

# Ramadan: Legal Considerations



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Law Respect Culture Office

Ministry of Interior

The UAE is considered an international symbol of the cultural openness and common civilized coexistence emanating from the adoption of deep-rooted values and traditions that respect the individuals' right and freedom, thanks to exerted efforts for ensuring the social correlation principles based on the firm pillars of its inherited national identity.

As a modern oriental society, the UAE community is keen to conserve and cherish its civilized principles and constituents, at the top of which stands our straight true religion and our Arabic and Islamic traditions and customs. Thus, language and religion are considered the fundamental components for any culture or civilization, which actually represent the pot of civilizations. This is in addition to the values, traditions, customs, heritage, lifestyle, culture, common history, special experience and all the principal foundations that constitute an important factor in identifying the ego and bestow on the society its cultural peculiarity. The UAE Constitution emphasized on these principles and foundations by stipulating and confirming them at all levels and domains.

#### Article (7)

Islam is the official religion of the Union. The Islamic Shari 'ah shall be a main source of legislation in the Union. The official language of the Union is Arabic.

#### Article (14)

Equality, social justice, ensuring safety and security and equality of opportunity for all citizens are all considered the foundations of this society, and the cooperation and mercy toward each other build a solid correlation among them.

#### Article (32)

Freedom to exercise religious worship is guaranteed in accordance with established customs and provided it does not conflict with public policy or violate public morals.

#### Article (40)

Foreigners within the Union, shall enjoy, the rights and freedom stipulated in international charters which are in force or in treaties and agreements to which the Union is party. They shall be subject to the corresponding obligations.

#### Article (44)

Respect of the Constitution, laws and orders issued by public authorities in execution thereof, observance of public order and respect of public morality are duties incumbent upon all inhabitants of the Union.

Whereas the law is considered as continuity for the customs, traditions and enhancing the moral principles derived from religion, the legislative authority in the UAE focused on many of the religious values and incriminated many of the acts and behaviors that are prohibited by religion and contradicted by morals.

The advent of the holy month of Ramadan brings with it its spirituality, benevolence, and the practical educational messages calling for decency and change toward the better. Besides, this month is a valuable opportunity for getting rid of some of the bad habits, and a reforming revolution touching all aspects of life. Moreover, this month is considered as a practical test in which the individual learns how to correct his/her conducts and thoughts, and how to rethink some of his/her customs, traditions and habits. It is a valuable opportunity for the Law Respect Culture Office for concentrating its efforts on reminding and making people aware of the law provisions.

### **(Divine Religions are Protected according to Law Provisions)**

The country adopts the approach of the humanitarian communication and civilized dialogue as deep-rooted principles for the safe and stable coexistence within its prosperous community where the tolerance culture constitutes one of its highlighted aspects. This interaction is the fruit of the country's approach manifested in showing respect to all religion and spreading tolerance among the believers in those religions, and disseminating the spirit of intimacy and friendliness on its land. This is reflected clearly when the legislations incriminated every act that may offend or insult the divine religions and their holy shrines. On the other hand, the punishment of imprisonment from one month to three years or fine that may reach the amount of thirty thousand dirham or both shall be imposed on everyone who may commit any of the following offences:

1. Offending any of the Islamic holy shrines or rituals such as offending the personality of Prophet Mohammed (PBUH) or the holy Islamic symbols.
  2. Blaspheming any of the acknowledged divine religions.
  3. Instigating, promoting or seducing to commit sins, or encouraging homosexuality.
  4. Eating pork by a Muslim individual on purpose.
- If any of the above offences has been committed in public, the violating individual shall be subject to the punishment of imprisonment for not less than one year or to a fine.
5. Abusing any of the holy shrines or rituals practiced in other religions if such holy shrines and rituals are protected according to the provisions of the Islamic Shari'ah.

### (Ramadan Sanctity and Holiness Must Be Observed By All)

Those who break fasting in public during the Holy Ramadan are exceeding the limits of their personal freedom. Such an act is considered as a kind of committing a sin openly, besides it is against the public order in an Islamic community and strict violation of the social ethics and the society right in respecting its shrines. Thus, the one breaks Ramadan fasting for any justified excuse, must be at a high level of consideration of majority's feeling. Even you are not a Muslim or not observing fasting, kindly do not eat or drink in public. imprisonment for a period not exceeding one month or a fine not more than two thousand dirhams shall be imposed on the following:

- Anyone who eats or drinks in a public place, or consuming any of the breakfasting materials during the daytime of Ramadan.
- Anyone who may compel, instigate or assist others on committing such acts openly. The public place used for this purpose may be closed for a period of one month maximum.

### (Begging... A Phenomenon Emerging in Ramadan that Offends the Sanctity of this Virtuous Month)

Begging is considered an imported phenomenon which offends the civilized image of the UAE community and should be uprooted so long as the country has provided all means for leading a decent living, sponsored all people of special needs, and established many of the charitable institutions which study the circumstances of people and provide assistance to the needy. On the other hand, begging has become an open door for crime since some beggars have adopted this career until it took the form of the seasonal investment. That is why the legislative authorities in the UAE considered begging a crime subject to legal punishment according to the Local Law of the Emirate of Abu Dhabi No. (15) for the year 1975 concerning the prohibition of begging as prescribed under Article One that: "Any person exceeded 18 years of age, including the disabled persons or persons unable to work, are prohibited from begging on highways or in the public places and shops. However, the following acts shall be considered among the begging works: The display of worthless articles, performance of acrobatic games which can be relied on as a serious source for living, or feigning injury, wounds or physical disability, or the use of any other means of cheating for the purpose of affecting the public and eliciting their sympathy"

Likewise, Article Two of the same Law prescribes the punishment of imprisonment for a period not exceeding two months with fine not exceeding AED 500 or any of these two punishments on any physically fit person found begging in the circumstances stated under Article One. Apart from the stipulated punishment, the Court may order the deportation of expatriate after enforcing the punishment. But, if the foreign beggar was physically unfit, then it shall be punished with imprisonment for a period not exceeding one month with a fine not exceeding AED 200 or any of these two punishments. A beggar may be deported after completing the penalty term , or the court may only be satisfied by deporting the foreign beggar.

Therefore, never hesitate in notifying the competent authorities of any of the begging cases you may know in order to protect your society from this uncivilized phenomenon.



## BETWEEN PROHIBITION AND INCRIMINATION

### ISLAMIC VALUES ADOPTED BY LAW

(Breach of public decency is a crime that is  
denounced by society and incriminated by Law)

**"Every Religion has its own ethics, and decency  
is the Ethics of Islam**

*(Sayings of the Prophet Mohammed (PBUH))*

The UAE society is considered conservative, and that the social structure based on the deep-rooted Arabic and Islamic values and traditions is still solid. All individuals must adapt themselves within the matrix of the social values and observe the public order and ethics in this society since all rights and public freedoms are protected and ensured, provided not to offend the basic ethical principles of this society.

Therefore, the punishment of imprisonment for a period ranging between six months to three years shall be imposed on any person who commits a disgraceful act offending the public decency such as the mutual kissing in a public place, or practicing acts suggesting open sexual allurements or advances. Whereas the imprisonment punishment from one year to three years shall be imposed if the act offending decency was committed with a girl or a boy who is less than fifteen years of age even though such act took place privately.

On the other hand, the Law observed the sanctity and privacy of women in our society, and imposed punishment for molesting the female in a manner offending her decency whether in words or deeds in a public road or in a place frequented by people, such as uttering flirting words or molesting the female in a manner offending her decency, of imprisonment for a period not exceeding one year with a fine not exceeding AED ten thousand or by imposing any of these two punishments. The same punishment shall be imposed as well on any man disguised in the form of a woman, or entered a place allocated for women, or stepped into a place restricted for women only. The law considers the molestation of females in any manner as an offence against the society as a whole. It is a vehicle leading to ethical corruption.

### (Environment Protection and Conservation is a Legal and Moral Duty)

“Should the Hour of the Day of Judgment arrives and one of you has a palm shoot in his hand, let him plant it, if he can”. *(Sayings of the Prophet PBUH)*

“Our environment and resources are not our property, rather they are trusted to us, and we are all responsible for taking care of them in order to hand them over to next generations free from damages”. *(From the sayings of the late Sheikh Zayed Bin Sultan Al Nahyan)*

The conservation of natural environment constitutes one of the most important and vital objectives of the legislative authorities in the UAE, which incriminated every act may lead to the environment corruption, pollution and the exhaustion of its resources, and imposed the punishment of imprisonment from one month to three years with fine that may reach thirty thousand dirham or any of these two punishments against:

- 1) Whoever may cut, uproot, damage or graft or peeled a tree in a manner leading to its perishing.
- 2) Whoever may damage existing plants, or any plant, or seeded field, or spread in it a harmful material or plants.
- 3) Whoever may damage an agricultural machine or any of the agricultural tools or render it invalid for use by any means.

The above punishment shall be enforced if the damaged properties mentioned in the previous paragraphs were belonging to others, where the punishment shall be the imprisonment for a period ranging between three years and five years if the crime committed by three persons and more, or by two persons one of them holding a weapon.

### (Assaulting an Animal is a Conduct Denounced by Morals & Incriminated by Law)

"A woman was tortured and put in Hell fire because of a cat which she locked up until it died from hunger. She neither fed it nor let it drink when it was locked up, nor did she set it free to eat the insects of the earth. *(A saying of the Prophet Mohammed PBUH)*

Taking care of animal and handling it in a kind manner is considered a highly civilized humanitarian behavior called upon by all religions and prompted by law when it imposed the imprisonment punishment from one month to three years together with a fine that may reach thirty thousand dirham or any of these two punishments against:

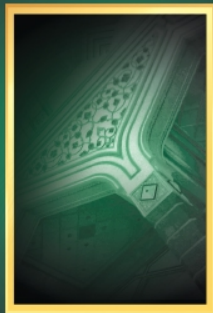
- 1) Whoever kills intentionally and without reason any packing, riding or drawing animal, livestock, or inflicted a gross damage to it.
- 2) Whoever kills or poisoned any of the fish found in a water source or basin.

The imprisonment punishment shall be for a period not exceeding one year or a fine not exceeding ten thousand dirham against anyone who kills or poisons on purpose and without reason any domestic or poultry animal, or inflicted a gross damage to it. Likewise, the fine of one thousand dirham maximum shall be imposed against anyone exhausting or torturing a domestic animal and whoever abstained from taking care of it whenever such animal has been trusted to it or was bound to provide such care, or whoever caused, due to its error, an injury to an animal or livestock belonging to others. If such error leads to the death of the animal, then the punishment shall be a fine not exceeding two thousand dirham.

### (Magicians Community is a Crippled Community)

Whoever refers to a magician believing what he says has declared himself an unbeliever with the divine revelation to Mohamed. *(A saying of the Prophet Mohammed PBUH)*

Magic, jugglery, palmistry and likewise are acts that have been ignored by the developed communities since the enlightenment of science was spread. The acts practiced by quacks and swindlers who use ignorant people and claim that they are able to multiply money, and exploit jinn for causing harm to others or to bring people together, or for keeping the husband and his wife away from each other, or for handling the witchery and expelling jinn from the victim's body for achieving a good social and financial position in their community through illegitimate gain, is contradicting to the values and ethics of the UAE community. It threatens and jeopardizes the safety of individuals and society. That is why the legislations in the UAE classified such practices as swindling and fraudulent crimes that are subject to punishment by law. In this connection, Article 399 of the Penal Code provides that the imprisonment punishment from one month to three years or fine that may reach thirty thousand dirham shall be imposed against whoever illegitimately acquired for himself or others a moveable assets, deed, or signed such deed, or cancelled, damaged or modified it by resorting to fraudulent ways, or by impersonating a false name or unreal capacity aimed at cheating the victim and impelling it to handover its property, and whoever commits such crimes shall be subject to the imprisonment punishment of a period not exceeding two years or fine not exceeding twenty thousand dirham. Moreover, if the quack or charlatan was given the imprisonment sentence for one year or more, the judge may order that such quack or charlatan to be under observation for a period not more two years but not exceeding the punishment period imposed on the sentenced person.



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With the greeting of the  
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