THE ACCUSED’S RIGHT IN A FAIR TRIAL

In Bahraini and Comparative Legislation

A Thesis Submitted in Partial Fulfillment of the Requirements for Ph. D. Degree in Philosophy of public Law

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Abstract

This study, I have examined the subject of the accused’s right in a fair trial "In Bahraini and Comparative Legislation ", As The right to a fair trial is one of the simplest rights in countries which respect the supremacy and sovereignty of the law, where a trial that is discovered to have been unfair leads to a re-trial or to setting aside the judgement that has been rendered.

As it was required to divide the study in to two main topics, and name the first the concept of the accused’s right to a fair trial, and named the second topic the guarantees for the accused’s right to fair trial.

The first part was distributed in to three chapters, starting from the accused’s right to a fair trial and its nature and basis, the second chapter legal pillars and basis of the accused’s right to a fair trial, the third chapter was about presumption of innocence and the accused is innocent until proved guilty.

Then, the accused’s right in a fair trial is further examined in the second part The guarantees for the accused’s right to fair trial, which was divided in to three chapters, the first was related to the judicial guarantees, the second chapter was a study of the procedural guarantees for the accused’s right to a fair trial, and the third was about the subjective guarantees to the accused’s right to a fair trial as the study in the second part moves afterward to highlight protection of the proper process of criminal trial and safeguarding the right to defense and moved to the crime of influencing the process of litigation and criminal protection of t
right to defense and identify the accused secrets of judgment procedures and his right to a fair trial, the requirement of the study demanded lighting the crime of torture and how it affects the accused's right of a fair trial, defending the experts and witnesses to guarantee a fair trial in jurisprudence, international covenants and in the Bahraini law.

Finally, the study concludes with a number of findings and recommendations.