



# **DATA UPDATE – Women, Business and the Law 2024**

**United Arab Emirates**

**Federal Competitiveness and Statistics Centre**

**1. Mobility**

1. *Can a woman obtain a judgment of divorce in the same way as a man?*

**Comment received from Government:**

The government of The United Arab Emirates is characterized by its cultural, social, and religious diversity, which contains the majority of the world's nationalities. Therefore, the state is always looking to adopt civilized legislation that ensures the privacy of its residents of different nationalities is preserved. The law, which was issued by Federal Decree No. 41 of 2022 regarding civil personal status, issuing a new federal law regarding civil personal status No.41 of 2022. This is relevant to the Marriage indicator as the new law gives an equal right to a woman to obtain a judgment of divorce in the same way as a man.

**Suggested data modification:** The response should change from no to yes in order to reflect the changes introduced by the new Law.

**Date of entry into force:** 10/3/2022

**Legal basis:** Articles:(4, paragraph 3), 7 and 8 of Federal Decree No. 41 of 2022 regarding civil personal status – Annex 1

**Response from *Women, Business and the Law* team:**

According to *Women, Business and the Law* methodology, the answer is “Yes” if the process to obtain a judgment of divorce is equal for a woman and a man or provides additional protections for a woman, such as prohibiting a husband from initiating divorce proceedings while his wife is pregnant. The answer is “No” if there are procedural or evidentiary differences for a woman seeking a judgment of divorce, if only a man can initiate divorce proceedings, or if divorce is not legally allowed.

The *Women, Business and the Law* methodology is based on a set of assumptions. One of the methodology’s assumptions is that the woman in question is a lawful citizen of the economy being examined. As such, the answer to this question is based on the *Women, Business and the Law* team’s assessment of Personal Status Law No. 28/2005, as amended by Federal Decree No. 5/2020, which applies to the United Arab Emirates citizens. The cited Federal Decree No. 41 of 2022 only applies to non-Muslim foreigners and cannot constitute the legal basis for the answer to this question, based on *Women, Business and the Law* methodology.

Based on Personal Status Law No. 28/2005, as amended by Federal Decree No. 5/2020, the general principle outlined in Article 100 stipulates that the authority to initiate a divorce lies with the husband. However, the wife can pursue a divorce through one of the following avenues: (1) Inclusion of a provision in the marriage contract granting her the right to self-divorce, as per Article 100; (2) Seeking divorce from the competent court if she has valid grounds, in accordance with Articles 112 to 135; or (3) Petitioning the competent court for the termination of the marriage contract through Khul’ (خلع) after reimbursing her husband, as outlined in Articles 110 and 111. Since Personal Status Law No. 28/2005 include differences for a woman seeking a divorce, the answer to this question remains “No.”

2. *Does a woman have the same rights to remarry as a man?*

### **Comment received from Government:**

The government of The United Arab Emirates is characterized by its cultural, social, and religious diversity, which contains the majority of the world's nationalities. Therefore, the state is always looking to adopt civilized legislation that ensures the privacy of its residents of different nationalities is preserved. The law, which was issued by Federal Decree No. 41 of 2022 regarding civil personal status, issuing a new federal law regarding civil personal status No.41 of 2022. This is relevant to the Marriage indicator as the new law gives an equal right to a woman to have the same rights to remarry as a man.

Suggested data modification: The response should change from no to yes in order to reflect the changes introduced by the new Law.

Date of entry into force: 10/3/2022

Legal basis: Article: 6 of Federal Decree No. 41 of 2022 regarding civil personal status. – Annex 1

### **Response from *Women, Business and the Law* team:**

According to *Women, Business and the Law* methodology, the answer is “Yes” if a woman and a man have equal rights to remarry. The answer is “No” if the law limits a woman’s right to remarry, such as by requiring a waiting period before remarriage to which a man is not subject; or divorce is not legally allowed.

The *Women, Business and the Law* methodology is based on a set of assumptions. One of the methodology’s assumptions is that the woman in question is a lawful citizen of the economy being examined. As such, the answer to this question is based on the *Women, Business and the Law* team’s assessment of Personal Status Law No. 28/2005, as amended by Federal Decree No. 5/2020, which applies to the United Arab Emirates citizens. The cited Federal Decree No. 41 of 2022 only applies to non-Muslim foreigners and cannot constitute the legal basis for the answer to this question, based on *Women, Business and the Law* methodology.

Based on Personal Status Law No. 28/2005, as amended by Federal Decree No. 5/2020, the general rule outlined in Articles 136 to 141 is that women, unlike men, have to observe a waiting period (العدة) after a divorce or the death of their husband before they are able to remarry. Since Personal Status Law No. 28/2005 limit a woman’s right to remarry by requiring a waiting period before remarriage that is not required for men, the answer to this question remains “No.”

## **2. Assets**

### *1. Do sons and daughters have equal rights to inherit assets from their parents?*

### **Comment received from Government:**

The government of The United Arab Emirates is characterized by its cultural, social, and religious diversity, which contains the majority of the world's nationalities. Therefore, the state is always looking to adopt civilized legislation that ensures the privacy of its residents of different nationalities is preserved. The law, which was issued by Federal Decree No. 41 of 2022 regarding civil personal status, issuing a new federal law regarding civil personal status No.41 of 2022. This is relevant to the Assets indicator as the new law gives an equal right to sons and daughters to inherit assets from their parents.

Suggested data modification: The response should change from no to yes in order to reflect the changes introduced by the new Law.

Date of entry into force: 10/3/2022

Legal basis: Articles:(4, paragraph 2), 11 of Federal Decree No. 41 of 2022 regarding civil personal status. – Annex 1

**Response from *Women, Business and the Law* team:**

According to *Women, Business and the Law* methodology, the answer is “Yes” if sons and daughters have the same rights to inherit assets from their parents. The answer is “No” if there are gender-based differences in the recognition of children as heirs to property.

The *Women, Business and the Law* methodology is based on a set of assumptions. One of the methodology’s assumptions is that the woman in question is a lawful citizen of the economy being examined. As such, the answer to this question is based on the *Women, Business and the Law* team’s assessment of Personal Status Law No. 28/2005, as amended by Federal Decree No. 5/2020, which applies to the United Arab Emirates citizens. The cited Federal Decree No. 41 of 2022 only applies to non-Muslim foreigners and cannot constitute the legal basis for the answer to this question, based on *Women, Business and the Law* methodology.

Based on Personal Status Law No. 28/2005, as amended by Federal Decree No. 5/2020, the general rule outlined in Articles 321 to 335 is that sons inherit twice the share of daughters. Since Personal Status Law No. 28/2005 include gender-based differences in the recognition of children as heirs to property, the answer to this question remains “No.”

2. *Do female and male surviving spouses have equal rights to inherit assets?*

The government of The United Arab Emirates is characterized by its cultural, social, and religious diversity, which contains the majority of the world's nationalities. Therefore, the state is always looking to adopt civilized legislation that ensures the privacy of its residents of different nationalities is preserved. The law, which was issued by Federal Decree No. 41 of 2022 regarding civil personal status. issuing a new federal law regarding civil personal status No. 41 of 2022. This is relevant to the Assets indicator as the female and male surviving spouses have equal rights to inherit assets.

Suggested data modification: The response should change from no to yes in order to reflect the changes introduced by the new Law.

Date of entry into force: 10/3/2022

Legal basis: Articles:(4, paragraph 2), 11 of Federal Decree No. 41 of 2022 regarding civil personal status. – Annex 1

**Response from *Women, Business and the Law* team:**

According to *Women, Business and the Law* methodology, the answer is “Yes” if surviving spouses of either gender with no living children have the same inheritance rights. The answer is “No” if there are gender-based differences in the inheritance rights of surviving spouses.

The *Women, Business and the Law* methodology is based on a set of assumptions. One of the methodology’s assumptions is that the woman in question is a lawful citizen of the economy being examined. As such, the answer to this question is based on the *Women, Business and the Law* team’s assessment of Personal Status Law No. 28/2005, as amended by Federal Decree No. 5/2020, which applies to the United Arab Emirates citizens. The cited Federal Decree No. 41 of 2022 only applies to

non-Muslim foreigners and cannot constitute the legal basis for the answer to this question, based on *Women, Business and the Law* methodology.

Based on Personal Status Law No. 28/2005, as amended by Federal Decree No. 5/2020, the general rule outlined in Articles 322 to 324 is that a surviving husband inherits a share twice that of a surviving wife. Since Personal Status Law No. 28/2005 includes a gender-based differences in the inheritance rights of surviving spouses, the answer to this question remains “No.”

3. *Does the law provide for the valuation of nonmonetary contributions?*

The government of The United Arab Emirates is characterized by its cultural, social, and religious diversity, which contains the majority of the world's nationalities. Therefore, the state is always looking to adopt civilized legislation that ensures the privacy of its residents of different nationalities is preserved. The law, which was issued by Federal Decree No. 41 of 2022 regarding civil personal status, issuing a new federal law regarding civil personal status No.41 of 2022. This is relevant to the Assets indicator as valuation of nonmonetary contributions in its final article which refers to the article (62) paragraph (1) from Federal Decree No. 28 of 2005 regarding personal status.

**Suggested data modification:**

Does the law provide for the valuation of nonmonetary contributions?

Date of entry into force: 10/3/2022

Legal basis: Article:(15) of Federal Decree No. 41 of 2022 regarding civil personal status, which refers to the article (62) paragraph (1) from Federal Decree No. 28 of 2005 regarding personal status – Annex 1, and Annex 2.

**Response from *Women, Business and the Law* team:**

According to *Women, Business and the Law* methodology, the answer is “Yes” if there is an explicit legal recognition of such contributions and the law provides for equal or equitable division of the property or the transfer of a lump sum to the stay-at-home spouse based on nonmonetary contributions; or the default marital property regime is full community, partial community, or deferred community of property because these regimes implicitly recognize nonmonetary contributions at the time of property division and benefit both spouses regardless of who purchased the property or holds title to it. The answer is “No” if the default marital property regime is not a form of community of property and there is no explicit legal provision providing for equal or equitable division of property based on nonmonetary contributions.

The *Women, Business and the Law* methodology is based on a set of assumptions. One of the methodology’s assumptions is that the woman in question is a lawful citizen of the economy being examined. As such, the answer to this question is based on the *Women, Business and the Law* team’s assessment of Personal Status Law No. 28/2005, as amended by Federal Decree No. 5/2020, which applies to the United Arab Emirates citizens. The cited Federal Decree No. 41 of 2022 only applies to non-Muslim foreigners and cannot constitute the legal basis for the answer to this question, based on *Women, Business and the Law* methodology.

Since the default marital property regime is not a form of community of property and there is no explicit legal provision providing for equal or equitable division of property based on nonmonetary contributions, the answer to this question remains “No.”

## Communications

For questions on this note, please contact:

Tea Trumbic  
Women, Business and the Law  
Global Indicators Group – Development  
Economics  
World Bank Group  
2121 Pennsylvania Avenue NW  
Washington D.C. 20433  
Tel: +1 (202) 473-0577  
E-mail: [ttrumbic@worldbank.org](mailto:ttrumbic@worldbank.org)

Marina Elefante  
Women, Business and the Law  
Global Indicators Group – Development  
Economics  
World Bank Group  
2121 Pennsylvania Avenue NW  
Washington D.C. 20433  
Tel: +1 (202) 473-5556  
E-mail: [melefante@worldbank.org](mailto:melefante@worldbank.org)