

**Federal Law No. (10) of 2021**  
**Regulating the Cemeteries and Burial Procedures**

**I, Khalifa Bin Zayed Al Nahyan,                      President of the United Arab Emirates;**

- Upon reviewing the Constitution;
- Federal Law No. (1) of 1972 Concerning the Competencies of Ministries and Powers of Ministers, as amended;
- Federal Law No. (3) of 1987 Issuing the Penal Code, as amended;
- Federal Law No. (35) of 1992 Promulgating the Criminal Procedure Code, as amended;
- Federal Law No. (24) of 1999 Concerning the Protection and Development of the Environment, as amended;
- Federal Law No. (37) of 2006 Concerning the Private Security Companies, and its amendments;
- Federal Decree Law No. (11) of 2008 Concerning Human Resources in the Federal Government, as amended;
- Federal Law No. (18) of 2009 Concerning the Regulation of the Registration of Births and Deaths;
- Federal Law No. (14) of 2014 Concerning Combating Communicable Diseases;
- Federal Decree Law No. (2) of 2015 Concerning Combating Discrimination and Hatred;
- Federal Law No. (4) of 2015 Concerning Private Health Facilities;
- Federal Decree Law No. (4) of 2016 Concerning Medical Liability;

- Federal Law by Decree No. (5) of 2016 Concerning Regulating The Transfer and Transplantation of Human Organs and Tissues;
- Federal Law No. (10) of 2017 Concerning Domestic Workers;
- Federal Law No. (11) of 2017 Concerning Antiquities;
- Federal Law No. (5) of 2018 Concerning Endowments;
- Federal Decree Law No. (26) of 2019 Concerning Public Finance;
- Federal Law No. (13) of 2020 Concerning Public Health;
- Based on the proposals of the Minister of Interior and the Minister of Health and Prevention; The approval of the Cabinet and the Federal National Council; and the ratification of the Federal Supreme Council;

**Have issued the following Law:**

## **Chapter One**

### **Definitions**

#### **Article (1)**

In application of the provisions of this Law, the following words and expressions shall have the meanings ascribed thereto unless the context requires otherwise:

**State:** The United Arab Emirates.

**Health Authority:** The federal or local governmental authority concerned with health affairs in the State.

**Competent Authority:** The local authority responsible for regulating cemeteries and burial procedures in each Emirate of the State.

**Foreigner:** A person who does not hold the nationality of the State.

**Cemetery:** A place designated by the Competent Authority for the burial of the deceased,

human organs, and human remains.

**Communicable Diseases:** Diseases that are identified according to the legislation in force in the State.

**Health Facility:** A facility that provides health care services, and is licensed by the Health Authority.

## Chapter Two

### Cemeteries Regulation

#### Article (2)

##### Competencies of the Competent Authority

Competent Authority shall be responsible for regulating cemeteries, in particular the following:

1. Specifying the areas and places suitable for the establishment of cemeteries;
2. Allocating special spaces for the burial of martyrs in cemeteries;
3. Specifying designated areas within cemeteries for the burial of the deceased individuals afflicted with communicable diseases or any form of contamination. The Health Authority shall define the technical specifications for these areas, and the burial shall be supervised by the competent authorities in the State;
4. Designating specific areas for the burial of human organs;
5. Designating specific areas for the burial of newborns and young children;
6. Establishing burial conditions in cemeteries of special nature;
7. Identifying the types of cemeteries for the burial of bodies, and the ways to deal therewith;
8. Establishing rules for the ethics of visiting cemeteries;

9. Identifying the types of headstones that are placed on graves;
10. Establishing specific procedures and defining the necessary time-frames for the transfer of cemeteries from one place to another in coordination with the Health Authority;
11. Establishing rules for the ethics of burying women;
12. Establishing procedures for archaeological cemeteries;
13. Establishing procedures for cemeteries not having burial space; and
14. Coordinating with the relevant authorities to establish procedures for burial in the event of emergencies, crises, and disasters.

The Executive Regulations of this Law shall determine the terms for implementing this Article.

### **Article (3)**

#### **Conditions and Regulations for the Establishment of a New Cemetery**

The competent authority, when establishing a new cemetery, shall comply with the following conditions and regulations:

1. Keep the cemetery away from the built-up area, groundwater, and valley and flood streams;
2. Plan the cemetery and number the graves;
3. Designate the grave locations and the paths leading thereto;
4. Ensure the suitability of the soil for burial;
5. Preserve the environment and the safety and public health requirements in accordance with the legislation in force in the State;
6. Provide the necessary engineering, technical, and security requirements; and
7. Any other terms or conditions specified by the Executive Regulation of this Law.

## **Article (4) Bans and prohibitions**

1. No individual may commit any of the following acts:
  - A. Desecrate or defile cemeteries or any place intended for the preservation or burial of corpses, human organs, human remains, or associated elements, or any of contents thereof;
  - B. Violate the sanctity of the deceased in any way; and
  - C. Misuse cemeteries for purposes other than their intended use.
2. Any grave may not be dug up to extract a corpse, a human organ, or human remains without judicial authorisation.

## **Article (5)**

### **Electronic Database**

The competent authority shall establish an electronic database of deaths, human organs, or human remains that are buried in cemeteries. The Executive Regulations of this Law shall specify the data to be met.

## **Chapter Three**

### **Transfer and Washing of the Deceased Procedures**

## **Article (6)**

### **Transfer Permit**

The body of a deceased, a human organ, or human remains that are located in health facilities or outside may not be transferred except after obtaining a permit from the Public Prosecution Office in coordination with the police, and in accordance with the terms and

conditions stipulated by the Executive Regulations of this Law.

In all cases, any corpse, human organ, or human remains may not be transferred except by means of transportation specifically designated for that.

## **Article (7)**

### **Application for Transferring a Corpse**

Without prejudice to the legislation in force in the State, the applicant for transferring the corpse of a foreign deceased or any of organs or remains thereof, to a foreign country, shall bear the cost of transfer and deportation thereof in accordance with the terms and procedures specified in the Executive Regulations of this Law.

The transfer of corpses, human organs, or remains shall only be permitted through authorised official ports.

## **Article (8)**

### **Washing, Shrouding, and Preparing a Muslim Deceased**

The Competent Authority shall be responsible for washing, shrouding, and preparing a Muslim deceased. However, the deceased relatives may also perform these tasks in accordance with the provisions of Islamic Law, within a period not exceeding three days from the date of obtaining the burial permit.

The deceased may be washed, shrouded, and prepared at home, upon the request of relatives thereof, in accordance with the terms and conditions set by the Health Authority.

## **Article (9)**

### **Preparation of a non-Muslim Deceased**

The relatives of a non-Muslim deceased or someone related thereto shall be responsible for preparing the deceased within a period not exceeding seven days from the date of obtaining the burial permit, under the supervision of the Competent Authority in coordination with the Health Authority. The Executive Regulations of this Law shall specify the necessary terms and conditions.

## **Article (10)**

### **Terms and Conditions of places designated for washing the deceased**

The Executive Regulations hereof shall specify the terms and conditions to be met in the places designated for washing the deceased, and the conditions for the workers therein.

## **Chapter Four**

### **Procedures for Burying the Deceased**

## **Article (11)**

### **Burial of Corpses in Designated Cemeteries**

Corpses, human organs, or human remains may not be buried except in cemeteries designated by the Competent Authority, in accordance with the terms and conditions specified by the Executive Regulations hereof.

## **Article (12)**

### **Burial Permit for Human Organs**

The burial of any organ of the human body that has been removed or amputated for medical reasons may not be done without a permit from the Health Authority. If the removal or amputation is for criminal reasons, the permit shall be issued by the Public Prosecution Office.

In all cases, the burial procedures for such organs shall be the same as those for the corpses in accordance with the terms and conditions specified by the Executive Regulation hereof.

## **Article (13)**

### **Burial Permit for A Foreign Corpse**

The corpse of a foreign deceased who is not a resident of the State may be buried after obtaining a permit from the Public Prosecution Office and coordinating with the police in any of the following cases:

1. If a person dies while staying in the State, and transfer thereof abroad is not possible;
2. If a person dies on an aeroplane that has landed in the State and its departure is delayed.  
This shall apply to other means of transportation;
3. If it is not possible to transport the corpse abroad for reasons of public health; and
4. Any other case in which the Health Authority deems fit to bury the corpse in the State cemeteries;

The Executive Regulations hereof shall determine the terms and conditions for implementing this Article.



## **Article (14)**

### **Death in Execution of a Judicial Ruling**

If the death is carried out in execution of a judicial ruling, the corpse shall be buried in the State by the Competent Authority after coordination with the Public Prosecution Office and the police.

## **Article (15)**

### **Procedures for the Burial of Unclaimed Corpses**

The Executive Regulations hereof shall regulate the procedures for the burial of unclaimed corpses, human organs, or human remains.

## **Chapter Five**

### **Penalties**

## **Article (16)**

### **The Most Severe Punishment**

The penalties stipulated in this Law shall not prejudice any more severe penalty stipulated by any other law.

## **Article (17)**

### **Acts punishable by a fine ranging from Ten thousand Dirhams to Fifty thousand Dirhams**

A fine ranging from (10,000) ten thousand Dirhams to (50,000) fifty thousand Dirhams shall be imposed on whosoever commits any of the following:

1. Transferring a corpse, an organ, or remains inside the State without obtaining a permit for that purpose;
2. Making additions or erecting buildings inside the cemetery;
3. Transporting the deceased corpse, one of organs thereof, or human remains in means of transport other than those designated for that purpose;
4. Using unofficial outlets of the State to transport the deceased corpse, one of organs thereof, or human remains;
5. Photographing the deceased corpse in cases other than those legally permissible; or
6. Exploiting cemeteries for purposes other than those for which they were intended.

### **Article (18)**

#### **Punishment for burial in cemeteries other than those designated by the Competent Authority**

Whosoever buries a corpse, human organ, or human remains in a cemetery other than those designated by the Competent Authority shall be punished by imprisonment for a period not exceeding one year and a fine ranging from (10,000) ten thousand Dirhams to (100,000) one hundred thousand Dirhams, or by one of these two penalties.

### **Article (19)**

#### **The punishment for preparing a burial place or disposing of corpses, organs, or remains in circumstances other than those stipulated in this Law**

Whosoever prepares a burial place or disposes of corpses, organs, or remains in circumstances other than those stipulated in this Law shall be punished by imprisonment for a period not exceeding one year and a fine ranging from (20,000) twenty thousand Dirhams

to (100,000) one hundred thousand Dirhams, or by one of these two penalties.

### **Article (20)**

#### **The punishment for exporting a corpse, an organ, or remains of a dead person, or importing them into the country without a permit**

Whosoever imports a corpse, an organ, or remains of a dead person into the United Arab Emirates or exports them without obtaining a permit shall be punished by imprisonment for a period not exceeding one year and a fine ranging from (50,000) fifty thousand Dirhams to (100,000) one hundred thousand Dirhams, or by one of these two penalties.

### **Article (21)**

#### **The punishment for defiling or desecrating a grave, cemetery, or place for the storage or burial of corpses and organs**

Whosoever defiles or desecrates a grave, cemetery, or place for the storage or burial of corpses and organs shall be punished by imprisonment for a period not exceeding one year and a fine ranging from (100,000) one hundred thousand Dirhams and to (200,000) two hundred thousand Dirhams, or by one of these two penalties.

### **Article (22)**

Whosoever digs up a grave to extract a corpse, organ, or remains of a dead person shall be punished by imprisonment for a period not less than four years and a fine ranging from (100,000) one hundred thousand Dirhams to than (200,000) two hundred thousand Dirhams.

The punishment shall be imprisonment for a period not less than five years if the

grave-digging resulted in the desecration of the dead person in any manner.

### **Article (23)**

#### **The punishment for burying or disposing of corpses, organs, or remains of the dead people without a permit**

Whosoever imports a corpse, an organ, or remains of a dead person into the United Arab Emirates or exports them without obtaining a permit shall be punished by imprisonment for a period not exceeding one year and a fine ranging from (100,000) one hundred thousand Dirhams to (500,000) five hundred thousand Dirhams, or by one of these two penalties.

### **Chapter Six**

#### **Final Provisions**

### **Article (24)**

#### **Monitoring, inspection, guarding, securing, and cleaning of cemeteries**

The Competent Authority shall be responsible for the following tasks: monitoring, inspection, guarding, securing, and cleaning of cemeteries, and providing all the necessary materials for digging graves and burying the deceased. The Competent Authority may assign these tasks to the private sector.

### **Article (25)**

#### **Judicial Control Officers**

Employees designated by a resolution of the Minister of Justice, in agreement with the Competent Minister or the chairman of the Competent Authority, shall have the capacity of

judicial officers for proving all violations, within their jurisdiction, of the provisions of this Law, its Executive Regulation and the decisions issued in the implementation thereof.

## **Article (26)**

### **Fees**

The imposition of any fees in execution of the stipulations of this Law may be established upon a decision of the Cabinet.

## **Article (27)**

### **Issuing the Executive Regulations of Law**

The Cabinet shall issue the Executive Regulation of this Law upon a proposal from the Minister of Interior and the Minister of Health and Prevention within three months from the publication date thereof.

## **Article (28)**

### **Repeals**

Any provision that violates or contradicts the provisions of this Law shall be repealed.

## **Article (29)**

### **Publication and Enforcement**

This Law shall be published in the Official Gazette and shall come into force after three months from the date of its publication.

**Khalifa bin Zayed Al Nahyan**  
**President of the United Arab Emirates**

**Issued by us at the Presidential Palace in Abu Dhabi:**

Date: May 19, 2021

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