



Visit /Training Report (Training at ADR Centre, Rome, Italy)

Sindh Judicial Academy in collaboration with Asia Foundation initiated ADR project with the object



to introduce 'mediation' in Sindh province. This project was planned after observing activities of other jurisdictions. They have set Court Annexed Mediation Centres at district level which are working affectively and courts have

started to refer cases to Court Annexed Mediation Centres for mediation. Keeping in view of their success rate, Sindh Judicial Academy decided to introduce mechanism in Sindh Pakistan.

The Academy, in the first phase, started training process. The matter was shared with the Hon'ble High Court of Sindh and His Lordship, Hon'ble Chief Justice appreciated the idea and nominated judges as trainees. In the first phase a group of 8 Civil Judges, selected by Hon'ble High Court, were trained at Sindh Judicial Academy and out of them 3 were selected for imparting training from international expert. A group of master trainer was also selected and in all 8 officials visited Italy for training purpose.

Asia Foundation facilitated the training and got arrangement at ADR Centre Rome. It was 5 full-day training program. Detail of Training is as under:

There were two sessions on each day. The morning session of first day was introductory in nature. The trainees were welcomed by the Head of ADR Centre and at this occasion Consulate General of Pakistan housed in Rome, Italy was present. He formally invited the Hon'ble Director General and the trainees at his offices for Dinner. Hon'ble Director General shared the progress so far made in Pakistan on the subject of ADR by showing a presentation. A souvenir was presented to the ADR Centre and the trainer. It was informed that six mediation centres are working in Rome and 'ADR Centre' headed by Mr. Leonardo D'Urso handled 20,000 cases in a year and out of them 75% cases resolved successfully and due to this tendency, 30% of courts workload has been reduced at trial and appellant forums. During introductory session goals of the program and course agenda was discussed.

Initial
assessment
conducted
main
of basic
training were
it was
Trainer
therefore
discussion
effective



knowledge
test was
and thereafter
components
mediation
discussed. As
Training of
(ToT) and
detail
were made on
adult learning

techniques. Teaching methodologies to be adopted for adult teaching were discussed in detail. Afternoon session was about ADR, conflict dynamic, mediation definition and principles. These concepts were taught by using supporting exercises. Mediation stages with the help of ADR Centres 4X4 matrix were discussed in detail. In the end over view of the day was shared in brief and the questions raised by the participants were responded. On day-two, stages of mediation and 4X4 matrix was further discussed and different exercises were given to the trainees. A few videos were shared.

On 3rd day few more videos were shared and these were discussed. The videos were about mediation process and during demonstrating videos, it was informed that what type of mistakes have been made by the Mediator and what would be an appropriate action. In day-three afternoon session negotiation techniques were discussed. Few exercises were given to the trainees. They negotiated and thereafter the trainer identified the positive and negative points.

Morning session of Day-4 was about negotiation. Few complex exercises were shared. In afternoon session it was informed that how to make preparation for mediation process and how to conduct joint session, private/individual session, and closing session.



On the last day few more exercises were given whereby the trainees were asked to act as mediator and conduct joint session, private/individual session and closing session. It was also taught that how to prepare mediation agreement. At the end of the day post assessment was conducted. Trainers' assessment was also conducted. It was one of the assignment that to prepare a training program with exercises. A five day training program was prepared with exercises and it was presented by Hon'ble Director General and Mr. Shahid Shafiq, Senior Faculty Member. The program was ended by distributing training certificates.

The delegation visited office of Consulate General, Pakistan at Rome Italy. A dinner was hosted by the Consulate General in the honour of Director General and the trainees.

A Court Annexed Mediation Centre at Sindh Judicial Academy has been established and a few cases were referred to it. Now three judges have been have been trained and they can mediate cases if referred to them as Mediator. Initially the Academy proposed to set up three Mediation Centres in the districts where high pendency of civil cases is observed. While returning from the Room the group



stayed in Turkey for a few days and visited a reputed Mediation Centre of Turkey. Sindh Judicial Academy has observed working of two Mediation Centres and noticed their infrastructure which may be adopted while setting up a Mediation Centre here in Sindh.

Asia Foundation shall also technically assist in establishing three Mediation Centres. They will

provide necessary furniture, fixture and equipment that may be needed to run a Mediation Centre. Once the Mediation Centres are declared in three districts of Sindh and they will provide infrastructure.

A legislative initiative to amend the law has already been submitted to law department by Sindh Judicial Academy and there is a possibility of amending relevant provisions of law in near future.

According to proposed legislation, Court would have authority to analyse and assess possibility of resolving a dispute through mediation at an early stage. In case the Presiding Officer makes his mind that there is a possibility of amicable settlement, the matter shall be sent to the Court Annexed Mediation Centres.

A formal request is being sent to Hon'ble High Court for setting up mediation centres at District Hyderabad, Sukkur and Larkana and Sindh Judicial Academy shall provide

necessary assist to the District Courts which may include further training and coordination between parties.

