

## Judicial Reform in Pakistan: The Asian Development Bank's Project

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December 6, 2003

### Summary of Presentation –

Mr. Davis explained that the project was prepared by his group, DPK, in partnership with the Asia Foundation. The two invested a year in diagnostics. They brought in a large number of international consultants, each of whom was paired with an in-country advisor, either a former Supreme Court justice or a well-respected lawyer. The resulting report is the size of a phone book.

Realizing the lack of capacity for change, a second stage in the preparation was added, a \$2.5 million, two year TA project set to end in early '03. During this stage workshops were held to identify a core group of judges that could lead the reforms in each province. The High Court registrars are also a part of the group. Mr. Davis said the workshops brought together, for the first time in Pakistan, judges from both the lower and the High Courts. Trips to Singapore and San Francisco were arranged to show them what could be realized.

This phase has also produced a proposal to make the Law Commission the policy - making body for the judiciary. Pakistan's judiciary is quite fragmented. Each High Court oversees the lower courts in its province and the Supreme Court's only role is to convene meetings of the High Court CJs. A pending bill would give a newly expanded Law Commission significant supervisory and managerial responsibility for the courts throughout the country. How the new government will respond to this initiative and to the project generally remains to be seen.

The actual project itself will get underway early in '03 when bids for buildings, hardware, and software will be let. The loan amount is \$80 million. While the time and effort that has gone into preparing the project makes success more likely, questions about its ultimate success remain. For example, one participant at the meeting suggested that organized bar may still oppose many of the proposed reforms. The lawyers were not engaged during the TA phase. But the thought is that the judges in each province leading the reform can bring them around.