

TWO-DAY TRAINING PROGRAM ON ROLE OF JUSTICE OF PEACE IN PROTECTING HUMAN RIGHTS (BATCH-01) (FROM 17-18 JANUARY 2022)



Background context

The practice of exercising '*International protection of Human Rights*' has increased dramatically in the last century, due in part to the increased recognition that most of the nations share many fundamental legal values and expectations. In this regard:

- One crucial commonality is the acknowledgment that individuals must be protected from certain depredations against their person.
- The other is that international human rights laws are needed to protect people from policies that ultimately affect them.

These laws and safeguards are important protections against abuses of power that affect the life, liberty, and physical integrity of individuals. Without these protections and limitations on the potential abusive exercise of power by states, democracy could not exist. Thus, there is an inseparable link between the protection of individual rights, collective human rights, and democracy.

The field of battle in which democracy and human rights are tested is the 'administration of criminal justice' which encompasses all processes and practices by which a 'state' affects, curtails, or removes basic rights.

In the case of Pakistan, international human rights obligations stem from its international human rights treaty obligations and are translated within the constitution, national and provincial legislation

Brief Introduction of training

Huqooq-e-Pakistan (HeP) Project is a joint initiative by the European Union and the Ministry of Human Rights.

After a string of co-ordination meetings/mutual consultation, Sindh Judicial Academy and the HeP Project team agreed to collaborate to initially develop various training modules/manuals and subsequently conduct a series of training programs on '*Role of Justice of Peace in Protecting Human Rights*'.

Basic Framework

This training was designed with an aim to introduce judges to the international human rights system and how the Supreme Court of Pakistan as well the High courts have developed jurisprudence highlighting its importance.

Further, this training discussed the human rights interface while exercising powers provided under Section 22A and 22B CrPC and with a focus on the protections afforded to the persons in the context of the administration of criminal justice.



Salient Proceedings

A two-day training program on “*Role of Justice of Peace in Protecting Human Rights*” for Sessions Judges and Additional Sessions Judges (**Batch-01**) was organized at Sindh Judicial Academy from 17-18 January 2022.

In this inter-active / practical training session, a total of 20 participants (09 DSJs and 11 ADSJs) attended.



On Day-01, **Mr. M Shahid Shafiq** (District & Sessions Judge / Senior Faculty Member, Sindh Judicial Academy) conducted the inauguration session including registration and attendance of participants, recitation, and Pre-Assessment. Thereafter, a welcome note was also conducted and participants were provided with an overview of the ‘Role of Justice of Peace in Protecting Human Rights’.

The first session was conducted by **Mr. M Shahid Shafiq** (D&SJ / SFM, SJA) on the topic “*International obligations on Administration of Justice to observe Human Rights (08-Conventions)*”.

The second session was jointly conducted by **Mr. Yawar Ali Khan** (Training & Capacity Development Expert, HeP) and **Mr. M Shahid Shafiq** (D&SJ / SFM, SJA) on the topics:

- Historical Perspective
- Role of Justice of Peace in Criminal Justice System
- Comparative Study of UK, India, Bangladesh, Sri Lanka, and Nepal

The third session was conducted by **Hon’ble Mr. Justice (R) Abdul Rasool Memon** (former Judge High Court of Sindh) on the topics:

- When a Police Officer may exercise powers of arrest

- Circumstances when a transfer of investigation may be ordered



On Day-02, a recap of Day-01 was conducted by **Mr. Muhammad Shahid Shafiq** (D&SJ / SFM, SJA).

The first session was conducted by **Hon’ble Mr. Justice (R) Abdul Rasool Memon** (former Judge High Court of Sindh) on the topics:

- Case law on the power of a Justice of Peace
- Jurisdictional effect of High Court
- Mechanism for registration of FIR and its interface with Human Rights
- When to register an FIR

The second session was also conducted by **Hon’ble Mr. Justice (R) Abdul Rasool Memon** (former Judge High Court of Sindh) on the topics:

- Case law on the power of a Justice of Peace
- Protection from arrest and detention
- What is a Judicious mind and how does it ensure fundamental rights?
- When to exercise powers under section 491 Cr. P.C

Conclusion

At the end of the training program, participants were awarded with certificates, followed by a group photograph.





