

Law No. 3 of 1995 Regulating Prisons 3 / 1995

Number of Articles: 71

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We, Khalifa bin Hamad Al-Thani, Emir of Qatar,

Having reviewed the Amended Provisional Constitution, in particular Articles 23, 34 and 51 thereof,

Law No. 5 of 1970 on the powers of ministers, the jurisdictions of the ministries and other governmental bodies, as amended;

The Penal Code of Qatar No. 14 of 1971, as amended,

The Criminal Procedure Law issued by Law No. 15 of 1971, and the amending laws thereof;

Law No. 1 of 1994 on Juveniles;

The proposal of the Minister of Interior,

The draft Law presented by the Council of Ministers (the Cabinet);

Having consulted the Shura Council,

Do hereby promulgate the following Law:

(الباب الأول)

أنواع السجون وإداراتها

Article 1

Prisons are created and their locations are determined by the Minister of Interior.

Article 2

Prisons are divided into central prisons, sub-prisons, and special prisons, each of which is divided into two types:

1. Men's Prison.
2. Women's Prison.

Article 3

Every prison has a director who is in charge of it.

b) Every prison has an officer who reports directly to the Prison Director. Such officer shall be responsible for enforcing the laws and regulations governing prisons and guarding prisoners, and shall be assisted by an officer for Inmates' affairs and an adequate number of staff and guards.

c) Every women's prison shall have a female superintendent officer performing all the duties assigned to men prison's officer under the provisions of this law. In case of failure to recruit a female officer, women's prison may be administered by a male officer, provided that he is assisted by a female superintendent reporting directly to him. Women's prisons must be staffed with women as much as possible. In all cases, guarding and service duties must be tasked to women.

d) Prison Officer, Inmates affairs' officer, and female superintendent have the powers of judicial arrest, each within his/her competence.

Article 4

Every prison shall maintain the following records:

1. General register of prisoners.
2. Incident reports and investigation record.
3. Prisoners' luggage record.
4. Prisoners' daily accidents Record
5. Prisoners' Employing Record.
6. Penalty Record.
7. Fugitives Record.
8. Prisoners' Complaint and Claim Record.
9. Official Visits Log showing official visitors' comments.
10. Normal Visits Log.
11. Periodic and unscheduled inspections Log.
12. Individual Record for every prisoner containing a thorough overall check on his health, psychological, and social status.
13. Any other record deems necessary to prison director.

b) the inmates affairs' officer shall supervise maintaining such records. Furthermore, he shall report to prisoner officer on prisoners' completeness and regularity.

Article 5

In addition to other powers prescribed in this law, the prison officer shall perform the following:

1. Take adequate means to pass to prisoners a copy of any sentence or news concerning the prisoners. Where the prisoner expresses his desire to send such information copy to a specific person, this must be done.
2. Verify that any initiatory pleading, appeal request, or any other judicial papera prisoner desires to submit to the competent authority through the prison officer has been delivered in the scheduled time.
3. Immediately inform Prison Director of the death, suicide, escape, accident, injury, or any serious injury of any prisoner, or otherwise any felony or serious misdemeanor taking place by prisoners or against them. Prison Director shall, in his turn, notify Ministry of Interior immediately about such incidents.
4. Immediately contact the Prison Director in serious cases requiring his attention or the attention of those higher; such as collective commotion or epidemic diseases, along with taking appropriate actions. Prison Director shall, in his turn, notify Ministry of Interior immediately about such accidents.
5. Monitor of work in prison, make sure of the continuance of workflow, prevent violation of laws, bylaws and regulations, and receive any written or oral complaint from prisoners and accordingly submit it to Prison Director after recording it in complaints and requests' record.

Article 6

Prison officer may permit any person or body to visit the prison in accordance with the situations, conditions, and terms prescribed by the Executive Bylaw.

(الباب الثاني)

Article 7

None is entitled to prison any human being except by a written imprisonment writ issued by the legally competent authorities. Likewise, a prisoner may not remain in prison any longer after the end of the sentenced term specified in that imprisonment writ.

Article 8

That imprisonment writ mentioned in the preceding article shall be drawn in one original and two copies signed by those who decreed the order. Prison officer, or his representative, shall acknowledge receipt of the order by signing on the original and hand it back to whoever brings the prisoner, and maintains one of the two copies, while sends the other copy to prison administration to be maintained in prisoner's file.

Article 9

Once the convict enters the prison, the respective imprisonment writ is registered in the prisoners' general record and the person bringing him shall sign on that record.

Article 10

When a prisoner is transferred from a prison to another, a copy of imprisonment writ and all the prisoner's paperwork shall be sent to the new prison.

Article 11

Every prisoner shall be inspected upon entry into prison. Everything in his possession, whether they are items prohibited by prison policy, money or valuable thing, shall be taken from him, deposited in prison locker to be delivered to him upon release, unless he wishes that these things be delivered to a specific person or to who legally acts on his behalf.

Where a prisoner owes any financial obligations to the government under the sentence, the prison officer shall notify the competent authority of the possessions found with him to so that due liabilities could be recollect.

Article 12

If inspecting a prisoner reveals that he possesses things prohibited by prison policy, money, or valuable things that are deliberately hidden, they may be administratively forfeited, or treated the same way mentioned in the preceding article. Whatever third parties try to subtly and secretly pass to a prisoner may be administratively confiscated as well.

Article 13

Prisoner's clothes worn by him when entering the prison may be kept by the prison administration if his imprisonment term not exceeding one year, and then be handed over to him upon his release. If imprisonment term exceeds one year, they shall be turned over to those he chooses or whoever legally acts for him. However, if his clothes turned out to be unusable or not good enough to keep, they shall be disposed.

Article 14

Prison officer may request inspection of suspected visitors. If inspection revealed that a visitor has with him what can be used in breach of the security of the prison, prison officer shall refer the suspected visitor to the competent authority for investigation.

Article 15

Prison Director, or his delegate, may inspect the prison at any time. Additionally, Prison Officer shall inspect the prison periodically during his work to verify compliance to systems in place and meeting the requirements of security, hygiene, and health within the prison. Inspections are to be recorded in periodic and unscheduled inspection log.

Competent court judges may enter the prison and inspect compliance with laws and regulations.

(الباب الثالث)

فئات المسجونين ودرجاتهم ومعاملتهم

Article 16

Prisoners are divided into four categories (A, B, C, D) as follows:

First Category: It includes those provisionally detained, sentenced to simple imprisonment, attachment, or detainees for failure to pay alimony, civil debt, or blood money.

Category (b): sentenced to imprisonment with hard labor or flagellation.

Category (c): sentenced to death.

Category (d): Provisionally detained for political cases, and those convicts with political charges.

Article 17

Separate places are allocated in prison for each category as set forth in the preceding article.

Article 18

Each category of prisoners is divided into different degrees according to their age, judicial precedents, type of crime, periods of sentences, similarity of social and cultural conditions, and ability for correction and rehabilitation.

Executive Bylaw of this law governs the degrees of prisoners and the shuffle from a degree to another.

Article 19

Prisoners under Category (A) may wear their own clothes, unless prison administration decides to have them wear their respective jail dress codes for health, hygiene, or security considerations. After all, they shall wear their own clothes when they go out for trial or for any other reason.

Article 20

Prisoners under Category (A) may call for the varieties of food prescribed by the Executive Regulation.

Article 21

Unless otherwise prescribed by the imprisonment writ, prisoners under Category (A) may receive visits and correspond with others as they wish within the limits of the provisions of the Executive Bylaw of this law.

Provisionally detainee's lawyer may meet his client in private, provided that a written permission is obtained from the public prosecution.

Foreign provisional detainee may contact his respective consulates or authorities taking care of their interests, after getting permission from the Ministry of Interior.

Authority men in power may not be allowed to meet with provisional detainee remanded in prison except with a written permission from the public prosecution. Prison Officer shall write down in the prison's daily record the name of the visitor, time of the interview, date of permission, and content. In all cases, the visit must be conducted under the supervision of Prison Officer or his representative.

Article 22

Prisoners under Category (A) may not work except to tidy their cells. They may be relieved of this duty if it deems appropriate to prison administration.

However, if there is a need for the work of any of them because of his skill in his craft and he agrees to work, he shall be appropriately rewarded with cash bonus for his work.

Article 23

Prisoners under Category (A) may practice their legitimate craft or hobby inside prison. Prison administration shall provide means necessary to facilitate such practice.

Article 24

- a. Executive Bylaw of this law sets forth the types of work imposed on prisoners under category (B) as well as the rules for the implementation of flogging punishment.
1. Work hours may not exceed eight hours a day. Furthermore, consideration is given to prisoners' health status. They shall also work in their pre-trial professions as much as possible.
 2. They shall not be put to work on Fridays or public holidays. As for non-Muslim prisoners, they shall not be put to work during their religious feasts, with the exception of the work necessary for the prison, such as cleaning and cooking.
 3. If it is necessary to put prisoners to work in public utilities and in areas remote to the prison, they may be accommodated overnight in special camps or makeshift prisons in accordance with the rules prescribed by Executive Bylaw of this law.

Article 25

- a. Prisoners under Category (B) are provided with money bonuses for their work in prison. This compensation is increased if their work is classified by the Executive Bylaw as technical work.
1. Prisoner under Category (B) may deliver some of his due pay to a family member of his choice, or use it for his own purposes. However, a half of his total remunerations shall be kept by the prison administration so that it could be delivered to him upon his release.
 2. Prisoner's financial obligations due to individuals or government may not be paid out of his remunerations. However, prison administration may discount the value of damages to prison's assets caused by him out of this bonus.

Article 26

- a. Prisoner under category (B) may correspond with his family and friends, and receive visitors within the limits set forth by the Executive Bylaw of this law. Prison administration shall facilitate visits of foreign consuls and foreign authorities sponsoring the interests of their jailed subjects after obtaining permission from the competent authority at the Ministry of Interior. In all cases, visits shall be conducted under the supervision of Prison Officer or his representative.
1. Prison Officer may have access to each of the incoming and outgoing correspondence of prisoners under Category (B), and he may prevent sending or delivering them if it deems necessary, and must write down such incident in prisoner's file.
 2. Prison Director may permit to relatives of prisoners under Category (B) to visit in times other than that prescribed by the Executive Regulation, as well as issue an order preventing the visit completely or partially whether for health or security reasons.

Article 27

If a prisoner under Category (B) stays in prison for more than four years, he shall go through a transitional period before being released. Executive Bylaw specifies the duration of this transitional period and how to treat the prisoner during it.

Article 28

Prison Director may grant a prisoner under Category (B) some of the benefits authorized to prisoners under Category (A) after obtaining the approval of the Minister of Interior.

Article 29

Prisoner under Category (C) may not be allowed to mingle with other prisoners, and his dress code shall be distinguished from the rest of the prisoners

Article 30

يوقف تنفيذ عقوبة الإعدام على المرأة الحامل إلى أن تضع مولودها فإذا وضعت مولودها حياً، وكان الحكم بإعدامها قصاصاً أو حداً، يؤجل تنفيذ الحكم إلى حين فطام طفلها. أما إذا كان الحكم بإعدامها تعزيراً، فيجوز أن يستبدل بعقوبة الإعدام الحبس المؤبد. ويبتع في شأن تسليم المولود ذات الأحكام المنصوص عليها في المادة 42 (من هذا القانون

Article 31

- a. Death penalty may not be carried out in public holidays or during special feasts in the religion of the convict.
- 1. Relatives of a convict sentenced to death may visit him in a day prior to the date set for penalty execution, and the prison administration shall notify them of that date.

Article 32

Death penalty may be executed in prison or in any other covert place determined by the execution order upon a written request issued by the Attorney General to Prison Director requesting the accomplishment of procedures prescribed by law.
Prison Director shall notify the Ministry of Interior and the Prosecutor of the execution exact place, date, and time.

Article 33

- Death penalty is carried out in the presence of the following persons:
1. Department of Prisons' representative.
 2. A General Prosecutor agent.
 3. Prison Officer.
 4. Prison doctor.
 5. Another doctor seconded by Ministry of Public Health.
 6. Prison Preacher.

None other than the above-listed persons may attend except with special permission from the Attorney General. Convict's lawyer shall be permitted to attend if he requested so.

Article 34

Prison Officer reads out, in the execution place and in the presence of the attendees, the death sentence judgment and the convicted offense. If the sentenced person expresses his desire to say statements, General Prosecutor's agents shall take minutes of them.

Article 35

Body of the executed sentenced shall be handed to his relatives if they so request. Otherwise, prison administration shall bury it. In all cases, religious prescriptions shall apply in his funeral and burial.

Article 36

Special locations in prison shall be allocated for prisoners under Category (D).

Article 37

Executive Bylaw sets for the rules of treatment of prisoners under Category (D). Until this regulation is issued, rules governing the treatment of prisoners under Category (A) shall apply.

(الباب الرابع)

الرعاية الصحية والاجتماعية والثقافية للمسجونين

Article 38

1. Prisoner may not be deprived of scheduled meals nor made subject to a decrease of the amounts of these meals, except for medical reasons.
 1. Garments given to prisoner shall be appropriate to his health status and the climate.
 2. Prisoner shall be given the opportunity for showering with soap and water and cutting his hair appropriately at least once a week. Female prisoner's hair is cut only for medical reason.
 3. Prisoner shall be allowed an hour a day of physical exercise. Prison Officer may, in special cases, curtail it to half an hour or increase it to an hour and half.
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Article 39

Pregnant prisoner shall receive the same treatment as prisoners under Category (A) even if she does not belong to this category, be exempted from work in prison, and receives special treatment starting from the sixth month of pregnancy in terms of food, sleep, and medical care commensurate with her mental health. She shall be transported to the hospital when approaching delivering the baby and remain there until discharged by the doctor.

Article 40

Any disciplinary sanctions upon a pregnant prisoner shall be postponed until after giving birth or until the end of the period she is allowed custody of the baby in prison, depending on the circumstances.

Article 41

No mention shall be made in the birth certificate of the baby referring to his birth in prison, or to the imprisonment of his mother.

Article 42

Imprisoned mother shall keep her child until he reaches the age of two years. If she does want to have custody of him or if he reaches this age, he shall be handed over to his father or a relative of the mother's choice. If the child has no father or relatives, he shall be kept in the custody of one of children's homes, with the imprisoned mother notified of his whereabouts, and facilitating to her to see him in close periodic times as indicated by the Executive Regulation.

Article 43

Each prison has a health unit, headed by a doctor responsible for taking whatever actions necessary to ensure maintaining the health of prisoners and protecting them against disease. He shall perform, in particular, the following duties:

1. Examine each prisoner upon entering prison, document his physical and mental health in the record designated for that purpose, and select the profession that fit his health.
1. Check prisoners' cells, the appropriateness of food offered to them, inspect cooking areas to make sure of their cleanliness, write down whatever deems necessary to maintain public health in prison. Prison Officer implements health measures recommended by the doctor.
1. Check on prisoners once a week and check those in solitary confinement every day in order to verify their health status.
1. Visit prison patients every day. He may refer to concerned specialized government hospital who he thinks in need for that.

Article 44

1. If a patient prisoner is released before fully recovering, prison doctor shall, upon his request, refer him to the appropriate place where he can receive medical care. If the patient prisoner is diagnosed of contagious disease, the doctor shall notify the concerned competent authorities before former is released.
1. If the doctor feels the need to stop the implementation of any penalty on a patient prisoner, taking into account the latter's physical or mental health status; he shall notify Prison Officer in writing with a statement showing whatever deems necessary with respect of prisoner's food, garments, or accommodation. Prison Officer implements doctor's recommendations in this regard and notify Prison Director.

Article 45

1. If the prison doctor finds that a prisoner suffers a mental disorder, he shall notify the competent specialized doctor to examine him. If it is decided to transfer him to a mental health hospital, he shall be transferred after notifying Prison Director. The duration spent in the hospital shall be calculated as part of the imprisonment duration.
1. If prison doctor sees that a prisoner's illness is getting worse, he shall notify Prison Officer to permit to his family to visit outside official visit schedule so that his condition improves.
1. If a prisoner passes away prison doctor shall provide a detailed report on the causes of death, the date and time he was notified, and any other comments.

Prison Officer shall submit this report to the competent authorities; notify the deceased's family so that they take his body. If they don't show up in time, prison administration shall bury him; turn over his clothes, remunerations, and any other deposits to his heirs.

Article 46

Each prison has one or more religious preacher to arouse prisoners' interest in virtue in virtue and urge them to perform religious duties. He shall be assisted by one or more psychosocial specialist.

Article 47

A library shall be established in every prison and prisoners shall be encouraged to use them in their spare time. Prisoner may have books, newspapers, and magazines brought in at their expense after the approval of Prison Officer.

Article 48

If a prisoner desires to resume his study, he shall be supplied with books and facilitating necessary for his study process, and be allowed him to perform the prescribed examinations after the approval of Prison Director and within the rules and procedures prescribed by the Executive Regulation.

Article 49

تتولى إدارة السجن اتخاذ ما يلزم نحو تدريب المسجونين على المهن أو الحرف المناسبة، وفقاً للبرامج التي يصدر بها قرار من وزير الداخلية، بعد التنسيق مع وزارة العمل والشؤون الاجتماعية والإسكان.

(الباب الخامس)

تأديب المسجونين

Article 50

Each prisoner violates laws, regulations, or the systems in place in prison he shall be subject to punishment by disciplinary action, without prejudice to his criminal responsibility. Each prisoner shall be announced of rules and duties he must adhere to in prison, as well as violations that he must avoid. Prison preacher and psychosocial specialist shall alert prisoners on these issues from time to time. Concerned guard shall report any violations to Prison Officer so that he would investigate the offender prisoner and document the report subsequent investigations into the record of incident reports and investigations.

Article 51

Disciplinary Sanctions that may be imposed administratively on prisoner:

1. Warning.
2. Deprivation of all or some of the advantages authorized for his degree or category for a period not exceeding thirty days.
3. Discount of the bonus of a period not exceeding seven days.
4. Put in solitary confinement for a period not exceeding seven days.
5. Flogging up to a maximum of twenty lashes, provided that it is proven he is medically fit to afford, and taking into account the rules and procedures governing the execution of flogging as a punishment in accordance with the Executive Regulations.
6. Downgrading for a lesser degree.

Article 52

Prison Officer may execute the first three sanctions listed in Article (51) while the rest of the sanctions set forth in that article are executed by a resolution of Prison Director. Where the prisoner's offense requires an urgent administrative or health action, it shall be taken immediately.

Article 53

None of the penalties set forth in Article (51) may be implemented unless after an investigation carried out with the prisoner, including facing him with the offence attributed to him and a hearing for his defense.

The decision imposing the penalty shall be justified and the investigation shall be recorded in writing with the knowledge of the prison officer or his representative.

However, in the case of warning investigation may be verbal, provided that minutes of its contents be written down and signed by the investigator. Penalties carried out on prisoners shall be logged in Penalty Record. Execution of any disciplinary penalty may not preclude the release of the prisoner in the release scheduled date.

Article 54

Firearms may not be used against prisoners except in the following cases:

First: to repel any attack or any resistance accompanied by the use of force, if not possible by other means.

Second: to prevent the escape of the prisoner unless it can be prevented by other means.

Third: Elimination of prisoners' rebellion if they are armed with deadly machines and refused to drop these machines after being requested to do so.

Article 55

In cases mentioned in the preceding article, the first bullet should be fired in air. If it doesn't work, the second-bullet should be fired in the direction of the legs. Again, if it doesn't work shooting may be directed at any part of the body of the prisoner. Prisoner Director shall be notified immediately so that an investigation could be initiated. Prisoner Director shall, in turn, report the incident to the Ministry of Interior.

(الباب السادس)

الإفراج عن المسجونين

Article 56

Prisoner is released before noon time of the next day of the end of his sentence term, unless he is released earlier by an amnesty for the crime, for the punishment or part thereof.

Article 57

In case of a remand and a release order is decreed by the competent authority, the prisoner is released immediately unless he is imprisoned for another reason.

Article 58

Where a person condemned to a custodial sentence is suffering from a disease threatening his life or threatening with entire disability, the doctor of the health unit of the prison shall examine him and recommend either treating or releasing him. In the latter case; the prisoner must be examined thoroughly by the Department of General Medical Commission at the Ministry of Public Health in order to endorse the recommendation of releasing him for medical reasons.

Article 59

Release order for health reason is issued by the Minister of Interior, upon a proposal from Prison Director endorsed by General Medical Commission Department of the Ministry of Public Health's recommending release for health reason. Release order must include assigning

prison doctor to examine the prisoner at least once every three months, and submit a report on his condition to the Prison Officer. If the report specifies that the health reasons which called for the release order are no longer exist, the Department of Medical Commission General of the Ministry public Health shall be notified for its endorsement.

Article 60

A prisoner released for health reason shall be returned to prison, by a decision of Minister of Interior, to complete the sentenced term, upon a proposal from Prison Director, and endorsing the General Medical Commission Department of the Ministry of Public Health prison doctor's report advising disappearance of health reasons necessitated the release.

The time spent in prison by the released prison is deducted from the sentence imprisonment term.

(الباب السابع)

الإفراج تحت الشرط

Article 61

A finally convicted person sentenced with freedom-restriction penalty may be released under condition if he had spent in prison three-quarters of the sentenced term with a minimum of nine months, his conduct in prison calls for confidence in self-reform, and early release would not endanger public security.

Where the sentenced penalty is life imprisonment, he could be released if he spent twenty years at least in prison and meeting the same conditions set forth in the preceding paragraph.

Article 62

Where a convict is sentenced with multiple penalties for crimes taken place before being imprisoned, he shall be released on the basis of the total duration of these penalties unless the court issue an order of replica of penalties instead of the execution of them on successive basis.

Where the convict commits a crime while in prison, he shall be released under condition based on the remaining period at the time of the commission of this last crime, plus the duration of the sentence specific to that commission.

Article 63

The period spent in provisional custody shall be deducted from freedom- restriction punishment sentenced. In this case, release-under-condition is calculated on the basis of three-quarters of the sentenced term less the period of provisional imprisonment.

Article 64

Executive Bylaw of this law shall determine the other conditions and obligations that must be adhered to by parolee for the total duration of the release, in order to verify his domicile, safety, living condition, and good conduct. They may include placing the parolee under police surveillance for a period equivalent to the remaining term of the sentence, but not exceeding three years. Surveillance period may be curtailed or completely cancelled.

Article 65

Parole is issued by a decision of the Minister of Interior, at the suggestion of Prison Director. That resolution specifies the conditions and obligations imposed on the parolee.

Likewise, a prisoner released under condition may be returned back to prison to complete the sentence term if his misconduct or violation of release conditions is proved.

(الباب الثامن)

أحكام ختامية

Article 66

- a. Without prejudice to any severer penalty provided for under the Penal Code or any other law, the following are subject to imprisonment punishment for a period not exceeding three months and a fine not exceeding one thousand Qatari riyals, or one of these two penalties:
1. Anyone brings, or attempts to bring into a prison, in any way, something in violation of laws, regulations, or regulations in place in the prison.
 2. Anyone brings into a prison or sends out of it, messages in any way, in violation of laws, regulations, or regulations in place in the prison.
 3. Anyone gives to a prisoner, while being transported from one side to the other, things not authorized access into the prison system.
2. Punishment set forth in paragraph (a) of this Article is doubled if the crime is committed by one of the prison staff or one prison's guards.

Article 67

Text of the preceding article shall be posted in a visible place on the outer door of prison.

Article 68

A separate place shall be allocated in prison for foreigners who were decided to deport the country, as a temporary custody, until they depart. This type of prisoners is treated the same way as prisoners under Category (A).

Article 69

The Minister of Interior shall promulgate the bylaws and resolutions necessary for the enforcement of this law. Until such bylaws and resolutions are issued, rules, regulations, and orders currently in force that are not inconsistent with its provisions shall continue.

Article 70

Any provision contrary to the provisions of this law shall become null and void.

Article 71

All competent authorities, each within its own purview and jurisdiction, shall work for the enforcement of this law. This law becomes effective and in force after thirty days from the date of its publication in the *Official Gazette*.