

Foreword

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Good governance has been identified as one of the key pillars in achieving the Asian Development Bank (ADB)'s overarching goal of poverty reduction as mandated by its Poverty Reduction Strategy. For good governance to prevail, the presence of a credible law and policy environment is essential. ADB has therefore been actively supporting law and policy reforms in its developing member countries (DMCs). This commitment has resulted in the implementation of over 400 law and policy reform interventions in the span of over a decade.

These interventions are varied and wide-ranging. They include legal empowerment of the poor where ADB examined the effectiveness of legal literacy—that is, acquiring critical awareness of one's rights as well as the law—and legal aid for disadvantaged groups such as women, minorities, and low-income groups. These are seen as important tools toward the institutionalization of good governance. Another area of intervention is facilitating private sector development in DMCs through assistance in the promulgation of laws related to insolvency, land registration, secured transactions, and asset securitization. ADB is also becoming increasingly involved in interventions that aim to improve the administration of justice in our DMCs, specifically targeting the enhancement of effectiveness of legal and judicial institutions, such as the judiciary, public prosecution service, and the police force.

The regional technical assistance which conducted the study and regional workshop on strengthening the criminal justice system (RETA 6221) is one example of our efforts to facilitate better administration of justice in our DMCs.

The RETA assessed and evaluated the criminal justice system in selected countries in South Asia (i.e. Bangladesh, India, and Pakistan) and recommended possible avenues for strengthening the system. In doing so, ADB engaged several top-caliber legal professionals in the region to carry out studies examining the judiciary, public prosecutorial service, and the police force in these countries. The group included a head and a former head of the police force, a former Justice of the Supreme Court, as well as two highly respected legal academicians. The RETA also examined the ability of the public, including the judiciary, to access laws in Bangladesh and provided recommendations on how to further enhance such access. The findings and recommendations of these studies were then presented, deliberated, and validated at the regional workshop in Bangladesh, which was attended by senior-level officials from the judiciary, public prosecution agencies, and the police forces in Bangladesh, India, and Pakistan. The workshop also discussed a study on legal education and training in Bangladesh. This publication documents the studies as well as the deliberations conducted in connection with the workshop.

We hope that this publication will further increase awareness of the importance of strengthening the criminal justice system, and contribute to the emerging consensus that an effective criminal justice system is fundamental to equitable economic development. ADB is fully committed to this area of reform and is keen to continue its work as a critical development partner for our DMCs with a view toward creating a better environment for the further development of human potential in the region.