

Speech by Mr. Riaz Akhtar
National Project Director - GJTMAP
Ministry of Local Government & Rural Development, Islamabad

Seminar on 'Justice for All/Alternate Dispute Resolution'

Topic: "Justice for All through Musalihat Anjuman at Grass Roots level"
Quetta, November 4th, 2006

Bismillah arr Rahman nir Rahim

Honourable Chief Justice of Pakistan - Mr. Justice Iftikhar Muhammad Chaudhry, Justice Tassaduq Hussain Jilani - Chairman Supreme Court Committee on ADR, Mr. Justice Sabihuddin Ahmed - Chief Justice Sindh High Court, Mr. Justice Amanullah Khan Yasenzai - Chief Justice Balochistan High Court, Maulana Shorodi, Minister LG&RD Balochistan, Sardar Mohammad Idrees, Minister LG&RD NWFP, Justice Kailash Nath Kholi, Honourable Judges, Provincial Ministers, Chief Secretary Balochistan, Capt. (Retd.) Yunus Durrani, Secretary LG&RD/Chairperson GJTMAP Provincial Steering Committee, National Project Manager - Mr. Hamid Afridi, District Nazim's, Provincial Project Directors and Managers; Distinguished guests, ladies and gentlemen.

Assalamu Alaikum wa ramahmatullah

Gender Justice through Musalihat Anjuman Project (GJTMAP) is a major initiative of the Government of Pakistan in collaboration with the UNDP and other donors to safeguard the rights and entitlements of women and other vulnerable sections of society by institutionalizing community supported dispute resolution mechanisms such as the Musalihat Anjumans (MAs).

The Project is being implemented by the Ministry of Local Government and Rural Development (LG&RD) at the Federal level along with the four Provincial LG&RD Departments under the overall framework of Local Government Ordinance 2001.

The Project was initiated in eight districts of the country, 2 in each province, in 2005. These include: Quetta & Lasbela in Balochistan, Abbotabad & DI Khan in NWFP, Bahawalpur & Attock in Punjab & Dadu & Shikarpur in Sindh.

The need for such a Project arose from the Social Audit of Abuse Against Women (SAAAW) conducted by the Ministry of Women Development which identified the problems of access to formal judicial system for

women & other vulnerable groups as a result of heavy workload on judicial system and limited resources. The social audit suggested Alternate Dispute Resolution (ADR) mechanism as a means for providing 'justice for all' at grass-roots level under the new local governance system.

The Local Government Ordinance 2001 provides under Chapter 11, Sections 102 - 106 for the establishment of Musalihat Anjumans (MAs) at each Union Council.

The specific clauses of the LGO 2001 that relate to the MAs are:

- 102 - Constitution of Musalihat Anjuman
- 103 - Amicable settlement of disputes
- 104 - Referral of cases by courts to MAs
- 105 - Appointment of Musleh for individual cases
- 106 - Procedure of settlement of the disputes

The overall Project goal is "to assist women and other vulnerable sections of society in improving their conditions through safeguarding and promoting their rights and lawful entitlements"

The specific objectives of the project are:

- Constitution and mobilization of the Musalihat Anjumans in all Union Councils in the pilot districts (under Section 102, LGO 2001);
- Musalihat Anjuman's capacity built to dispense gender justice at the community level through MASS;
- Partnerships between judiciary, police and Musalihat Anjuman for accountable, fair and equitable dispensation of justice; and
- Community Advocacy for legal rights of Women and Men's role in ending violence.

The Project is being implemented by the Ministry of LG&RD which is the Executing Agency in close collaboration with UNDP and Provincial LG&RD Departments.

The Project is being co-funded by UNDP, Swiss Development Cooperation, and the Royal Netherlands Embassy.

A National Steering Committee (NSC) at the Federal level and Provincial Steering Committee's (PSC) in each Province provide the strategic policy guidance to the Project.

The detailed implementation status of the project is already available in your folders a gist of it is:

- A Project Management Unit (PMU) has been established at the Federal level and in all four Provinces in the LG&RD Ministry and Departments, respectively;
- To-date, 468 MAs have been established with almost 100% women representation in all 08 pilot districts in the four Provinces;
- Until 30th June 2006, a total of 493 cases have been amicably settled in all pilot districts with an increasing number of cases being received for arbitration/settlement;
- The Rules of Business for MAs in all the 4 provinces have been notified and printed in the official gazettes after a model was prepared at the Federal level through extensive Provincial and District level consultations and endorsed by the National Steering Committee;
- The Musalihat Anjuman Support Services (MASS) a consortium of civil society organizations specializing in Human Rights in all the four provinces have been notified with the mandate to initial policy dialogue for strengthening MAs and ensure capacity building;
- District level forums, the Musalihat Anjuman Justice Advocates (MAJA) which are mandated to support and monitor the performance of the MAs to ensure fair dispensation of justice, provide technical back stopping to MAs and advocate human rights and ensuring men's role in ending gender violence have been notified in each of the 8 pilot districts;
- Networking with district level bodies and judiciary including Criminal Justice Coordination Committees and Bar Associations have been ensured to minimize the menace of gender violence with increasing coordination between the judiciary and Police and other district level stakeholders;
- A number of awareness raising activities have been completed at the local level to promote and advocate the role of MAs and legal rights and entitlements;

- A comprehensive National Advocacy and Communication strategy is being drafted which would lead to the implementation of a communication campaign at local, district, and national level using the electronic, print media, and traditional means of communication at the local level;
- Brochures and pamphlets have been developed and disseminated that highlight the legal and gender rights; and
- A monitoring and reporting system with proper linkages from Union Councils to District, Provincial and Federal levels and a Project website have been developed and linked to MoLG&RD Official site. The address of the website is www.gjtmap.gov.pk. This website will be officially launched shortly.

Ladies & Gentlemen

Evidence has shown that the Musalihat Anjumans provide a cost effective and socially acceptable forum for conflict resolution at the community level. Besides creating harmony in society, the MAs provide a credible way towards easy and affordable justice practically at the doorsteps.

Therefore, based on tangible results and success of the pilot phase, the Project has been up-scaled and an agreement to this effect was signed between MoLG&RD & UNDP and endorsed by EAD on July 10, 2006. The second phase of the Project starts from 2007 to 2011 at a total cost of US \$ 7.44 million co-funded by UNDP, Swiss Development Cooperation (SDC) and Royal Norwegian Embassy (NoRAD).

Twelve (12) additional districts are being selected by the Provinces as per the criteria laid down in the Project Document which would be endorsed by the National Steering Committee in its up-coming meeting scheduled during the present (4th) quarter of 2006. As a result, the number of UCs with MAs would increase from the present 468 to more than 1,100 by the end of year 2007.

The main activities in expanded phase of the Project would be to consolidate on-going activities with greater emphasis on capacity building at District & UC levels and awareness raising of community of rights and legal entitlements.

Ladies & Gentlemen

Taking the opportunity from the presence of the Honourable Chief Justice of Pakistan at this august gathering, I would like to make a few submissions for his kind consideration and further directions:

- An opportunity to make a presentation to Honourable Chief Justice of Pakistan at his convenience
- Guidance and overall support to the Project and appropriate instructions to High Courts/District Judiciary & Police Authorities to support the ADR process at UC level through Musalihat Anjumans by referring appropriate cases to them
- Orientation/trainings on ADR, LGO, RoBs for judiciary (Courses at Judicial Academy)
- Need for reconciling LGO provisions with related laws (Muslim Family Act, Small Claims Ordinance, etc.) after legal review by Project through Justice & Law Commission/Ministry of Law
- Membership of Gender Justice Project in the District level Criminal Coordination Committees for improved coordination and results

I thank the organizers of this seminar for their excellent arrangements and I hope the seminar would be a stepping stone for greater coordination and collaboration between all the stakeholders towards our collective goal of 'Justice for all.'

Finally, I would like to take this opportunity to especially thank on behalf of MoLG&RD the Honourable Chief Guest - Mr. Justice Iftikhar Chaudhry, Honourable Judges, Provincial Ministers, UNDP & GSP partners, NPM & Provincial GJTMAP staff for their participation and support..... Congratulation's to the organizer's.....

Thanks