



UDK 34:241.38:28-428.3(536.2)

FEATURES OF SHARIA LAW IN THE UAE

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UAE's Legal System is based on the British law, civil law system with influences from Islamic, French, Roman and Egyptian laws. The United Arab Emirates' Constitution, which came into effect on 2 December 1971, dedicates all its fifth Section to the legal system of the Union. Article 94 of the Constitution stipulates that "justice is the basis of authority".

Objective: to reveal peculiarities of sharia law in the United Arab Emirates.

Tasks:

- 1) to study regulatory framework of the UAE,
- 2) to find out the main features of sharia law.

Topicality. A lot of people from European countries visit the UAE for different reasons: to see friends and relatives, to sightseeing, to find work or start own business, for shopping; young women go to Dubai to meet prospect husband etc. So it is very important to know law of the country to avoid possible problems.

Of the most importance we consider to be the issue of structure of the legal system. It is complex with both dual courts, Sharia courts and civil courts operating in parallel, but covering different areas of the law. For example in the UAE, each Emirate has its own federal court of first instance, although Dubai and Ras al Khaimah have their own separated judicial frameworks. Thus, regulatory framework of the UAE is quite complex.

Subject of research: legal system of the UAE.

Methods and tools: analysis and synthesis, description.

Scientific novelty and practical importance. After our study of regulatory framework of the UAE we found out the main features of sharia law.

We have analyzed scientific publications by Dr Ahmed Aly Hdr, Al-Baharna H. These scientists studied history and problems of the legal system and legal framework of the UAE.

The main source of criminal law is the Criminal Code of the United Arab Emirates, approved by the Federal Law of 1987, which came into effect in 1988. Besides, 4 from 7 emirates, such as Dubai, Abu Dhabi, Ras Al Khaimah and Sharjah, have their own Criminal codes.

The highest penalty in the country is the death penalty, which is carried out through shooting, cutting the head off or throwing stones at somebody. We have to note that in recent years cases of the death penalty have been extremely rare, but there is no need to doubt the execution of the death penalty.

A death sentence may be imposed for:

– Intentional homicide. If the homicide was unintentional (for example, you were driving a car and you had your tire ruptured, and as a result you knocked a person to death), then most likely there will be a huge payment to the family of the deceased.

– Rape.

– Armed robbery.

– Distribution and possession of drugs.

– Adultery.

– Forgery of medicines.

– Crimes against the state, treason and breach of faith.



According to the Sharia law, marriage is the only legal bond for a man and woman to establish a relationship and have children. Due to the economic boom in UAE, and particularly Dubai, some professionals from across the world have begun to settle down in Dubai, and raise a family, given, all top class facilities, including education and entertainment options that it offers.

In Islam, marriage is a legal contract between a man and a woman, aimed at safeguarding the rights of the couple and their children. The marriage contract needs to be registered in a Sharia court in the UAE, which ensures that the marriage meets legal requirements.

If expatriates are getting married in Emirates, it is allowed in Dubai. However, the rules and procedures vary depending on nationality and / or religion. Usually, a man and a woman belonging to the same religion are allowed to marry without difficulty. However, people belonging to different religions may face some problems when organizing their wedding. For instance, when a Muslim man and a Christian woman wish to get married, the Christian man will have to convert into Islam before marrying the Muslim woman.

For non-Muslims, marriage laws that are applicable in their home countries will be applied. The spouses are required to possess a valid Dubai residence visa. In case one of the spouses is on a visit visa, he / she should undergo a medical examination in Dubai prior to marriage.

In the case of a court marriage, Dubai Court is offering online services for marriage applicants, wherein registration formalities can be completed on the online portal <http://www.dubaicourts.gov.ae> under eZawaj.

However, getting married in Dubai may not be one of the easiest things to do, even if you live here, as if you aren't a Dubai resident, and still want to exchange vows here you should be ready to undergo a lot of paperwork. Legal formalities mentioned below are some of those involved for getting married in Dubai.

Courts usually give the father custody of the children when the couple divorces and they are both citizens of the UAE. A divorced woman who remarries, loses her right of custody for her children born in a previous marriage.

Ukrainian women get married with citizens UAE often. But marriages between citizens of the UAE are encouraged more than marriages with foreigners. Children from marriages of citizens of the UAE with foreigners don't have Emirates citizenship by birth.

In the UAE there are requirements to the rules of behaviour in public places caused by state religion, Islam and also by local traditions. Islam assumes restrained and modest behavior, goodwill towards others. Emirate customs, formed with strong influence of the Bedouin lifestyle, encourage modesty in everything, respect for elders, women and children, hospitality.

According to local customs, women should dress as modestly as possible. Most of the Emirates women wear an abaya (black veil) on top of their clothes. Women also prefer (but not necessarily) to hide their hair under a special light scarf, hijab. For European and other women, wearing these local clothing attributes is not necessary.

But according to local customs and laws, all women without exception, including visitors, must observe standards of decency in clothing. Even in the tourist areas of Dubai, women are inadmissible to appear in excessively frank attire because it can lead to conflicts and serve as a legitimate reason for arrest.

Conclusion. So the core principles of law in the UAE are drawn from Sharia, most legislation consists of a mix of Islamic and European concepts of civil law, which have a common root in the Egyptian legal code established in the late 19th – early 20th centuries.

Keywords: The United Arab Emirates, law, Sharia law, legal system, marriage.