

Kingdom of Bahrain
Supreme Judicial Council



المجلس الأعلى للقضاء
· SUPREME JUDICIAL COUNCIL ·

Code of Conduct for the Members of the Judiciary

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Foreword

“The honor of the judiciary, and the integrity and justice of judges, are the basis of governance and a guarantee of rights and freedoms.”

It is with this introduction that the Bahraini Constitution introduced the judiciary, under the section titled "The Judicial Authority," thus establishing the judiciary's vital role in the constitutional democratic system of the Kingdom, which is based on its role in the administration of justice, the preservation of rights, and the protection of freedoms.

The Kingdom of Bahrain has a longstanding judicial history that spans more than two centuries. In the past few decades, the judiciary has established a set of judicial principles and norms which have served as outstanding judicial legacies that have contributed to the development of an effective justice system based on the values of Bahraini society, which are based on openness, sincerity and a strong belief that the civilizational achievements of Bahrain need to be preserved and continuously developed.

Since members of the judiciary are the foundation of the justice system, and in line with their important role and the sacred message they carry, it was imperative that they not only uphold high standards of conduct, but also contribute to establishing and maintaining those standards in accordance with the principles of independence of the judiciary, thus assuring litigants of the integrity of the judicial authority and the rule of law.

As such, this Code aims to establish the values, principles, and standards of conduct that are espoused and adhered to by the judicial authority, so that it may serve as a standard of reference for all individuals involved in legal proceedings or with members of the judiciary.

It aims to reflect the values that both judges and prosecutors should embody, placing a greater responsibility upon them not only when performing their duties, but also in all aspects of their lives.

Supreme Judicial Council

Acknowledgments

This Code was drafted by a Working Committee comprised of judges, convened by the Vice-President of the Supreme Judicial Council. An initial draft of the Code was circulated to judges, international experts, and advisors for their suggestions and comments. It was then reviewed and amended by the Working Committee several times before it was adopted by the Supreme Judicial Council in February 2024, as presented here.

We are exceptionally proud of the high standards of judicial conduct observed by Bahrain's judges. We believe what has been codified in this Code is nothing new to the Bahraini judiciary, but rather reflects in large part of our deep-seated Islamic roots, authentic Arab culture, cultural heritage, as well as international best practices pertaining to judicial conduct. These principles were drafted as a reference document for members of the judiciary and for all individuals involved in legal proceedings.

The Code reflects the most significant judicial values, customs, and traditions, as well as the behavioural knowledge and skills that a member of the judiciary must possess both in their private and public lives. It serves as a guideline that provides direction while preserving the important mission of the judiciary.

Best regards,

The Judicial Code of Conduct Working Committee 2023

Scope of application

The provisions of this Code shall apply to all members of the judiciary, namely:

- Judges
- Members of the Public Prosecution

General Principles

Principle no. 1: Independence of the judiciary

- 1.1 Judicial independence is a pre-requisite to the rule of law and a fundamental guarantee of a fair trial. Members of the judiciary shall therefore uphold and exemplify judicial independence in both its individual and institutional aspects. The independence of the judiciary in its essence requires that its members must be free from any extraneous influences that would undermine confidence in the fairness of their judgements, orders, or decisions.
- 1.2 The independence of the judiciary and its immunity are two of the most fundamental guarantees for protecting individual rights and freedoms, as well as a priority for preserving the credibility of the judiciary.
- 1.3 Members of the judiciary must adhere to the principle of separation of powers in the performance of their duties and are not permitted to waive or refuse to exercise any of their powers except within the bounds of the law.
- 1.4 A member of the judiciary must exercise his or her judicial duties independently on the basis of the his or her assessment of the facts and in accordance with a conscientious understanding of the law, free of any extraneous influences, inducements, pressures, threats or interference, direct or indirect.
- 1.5 The independence of the judiciary and the immunity of its members should not be construed as a privilege, but rather as a responsibility entrusted to them, enabling them to carry out their judicial duties with complete independence based on the law and on the evidence presented in the case, which are a cornerstone of civilized societies, ensuring that individuals' rights and freedoms are protected under the rule of law.

- 1.6** Members of the judiciary shall ensure that their official and public conduct does not undermine their individual or institutional independence, or the parties' and the public's perception of that independence.
- 1.7** Members of the judiciary shall be independent in relation to society in general and in relation to the particular parties to the disputes they are adjudicating.
- 1.8** Taking into consideration the special nature of the work of the public prosecution, a judge in performing his or her judicial duties shall be independent of his or her judicial colleagues with regards to decisions that he or she is solely obligated to make, and requesting legal or jurisprudential consultation among colleagues is not considered a form of influence. When rendering judgements, decisions, or orders, judges must be independent of their colleagues. This is without prejudice to the principle of deliberation and the issuance of judgements or decisions by a majority of opinions.
- 1.9** With the exception of deliberation, a member of the judiciary must refrain from influencing his or her fellow judges in their ruling on a specific case, and all members of the judiciary must reject direct or indirect interference by their colleagues or others in the cases before them and not give the impression that their judgements and decisions are susceptible to influence.
- 1.10** Any member of the judiciary who feels that his or her independence is threatened by hegemony or influence by any entity or by any of his or her colleagues in the performance of his or her judicial duties must inform the Supreme Judicial Council or the Judicial Inspection Department, as the case may be.
- 1.11** A member of the judiciary shall refrain from any conduct, behavior or statement that might give others the impression that members of his or her family or a specific person or entity have an influence on the proper discharge of his or her judicial duties.

1.12 A member of the judiciary must refrain from engaging in any conduct or practice that might raise concerns about his or her independence, whether in or out of the court or interrogation room.

1.13 A member of the judiciary must take precautions to prevent anyone from taking any actions which may indicate to others that he or she may be influenced by his or her family members, employees, litigants or their representatives or any other person associated with the case before him or her or others.

Principle no. 2: Impartiality

2.1 Guaranteeing, protecting, and consolidating the impartiality of all members of the judiciary is an essential requirement for the proper discharge of the duties and functions of the judicial office, which applies not only to judgements, orders, and decisions but also to the process leading to the issuance of such judgements, orders, or decisions. Members of the judiciary must strive to ensure that their conduct, both in and out of court and the public prosecution, maintains and enhances the confidence of the public, the officers of the court, employees, and litigants in their impartiality and that of the judiciary.

2.2 The principles of independence and impartiality of the members of the judiciary are two separate and distinct values. They are nevertheless closely connected as attributes of the judicial office that reinforce one another. Independence is the necessary prerequisite to impartiality.

2.3 Members of the judiciary should avoid any conduct, statements, or appearances, in and out of court or the interrogation room, that could undermine the confidence of the public in their

impartiality. Additionally, they should avoid any conduct that could give rise to suspicion of conflict of interest.

2.4 A member of the judiciary must be impartial and free of prejudice or bias with respect to the dispute brought before them or the parties involved. Moreover, they must take all necessary measures to prevent anything that could undermine their impartiality. Members of the judiciary are required to recuse themselves when the grounds for mandatory recusals apply and to assess their impartiality when the grounds stipulated in the law for non-mandatory recusals are applicable.

Impartiality of members of the judiciary in performing their judicial duties

2.1.1 A member of the judiciary shall perform his or her judicial duties without favour, bias, or prejudice. Therefore, the member must avoid engaging in any activity that suggests that his or her judgements, orders, or decisions may be influenced by external factors or interests in the outcome.

2.1.2 Bias or prejudice has been defined as a leaning, inclination, bent or predisposition towards one side or another or a particular outcome. In its application to judicial proceedings, it represents a predisposition to decide an issue or cause in a certain way which does not leave the judicial mind perfectly open to conviction.

2.1.3 Bias refers to a condition or a state of mind, an attitude, or a point of view, that sways or colours judgement and renders the members of the judiciary unable to exercise his or her functions impartially in a particular case.

2.1.4 Bias may manifest either verbally or physically. Epithets, slurs, demeaning nicknames, negative stereotyping, attempted humour based on stereotypes, or related to gender, culture or

race and irrelevant references to personal characteristics, are some examples. Bias or prejudice may also manifest themselves in body language, or appearance or behaviour in or out of court.

2.1.5 A member of the judiciary must recuse himself or herself from hearing any dispute in which he or she is a party or has a personal interest.

2.1.6 A member of the judiciary's personal values, philosophy, or beliefs about the law should not affect his or her impartiality or the formation of his or her opinions within the framework of the law and the objectives of the legislation.

2.1.7 The expectations of litigants may be very high. Some will be quick to perceive bias quite unjustifiably when a judgement, order, or decision is not in their favour. Therefore, members of the judiciary must make every effort to avoid any conduct that might be considered biased; thus, inappropriate remarks or statements made about the parties or witnesses in the court or interrogation room, as well as statements that imply prejudgements, could undermine the appearance of impartiality and should also be avoided. The judge's reasoning for his or her judgements and decisions - when required - must be legally and logically sufficient to support his or her judgement or decision.

2.1.8 A member of the judiciary is entitled to ask questions by way of clarification of issues in court or the interrogation room. He or she must, however, refrain from directing parties or lawyers as to what should or should not be included in their defenses or requests.

2.1.9 A member of the judiciary shall not knowingly make any public statement about a case pending or impending, that might reasonably be expected to affect the outcome of such proceeding or impair the achievement of justice.

2.1.10 The restriction in paragraph (2.1.9) does not apply to any statements or analysis a member of the judiciary may make in relation to cases already adjudicated, for the purpose of an academic or scholarly presentation intended for legal education.

2.1.11 The principle of impartiality generally prohibits all kinds of *ex parte* communications between members of the judiciary and any party, their legal representatives, witnesses, or lawyers beyond the scope of the established legal procedures.

Impartiality of members of the judiciary out of office

2.2.1 Any behavior, conduct, or statement made by a member of the judiciary out of court or the public prosecution has an impact on the principle of impartiality and the public's confidence in the judiciary. Therefore, he or she must make all efforts to maintain his or her and her impartiality at all times. In this context, it is important to strike a balance between the right to freedom of expression and the requirements of impartiality.

2.2.2 While holding a judicial position, members of the judiciary are prohibited from engaging in any political activity or work.

2.2.3 Members of the judiciary must refrain from answering public criticism of a judgement, decision, order, or any judicial proceeding. Nonetheless, they are not prohibited from commenting when necessary to confirm the impartiality and independence of the judiciary, to clarify legal issues, or to contribute to the establishment of the principles of the rule of law.

2.2.4 If, after the conclusion of a case, a member of the judiciary receives a letter or other forms of communication from any of the parties to the dispute criticizing the decision, order, or

judgement issued by him or her or one of his or her colleagues, he or she must not enter into contentious correspondence with the authors of such communications so as to maintain the prestige and dignity of the judiciary.

2.2.5 A member of the judiciary should instruct his or her family members or his or her social group or any other relationship, to refrain from engaging in any conduct that might appear to be exploitative of his or her judicial office.

Principle no. 3: Integrity

3.1 Integrity is the attribute of rectitude and righteousness. Therefore, it is considered to be a fundamental principle for the proper discharge of judicial duties in a manner consistent with the dignity of the judiciary.

3.2 A member of the judiciary is required to conduct himself or herself in such a manner that is honorable, morally upright, and virtuous, not only when carrying out his or her judicial duties, but at all times.

3.3 A member of the judiciary must consider how his or her conduct might likely be perceived by society from the view of a reasonable observer, taking into account the circumstances of the time and place.

3.4 A member of the judiciary must ensure that his or her or her conduct is above reproach and blame in the view of a reasonable observer, which can be accomplished by maintaining moderate standards of conduct in his or her personal life.

3.5 A member of the judiciary should adhere to society's established norms, customs, and traditions and should refrain from engaging in activities that clearly bring disrepute to the judiciary. In attempting to strike the right balance, the judge must consider whether from the view of a reasonable observer, the proposed conduct is likely to call his or her integrity into question or to diminish respect for him or her as a judge. If so, the proposed course of conduct should be avoided.

3.6 A member of the judiciary is obliged to uphold the rule of law. Therefore, he or she should not place himself or herself in a position of conflict in observance of the law, as this could

undermine the public's confidence in the integrity of the judiciary and encourage disrespect for the law.

Principle no. 4: Uprightness

4.1 Justice cannot be achieved without a morally upright judiciary. The principle of moral uprightiness is one of the fundamental principles of ethics, and members of the judiciary must not only possess this quality but also embody it.

4.2 The conduct of the member of the judiciary reflects his or her ability to carry out his or her judicial duties with integrity, impartiality, independence, and competence and therefore must ensure that he or she does not give the impression that his or her ability to carry out his or her judicial responsibilities has been adversely affected or impeded.

4.3 Confidence in the judiciary is founded not only on the competence and diligence of its members, but also on their integrity and moral uprightiness.

4.4 The conduct of a member of the judiciary reflects the image of the judiciary, since from society's perspective members of the judiciary have not only pledged to serve the ideals of justice and truth, but also committed to embodying them.

4.5 Members of the judiciary must realize that the public demands them to conduct themselves in a way far above what is demanded of their fellow citizens, standards of conduct much higher than those of society as a whole; in fact, virtually irreproachable conduct.

4.6 Members of the judiciary affirm the public's confidence in their moral uprightness by conducting themselves in a manner that does not undermine the honor and dignity of their judicial office. They are expected to adhere to the norms and traditions of society and refrain from any behavior that undermines the prestige and dignity of the judiciary.

4.7 A member of the judiciary must maintain the prestige of the judiciary, be patient and possess the ability to listen and communicate effectively, be courteous in his or her dealings, and strengthen the public's confidence in him or her by his or her conduct and appearance in and out of court and the public prosecution. He or she should conduct himself or herself with wisdom, prudence, and restraint.

Principle no. 5: Propriety

5.1 A member of the judiciary is expected to maintain a decent appearance both in and out of court, taking into account the local norms and traditions.

5.2 A member of the judiciary should always conduct himself or herself courteously both in and out of court or the public prosecution and demonstrate respectful and tolerant behaviour to all those connected with the proceedings. He or she must require similar conduct from court staff and others subject to the members' influence, direction, or supervision.

5.3 A member of the judiciary must remain above personal animosities and should refrain from making offensive remarks or statements that could negatively affect the judiciary. If a member intervenes, he or she must ensure that the manner in which he or she intervenes does not undermine the public's confidence in the judiciary.

5.4 Members of the judiciary are expected to observe judicial norms when discharging their judicial duties, as well as maintain courteous and respectful relationships with their colleagues.

5.5 Members of the judiciary should avoid placing themselves in a position of blame, defamation, or suspicion that might raise doubts about their integrity, uprightness, or impartiality.

5.6 It is improper for members of the judiciary to exploit or attempt to exploit their position to gain personal advantage or deferential treatment of any kind. As an example, members are prohibited from using the letterhead of the court or the public prosecution to gain an unfair advantage in conducting their personal affairs.

5.7 Members of the judiciary shall not use or lend the prestige of the judicial office to advance their private interests, or the interests of their family members or of anyone else.

Principle no. 6: Equality and the rule of law

6.1 Consolidating and ensuring the application of the principle of equality to all litigants and individuals involved in judicial proceedings is fundamental to the establishment of the rule of law and to the achievement of justice.

6.2 In performing their duties and responsibilities, members of the judiciary shall be independent and shall not be subject to any authority but the rule of law and their conscience.

6.3 The principle of equality is fundamental to justice, and ensuring equal treatment to all before the courts, regardless of their legal position, is a key feature of judicial performance that is strongly linked to judicial impartiality.

6.4 All individuals are equal before the judiciary, and the law guarantees to all individuals the right to litigate and the right to a fair trial without discrimination for reasons of ethnicity or race, national origin, caste, color, language, sex, sect, religion or belief, personal views or any other social or economic status.

6.5 Members of the judiciary shall be aware of, and understand, the diversity in the Bahraini community and the differences arising from various sources, including but not limited to culture, religion, and social status. Members of the judiciary must also avoid any conduct, whether in words or in actions, in court or the public prosecution, that may give the impression of bias towards one particular group over another.

6.6 Members of the judiciary should strive to establish an environment in which everyone is treated equally and without discrimination, whether real or perceived. All litigants, lawyers, witnesses, experts, employees, and others dealing with the judiciary are entitled to be treated in a way that respects their human dignity and fundamental human rights.

6.7 Members of the judiciary should accord to all parties and their representatives, the equal opportunity to present their claims, defenses, and requests in accordance with the rule of law and the requirements of a fair trial.

6.8 Before pronouncing a judgement or prior to it, as the case may be, a member of the judiciary should refrain from any conduct or statements which disclose or may reveal his or her position or opinions in the case before him, or show favouritism for any of the parties, their representatives, witnesses, experts, or others involved in the case, explicitly or implicitly.

6.9 Members of the judiciary are responsible for ensuring that court personnel and others under their influence, direction, or authority do not discriminate against individuals involved in any judicial proceeding.

Principle no. 7: Competence and Diligence

7.1 The competence and diligence of members of the judiciary are prerequisites to the due performance of the judicial office. They should perform their judicial duties including issuing decisions, orders, or judgements competently, diligently, and promptly.

7.2 Competence in the performance of judicial duties requires the member's legal knowledge, application skills, thoroughness, and preparation. A member's professional competence, thorough understanding of the subject matter, as well as his or her knowledge of the law must be evident in the discharge of their judicial duties.

7.3 Some of the elements of diligence necessary for members of the judiciary to carry out their duties effectively include sustained efforts to maintain and enhance legal knowledge, skills, sound logic, research, seeking advice, education, and the expeditious disposition of cases. Diligence also includes striving for the impartial and even-handed application of the law, and the prevention of unnecessary delays in process.

7.4 Members of the judiciary shall devote their professional activities to their judicial duties, which are not limited to issuing decisions, orders, and judgements, but also other tasks relevant to the judicial office.

7.5 It is the responsibility of the members of the judiciary to remain informed of developments in international law, including customary international law, applicable international conventions, and treaties, as well as applicable legal norms and international judgements applicable to the subject matter before them.

7.6 In disposing of matters efficiently, fairly, and promptly, members of the judiciary must demonstrate due regard for the rights of the parties to be heard and to have issues resolved without unnecessary cost or delay.

7.7 A member of the judiciary should monitor and supervise cases so as to reduce or eliminate dilatory practices, avoidable delays and unnecessary costs. He or she should encourage and facilitate settlements without coercing parties into surrendering their right to have their dispute resolved by the courts or the public prosecution.

7.8 Members of the judiciary have the duty to hear all proceedings and cases fairly, patiently, and deliberatively, as long as doing so does not conflict with their obligation to carry out their judicial duties efficiently.

7.9 Prompt disposition of court business requires members of the judiciary to be punctual in attending court hearings and expeditious in determining matters under submission. Member's unexpected absences, irregular or non-existent working hours without notifying the member's appointing authority can delay and impede public and private interests related to his or her judicial duties and creates a negative impression of the judiciary.

7.10 It is the responsibility of the member of the judiciary to ensure that the decisions and orders he or she issues in cases pending before him or her are implemented.

7.11 A member of the judiciary should institute transparent mechanisms to allow lawyers and litigants to know the status of court proceedings and decisions.

7.12 Judicial training is an essential requirement for the objective, impartial and competent performance of judicial functions, and for the protection of the members of the judiciary from inappropriate external influences.

7.13 The training of members of the judiciary is not limited to providing technical instructions involved in the handling of cases, but also includes knowledge and skills that contribute to fostering social awareness and an in-depth understanding of various topics reflecting the complexity of life in society.

7.14 In addition to acquiring the essential knowledge required of a member of the judiciary at the onset of his or her judicial career, he or she is also committed, upon appointment, to perpetual study and learning. Such training is made indispensable by constant and rapid changes in the law, the behaviors, and dealings of individuals.

Special Provisions

First: Engaging in activities with political nature

8.1 A member of the judiciary is entitled to exercise all public rights and freedoms that are enjoyed by all citizens without undermining the independence and impartiality of the judiciary and the nature of its functions.

8.2 Members of the judiciary are entitled to exercise their political rights in accordance with the provisions of the law, which include:

8.2.1 Expressing an opinion on a referendum in accordance with the constitution.

8.2.2 Exercising the right to vote at parliamentary and municipal elections.

8.3 Members of the judiciary may undertake activities that enable them to exercise their right to express their opinions in every referendum in accordance with the provisions of the constitution or to elect members of the parliament and municipal councils.

8.4 Unless otherwise specified in clauses 8.2 and 8.3, members of the judiciary may not engage in political activities, express political opinions, establish or acquire actual or honorary membership in political parties, associations, or entities, or participate in partisan gatherings within or outside the Kingdom of Bahrain.

8.5 Members of the judiciary are not permitted to nominate themselves in elections, and any judge or member of the public prosecution who does so will be deemed to have resigned from his or her position as of the date of the nomination.

Second: Engaging in commercial and financial activities

9.1 As defined by the law, a commercial activity is any activity intended to generate profit and financial gain. This definition also applies to the activities performed by non-merchants who are licensed by the competent authorities.

9.2 A member of the judiciary is prohibited from practicing any commercial activity or work.

9.3 Members of the judiciary may deposit, or own commercial or financial papers or investment portfolios in any licensed bank and financial institution.

9.4 Members of the judiciary are permitted to be partners or shareholders in companies or business ventures, provided they do not manage them.

9.6 Where a member of the judiciary owns or occupies premises in a building which has an owners' or residents' association, then he or she may serve on its management committee but should not give legal advice. However, this does not prevent the member of the judiciary from expressing a view, purely as a member of the association in question, on a matter which may have legal implications; but it should be made clear that such views must not be treated as legal advice. Any legal advice required by the association should be professionally sought.

Third: Self-employment professions

10.1 A self-employment profession is defined as an activity requiring both intellectual and physical capabilities, which are determined by a person's qualifications and abilities.

10.2 Members of the judiciary are prohibited from engaging in self-employment activities that could undermine the dignity and independence of the judiciary.

10.3 A member of the judiciary may not engage in any self-employment profession publicly, whether paid or unpaid, prior to obtaining the approval of the Supreme Judicial Council.

10.4 A member of the judiciary may provide arbitration and mediation services in return for a fee, provided that prior approval has been obtained from the Supreme Judicial Council.

10.5 Upon approval from the Supreme Judicial Council, a member of the judiciary may serve on councils, committees, and advisory bodies related to the self-employment profession.

10.6 Members of the judiciary may write academic books, speak at lectures, and conduct seminars in exchange for a certain remuneration and obtain intellectual property rights and financial copyrights related to these activities.

10.7 A member of the judiciary may engage in the arts, literature, sports, and other social and recreational activities, provided that these activities do not undermine the dignity and independence of the judiciary.

Fourth: Relationships within the scope of duty

The relationship of the judge with the members of the court

11.1 The relationship between the members of a judicial tribunal is based on mutual respect, courtesy and intellectual probity while taking into account seniority within the judicial hierarchy.

11.2 The president of the court is responsible for managing the tribunal in accordance with the directives, instructions, and guidelines issued by the Supreme Judicial Council, and this should be reflected in all instructions the president provides to his or her colleagues.

11.3 The president of the court must foster a culture of collaboration and familiarity among the tribunal members, as well as facilitate consensus among the members regarding the court's plan of action in order to facilitate its completion.

11.4 It is the responsibility of the president of the court to ensure a fair and equitable distribution of work among the members of the court; in return, the members must adhere to that distribution.

11.5 The president of the court is responsible for presenting the work methodology to the newly appointed members of the tribunal and ensuring that they have an opportunity to settle into their positions, express their opinions, and receive assistance as needed.

11.6 When presenting the facts of the dispute to the tribunal members for the purpose of deliberation, the president of the court must ensure he or she has a thorough understanding of all the facts of the dispute and of what is contained in all the statements, documents, requests, defenses, and motions therein.

11.7 When deliberations begin, it is important to take into account the order in which members' opinions are heard, starting with the newest member and concluding with the senior member.

11.8 The president of the court must ensure that all tribunal members are given an opportunity to express their opinions clearly and concisely on the topic of deliberation.

11.9 During deliberations, the president of the court should adhere to the principles of dialogue and discussion without undermining or permitting the opinions and arguments presented to be undermined.

11.10 Tribunal members must adhere to the etiquette of deliberation with other members, to listen to their views and discuss them in accordance with the professional and ethical standards, taking into consideration the other members' educational and practical experience.

The relationship of members of the judiciary with their colleagues

11.11 The relationship between members of the judiciary is based on mutual respect, taking into account seniority among members at all times, particularly during working hours and during all work-related activities.

11.12 When requesting legal or jurisprudential advice from one of his or her colleagues, a member of the judiciary should consider the following:

11.12.1 Ensure that the time and circumstances are appropriate.

11.12.2 To refrain from providing the names of the parties or any other information that might influence the legal advice.

11.12.3 Maintaining the confidentiality of the deliberations and legal advice he or she hears from his or her colleagues.

11.13 The legal advice provided by a member of the judiciary to his or her colleague shall not be considered as a legal opinion that prevents him or her from adjudicating the case in the future, since he or she expressed his or her advice only based on the facts presented to him or her by his or her colleague, without reviewing or refuting its papers. If the member of the judiciary giving the advice has reviewed the case, its statements, and documents, and then provided legal advice to his or her colleague, he or she shall recuse himself or herself from hearing the case in the future.

11.14 Members of the judiciary are prohibited from commenting on judgements, orders, and decisions in a manner that undermines the respect for the judiciary.

The relationship of members of the judiciary with the officers of the court

11.15 The term "officers of the court" refers to individuals who assist the court or public prosecution in fulfilling their judicial duties and assist in the facilitation and efficient performance of these duties, such as lawyers, secretaries, experts, translators, bailiffs, and others.

11.16 Members of the judiciary must treat the officers of the court with dignity and respect.

11.17 Members of the judiciary must supervise the work of the officers of the court with absolute objectivity, directs, guides, and evaluates their performance in the performance of the tasks assigned to them.

11.18 Members of the judiciary must direct the officers of the court to treat the parties to the dispute or their legal representatives with courtesy and respect in a manner that preserves the prestige and dignity of the court.

11.19 Members of the judiciary are responsible for instructing the officers of the court not to disclose confidential information, guidance or advice that would undermine the independence, impartiality, or integrity of the judiciary, and to prohibit them from discriminating against any party.

11.20 Members of the judiciary may not order the officers of the court to perform personal services for them unrelated to their judicial duties.

Relations of a member of the judiciary with lawyers and litigants

11.21 A member of the judiciary must maintain decorum throughout the proceedings before the court and be patient, dignified and courteous in relations to lawyers, litigants, and witnesses, and shall require a similar conduct from them, in a way that does not undermine the prestige and dignity of the judiciary.

11.22 A member of the judiciary must observe the same standards as lawyers, without prejudice, partiality, discrimination, or bias.

11.23 During hearings and when requested, members of the judiciary shall listen patiently and courteously to the oral pleadings of lawyers, representatives, or parties, and ensure that they are given the full opportunity to express themselves without excessiveness or negligence, in a manner that is appropriate and does not disrupt the hearing process.

11.24 Members of the judiciary are not permitted to receive parties' lawyers in their office in a manner that might reasonably give rise to suspicion or the appearance of favoritism or bias. While a case is pending, members of the judiciary must refrain from personal or direct contact with the parties' lawyers, litigants, or witnesses out of court or the public prosecution.

11.25 A member of the judiciary who has a personal relationship with a lawyer, whether that is by friendship, marriage, or kinship, must consider the extent to which that relationship may impact his or her judicial duties.

11.26 When parties are present in person during judicial proceedings, members of the judiciary must treat them with respect and courtesy, recognizing that they are either claiming their rights or raising a defense or motion in a case brought against them in court or the interrogation room. In such situations, members of the judiciary should demonstrate patience, wisdom, and understanding, thereby reflecting the values of their judicial profession.

11.27 When dealing with the parties, members of the judiciary must consider their individual differences, listen patiently and understandably to them, allow them sufficient time to present their case or express their defense without disrupting the hearing session, taking into account any confusion or tension the parties may experience during the hearing session or interrogation.

Fifth: Provisions concerning personal relationships

12.1 As defined in this Code, personal relationships are any relationships that a member of the judiciary has with other members of society, such as family, friends, colleagues, acquaintances, and any other kind of relationship.

12.2 Members of the judiciary in their personal relations with individual members of the legal profession who practise regularly in the judge's court, must avoid situations that might reasonably give rise to suspicion or the appearance of favoritism or partiality.

12.3 A member of the judiciary may have varying levels of closeness and knowledge in his or her personal relationships, but it is ultimately up to the member's conscience and discretion to determine the nature of these relationships.

12.4 A member of the judiciary should be aware that strong friendship or animosity towards a party or his or her legal representative may constitute a basis for recusing himself or herself from hearing the case.

12.5 A member of the judiciary should not give legal advice. However, in the case of close family members or close friends, the member may offer personal advice on a friendly, informal basis, without remuneration, but making it clear that he or she must not be treated as giving legal advice and that, if necessary, any legal advice needed should be professionally sought.

12.6 A member of the judiciary cannot determine or participate in the determination of a case in which any family member of the judge is a party or a legal representative to one of the parties, or who is otherwise connected to the case in any way. This applies to family members who are related to him or her by kinship or familial ties up to the fourth degree. (*refer to Article 32 of the Judicial Authority Law*).

12.7 Any partnership entered into by a member of the judiciary with any natural or legal person, whether past or present, and that person becomes party to a case brought before him, must be disclosed to the Supreme Judicial Council, and may constitute as grounds for recusal.

12.8 If a member of the judiciary is the spouse of a lawyer, the member must not allow the lawyer to use his or her residence to meet clients or lawyers in connection with the spouse's legal practice. A member of the judiciary should also refrain from visiting his or her spouse's workplace and should not provide legal advice in cases where the spouse is representing the client.

Sixth: Engaging in social activities

13.1 Social activities are those activities through which a member of the judiciary participates in social duties towards society, in a way that develops his or her capabilities towards humanity. However, he or she should take into consideration some provisions when practicing such activities.

13.2 A member of the judiciary must avoid social activities that may undermine the public's confidence in the impartiality, integrity, dignity, and independence of the judiciary and shall take into consideration the place and occasion in which he or she speaks.

13.3 A member of the judiciary is expected to dress appropriately when attending gatherings and social events, and to refrain from engaging in any behavior or statement that could undermine the impartiality, integrity, dignity, and independence of the judiciary.

13.4 Members of the judiciary are expected to dress appropriately when attending social events and gatherings, and to avoid engaging in controversies or legal discussions that could affect their impartiality or could become the subject of a legal dispute pending before one of the judicial authorities or will be heard in the near future.

13.5 A member of the judiciary is responsible for evaluating the social activities he or she attends in light of his or her duty to maintain the impartiality, integrity, dignity, and independence of the judiciary as well as not participating in public or private activities or events that compromise these principles.

13.6 Members of the judiciary recognize that they have moral obligations that extend beyond the obligation imposed on other members of society to respect the customs and traditions of Bahraini society, whether they are social or cultural. During and outside of working hours, they must respect the religious rituals in the Kingdom of Bahrain and refrain from belittling, disrespecting, or making statements that undermine these rituals, customs, or traditions.

Seventh: Media appearances

14.1 Media is defined as any form of communication with the purpose of disseminating news or transmitting information, whether it is technological, organizational, commercial, or non-profit, public or private, formal or informal, visual, audio or print.

14.2 The Supreme Judicial Council is responsible for regulating the appearances of members of the judiciary in various media outlets. No member of the judiciary may appear in the media,

whether in their professional or personal capacity, without obtaining the permission of the Supreme Judicial Council.

14.3 When appearing in the media, members of the judiciary should ensure that they are dressed appropriately and speak objectively in light of the topic of discussion assigned to them, and refrain from engaging in topics that may undermine the dignity and independence of the judiciary.

14.4 When appearing in the media, members of the judiciary should refrain from disclosing any confidential information pertaining to their judicial duties

14.5 A member of the judiciary may not participate through media outlets in any discussions regarding public or private matters, which might be construed as contentious or personal criticism.

14.6 When appearing in the media, a member of the judiciary shall not comment on criticisms or views directed at a particular judgement, order, decision, or judicial procedure. It is permissible, however, for a member of the judiciary to make comments that assert the impartiality and independence of the judiciary, explain legal matters, or contribute to the establishment of the rule of law.

Eight: Social media platforms

15.1 Social media platforms and information networks refers to websites, electronic platforms, and applications that facilitate the exchange of information between individuals across the globe by writing, blogging, photographing, publishing, or interacting through publications, conversations, visual or audio content, or other designed interactions to connect the virtual world with one another.

15.2 It is permissible for members of the judiciary to use social media freely but responsibly, as long as they adhere to the applicable laws, regulations, and rules regarding the use of these platforms as well as maintain public order, morals, and the customs and traditions of the Kingdom of Bahrain.

15.3 When using social media platforms or websites, members of the judiciary are prohibited from engaging in any conduct that is inappropriate or abusive, or acting in a manner contrary to the requirements of their judicial position.

15.4 Whenever possible, members of the judiciary should be aware of the terms and conditions of the websites or social media platforms on which they register and know who operates the website or platform and the extent of their authority over the information published.

15.5 Members of the judiciary are prohibited from using, following, or interacting with websites or social media platforms that appear suspicious or illegal.

15.6 Members of the judiciary should use social media platforms with caution and should refrain from engaging in discussions or posting comments intended to attract attention.

15.7 A member of the judiciary may have a personal account on any of the social media platforms, and he or she is not prohibited from introducing himself or herself and his or her judicial position if necessary.

15.8 A member of the judiciary may not write or interact with any publication related to a crime or a violation of the law or that indicates a possible violation.

15.9 Members of the judiciary should not disclose confidential information about their judicial duties on social media platforms.

15.10 When using social media platforms, members of the judiciary should refrain from publishing, interacting with, or following accounts that display images, video clips, audio clips, texts, or blog posts that are immoral, violate public order, or that engage in illegal activities, or any other virtual activity that undermines the dignity and the confidence of the public in the judiciary.

15.11 A member of the judiciary should avoid disclosing personal information or posting excessive images of himself or herself or his or her family on social media platforms.

15.12 A member of the judiciary should pay close attention to the list of followers he or she has on social media platforms as well as the list of followers following him, and refrain from engaging in any activity which could undermine the dignity and independence of the judiciary or raise doubts about his or her impartiality and integrity.

15.13 It is prohibited for members of the judiciary to create a false virtual identity in order to gain popularity and recognition on social networking platforms.

15.14 Members of the judiciary should respect restrictions intellectual property, patents, and trademarks when using social media platforms, as well as avoid any conduct that might prejudice those rights.

Ninth: Participation in legal education activities

16.1 Educational activities refer to the participation in intellectual activities and contributions of members of the judiciary to various fields of education and knowledge. Such contributions may take the form of participation in legal education and training, writing books and conducting

scientific research, attending seminars and conferences, or publishing literary works, among others.

16.2 A member of the judiciary may contribute to the educational field by giving lectures, seminars, and workshops, whether in universities or educational and training institutes both within and outside the Kingdom of Bahrain. In addition, he or she may attend seminars, conferences, and conferences conducted within or outside the Kingdom.

16.3 Members of the judiciary are required to obtain approval of the Supreme Judicial Council before participating in any educational activity, provided that such activities do not interfere with the prompt discharge of their judicial duties. The member is entitled to receive a compensation for his or her educational contributions.

16.4 Any member of the judiciary participating in educational activities must maintain confidentiality as well as refrain from disclosing or providing any data or information related to his or her judicial duties. It is permissible for him or her to provide examples from real cases as part of his or her educational activities in the legal field, provided that he or she conceals the names of the parties, case numbers, and any other details that could refer to the parties' identity.

16.5 Members of the judiciary are permitted to contribute to the legal literature as authors or researchers. Additionally, they are permitted to publish their academic works and receive compensation for them.

Tenth: Participating in activities related to community non-profit organizations

17.1 Community non-profit organizations are defined as any body with an organizational structure consisting of several natural or legal persons for a purpose other than obtaining financial profit and which aims to carry out a social, or special educational, cultural, or charitable activity. This definition applies to associations, cultural, or social clubs.

17.2 Members of the judiciary may participate as attendees at events organized by community non-profit organizations. The members are responsible for assessing the type and nature of the events as well as the attendees in order to avoid events which will undermine the prestige and dignity of the judiciary.

17.3 Members of the judiciary may participate in community, non-profit-making organizations of various types by becoming a member, founder, or a board member within or outside the Kingdom of Bahrain, or a speaker at one of the events organized by such organizations, provided prior permission is obtained from the Supreme Judicial Council.

17.4 It is prohibited for a member of the judiciary to be a member of any organization that is based on, or practices discrimination based on race, sex, national origin, or any other cause that is contrary to fundamental human rights.

17.5 Members of the judiciary are not prevented from expressing their point of view, purely as a member of the body in question, on a matter which may have legal implications; but it should be made clear that such views must not be treated as legal advice. Any legal advice required by the body should be professionally sought.

Eleven: Prohibition of accepting rewards and gifts

18.1 Rewards, gifts and hospitality refer to all forms of benefit or service provided to a judge by virtue of his or her judicial position.

18.2 A member of the judiciary, or his or her family members, relatives, or close friends, shall neither ask for, nor accept, any gift, bequest, loan, favor in relation to anything done or to be done or omitted to be done by him or her in connection with the performance of his or her judicial duties.

18.3 A member of the judiciary shall not knowingly permit court staff or others subject to his or her influence, direction, or authority, to ask for, or accept, any gift, bequest, loan, or favor in relation to anything done or to be done or omitted done by him or her in connection with the performance of his or her judicial duties.

18.4 A member of the judiciary may receive a token gift, award, or benefit as appropriate to the occasion on which it is made, such as social or academic occasions, provided that such gift, award or benefit might not be reasonably perceived as intended to influence the member in the performance of his or her judicial duties or otherwise give rise to an appearance of partiality.

18.5 A member of the judiciary may accept invitations related to his or her position to attend events or occasions for the purpose of hospitality and social networking. The member must make a reasonable effort to identify the nature of the event, its purpose, and who may be in attendance.

18.6 Whenever a member of the judiciary receives an invitation, he or she must ensure that accepting such invitation does not give the appearance of favoritism toward one party over another, nor that its purpose is promotional or marketing for a particular party. He or she must also ensure that he or she does not act in a manner that may undermine his or her impartiality.

18.7 When a member of the judiciary is in doubt as to the propriety of accepting any gift or hospitality, he or she should consult the Supreme Judicial Council.

Twelfth: Business cards and contact numbers

19.1 A business card is an identification card that contains the individual's name, job title, telephone number, address, and the private communication channels.

19.2 Members of the judiciary may possess business cards intended primarily for use on occasions related to their judicial work, such as when participating in local and international conferences, courses, and events for the exchange of information and experiences, and for the purposes of enhancing international judicial cooperation.

19.3 A member of the judiciary is prohibited from using his or her business card for any purpose that could be perceived from the objective perspective of a reasonable person as an indication that he or she is abusing his or her judicial position and power to gain a particular advantage or preferential treatment.

19.4 A member of the judiciary should store his or her business cards in a secure location that cannot be easily accessed.

Thirteenth: Use of equipment designated for judicial work outside the scope of work

20.1 A member of the judiciary is prohibited from using equipment designated for judicial work in a personal capacity, taking into consideration all instructions and directives issued by the Supreme Judicial Council in this regard.

20.2 All information available on the electronic court system, such as case papers, documents submitted therein, and the names and information of parties, are confidential and protected by law.

20.3 A member of the judiciary may not use the electronic system of the courts for personal purposes or outside the scope of his or her judicial duties, as this would undermine the dignity and independence of the judiciary as well as the member.

20.4 Members of the judiciary are required to securely store all judicial tools and equipment, such as computers and seals, to prevent unauthorized access.

20.5 Members of the judiciary must ensure that the computer containing the court system provided to them is used safely in an appropriate location, and in a manner that protects the confidentiality of the information.

20.6 A member of the judiciary should avoid connecting the computer containing the court system to a public or anonymous internet network and should avoid using the computer in public places or in places other than his or her private residence.

Fourteenth: Legal actions initiated by or against a member of the judiciary

21.1 "Legal actions initiated by or against a member of the judiciary within the scope of applying the provisions of this Code " refers to all legal actions taken by a member of the judiciary to enforce his or her rights before judicial or non-judicial bodies, as well as legal proceedings brought against him or her as a result of charges, defenses, or complaints, whether within or outside the Kingdom of Bahrain.

21.2 Members of the judiciary should conduct themselves in public in accordance with the laws, rules, and regulations, and must refrain from committing any offenses that would expose them to criminal, civil, or any other legal liability.

21.3 The Supreme Judicial Council must be notified immediately if a member of the judiciary is accused of a criminal offense or is subjected to any criminal action, whether within or outside the Kingdom of Bahrain, as well as if the member of the judiciary was caught in a criminal act or subjected to any criminal proceedings.

21.4 The Supreme Judicial Council must be immediately notified if a member of the judiciary is a party or representative of a party to any judicial or non-judicial dispute within or outside the Kingdom of Bahrain. Moreover, this provision applies to any member of the judiciary who is subject to legal proceedings in a dispute, even if he or she is not a party to the proceedings, such as when he or she is required to testify before a judicial or non-judicial body within or outside the Kingdom of Bahrain.

21.5 Any member of the judiciary who is subject to a complaint, disciplinary or administrative action by any professional body to which he or she belongs or any other entity, whether within or outside the Kingdom of Bahrain, must immediately notify the Supreme Judicial Council.

21.6 Members of the judiciary who appear before any tribunal, whether as parties to a dispute, representatives, witnesses, or for any other reason, must do so in their personal capacity unless their appearance is part of or on the occasion of their work. They may not dispense their judicial authority or official status in any manner.

Fifteenth: Post-judicial mandate

22.1 The term of office of a member of the judiciary ends either by reference to retirement, resignation, expiration or termination of contract, termination of secondment, or dismissal in accordance with the legal procedures stipulated in the law or reassigning him or her to another position upon his or her approval, or any other reason outlined by the law.

22.2 Former members of the judiciary should ensure that their conduct and general appearance reflect their former judicial position. They shall refrain from engaging in activities, actions, or statements that undermine the dignity, independence, impartiality, and integrity of the judiciary.

22.3 Former members of the judiciary are permitted to hold any type of position, whether in the legal field or in other fields, including being appointed as a judge for another entity, a lawyer, an arbitrator, a mediator, a commissioner, a legal advisor, a legal expert, or a lecturer, provided that the position assumed does not undermine the dignity of the judicial body in which they served.

22.4 Except as otherwise permitted by law, former members of the judiciary are not permitted to disclose confidential information acquired during their previous tenure as judges or prosecutors.

22.5 Former members of the judiciary are not permitted to serve as arbitrators, lawyers, advocates, or experts on cases brought before him, ruled upon, took any legal action, or expressed any opinion on during their judicial tenure.

22.6 When a former member of the judiciary assumes a new position in any profession, it is prohibited for him or her to use his or her previous judicial capacity on his or her business card for his or her current profession, or to cite his or her previous judicial capacity on a sign or facade of his or her workplace, whether it has a physical or virtual headquarters, such as electronic platforms, statements, letters, or documents pertaining to his or her current position or profession.

Sixteenth: The Code of Conduct Review and Update Committee

23.1 The Supreme Judicial Council shall establish a permanent Committee by issuing a decision called "The Code of Conduct Review and Update Committee". The Committee shall be chaired by the Vice President of the Supreme Judicial Council, and shall be composed of a member of the judiciary who shall hold a rank not lower than "Deputy judge of the Court of Cassation", and two members of the judiciary who shall hold a rank not lower than "Deputy judge of the High Civil Court."

23.2 The Committee shall convene at least once every year.

23.3 The Committee shall be responsible for the following:

23.3.1 Periodically review the provisions of the Code of Conduct and receive suggestions from members of the judiciary in this regard.

23.3.2 Propose amendments, additions, and updates to the Code of Conduct.

The Judicial Code of Conduct Working Committee 2023

- 1. Judge Dr. Ali Mohamed Al-Jazzaf**
- 2. Judge Dr. Reyadh Mohamed Seyadi**
- 3. Judge Abdulla Yaqoob Al-Khashram**
- 4. Judge Prof. Isa Mohamed Darraj**
- 5. Judge Latifa Salah Al-Sowaidy**
- 6. Judge Shaikha Ahmed Al-Buainain**

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