ADJD Post Separation Charter and Model Parenting Agreement

Unofficial English translation

Unofficial English translation of Decision No. 43 of 2026, the Post-Separation Charter and its model agreement. The Arabic original is authoritative. The ADJD English guidance is official court material.

ADJD English guidance

Official English explanation, message to parents and four FAQs published by ADJD under “The Post-Divorce Charter (The Pact)”.

The Post-Divorce Charter (The Pact)

The Charter document aims to regulate the co-parenting relationship when a dispute arises between parents, thereby mitigating hostility, fostering educational and upbringing cooperation, and safeguarding the best interests of the children as the primary consideration in all decisions affecting them.

This document constitutes a clear commitment founded upon mutual understanding and respect, ensuring that the post-separation phase remains stable.

A Message to Parents

First: This document has been formulated primarily for your benefit and, above all, for the sake of your children. It aims to protect the family, ensure its stability, and guarantee the continuity of your respective roles as father and mother following separation.

Second: Divorce terminates the marital bond, but it does not dissolve the parental bond. It does not diminish the children’s need for joint care, safe communication, and a stable environment in which they feel secure and valued.

Third: This document represents an explicit commitment built on mutual understanding and respect, aimed at insulating the children from any conflict and shielding them from the repercussions of disputes.

Fourth: The Charter is an agreement that prioritises the best interests of the children above all considerations, preserves the dignity of both parties, and ensures that the post-separation phase is more stable and transparent.

Your adherence to this Charter is an extension of your moral and legal responsibilities. It sends a clear message to your children that your love for them remains steadfast and unchanged, and that they will continue to be surrounded by joint care, structured communication, and a safe environment, regardless of the distance between you.

Frequently Asked Questions (FAQs)

How can the "Post-Separation Charter" be agreed upon?

The Family Guidance Officer presents the document to the parents post-separation to discuss its clauses and agree upon them in whole or in part, in accordance with approved procedures, binding them to comply with the agreed terms.

What is the Post-Separation Charter?

It is an official document designed to regulate the relationship between parents following separation in order to protect children from the impact of disputes. It ensures their stability within a safe environment that fosters security and belonging, reinforcing that the dissolution of marriage does not terminate the parental bond.

How can the terms of the Post-Separation Charter be mutually adopted?

The Family Guidance Officer presents the document to both parents following the breakdown of the marriage for their total or partial agreement, whereupon they commit to executing the clauses consented to.

What are the parental responsibilities under the Post-Separation Charter?

Joint cooperation in moral and religious upbringing, education, healthcare, and behavioural and educational guidance, as well as consultation on core decisions affecting the children, including those relating to schooling, medical treatment, and travel.

Decision No 43 of 2026

Decision of the Chairman of the Judicial Department No. (43) of 2026 adopting the Post-Separation Charter — Year of the Family

The Chairman of the Judicial Department,

Having reviewed Law No. (1) of 1974 concerning the Reorganisation of the Government Apparatus in the Emirate of Abu Dhabi, as amended;

Law No. (6) of 2024 concerning the Judicial Department in the Emirate of Abu Dhabi;

Federal Law No. (3) of 2016 concerning Child Rights (Wadeema Law);

The Personal Status Law promulgated by Federal Decree-Law No. (41) of 2024; and

Decision of the Chairman of the Judicial Department No. (45) of 2020 adopting the Post-Separation Charter,

Has decided as follows:

Article 1

1. The Post-Separation Charter attached to this Decision is adopted.

2. The Family Guidance Officer must present the document to the parents following their separation, for them to sign it in full or in part and undertake to comply with its provisions.

Article 2

1. The Undersecretary of the Judicial Department must issue the decisions and circulars necessary to implement this Decision as required.

2. The Undersecretary of the Judicial Department is authorised to make any necessary amendments to the document as required.

Article 3

Decision No. (45) of 2020 referred to above is repealed.

Article 4

This Decision takes effect on the date of its issuance and must be published in the Official Gazette.

Mansour bin Zayed Al Nahyan

Chairman of the Judicial Department

Issued on: 2 Safar 1448 AH

Corresponding to: 16 July 2026 AD

Post Separation Charter

Introduction

The Holy Quran sets out the foundation of family life. Almighty God says: “Then retain her honourably or release her with kindness” (Surah Al-Baqarah, verse 229). This Quranic guidance establishes a fundamental rule for marital relations: married life should either continue with affection, compassion and respect for rights, or the spouses should separate with dignity and respect, without injustice or harm, whether to either spouse or to their children.

Divorce ends the marital relationship, but it does not end the parental relationship. The children’s interests remain the basis on which all decisions concerning their lives must be made.

The State’s legislation affirms the principle of the best interests of the child, giving those interests priority over all other considerations in every circumstance. This principle appears in Article 4(1) of Federal Law No. (3) of 2016 concerning Child Rights (Wadeema Law), which provides that the natural family is the primary environment for a child’s upbringing and that the State guarantees its existence, preservation, protection and care in a manner that serves the child’s rights and best interests.

The expression “the interests of the child in custody” also appears in numerous provisions of the Personal Status Law promulgated by Federal Decree-Law No. (41) of 2024 (Articles 112, 113, 114, 115, 116, 120, 121, 122, 123 and 124). The same principle is expressed through the term “the interests of the minor” in Articles 136, 137, 141, 144, 150 and 152.

This principle is also recognised internationally. Article 3(1) of the United Nations Convention on the Rights of the Child provides that, in all actions concerning children, whether undertaken by public or private social welfare institutions, courts, administrative authorities or legislative bodies, the best interests of the child must be a primary consideration.

On the basis of the Personal Status Law promulgated by Federal Decree-Law No. (41) of 2024, and consistently with principles of upbringing and social protection for children, the parties undertake to organise their relationship in accordance with this Charter in a manner that promotes the children's psychological and educational stability.

Objectives of the Decision

This Charter aims to:

1. Regulate the relationship between parents where a dispute exists between them.
2. Protect the children's best interests as the primary criterion in all decisions concerning them.
3. Reduce family disputes and limit litigation.
4. Strengthen cooperation between parents in their children's upbringing.

A message to parents

First: This document has been prepared for you and, above all, for your children. It aims to protect the family and its stability and to ensure that each of you continues to fulfil your role as a father or mother following separation.

Second: Divorce ends the marital bond, but it does not end the bond of fatherhood or motherhood. Nor does it diminish children's need for shared care, safe communication and a stable environment in which they feel secure and have a sense of belonging.

Third: This document represents a clear commitment founded on mutual understanding and respect. It aims to keep children out of parental disagreements and protect them from the effects of disputes.

Fourth: This document is an agreement that gives the children's interests priority over every other consideration, preserves the dignity of both parties and ensures greater stability and clarity following separation.

Your commitment to this document is an extension of your moral and legal responsibilities. It sends a clear message to your children that your love for them is constant and unchanged, and that they will continue to receive shared care and regular communication in a safe environment, however far apart your lives may take you.

General principles

Article 1 — The children's interests

All provisions of this Charter must be interpreted in a manner that serves the children's best interests and ensures their psychological, educational and social stability.

Article 2 — Parental responsibility

Both the father and the mother remain responsible for the care and upbringing of their children after the marital relationship has ended. They must cooperate in all matters that serve their children's interests.

Article 3 — Cooperation in upbringing

The parents undertake to cooperate in:

1. Moral and religious upbringing.

2. Monitoring their children's education.

3. Healthcare.

4. Providing behavioural and educational guidance to their children.

Article 4 — Information concerning the children

The parent with custody undertakes to keep the other parent informed of important matters concerning the children, including:

1. School reports.

2. Their health.

3. School activities.

Article 5 — Resolving disagreements

1. If a disagreement arises concerning the implementation of this Charter, the parties undertake to try to resolve it amicably.

2. If an amicable resolution cannot be reached, the dispute must be referred to the Family Guidance Centre before proceedings are brought before the court.

Custody

Article 6

Custody means safeguarding, raising and caring for a child and looking after the child's interests without conflicting with the guardian's right to exercise guardianship (Article 112(1) of the Personal Status Law).

The father, or another guardian of the child, must look after the child's affairs, discipline, guidance and education (Article 112(2) of the Personal Status Law).

Custody is a right of the child and belongs to both parents while their marriage continues. If they separate, custody belongs to the mother, followed by those next entitled to it in this order: the father, the maternal grandmother and the paternal grandmother. Thereafter, the court determines the arrangement it considers to be in the child's interests (Article 114 of the Personal Status Law).

A child who has reached the age of fifteen (15) may choose to live with either parent, unless the child's interests require otherwise (Article 122 of the Personal Status Law).

Custody ends when the child reaches eighteen (18) Gregorian years of age (Article 123(1) of the Personal Status Law).

Article 7 — Parents' obligations towards children in their custody

During periods of custody, the parents must:

1. Each fulfil their parental role faithfully.

2. Arrange healthcare and attend to the child's education and upbringing.

3. Protect the child's physical and psychological wellbeing.

4. Instil values, virtues and good behaviour in their children.

5. Encourage their children to strengthen their relationship with their Lord, followed by their family, community and country.

6. Enable the other parent to exercise the right to contact and communication.

7. Inform the other parent of any important matter concerning the child.

8. Raise their children in accordance with Emirati customs and traditions that strengthen their sense of belonging and their responsibilities towards their family and community.

9. Cooperate in making major decisions concerning the children, including:

- Choice of school.
- Medical treatment.
- Travel.
- Educational activities.

Article 8 — Parents' obligations towards each other

Each parent undertakes to:

1. Refrain from disparaging the other parent in front of the children.

2. Maintain and encourage the children's respect for and obedience to both parents.

3. Avoid discussing the reasons for the disagreement or divorce in front of the children.

4. Refrain from using the children's legal rights, including contact and maintenance, to pressure, bargain with or harm the other parent.

Article 9 — Communication between parents

Your children need a lasting sense of security and love, whatever changes occur in their circumstances. Regular and calm communication between you therefore remains essential to their psychological stability and balanced development.

Contact, outings and overnight stays

Article 10

If the child is in the custody of one parent, the other parent has the right to visit the child, have the child visit them, take the child out and have the child stay overnight, as agreed between the parents. If they disagree, the court determines what it considers appropriate in the child's interests (Article 121(1) of the Personal Status Law).

Article 11 — Parents' obligations during contact

1. Keep to the agreed contact dates and times.

2. Prepare the children for contact so that it fulfils its purpose.

3. The parent exercising contact must remain with and supervise the children and must not leave this responsibility to another person during contact time.

4. The parent exercising contact must supervise the children's schoolwork and revision during visits, outings and overnight stays.

5. Protect the children's physical safety and psychological wellbeing during contact.

6. Avoid arguments and disputes in front of the children or within their hearing.

7. Attend to the children's nutrition, hygiene and appropriate clothing during contact.

Maintenance

Article 12

When assessing maintenance, account must be taken of the means of the person liable to pay, the circumstances of the person entitled to maintenance, and the economic conditions at the relevant time and place (Article 96(1) of the Personal Status Law and the guidance for personal status proceedings).

Maintenance includes food, clothing, housing, transport, medical treatment, water, electricity and internet costs, together with other items regarded as necessary by custom and without which normal life cannot be maintained.

Article 13 — Maintenance obligations

1. The guardian of the person must pay the agreed maintenance on the agreed dates without delay.

2. The custodial mother must use the maintenance awarded for the children for the purposes covered by maintenance under the law.

Education

Article 14

1. Educational guardianship belongs to the custodial mother and must be exercised in the child's interests (Article 112(3) of the Personal Status Law).

2. The person holding educational guardianship exercises authority over the choice of school, the monitoring of studies and day-to-day educational decisions in a manner that serves the children's best interests.

3. Both parents undertake to communicate and follow up with the school about the children's academic progress, attend parents' meetings and participate in school events.

4. Both parents must cooperate in supporting their children's education and monitoring their studies in a manner that promotes stability and the best possible academic achievement.

5. As far as possible, the parents must maintain a consistent approach to the children's upbringing and education between the two homes, in the interests of the children's stability.

Model agreement governing the parental relationship following separation

First party

Name: .....

Nationality: .....

ID number: .....

Telephone number: .....

Second party

Name: .....

Nationality: .....

ID number: .....

Telephone number: .....

The parties confirm that their separation took place as follows:

Type of separation: .....

Date of separation: .....

Place of issue: .....

Separation document number: .....

Date of the separation document: .....

Note: .....

They confirm that they have the following children:

No.: 1

Name: .....

Nationality: .....

Date of birth: .....

Status: Child in custody: .....

No.: 2

Name: .....

Nationality: .....

Date of birth: .....

Status: Adult: .....

Both parties attended. After discussing their circumstances, they agreed to the following, each having the legal capacity under Sharia to make valid acknowledgements and enter into legally effective transactions:

1 — Custody

Custody of the children (.....) is confirmed as belonging to their mother, the Second Party / First Party.

2 — Maintenance

a. The party (.....) undertakes to pay the party (.....) monthly maintenance of (.....), starting on .... / .... / 202....

b. The party (.....) undertakes to transfer the maintenance each month to the other party's account at (.....) Bank, account number (.....).

3 — Provision of a domestic worker

a. The party (.....) undertakes to recruit a domestic worker for the party (.....), pay the recruitment costs and the costs of the residence procedures, and complete these arrangements by (.....) at the latest.

b. The party (.....) undertakes to pay the party (.....) a monthly amount of (.....), being the domestic worker's monthly salary, starting on .... / .... / 202....

4 — Payment of an allowance for recruiting a domestic worker

a. The party (.....) undertakes to pay the Second Party an allowance for recruiting a domestic worker, in the amount of (.....), once every two years, starting on .... / .... / 202....

b. The party (.....) undertakes to pay the party (.....) the domestic worker's monthly salary of (.....), starting on .... / .... / 202....

5 — Provision of accommodation

a. The party (.....) undertakes to provide accommodation for the custodial party (.....) in the city of (.....), comprising at least (number of rooms and facilities) (.....), by (.....) at the latest.

b. The party (.....) undertakes to provide accommodation for the custodial party (.....) in the city of (.....), comprising at least (number of rooms and facilities) (.....), and to renew the tenancy agreement annually, by (.....) at the latest.

c. The party (.....) undertakes, for the benefit of the party (.....), to retain the existing marital home in the city of (.....), number (.....), land-registration area (hawd) (.....), as the home for the children and their custodian, starting on .... / .... / 202....

d. The party (.....) undertakes, for the benefit of the party (.....), to retain the existing marital home in the city of (.....), number (.....), land-registration area (hawd) (.....), as the home for the children and their custodian and to renew its tenancy agreement annually, starting on .... / .... / 202....

e. The party (the custodial mother) undertakes to provide the accommodation for herself and the children for as long as her employer provides it to her, starting on .... / .... / 202....

f. If the employer of the party (the custodial mother) is unable to provide accommodation for any reason, the party (.....) undertakes to provide accommodation or pay a housing allowance, as agreed between the parties.

Payment of a housing allowance

The party (.....) undertakes to pay the party (.....) an annual allowance of (.....) for accommodation for the children and their custodian, starting on .... / .... / 202....

6 — Contact

The Second Party undertakes to enable the First Party to see their children once a week as follows:

1. On (day) ....., corresponding to .... / .... / 202...., from 00:00 to 00:00, with / without an overnight stay. The First Party undertakes to collect the children from the custodial mother's home / the Contact Centre / another agreed location, and return them to her at the specified time. Contact will take place at the Child Protection Centre.

Both parties undertake to attend at the time set for contact / to collect the child from the centre and return the child appropriately dressed, without subjecting the child to any conduct that could harm the child's health, hygiene or psychological wellbeing.

2. Remote contact will take place once / twice a week / on (day) ..... / daily, from 00:00 to 00:00. The First Party bears the costs of remote contact unless those costs are included in the maintenance awarded.

7 — Travel

- The travel destination must be a specified country / another country, for the purpose of (.....).
- The other party must be notified at least one month / one week / another period before departure, using any means of communication. In all cases, both the travel notification and the consent to travel must be documented and capable of being proved by any means.
- The trip must not exceed (.....) days.
- The party requesting the trip bears the child's travel and accommodation costs.
- The trip must not take place during the child's school term, except during an official holiday.
- The custodial mother undertakes to return the children's passports to their father within ten (10) days of the children's return to the country.

8

Each party releases the other from all rights and claims arising from the marriage or divorce other than those stated in this agreement.

9

Each party undertakes to comply with the provisions of the Family Charter governing the parental relationship.

Family Guidance Judge

Official documents and translation notes

Arabic source: Decision No. (43) of 2026 and its attachments, published in the Government of Abu Dhabi Official Gazette, Issue No. 8 of 2026, dated 31 August 2026, printed pages 25–40 (PDF pages 27–42).

Arabic decision, Charter and model agreement — official government PDF

ADJD English guidance:

ADJD Family Guidance and Post-Divorce Charter

Download the complete English translation and ADJD explanation

“Guardian of the person” translates wali al-nafs; “educational guardianship” translates al-wilayah al-ta‘limiyyah. These terms refer to distinct legal functions and should not be treated as interchangeable with custody.

“Land-registration area (hawd)” identifies the location field labelled hawd in the Arabic housing provisions. The property number and the area identifier are separate fields. The model refers to both the Contact Centre and the Child Protection Centre.

Translation dated 5 November 2026.

Published by Holland Legal Services FZ-LLC at https://www.holland-legal-services.ae/adjd-parenting-plan.html