

Federal Decree by Law No. (1) of 2001 Concerning the Guard of the State's Land and Sea Borders

We, Zayed bin Sultan Al Nahyan, President of the United Arab Emirates,

- Having perused the Constitution; and
- Federal Law No. (3) of 1971, Concerning the Federal Armed Forces; and
- Federal Law No. (1) of 1972, Concerning the Competences of Ministries and Capacities of Ministers, and amendments thereof; and
- Federal Law No. (19) of 1972, Concerning the Supreme Council of Defense; and
- Federal Law No. (12) of 1976, Concerning the Police and Security Forces, and amendments thereof; and
- Federal Law No. (6) of 1978, Establishing Federal Courts and Transferring the Competences of Local Judicial Authorities in certain Emirates to it, and amendments thereof; and
- Federal Law No. (26) of 1981, Concerning the Maritime Commercial Law; and
- Federal Law No. (35) of 1992, Promulgating the Criminal Procedures Law; and
- Federal Law No. (19) of 1993, Designating the Maritime Regions in the United Arab Emirates; and
- Federal Law No. (13) of 1996, Concerning the Entry and Residency of Foreigners; and
- Federal Law No. (23) of 1999, Concerning the Use, Protection, and Development of Live Aquatic Resources in the United Arab Emirates; and
- Federal Law No. (24) of 1999, Concerning the Protection and Development of the Environment; and
- Supreme Federal Council Resolution No. (1) of 1976, Establishing the Border Guard

and Controlling Immigration; and

- Supreme Council of Defense Resolution No. (1) of 1976, Uniting the Armed Forces; and
- Chairman of the Supreme Council of Defense Resolution No. (2) of 1976, Determining the Competences and Capacities of the Chief General Staff of the Armed Forces; and
- Chairman of the Supreme Council of Defense Resolution No. (1) of 1999, Concerning the Guard of Land Borders; and
- Cabinet Resolution No. (3) of 1995, Concerning the Ministry of Interior Regulation; and
- In achievement of public interest considerations; and
- Based upon the proposal submitted by the Prime Minister, and the Cabinet's approval,

Have promulgated the following Decree by Law:

Article 1

The following terms and phrases shall have the meanings assigned next to each, unless the context requires otherwise:

State	:	United Arab Emirates.
Armed Forces	:	The armed forces of the United Arab Emirates.
Land Borderline	:	The border separating the State's terrestrial territory from other terrestrial territories of neighboring states.
Land Border Area	:	The distance extending from the borderline to the end of forty kilometers inside the State's territory, or as determined in

accordance to the Border Agreement signed with neighboring States.

- Ports** : Entries and exits located within the land border area as approved by the State's competent authorities.
- Roads, Pathways, and Tracks** : Places allocated by the State's competent authorities and armed forces, for crossing within land border areas, from and to land ports and border guard's centers and checkpoints.
- Vehicles** : All modes of land transport.
- Sea Regions** : All of the State's sea areas designated in accordance with the provision of Federal Law No. (19) of 1993.
- Sea Border** : The border separating the State's sea regions from the sea regions of neighboring States.
- Border Guard, Coast Guard** : The competent authority within the armed forces, entrusted with implementing the provisions of this Decree by Law, each in its own jurisdiction.
- Ship** : : Every medium which operates or is designed to operate in a marine environment, without regards to its power, load, or purpose of its navigation, and it includes ships and boats move using slides, and vehicles that move using airbags above the water surface, and seaplanes.

Article 2

The Armed forces shall have the responsibility of guarding the land and sea borders of the State. All the "affairs" regarding the protection of seashores at the Ministry of Interior shall be transferred to the armed forces and all responsibilities of the Ministry of Interior regarding the protection of seashores shall be cancelled.

Article 3

The Armed Forces shall undertake all responsibilities essential to the protection of sea and land barriers and the enforcement of laws in this respect. They have the right to fire at any smuggler and infiltrator in the sea and border zones in accordance with the instructions of the general chief officers of the Armed Forces. In protecting the land and sea borders the Armed Forces shall have the following specific tasks:

A. Tasks of the land border guards:

- a. The guarding of all land borders, roads, tracks, paths, and passages.
- b. Fighting the smuggling and infiltrators in the land border zones, and all types of persons and machines may be stopped and searched.
- c. Early warning regarding any suspect activity on the land border lines in the border zones.
- d. Concluding reports on all accidents that take place in the land border zones.
- e. Providing assistance in search and rescue operations in the land and border zones.
- f. Guarding land vehicles during its crossing of land borders and watch it as it travels on roads and tracks.
- g. Safeguarding archaeological places regarding national heritage and conserving the

environment and sea riches within land borders according to applicable laws.

B. Tasks of the seashore guards:

- a. The guarding of sea boundaries bordering other nations, early warning on any suspect activity through sea patrols, setting up all necessary establishments on the seashores and the islands of the state or by any other means necessary.
- b. Preventing the violation of State laws and security, custom, immigration, health, and environmental regulations.
- c. Search and rescue operations and providing assistance in emergencies.
- d. Guarding sea navigation with the Ministry of Communications and port authorities and reporting navigation dangers.
- e. Protection of petrol establishments, cables, and sea pipelines.
- f. Protection of means of facilitating navigation, navigation facilities and other establishments.

Article 4

1. Subject to Articles 2 and 3 above of this Decree, by a decision the Minister of Interior with consultation with the Minister of Defense, port police to be established having as its task the keeping of safety and security in the ports and the gulfs.
2. To carry out this article, there shall be special provisions in the general accounts of the Ministry of Interior.

Article 5

The Minister of Defense or the General Chief of Staff of the Armed Forces shall specify the

conditions for the operation of the internal waters or stopping in the ports of the State.

Article 6

In compliance with public international law, the Minister of Defense may issue decisions in relation to the following:

1. Temporary suspension of operation or crossing of foreign ships in designated areas of the territorial waters of the State.
2. Safety of navigation and organizing sea crossing.
3. Designating and allocating areas for the organization of sea passage in the territorial waters.

Article 7

1. Officers and individuals of land and sea border guards are considered law officers and as such they may undertake the rights granted by this law or by Federal Law no. 35 of 1992.
2. Land border guards may arrest infiltrators and their assistants and chase them over private and public property whenever this is necessary.
3. In compliance with public international law, any foreign ship may be seized and searched whenever there are reasonable grounds to believe that the ship has violated the laws and regulations of the State.
4. Nothing in this article contravenes the right of fast chasing [hot pursuit?] as subscribed by public international law.

Article 8

Courts and Prosecution of the Federal capital shall be competent to examine violations of articles 5, 13, 14, 18 and 20 of Federal Law no. 19 of 1993, articles 34, 40 and 44 of Federal Law no. 23 of 1999, articles 21, 27, 31, 34 and 26 of Federal Law no. 24 of 1999

Article 9

The General Chief of Staff of the Armed Forces shall issue the decisions necessary for the implementation of this Federal Decree by Law.

Article 10

The Ministers and all concerned authorities in the Emirates shall comply with the relevant provisions of this decree of a law.

Article 11

All provisions in contravention of this decree of a law are hereby repealed. This law shall be published in the Official Gazette and shall become effective on the day it is published.

Zayed bin Sultan Al Nahyan

President of the United Arab Emirates

Issued by us in the Presidential Palace in Abu Dhabi

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