

**Federal Decree by Law No. (24) of 2022
Regarding Children of Unknown Parentage**

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

- After perusing the Constitution,
- Federal Law No. 1 of 1972 Concerning the Competencies of Ministries and the Powers of Ministers, as amended;
- Federal Law No. 17 of 1972 Concerning the Nationality and Passports, as amended;
- Federal Law No. 5 of 1985 Promulgating the Civil Transactions Law of the United Arab Emirates, as amended;
- Federal Law No. 35 of 1992 Promulgating the Criminal Procedure Code, as amended;
- Federal Law No. 2 of 2001 Concerning the Social Security;
- Federal Law No. 28 of 2005 Concerning Personal Status, as amended;
- Federal Law No. 9 of 2006 Concerning the Population Register and Identity Card System, as amended;
- Federal Law No. 1 of 2012 Concerning the Custody of Children of Unknown Parentage;
- Federal Law No. 14 of 2014 Concerning Combating Communicable Diseases;
- Federal Law No. 3 of 2016 Concerning the Child Rights Law "Wadeema";
- Federal Decree-Law No. 14 of 2021 Concerning the Establishment of the Federal Authority for Identity, Citizenship, Customs & Port Security (ICP);
- Federal Decree-Law No. 31 of 2021 Promulgating the Crimes and Penalties Law;
- Federal Decree-Law No. 10 of 2022 Regulating the Registration of Births and Deaths; and
- Acting upon the proposal of the Minister of Community Development and the approval of the Council of Ministers,

We have issued the following Decree-Law:

Article (1)

Definitions

In the application of the provisions of this Decree-Law, the following terms and expressions shall have the meanings stated beside them, unless the context requires otherwise:

State	: The United Arab Emirates.
Ministry	: The Ministry Community Development.
Minister	: The Minister of Community Development.
Public Prosecution	: The federal or local Public Prosecution, as the case may be.
Authorities Concerned	: The federal and local authorities concerned with the implementation of the provisions of this Decree-Law.
Local Authorities	: Any local authority concerned with the affairs of Children of Unknown Parentage and caring for them in the State, each within the limits of its competence.
ICP	: The Federal Authority for Identity, Citizenship, Customs & Port Security.
Home	: Every home legally authorized to house and care for people of unknown parentage.
Health Facility	: Every government facility that provides health services in the fields of prevention, treatment and convalescence.
Committee	: Custodial Families Committee formed pursuant to the provisions of this Decree-Law
Child	: Every person born alive and is under the age of (18) eighteen Gregorian years.
Child of Unknown Parentage	: A person of unknown parentage who is found in the territory of the State, or who is born to a known mother who holds the nationality of the State and an unknown father, or whose lineage to his father is not legally established.
Adopted Child	: Child of Unknown Parentage under the custody of the Custodial Family.

Custody	:	Caring for and preserving Children of Unknown Parentage, as well as providing for their upbringing and care.
Custodial Family	:	The family to whom custody is entrusted, in accordance with the provisions of this Decree-Law, for the purposes of raising the Adopted Child in a sound upbringing and providing them with a decent life.
Custody Period	:	The period during which the Child of Unknown Parentage is in the care of the Home. It spans from the time they are received until they reach the age of majority.
Competent Social Researcher	:	The employee in the Ministry or the Local Authority entrusted with studying and following up on the affairs of the Adopted Child.
Executive Regulations	:	The executive regulations issued in implementation of the provisions of this Decree-Law.

Article (2)

Objectives of this Decree-Law

This Decree-Law aims to regulate the care and Custody of Children of Unknown Parentage by achieving the following:

1. Providing them with all necessary support in terms of health, psychological, social, educational and recreational aspects.
2. Creating and ensuring the living conditions necessary for their normal growth and their upbringing.
3. Protecting the Children of Unknown Parentage from abuse, inhumane treatment and neglect, and giving them a sound social upbringing.

Article (3)

Controls and Procedures for Finding a Child of Unknown Parentage

1. Whoever finds a Child of Unknown Parentage shall communicate the same to the police station.
2. The police station shall ensure that the Child of Unknown Parentage is transported directly to the nearest Health Facility and shall notify the Public Prosecution and the ICP of the same within (24) twenty-four hours of receiving the said communication.
3. The police station shall file a report with the circumstances and conditions in which the Child of Unknown Parentage was found, stating the place, date and time of finding them, their gender, the condition in which they were found, their description, the distinguishing marks they may have, a description of their clothes and the things that were found with them, and an accurate description of the person who found them. The said report shall be sent to the Public Prosecution.
4. The Health Facility shall conduct a medical examination on the Child of Unknown Parentage, provide them with the necessary care, and submit a report thereon to the Public Prosecution.
5. The Public Prosecution shall conduct the necessary investigations into the incident of finding the Child of Unknown Parentage and submit a detailed statement regarding their attribution to the Ministry or the Local Authority within a period not exceeding (6) six months from the date of notification from the police station.
6. 6 . The Executive Regulations shall specify the procedures that the authorities referred to in this Article are required to take.

Article (4)

Reception and Accommodation Conditions

The Ministry and the Local Authority shall provide shelters for Children of Unknown Parentage, and the following is required to receive and accommodate the Child at the Ministry or the Local Authority:

1. The Child of Unknown Parentage has been referred by a decision issued by the Public Prosecution.

2. The Child of Unknown Parentage is free from communicable diseases, provided that this is proven by a medical certificate issued by the Health Facility.
3. Any other conditions determined by the Ministry in coordination with the Local Authority and other Authorities Concerned.

Article (5)

Extracting Official Documents

1. Based on the statement of the Public Prosecution referred to in Clause (5) of Article (3) of this Decree-Law, the Ministry or the Local Authority shall coordinate with the Authorities Concerned to choose the full name of the Child of Unknown Parentage.
2. Upon the request of the Ministry or the Local Authority, the competent court shall issue a certificate naming the Child of Unknown Parentage and a certificate for the Custodial Family, if any.
3. The Authorities Concerned shall issue a birth certificate for Child of Unknown Parentage after issuing a certificate naming them.
4. The ICP shall take the necessary measures to issue an identity card for the Child of Unknown Parentage in accordance with the legislation in force in this regard.
5. The Executive Regulations shall specify the controls for selecting the full name referred to in Clause (1) and the procedures for issuing official documents referred to in Clauses (2) and (3) of this Article.

Article (6)

Obligations of the Local Authority

The Ministry or Local Authority, as the case may be, shall comply with the following:

It shall:

1. Receive and shelter the Child of Unknown Parentage after fulfilling the conditions stipulated in Article (4) of this Decree-Law.
2. Take the necessary measures regarding the issuance of official documents of the Child of Unknown Parentage.
3. Take the necessary measures to secure Custodial Families of the Child of Unknown

Parentage and follow them up.

4. Provide the Ministry and the Authorities Concerned with data, information and reports on Children of Unknown Parentage, whether they are residents of the Home or with Custodial Families.
5. Provide the Ministry with periodic reports that include information related to any case of neglect, abuse, or violence to which the Child of Unknown Parentage may have been exposed in the Home or in the Custodial Family, and the measures taken in this regard, as determined by the Executive Regulations.
6. Prepare the necessary programmes to educate community members in general and Custodial Families in particular about the category of Children of Unknown Parentage and everything related to their rights referred to in this Decree-Law.
7. Preserve the funds of Children of Unknown Parentage, in coordination with the Authorities Concerned, and take all necessary measures for that in a manner that achieves their interests.
8. Provide the following services to Children of Unknown Parentage, in coordination with the Authorities Concerned:
 - a. Necessary living services such as food, clothing and housing;
 - b. Social, health, psychological and cultural care in proportion to their different ages;
 - c. Promoting national identity, consolidating belonging to the State, and inculcating human values, principles, and noble morals;
 - d. Providing public and university education in accordance with the legislation in force;
 - e. Developing creative, artistic and intellectual capabilities and skills and investing them in refining their personalities; and
 - a. Integrating them into sports and cultural centres and clubs and providing them with appropriate activities.

Article (7)

Custodial Families Committee

1. In the Ministry or the Local Authority, as the case may be, there shall be established a Committee called the Custodial Families Committee. Its formation and work system shall be determined by a decision of the Minister or the head of the Local Authority.
2. The said Committee shall be concerned with the following:
 - a. Examining the applications submitted to the Ministry or the Local Authority by families wishing to provide Custody for a Child of Unknown Parentage, and ensuring that such applicant families meet the conditions stipulated in Article (9) of this Decree-Law;
 - b. Issuing a decision to hand over the Child of Unknown Parentage to the Custodial Family for a period not exceeding (6) six months. The Committee may extend such period for a similar period based on periodic follow-up reports. If it becomes clear that the said family is eligible for Custody of the Child of Unknown Parentage, then the Committee shall raise its recommendation to the Ministry or the Local Authority, as the case may be, to proceed with the procedures for issuing a certificate for the Custodial Family;
 - c. Deciding on the Adopted Child in the event of the death of either of the spouses in the Custodial Family or their separation and considering whether one of them will continue the Custodial effort or not, or granting any of the members or relatives of the Custodial Family the right of Custody based on their request in accordance with the conditions referred to in this Decree-Law and the decisions issued in implementation thereof;
 - d. Studying the reports referred to it by the Competent Social Researcher and taking the necessary decisions in the best interest of the Adopted Child; and
 - e. Any other functions assigned to it by the Ministry or the Local Authority.

Article (8)

Custody Request

1. The family wishing to provide Custody for a Child of Unknown Parentage must submit an application to the Ministry or the Local Authority, accompanied by documents supporting the validity of the data contained in the application.
2. It is stipulated that the application referred to in Clause (1) of this Article be limited to Custody of one Child of Unknown Parentage.
3. The Executive Regulations hereof shall specify the data and documents that must be included in the application referred to in Clause (1) of this Article and the cases in which a family may be granted Custody of more than one Child of Unknown Parentage.

Article (9)

Conditions for the Foster Family and the Foster Woman

1. The following conditions shall be met for granting custody to a family:
 - a. The spouses shall be residents of the State, the application shall be submitted jointly by both of them, and neither of them shall be under twenty-five (25) Gregorian years of age.
 - b. Neither spouse shall have been previously convicted of any crime involving dishonesty or breach of trust, even if they have been rehabilitated.
 - c. The spouses shall be free from communicable diseases and psychological disorders that may affect the health or safety of the child in custody, as evidenced by a medical report issued by a health facility accredited in the State.
 - d. The family shall be financially capable of supporting its members and the child in custody, in accordance with the controls specified in the Executive Regulation.
 - e. Any other conditions determined by the Ministry or the Local Authority.
2. The following conditions shall be met for granting custody to a woman:
 - a. She shall be a resident of the State, and shall be divorced, widowed, or unmarried, and not under thirty (30) Gregorian years of age.
 - b. She shall not have been previously convicted of any crime involving dishonesty or breach of trust, even if she has been rehabilitated.

- c. She shall be free from communicable diseases and psychological disorders that may affect the health or safety of the child in custody, as evidenced by a medical report issued by a health facility accredited in the State.
 - d. She shall be financially capable of supporting herself and the child in custody, in accordance with the controls specified in the Executive Regulation.
 - e. Any other conditions determined by the Ministry or the Local Authority.
3. The Executive Regulation shall determine the conditions and controls relating to residence in the State for the purposes of granting custody to a family or a woman.
4. In all cases, the Committee shall require the applicant to submit a written undertaking to provide stable residence for the child in custody and to refrain from exercising any influence, of whatever kind or by any means, to alter the child's identity or beliefs as established in the official documents. The Committee shall take such measures as it deems appropriate to verify the custodian's compliance with these obligations, including the provision of appropriate education for the child in custody, and any other obligations determined by the Ministry or the Local Authority.
5. The Local Authority shall cooperate with the Ministry and provide it with data, information, documents, and statistics relating to the implementation of the provisions of this Decree by Law and its Executive Regulation concerning the foster family or foster woman, as well as any changes or updates thereto, within the timeframes and in accordance with the mechanisms determined by the Ministry in coordination with the Local Authority.

Article (10)

Custodial Family's Obligations

The Custodial Family is responsible to the following:

1. Providing all forms of social care that would raise the Child of Unknown Parentage in a sound family upbringing, giving them a good upbringing, and taking care of their health, education, protection, and development in all their life stages;
2. Preserving the funds of the Adopted Child according to the guardianship issued by the competent court;

3. Disclosure to the Adopted Child of the Adopted Child's social status, in coordination with the Ministry or the Local Authority, in accordance with the controls specified by the Executive Regulations;
4. Notifying the Ministry or the Local Authority of any changes that occur to the family's social status, such as divorce or death, in addition to changes related to its place of residence;
5. Submitting a medical report on the health status of the Adopted Child, issued by a Health Facility, at the request of the Ministry or the Local Authority;
6. Facilitating the Competent Social Researcher's access into the house, meeting the Adopted Child, and familiarizing themselves with the Adopted Child's condition;
7. Obtaining prior approval from the Ministry or the Local Authority in the event that the family is forced to hand over the Adopted Child for a temporary period to another family in accordance with the controls specified by the Executive Regulations;
8. Notifying the Ministry or the Local Authority of the family's desire to return the Adopted Child within a period of no less than (30) thirty days, in accordance with the procedures specified by the Executive Regulations; and
9. Any other obligations determined by the Ministry or the Local Authority.

Article (11)

Breach by the Foster Family or the Foster Woman of Conditions or Obligations

1. If the foster family or the foster woman loses any of the conditions stipulated in Article (9) of this Decree by Law, or breaches any of the obligations set out in Article (10) thereof, the Committee may, based on a report submitted by the competent social researcher, issue a decision to withdraw custody of the child, and in such case the foster family or the foster woman shall have no right to object to the decision.
2. Without prejudice to Clause (1) of this Article, if the Committee determines that the breach is not serious, it may establish a corrective plan and oblige the foster family or the foster woman, as the case may be, to comply with and implement it, in accordance with the controls, conditions, and timeframes determined by the Committee. If the concerned

person fails to comply with the plan, measures shall be taken to withdraw custody of the child in accordance with the provisions of this Decree by Law, its Executive Regulation, and the resolutions issued in implementation thereof.

Article (12)

Expiration of Custody Period

1. The Custody period of a Child of Unknown Parentage ends in the following two cases:
 - a. The Child of Unknown Parentage's lineage is proven by a final court ruling; or
 - b. The Child of Unknown Parentage reaches the age of majority.
2. As an exception to Paragraph (b) of Clause (1) of this Article, it is permissible, based on a decision of the Minister or the head of the Local Authority, to extend the Custody period based on the report of the Competent Social Researcher and in accordance with the controls and standards specified by the Executive Regulations.

Article (13)

Termination of Custody

1. Custody of the Custodial Family for Children of Unknown Parentage is terminated in the following cases:
 - a. The Child of Unknown Parentage's lineage is proven by a final court ruling;
 - b. The death of either spouse in the Custodial Family or their separation and the absence of individuals or relatives of the Custodial Family who fulfill the conditions of Custody;
 - c. The issuance of a conclusive court ruling against either spouse in any of the crimes of honour or any other crime that the Committee considers that the interest of the Adopted Child requires the termination of Custody;
 - d. Inflicting harm to the Child of Unknown Parentage;
 - e. Evidence of the family's inability to provide social care of the Child of Unknown Parentage;
 - f. The absence of the custodian is an absence that affects the good care and upbringing of the Child of Unknown Parentage in Custody;

- g. At the request of the Custodial Family, in accordance with the controls specified by the Executive Regulations;
 - h. Failure to satisfy any of the conditions stipulated in Article (9) of this Decree-Law; or
 - i. Any other case decided by the Committee based on a report issued by the Competent Social Researcher.
2. The Custody of the Custodial Family of Children of Unknown Parentage shall be terminated in the cases referred to in Paragraphs (d), (e) and (f) of Clause (1) of this Article by a decision of the Committee based on a report from the Competent Social Researcher.

Article (14)

Custody of the Child of a Known Mother and Unknown Father

1. In the event that the Child is of a known mother who holds the nationality of the State and of an unknown father, or if their parentage is not legally proven, Custody shall be established for the mother.
2. If it appears that the mother is incompetent to take over Custody, or that the Child of Unknown Parentage's stay with her poses a threat to the Child's safety or the Child's or her own life, or if there are realistic circumstances that require the Child of Unknown Parentage not to stay with her, then the Committee must submit a recommendation to the Ministry or the Local Authority to apply to the competent court regarding a decision on Custody.

Article (15)

Guardianship or Custodianship of a Child of Unknown Parentage

1. The provisions of guardianship or custodianship stipulated in the legislation in force apply to Children of Unknown Parentage.
2. At the request of the Ministry or the Local Authority, the competent court may grant either of them or the Custodial Family guardianship or custodianship over the Child of Unknown Parentage.

Article (16)

Voluntary Custody

Custody is considered a voluntary work that takes place without charge. The Custodial Family shall not claim from the Adopted Child, the Ministry or the Authority concerned any expenses spent on the Adopted Child during the custody period.

Article (17)

Financial Support

1. The financial support of the Child of Unknown Parentage shall be from their money, if any. If the Child of Unknown Parentage has no money and no one donated money to spend on the Child of Unknown Parentage, the financial support of the Child of Unknown Parentage shall be borne by the State.
2. A decision issued by the Council of Ministers based on the proposal of the Minister shall determine the controls for disbursing the financial support referred to in Clause (1) of this Article.

Article (18)

Benefits of Custodial Employee

The Council of Ministers or the competent Local Authority, based on the proposal of the Minister or the head of the competent authority, and after coordination with the Authorities Concerned, shall determine the benefits that are granted to the employee, working in the

government sector, who offers Custody for a Child of Unknown Parentage in accordance with the provisions of this Decree-Law, and in accordance with the legislation in force in this regard.

Article (19)

Competent Social Researcher

1. The Competent Social Researcher shall:
 - a. Follow up on the Adopted Child by visiting the Custodial Family with the permission of the homeowner, meet with the Adopted Child, and familiarize themselves with the Adopted Child's condition;
 - b. Prepare a report on the social, health and educational status of the Adopted Child and the extent to which the Custodial Family fulfills its obligations towards the Adopted Child;
 - c. Intervene to correct the behaviour of the Adopted Child in the event that evidence or signs of delinquency appear on them, and take the necessary measures for that;
 - d. Maintain strict confidentiality of data and information related to the Adopted Child and not disclose it to any non-concerned party; and
 - e. Any other obligations assigned to the Competent Social Researcher by the Ministry or Local Authority.
2. The Executive Regulations shall specify the controls for visits, preparation of reports, and procedures for following up the Adopted Child.

Article (20)

Creating an Electronic Register

1. An electronic register shall be established at the Ministry in which all data, information and statistics relating to the Child of Unknown Parentage and any changes or updates thereto shall be recorded.
2. The Local Authorities and other Authorities Concerned shall link and share data, information and statistics referred to in Clause (1) of this Article with each other, as well as any change or update thereof.

3. The Executive Regulations shall determine the data and information that must be entered in the register, the criteria for obtaining an extract from it, and the data that the extract may contain.
4. Everything recorded in the register is confidential and may not be viewed except by specialists and for work purposes or based on a request from the judicial authority.

Article (21)

Penalty for Failure to Report to the Police Station

Whoever violates the provisions of Clause (1) of Article (3) of this Decree-Law shall be punished by imprisonment and/or a fine of not less than (10,000) ten thousand dirhams but not exceeding (100,000) one hundred thousand dirhams.

Article (22)

Penalty of Preventing the Competent Social Researcher from Performing their Duties

Whoever prevents the Competent Social Researcher from carrying out their duties or impedes them from carrying out their work shall be punished by a fine not less than (5,000) five thousand dirhams but not exceeding (50,000) fifty thousand dirhams.

Article (23)

Penalty for Handing Over an Adopted Child without the Approval of the Ministry or the Local Authority

Shall be punished by imprisonment and/or a fine of no less than (50,000) fifty thousand dirhams whoever:

1. Has been appointed as a Custodian a Child of Unknown Parentage and permanently handed them over to another family without the approval of the Ministry or the Local Authority; or
2. Has received a Child of Unknown Parentage from the Custodial Family without informing the police station within (24) twenty-four hours of receiving the Child of

Unknown Parentage.

Article (24)

Penalty for Refusing to Hand Over an Adopted Child

Shall be punished by imprisonment and/or a fine of no less than (50,000) fifty thousand dirhams any member of the Custodial Family if such member refuses to hand over the Adopted Child to the Ministry or the Local Authority in implementation of the Committee's decision to withdraw the Adopted Child from it.

Article (25)

Imposing a More Severe Penalty Stipulated in Another Law

Imposing the penalties stipulated in this Decree Law shall not prejudice imposing any severer penalty stipulated in any other law.

Article (26)

Executive Regulations

Based on the Minister's proposal, and after coordination with the Local and Authorities Concerned, the Council of Ministers shall issue the Executive Regulations for this Decree-Law within (6) six months from the date of its publication in the Official Gazette.

Article (27)

Executive Decisions

The Minister or the head of the Local Authority, each within the limits of their competence, shall issue the necessary decisions to implement the provisions of this Decree-Law.

Article (28)

Repealing

1. Federal Law No. (1) of 2012 Concerning the Custody of Children of Unknown Parentage is hereby repealed, so shall be any provision that contradicts or conflicts with the

provisions of this Decree-Law.

2. The regulations and decisions in force upon the issuance of this Decree-Law shall continue to be enforced in a manner that does not conflict with the provisions hereof pending the issuance of the Executive Regulations and decisions implementing hereto.

Article (29)

Publication and Effective Date

This Decree-Law shall be published in the Official Gazette, and shall come into force as of January 2, 2023.

Mohammed bin Zayed Al Nahyan
President of the United Arab Emirates

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

30th Safar, 1444 AH

Corresponding to: 26th September, 2022 AD