

Pro Bono Practices and Opportunities in the United Arab Emirates

I. Introduction

In April 2018, the Government of Dubai Legal Affairs Department launched its Smart Platform for Pro Bono Legal Services. The platform aims to enhance the involvement of legal professionals in the Emirate of Dubai in pro bono work, ensuring that financially disadvantaged members of the public have access to free legal services and raising legal awareness in society more generally.

In 2009, the Academy of Law in the Dubai International Financial Centre (“DIFC”) launched the first institutional pro bono program in the UAE. It provides access to justice for those who are financially in need and who have legal issues that arise within the DIFC Courts area of Dubai and/or fall within the jurisdiction of the DIFC Courts.

Currently, there are no institutional pro bono programs in the Emirate of Abu Dhabi although the Executive Affairs Authority may be able to assist lawyers in identifying areas where community services can be provided.

II. Overview of Pro Bono Practices

(a)	Professional Regulation	
	1. Describe the laws/rules that regulate the provision of legal services?	The United Arab Emirates is a constitutional federation of seven emirates. The constitution allocates governing and executive powers between the federal government and the local governments of each emirate. The legal profession is generally regulated at the federal level ¹ however all lawyers providing legal services must be licensed in the emirate in which they choose to practice and license requirements vary depending on nationality, type of practice and office location. ² This section focuses on the three largest legal markets within the UAE.
	2. Describe any licensure requirements governing the provision of legal services.	<p>Abu Dhabi</p> <p>Persons are only permitted to practice law (including providing pro bono legal services) in the UAE if they are registered with the Ministry of Justice and the Executive Affairs Authority.³</p> <p>Dubai</p>

¹ See UAE Federal Law 23 of 1991 (Regulating the Legal Profession).

² See Essam Tamimi, *Litigation in the United Arab Emirates*, 20, *International Legal Practice* 134, 135 (1995).

³ Art. 4 of UAE Federal Law 23 of 1991 (Regulation of the Legal Profession) and <http://www.eaa.gov.ae/en/pages/legal-affairs.html#id122234> (last visited on May 1, 2019).

		<p>Advocates⁴ and legal consultants⁵ are required to register with the Government of Dubai Legal Affairs Department in order to practice law and provide pro bono legal services since they are provided to the public.</p> <p>Dubai International Financial Centre</p> <p>The requirements for the Emirate of Dubai also apply to advocates and legal consultants practicing within the DIFC.</p> <p>In addition, any person wishing to participate in the Academy of Law’s Pro Bono Program must be registered with the Academy of Law’s Register of Practitioners or is otherwise approved by the Pro Bono Program Leader.⁶</p>
<p>(b) Pro Bono Practice and Culture</p>		
	<p>1. Describe the rules that regulate the provision of pro bono legal services e.g. any explicit regulation or limitation on providing free legal services in some or all contexts, details of any mandatory or minimum fees imposed on provision of legal services.</p>	<p>Abu Dhabi</p> <p>There are no rules which expressly regulate the provision of pro bono legal services.⁷</p> <p>Dubai</p> <p>Registered advocacy and legal consultancy firms may register on the Voluntary Legal Services Smart Portal to provide pro bono legal services. Individuals wishing to benefit from those services must register on the portal.⁸</p> <p>Dubai International Financial Centre</p> <p>DIFC Courts Practice Direction No. 1 of 2017 sets out the general guidelines for any person wishing to participate in the Academy of Law’s Pro Bono Program⁹.</p>

⁴ Art. 6 (Practicing the Profession) of the Bylaw concerning the Registration of Legal Advocates in the Emirate of Dubai <https://legal.dubai.gov.ae/en/Services/Pages/Advocates-and-Legal-Consultants-Bylaws-and-Resolutions.aspx> (last visited on May 1, 2019).

⁵ Art. 6(a) (Practicing the Profession) of the Bylaw concerning the Registration of Legal Consultants in the Emirate of Dubai <https://legal.dubai.gov.ae/en/Services/Pages/Advocates-and-Legal-Consultants-Bylaws-and-Resolutions.aspx> (last visited on May 1, 2019).

⁶ Practice Direction No. 1 of 2017 in respect of the Academy of Law’s Pro Bono Program https://www.draacademy.ae/files/2515/1314/4466/Practice_Direction_No._1_of_2017_-_In_respect_of_the_Academy_of_Law_s_Pro_Bono_Programme.pdf (last visited on May 1, 2019).

⁷ See: http://www.ibanet.org/PPID/Constituent/Bar_Issues_Commission/ITILS_UAE_Abu_Dhabi.aspx (last visited on May 1, 2019).

⁸ See <https://probono.legal.dubai.gov.ae/en/probono.aspx?ServiceID=33> (last visited on May 1, 2019).

⁹ See <https://www.draacademy.ae/services/pro-bono-programme/guidelines-and-practice-directions/> (last visited on May 1, 2019).

	2. Are lawyers required by such rules to work a minimum number of pro bono hours? If so, how many?	Lawyers in Abu Dhabi, Dubai and DIFC are not required to work a minimum number of pro bono hours.
	3. Are aspiring lawyers required to complete a minimum number of hours of pro bono legal services in order to become licensed lawyers?	Aspiring lawyers in Abu Dhabi, Dubai and DIFC are not required to complete a minimum number of hours of pro bono legal services in order to become licensed lawyers
	4. What are the main areas of law which require or present opportunities for the provision of pro bono legal services? What are the major unmet legal needs?	The main areas of law which require or present opportunities for the provision of pro bono legal services are employment and residential matters.
	5. Who are the main providers of pro bono legal services? e.g., NGOs, governmental or other public services, schools and universities, private law firms (local or international) or corporate organizations?	Private law firms are the main providers of pro bono legal services in the United Arab Emirates.
(c)	Obstacles to Provision of Pro Bono Legal Services	
	1. Do lawyers require a license to provide pro bono legal services?	Yes – see response to II(a)2 above.
	2. Do foreign lawyers require any additional license(s) to provide pro bono legal services?	No – see response to II(a)2 above.
	3. Do lawyers require professional indemnity legal insurance cover for any pro bono legal services that they provide? If so, are they prohibited from working under the cover of another pro bono provider, such as a private law firm or organization working on the same pro bono project?	Abu Dhabi Lawyers do not require professional indemnity legal insurance cover for any pro bono legal services that they provide. Dubai and DIFC ¹⁰

¹⁰ Art. 3(a) (*Scope of Application*) of the Bylaw concerning the Licensing of Advocacy Firms in the Emirate of Dubai and the Bylaw concerning the Licensing of Legal Consultancy Firms in the Emirate of Dubai.
<https://legal.dubai.gov.ae/en/Services/Pages/Advocates-and-Legal-Consultants-Bylaws-and-Resolutions.aspx>
(last visited on May 1, 2019).

		Generally advocates ¹¹ and legal consultants ¹² do not need to maintain professional indemnity insurance if they are not providing legal services to the public; however, since pro bono legal services are provided to the public, advocates and legal consultants may need to maintain professional indemnity insurance to enable them to provide certain pro bono legal services such as legal opinions and advice, drafting contracts, registering and liquidating companies, concluding settlements, representing clients before arbitration panels and centers, conciliation commissions and other entities and any other legal service except, in the case of legal consultants only, pleading and representing clients before the Dubai courts. ¹³
	4. Are there any rules that prohibit advertising of pro bono successes or soliciting new pro bono clients?	There are no rules in Abu Dhabi, Dubai and DIFC that prohibit advertising of pro bono successes or soliciting new pro bono clients.
	5. Do lawyers receive any “Continuing Legal Education” or equivalent credit for pro bono hours worked?	Lawyers in Abu Dhabi, Dubai and DIFC do not receive any “Continuing Legal Education” or equivalent credit for pro bono hours worked.
(d)	Sources of Pro Bono Opportunities and Key Contacts	
	1. Describe any governmental sources of pro bono and/or other legal services in the United Arab Emirates.	The notable governmental source of pro bono services in the United Arab Emirates is the Voluntary Legal Services Smart Portal hosted by the Government of Dubai Legal Affairs Department ¹⁴ In addition, there is a Pro Bono Program hosted by the Academy of Law in the Dubai International Financial Centre ¹⁵

¹¹ Art. 3(b) (*Scope of Application*) of the Bylaw concerning the Licensing of Advocacy Firms in the Emirate of Dubai <https://legal.dubai.gov.ae/en/Services/Pages/Advocates-and-Legal-Consultants-Bylaws-and-Resolutions.aspx> (last visited on May 1, 2019).

¹² Art. 3(b) (*Scope of Application*) of the Bylaw concerning the Licensing of Legal Consultancy Firms in the Emirate of Dubai <https://legal.dubai.gov.ae/en/Services/Pages/Advocates-and-Legal-Consultants-Bylaws-and-Resolutions.aspx> (last visited on May 1, 2019).

¹³ “Advocacy Firms”, “Legal Services”, Art. 9(c)(2) (Licensing Requirements) and Art. 10(5) (License Renewal Requirements) of the Bylaw concerning the Licensing of Advocacy Firms in the Emirate of Dubai and “Legal Services”, “Legal Consultancy Firm”, Art. 9(d) (Licensing Requirements) and Art. 10(5) (License Renewal Requirements) of the Bylaw concerning the Licensing of Legal Consultancy Firms in the Emirate of Dubai <https://legal.dubai.gov.ae/en/Services/Pages/Advocates-and-Legal-Consultants-Bylaws-and-Resolutions.aspx> (last visited on May 1, 2019).

¹⁴ See <https://probono.legal.dubai.gov.ae/en/probono.aspx> (last visited on May 1, 2019).

¹⁵ See <https://www.draacademy.ae/services/pro-bono-programme/> (last visited on May 1, 2019).

		The Executive Affairs Authority for the Government of Abu Dhabi may be able to assist lawyers in identifying areas where community services can be provided ¹⁶
	2. Describe the main non-governmental sources of pro bono and/or other pro bono resources in the United Arab Emirates.	The main non-governmental sources of pro bono and/or other pro bono resources in the United Arab Emirates are: (i) TrustLaw hosted by the Thomson Reuters Foundation ¹⁷ ; and (ii) Global Network for Public Interest Law ¹⁸
	3. Is there any public or private organization with which a local or foreign attorney can register in order to be made aware of pro bono opportunities?	See responses to II(d)1 and 2 above.

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¹⁶ See <http://www.eaa.gov.ae/en/pages/legal-affairs.html#id122234> (last visited on May 1, 2019).

¹⁷ See <http://www.trust.org/trustlaw/> (last visited on May 1, 2019).

¹⁸ See <https://www.pilnet.org> (last visited on May 1, 2019).