

Lawyers clash with Bahrain ministry over disciplinary action

Bahrain Bar Society rejects move by justice ministry to discipline 19 lawyers for refusing to represent defendants in a court trial

- By Habib Toumi, Bureau Chief
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Manama: Bahrain Bar Society has rejected a move by the justice ministry to discipline 19 lawyers for refusing to represent defendants in a court trial.

The lawyers who had been named by the ministry to represent 25 defendants being tried on charges of forming and belonging to a group seeking to undermine Bahrain's stability said that they withdrew after they were rejected by their clients.

They were appointed by the ministry after the initial team of lawyers for the defendants had pulled out of the case amid complaints that the court did not respond positively to their demands over alleged torture claims.

Under Bahrain's laws, defendants must have lawyers during their trial and if they do not have legal representatives, the justice ministry appoints them. The lawyers cannot turn down the appointment, the law stipulates.

However, according to the society, the lawyers cannot represent suspects who refuse them and the ministry must not consider disciplinary measures against them.

"The justice ministry has accused lawyers of stalling justice, and these are grave charges," the society said in a statement. "The lawyers have complied with the decision of the justice minister to represent the defendants, but since they rejected them, they preferred to withdraw. We are deeply shocked that the ministry resorts to this unfair and arbitrary decision at a time when it is supposed to preserve the full independence of the lawyers."

Presenting a large number of lawyers to the disciplinary committee is a dangerous precedent, the society said.

"We chose not to make any comments in the beginning in the hope that we could preserve our amicable relations with the ministry. We hoped that the minister would appreciate the lawyers' stance and spare them from this task since they were refused by the defendants," the statement said.

The lawyers have been highly concerned with the move and are looking at their options, it said.

"The lawyers are mulling contacting Arab and international bars associations and unions to explain the situation and complain about the ministry's unfairness. Some of them have impressive records and long experiences and cannot be made to face disciplinary action over a legal interpretation of the law," the society said.

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