

# **Code of Conduct**

## **for Members of the Dispute Resolution Tribunals of the Bahrain International Commercial Court**

(Issued by the Court Council on 02/02/2026)

### **Introduction**

This Code of Conduct (the Code) for members of the BICC Dispute Resolution Tribunals (BICC Judges) is intended to ensure that BICC Judges adhere to principles of independence, impartiality, integrity, dignity, diligence, and confidentiality; the core values that form the foundation of the Code and reflect the global standards of judicial ethics.

The Code draws upon the Bangalore Draft Code of Judicial Conduct, adopted in 2002 at a meeting of Chief Justices in The Hague and subsequently endorsed by the United Nations Human Rights Commission in 2003. Recognising the special obligations of judges serving on international commercial courts, the Code is also influenced by the Judicial Code of Conduct for International Judges of the Supreme Court of Singapore given its role as a precursor with respect to international commercial courts.

The BICC Judges are highly regarded legal professionals from the Kingdom of Bahrain and other jurisdictions, many of whom also serve as judges of other courts, as arbitrators, mediators, academics, lecturers, consultants, counsel and advisers in the field. The Code therefore provides a clear statement of the standard of conduct expected when BICC Judges perform such roles, so seeking to ensure that their activities beyond the BICC reflect the standards required of their judicial office at the BICC.

The Code also acknowledges the obligations of Bahraini judges who are subject to the Code of Conduct for Members of the Judiciary issued by the Supreme Judicial Council of Bahrain.

The Code will also serve to make clear to the public (especially those involved within the court system) how BICC Judges are expected to conduct themselves, so engendering respect and support for the judiciary.

### **Article 1      Independence**

1. The BICC must be and be seen to be a separate and distinct institution, in particular, to be independent of the Legislature and the Executive of the Kingdom of Bahrain.
2. BICC Judges must exercise and demonstrate independence in their decision-making, safeguard the institutional independence of the BICC, and preserve the public perception of judicial independence.
3. BICC Judges are independent of one another and are solely responsible for their individual decisions, and must:
  - i recognise and reject any influence, in whatever form or degree and from whatever source, that may affect or be capable of affecting, or may reasonably be perceived as being able to affect, their independence in decision-making; and

- ii conduct their professional and private lives in a manner that will not undermine the public perception of their independence or of the independence of the judiciary as an institution.

## **Article 2 Impartiality**

1. BICC Judges must be and must be seen to be impartial in their conduct towards litigants and in their decision-making.
2. BICC Judges may not act as representative, counsel, advocate or expert of any party in any BICC proceedings whilst still holding office as a BICC Judge.
3. BICC Judges must carry out their judicial functions without fear or favour, affection or ill-will and must:
  - i disqualify themselves in cases in which they believe they will be unable, or be perceived to be unable, to judge impartially;
  - ii not initiate, permit or consider any communication concerning any pending proceedings at the BICC with any party or counsel in the absence of the other parties or counsel, or with any witness in the absence of the parties or their counsel, unless: (a) the ex parte communication relates to an ex parte application for relief; or (b) the ex parte communication is authorised or permitted by law; and
  - iii in the event of receiving an unauthorised ex parte communication (a) promptly notify the parties of the subject matter and circumstances of the communication; and (b) if requested by any party, allow the parties an opportunity to respond to the communication.

## **Article 3 Integrity**

BICC Judges must:

- i conduct themselves with integrity and propriety and in a manner that does not undermine public confidence in themselves or in the BICC; and
- ii strive at all times to conduct themselves in a manner that is consistent with high judicial office, displaying intellectual honesty, respect for and observance of the law, prudent financial management, diligence and care in the discharge of their judicial duties, and discretion in personal relationships and social contacts and activities.

## **Article 4 Dignity**

BICC Judges must:

- i at all times uphold the dignity of the judiciary and of their judicial office; and
- ii refrain from all forms of engagement or activity that may undermine the dignity of their judicial office or of the judiciary in the eyes of the public, or that may bring into disrepute the judiciary, the BICC or their judicial office.

## **Article 5      Diligence**

BICC Judges must:

- i    be diligent and conscientious in the discharge of their judicial functions;
- ii   ensure the timely conduct of their cases; and
- iii   deliver timely decisions and reasoned judgments to enable parties, appellate courts and others who are entitled to read their judgments to understand the reasoning behind their decisions.

## **Article 6      Confidentiality**

BICC Judges must:

- i    at all times keep strictly confidential all information that is private to the BICC and to their judicial office;
- ii   not use or disclose any confidential information acquired by them in their judicial capacity for any purpose not related to their judicial duties; and
- iii   take all reasonable steps to ensure that all documents and other items in their possession, as well as recorded or stored confidential information acquired by them in their judicial capacity, are safe and secure from any form of access or use by any unauthorised person.

## **Article 7      Observance of the Code**

1. This Code sets out the principles for ethical conduct and impartial decision-making to which BICC Judges are expected to adhere.
2. The Code does not override any applicable laws, judicial regulations, or professional standards to which BICC Judges are otherwise subject.
3. In case of ambiguity or conflict, the interpretation and application of this Code rests with the President of the BICC, whose decision will be final.