

# Defaming someone online can invite fine, put you in jail



**LEGAL VIEW**  
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**Q:** I am working in a mainland company based in the emirate of Dubai and am aware that defaming someone in the UAE is a criminal offence. One of my acquaintances has been posting negative contents about me on social media and I can confirm that these are blatant lies. Some of my friends are messaging me and checking with me the veracity of the contents posted by the acquaintance. How can I get the person to stop it?

**A:** It should be understood that defaming an individual on social media is a criminal offence in the UAE.

This is in accordance with Article 373 of the Federal Law No.3 of 1987 of UAE on issuance of the Penal Code (the 'Penal Law'), which states, "Detention for a period not exceeding one year or a fine not exceeding Dh10,000 shall be imposed on anyone who, by any means of publicity, disgraces the honour or the modesty of another person without attributing any particular act to the defamed party.

Detention for a period not exceeding two years and a fine not exceeding Dh20,000 or either of these two penalties, shall apply if a public official or one who is in charge of a

abuse affects the honour or injures the reputation of families; or if it is noticed that it is intended to achieve an illegal purpose. However, if the abuse is published in any newspaper or printed media, it shall be considered an aggravated case."

Based on the aforementioned provision of law, defamatory messages circulated in social media can be printed and therefore, such messages may be considered as an aggravated crime.

Further, your acquaintance may also be held responsible if such defamatory messages are transmitted using telephone (mobile phone).

This is in accordance with Article 374 of the Penal Law of the UAE, which states, "Punishment by detention for a period not exceeding six months or by fine not exceeding Dh5,000 shall apply if slander or abuse is transmitted by telephone, or face to face with the victim and in the presence of a third party..."

In continuance, it should be understood that in the UAE, defaming any individual through computer network or electronic means is a crime under the Cyber Law of the country.

This is in accordance with Article 21 of the Federal Law No. 5 of 2012 on Combating Cybercrimes (the 'Cyber Law'), which states, ".....Shall also be punished by imprisonment for a period of at least one year and a fine not less than Dh2,50,000 and not in excess of Dh5,00,000 or either of these two penalties whoever uses an electronic information system or any information technology means for amending or processing a record, photo or scene for the purpose of defamation of or offending another person or for attacking or invading his privacy."

You may lodge a criminal complaint with the public prosecutor or the police station having jurisdiction against the accused.

The public prosecutor will require Arabic translation of the documentary evidence

## Know the law



Till your residence visa is valid, you can enter the UAE without any problem.

you will provide with your complaint such as messages posted by the accused against you in the social media platform.

The public prosecutor will investigate the complaint and register a criminal case against the accused, if he is satisfied that a crime has been committed by the person.

**Q:** I am employed by a mainland company based in Dubai. I will be leaving on annual leave soon. My UAE residence visa expires just few days after my return from my annual vacation. Do I need to renew my residence visa before I travel on annual leave or will I be able to re-enter UAE just within few days from the date of expiry of the visa?

**A:** Any expatriate resident of the UAE can enter the country during validity of his or her residence visa. Since your visa will expire few days after you return from your annual vacation, you should be able to enter the UAE when you come back.

Alternatively, should you choose, you may renew your visa before travelling on annual vacation.

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public service has been abused during, because of, or while performing his duty; if the