

United Arab Emirates

National Child Protection Legislation

National Legislation¹

- **Age of Child:** Under 18 years
[Federal Law No. 3 of 2016 On Child Rights \(Wadeema's Law\)](#)
Art. 1
Child – every human being born alive and who is under eighteen years old.

- **Age of Consent:** Must be Married
There is no age of consent in the United Arab Emirates, as any form of sexual activity outside of marriage is illegal.

[Federal Law 28 of 2005 on Personal Status](#)
Art. 19
Marriage is a contract that legitimates enjoyment between spouses; its aim is protection and forming a steady family under the husband's care on basis ensuring to the spouses the assumption of its charges with affection and compassion.

- **Age of Marriage:** 18 years old
[Federal Law 28 of 2005 on Personal Status](#)
Art. 30
 1. Capacity to marriage is completed by reason and maturity. The age of maturity is 18 years, completed unless the person concerned matures earlier in conformity with the law.
 2. Whoever matures before reaching the age of eighteen may not marry unless he obtains the authorisation of the judge and after verifying the existence of an interest.
 3. Should the person having completed the age of eighteen request marriage but did not succeed in obtaining the approval of his tutor, he may raise the matter before the judge.
 4. The judge shall fix a period for the tutor, after his notification, to appear before him to hear his argument. Should he fail to appear, or his opposition to the marriage is not convincing, the judge shall celebrate the marriage.

- **Age of Criminal Responsibility:** 7 Years
[Federal Law No. 3 of 1987 \(The Penal Code\)](#)
Art. 62
Criminal action shall not be brought against anyone who, at the time of the crime, has not completed seven years of age. The age shall be verified by an official document, but if such is not available, the prosecuting or judicial authority shall assign a specialist physician to assess the age through technical means.

Nevertheless, the investigation authorities and juvenile courts may order that appropriate educational or therapeutic procedures be taken in the case of such a juvenile, if it considers this to be necessary.

¹ This legislation encompasses UAE Civil Law only and does not directly examine Sharia Law.

- **Extraterritoriality**

- [Federal Law No. 3 of 1987 \(The Penal Code\)](#)

- Art. 16**

- The provisions of this Law shall apply to any one who perpetrates a crime within the territory of the State which shall consist of the lands and any place under its sovereignty, including territorial waters and air space there above.

- A crime shall be considered perpetrated in the territory of the State if any of its constituent acts occurs therein, or if the result has been, or is intended to be, realized therein.

- Art. 17**

- The provisions of this Law shall apply to crimes that are perpetrated onboard warships and military aircrafts bearing the flag of the State wherever they are.

- The abovementioned provisions shall apply to nonmilitary governmental vessels owned or operated by the State for governmental non - commercial purposes.

- **Dual Criminality**

- [Federal Law No. 3 of 1987 \(The Penal Code\)](#)

- Art. 19**

- This law shall apply to any one who commits an act outside the State, and thereby becomes a principal or an accomplice to a crime committed wholly or partially inside the State.

- Art. 22**

- A citizen who, while in a foreign country, becomes involved in an act which is considered a crime, according to the provisions of this law, whether in his capacity as a principal or accessory, shall be punished according to the provisions of such a law when he returns to the country, provided that such an act is punishable in accordance with the law of the country in which it is committed.

- This provision shall apply to any one who acquires the nationality of the State after he commits the act. In applying this Article, whoever has no nationality shall be treated as a citizen if he is a normal resident in the country.

- **Mandatory reporting requirements**

- [Federal Law No. 3 of 2016 On Child Rights \(Wadeema's Law\)](#)

- Art. 29**

- The telecommunications companies and internet service providers shall notify the competent authorities, or the concerned entities of any child pornography materials being circulated through the social media sites and on the Internet and shall provide necessary information and data on the persons, entities or sites that circulate such material or intend to mislead the children.

Art. 42

- 1- Every person shall notify the child protection specialist or child protection units in case of anything that threatens the child's physical, psychological, moral or mental integrity or health.
- 2- The notification shall be mandatory for the educators, physicians, social specialists or others entrusted with the protection, care or education of the child.

[Federal Law No. 3 of 1987 \(The Penal Code\)](#)

Art. 272

Any public official or person in charge of detecting crimes and arresting the accused, who fails or defers to denounce a crime within his knowledge shall be punished by detention or a fine.

A fine shall be imposed upon any official who is not in charge of detecting or seizing crimes, and who neglects or delays to notify the concerned authorities of a crime which becomes known to him, in the course of or in respect of his job performance.

There shall be no punishment if submittal of a legal action in either of the cases provided for in the preceding two paragraphs, is dependent on a complaint.

Exemption from the penalty provided for in the second paragraph of this Article may be granted if the official is a spouse of the offender, or one of his descendants, ascendants, brothers, sisters or in laws having the same degree of relationship.

Art. 273

Anyone who, during practice of his medical or health profession, examines a corpse or gives first aid to a seriously injured person, and the body carries marks indicating that his death or injury was caused by a crime, or if it appears from other circumstances that the cause of death or injury is suspicious and he fails to inform the authorities thereof, shall be punished by detention for at least one year and by a fine of at least twenty thousand Dirhams, or by either one of these two penalties.

Art. 274

Whoever becomes aware of a crime and abstains from informing the concerned authorities shall be punished by a fine not exceeding one thousand Dirhams.

Exemption from such a penalty may be granted if the person concerned is a spouse of the offender or one of his descendants, ascendants, brothers, sisters or persons having the same degree of relationship by marriage.

▪ **Obligations of Educational Institutions**

- [Education Policy 2017 \(Arabic\)](#) ; [Education Policy 2017 \(English\)](#);
- [Ministry of Education Strategy 2020](#)

[Federal Law No. 3 of 2016 On Child Rights \(Wadeema's Law\)](#)

Art. 31

Every child shall have the right to education and the State shall work on achieving equal opportunities for every child according to the Laws in force.

Art. 32

The State shall take the following measures in the field of education:

- 1- Prevent the children's escape from school.
- 2- Promote the participation of children and their parents in the decisions related to children.
- 3- Ban all forms of violence in educational institutions and maintain the dignity of the children upon taking decisions or setting programs.
- 4- Develop the educational system including kindergartens in order to achieve its purposes of development of every child in the mental, physical, emotional, social and moral aspects.
- 5- Set special and structured programs for reporting and complaints in order to ensure investigation of the acts and violations to the educational rights set forth in this Law as determined by the Implementing Regulation.

[Executive Council Resolution No. \(2\) of 2017 Regulating Private Schools in the Emirate of Dubai](#)

Art. 13 – Obligations of Private Schools

A Private School must:

...

2. comply with the legislation in force in the Emirate including this Resolution and the resolutions issued in pursuance hereof, and with the instructions issued by the KHDA in respect of the Educational Activity;

...

18. follow a clear and transparent policy that supports the Curriculum and the rights of Students; maintains public order and morals, and the social values and traditions of the UAE; and prevents contempt of religions;

...

28. receive complaints filed by Students and Parents, form a committee to consider them, and take the appropriate action in this respect;

29. implement the code of ethics and professional conduct approved by the KHDA;

...

36. safeguard and preserve Student rights, and take all necessary action to protect the same;

...

Art. 24 – Student Safety and Protection

a. A Private School must have a clear and transparent Student safety and protection policy, and implement it upon approval by the KHDA.

b. A Private School will be responsible for the safety and protection of its Students throughout the school day while they are at its premises and facilities or on its buses, and during any Student activity organised by the Private School outside of its premises.

Art. 27 – School Staff Affairs

All employment contracts of School Staff will be governed by the legislation in force in the Emirate, and by the conditions, rules, and requirements adopted by the KHDA, particularly the qualification and experience requirements for the appointment of School Staff.

[Private Schools Policy and Guidance Manual 2014-2015](#)

Policy 3: Students Protection

All Schools are fully responsible for the care and protection of students whilst they are in the School's care or travelling to and from the School using School-provided transportation means, and while moving between all activities organised by the School. Schools must take all possible

measures to protect students from any form of exploitation, abuse, oppression and insult and/or any other physical, sexual or emotional threat, danger or harm. All Schools must exercise the utmost care over the security of students in their care.

Reporting of Incidents

It is mandatory for all Schools to thoroughly investigate and report immediately to ADEC all incidents of abuse which students may face including exploitation, violence and/or any other physical harm, sexual abuse, or any emotional threat, or harm of any kind, all of which will be referred to as “abuse of students”. If any such incident is proven or suspected, it is the responsibility of the School’s Principal (or in the case of the abuse being carried out by the School’s Principal, the Chair of Board of Trustees/School Owner) to:

- 1- Take immediate steps to safeguard all those involved, such as reporting incidents to the relevant official entities, taking into account other laws that may be related to the incident.
- 2- Immediately inform the PSQA Sector, Licensing and Accreditation Division, of the incident by telephone, and in writing within 24 hours of the incident.
- 3- Report the incident immediately to concerned Parents/Guardians.
- 4- Immediately suspend any member of staff who is accused of an offence involving student abuse if the alleged staff abuse involves a crime according to the provisions of prevailing UAE Laws, as per article 112 of the Labour Law (including notifying the relevant authorities), until an investigation in this matter is completed and a decision is made concerning this member of staff’s fitness to continue to work at the School.
- 5- Carry out a formal investigation obtaining written statements from those involved.
- 6- Provide the PSQA Sector, Licensing and Accreditation Division, with a written report within 24 hours of the incident via the official email account (private.schools@adec.ac.ae).
- 7- Immediately terminate the employment of anyone found guilty by a competent authority of an offence of student abuse, in accordance with the provisions of United Arab Emirates Federal Law No. (8) of 1980 Labour Law and its amendments.

ADEC shall require Schools, when handling cases of student abuse, to conduct an investigation, and to maintain clear and scrupulous communications and actions when dealing with relevant government entities such as the Health Authority – Abu Dhabi (“HAAD”), the social welfare institutions and police departments. Schools should keep relevant records and inform ADEC of such communications if so requested.

Policy 30: Professional Code of Ethics

Prohibited Unprofessional Conduct includes, for example:

- 1- Engaging in or encouraging inappropriate relationships with students inside or outside of the classroom, including any behaviour constituting sexual harassment or abuse.
- 2- Sending any inappropriate messages, pictures or other communication to students inside or outside of the classroom.
- 3- Using any form of discipline that involves corporal punishment, emotional or verbal abuse, or any punishment that may cause physical or emotional harm to students (e.g. ridiculing a student’s point of view).
- 4- Failure to discipline on-going bullying of a student (including cyber-bullying), which may result in physical or emotional harm to the student (see Policy (65)).
- 5- Behaving negligently or making decisions which endanger student welfare. Using professional relationships with students for personal gain (e.g. private tutoring for students that are concurrently being taught by the teacher, asking for favours from the student’s Parents/Guardians, etc.).
- 6- Leniency in student grading, in a manner not consistent with the educational process.

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- 5- Set special and structured programs for reporting and complaints in order to ensure investigation of the acts and violations to the educational rights set forth in this Law as determined by the Implementing Regulation.

▪ **Prohibition to hold certain positions**

[Federal Law No. 3 of 2016 On Child Rights \(Wadeema's Law\)](#)

Art. 54

- 1- Whoever is convicted of a crime of sexual assault or child pornography shall be prohibited to work in a job or position that makes him/her in direct contact with children, even if (s)he was rehabilitated.
- 2- The judge shall rule that whoever is convicted of a crime of sexual assault against a child shall be prohibited to reside in the area of residence of the assaulted child within a five square kilometres radius surrounding the child's place of residence.
- 3- In all cases, the convicted person sentenced to imprisonment in a crime of sexual assault against a child shall not be released until after being subject, after the period of imprisonment, to psychological tests in order to ensure that (s)he is not socially endangering. In case (s)he was proved to be socially endangering, the Court shall rule to transfer him/her to a therapeutic institution after expiry of the period of imprisonment. The Implementing Regulation of this Law shall regulate the placement of the convicted person in a therapeutic institution and the procedures of study of the release requests.

▪ **Employment Law**

[Ministerial Decree No. \(765\) of 2015 On Rules and Conditions for the Termination of Employment Relations](#)

Art. 1

An employment relation between employer and worker may be terminated as follows:

- I - In the case of fixed-term contracts (approved by the Ministry for a term of no more than two years), an employment relation is terminated if any of the following instances occurs:
...
 6. The Employer acts to terminate the contract of a worker who commits any of the violations that are described in Article (120) of the Federal Labour Law No. (8) of 1980.

II – In the case of unlimited (not term-bound) contracts, an employment relation is terminated if any of the following instances occurs:

...

4. The employer acts to terminate the contract of a worker who commits any of the violations that are described in Article (120) of the Federal Labour Law No. (8) of 1980.

In all instances of termination described in this Article (1), either employer or worker may refer to the judicial system to seek indemnification or recover other rights under the Federal Labour Law and its implementing decrees.

Law No. 8 of 1980 concerning regulation of labor relations

Art. 120

The employer may dismiss the employee without notice in the following cases:

- 7) If he is awarded final judgement by the competent court in respect of an offence prejudicing honour, honesty or public morals.

...

▪ **Criminal Law – Defamation**

Federal Law No. 3 of 1987 (The Penal Code)

Art. 372

Whoever attributes to another person, by any means of publicity, an incident which makes him liable to punishment or contempt, shall be punished by detention for a period not exceeding two years or by a fine not exceeding twenty thousand Dirhams.

Punishment by detention and a fine or by either of these two penalties shall be applied if the libel is committed against a public official or one who is in charge of a public service, during, in respect of, or on the occasion of performing the duties or public services assigned to him, or if the libel affects the honor or injures the reputation of families, or if it is observed that the libel is intended to achieve an illicit purpose.

If libel is committed by means of a publication in any of the newspapers or other printed media, it shall be considered an aggravating circumstance.

Art. 373

Detention for a period not exceeding one year or a fine not exceeding ten thousand Dirhams shall be imposed upon anyone who, by any means of publicity, disgraces the honor or the modesty of another person without attributing any particular act to the defamed party.

Detention for a period not exceeding two years and a fine not exceeding twenty thousand Dirhams, or either of these two penalties, shall apply if a public official or one who is in charge of a public service has been abused during, because of, or on the occasion of performing his duty or public service, if the abuse affects the honor or injures the reputation of families, or if it is noticed that the abuse is intended to achieve an illegal purpose.

However, if the abuse is published in any newspaper or printed media, it shall be considered an aggravated case.

Art. 374

Punishment by detention for a period not exceeding six months or by a fine not exceeding five thousand Dirhams shall apply if slander or abuse is transmitted by telephone, or face to face with the victim and in the presence of a third party.

Punishment by a fine not exceeding five thousand Dirhams shall be imposed if slander or abuse occurs face to face with the victim alone without the presence of a third party.

It shall be considered an aggravated case, if libel or abuse is committed in any of the cases mentioned in the preceding two paragraphs, against a public official or one who is in charge of a public service during, because of or on the occasion of performing the duty or public service, if it affects the honor or injures the reputation of families, or if it is noticed that it achieves an illicit purpose.

Sexual Offenses Against Children

[Federal Law No. 3 of 1987 \(The Penal Code\)](#)

Art. 344

Whoever illegally kidnaps, arrests, detains or deprives a person of his freedom, whether by himself or through another by any means without lawful justification, shall be punished by term imprisonment; however, punishment shall be life imprisonment in the following cases:

5. If the victim is a female, a minor, an insane individual or an imbecile.
6. If the purpose of the act is profit, revenge, rape of the victim, a violation of his or her honor, causing injury to him or to her, or forcing him to commit a crime.

...

Art. 349

Whoever, by himself or by means of others, endangers a juvenile under fifteen years of age, or a person unable to protect himself due to his health, mental or psychological condition, shall be punished by detention for a period not exceeding two years; however, if the crime occurs by abandoning a juvenile or disabled person in a deserted place, or if it is committed by any of the victim's descendants, or by the person who is in charge of preserving him or taking care of him, the punishment shall be a sentence of detention. If such an act causes a permanent disability or death to the victim without intention on the part of the culprit, he shall be punished by the penalty prescribed for an assault which leads to permanent disability, or by the penalty for an assault which leads to the death of the victim, as the case may be. However, the same penalty shall apply if the exposure to danger is committed by willfully depriving a juvenile or a disabled person of food or care which is necessary for his health, where the culprit is legally bound to provide such services.

Art. 354

Without prejudice to the provisions of the Juvenile Delinquents and Homeless Law, whoever resorts to coercion in sexual intercourse with a female or homosexuality with a male, shall be punished by the death penalty. A case of coercion shall arise if the victim at the time of the crime was under fourteen years of age.

Art. 356

Without prejudice to the preceding two Articles the crime of indecent assault with mutual consent shall be punished by detention for at least one year; however, if the crime is committed against a

male or female who is under fourteen years of age, or if the crime is committed by coercion, it shall be punished by temporary imprisonment.

Art. 358

Whoever openly commits an indecent and disgraceful act shall be punished by detention for a period of at least six months.

Whoever commits a disgraceful act with a girl or boy who has not completed fifteen years of age even if it is not committed openly, shall be punished by detention for at least a period of one year.

Art. 363

Whoever entices a male or female under eighteen years of age, by any means into committing debauchery or prostitution, or who assists them in such an act, shall be punished by detention for at least two years, and a fine.

Art. 364

Whoever entices a male or female into committing debauchery or prostitution by coercion, threat or trickery, shall be punished by imprisonment for a period not exceeding ten years.

Punishment by imprisonment for at least ten years shall be inflicted on the offender if the victim is under eighteen years of age. Whoever detains a person against his will by coercion, threat or trickery, with the intention of forcing him to commit any act of lewdness or prostitution, shall be sentenced to the previous penalties as the case may be.

[Federal Law No. 51 of 2006 on Combating Human Trafficking Crimes](#)

Art. (1) bis

1. Whoever commits any of the following shall be deemed a perpetrator of a human trafficking crime:
 - a. Selling persons, offering persons for selling or buying, or promising the same.
 - b. Soliciting persons, employing, recruiting, transferring, deporting, harboring, receiving, receiving or sending the same whether within the country or across the national borders thereof, by means of threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability the person for the purpose of exploitation.
 - c. Giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation of the latter.
2. The following shall be deemed human trafficking, even if the same does not incorporate the use of any of the means provided in the previous Paragraph:
 - a. Recruiting a child, transferring, deporting, harboring or receiving the same for the purpose of exploitation.
 - b. Selling a child, offering the same for selling or buying.
3. Under this Article, exploitation includes all forms of sexual exploitation, engaging others in prostitution, servitude, forced labor, organ-trafficking, coerced service, enslavement, mendicancy, and quasi-slavery practices.

Art. 2

Whoever commits any of the human trafficking crimes provided for in Article (1) bis of this Law shall be punished by temporary imprisonment for a term of no less than five years, and a fine of no less than one hundred thousand AED.

The penalty of life imprisonment shall apply in any one of the following cases:

1. If the victim is a child or a person with disability.
2. If the act is committed by threat of murder or grave harm or involved physical or psychological torture, or if the perpetrator was armed.
3. The perpetrator of the crime has created or assumed a leading role in an organized criminal gang, has been a member therein or participated in the actions thereof while being aware of the purposes of such gang.
4. The perpetrator is the spouse, a relative, antecedent, descendant, or guardian of the victim.
5. If the perpetrator is a public servant, or assigned to public service, where he exploited the occupation or assignments thereof to commit the crime.
6. If the committed crime is transnational.
7. If the victim has been inflicted, as a result of the crime, with an incurable disease or permanent disability.

[Federal Decree - Law No. 5 of 2012 on Combating Cybercrimes](#)

Art. 1.

The following terms and phrases shall have the meanings assigned opposite to each of them unless the context indicates otherwise:

Pornography involving Juveniles: Any photographing, recordings, drawings or others which arouses sex organs or any actual, virtual or simulated sexual acts with a juvenile under eighteen years of age.

Art. 17

Shall be punished by imprisonment and a fine not less than two hundred and fifty thousand dirhams and not in excess of five hundred thousand dirhams or either of these two penalties whoever establishes, manages or runs a website or transmits, sends, publishes or re - publishes through the computer network pornographic materials or gambling activities and whatever that may afflict the public morals.

Shall be punished by the same penalty whoever produces, draws up, prepares, sends or saves for exploitation, distribution, or display to others through the computer network, pornographic materials or gambling activities and whatever that may afflict the public morals.

If the subject of the pornographic content involves a juvenile under eighteen years of age, or if such content is designed to seduce juveniles, the principal shall be punished by imprisonment for a period of at least one year and a fine not less than fifty thousand dirhams and not in excess of one hundred and fifty thousand dirhams.

Art. 18

Shall be punished by imprisonment for a period of at least six months and a fine not less than one hundred fifty thousand dirhams and not in excess of one million dirhams whoever has deliberately acquired pornographic materials involving juveniles by using an electronic information system or computer network or electronic website or any information technology means.

Art. 19

Shall be punished by imprisonment and a fine not less than two hundred fifty thousand dirhams and not in excess of one million dirhams or either of these two penalties whoever entices, aids or abets another person, by using a computer network or any information technology means, to engage in prostitution or lewdness.

The punishment shall be imprisonment for a period of at least five years and a fine not in excess of one million dirhams if the victim is a juvenile under the age of eighteen years of age.

[Federal Law No. 3 of 2016 On Child Rights \(Wadeema's Law\)](#)

Art. 2

The competent authorities and the concerned entities shall:

- 1- Protect the child from all forms of neglect, exploitation and abuse and from any physical and psychological violence that exceeds the limits of the Sharia and the Law, such as the rights of the parents and their equivalents to discipline their children.

Art. 13

It shall be prohibited to expose the child to any arbitrary interference or illegal conduct in his/her life, family, home or correspondences. It shall be also prohibited to harm his/her honour or reputation. The State shall guarantee the protection of the child from all child pornography forms according to the legislations in force.

Art. 26

It shall be prohibited to publish, display, circulate, possess or produce any visual, audio or printed works or games for children that address the child's sexual instincts or adorn the behaviours that are contrary to the public order and morals or that would encourage abnormal behaviour.

Art. 33

The following in particular shall be considered as threatening to the child or to his/her physical, psychological, moral or mental integrity, which requires his/her right to protection:

- 1- Loss of both parents and living without a breadwinner or tutor.
- 2- Child's exposure to neglect, rejection and homelessness.
- 3- Obvious and continuous default in education and care.
- 4- Habitual child abuse.
- 5- Child's exposure to exploitation or sexual abuse.
- 6- Child's exposure to exploitation by illegal organisations and in organised crime, such as planting the ideas of intolerance and hatred or inciting the child to carry out acts of violence and intimidation.
- 7- Child's exposure to begging or to economic exploitation.
- 8- Inability of the parents or custodian to provide care or to raise the child.
- 9- Child's exposure to kidnapping, sale or trafficking for any purpose or to exploitation of any form.
- 10- Psychological or mental disability that affects the child's ability to perception.

Art. 36

Taking into consideration Clause 2 of Article 2 hereof, it shall be prohibited to expose the child to torture, violate his/her physical integrity or commit any act involving cruelty that would affect the child's emotional, psychological, mental or moral balance.

Art. 37

The following acts shall be prohibited:

- 1- To use or exploit a child in the filming, recording or production of pornographic materials.
- 2- To produce, publish, distribute or facilitate access of children to pornographic materials in any way.
- 3- To possess child pornography materials regardless of the intent to distribute the same.
- 4- To download, upload or send child pornography materials through the Internet or any other communications or IT means.

- 5- The custodian's contribution to the child's participation in the production or filming of child pornography or any other sexual acts, or his permission or assistance offered to the child in such acts.
- 6- To exploit the child sexually by exposing or preparing him/her for prostitution or debauchery, whether with or without pay, directly or indirectly.

- **Female Genital Mutilation**

No legal provisions found.

- **Child Marriage/Forced Marriage**

No legal provisions found.