

# ENGLISH LANGUAGE USE IN BAHRAIN COURTS WITH DEBORAH HOWARD

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From **MENA**  
to the **World**

English Language  
use  
in Bahrain Courts

with

**Deborah Howard**

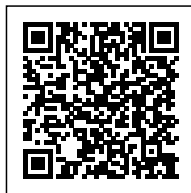
Partner, Trowers & Hamlins



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With Suzan Taha

In a recent interview, **Deborah Howard**, partner in the International Dispute Resolution and Litigation team at [Trowers & Hamlins](#), shed light on the implications of the Ministry of Justice's Decision 28 of 2023, also known as the New Law, regarding the use of the English language in Bahraini courts. The New Law replaces Decision 117 of 2021 on the same subject matter and introduces significant changes to existing laws and regulations.

## How does this New Law change existing laws or regulations?

The law now allows for the automatic use of English in cases under the jurisdiction of the Bahrain Chamber for Dispute Resolution (BCDR) under specific circumstances. These include disputes involving licensed financial institutions or commercial companies, disputes between commercial companies arising from their commercial relationship, or disputes related to international trade involving financial institutions, companies, or both, provided the dispute exceeds BD500,000.

I would like to emphasize that contracts drafted in multiple languages must explicitly state that English is the prevailing language in case of any discrepancies. Otherwise, English will not be adopted as the language of the proceedings. Also parties involved in a dispute falling under BCDR jurisdiction or cases falling within specified categories can also agree in writing to use English, as long as the underlying contract is drafted in a language other than Arabic, and the claim amount exceeds BD500,000.

### **Are there any potential challenges or difficulties that might arise in implementing this New Law?**

Implementing the New Law represents a departure from the longstanding tradition of using Arabic in Bahraini courts. This new development, whilst seemingly small, may be faced with pushback from those who wish to continue practising in the way they are used to.

### **How does this New Law impact business?**

For financial institutions and companies that primarily conduct business in English, the New Law offers a higher level of comfort and ease in conducting business in Bahrain by providing greater transparency between courts and disputing parties. Additionally, the use of English can lead to significant cost and time savings, as there will no longer be a need for document translation during proceedings.

The New Law aligns with Bahrain's aspiration to become a regional hub for dispute resolution and promotes excellent access to the country's legal system for foreign businesses and non-Arabic speakers. This development enhances the efficiency and accessibility of the court system for both local and foreign entities.

### **About Deborah Howard**

Deborah Howard, Partner in the International Dispute Resolution and Litigation team in Bahrain, where she has been based for 18 years. Howard specialises in international dispute resolution and litigation and also has experience in mergers and acquisitions, joint ventures, private equity funding, power, water and infrastructure development projects and telecoms projects.

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