



UNITED ARAB EMIRATES

Federal Law **51**
(2006) on Combating Human Trafficking Crimes

National Committee to Combat Human Trafficking

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

We, Khalifa bin Zayed Al Nahyan, President of the United Arab Emirates, after perusal of the Constitution; and

The **Federal Law No. (1) of 1972** on the functions of ministries and the powers of ministers, and the laws amending it; and

The **Federal Law No. (6) of 1973** on entry and residence of foreigners, and the laws amending it; and

The **Federal Law No. (8) of 1980** on regulation of labor relations, and the laws amending it; and

The Penal Code issued as per the **Federal Law No. (3) of 1987**, and the laws amending it; and

The Penal Procedures Code issued as per the **Federal Law No. (35) of 1992**, and the laws amending it; and

The **Federal Law No. (15) of 2005** on regulation of participations in camel races; and

According to the proposal of the Minister of Justice, the approval of the Cabinet and the ratification of the Supreme Council of the Federation, have issued the following law:

Article (1)

Definitions: For the purpose of this law, the following terms and expressions shall have the meanings herein assigned to them, unless the context requires otherwise:

Human trafficking: recruiting, transporting, transferring, harboring, or receiving persons 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 of

the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation includes all forms of sexual exploitation, engaging others in prostitution, servitude, forced labor, enslavement, quasi-slavery practices, or detachment of organs.

Organized criminal gang: a group of three or more people who collaborate to carry out a premeditated act with the intent of committing a human trafficking crime for the sake of gaining directly or indirectly a financial or any other material benefit.

A transnational crime: A crime is adjudged to be transnational if it is:

1. Committed in more than one country,
2. Committed in one country but preparation, planning, direction and supervision were carried out from another country,
3. Committed in one country but the perpetrators were an organized criminal gang involved in criminal activities in several countries, or
4. Committed in one country but its repercussions radiated into another country.

Child: Any person who is under 18 years old.

Article (2)

Penalties: Whoever commits any of the human trafficking crimes provided for in Article (1) of this law shall be punished by temporary imprisonment for a term of not less than five years. The penalty shall be life imprisonment if any one of the following conditions is met:

1. The perpetrator of the crime has created, organized, assumed a leading role in, or solicited others to join an organized criminal gang.
2. The victim was a female, child, or handicapped person.
3. The crime is committed through deceit, involved the use of force or threat of murder or bodily harm or involved physical or psychological torture.

4. The crime is committed by two or more people, or by an armed person.
5. The perpetrator is a member of an organized criminal gang, or has consciously taken part in the activities of that gang.
6. The perpetrator is the spouse, a relative, descendent, or guardian of the victim.
7. The perpetrator is a public servant or commissioned with a public task.
8. The crime is transnational.

Article (3)

Any person who was aware of a plan to commit any of the crimes provided for herein, but failed to inform the concerned authorities shall be punished by imprisonment for a period of not less than one and not more than five years and/or a fine of not less than five thousand dirhams and not more than twenty thousand dirhams.

This penalty can be waived if the person who failed to inform the authorities was the perpetrator's spouse, close relative, descendent, guardian, brother, or sister.

Article (4)

Any person who uses force or threat of force, or offers or promises a gift or advantage of any kind for prompting another person to give false testimony or withhold true information before any judicial body on proceedings related to committing any of the crimes provided for herein, shall be punished by imprisonment for a period of not less than five years.

Article (5)

Any person who possesses, harbors, or dispenses articles gained through any of the crimes provided for herein, or knowingly hides a person or more of those who have taken part in it, with the intention of helping him/her to escape justice, or participates in concealment of the crime shall be punished by imprisonment.

Article (6)

Any person who assaults, resists by force, or threatened to use force against any law enforcement officers, whether during, or as a result of the law enforcement officers performing their duties shall be punished by imprisonment for a term of not less than five years.

Article (7)

A corporate entity shall be punished by a fine of not less than one hundred thousand dirhams, and not more than one million dirhams, if its representatives, directors or agents commit, in its name or for its account, one of the human trafficking crimes enumerated herein; and that is without prejudice to the responsibility and punishment of its dependent natural person. In addition to that penalty, a court may order temporary dissolution, or total closure of the corporate entity or closure of one of its branches.

Article (8)

1. Any person who attempts to commit one of the crimes enumerated herein shall be punished by the penalty for a complete crime.
2. Any person who collaborates in committing one of the crimes provided for in Articles 2, 4, 5 and 6 of this law, as a direct participant, accomplice, or who knowingly takes part in transporting or harboring victims of any human trafficking crimes enumerated herein, or holding their documents for coercion, shall be deemed a perpetrator of the crime for purposes of the criminal sanction specified in this law.

Article (9)

Without prejudice to the bona fide rights of others, any funds, properties or instruments used in committing any of the crimes provided for in this law shall, in all cases, be confiscated.

Article (10)

Crimes provided for in this law shall be punished by the penalties stated herein, without prejudice to any more severe penalty provided for in any other law.

Article (11)

Any of the perpetrators of a crime, who proceeds to inform judicial or administrative authorities of what he/she knows about the crime before its commission, which results in discovering the crime before its occurrence, or in the arrest of its perpetrator or preventing its commission, shall be exempted from penalties provided for in this law.

If an individual informs of a crime after its discovery, that individual may be exempted from the penalty or it may be reduced, in the event that he/she has assisted the investigation and enabled the concerned authorities to apprehend the other perpetrators of the crime.

Article (12)

The National Committee for Combating Human Trafficking

In accordance with this law, a committee shall be established and called “The National Committee to Combat Human Trafficking” as per a Cabinet decision forming it and determining its chairmanship. The committee shall be comprised of at least one representative which shall be nominated by and be from the following bodies: Ministry of Foreign Affairs, Ministry of Interior, Ministry of Justice, Ministry of Labor, Ministry of Social Affairs, Ministry of Health, State Security and The UAE Red Crescent Society. Any other body shall join the committee as per a Cabinet decision.

Article (13)

The committee provided for in Article (12) of this law shall be tasked with the following:

1. Studying and revising human trafficking legislation with a view to enhancing and securing the necessary protections in accordance with international standards.
2. To prepare reports on efforts taken by the UAE to fight human trafficking, in coordination with other authorities and bodies concerned in the UAE.
3. Studying reports related to human trafficking and taking the relevant necessary action toward achieving their recommendations.

4. Coordinating among the State's authorities concerned with the issue of human trafficking such as ministries, departments, corporations and organizations and coordination of follow up actions taken to achieve these objectives.
5. Promoting public awareness of matters related to human trafficking through conferences, seminars, brochures, training and other means in order to achieve the goals of the committee.
6. Participating, with the state's concerned bodies, in international conferences and forums related to combating human trafficking, and explaining the state's position in such international forums.
7. Performing any other duties assigned to the committee in this field.

Article (14)

General and final provisions

The authorities concerned with application of the provisions of this law shall be obliged to observe confidentiality and secrecy with respect to information obtained with the purpose of executing its provisions, except whenever deemed necessary.

Article (15)

Any provision which contradicts or opposes to the provisions of this Law shall be repealed.

Article (16)

This Law shall be published in the Official Gazette and shall become effective one month after date of its publication.

Khalifa bin Zayed Al Nahyan

President of the United Arab Emirates

Issued by us at the Presidential Palace, Abu Dhabi,
on 18th Shawal 1427, corresponding to 9th November 2006.