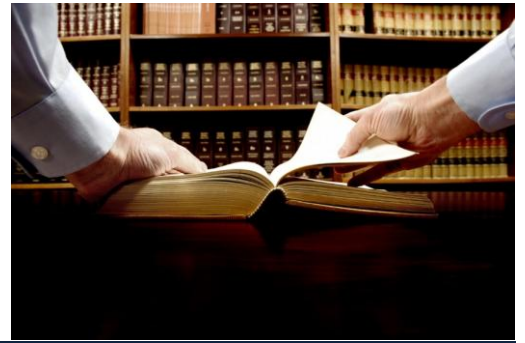


inBrief

**Reform of Dispute Settlement in Dubai: Decision No. (4) of 2025 on the Jurisdiction of the Centre for Amicable Settlement of Disputes**

By Nazim Hashim, Elmukashfi Mohamed and Ola Osman | 06 May 2025

Advancing Dispute Resolution in Dubai: Strengthening ADR for a More Inclusive Legal Future

Alternative Dispute Resolution (“ADR”) has become a cornerstone of modern legal systems, offering faster, more cost-effective, and flexible pathways for resolving disputes outside traditional court structures. In keeping with this global trend, Dubai established the Centre for Amicable Settlement of Disputes (the “Centre”) under Law No. 16 of 2009, aiming to promote consensual dispute resolution and reduce the burden on the judiciary.

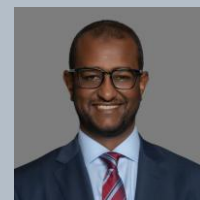
Reflecting the rising significance of ADR and a continued drive for procedural reform, the President of Dubai Courts issued *Decision No. (4) of 2025* (the “Decision”), published on 26 March 2025. This Decision repeals and replaces *Decision No. (8) of 2022* and introduces a more refined jurisdictional framework for the Centre. It also signals a broader legislative intent to promote social justice by enhancing access to dispute resolution mechanisms for people of determination, senior citizens, and economically vulnerable groups.

This inBrief outlines the main features of Decision No. (4) of 2025, with particular focus on the jurisdictional reallocation of estate-related property disputes, the harmonisation of legal terminology across related legislative instruments, the introduction of new restrictions on expert appointment applications prior to litigation, the enhancement of procedural safeguards for vulnerable groups, and the implications of limiting party autonomy in selecting alternative dispute resolution pathways.

Key Highlights of Decision No. (4) of 2025**1. Jurisdictional Shift in Estate-Related Property Disputes**

A major development under the Decision is the removal of the Centre’s jurisdiction over estate-related property disputes. Specifically, Article 1(1) excludes disputes involving the subdivision of co-owned undivided property where such issues are tied to estate matters. This adjustment aligns with *Decree No. (25) of 2023*, which established the Probate Court and granted it exclusive authority over estate-related claims, including those concerning co-owned property.

This jurisdictional transfer consolidates estate litigation within a specialised forum that is better equipped to handle the sensitive nature of family and

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inheritance disputes. The Probate Court's innovative procedural tools and focused mandate are intended to preserve familial harmony while resolving complex legal issues efficiently.

2. Harmonisation of Legal Terminology

The Decision reaffirms the Centre's authority to ratify conciliation agreements, regardless of the claim's value—a principle retained from the previous 2022 Decision. However, the language has been updated to reflect terminology used in *Law No. (18) of 2021 Regulating Conciliation in the Emirate of Dubai*. This alignment promotes greater legal consistency and clarity, particularly in defining a "Conciliation Agreement" as one reached under the guidance of a Conciliator following the procedures laid out by law.

This terminological harmonisation ensures coherence across legislative instruments, facilitating smoother legal interpretation and application.

3. Narrowing the Scope of Expert Appointment Applications

The Decision introduces clearer conditions for the Centre's jurisdiction over expert appointment requests prior to litigation. Now, such applications are only accepted if:

- The dispute falls within the jurisdiction of Dubai Courts
- The matter is not already pending before a court
- The issue has not been previously adjudicated

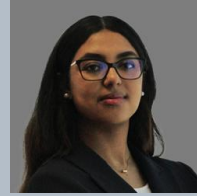
These restrictions are a departure from the broader scope under the 2022 Decision, which permitted expert appointments without such limitations. The Centre previously rejected jurisdictional objections, such as those based on arbitration clauses, on the grounds that applications for the appointment of an expert do not constitute formal substantive claims. As such, these applications were considered not to affect jurisdictional objections, which could instead be raised once a substantive case was formally filed before the court.

Based on the Decision, the Centre can no longer entertain expert requests for disputes subject to arbitration clauses or those already before the courts. While the goal is to streamline case flow and eliminate duplication, this change may limit access to neutral, pre-litigation expert assessments—often crucial for parties seeking early clarity. We will have to wait and see how the Centre will practically address this situation in order to have a definitive answer.

4. Expanded Jurisdiction to Protect Vulnerable Groups

The Decision expands the Centre's jurisdiction to include specific categories of vulnerable individuals. These include disputes involving Emirati citizens aged 60 and above, provided the claim value does not exceed AED 1,000,000; cases where one of the parties is a person with a disability; and matters involving female beneficiaries of financial assistance under Law No. (7) of 2012.

These reforms signal a clear legislative intent to enhance access to justice for communities that may face legal and procedural barriers. By explicitly prioritising the needs of the elderly, people of determination, and economically disadvantaged women, the law promotes inclusivity, fairness, and social equity in legal processes.



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5. Restriction of Party Autonomy in Referring Disputes

One of the more notable changes in the 2025 Decision is the removal of the parties' ability to jointly refer disputes to the Centre, even if the dispute fell outside its formal jurisdiction. This flexibility, previously allowed under *Decision No. (8) of 2022*, is no longer available.

Now, access to the Centre is limited to cases where a conciliation agreement already exists and is submitted for ratification. While it may be aimed at procedural clarity, it restricts parties' autonomy to voluntarily opt for ADR through the Centre, potentially narrowing the avenues for early dispute resolution.

Conclusion

Decision No. (4) of 2025 reflects Dubai's continued efforts to modernise and strengthen its dispute resolution infrastructure. By refining jurisdictional boundaries, unifying legal terminology, and offering increased protections for vulnerable groups, the Emirate demonstrates a forward-looking commitment to justice that is both efficient and inclusive.

While some changes, such as restrictions on expert appointments and the removal of mutual referral flexibility, may limit certain procedural options, they also aim to streamline access to the appropriate forums and promote clarity in ADR processes. Overall, the Decision signifies a new chapter in the evolution of ADR in Dubai, reinforcing the Emirate's role as a progressive legal hub in the region. ■

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