

Project profile

Improved access to fair, legitimate and effective justice in Pakistan

Introduction

In January 2017, Oxfam and Saferworld began a five year project that trains and supports communities, marginalised groups, women and youth to work with civil society, justice providers and government authorities in order to develop practical solutions for more inclusive justice.

Background

The government of Pakistan has recently made significant efforts to reform its justice system, which is burdened with a long backlog of cases and historically poor governance. Since 2001, alternative dispute resolution mechanisms – such as *musalihati jirga* and committees, community policing committees and community police liaison committees – have been adopted and recognised by the government. These alternative justice providers, which we call ‘semi-formal justice providers’ (SFJPs), have received few cases despite a 2002 ruling calling for referral of backlogged cases to semi-formal mediation committees. The law only came back under the spotlight in 2013 when local governments authorised union, village and neighbourhood councils to form panels of councillors to facilitate out-of-court disputes.

While these semi-formal justice providers allow greater access for many, there are no mechanisms in place for coordination or mutual referrals, nor are there guidelines for accepting each other's verdicts. At the same time there is a lack of clarity among the public about which types of disputes can and cannot be resolved by either type of justice provider. While formal and informal justice providers do not ‘speak’ to each other, in practice people use a mix of both to settle disputes. Research highlighted that people typically resort to dispute resolution mechanisms sequentially – moving from informal to formal after the previous option fails to resolve the issue. The project, therefore, aims to strengthen SFJPs; enhance their capacities, and improve inclusivity as well as accountability.

Project approach

Along with three national partners, Saferworld and Oxfam will:

- raise awareness among communities about the legal justice mechanisms available for addressing their grievances



Project

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Project locations

Khyber Pakhtunkhwa: Mardan, Nowshera, Charsadda and Peshawar

Sindh: Hyderabad, Sanghar, Khairpur and Karachi

Punjab: Muzaffargarh, Khanewal, Bhakkar, Muzaffargarh and Lahore

Donor

Ministry of Foreign Affairs, Netherlands

Funding stream

Addressing the Root Cause Fund

Size of grant

€5 million euros

Project duration

January 2017 - December 2021

Saferworld thematic area

Justice

- strengthen alternative dispute resolution mechanisms that are recognised by the government through training and capacity building
- work with local and provincial governments, parliamentarians and the police to promote accessible, inclusive and effective justice.

Anticipated outcomes

- Citizens, especially women, young people and marginalised groups are more aware of their rights, and understand their options for addressing grievances through legal and non-violent means at district and provincial levels.
- Semi-formal justice providers strengthen linkages with the formal justice sector and increase indirect pressure on the informal justice sector for more effective and accessible justice.
- Political will increases within provincial governments for an improved justice system that meets the needs of women, young people and marginalised groups.

Partners

Oxfam and Saferworld are implementing the project jointly with partners Sindh Agriculture and Forestry Workers Coordinating Organisation (SAFWCO), Strengthening Participatory Organisation (SPO) and Research and Awareness for Human Development Benefits and Rights (RAHBAR).

Funded by



Ministry of Foreign Affairs of the Netherlands

Key activities

Communities and community groups

- Create, train and lead 81 community groups at the district level, supporting them to reach out to their communities and create awareness of available legal resources and mechanisms.
- Support consultations between community groups, semi-formal justice providers and communities to create greater understanding of each other's roles and to discuss ideas for improving justice provision.
- Develop a guidance manual for community groups on how to be inclusive of gender and minority groups in their work.
- Establish district advocacy forums to enable groups to network and share knowledge at the union council level as well as providing a platform for sharing practical suggestions between the district and provincial levels.
- Organise exchange visits of the district level forums with members of bar council, lawyer forums, law colleges/universities.
- Conduct public awareness campaigns, such as on the radio or television, to raise awareness of how the formal and semi-formal justice systems work and how they can be improved.

Police and justice providers

- Build the capacity of police, formal and semi-formal justice providers in gender inclusivity, human rights and minority rights.
- Run workshops for semi-formal justice providers to support the development of a justice system which is open, accessible and inclusive of women and minorities, and which protects and promotes human rights.
- Develop documentaries on the role of semi-formal justice providers and their links with formal justice providers, especially around women's access to justice.
- Research and analyse the roles of formal and semi-formal justice providers as identified under local government acts and other legal frameworks.
- Conduct orientation sessions to clarify the roles of formal and semi-formal justice providers in referring cases, with a focus on protection and family law, property rights and administrative justice.
- Support the development of help desks with the local government department to provide information about access to justice.

Saferworld is an independent international organisation working to prevent violent conflict and build safer lives.

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