



CAN FOREIGN FAMILY LAW BE USED TO CLAIM HALF OF YOUR ASSETS IN THE UAE?

For many international expatriates living in the UAE, this question is only considered once divorce proceedings have already started.

We recently acted in a contested divorce dispute before the Dubai Courts involving a UK/European expatriate family. While the divorce itself was one part of the case, the real dispute went much further.

At the heart of the matter were cross-border questions concerning matrimonial property, the ownership of assets acquired before and during the marriage, and whether foreign family law principles could influence the financial outcome of proceedings in the UAE.

In particular, arguments were advanced by reference to the Family Law (Scotland) Act 1985 and the treatment of matrimonial property and asset division under Scottish family law.

The UAE proceedings, however, were determined under the UAE civil personal status framework applicable to non-Muslims, including Federal Decree-Law No. 41 of 2022 on Civil Personal Status and Cabinet Resolution No. 122 of 2023 issuing its Executive Regulations.

One of the key issues was whether assets held in joint names should automatically be treated as matrimonial property available for division between the spouses.

That raised important questions for expatriate families with assets, homes or business interests across more than one country:

Does joint ownership automatically mean a 50/50 entitlement?

What if one spouse funded the acquisition of the assets entirely?

What if the other spouse made no financial contribution?

Can foreign family law principles be relied upon before the UAE Courts?

And how should UAE Courts approach financial claims that involve foreign nationals, foreign legal concepts and assets held across more than one jurisdiction?



Given the international nature of the dispute, we worked closely with foreign legal specialists to analyse how these issues would generally be approached under the relevant foreign legal system, and to assess the potential implications for the UAE proceedings.

The case proceeded through all stages of the Dubai Courts and ended in the Dubai Court of Cassation judgment issued on 17 June 2026.

Importantly, the Court of Appeal overturned and removed a substantial compensation award that had previously been granted to the wife, and reduced the financial obligations imposed on the husband. The Court of Cassation upheld that decision and dismissed the wife's appeal in its entirety.

The judgment is significant because it confirms a practical but important point: Substantial financial claims following divorce are not automatic. They must be supported by the applicable law, the evidence, and the circumstances of the case.

For UK, European and other international expatriates in the UAE, this is particularly relevant.

Many families have assets, businesses, bank accounts or real estate interests spread across different jurisdictions. Some assets may be jointly held. Others may have been funded by one spouse but registered differently for practical, tax, financing or family reasons.

When a relationship breaks down, those structures can quickly become disputed.

Modern expatriate divorce cases are no longer only about ending a marriage. They often involve jurisdiction, applicable law, matrimonial property arguments, asset ownership, wealth preservation and cross-border enforcement.



At BLK Partners, we regularly advise clients on non-Muslim divorce proceedings before the UAE Courts, cross-border family and matrimonial disputes, international asset ownership, foreign law issues, wealth preservation, recognition and enforcement of foreign judgments, and post-judgment execution proceedings.

In today's world, family disputes rarely stop at the border.

Neither should the legal strategy.



We continue to advise clients on both contentious and non-contentious personal status matters, including amicable settlements, negotiated separations, contested divorce proceedings and cross-border enforcement.

If you require assistance in navigating a family law dispute or assessing your legal options in the UAE, please feel free to reach out to our team.

This post is for general information only and does not constitute legal advice. Each case will turn on its own facts, documents and circumstances. Tailored legal advice should always be obtained before taking any steps.

CO-AUTHORS:



Abdalla Eisa
Partner
abdalla.eisa@blkpartners.com



Haytham Alieh
Partner
haytham.alieh@blkpartners.com



Tarek Saad
Partner
tarek.saad@blkpartners.com



Celine Abi Habib Kanakri
Partner
celine.kanakri@blkpartners.com

This article can also be accessed at: www.blkpartners.com