

National Judicial Conference 2010 Declaration

- 1) Every organ of the state should function within its own domain, working in harmony with each other so as to advance public good. Confrontation is counterproductive and hampers progress and development. The Judiciary of Pakistan being the third pillar of the State stands committed to faithfully discharging its functions as prescribed by the Constitution.
- 2) There is broad consensus with the objectives of the policy. It has been noted though that effective implementation of the policy requires strengthening the policy ownership, increasing its awareness among stakeholders, and a constant review process. The procedures for achieving policy objectives need to be reviewed.
- 3) For successful ADR, concrete steps, such as formal rules, a governing council, and professional training for all stakeholders is necessary. Trial Courts should support and encourage ADR. Importance of the subject requires the holding of an exclusive workshop.
- 4) Legal education being the foundation of the justice system requires to be imparted at all levels of society. In particular, law colleges and faculties require allocation of greater resources and an independent central supervisory body. For enhancing the quality of dispensation of justice, continuing legal education is essential for all tiers of the bench and bar.
- 5) To increase expeditious disposal of cases and for enhanced transparency, court proceedings and records should be automated and made user friendly. For this purpose, sufficient funds should be allocated and relevant laws should be amended. A model “E-Court” should be established in each High Court and District Court.
- 6) For expeditious disposal of cases, it is imperative that manpower, infrastructure and resources are brought to at least the minimum required and

allocated level. Frivolous and vexatious claims and defenses must be strictly penalized using the relevant provisions of civil and criminal laws.

- 7) A wholesome review of procedural enactment is required to simplify and modernize outdated and cumbersome procedures. Courts should utilize latest tools, including E-forms and biometric devices for expeditious filings and scrutiny of evidence etc. Scattered provisions in procedural/substantive laws should be consolidated. Pleadings, serving of process and recording of evidence needs updating
- 8) Judges, lawyers, prosecution/police, witnesses and litigants, must all assume responsibility to ensure smooth functioning of the justice system and consequent dispensation of equitable justice. Each stakeholder must ensure faithful and timely compliance with the duty imposed on him.