

**United Arab Emirates
Ministry Of Cabinet Affairs & the Future
Secretariat General of the Cabinet**

Date in Hijri: 19 Shawwal 1438 H

Date In Gregorian: 13 July 2017

***H.E. Sheikh Nahyan Bin Mubarak Al Nahyan
Minister of Culture, Youth and Knowledge Development***

Dear Sir,

Subject: Implementing the Federal Decree - Law No.(2) of 2017

Firstly, we would like to present our compliments to you, wishing you continued progress and success,

Kindly find hereto attached copy of the original federal decree law No.(2) of 2017 on immunity of the foreign cultural objects (properties) against seizure or confiscation , issued by H.H. UAE president , may Allah protect him.

Please instruct whoever concerned to take the necessary actions for implementing the aforementioned federal decree law.

With our best regards,

**Abdullah Al Basti
Secretary General of the Cabinet
Signature & seal**

**FEDERAL DECREE-LAW NO. (2) OF 2017 ON
IMMUNITY OF THE FOREIGN CULTURAL OBJECTS (Properties)
AGAINST SEIZURE OR CONFISCATING**

We, Khalifa Bin Zayed Al Nahyan, United Arab Emirates President

- Upon perusal of the constitution,
- The federal law No. (1) of 1972 on functions of the ministries and powers of the ministers , as amended,
- The federal law No.(10) of 1973 on the Federal Supreme Court, as amended,
- The federal law No. (11) of 1973 on regulating the judicial relationships among the emirates members of the federation,
- The federal law No. (6) of 1978 on the establishment of federal courts and transferring functions of the local judicial authorities in some emirates thereto , as amended.
- The federal law No. (17) of 1978 on regulating the objection by cassation situations and procedures before the Federal Supreme Court, as amended,
- The civil transactions law issued under the federal law No.(5) of 1985, as amended.
- The law of evidence in the civil and commercial transactions issued under the federal law No. (10) of 1992 , as amended,
- The federal decree No. (90) of 2005 on the UAE joining the Hague Convention on the protection of cultural properties in the events of armed conflicts dated 14 May 1954.
- The federal decree No. (76) of 2006 on the agreement related to the measures to be taken for prohibiting and preventing the illegal import and export of the cultural properties,
- And pursuant to the proposal submitted by the Minister of Culture & Knowledge Development , and approval of the Cabinet ,

Issue the following federal decree law:

(Article One)
Definitions

In the application of provisions of this federal decree law, the following words and expressions shall have the meanings shown opposite each of them unless the context requires otherwise:

The State (UAE): United Arab Emirates.

The Ministry: Ministry of Culture & Knowledge Development.

The Minister: Minister of Culture & Knowledge Development.

Cultural Object: Each foreign archaeological, cultural, or traditional object borrowed by one of the federal or local authorities from one of the foreign museums or exhibitions who possesses or acquires the same legally.

The Lender: The foreign museum or exhibition contracted with for lending some of its cultural objects for exhibition in the UAE according to the arrangements agreed upon with one of the federal or local government authorities.

Immunity: Protection provided for the foreign cultural objects imported to the UAE against seizure or confiscation, or any procedures that prevent their return to the lender till leaving the territory of the UAE as per the situations set forth under this decree law.

(Article Two) Scope of Application

This decree law shall be applicable to any cultural object (property) borrowed by any of the museums or exhibitions affiliated to any of the federal or local government authorities for temporal exhibition in the UAE.

(Article Three) Granting Immunity

1. Immunity against seizure or confiscation of the cultural objects borrowed according to an agreement concluded by any of the federal or local authorities shall be granted, subject to providing the Ministry with information and details of the borrowed cultural objects before entry into the UAE in order to register them in the register maintained by the Ministry pursuant to the provisions of article (8) hereof.
2. The Ministry shall register the cultural objects subject of the loan and provide the requesting authority with the registration certificate within a period not exceeding (15) business days from date of receiving the application as per para (1) of this article.
3. The federal or local government authority to which the museum or exhibition is affiliated shall be committed not to borrow the cultural objects which are subject to a serious dispute between the lender and a third party. In such a case, the Ministry may prevent recording the cultural objects in the register and inform the concerned government authority of

the same within a period not exceeding (15) business days from date of receiving the application as per para (1) of this article.

(Article Four) **Immunity Consequences**

No entity exercising any judicial or administrative jurisdiction is permitted to accept any seizure or confiscation request of any cultural object granted immunity under this decree law. This provision includes the following:

1. Non-acceptance of any request or claim to prevent the museum or exhibition from returning any of the cultural objects to the lender beyond expiry of its exhibition period.
2. No procedure may be taken for preventing the museum or exhibition from returning the cultural object to the lender.

(Article Five)

No claim for cancellation of or indemnification for granting immunity against seizure or confiscation of the cultural object shall be acceptable.

(Article Six) **Return of the cultural objects**

The Minister, by himself or upon a request by one of the competent authorities, may request the authority borrowing the loaned cultural objects to the lender's country, if the cultural object is subject of a serious dispute between the lender and a third party, depending on seriousness extent of the dispute, within a timeframe specified by the Minister, but not exceeding six months. In case the request is not satisfied, the immunity shall be lifted from such cultural object subject of the dispute.

(Article Seven) **Objection to Granting the Immunity**

1. Whoever is grieved by granting immunity to a foreign cultural object pursuant to this Federal decree-law, or has found out inaccuracy of the information and data based on which the immunity was granted , may submit an objection to the Minister as per the mechanism determined by a resolution issued by the Minister.
2. The federal or local authority to which the museum or exhibition is affiliated shall coordinate with the lender to reply to the objection within the timeframe decided by the Minister.

3. The Minister shall resolve the objection claim. In case the objection is serious , a reasoned decision shall be issued for returning the cultural object to its source , based on seriousness extent of the objection , and granting the authority to which the museum, or exhibition is affiliated and the lender a grace period not exceeding six months to return it to the lender's country.

(Article Eight) The Register

The Ministry shall maintain a register for the cultural objects entering the UAE for temporal exhibition. The register shall include the following:

1. The data identifying the cultural objects.
2. The requests, decisions and objections related to the cultural object.
3. Any action taken in regard to the cultural object.

However, the Ministry may, upon the request of the concerned parties, grant a statement or a certificate of the register contents, in accordance with the terms and conditions determined under a resolution issued by the Minister.

(Article Nine) Publishing & Validity

This decree law shall be published in the official gazette and shall come in force effective from the next day after its publication.

**Khalifa Bin Zayed Al Nahyan
President Of The
United Arab Emirates
(Signature)**

Issued by us at the Presidential Palace in Abu Dhabi

On 18 Shawwal 1438 H

Corresponding to 12 July 2017