

Ph: +92 (51) 9209412
Fax: +92 (51) 9214797



Deputy Secretary

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LAW & JUSTICE COMMISSION OF PAKISTAN
SUPREME COURT BUILDING
CONSTITUTION AVENUE
ISLAMABAD

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Press Release

Law and Justice Commission of Pakistan Takes Historic Strides in Arbitration Law Reform:

In a historic endeavor to modernize Pakistan's legal framework, the Law and Justice Commission of Pakistan (LJCP) has led a national effort to introduce arbitration into the country's legal system. Today, Law and Justice Commission of Pakistan under the able guidance of the Hon'ble Senior Puisne Judge, Supreme Court of Pakistan, Syed Mansoor Ali Shah while addressing the deficiencies in the legal framework of Arbitration Act, 1940 presented draft legislation "The Arbitration Bill, 2024" to the Federal Minister for Law and Justice to place before the Parliament. Today consultative workshop "Rethinking & Reshaping Arbitration Law in Pakistan," marked the culmination of the efforts as the proposed legislation aims to promote efficiency and fairness in resolving commercial and business disputes.

2. The consultative workshop on "Rethinking & Reshaping Arbitration Law in Pakistan," was organized by the Law and Justice Commission of Pakistan, which was held on 2nd May 2024 in the Federal Judicial Academy, Islamabad.

3. Upon recognizing the deficiencies in the current domestic legal framework on arbitration, such as the absence of arbitration-friendly rules and time-consuming procedures, the Chief Justice of Pakistan, in response to the Law & Justice Commission's proposal, formed the Arbitration Law Review Committee (ALRC) in April 2023. The primary responsibility of the Committee was to scrutinize the existing arbitration legislation and offer suitable recommendations, including comprehensive legislation that aligns with international and regional best practices on arbitration. The Committee was chaired by Hon'ble Mr. Justice Syed Mansoor Ali Shah, judge Supreme Court of Pakistan, and had representatives from the Ministry of Law and Justice, the Board of

Investment, and the Law and Justice Commission of Pakistan (LJCP), as well as respected academic and practitioner experts such as Mr. Makhdoom Ali Khan and Mr. Feisal Naqvi in arbitration.

4. Recognizing the global trend towards alternative dispute resolution (ADR) methods for swift resolution of commercial and business disputes, Pakistan's judicial system is taking proactive steps to align with this progressive legal framework. The introduction of arbitration into our legal system is not just a procedural adjustment but a strategic move towards efficient and accessible justice.

5. This initiative seamlessly aligns with the mandate of the commission, which is dedicated to reviewing and modernizing existing laws while ensuring simplicity and accessibility for the general public. Through this process, we aim to bridge the gaps in our legal framework and foster an environment conducive to economic growth and legal certainty.

6. The invaluable contributions of committee members, including esteemed legal experts such as Mr. Muhammad Makhdoom Ali Khan and Mr. Feisal Hussain Naqvi, have been instrumental in shaping this initiative. Their expertise, coupled with the dedication of the entire commission, has propelled us towards this momentous occasion.

7. Today's event, graced by the presence of Hon'ble Mr. Justice Syed Mansoor Ali Shah, Senior Puisne Judge / Chairman, ALRC, distinguished minister of Law and Justice and Minister for Finance and Revenue, Attorney General for Pakistan, Hon'ble Mr. Justice Jawad Hassan, judge Lahore High Court, Hon'ble Mr. Justice Miangul Hassan Aurangzeb, judge Islamabad High Court and also Mr. Toby Landau KC, Barrister, Advocate & Arbitrator at Duxton Hill Chambers. Ms. Riffat Inam Butt, Secretary, LJCP thanked to all the participant and their valuable input of all stakeholders in preparation of draft legislation. Mr. Hayat Ali Shah, DG, Federal Judicial Academy extended full cooperation for all stakeholders in training in conducting of arbitration proceedings. Mr. Feisal Naqvi, and Mr. Sami-u-din, Members ALRC gave an overview of the draft legislation "The Arbitration Bill, 2024". Mr. Makhdoom Ali Khan, Member ALRC highlighted the different provisions of draft legislation.

8. Mr. Muhammad Aurangzeb, Minister for Finance and Revenue extended full cooperation on the part of Ministry of Finance and the draft legislation is the need of hour. Mr. Toby Landau KC

appreciated the draft legislation which is in line with the international best practices and it will be good effort to promote and encourage business and investment in Pakistan. The Attorney General for Pakistan appreciated the efforts made by the ALRC and also recommended that as early as possible enactment of the arbitration law and the provinces also adopt the same law.

9. Hon'ble Mr. Justice Jawad Hassan, Judge Lahore High Court referred different judgments of superior courts on arbitration and appreciated the draft law for early dispensation of justice. The Hon'ble Judge enunciated five basic global principles for arbitration i.e. party autonomy, no intervention of the court, expeditious disposal, express agreement and bar the jurisdiction of foreign awards. Hon'ble Mr. Justice Miangul Hassan Aurangzeb, Judge Islamabad High Court expressed that if the Parliament enacts the legislation for the Islamabad Capital Territory will be enforced in the jurisdiction of Islamabad High Court and immediately the benefits of legislation will be extended.

10. Senator Azam Nazeer Tarar, Federal Law Minister assured that the government will place the draft legislation into the Parliament for enactment.

11. This event marks a pivotal moment in our relentless pursuit of legal reform. It serves as a testament to the collaborative spirit and unwavering dedication of all stakeholders involved. Moreover, it signifies the culmination of our consultative process as LJCP formally handed over the draft to the government for its introduction in parliament, thereby taking a crucial step towards realizing the vision of a modernized legal framework on arbitration.

12. This event marks a significant milestone in Pakistan's journey towards modernizing its arbitration framework. Through this constructive dialogue and collaboration draft legislations the way for a more efficient and equitable legal system that serves the needs of our nation proud.

13. The workshop actively participated by the learned judges of High Courts, Federal Minister of Law and Justice and Minister for Finance and Revenue, legal scholars, representatives from reputable national and international organizations dedicated to Arbitration, and members of the legal fraternity and academia.

14. The preceding activities were followed by a concluding remarks of the Hon'ble Mr. Justice Syed Mansoor Ali Shah, Senior Puisne Judge, Supreme Court of Pakistan and ceremony of handing over "The Arbitration Bill, 2024" to the Ministry of Law and Justice.

15. This press release can be downloaded from the website of LJCP @ www.ljcp.gov.pk.

Muhammad Tanveer
Deputy Secretary-Admin