

Mediating a Way to a Better Justice System

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The preamble to the Constitution of Bangladesh envisions: “a society in which the rule of law, fundamental human rights, freedom, equality and justice, political, economic and social, will be secured for all citizens.” The Judiciary, as one of the three organs of government, is duty-bound to administer justice. The judges’ role is to ensure the effective delivery of justice in a way that is equal, affordable and accessible to all. To carry out this role judges are expected to have the capacity and capability of understanding, applying and enforcing laws strictly in accordance with the law. To fortify and enhance the justice system, the judges have to develop themselves by appropriate training.

JICA, in collaboration with Law and Justice Division of Bangladesh, has been providing training for the judicial officers of Bangladesh in Japan in the area of Alternative Dispute Resolution (ADR) Mechanism, in order to reduce the huge case backlog. JICA also dispatches legal experts from Japan to conduct training programs at the Judicial Administration Training Institute of Bangladesh; assists in organizing seminars and workshops to raise awareness of ADR; and is helping to prepare and update training modules on mediation for judges and mediators. Three batches of 15 judges per year have undergone training in Japan. Furthermore, Bangladesh arranged training of total 180 judges on ADR in Judicial Administration Training Institute. In addition, JICA arranged three training sessions in Bangladesh providing legal expertise from Japan for 120 Bangladeshi judges. These activities



have significantly increased awareness of Alternative Dispute Resolution through Mediation, and this training in “best practice” from Japan is helping to reduce the huge case backlog and provide the vulnerable people in Bangladesh with fair and affordable access to justice.

The current ADR technical cooperation program is achieving magnificent results. The trainee judges have opportunity to learn about the judicial and ADR system of Japan practically and the success rate of ADR mechanism inspired them. By increasing the numbers of judges that can attend training programs in Japan, I am confident this impact could be increased significantly.

In the longer term, the Law and Justice Division is looking forward to working with JICA to establish Alternate Dispute Centers in major districts throughout the country, something that will dramatically ease the existing case burden. Finally, scholarships for academic degrees such as specialized LLM and PhD on emerging legal issues to be undertaken in the renowned universities of Japan will go a great way to solidifying the foreseeable future of Bangladesh’s Justice System.

Profile:

Ummey Kulsum holds an LL.B from Chittagong University. She has been a public servant since 1994, and is currently Joint Secretary, Law and Justice Division, Ministry of Law, Justice, and Parliamentary Affairs. She has been working with JICA since 2017, and is the focal point of the SDG’s committee of Law and Justice Division.