Rights project.*

When can police search you and your surroundings?

Proposed Information

It is important to follow this advice:

- You have the right to say no to searches of you without warrants.
- You have the right to say no to searches of your car, house or other surroundings without warrants.
- You cannot be arrested for refusing to consent to a search without a warrant.
- A warrant is a court order so you have no choice but to consent.

What if a police officer wants to search my phone?

You can deny if it is unlawful search.

According to Constitution of Qatar, personal freedom shall be guaranteed and no person may be searched and the search will be restricted save under the provisions of the law. The officer is allowed to inspect you where it is lawful.

Source

Article 36, Constitution of Qatar

"Personal freedom shall be guaranteed and no person may be arrested, detained, searched, neither may his freedom of residence and mobility be restricted save under the provisions of the law; and no person may be subjected to torture, or any degrading treatment; and torture shall be considered a crime punishable by law."

<https://www.gco.gov.qa/wp-content/uploads/2016/09/GCO-Constitution-English.pdf>

Article 47, CRIMINAL PROCEDURE CODE

"A criminal investigation officer is allowed to inspect the defendant where it is lawful to arrest him, which may include his body, clothes, belongings or any item related to the investigated crime."

[Law 23 for the year2004-E.indd](#)

What if a police officer asks me for my password to my phone?

You can deny if it is unlawful.

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[Source](#)

[Article 36, Constitution of Qatar](#)

<https://www.gco.gov.qa/wp-content/uploads/2016/09/GCO-Constitution-English.pdf>

[Article 47, CRIMINAL PROCEDURE CODE](#)

[You can deny if it is unlawful](#)

[According to Constitution of Qatar, personal freedom shall be guaranteed and no person may be searched and the search will be restricted save under the provisions of the law. The officer is allowed to inspect you where it is lawful.](#)

[Source](#)

[Article 36, Constitution of Qatar](#)

[Article 47, CRIMINAL PROCEDURE CODE](#)

What if they tell me to give them my password or other access to my phone?

There should be clear legal basis for asking personal information.

[Law No.13 of 2016](#)

Article (18)

The Competent Authority may decide to process some Personal Data, for achieving any of the following purposes:

1. Protecting National and public security.
2. Protecting international relations of the State.
3. Protecting the economic or financial interests of the State.
4. Preventing any criminal offense or gathering information thereon or investigating therein.

The Competent Authority shall keep a special record where the data achieving the aforementioned purposes shall be entered. Conditions, controls and statuses of entry on such record shall be specified by virtue of a decision issued by the Minister.

Do I have to give them my device password if they demand it from me if I am not under arrest? What if they just ask for it?

Detained and interrogated in Qatar - *"Minky Worden, Director of Global Initiatives at the NGO Human Rights Watch, says that Qatar was awarded the right to host the 2022 World Cup in line with the Olympic Charter.*

Minky Worden: "We're taking the event away."Image: DW/H. Kiesel

"The rules are clear as day," she says. "You have to allow freedom of the press. Otherwise you're not allowed to host a major sports event. By no means are you allowed to detain journalists or confiscate their material."

[Detained and interrogated in Qatar – DW – 05/11/2015](#)

What tools can police use to search me? What technology? (Facial recognition, hidden cameras, finger print searches, etc.)

1) LGBTI people's rights

Qatari laws continued to discriminate against LGBTI people. The Penal Code criminalizes a range of same-sex consensual sexual acts. Article 296(3) punishes with imprisonment anyone who "leads or induces or tempts a male, by any means, into committing an act of sodomy or debauchery". Article 296(4) punishes with imprisonment anyone who "induces or tempts a male or female, by any means, into committing acts contrary to morals or that are unlawful".

Activists reported that six people were arbitrarily arrested by security officials and tortured and otherwise ill-treated for their sexual orientation.

[Human rights in Qatar Amnesty International](#)

2) Brit found hanged in Doha hotel 'tortured by Qatar police'

[Brit found hanged in Doha hotel 'tortured by Qatar police' | The Week](#)

3) Request by Police for ID

[Is this true about qatar? : r/qatar](#)

Can they search my backpack or other item I am carrying?

No unless it's lawful.

According to Constitution of Qatar, personal freedom shall be guaranteed and no person may be searched and the search will be restricted save under the provisions of the law. The officer is allowed to inspect you where it is lawful.

Source

Article 36, Constitution of Qatar

"Personal freedom shall be guaranteed and no person may be arrested, detained, searched, neither may his freedom of residence and mobility be restricted save under the provisions of the law; and no person may be subjected to torture, or any degrading treatment; and torture shall be considered a crime punishable by law."

<https://www.gco.gov.qa/wp-content/uploads/2016/09/GCO-Constitution-English.pdf>

Article 47, CRIMINAL PROCEDURE CODE

"A criminal investigation officer is allowed to inspect the defendant where it is lawful to arrest him, which may include his body, clothes, belongings or any item related to the investigated crime."

[Law 23 for the year2004-E.indd](#)

Can they take my picture or record me?

Qatar airport police officers charged over invasive searches of women - "The public prosecutor did not say what crimes had been committed, how many police officers had been charged or detail the penalties they faced, such as imprisonment, if convicted."

[Qatar airport police officers charged over invasive searches of women | Reuters](#)

Reasons police may Detain or Arrest you

Proposed Information

It is important to follow this advice:

- The police may arrest you because they suspect you of committing (or having committed) a violation of the law, or if they suspect that you currently have evidence of a crime.
- Sometimes police have a warrant for an arrest. You should be clear on what kind of warrant is being presented to you if that is the case.
- It is a good idea to review any paper from police/warrant carefully, to ensure you understand what exactly is covered.
- If arrested, you may be charged with a felony for a more serious crime (with potential jail time of one year or more), a misdemeanor for a less serious crime (with jail time of less than one year) or a violation.
- If the police arrest you, they also have the right to search you. Anything found during this search may be used as evidence against you.

What if I did not do anything illegal, must I speak with the police and answer questions?

In general, the investigative rules police follow with respect to adults apply to juveniles (i.e., age 7 to 16 years).

No, you need not speak with the police. However, if there is a crime that is actually being committed, or shortly thereafter, a police officer may prevent a person from leaving the location and request from any person any relevant information. If such person does not comply, the person may be referred to public prosecution and subject to a fine up to one thousand Riyals.

[Art. 4 of Law No. (1) of 1994 Regarding Juveniles,
<https://www.almeezan.qa/LawArticles.aspx?LawTreeSectionID=1397&lawId=167&language=ar>]

[Art. 31, 37, 39 of Law No. (23) of 2004 Regarding Criminal Procedure Code,
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/91461/106075/F1506630289/QAT91461%20Eng.pdf>]

What if they tell me something they are investigating and that is wrong? Must I correct them?

No, you do not have an obligation to correct or respond as the law is silent on this matter.

What if an officer just begins speaking to me but does not order me to do anything?

You do not have an obligation to respond as you have a right to remain silent. However, the law is silent on this matter.

What is the legal difference between talking to a police officer without being told me that I am under arrest, versus talking to him/her after being informed that I am under arrest?

If a police officer tells you are under arrest, you have the right to remain silent and call whoever you find necessary.

[Art. 40 of Law No. (23) of 2004 Regarding Criminal Procedure Code,
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/91461/106075/F1506630289/QAT91461%20Eng.pdf>]

The difference between police TELLING me what to do and ASKING me to do something.

What is the difference between the police deciding to search me or my belongings (phone, person, backpack) and me agreeing to the search?

There is no definition of youth in Qatar. However, Qatar in 2013 mentioned that the voting age is 18, inferring that is the age deemed to be adulthood(Source: [BBC](#)). The difference points to personal freedom where the individual has a choice and given consent. Per the 2004 Constitution of Qatar (Article 36 and 37), an individual will have personal freedom and human privacy should not be violated. Hence, the police should not be searching an individual and his/her belongings without any consent on the premise that no crime has been conducted by the individual.

2004 constitution of Qatar

Article 36 - Personal freedom shall be guaranteed and no person may be arrested, detained, searched, neither may his freedom of residence and mobility be restricted save under the provisions of the law; and no person may be subjected to torture, or any degrading treatment; and torture shall be considered a crime punishable by law.

Article 37

The sanctity of human privacy shall be inviolable, and therefore interference into privacy of a person, family affairs, home of residence, correspondence, or any other act of interference that may demean or defame a person may not be allowed save as limited by the provisions of the law stipulated therein.

[Law in Qatar - DLA Piper Global Data Protection Laws of the World \(dlapiperdataprotection.com\)](http://dlapiperdataprotection.com)

[28492--qatars-new-protection-of-personal-data-privacy-law.pdf \(squirepattonboggs.com\)](https://www.squirepattonboggs.com/28492--qatars-new-protection-of-personal-data-privacy-law.pdf)

What if they tell me to give them information versus them asking and me providing answers voluntarily?

To understand what is the premise/basis that the police has requested for the information. It will also depend on what information is being requested for. Similar to (a), the difference points to personal freedom where the individual has a choice to determine the information rendered. Qatar also has their own privacy laws governing personal data where an individual has privacy rights to their personal data. Consent will need to be provided when sharing of personal data. When the personal data of a child is involved, explicit consent is required from the parent.

2004 constitution of Qatar

Article 36 - Personal freedom shall be guaranteed and no person may be arrested, detained, searched, neither may his freedom of residence and mobility be restricted save under the provisions of the law; and no person may be subjected to torture, or any degrading treatment; and torture shall be considered a crime punishable by law.

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[Law in Qatar - DLA Piper Global Data Protection Laws of the World \(dlapiperdataprotection.com\)](http://dlapiperdataprotection.com)

Do police need a warrant to arrest you?

Proposed Information

It is important to follow this advice:

- No. Police officers can legally arrest you without a warrant in several circumstances:
 - When the crime is committed in front of the police officers; or
 - When the officer has probable cause (reason to suspect) that the suspect committed a felony, whether or not the act was done in front of them.

Even if I did not do anything, can they stop me?

Children can be held criminally responsible from the age of seven. Hence, even juveniles can be stopped by the police.

Under Section 40 of the Law No. 23 of 2004 Regarding promulgating the Criminal Procedure Code ("CPC"), no person shall be arrested or detained save for pursuant to an order issued by the competent authorities, and in the cases prescribed by the law. The arrested person shall be treated in such a way that maintains his human dignity, and shall not be harmed physically or morally.

Section 41 of the CPC, which states that the "Judicial Commissioner may, in the cases of flagrante delicto crimes or misdemeanors punishable with imprisonment for a period exceeding six months, order the arrest of the suspect present at the scene, against whom sufficient evidence for conviction is available", suggests that an arrest at the scene is only available for in flagrante delicto crimes, i.e. if you are not caught red-handed, it may be harder to stop and hold you without an arrest warrant. [Can someone help to confirm this?]

The above may exclude special circumstances, e.g. those involving state security or religious crimes.

Sections 40 to 46 of the CPC provide more information on the arrest process.

See: [inhuman sentencing children qatar 2016.pdf](#)

Note, the police authorities have the power to detain an arrested person for up to 24 hours before referring the case to the public prosecutor. The prosecutor may order the accused to be released, remanded in custody to await trial, held in pre-trial detention pending investigation, or released on bail. The state security service can arrest and detain accused for up to 30 days without referring the accused to the public prosecutor.

Can I ask for the reason they stopped me?

If you are stopped pursuant to an arrest warrant or summons – Section 104 of the CPC states that each "order for the suspect to be present at a specified time, or to be arrested and summoned...shall include the suspect's name and surname, profession, place of residence, the attributed charge, the date of the order, the name of the Public Prosecution member and his signature, and the official stamp of the Public Prosecution's office". A copy of the order must also be handed to you. Hence, you will find out the reason that you have been stopped.

In addition, Section 113 of the CPC states that "any person arrested or precautionary detained shall be informed immediately of the reasons of the arrest, detention and the charge attributed thereto, and that person shall be entitled to communicate with any person he so requests and to seek the assistance of an attorney."

If you are arrested on the spot, e.g. in Section 41 of the CPC, then you may need to wait for the police authorities to refer the case to the public prosecutor which is typically within 24 hours of the arrest (Section 43 of the CPC).

See: [Comments Qatar Unofficial Translation.pdf \(ohchr.org\)](#),
[Al Meezan - Qatary Legal Portal | Legislations | Law no. \(23\) for 2004 Regarding Promulgating the Criminal Procedure Code, inhuman sentencing children qatar 2016.pdf \(crin.org\)](#), [Police Arrests - Qatar | myTFC](#)

Can I advocate for another young person stopped by police if we are stopped together?

There may be risks to your own safety in advocating for another youth which has been arrested or detained by authorities.

[Note: Unable to find information.]

If I think the stop is unjustified, what can I do?

You have the right to remain silent and to communicate with any person you so desire. This includes reaching out to a lawyer.

See Articles 113, 116 of the CPC on the right to an attorney, as well as Article 40 on the right to communicate with any person you so wish.

See: [Comments Qatar Unofficial Translation.pdf \(ohchr.org\)](#),
[Al Meezan - Qatary Legal Portal | Legislations | Law no. \(23\) for 2004 Regarding Promulgating the Criminal Procedure Code, inhuman sentencing children qatar 2016.pdf \(crin.org\)](#), [Police Arrests - Qatar | myTFC](#)

Can I get the officer's identifying information for a future complaint?

[Unable to find information on wrongful arrests/unlawful detention laws in Qatar - only news articles, e.g. [FIFA World Cup 2022: Qatar's laws put fans at risk, drinking, homosexuality, rape, drugs \(foxsports.com.au\)](#) - this article says that visitors are not protected from wrongful detention. It is not clear if this means that there are no wrongful detention laws in Qatar).

How do you know if you are under arrest?

Proposed Information

It is important to follow this advice:

- You are under police custody if you do not feel free to leave an officer's presence, or if a reasonable person in your shoes would not feel free to leave.
- If the following happens, you are likely under arrest under the law:
 - an officer handcuffs you;
 - an officer forcibly holds you down;
 - an officer forcibly puts you into the back seat of a police car; or
 - you are in long-time investigation with lodging.
- An officer only has to warn you of your rights before the police question you. This means an officer can arrest you before warning you of your rights.
- An arrest without rights warnings is still a valid arrest; it just may mean that evidence collected from it is admissible in court later.

What if I do not know if I am under arrest?

You may ask the public authority officer if you are arrested or precautionary detained and the reason of the arrest, detention and the charge. You are also entitled to communicate with any person you request and seek assistance of an attorney.

<Source: Article 113 of [Law no. \(23\) for 2004 Regarding Promulgating the Criminal Procedure Code](#)>

Personal freedom is inviolable. No one can be arrested, or jailed, or searched, or having his residence confined, or having his freedom of residence or mobility restricted, except according to the provisions of the law. No one shall be subjected to torture or humiliating treatment. Torture is a crime punishable by law.

https://archive.crin.org/sites/default/files/inhuman_sentencing_children_qatar_2016.pdf

What is the difference between detention and arrest?

A detention is not an arrest. If a public authority officer has a reasonable suspicion that you may be involved in a criminal activity, you may be referred to the Public Prosecution and will be held in custody for not more than twenty-four hours, you will be released if there is no sufficient evidence of your involvement in any criminal activity within twenty-four hours.

<Source: Article 43 of the [Law no. \(23\) for 2004 Regarding Promulgating the Criminal Procedure Code](#)>

Can children be detained after being rounded up by the police? (2C)

No*

<https://www.streetchildren.org/legal-atlas/map/qatar/police-roundups/can-children-be-detained-after-being-rounded-up-by-the-police/>

The Constitution prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court.[1] By law in non-security-related cases,[2] the accused is entitled to legal representation throughout the process and prompt access to family members. There are provisions for government-funded legal counsel for indigent prisoners in criminal cases. Authorities generally honour this requirement.

Criminal law requires that persons be apprehended with warrants based on sufficient evidence and issued by an authorized official, be charged within 24 hours, and be brought before a court without undue delay.[3] If the public prosecutor finds sufficient evidence for further investigation, authorities may detain a suspect for up to 15 days with the approval of a judge, renewable for similar periods not to exceed 45 days, before charges must be filed in the courts.

For juveniles [4] aged 7-16 when involved in the offence for which he was being arrested, the Juvenile Police,[5] considering the best interest of the investigation or juvenile, may detain the delinquent juvenile in a guidance house for a period of no more than 48 hours.[6]

Detention without charge:

The law does stipulate procedures that permit detention without charge for as long as 15 days, renewable for up to six months. The law permits an additional six months' detention without charge with the approval of the prime minister, who may extend the detention indefinitely in cases of threats to national security.

References

1. ^ The Permanent Constitution of the State of Qatar (<http://www.almeezan.qa/LawPage.aspx?id=2284&language=en>). Article 36 provides that personal freedom shall be guaranteed and no person may be arrested, detained, searched, neither may his freedom of residence and mobility be restricted save under the provisions of the law; and no person may be subjected to torture, or any degrading treatment; and torture shall be considered a crime punishable by law.
2. ^ Authorities usually did not afford suspects detained under the Protection of Society Law and the Combating Terrorism Law access to counsel and delayed access to family members.
3. ^ Law no. 23 for 2004 Regarding Promulgating the Criminal Procedure Code: <http://www.almeezan.qa/LawArticles.aspx?LawTreeSectionID=12802&lawId=3971&language=en>, Article 107: The Public Prosecution shall interrogate the arrested suspect without delay. If it is not possible, the suspect shall be held in custody in a specialized place until being interrogated, for a period not exceeding twenty-four hours. If this period has lapsed, the responsible manager of such place shall refer the suspect to the Public Prosecution, which shall interrogate him within twenty-four hours or order the suspect to be released.
4. ^ "Juvenile": every male or female who has completed seven years of age and not reached sixteen years at the time the crime was committed or when he was involved in any cases of exposure to the deviation.
5. ^ "Juvenile Police": one of the police divisions which is formed as per the decision of the Minister of Interior Affairs, which is devoted to juveniles
6. ^ Article 26, first paragraph of the Law of Juvenile.

If I am handcuffed, am I arrested?

You will not be arrested or detained unless an order was issued by the competent authorities as prescribed by law. You shall be treated in a way that maintains human dignity and shall not be harmed physically or morally.

<Source: Article 40 of [Law no. \(23\) for 2004 Regarding Promulgating the Criminal Procedure Code](#)>

What will happen if I am arrested?

The police authorities have the power to detain an arrested person for up to 24 hours before referring the case to the public prosecutor. The prosecutor may order the accused to be released, remanded in custody to await trial, held in pre-trial detention pending investigation, or released on bail.

The state security service can arrest and detain accused for up to 30 days without referring the accused to the public prosecutor.

<https://mytfc.com/Police-Arrests-Qatar>

If my liberty is restricted, am I under arrest?

You have the right to remain silent and you can continue to communicate with any person during your detention.

<Source: Article 40 of [Law no. \(23\) for 2004 Regarding Promulgating the Criminal Procedure Code](#)>

What to do after being warned of your rights?

Proposed Information

It is important to follow this advice:

- You can use your right to remain silent or any of your other rights (e.g., the right to an attorney) by saying that you want to use that right. For clarity, to use right to remain silent, you don't have to tell to do.
- You are also able to waive your rights (that is, not use them) by, for example, saying 'Yes, I understand my rights but I am ready to talk to you'. This is not a good idea without a lawyer's advice.
- Make sure you know what you're doing in giving up your rights

How do things change if I am read my rights by police?

[Article 40](#) – "No person shall be arrested or detained save for pursuant to an order issued by the competent authorities, and in the cases prescribed by the law. The arrested person shall be treated in such a way that maintains his human dignity, and shall not be harmed physically or morally. The Judicial Commissioner shall remind the suspect of his right to remain silent and to communicate with any persons he so wishes."

[113 Article](#) – "Any person arrested or precautionary detained shall be informed immediately of the reasons of the arrest, detention and the charge attributed thereto, and that person shall be entitled to communicate with any person he so requests and to seek the assistance of an attorney."

Article 213 - [Protection of Minor and Mentally Disabled Victims](#) - In every crime committed against a minor under sixteen years old, it may be ordered, when necessary, to hand the minor over to a trustworthy person who undertakes to observe and protect him or to an officially recognized care body, until the case is decided on. Such order shall be issued by the Public Prosecution or the court considering the case, of its own accord or upon the request of the Public Prosecution.

[Pg16 - Article 53 Article \(53\)](#) - If a juvenile is under seven year old when committing the crime, he shall not be considered responsible from a penal point of view. The procedures provided for in the law of juveniles concerning the committer of a felony or a misdemeanor who reached the seven year old but not the fourteen year old shall be applied.

Police questioning you

Proposed Information

It is important to follow this advice:

- You are not required to make a statement, answer police questions or participate in a police investigation, and you never have to go anywhere with the police unless they have arrested you.
- If police has arrested you and if you are under the age of 20, police generally notifies your parent, caretaker or legal guardian immediately in practice.

Am I required to make a statement?

[Juvenile Police Department](#)

What will happen during the investigation?

The public prosecutor can detain an accused for up to 15 days, with the approval of a judge, if the prosecutor finds sufficient evidence for further investigation. Pre-trial detention is renewable for similar periods not to exceed 45 days, before charges must be filed in the courts.

Judges may also extend pre-trial detention for one month, renewable for one-month period not to exceed half of the maximum punishment for the accused crime.

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[Article 84](#) sheds light on the fact that it is upon the discretion of the Public Prosecutor if statement has to be given or not -

The member of the Public Prosecution examines the statements of the witnesses considered necessary to be heard with respect to facts that may lead to the proof of the crime, its circumstances, and its attribution to the defendant or his innocence.

He also examines the statements of people requested by the defendant and the victim, unless not considered necessary by the Public Prosecution.

Must police notify my guardian?

[Juvenile Police Department](#)

Must I confess?

Yes

<https://www.almeezan.qa/LawArticles.aspx?LawArticleID=771&LawID=26&language=en>

What adults can I ask to be with me?

a parent, legal guardian or a member of his or her family or a trusted family, taking the necessary undertakings for the good of his care, or hand over to the Guidance Department for his accommodation and care

Who do police have to contact if I am a legal minor?

a parent, legal guardian or a member of his or her family or a trusted family, taking the necessary undertakings for the good of his care, or hand over to the Guidance Department for his accommodation and care

How do I contact a lawyer and when?

Proposed Information

It is important to follow this advice:

- **You should always contact a lawyer before making any statements to anyone in a criminal case or investigation.**
- This applies even if you are told that (i) police officers only want to question you and/or (ii) you are only a witness.
- While you do have to wait until you attend court to get a lawyer appointed if you cannot afford your own lawyer, you should still ask for a lawyer as soon as you are questioned or arrested by the police. If you are arrested, you have the right to remain silent and to not speak until your lawyer is present. In addition, you have the right to appoint a lawyer and to consult with him/her without any official being present,

[back to top](#)

although a prosecutor or police officer may designate the date, place and time of the consultation when it is necessary for their investigation (Code of Criminal Procedure Articles 39(1) and 39(3)).

What if I am just a witness?

If a juvenile witnesses a crime, the first step is to report it to the authorities. This can be done by contacting the local police station or calling emergency services. Or, the juvenile can inform their parents or guardians about the incident and the parents or guardians may then assist in contacting the authorities and ensuring the juvenile's safety.

Juveniles have the right to legal representation. Parents or guardians should contact a lawyer who specializes in juvenile law to represent the juvenile witness.

When do you contact a lawyer?

It is crucial to contact a lawyer as soon as the crime is reported to the authorities. This ensures that the juvenile's rights are protected from the outset.

What if I cannot afford a lawyer?

<https://mytfc.com/Police-Arrests-Qatar>

Generally, detainees are entitled to legal representation throughout the pre-trial and trial procedures. Investigations will be conducted in Arabic. There state-funded legal counsel in criminal cases for those who cannot afford a lawyer. An interpreter should be provided to assist in the investigation involving a non-Arabic speaker.

Do police always have to tell the truth?

Proposed Information

- No. Although a confession obtained through a lie by police may not be admissible as evidence at trial pursuant to certain court precedents, the police may lie to you during the course of an investigation, including lying about the strength of the case they have against you and particular evidence they have in their possession.
- Sometimes police will lie to try and get you to talk more.

Can the police lie to me?

If the police is able to argue that lying was necessary in furtherance of their duty to secure justice, then yes they may be able to lie to you

The Constitution of Qatar (Article 54) states that a "public employee (such as the police) shall make public interest his only objective when performing the duties of his post.". This would support the police taking all steps necessary (including potentially telling you a lie to coerce you into a confession) to perform their investigation.

Article 26 of the Juveniles Act also seems to suggest that the police are entitled to do whatever is in the best interests of the investigation - which may also include lying to you.

Do I have to tell the police the truth?

Nothing specific found in Qatari legislation or resources. Based on the broad rights of the Juvenile Police Department and Qatar Constitution, I have to assume that an individual does have to tell the police the truth and cannot remain silent or lie to protect themselves.

Law enforcement in Qatar comes under the control of the Ministry of Interior of Qatar, which administers the various law enforcement agencies of Qatar. There are different divisions of police in the country, including traffic police, internal security, royal guard, and rescue police.

The Juvenile Police Department was established in the year 1989 as a stand-alone department by the Minister of Interior in accordance with Article 5 of the Juveniles Act and is under the remit of the General Directorate of Public Safety. The department got its mandate from the Juveniles Act, which defines the department's duties and responsibilities very broadly - to investigate and prevent juvenile delinquency. An overview of the department and its very broad remit/functions can be found on its portal at:

<https://portal.moi.gov.qa/wps/portal/MOInternet/departmentcommittees/juvenilepolice>

Nothing in the 150 articles of the Permanent Constitution of the State of Qatar that provides an individual the right to take the equivalent of the fifth amendment under the U.S. Constitution. Specifically, the right to remain silent and that permits individuals to protect themselves against self- incrimination.

<https://www.gco.gov.qa/wp-content/uploads/2016/09/GCO-Constitution-English.pdf>

How do I make a complaint if I have questions or feel my rights have been violated?

Proposed Information

It is important to follow this advice:

Remedies:

Children under 7 are not subjected to criminal proceedings (Article 53 https://adsdatabase.ohchr.org/IssueLibrary/QATAR_%20Penal%20Code.pdf)

Children between 7 and 16 are treated as "juveniles" and subject to those specific provisions (Article 53 https://adsdatabase.ohchr.org/IssueLibrary/QATAR_%20Penal%20Code.pdf)

What if I feel I was a victim of discrimination or racism?

Proposed Information

Remedies:

Under the Qatari constitution "all persons are equal before the law and there shall be no discrimination whatsoever on grounds of sex, race, language, or religion." (Article 35)

The Constitution appears to distinguish between "citizens" and "persons".

Violation of constitutional rights may be challenged in the courts through legal representation.

How can I respond to circumstances involving discrimination?

Proposed Information

Remedies:

Under the Qatari constitution "all persons are equal before the law and there shall be no discrimination whatsoever on grounds of sex, race, language, or religion." (Article 35)

The Constitution appears to distinguish between "citizens" and "persons".

Violation of constitutional rights may be challenged in the courts through legal representation.

What can you do if the police perform an improper search? Or I was improperly detained?

Proposed Information

Remedies:

See process outlined in Remedy under Category 11 Part 4 Qatar Criminal Procedure Code 2004

<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/91461/106075/F1506630289/QAT91461%20Eng.pdf>

You are entitled to legal representation throughout the process and prompt access to family members. There are provisions for government-funded legal counsel for indigent prisoners in criminal cases. Authorities generally honour this requirement.

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Law is generally described as of May 2025.

[back to top](#)