

**Insights**

## UAE RULING BRINGS WELCOME CLARITY ON AWARD SIGNATURES

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A ruling from the UAE's Federal and Local Judicial Principles Unification Authority has provided welcome clarity over the requirements for the validity and enforceability of arbitral awards in the UAE. The ruling states that an arbitral award is valid and enforceable in the UAE provided that the final page of the award has been signed by the tribunal.

Prior to the Ruling there was conflicting case law in the UAE over the formal requirements when signing an award.

Article 41 of the Federal Arbitration Law (Federal Law No. (6) of 2018 Concerning Arbitration) mandates that arbitral awards must be signed by the tribunal but does not specify whether that means each page of the award needs to be signed or whether it is sufficient if only the last page is signed.

This lack of clarity was exacerbated by inconsistent judgments from across the UAE courts.

For example, in Civil Cassation No 403/2020, Dubai's Court of Cassation refused to enforce an arbitral award because the tribunal had only signed the last page, which did not contain the tribunal's reasoning or dispositive elements. Whereas in Civil Cassation No 5/2024, Ras Al Khaimah's Court of Cassation dismissed an enforcement challenge brought on public policy grounds, ruling that a signature on the final page of an award was sufficient and it was not a public policy requirement for every page of an award to be signed.

The difference in approach across the UAE courts was an unwelcome source of confusion which opened the door for unsuccessful parties to resist the enforcement of awards in the UAE.

The Federal and Local Judicial Principles Unification Authority's ruling provides welcome clarity on this issue stating:

- An arbitral award is valid and enforceable in the UAE if the arbitrators' signatures appear on the final page.
- There is no statutory requirement for signatures to appear on every page.

- There is no public policy requirement for foreign arbitration awards to be signed on every page for enforceability in the UAE.

The ruling is binding on all UAE courts, ensuring a consistent approach across the region and significantly reducing the scope for technical challenges to the enforceability of awards in the UAE. Parties and tribunals can now be confident that signing the final page of an award is sufficient for enforcement, promoting a more efficient and reliable arbitration process in the UAE.

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### Richard Dupay

Partner, Riyadh / Dubai

[richard.dupay@bclplaw.com](mailto:richard.dupay@bclplaw.com)  
+971 2 652 0329

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