

National Report on the Judicial Dispute Resolution System Applied in the Dubai Courts

First: Introduction to the UAE Legal System

Overview of the Legal System:

The legal framework in the Emirate of Dubai operates, within the general framework of the United Arab Emirates, under a civil law system based on federal legislation that constitutes the primary foundation of legal regulation. This framework is supplemented by local legislation issued by the Emirate of Dubai within the limits of its constitutional jurisdiction.

This system is **distinguished by** legislative clarity, a hierarchical structure of legal rules, and reliance on written texts as the principal source of legal provisions, while allowing a flexible regulatory margin that enables the development of case management **processes** and dispute resolution methods. This flexibility aligns with economic and social developments and with best comparative practices in the field of the efficient administration of justice.

This structured civil law framework has been directly reflected in the Emirate of Dubai's adoption of a clear institutional approach to encouraging amicable settlements and judicial dispute resolution as a complementary tool to adjudication, in a manner that preserves litigants' rights and safeguards procedural guarantees.

The Organizational Structure of the Courts and Specialized Courts:

The Dubai Courts system consists of a clear and hierarchical judicial structure based on multiple courts organized according to levels of litigation and types of jurisdiction, as follows:

First: First Instance Courts

First Instance Courts constitute the cornerstone of the judicial organization. They branch into specialized courts that adjudicate disputes according to their nature, including in particular:

- Commercial Court.
- Real Estate Court.
- Labor Court.
- Criminal Court.
- Personal Status Court.
- Civil Court.

- Execution Court.

This classification is designed to achieve judicial specialization, ensuring expeditious adjudication, in-depth understanding of the nature of disputes, and consistency of judicial principles within each category of cases.

Second: Independent Specialized Courts

In addition to the specialized Courts of First Instance, the Dubai judicial system includes specialized courts of an independent nature, most notably:

- Inheritance Court.
- Bankruptcy Court.

These courts were established to address specific types of disputes that require specialized procedures and precise judicial expertise due to their direct financial and social impact.

Third: Appellate Courts

The judicial system is completed by two levels of appeal:

- Appeal Court
- Cassation Court as the highest judicial authority in the Emirates of Dubai.

Level of the Judicial Authority Implementing Judicial Dispute Resolution and the Extent of Its Application

Judicial Dispute Resolution (JDR) in the Emirate of Dubai is implemented within a clear institutional judicial framework and under the direct supervision of the judicial authority, rather than as an external or voluntary **process** separate from the courts.

The Amicable Settlement of Disputes Center is the competent judicial body responsible for implementing this approach. It operates as a supportive arm of the courts and is subject to the supervision of the President of the First Instance Courts, with a supervising judge assigned to provide judicial oversight of its activities, ensuring:

- the soundness of procedures.

- compliance of settlements with the provisions of the law.
- the preservation of the parties' rights and procedural guarantees.

The application of judicial settlement in Dubai extends across multiple stages of litigation. Certain disputes may be referred to the Amicable Settlement Center prior to the registration of a case or during its consideration, depending on the nature of the dispute and pursuant to regulatory decisions issued by Director General of Dubai Courts. Settlement is also applied at later stages through execution settlements following the issuance of judgments.

This framework is further integrated with other settlement pathways within the judiciary, including:

- family reconciliation within the Personal Status Court.
- inheritance settlements before the Inheritance Court.
- execution settlements before the Execution Court.
- and the settlement of labor disputes prior to their referral to the competent court through specialized committees.

This horizontal expansion of amicable settlement across various types of courts reflects a comprehensive institutional adoption of the judicial dispute resolution approach in Dubai and confirms that settlement is no longer an exceptional procedure, but rather an integral component of the justice system in the Emirate.

Second: Goals of Judicial Dispute Resolution

Goals and Expected Outcomes

1- General Framework of the Goals

Judicial Dispute Resolution in the Emirate of Dubai is founded on clear and well-defined **goals** established by Law No. (18) of 2021 regulating amicable settlement activities in the Emirate of Dubai, as amended. This law reflects an explicit legislative orientation toward adopting amicable settlement as an effective tool for achieving the prompt administration of justice, enhancing legal and social stability, and reducing exclusive reliance on the traditional adjudicatory process.

These **goals** constitute the governing framework for the application of the Judicial Dispute Resolution (JDR) framework within the Dubai Courts system.

2- Main Goals of Judicial Dispute Resolution

First: Promoting a Culture of Amicable Settlement and Reconciliation

Through regulating settlement activities, the legislator seeks to entrench a culture of amicable settlement among disputing parties and to encourage the resolution of disputes through mutual consent and agreement. This approach contributes to reducing judicial adversarial proceedings and enhances confidence in fair and equitable alternative solutions.

Second: Providing a Fast and Effective Process for Dispute Resolution

Judicial settlement aims to expedite the resolution of disputes by offering a simplified and efficient procedural pathway, enabling parties to reach solutions within shorter timeframes compared to full litigation, while preserving fundamental legal safeguards.

Third: Reducing the Burdens of Litigation on Parties and the Judicial System

The Law on the Regulation of Amicable Settlement seeks to alleviate the workload of the courts and reduce the number of cases brought before them, while simultaneously limiting the financial and procedural costs borne by litigants, thereby achieving greater efficiency in the management of judicial resources.

Fourth: Preserving the Continuity of Legal and Contractual Relationships

The law aims, through settlement, to maintain existing civil and commercial relationships between the parties and to avoid the negative consequences of prolonged judicial disputes, thereby contributing to the sustainability of businesses as well as family and social ties.

Fifth: Achieving Prompt Justice Without Prejudice to Parties' Rights

Judicial settlement is based on the principle of delivering swift and fair justice without compromising litigants' rights or procedural guarantees. Settlement agreements are approved in accordance with legal controls that ensure their validity, legality, and enforceability.

Sixth: Conferring Enforceable Effect on Settlement Agreements

One of the core **goals** affirmed by the law is to grant approved settlement agreements the force of an executory instrument, ensuring their direct enforcement without the need for additional judicial procedures and strengthening parties' confidence in the effectiveness of the settlement process.

3- Outcomes of the Application of Judicial Dispute Resolution

Based on the foregoing legislative **goals**, the implementation of Judicial Dispute Resolution in Dubai has achieved the following outcomes:

- Reduction in the volume of cases referred to the courts.
- Shortening of the average time required to resolve disputes.
- Increased user satisfaction with judicial services.
- Enhanced economic and social stability.
- Support for the continuity of contractual and family relationships.
- Improved institutional efficiency of the judicial system.

Third: Legal Framework for Judicial Dispute Resolution

1- Source of Court Authority in Applying Judicial Dispute Resolution

Judicial Dispute Resolution (JDR) in the Emirate of Dubai is based on a clear and direct legal and regulatory framework, grounded in federal and local legislation as well as judicial regulatory decisions. It constitutes an integral part of the justice system, as follows:

First: Federal Legislation

Federal Decree-Law No. (42) of 2022 issuing the Civil Procedures Law forms the general foundation for litigation procedures in the UAE. This law endorses the principle of settlement and allows it to be carried out at any stage of the dispute, affirming the legitimacy of amicable settlement as a legal means of resolving judicial conflicts.

Second: Local Legislation – Law on Regulating Settlement Activities

Law No. (18) of 2021 concerning the regulation of settlement activities in the Emirate of Dubai, followed by key amendments, strengthened the effectiveness of judicial settlement. Key provisions of this law and its amendments include:

- Granting the competent conciliator the authority to approve settlement agreements once legal conditions are met, without requiring judicial approval.
- Considering settlement agreements approved by the conciliator as enforceable executive instruments.
- Reducing the fee for approving settlement agreements to a fixed amount of AED 250 instead of calculating 6% of the claim value, ensuring fairness and encouraging the use of amicable settlement.

- Adjusting jurisdictional thresholds for specific social groups, exempting senior citizens, persons of determination, and social benefit recipients from monetary jurisdiction limits to facilitate access, ensure rapid dispute resolution, and allow them to benefit from the center's simplified services and reduced fees.
- Empowering the conciliator to appoint a specialized expert when the dispute involves technical or specialized matters requiring an impartial professional opinion, in accordance with approved guidelines to support a fair and informed settlement.

This regulation represents a qualitative shift from traditional settlement to judicial settlement with direct enforceable effect, managed with high institutional efficiency.

Third: Judicial Regulatory Decisions

The legislative framework is complemented by regulatory decisions issued by the Head of Dubai Courts, the Decision of the Head of Dubai Courts No. (4) of 2025, which defines the jurisdiction of the Amicable Settlement Center regarding monetary, substantive, and procedural scope, stipulating the following:

- **Mandatory referral to the Amicable Settlement Center** for:
 - Personal status disputes.
 - Disputes where the claim amount is less than AED 500,000.
 - Construction contracts for citizens' homes if the contract value is AED 10 million or less.

This structure allows for expansion and updates in monetary or substantive jurisdiction as determined by the competent judicial authority.

- **Optional referral to the Center** for:
 - Any other dispute, regardless of value or type, if the parties wish to resolve it amicably.

This decision is the main regulatory tool ensuring broad application of judicial settlement across Dubai Courts.

2- Empowering Judges and Conciliators in Managing Judicial Settlement

The model applied in Dubai relies on structured judicial settlement without adopting procedural terms not provided for in legislation, with clear distribution of roles between the judge and the conciliator:

- The **judge** assumes general judicial oversight, ensures procedural integrity, and adjudicates the dispute if settlement fails.
- The **conciliator** manages the settlement process, approves agreements, and appoints experts when necessary, ensuring technical efficiency and neutrality.

The legislative framework does not provide for:

- Judicial mediation as a standalone concept.
- Early Neutral Evaluation (ENE) as a named procedural system.

3- Legal Framework for Citizens' Home Construction Disputes

As part of institutional expansion of judicial settlement, a specialized Citizens' Home Construction Dispute Settlement Center was established to address disputes arising from home construction contracts. This specialized framework aims to:

- Resolve technical and construction disputes amicably.
- Accelerate resolution of disputes with direct social impact.
- Reduce referral to traditional litigation.
- Enable the specialized committee to adjudicate construction disputes.
- Allow parties to reach practical solutions that preserve rights and ensure project continuity.

This center represents an advanced practical model of specialized judicial settlement, complementing the general settlement system in Dubai Courts in cooperation with Dubai Municipality.

Fourth: Details of the Judicial Dispute Resolution Process

1- Key Features of the Process and Methods Used

Judicial Dispute Resolution (JDR) in the Emirate of Dubai is a fully institutionalized judicial process, not a marginal voluntary procedure. Its key features include:

- **Full integration into the judicial system:** Settlement is managed through the Amicable Settlement Center for Disputes under Dubai Courts and judicial supervision.
- **Structured procedural nature:** The process follows a clear legislative framework defining jurisdiction, procedures, and legal effects.
- **Measured flexibility:** The conciliator is empowered to adapt the settlement approach according to the nature of the dispute, including proposing solutions and appointing technical experts.
- **Direct enforceable effect:** Successful settlements result in a conciliator-approved agreement with the force of an executory instrument.
- **Focus on practical solutions:** Settlements aim to resolve disputes while maintaining the continuity of legal, commercial, and social relationships.

The process follows organized judicial settlement methods, without adopting mediation or negotiation models not provided for in legislation.

2- Process Implementation and Use of Digital Technologies

JDR in Dubai is applied through a clear procedural pathway supported by modern digital technologies, including:

- Electronic filing of settlement requests via Dubai Courts' approved systems.
- Management of settlement sessions either in-person or remotely, providing greater flexibility and reducing time and costs.
- Use of electronic signatures on settlement agreements, granting them immediate enforceable status.
- Collection of a fixed fee of AED 250 for agreement approval instead of the previous 6% fee, enhancing cost clarity and encouraging settlement.
- Integration of digital systems to ensure business continuity, operational efficiency, and improved user experience.

These technological advancements have streamlined procedures, accelerated dispute resolution, and reduced administrative burdens on both parties and the judicial system.

Practical application is further enhanced through institutional integration with Dubai Chambers under a cooperation agreement, facilitating the documentation and approval of settlement agreements in commercial disputes, linking them to the economic environment, supporting rapid enforcement, and strengthening business community confidence in amicable settlement.

3- Role of Judges and Conciliators in Managing the Process

The Dubai model features a precise and clear division of roles:

Judge:

- Does not manage settlement sessions or act as a mediator/evaluator.
- Provides general judicial oversight.
- Adjudicates the dispute if settlement fails, following established procedural and substantive rules.

Conciliator:

- Manages settlement procedures directly.
- Proposes solutions and reconciles parties' positions.
- Approves settlement agreements and grants them enforceable status.
- Appoints specialized experts when the dispute involves technical or specialized issues.
- If settlement fails, prepares a complete case file and presents it to the competent judge, facilitating faster judicial resolution.

4- Eligibility Requirements (Mandatory and Optional)

- **Mandatory:** Settlement is required in disputes specified by laws and regulatory decisions, such as personal status disputes, disputes with claims under AED 500,000, labor disputes before specialized committees, and citizens' home construction contract disputes up to AED 10 million.
- **Optional:** In all other cases, regardless of value or type, parties may choose settlement voluntarily.

5- Training of Judges and Conciliators

The legislative framework does not mandate specific training programs for judges in settlement. However, the system relies on:

- Accumulated judicial experience in case management and settlement supervision.
- Enhancing conciliator competence and professional qualification, including:
 - Participation in international courses and workshops on mediation and ADR organized by the Italy Center for International Mediation.
 - Enrollment in the Judicial Settlement Program organized by the Dubai Judicial Institute.
 - Recruitment of conciliators with legal and engineering backgrounds to integrate legal and technical expertise in specialized dispute resolution.

6- Statistics on the Effectiveness of Judicial Dispute Resolution

Performance indicators for 2024 demonstrate the effectiveness of the system:

- Overall, 1,222 files were referred to the Settlement Centre, of which 340 cases were successfully settled.
- inheritance cases achieved an exceptional 84% settlement rate, while personal status cases reached a 74% settlement rate.
- Settlement values reaching AED 36 billion.
- Amicable settlements accounted for approximately 90% of all resolved disputes.

