

JUSTICE SECTOR

STRATEGIC PLAN 2024 – 2029

PHASE II

Towards an inclusive, effective, and accessible justice system
with transparent rule of law and robust public oversight





To me, natural responsibility means upholding values such as integrity, justice, and compassion and above all living by that unwritten but absolute code of right over wrong, no matter what it is we are trying to achieve as individuals or as a nation. After all, while the objectives are important, the manner in which we achieve these objectives is a far more important indicator of our strength as a nation. We must achieve everything as a united harmonious family. I truly believe that it would be a great service to the nation if, as individuals, we always treat each other with respect and dignity.

His Majesty's Address during the National Day on 17 December 2010

Foreword

The Justice Sector Strategic Plan II (JSSP-II) for 2024-2029 marks a significant step in Bhutan's journey towards a more just and equitable society. Building on the achievements of the first Justice Sector Strategic Plan (JSSP-I), which improved access to justice and strengthened legal frameworks, JSSP-II arrives at a time when the concept of justice is being reshaped by new societal challenges. As technological advancements, environmental degradation, and the lasting effects of the COVID-19 pandemic demand fresh approaches, justice systems must adapt to ensure fairness and equity.

In Bhutan, the Constitution enshrines socio-economic justice, equality, and the promotion of general welfare for all citizens. JSSP-II upholds these values, aligning with Bhutan's Gross National Happiness (GNH) principles to ensure that every individual can realize their potential without undue disadvantage. The Plan addresses 21st-century issues by preparing Bhutan's legal system to navigate digital transformation, environmental crises, and global economic shifts.

The pandemic revealed inequities in health, the economy, and social protections, underscoring the need for justice systems to promote fairness, transparency, and accountability. While justice has always been central to human societies, its administration must evolve in response to global interdependence, incorporating international human rights norms and addressing challenges like climate change and technological disruption.

JSSP-II emphasizes expanding legal aid services and embracing digital transformation to ensure that the justice system remains accessible, particularly to the most vulnerable. It aligns with Bhutan's 13th Five Year Plan by supporting economic growth through timely dispute resolution and fostering a business-friendly environment.

The success of this plan depends on the collective efforts of the government, justice sector institutions, civil society, and the public. By working together, Bhutan can build a justice system that responds to modern complexities while staying true to the core values of fairness, equity, and the rule of law. Let JSSP-II be a guiding force for justice in Bhutan, ensuring that as new challenges arise, we remain committed to creating a fair and compassionate society.



(Lyonpo Chogyal Dago Rigdzin)

Chief Justice of Bhutan

Supreme Court of Bhutan

Royal Court of Justice

Thimphu: Bhutan

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The Justice Sector Strategic Plan 2024 – 2029 (Phase II) was developed by the members of the Justice Sector Working Committee established under the aegis of the Justice Sector Strategic Plan 2018 – 2023 (Phase I). Drawing lessons from the past implementation, the Strategic Plan builds on the gains made thus far in furthering the principles of justice and rule of law.

Furthermore, the financial support from the Royal Government of Bhutan and United Nations Development Programme Country Office was instrumental in coordinating inputs from diverse justice sector institutions and conducting workshops and meetings.

Special thanks to the following members who facilitated the workshops and led the drafting and finalization of the Strategic Plan:

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2. Rinchen Namgay, Senior Planning Officer, Anti-Corruption Commission.

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This plan is a testament to the collective commitment of all the justice sector institutions to justice and equity.

Together, we can build a more robust and just legal system for all.

EXECUTIVE SUMMARY

The Justice Sector Strategic Plan II (JSSP-II) is a comprehensive and forward-thinking initiative aimed at advancing justice sector reform in Bhutan from 2024 to 2029. It builds on the successes of the first Justice Sector Strategic Plan (JSSP-I) implemented from 2019 to 2023 under the 16th National Key Result Area (NKRA) on '*Justice Service and Institutions Strengthened*' in the 12th Five Year Plan (FYP). The JSSP-I marked a significant milestone in strengthening Bhutan's justice system, laying a strong foundation for institutional reforms, capacity-building initiatives, infrastructure development, and policy interventions that enhanced access to justice and promoted the rule of law.

The JSSP-I achieved key milestones, such as improving public satisfaction in justice services to 80.25% and significantly reducing turnaround times (TAT) for investigations and legal services. It facilitated the review and reform of legal frameworks, streamlined administrative procedures, and introduced technology-enabled solutions to improve access to justice and ensure expeditious dispute resolution. Additionally, JSSP-I promoted alternative dispute resolution mechanisms, such as mediation and arbitration, and expanded access to legal aid services, particularly for marginalized and vulnerable groups.

Building on these achievements, the JSSP-II aims to further consolidate and expand upon the progress made during the previous plan period. The new plan focuses on key priority areas, including expanding legal aid services, launching community outreach programs, and enhancing accessibility and inclusivity of justice services for all people, particularly vulnerable groups. By scrutinizing and harmonizing laws to

address emerging legal challenges. The JSSP-II seeks to maintain the relevance of the justice sector and continue to promote innovation.

The JSSP-II also emphasizes strengthening institutional systems and processes, investing in continuous capacity-building programs, and enhancing infrastructural capacity to improve the efficacy and competence of justice sector institutions. Reinforcing integrity, transparency, accountability, and incorruptibility within the justice sector institutions is crucial to promoting public trust and confidence. The plan highlights the importance of embracing digital transformation, improving communication strategies, and promoting climate resilience to ensure its responsiveness to evolving challenges.

Aligned with the socio-economic development goals of the Governance and Security Clusters in 13th FYP, the JSSP-II aims to create an enabling environment for economic growth and investment. It supports the government's aspirations to increase Gross Domestic Product (GDP) from USD 2.90 billion to USD 5.00 billion by 2029 and USD 10.00 billion by 2034, and to raise GDP per capita from USD 3,833.00 to above USD 6,174.00 by 2029 and USD 12,000.00 by 2034. By focusing on timely dispute resolution and promoting a conducive business environment, the plan aims to attract foreign investments and foster economic growth.

A critical priority of the JSSP-II is enhancing access to justice for marginalized and vulnerable groups, including the bottom 40% of the population, to reduce socio-economic disparities and promote social cohesion. The plan seeks to contribute to increasing the human capital index by enhancing knowledge and skills through access to justice and legal education. Furthermore,

preserving the Bhutanese identity and social cohesion is a fundamental aspect of sustainable development, and the JSSP-II promotes the rule of law and protects the rights of all people, regardless of ethnicity or background.

To ensure effective implementation, the Justice Sector Secretariat at the Office of the Attorney General (OAG) will coordinate overall project activities, with consistent engagement from the Justice Sector Working Committee (JSWC). The National Steering Committee (NSC) and Joint Justice Sector Management Committee (JJSMC) will provide strategic and project-specific guidance. Initial steps include adopting the JSSP-II, mapping implementation timeframes, aligning Institutional Action Plans, enhancing coordination mechanisms, raising awareness, and developing a results-focused monitoring and evaluation framework.

Ultimately, the JSSP-II is a dynamic and evolving roadmap designed to advance the effectiveness and inclusivity of Bhutan's justice system. It aims to contribute significantly to the country's socio-economic development, promote access to justice for all people, and foster a transparent and accountable justice system. Successful implementation will require the continued commitment and collaboration of the justice sector institutions, the government, civil society, and the public. The JSSP-II stands as an inspirational guide, steering stakeholders towards a justice sector that serves as an enduring symbol of fairness, accessibility, and transparency for posterity.

INTRODUCTION

Bhutan has made remarkable strides in socio-economic development, guided by the unique principles of Gross National Happiness (GNH). Central to this progress is a robust justice sector, which ensures that development benefits are equitably distributed, and the rule of law is upheld. The JSSP-II represents a visionary and comprehensive initiative aimed at further reforming Bhutan's justice system. This strategic plan actively contributes to the socio-economic development goals outlined in the 13th FYP. Additionally, it aligns with the overall outcome of the governance and security clusters, focusing on inclusive, effective, and accessible justice services, promoting transparent rule of law, and strengthening public oversight.

Building on the successes of the JSSP-I, which brought together nine justice sector institutions to pursue five strategic goals, the JSSP-II advances key priority areas to further enhance the justice sector's effectiveness:



Expanding legal aid services and launching community outreach programs to empower people with the knowledge and tools necessary to navigate the justice system effectively.



Enhancing accessibility and inclusivity to justice services for all people, particularly vulnerable groups, ensuring that no one is left behind and that everyone is treated equally under the law, fostering an inclusive and equitable society.



Scrutinizing and harmonizing laws to address emerging legal challenges, ensuring the justice sector remains relevant and innovative.



Strengthening institutional systems and processes, investing in continuous capacity-building programs, and enhancing infrastructural capacity to boost the efficacy and competence of justice sector institutions.



Reinforcing integrity, transparency, accountability, and incorruptibility within justice sector institutions to promote public trust and confidence.



Embracing digital transformation, improving communication, and promoting climate resilience to ensure the justice sector remains responsive in an ever-evolving landscape.

The JSSP-II embodies a forward-thinking approach to justice sector reform, addressing immediate challenges while strategically positioning itself as a driving force in Bhutan's socio-economic development trajectory as outlined in the 13th FYP. By focusing on legal reforms and enhancing the efficiency of the justice system, the strategic plan aims to create an enabling environment for economic growth and investment with a transparent and predictable legal framework.

Moreover, the plan emphasizes the importance of promoting access to justice and timely dispute resolution, which are crucial for fostering a conducive business environment and attracting investment. By facilitating the resolution of commercial disputes and protecting property rights, the plan aims to contribute to increasing GDP per capita, while also promoting inclusive and accessible justice as per the governance and security cluster outcome.

In addition, the strategic plan focuses on enhancing access to justice for marginalized and vulnerable groups, including the bottom 40% of the population. By ensuring equal access to legal services and protection under the law for all people, the plan aims to reduce socio-economic disparities and promote social cohesion. It also aims to increase the human capital index by enhancing knowledge and skills needed to participate fully in the economy and society through access to justice and legal education. By promoting legal certainty and reducing barriers to entrepreneurship, the plan supports job creation and economic diversification, contributing to the goal of achieving full employment.

Furthermore, the strategic plan acknowledges the importance of preserving Bhutanese identity and social cohesion, essential for sustainable development. By promoting the rule of law and protecting the rights of all people, regardless of ethnicity or background, the plan contributes to the preservation of Bhutanese identity and social harmony, reflecting the governance and security cluster's emphasis on effective and accessible justice.

This document provides a detailed overview of the JSSP-II, including its background, strategic direction, and key priority areas. It serves as a roadmap for justice sector institutions, government agencies, civil society organizations, and development partners, guiding their efforts towards creating a just and harmonious society in Bhutan, reflecting the nation's commitment to justice and equitable development.

BACKGROUND

The justice sector in Bhutan stands as a cornerstone of the nation's governance framework, embodying the values of equity, fairness, and accountability. Rooted deeply in Bhutan's cultural heritage and shaped by the principles of GNH, the justice sector serves as a vital mechanism for fostering social harmony and collective well-being.

Traditionally, Bhutanese society relied on communal structures, such as village elders and local institutions, to resolve disputes and administer justice. However, with the country's modernization, there arose a need for a formal legal framework that could blend traditional values with contemporary legal principles. Thus, Bhutan embarked on a journey of legal reform, guided by a commitment to preserving its cultural identity while embracing global standards of justice.

The modern justice system in Bhutan exhibits a structured organization, comprising the Supreme Court, High Court, Dzongkhag (District) Courts, and Dungkhags (Sub-District) Courts, each playing a distinct role in dispensing justice. These institutions uphold the principles of justice, ensuring equal protection under the law for all people. The Supreme Court stands at the apex, overseeing the interpretation and application of the law, besides administration of civil and criminal matters.

One notable aspect of Bhutan's justice sector is its commitment to transparency, accountability, and public participation. Initiatives such as the establishment of the OAG and Anti-Corruption Commission (ACC) demonstrates Bhutan's proactive stance in promoting rule of law and resolute stance against corruption and malfeasance.

These institutions work tirelessly to investigate and prosecute cases of corruption, thereby fostering public trust and confidence in the justice system.

The evolution of Bhutan's justice sector has been marked by a series of strategic initiatives aimed at enhancing collaboration, capacity development, efficiency, and infrastructure. The JSSP-I served as a catalyst for these efforts, bringing together nine justice sector institutions to pursue five strategic goals.

Under **Goal 1** of the JSSP-I, the establishment of the JSWC Secretariat at the OAG facilitated unprecedented collaboration among justice sector agencies. Through regular meetings and the execution of projects funded by international partners, the sector witnessed a paradigm shift from working in silos towards greater cohesion and synergy.

Efforts under **Goal 2** focused on empowering individuals through capacity development, advocacy, and literacy programs. Efforts to expand legal aid services, promote legal literacy, and enhance judicial accessibility in remote areas underscore Bhutan's commitment to inclusivity and social justice. By equipping justice sector personnel and stakeholders with enhanced skills and knowledge, Bhutan aimed to bridge gaps in access to justice and ensure the delivery of quality services across the nation. Notably, over 2800 individuals received short-term or long-term capacity development programs, contributing to a more competent and efficient workforce.

Goal 3 underscored the importance of responsiveness, efficiency, and accountability within the justice sector. Initiatives such as data integration, virtual hearing platforms, digital case management systems, and online legal

resources contributed to the modernization of legal processes, making justice more accessible and transparent for all people irrespective of their socio-economic status or background. Noteworthy achievements included the reduction of TAT for corruption case investigations to 65.8 working days, surpassing the target of 90 days by 2023.

Goal 4 centered on the protection of vulnerable groups, particularly children, and the promotion of equitable access to justice. Over 70 cases were registered under the virtual hearing platform, ensuring swift and accessible justice for those in need. In addition to traditional Court proceedings, Bhutan has embraced alternative dispute resolution mechanisms as a means of resolving conflicts efficiently and amicably. The Alternate Dispute Resolution Centre (ADRC) provides mediation and arbitration services, facilitating swift resolution of civil disputes and reducing the burden on the formal Court system.

Goal 5 highlighted the importance of infrastructure development to enhance service delivery efficiency. Key milestones, including the construction of Courts, forensic laboratories, and legal aid centers, heralded a new era of accessibility and convenience for those seeking justice. Notably, public satisfaction with justice services provided by institutions such as the Royal Court of Justice (RCoJ), OAG, and others, was rated at an impressive 80.25%, surpassing the baseline set at 75.67% in 2017.

Looking ahead, Bhutan remains steadfast in its pursuit of justice sector reforms to address emerging challenges and uphold the principles of GNH. By fostering collaboration, enhancing capacity, and embracing innovation, Bhutan endeavors to build a justice system that not only meets the needs of its people but also reflects the values of compassion, equity, and social harmony at the heart of the nation's ethos.

STRATEGIC RATIONALE ANALYSIS

The justice system in Bhutan is integral to fostering sustainable and inclusive development while preserving the nation's rich cultural heritage. Its contributions to Bhutan's growth span several key areas, with specific areas for improvement embedded within each.

Economic Development

A fair and efficient legal environment is crucial for encouraging businesses and investors. By providing legal certainty and facilitating the swift, cost-effective resolution of commercial disputes, the justice system improves the business climate. According to the World Bank, an improvement in the rule of law index correlates with the increase in GDP per capita, highlighting the importance of legal reforms as catalysts for economic growth. However, Bhutan ranks 72nd out of 215 countries and territories in rule of law as per the World Bank's Worldwide Governance Indicators as shown in **Figure 1**. Enhancing law enforcement, judicial procedures, and legal education can further improve these rankings.

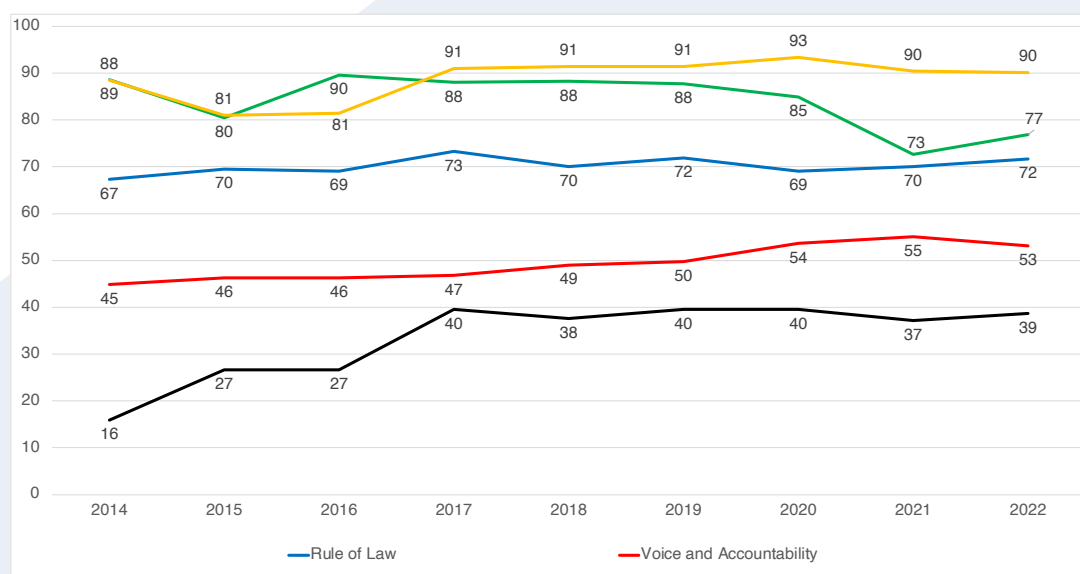


Figure 1: Bhutan's Percentile Rank in the World Bank's Worldwide Governance Indicators (2014-2022)

Additionally, the World Bank's Ease of Doing Business 2020 report places Bhutan at 89th out of 190 countries and territories, indicating the need for simplifying business regulations and reducing bureaucratic hurdles. This is corroborated by poor rating in the business regulatory environment

in the World Bank's Country Policy and Institutional Assessment as depicted in **Figure 2**. Regulatory improvements will drive economic growth and enhance business efficiency and transparency.

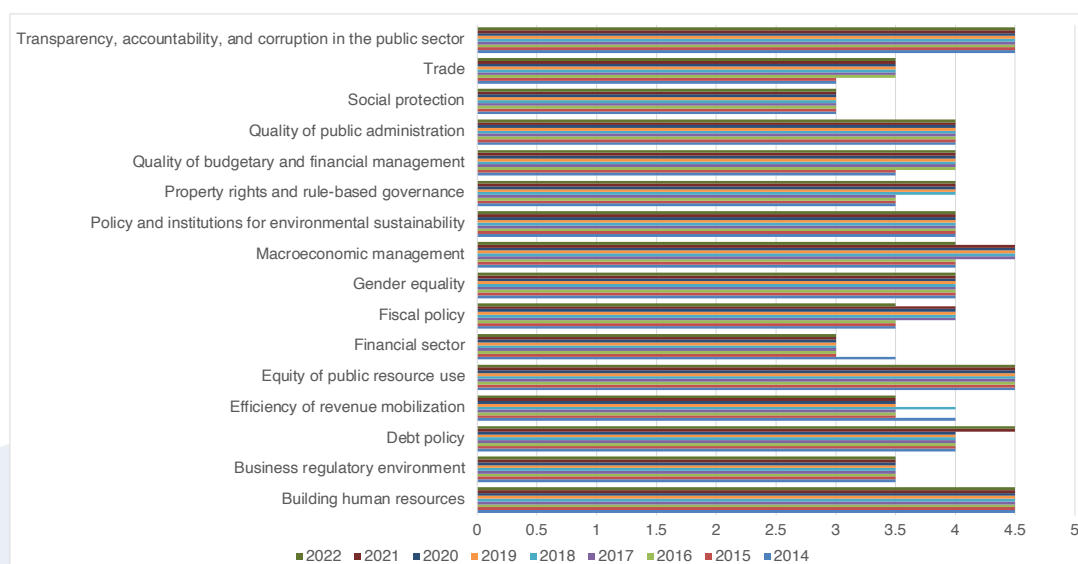
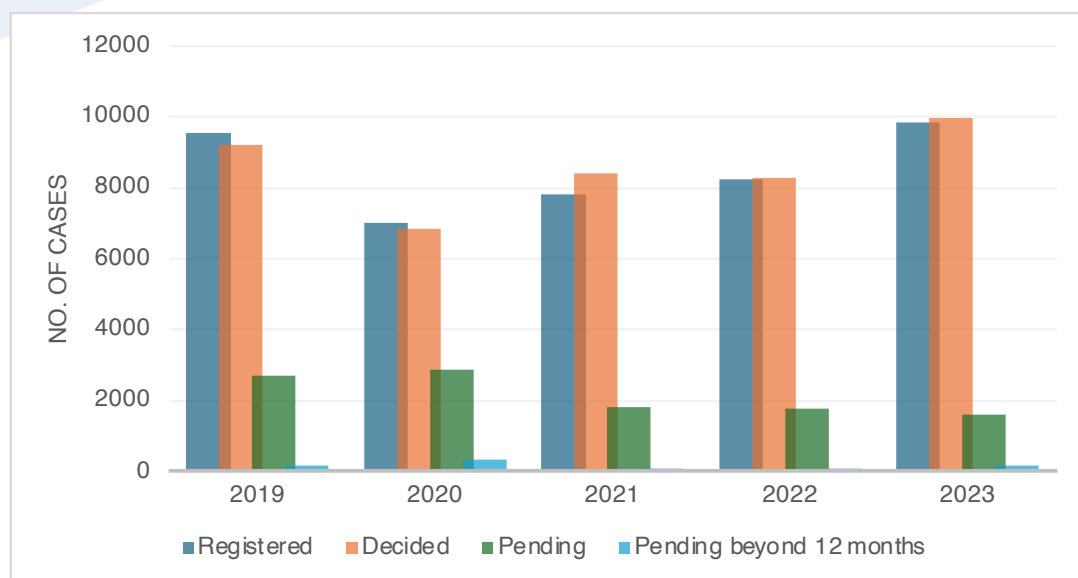


Figure 2: Bhutan's rating in the World Bank's Country Policy and Institutional Assessment (2014-2022)

Furthermore, with enhanced economic development, the role of the justice sector in investigating, prosecuting, and adjudicating the cases is expected to increase. A robust justice system can help to ensure the rule of law, protect property rights, and enforce contracts, which are essential for economic

development. A reduction in the number of pending cases and timely disposal of cases can also lead to faster resolution of commercial disputes, which can improve the ease of doing business and attract foreign investment. As shown in **Figure 3**, the Royal Court of Justice has been successful

Figure 3: Overall case disposal rate by the Royal Court of Justice



in reducing the number of pending cases and deciding more cases than registered in recent years. In addition, initiatives such as Court-Annexed Mediation also helped in resolving cases, wherein 23% of the cases registered in 2023 were disposed through Court-Annexed Mediation. Such a positive trend is expected to lead to a more predictable and reliable legal environment, which can boost investor confidence and encourage sustainable business growth.

Poverty and Inequality Reduction

The justice system also safeguards the rights of marginalized communities and empowers the poor by providing access to justice through legal aid services and public interest litigation. This access helps reduce systemic inequalities, allowing the disadvantaged to assert their rights and contributing to poverty reduction and a more equitable society. Bhutan ranks 26th out of 180 countries and territories in Transparency International's Corruption Perceptions Index 2023 as shown in **Figure 4**. Strengthening anti-corruption agencies, promoting transparency, and encouraging public participation in governance is crucial. Reducing corruption will prevent the distortion of justice and ensure that the poor and vulnerable are not disproportionately affected, thereby promoting inclusive development.

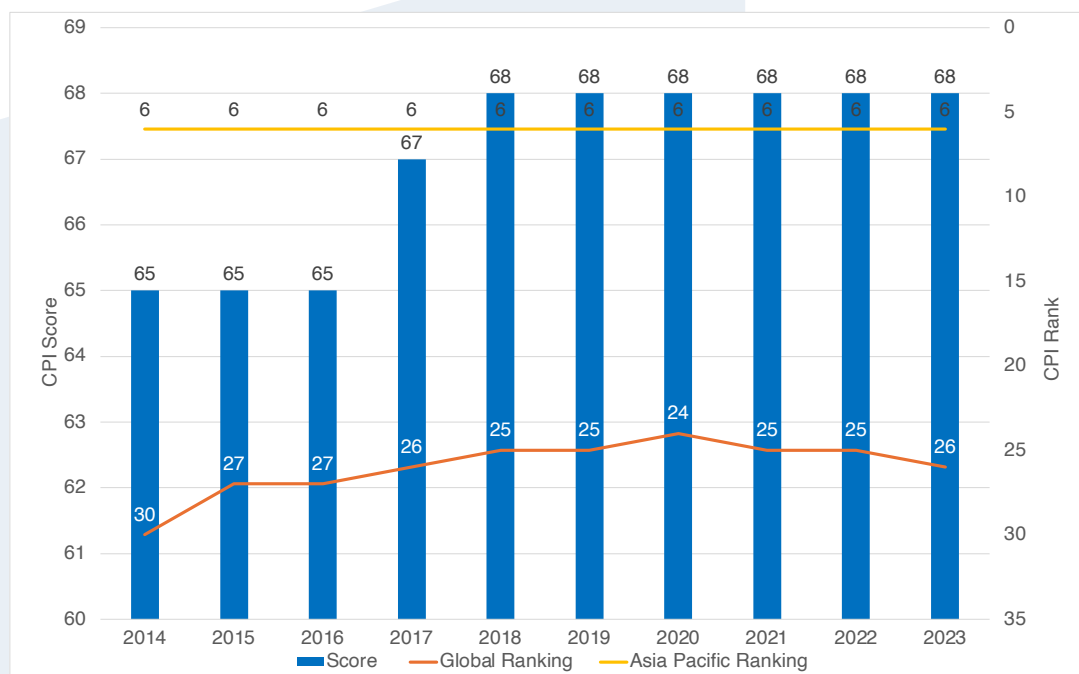
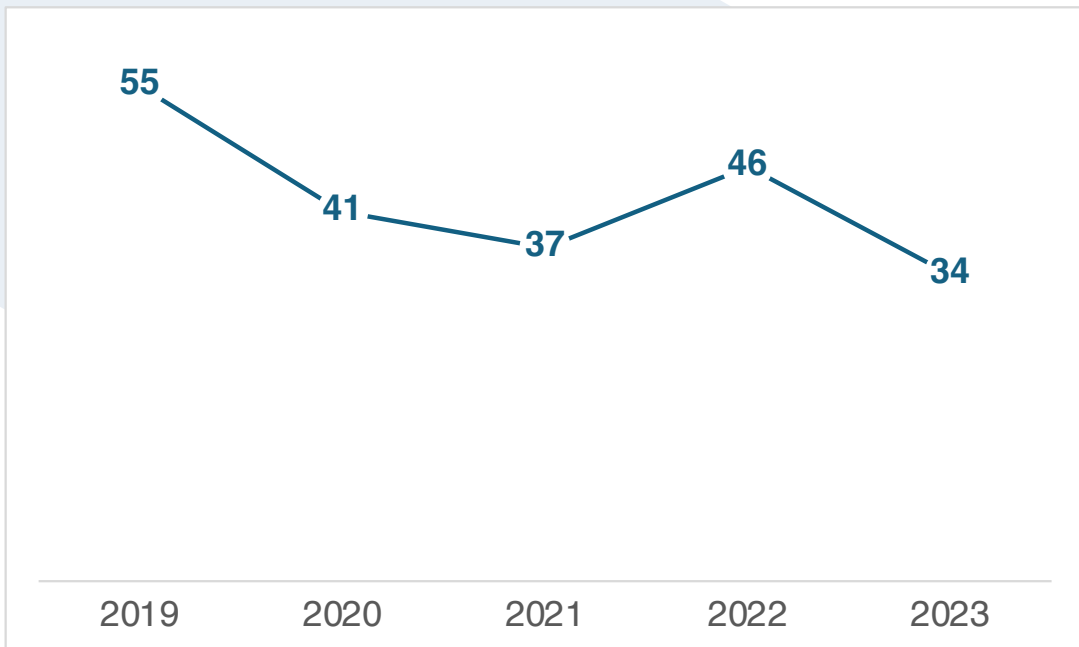


Figure 4: Bhutan's score and ranking in the Transparency International's Corruption Perception Index 2023

Social Justice and Harmony

In addition, according to a study by the United Nations Development Programme (UNDP), access to justice is a key determinant of human development and can contribute to the achievement of the Sustainable Development Goals (SDGs). Ensuring that the rights of all individuals and groups are respected and protected is a core function of the justice system. It provides a platform for resolving social conflicts, which is essential for maintaining social harmony and cohesion. Effective dispute resolution mechanisms help prevent the escalation of conflicts, fostering a stable and cohesive society. As per the Royal Bhutan Police's (RBP) Annual Report 2023, the crime rate has been on a declining trend as illustrated in **Figure 5**. Enhanced law enforcement, police training, community policing, and improved crime detection technologies are necessary to address these issues. Effective crime prevention and control are critical for maintaining public trust and creating a safe environment conducive to development.

Figure 5: Crime Rate as per RBP's Annual Report 2023



Besides this, empowering the community on early dispute resolution and mediation would immensely augment the national efforts in ensuring robust social protection measures. As shown in **Figure 6**, community mediation has consistently resolved an average of 3,900 disputes per year across various domains such as matrimonial disputes, land disputes, monetary disputes, and more, highlighting its critical role in delivering accessible and effective local justice while fostering societal cohesion.

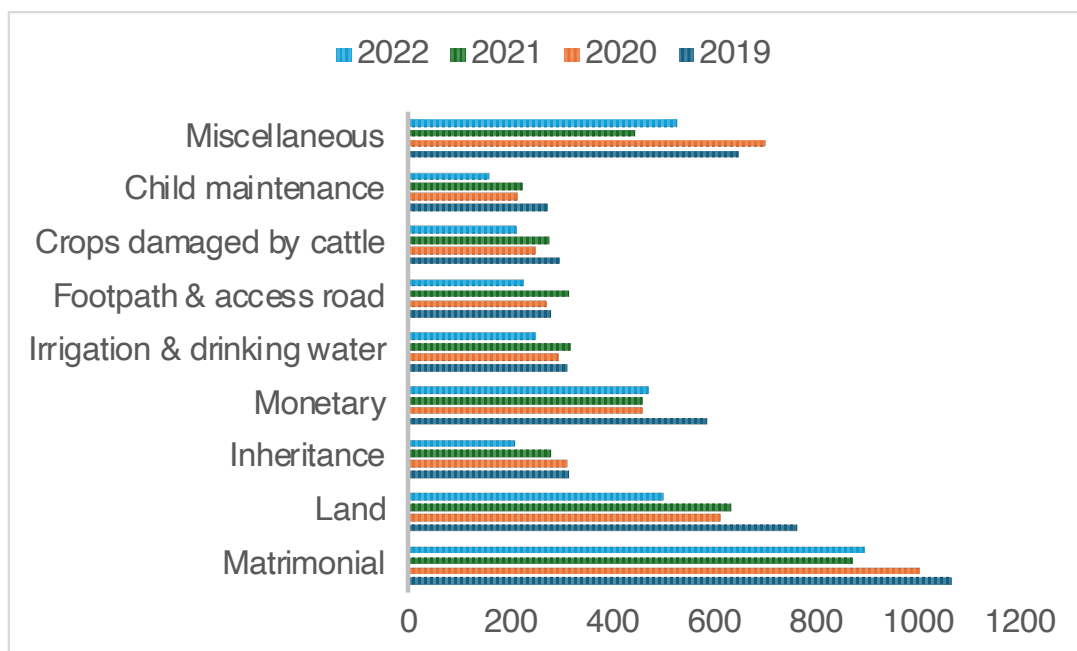


Figure 6: Disputes mediated at the Local Government level

Preservation of Traditional Values

Bhutan's justice system is unique in its alignment with the country's cultural values and traditions. Laws and regulations are designed to reflect Bhutanese norms, aiding in the preservation of the nation's cultural heritage. This integration of legal frameworks with cultural values fosters a strong national identity and continuity, which are vital for social cohesion and the well-being of the population. Ensuring that legal reforms are culturally sensitive and uphold Bhutanese traditions is crucial. Balancing modernization with cultural preservation will help maintain social harmony and national identity, which are essential for long-term sustainable development.

SECTORAL SWOT ANALYSIS

The justice sector plays a pivotal role in promoting economic development, reducing poverty and inequality, ensuring social justice, and preserving our cultural heritage. However, there are several critical areas within the justice sector that requires attention to further enhance its effectiveness and impact on sustainable development:

S Strengths

✦ **Strong cultural and religious values:** Bhutan's unique cultural and religious heritage, which places a strong emphasis on justice and fairness, is a major strength of its justice sector.

✦ **Established legal framework:** The presence of well-developed laws and regulations provides a strong foundation for justice and ensures order in society. Constitutional guarantees and protections uphold the rights of individuals.

✦ **Judicial independence:** Independence of the judiciary in decision making process from executive and legislative branches helps ensure impartial and fair rulings, enhancing trust in the legal system.

✦ **Conducive integrity landscape:** The integrity health of a country is generally assessed to be doing well with robust governance framework across the agencies and sectors.

✦ **Low pendency rate:** Bhutan has lower pendency rate for cases, outperforming most of the South Asian countries who have enormous backlogs.

✦ **Low crime rate:** Bhutan has a relatively low crime rate, which reduces the pressure on the justice sector and allows it to focus on more serious cases.

W Weakness

✦ **HR and financial independence:** The Justice sector is equally affected, if not more, by the increasing attrition rate of legal professionals from public service. Given the nature of the justice services, ensuring continuity to a case is critical for safeguarding the integrity of the criminal process. Additionally, with the rapid advancement in technology and the evolving criminal landscape, ensuring that the professionals working in the justice sector are up to date with contemporary skills and knowledge is a challenge. Such training or specialization is capital-intensive and not readily available in the country. This is further aggravated by a lack of autonomy to recruit, promote, and develop professionals to sustain momentum. Financial constraints are yet another challenge affecting the professionalization of justice services.

❖ **Systemic barriers:** Operating in a close-knit society fueled by misplaced compassion often compromises the ethical standards required for a fair, impartial, and objective legal system. Inadequate checks and balances at both institutional and sectoral levels pose vulnerabilities that can be exploited. The lack of predictability in the application and enforcement of laws further undermines confidence in the legal system, creating an environment of uncertainty and inconsistency. Implementation issues in fixing accountability further impede the sector's effectiveness. This is compounded by limited collaboration with the media, leading to narratives that often miss the complete picture, contributing to public misconceptions and undermining due process.

❖ **Professionalism:** Limited resources, inadequate training, and a lack of specialized knowledge within the justice sector have been a challenge in addressing emerging and cross-cutting issues. This is further impeded by a poor uptake of technology across the justice sector, with many work processes still operated traditionally and lacking digitization. The lack of system integration among key justice sector institutions for seamless transfer of evidence and case documents adversely affects the efficiency of the justice system. Existing systems are either at different levels of advancement or in most cases, non-existent, contributing to data inconsistency, delays, and

inconvenience in justice services, and substantially increasing TAT. Inadequate technological infrastructure, including outdated hardware and software, poses significant challenges for service users accessing justice services. The lack of adequate infrastructure within the justice sector institutions is another challenge in delivering services fairly, independently, and professionally, without fear or favor. Adequate fundamental infrastructure is a prerequisite to upholding the principles of rule of law.

❖ **Leadership:** Weak sector-level leadership and coordination among justice sector institutions result in inconsistent application of laws, policies, and operational standards, undermining the responsiveness of justice institutions. Furthermore, there is a lack of clarity in engaging informal sectors such as Civil Society Organizations (CSO) to bring justice services closer to the lower rungs of our society.

❖ **Empathy:** Non-coordination among justice sector institutions on cross-cutting issues such as child justice, restorative justice, whistleblower protection, emergency response and engagement of third parties, to name a few, are areas that require further professional enhancement. Limited diversion and rehabilitation programs and the lack of effective reintegration of children in conflict with the law are significant challenges. Moreover, there is a gap in efforts to prevent juvenile delinquency. These challenges

impede the justice system from serving the needs of children and vulnerable groups. Limited legal literacy among the general population, including on the use of technology to access justice services, greatly affects awareness on law and justice services. The gap in awareness is even wider for vulnerable groups, undermining the principles of equal access to justice. Lack of coordination among justice sector institutions in conducting legal literacy and awareness programs has resulted in duplication of efforts and wastage of resources. Additionally, there is a lack of capacity in the justice sector to mainstream initiatives on climate action and build climate-responsive justice services.

O Opportunities

✦ **Technological advancements:** The use of technology and strengthening digital infrastructure, such as online dispute resolution, end-to-end case management systems, introducing digital court infrastructure (like court recording devices and storage) and virtual courts, can help to improve the efficiency and accessibility of the justice sector in Bhutan.

✦ **Collaboration Centers:** Introduction of evidence-based justice sector planning, Human Resource Development and Management, and Justice Reforms to advance innovative approaches to planning and introducing

contextualized change that is sustainable, value driven and purpose oriented.

✦ **Improved Service Delivery:** Innovative approaches to improving service delivery for people-centered justice through design thinking and systems approach to enable justice institutions to effectively cater to current needs as well as anticipate the future of justice delivery.

✦ **International cooperation and support:** Bhutan can benefit from international cooperation and support, including technical assistance, training, and funding, to help strengthen the justice sector.

✦ **Legal education and training:** Investing in legal education and training for judges, prosecutors, defense lawyers, investigators, and other legal professionals can help to address the shortage of trained legal professionals in Bhutan.

✦ **Public awareness and education:** Increasing public awareness and understanding of the law and the justice system can help to improve access to justice and reduce misunderstandings and conflicts.

T**Threats**

- ✦ **Minimal resource allocation priority:** The justice sector in Bhutan is comparatively under-resourced and/or accorded minimal resource priority, and if this trend continues, there is a risk to the momentum gained over the years, leading to delays and a backlog of cases.
- ✦ **Corruption:** Corruption is a potential threat to the justice sector in Bhutan, as it can undermine the integrity, credibility, and independence of the sector.
- ✦ **Increasing crime complexity:** As Bhutan modernizes and develops, it may face new and more complex criminal threats, which could strain the resources of the justice sector and impact the quality and timeliness of justice delivery. Furthermore, cybersecurity threats and the rise of digital crimes require currency of legal frameworks and enforcement capabilities.

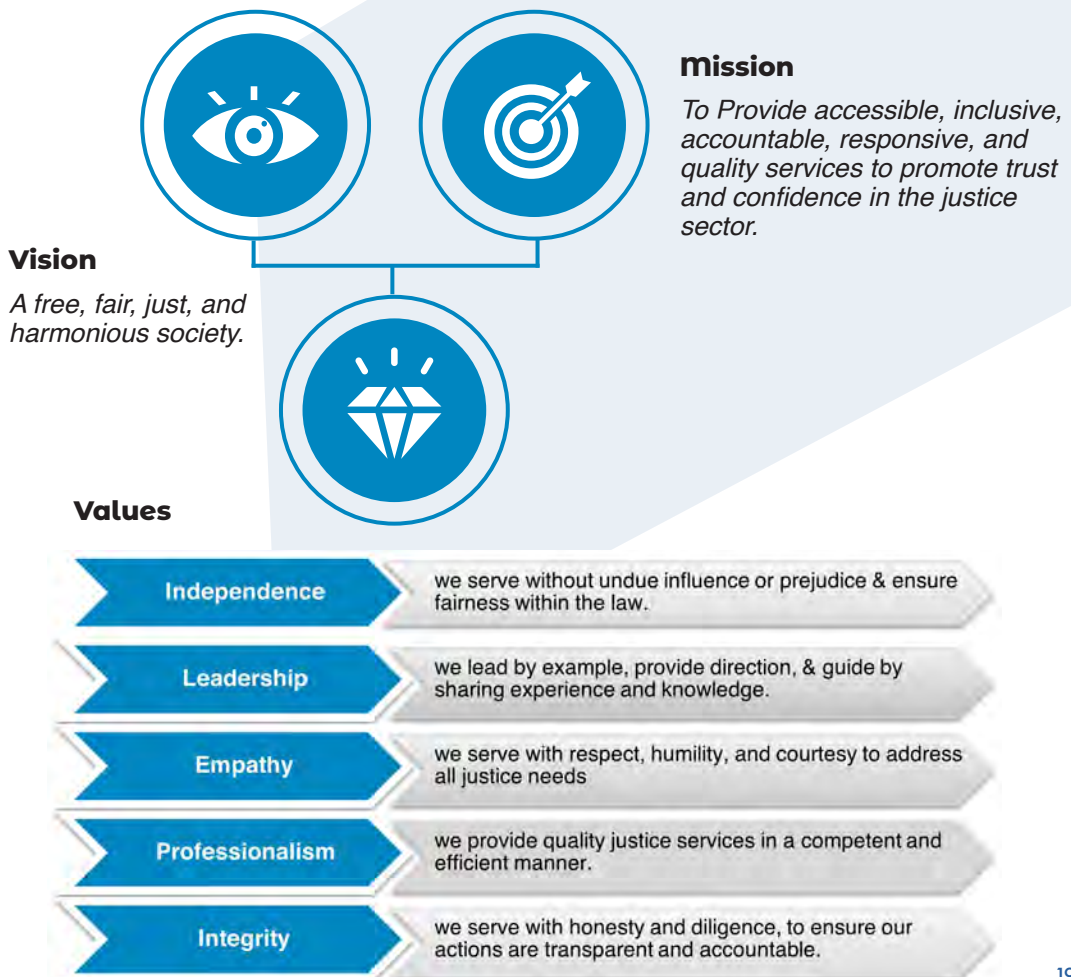
RISK MITIGATION MATRIX

Risk/Threats	Likelihood (Probability of the threat occurring)	Impact (Severity of the consequences if the threat occurs)	Risk Priority	Risk Mitigation Strategy
Minimal resource allocation priority	High	High	High	✦ Mobilize resources by advocating for increased budgetary allocations, exploring partnerships with international institutions for funding, and improving the efficiency of its operations to ensure optimal use of resources.
Corruption	Medium	High	Medium	✦ Implement a zero-tolerance policy towards corruption, establish a robust anti-corruption framework, regular training for staff on integrity and ethics, integrity vetting, and create secure and anonymous channels for reporting corruption.
Increasing crime complexity	Medium	High	Medium	✦ Focus on crime prevention and response by strengthening its investigative and prosecutorial capacities, regularly updating its legal frameworks, and developing a comprehensive cybersecurity strategy. ✦ Improve the collection, analysis, and dissemination of data and statistics on justice, rule of law, regulatory quality, corruption, fraud, crime, etc. through the use of technology and innovation, such as online data portals, mobile apps, and data visualization tools. ✦ Establish and strengthen formal and informal mechanisms for information-sharing, consultation, and cooperation, such as inter-agency task forces, working groups, and networks.

STRATEGIC DIRECTION

Considering the dynamic legal environment and increasing demand for a justice system in harmony with Bhutanese values, the justice sector unanimously acknowledges the need to address contemporary challenges through JSSP-II aligned with the 13th FYP and beyond. The JSSP-II is anchored on the fundamental principles of the Constitution of the Kingdom of Bhutan, recognizing the independence of justice institutions, sector-wide coordination, and a steadfast commitment in upholding and promoting the rights of everyone. This comprehensive roadmap for transformative initiatives builds upon the valuable insights and lessons learned from collaborative efforts within the justice sector over the past four years and the 12th FYP have been carefully considered to enhance integrated work culture, coherent planning, service delivery, and the promotion of individual rights. By leveraging efficiencies, enhanced information sharing, holistic problem-solving, resource optimization, increased public trust, a unified legal system, and effective interagency coordination, this collaborative approach aims to elevate the operational dynamics of the justice sector and reinforce its fundamental role in the society.

Vision, Mission, Values & Guiding Principles



The JSSP-II is guided by the following principles:



Inclusivity

The justice system should be accessible and responsive to the needs of all people, regardless of their gender, age, disability, or socio-economic status.



Innovation

The justice system should be adaptive and innovative, embracing new technologies and approaches to promote justice and strengthen access to justice.



Effectiveness

The justice system should be efficient, timely, and fair, with a focus on resolving disputes and promoting justice.



Sustainability

The justice system should be sustainable and resilient, with a focus on promoting environmental sustainability and protecting the opportunities of future generations.

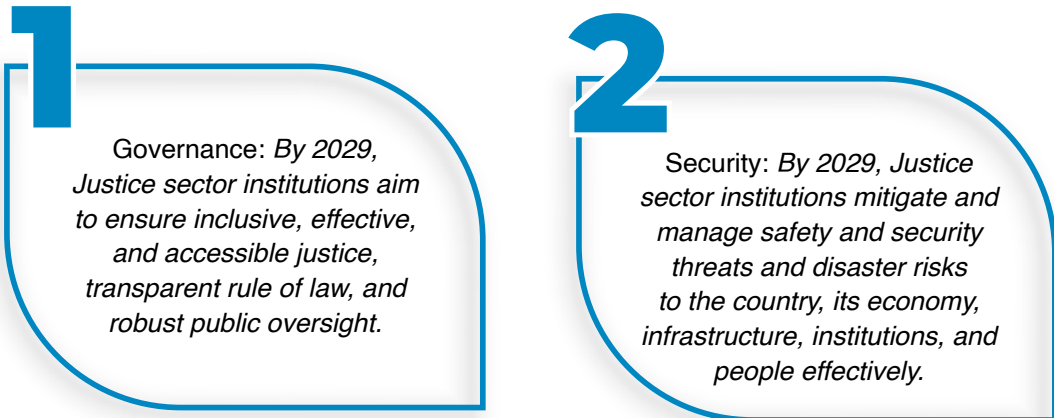


Transparency & Accountability

The justice system should be transparent and accountable to the public, with robust mechanisms for reporting and investigating corruption and misconduct.

Strategic Outcome

The justice sector institutions came to a consensus to deliver the sector vision through two broad strategic outcomes as explained below, aligning with the Governance and Security clusters under the 13th FYP and beyond.



The primary goal of the outcome is to make justice services accessible, inclusive, and people-centric and make the landscape of the justice sector not only a system of laws but an inclusive service that resonates with every person regardless of age, disability, gender, social, and other status. Aligned with the vision for a just and harmonious society, the outcome reinforces the commitment to prevent crime and maintain the rule of law in the country. To this, the strategy outlines a roadmap to achieve the sectoral outcomes by defining three key outputs, supported by strategic projects and actions under each output as shown in **Figure 5**.

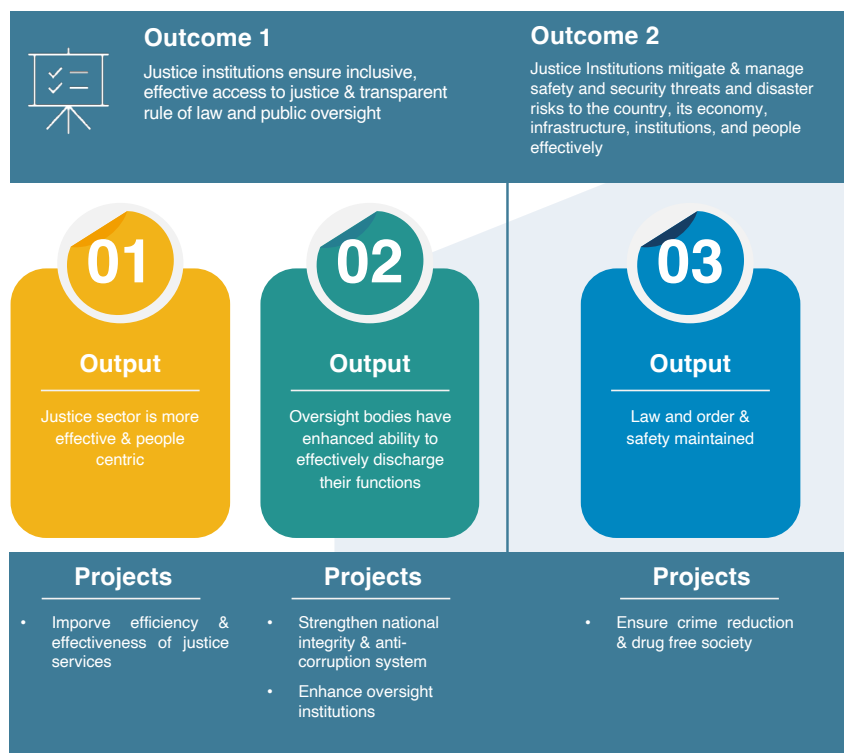


Figure 5:
Logical
framework for
JSSP-II



Workshop on planning &
development of the

Justice Sector Strategic Plan

for 2024-2029



JSSP-II will be implemented in collaboration with the key justice sector institutions viz. the Royal Court of Justice (RCoJ), OAG, ACC, RBP, Bhutan National Legal Institute (BNLI), Legal Aid Center, National Commission for Women and Children (NCWC), Bar Council, Jigme Singye Wangchuck School of Law (JSW School of Law), Alternative Dispute Resolution Center (ADRC), and The PEMA Secretariat. Other stakeholders include the National Assembly, National Council, Bhutan Food and Drug Authority (BFDA), CSOs like Nazhoen Lamten and RENEW, and other relevant agencies providing justice services, ensuring a collective and inclusive approach. It serves as a mechanism ensuring sectoral coordination both at the strategic and operational levels.

Each justice institution will integrate its proposed institutional projects and activities prioritized for the 13th FYP and beyond into the jointly agreed strategic framework of JSSP-II. The strategic outcome and projects identified by the justice sector within JSSP-II aim to provide direction to justice strengthening initiatives. This guidance is intended to align with the sector's mission and, ultimately, contribute to realizing the sector's vision of fostering a society that is free, fair, just, and harmonious.

The strategic projects and actions undertaken by the sector will have a more explicit focus so that the collective mission to provide accessible, inclusive, people-centric, and quality services ultimately contributes to achieving the strategic outcome. Justice institutions will, therefore, have identified needs, response strategies, and, most importantly, indicators of success considering actual changes in achieving sector-specific national outcomes.

Output 1: Justice sector is more effective and people centric

Under this output, the strategy outlines following one project and eight strategic objectives as depicted in **Table 1**:

Project:

Improve Efficiency & Effectiveness of Justice Services: This project focuses on optimizing the operational aspects of justice services to ensure they are delivered promptly and effectively. By utilizing modern technologies and streamlining processes, the justice sector can better meet the needs of the public. Furthermore, the project aims to revise and update legal frameworks and strengthen the law-making process to ensure they are inclusive, equitable, conducive to efficient justice delivery, and promoting a just and fair society.

1

Strategic Objectives:

✦ **Strengthen Coordination and Collaboration of Justice Sector Institutions:** Improving the synergy among various justice sector entities is crucial to eliminating redundancies

and enhancing overall service delivery. Actions include developing integrated communication platforms, establishing inter-agency task forces, and conducting regular coordination meetings to ensure cohesive operations across the justice sector. Further, introduction of Collaboration Centers, evidence-based justice sector planning, Human Resource Development and Management, and Justice Reforms will facilitate the advancement of innovative approaches to planning and introducing contextualized change that is sustainable, value driven, and purpose oriented will be strengthened.

✦ **Enhance Legal Education, Dissemination, and Awareness:** Increasing the public's understanding of legal rights and processes empowers people and promotes greater engagement with the justice system. This can be achieved by creating comprehensive legal literacy programs, distributing informational materials in multiple languages, and organizing community outreach events and workshops to raise awareness.

✦ **Strengthen inclusive facilities and processes for Persons with Disability that are also Gender Responsive:** Ensuring that justice facilities, processes, and services cater to the needs of all individuals, particularly those with disabilities and gender-specific requirements, is essential. Actions include retrofitting justice buildings with accessibility features, training staff

on disability and gender sensitivity, and developing and implementing policies that prioritize the needs of disabled individuals and gender-specific considerations in justice services.

✦ **Enhance Digital and Technological Capacity:** Leveraging technology to improve the efficiency and effectiveness of justice services is vital for making them more accessible and data driven. Implementing e-filing systems, virtual courtrooms, integrated case management systems, enhancing cybersecurity measures, and providing training for justice sector staff on new technologies are key actions in this area.

✦ **Strengthen the Lawmaking Ecosystem:** Improving the lawmaking ecosystem to deliver on holistic regulatory framework to ensure justice services are effective, accessible, and inclusive. The evidence applied for reviewing and updating legislation will be based on data, research, and inclusive stakeholder consultations to identify areas of interventions, and the collective implementation of reforms that enhance the inclusivity and effectiveness of laws.

✦ **Enhance justice delivery processes:** Introducing the trial system will improve and reduce the lengthy court processes through a systemic inclusion of options to lessen the number of appearances before the Courts by adopting consolidated hearings and

accommodating pretrial conferences and discovery provisions between the parties. Further, innovative approaches to improving service delivery for people-centered justice through introduction of design thinking and systems approach to enable justice institutions to effectively cater to current needs and anticipate prospective justice delivery.

✦ **Strengthen informal justice delivery mechanisms:** Improve the informal justice delivery mechanisms like mediation, and arbitration through the development and adoption of innovative methods and processes, carrying out advocacy and capacity development programs, development of infrastructure, and leveraging technology.

✦ **Promote an Integrated Approach to Environmental Governance with focus on climate change:** Fostering an environmentally conscious justice sector that supports broader environmental sustainability goals is critical. Actions include developing and implementing policies that integrate environmental considerations including climate change into justice operations, conducting training on environmental laws, promoting legal reforms for better environmental governance, and engaging in public advocacy and education to raise environmental awareness.

By implementing the project and objectives, the justice sector aims to become more effective and people centric. Focusing on improving efficiency, leveraging technology, enhancing inclusivity, and fostering collaboration will ensure that justice services are accessible to all people. Additionally, by reforming legal frameworks and promoting environmental governance, the justice sector will support broader societal goals of fairness, equity, and sustainability. This comprehensive approach will lead to a justice system that not only meets the needs of the present but is also prepared for the challenges of the future.

Table 1: Output 1

Output	1. Justice sector is more effective and people centric
Project	1. Improve efficiency & effectiveness of justice services
Strategic Objectives	1. Strengthen coordination and collaboration of Justice Sector Institutions 2. Enhance legal education, dissemination and awareness 3. Promote disabled friendly and gender-responsive justice facilities 4. Enhance digital and technological capacity to improve efficiency and effectiveness in delivering integrated and data driven justice services 5. Strengthen legal aid and pro bono legal aid services 6. Enhance child justice system including prevention, rehabilitation, mental health support, coordination, child-friendly services 7. Strengthen regulatory impact for enhanced effectiveness, accessibility and inclusivity 8. Promote integrated approach to environmental governance, advocacy, education, and capacity building for a environmentally conscious society

Output 2: Oversight bodies have enhanced ability to effectively discharge their functions

Under this output, the strategy outlines following two projects and four strategic objectives as depicted in **Table 2**:

Project:

1 **Strengthen National Integrity and Anti-Corruption Systems:**

This project aims to enhance facilities, capacities, and strengthen national integrity to improve the effectiveness of justice services. Amid global concerns over corruption's impact on national development and upholding the rule of law, maintaining momentum in the anti-corruption drive is crucial. The project focuses on integrity vetting, comprehensive corruption prevention, enhanced capacity and coordination among law enforcement agencies, and improved intelligence for effective investigation, prosecution, and adjudication. A corruption-free justice sector is a key intervention, fostering public trust and transparent rule of law in the country.

2 **Enhance Oversight Institutions:**

This project aims to bolster the effectiveness, accountability, and responsiveness of oversight bodies through several key interventions. These include promoting agile and adaptive policies, enhancing professional competence and employee engagement, improving technological and infrastructural support, empowering civil society, media, and public for accountability, strengthening regulatory frameworks for inclusivity and accessibility, and

reinforcing the role of law enforcement and regulatory agencies in upholding due process. The goal is to create a robust and transparent oversight system that ensures institutions and their officials operate efficiently and are held accountable to the public.

Strategic Objectives:

✦ **Intelligence, research and analysis based anti-corruption promoted:**

To effectively deter and expose corruption, following initiatives will be implemented towards enhancing complaint management for timely resolution using trend and data analysis tools, improving proactive intelligence-based investigations with advanced techniques, promoting research-based interventions through longitudinal and observational studies, strengthening enforcement and compliance with an Integrity Vetting System, enhancing data and evidence management for informed decision-making, and implementing Whole-of-Systems corruption prevention measures in the public and the private sectors (including forestry, agriculture, healthcare, election, procurement, financial services, hydropower, tourism, and environment) by institutionalizing effective tools and programs (MPCoC, Col, Gift, ADS, BIIB).

✦ **Value based anti-corruption education and marketing enhanced:**

To promote behavioral change and anti-corruption efforts, intervention will be initiated towards fostering integrity from

early childhood through programs in schools, scouts, tertiary/TVET institutions, and among out-of-school youths (NEET), DSP, YIA, Integrity Clubs, Integrity Banks, etc. It also focuses on enhancing anti-corruption education through thematic training for vulnerable professions (finance, procurement, engineers, LG functionaries), providing eLearning courses for civil servants, parliamentarians, justices/judges, and corporate employees, and expanding awareness programs and media coverage.

integrity residences and secretariat support services. Furthermore, it enhances the role of CSOs, media, and public in third-party accountability through initiatives like Bhutan CSO Accountability Standards and Social Accountability. Additionally, it strengthens anti-corruption regulatory impact for greater effectiveness, accessibility, and inclusivity and reinforces the effectiveness of LE&RA as gatekeepers of integrity and due process.

❖ ***Intelligent, agile, responsive and effective anti-corruption promoted:*** To promote agile and responsive anti-corruption policies, the strategy includes implementing the Strategic Anti-Corruption Roadmap 2021-2030, the 13th FYP, and JSSP II with thorough monitoring and evaluation. It aims to enhance professional competence, employee engagement, and talent management across all proficiency levels per the Competency based Framework. The strategy also focuses on creating a conducive working environment with improved technological and infrastructural support, including the construction of

❖ ***Strengthen the Judiciary to carry out oversight functions in pursuit of the constitution:*** The judiciary being positioned to safeguard constitutional guarantees can serve as the protector of rights through a robust oversight intervention. Such action requires systems to be introduced that undertakes institutional checks through *Suo moto* actions by the courts on matters of great concern including strengthening environmental justice, and proactive members of Bar bringing forth suits in the interest of justice.

By focusing on these projects and objectives, the justice sector aims to improve the ability of parliamentarians and oversight bodies to discharge their functions effectively. This comprehensive approach supports national integrity, enhances public trust, and strengthens the rule of law, contributing to a more transparent and corruption-free society.

Table 2: Output 2

Output	1. Oversight bodies have enhanced ability to effectively discharge their functions
Projects	1. Strengthen national integrity and anti-corruption systems. 2. Enhance oversight institutions.
Strategic Objectives	1. Intelligence, research and analysis based anti-corruption promoted 2. Value based anti-corruption education and marketing enhanced 3. Intelligent, agile, responsive and effective anti-corruption promoted 4. Strengthen the Judiciary to carry out oversight functions in pursuit of the constitution

Output 3: Law and order and safety maintained.

This output contains one project and four strategic objectives as shown in **Table 3**:

Project:

1 Reduce Crime, ensure a Drug-Free Society, and Maintain Public Safety:

This project aims to reduce crime, ensure a drug-free society, and maintain public safety through a comprehensive approach. By implementing effective crime prevention measures, strengthening capacity, investing in modern technologies, fostering community engagement, and providing avenues for reformatory programs, the justice sector seeks to realize the national vision of transforming Bhutan into a secure place to live and work.

Strategic Objectives:

✦ **Minimize Reoffending through Strategic Initiatives and Reformatory Programs:** By implementing strategic initiatives and reformatory programs, the justice sector aims to minimize reoffending and promote rehabilitation among offenders. These programs focus on addressing the root causes of criminal behavior and providing support for individuals to reintegrate into society as law-abiding citizens.

✦ **Implement Intelligence-Led Policing and Crime Prevention Interventions:** Utilizing intelligence-led policing strategies and implementing crime prevention interventions are crucial for reducing

crime rates and enhancing public safety. By gathering and analyzing intelligence data, law enforcement agencies can effectively target criminal activities and prevent crimes before they occur.

✦ **Execute Initiatives for Police Modernization through Innovation and Technological Advancement:**

Modernizing the police force through innovation and technological advancement is essential for enhancing its effectiveness and responsiveness. By investing in advanced technologies, training programs, and infrastructure upgrades, law enforcement agencies can improve their capabilities to combat crime and maintain public safety.

✦ **Promote Research Initiatives to Ensure Evidence-Based Interventions:**

Conducting research initiatives to ensure that justice sector interventions are evidence-based is essential for effective policy making and program implementation. By gathering empirical data and evaluating the impact of various interventions, the justice sector can make informed decisions to address crime and improve public safety.

By implementing the project and objectives, the justice sector aims to contribute to creating a safer and more secure environment for the public. This comprehensive approach aligns with the national vision of promoting social well-being, upholding the principles of Gross National Happiness, and enriching the quality of life.

Table 3: Output 3

Output	1. Law and order and safety maintained
Project	1. Reduce crime, ensure a drug-free society, and maintain public safety
Strategic Objectives	1. Minimize reoffending through the implementation of strategic initiatives and reformatory programs. 2. Implement intelligence-led policing and crime prevention interventions. 3. Implement initiatives related to police modernization through innovation and technological advancement. 4. Promote research initiatives to ensure justice sector interventions are empirical based.

JSSP-II IMPLEMENTATION

The success of the JSSP-II hinges on the establishment of a strong monitoring framework and fostering collaboration among key justice sector institutions, government entities, CSOs, and the general public. The implementation requires a partnership approach where agencies work together, sharing expertise and resources. Responsibility for implementing the JSSP-II and working towards achieving outcomes identified in the 13th FYP rests with all justice sector institutions under the strategic leadership of the National Steering Committee and operational control of the JSWC. To ensure coherent implementation of the plan and promote improved coordination across the sector, the JSWC Secretariat established under the OAG will oversee sector coordination. To ensure effective management and operational-level coordination, the sector will abide by the following mechanism as depicted in **Figure 6:**



National Steering Committee (NSC)

Responsibilities: Endorse sectoral priorities and provide strategic guidance on overall governance and resource allocation.

Members:

1. Chief Justice (Committee Chair)
2. Chairperson of the ACC
3. Attorney General
4. Chief of Police
5. Secretary, Ministry of Finance

Meeting Frequency: Meet biennially or as deemed necessary.

Justice Sector Joint Management Committee (JSJMC)

Responsibilities: Endorse sectoral priorities and provide strategic guidance on overall governance and resource allocation.

Members:

1. Justice – Supreme Court (Committee Chair)
2. Commissioner – ACC
3. SP – PDD of RBP
4. Director – OAG
5. Director General – BNLI
6. Council Member – Bar Council
7. Dean – JSW School of Law
8. Chief Administrator – ADRC
9. Head – Pema Secretariat
10. Head – NCWC

Meeting Frequency: Meet biannually with additional ad hoc meetings as required.

Justice Sector Working Committee (JSWC)

Responsibilities:

Provide updates to the Justice Sector Joint Management Committee;

01

Design, plan, and coordinate initiatives to implement the plan;

02

Undertake sector-level monitoring and evaluation;

03

Organize and manage ad hoc implementation teams;

04

Prioritize sector-wide development activities;

05

Supervise the implementation of the Justice Sector Strategic Plan;

06

Coordinate joint reporting on change and progress against key performance indicators; and

07

Manage Collaboration Centre for innovative planning.

08

Core Members

Relevant representatives from each justice sector institution (Royal Court of Justice, OAG, ACC, RBP, BNLI, NCWC, JSW Law, Bar Council, ADRC, The PEMA, Legal Aid center). Participation from selected wider justice stakeholders will be determined by members on an activity-by-activity basis, which may include UNDP, UNICEF, CSOs, donors and other justice sector agencies.



Chairperson

A management-level representative from the JSWC Secretariat will be the Chairperson.



Meeting Frequency

Fixed quarterly meetings with additional ad hoc meetings as required.



Justice Sector Working Committee Secretariat

The **Justice Sector Working Committee Secretariat** at the OAG shall be the secretariat with the following responsibilities:

01

Act as member secretary to the National Steering Committee, Justice Sector Joint Management Committee, and Justice Sector Working Committee.

02

Coordinate committee meetings on a periodic basis, as determined in the strategy, including agenda setting, logistics, etc.

03

Coordinate programs that are sectoral in nature.

04

Coordinate monitoring and evaluation of sectoral plans and programs, including mid-term and terminal review of the budget.

05

Coordinate auditing of sectoral programs implemented through the secretariat.

06

Coordinate with JSWC members in compiling and consolidating progress reports to facilitate the timely realization of sectoral targets.

07

Communicate sectoral plans and programs, including revisions, if any.

Implementation of the Justice Sector Strategic Plan

Responsibility for implementing the Strategic Plan and working towards achieving outcomes and beyond rests with all justice sector institutions. Having established the Justice Sector Working Committee and Secretariat, the Committee and Secretariat will play a pivotal role in the operationalization of JSSP-II.

MONITORING AND EVALUATION FRAMEWORK

Indicator	Baseline (2023)	Target (2029)	Data Source	Unit of Measurement	Data Collection Methodology	Data Frequency	
OUTCOME 1: Justice institutions ensure inclusive, effective access to justice & transparent rule of law and public oversight							
1	By 2029, Corruption Perception Index score improved	68	73 and more	Corruption Perception Index, Transparency International	Score	Survey	Annually
2	By 2029, Rule of Law score improved	71.70%	80%	Worldwide Governance Indicator, World Bank	Percentage	Survey	Annually
3	By 2029, Voice and Accountability score improved	53.10%	70%	Worldwide Governance Indicator, World Bank	Percentage	Survey	Annually
4	By 2029, National Integrity Score improved	8.01 (2022)	9	National Integrity Assessment, ACC	Index	Survey	Triennially
5	By 2029, Public satisfaction in justice services improved	76% (2017)	90% and more	Public Satisfaction Survey, NSB	Percentage	Survey	Triennially
OUTPUT 1: Justice sector is more effective & people centric							
1	By 2029, pending judgment enforcement rate reduced by half from 62.6%	62.6% (2023)	30%	Annual Report, OAG	Percentage	Administrative records/ reports	Annually
2	By 2028, Annual clearance rate of registered cases improved	82% (2022)	87%	Annual Report, RCoJ	Percentage	Administrative records/ reports	Annually
3	By 2028, Percentage of cases heard using virtual hearing platform increased	3% (2022)	15%	Annual Report, RCoJ	Percentage	Administrative records/ reports	Annually
4	By 2029, Number of administrative complaints reduced	37.5% (2022)	5% or less	Annual Report, ACC	Percentage	Administrative records/ reports	Annually
OUTPUT 2: Oversight bodies have enhanced ability to effectively discharge their functions							
1	Beginning 2024, inconsistent or conflicting laws harmonized	42	100%	Annual Report, OAG	Numbers/ percentage	Administrative records/ reports	Annually
2	By 2029, ACC’s performance score improved in all indicators.	Medium	High	ACA Strengthening Initiative Assessment, Transparency International	Percentage	Survey	Triennially
3	By 2029, proactive research and intelligence-based investigation increased.	5% (2021)	90%	Annual Report, ACC	Percentage	Administrative records/ reports	Annually
4	By 2026, 10 major sectors have identified and mitigated corruption risks.	NA	10 sectors	Annual Report, ACC	Percentage	Administrative records/ reports	Annually

Indicator	Baseline (2023)	Target (2029)	Data Source	Unit of Measurement	Data Collection Methodology	Data Frequency
OUTCOME 2: Justice institutions mitigate & manage safety and security threats and disaster risks to the country, its economy, infrastructure, institutions, and people effectively						
1 By 2029, Bhutan ranked among the Top 10-15 countries on Global Peace Index	17 th (2023)	Top 10-15	Global Peace Index, Institute for Economics and Peace	Rank	Administrative records/reports	Annually
2 By 2029, crime rate per 10,000 population reduced	40.88 (2020)	<30	Statistical Yearbook, RBP	Rate	Administrative records/reports	Annually
3 By 2029, percentage of people who feel safe walking alone at night in the city or the neighborhood they live in increased	77.8% (2022)	82.8%	GNH Survey, CBS	Percentage	Survey	Quinquennially
OUTPUT 1: Law and order, and safety maintained						
1 Crime rate against person and property reduced to 10 and 9 respectively	23% (persons:13%, property:10%)	20.7% (persons:11.7%, property:9%)	Statistical Yearbook, RBP	Rate	Administrative records/reports	Annually
2 Prisoners enrollment in reformatory program to be maintained	100%	100%	Administrative Data, RBP	Percentage	Administrative records/reports	Annually
3 Response time to fire accident reduced for Police Stations of four Thromdes	12 minutes	10 minutes	Administrative Data, RBP	Minutes	Administrative records/reports	Annually
4 Annual fatalities of MVA reduced from 88 to 79 (reduced by 10%)	88	79	Statistical Yearbook, RBP	Number	Administrative records/reports	Annually

CONCLUSION

The JSSP-II is not just an ambitious plan, but a necessary one for the strengthening of Bhutan's justice system, the promotion of the rule of law, and the reduction of corruption. The current state of the justice system is fraught with challenges that the JSSP-II is uniquely positioned to address, given its foundation on the principles of inclusivity, effectiveness, transparency & accountability, innovation, and sustainable development.

However, the implementation of the JSSP-II is not without its potential challenges. It will require the unwavering commitment and collaboration of all relevant ministries, agencies, and stakeholders. A results-

based approach will guide the process, while comprehensive and participatory monitoring and evaluation will provide valuable insights and lessons for the future.

The successful implementation of the JSSP-II is a significant step towards the realization of a *fair, just, and harmonious society* in Bhutan. It will contribute to the promotion of sustainable and inclusive development, and the preservation of Bhutanese culture and tradition. As such, we invite all individuals, communities, and organizations to join us in this noble endeavor, for it is through our collective efforts that we can truly make a difference.

ANNEXURES

Annexure I: Institutional Analysis and Key Challenges

Royal Court of Justice



Challenges:

✦ Addressing the perceived lack of trust and confidence in the courts, along with the social stigma associated with legal proceedings, stemming from limited awareness of laws and the role of an independent judiciary.

✦ Overcoming challenges related to consistency in decision-making and the application of procedures across all courts, which impact the quality of decisions and create uncertainty within the legal system.

✦ Meeting the need for ongoing professional development at all levels within the judiciary, including strengthening court administration, motivating lower-level judicial personnel, and promoting specialization to handle increasingly complex cases.

✦ Tackling the judiciary's limited financial independence, where budgets are subject to approval, refinement, and prioritization by the Ministry of Finance.

✦ Recognizing the threats to judicial officers and justices, there is a need to strengthen security measures to protect them from potential threats, intimidation, hindrance, harassment, or improper interference to enhance their effectiveness.

✦ Improving the utility of the case management system, which currently hampers internal planning, management, and operations, lacks integration with other justice institutions, and struggles to make case, performance, and accountability-related data accessible to the public.

✦ Addressing low levels of legal literacy and limited access to legal advice, which result in most litigants appearing in court as pro se (unrepresented) litigants.

Office of the Attorney General



Challenges:

✦ Lack of human resource management and planning capacity to ensure optimal resource utilization and management.

✦ Limited specialized knowledge among staff to remain relevant and conversant with the emerging demands, which is deteriorated by the attrition of senior and highly skilled attorneys.

✦ Limitation in the existing case management systems to facilitate evidence-based decision and performance evaluation.

✦ High caseloads and backlog cases, affecting efficient delivery of prosecution and litigation services.

✦ Limited resources to invest in advancing institutional capacity and continuous legal education and research.

✦ Addressing security issues for the prosecutors to enable them to perform their duties without intimidation, harassment, or interference.

✦ Limited capacity to embrace technological advancements, including cryptocurrency and blockchain, posing significant challenges in effective detection, investigation, and prevention of corruption. This is further impeded with limited integration of data across sectors that hampers anti-corruption initiatives.

✦ With evolving digitalization and globalization efforts around the world, complexities in corruption cases are prone to rise, calling for enhanced professional capacity and specialized skills and technology. Besides this, potential risk of corruption in climate finance threatens Bhutan's commitment to carbon neutrality, impacting climate change interventions.

Anti-Corruption Commission



Challenges:

✦ Budget deficits necessitate private sector investment, raising risks of illicit financial inflows and money laundering.

✦ Close-knit society poses a demotivating factor for the staff working under investigation, contributing to perennial human resource challenges in attraction and retention of staff.

✦ Decreasing trend in the budget allocations, including a minimal 0.07% of the Annual National Budget for the ACC in FY 2023-24, hinders the sustainability of anti-corruption drive in the country.

✦ Capacity constraints in investigative, prosecutorial, and adjudicative institutions challenge the timely disposal of corruption cases despite existing checks and balances.

✦ Majority of the complaints received are administrative in nature, lacking an independent tribunal for resolution. Adequate capacity is needed for effective handling without relying on agencies, ensuring whistleblower protection and public confidence.

- ❖ Perception that promoting integrity is solely the ACC's mandate, leading to a lack of ownership in mainstreaming anti-corruption measures within the broader governance system.

- ❖ Poor partnership initiatives with other justice sector institutions and civil society to promote institutional and community awareness and understanding of Police functions, victim's issues, crime trends, and others.

- ✦ Misplaced compassion poses a challenge in instilling a zero-tolerance culture towards corruption, as the public often empathize with those implicated unless personally victimized.

- ❖ Human resources constraint, as RBP is also tasked with non-policing duties, impacting effectiveness and specialization.

Royal Bhutan Police



Challenges:

- ❖ Inadequate infrastructure, wherein 26.29% of police personnel operate in rented spaces, incurring a monthly rent of Nu. 9.24M.

- ✿ Limited capacity, particularly for women and children, requiring improved service reliability and consistency, continuity advocacy programs, and increasing efficacy and number of specialized protection desks for vulnerable groups.

- ❖ Limited vehicles hinder emergency responses and crime investigation, leading to reduced patrol coverage and community engagement.

- ❁ Limitation in data collection and reporting including the data on sex-disaggregated, especially regarding crimes involving sexual and gender-based violence.

- ❁ Overcrowded prisons lead to conflicts, security issues, and rehabilitation challenges, requiring more police personnel to maintain order.

- ❁ Limited policing and investigative capacity, necessitating enhancement in accreditation of police officers and professional development programs.

- ❖ Insufficient financial resources in prisons hinder effective inmate management and rehabilitation efforts.

- ❁ The Fire & Rescue Service lacks equipment and trained personnel, impacting response time and emergency management amid rising fire incidents.

- ✦ Increasing complexity of crime and drug-related issues strain resources and pose safety risks, demanding a comprehensive approach for effective resolution.

Legal Aid Center



Challenges:

- ✦ Human resource shortages and the need for adequate financial resources for expansion and enhancement of services.

Bhutan National Legal Institute



Challenges:

- ✦ Limited professional staff, with only four lawyers (excluding the Director-General and Personal Secretary to the President). The current staff lacks specialization in continuing legal/judicial education, limiting the Institute's capacity to develop and implement programs. Moreover, there is a need for professionals with master's and specialist degrees in various law disciplines.

- ✦ Resource constraints, including financial and infrastructure, which impede the institution in fulfilling its mandate.

- ✦ Poor coordination on professionalization and awareness activities across the sector are not coordinated, calling for the need to ensure adequate resources for the institute to serve as a focal point for these activities.

Bar Council of Bhutan



Challenges:

- ✦ Inadequate human and financial resources to drive the required mandate. Having to rely on sporadic funding support impedes continuous professional development programs.

- ✦ Limited professional capacity in further advancing the mandate, particularly strengthening the membership standards and qualifications.

- ✦ Lack of proper communication strategy to raise public awareness about the Council's mandate and initiatives.

National Commission for Women and Children



Challenges:

✦ Contradiction and ambiguities in legal provisions related to Child Protection: pose challenges, including inconsistencies, uncertainties, and issues in defining key terms.

✦ Limited re-integration options for Children in Conflict with the Law (CICL) present challenges, particularly the absence of standards for community services, a key alternative sentencing option for CICL. This lack of standards complicates follow-up and monitoring efforts. Additionally, inadequate monitoring of CICL cases and aftercare facilities hampers efforts to ascertain their situation post-judicial process completion or release from sentences.

✦ Insufficient capacity and understanding of child rights and protection issues, along with shortcomings in the Standards Operating Procedures (SOP) and guidelines for child-friendly services, remain significant constraints. Protection officers, legal officers, and relevant service providers such as RBP and RCoJ lack adequate capacity to implement existing SOPs and guidelines, hindering the establishment of a comprehensive child justice system and the provision of services in a child-friendly manner.

✦ Limited implementation of relevant SOPs persists despite efforts to develop procedures aimed at guiding stakeholders in handling various children's cases and enhancing collaboration and coordination. This underutilization hampers effective child protection measures.

✦ Limited use of the Central Management Information System, established to enhance case management and information sharing among stakeholders and service providers, is a prevailing issue. Despite its intended purpose, most service providers do not utilize the system, hindering effective information exchange and coordination among stakeholders.

The PEMA Secretariat



Challenges:

✦ Low literacy on mental health and the impact on mental health due to social and environmental factors.

✦ Lack of child-friendly facilities, including separate child-friendly courts/benches, constrains the administration of child justice and the provision of other essential services.

✦ Inadequate human resources, specialized in protection and cases management services thereby limiting the capacity to carry out the functions pertaining to protection and promotion of rights of people. The increasing cases of mental health, violence against women and children further exacerbate the challenge in discharging duties and roles effectively.

✦ Limited number of Protection Officers and lack of designated Probation Officers for CICL cases poses challenges to the existing protection officers. The existing Protection Officers are overwhelmed with the dual function of protection officers and probation officers which compromise their responsibilities.

✦ Need for comprehensive and holistic service pathways for responsive and preventive services between The PEMA and the Justice Sectors.

✦ Increase in the number of individuals using Narcotic Drugs and Psychotropic Substance in the country.

✦ Limited aftercare services and programme for incarnated individuals to reintegrate back into society.

JSW School of Law



Challenges:

✦ Limited financial resources restrict the institution's capacity to invest in crucial areas such as faculty development, student support services, infrastructure improvements, and research endeavors.

✦ Inadequate facilities and infrastructure such as sports facilities and updated technology, hinders the institution's ability to provide a conducive learning environment for students and conduct comprehensive academic activities.

✦ Shortage of experienced faculty, with only one holding the title of professor and another working towards attaining that status, poses a challenge in maintaining high standards necessary for providing quality education and essential administrative services critical for the institution's growth and effective operation.

Bhutan ADR Centre**Challenges:**

✦ Limited awareness about the ADR options or lack of information about the services, hinders the effective use of the mechanism as an alternative to litigation.

✦ Limited expertise and qualified mediators or arbitrators to address complex disputes, particularly those involving technical or specialized knowledge such as intellectual property or financial matters.

✦ Inadequate infrastructure hinders the conduct of multiple concurrent sessions, leading to scheduling difficulties and delays in resolving disputes.

✦ Limited professional development programs to develop skills and expertise of mediators, arbitrators, and other ADR practitioners on various aspects like conflict resolution, negotiation techniques, cultural sensitivity, and specialized knowledge in specific areas such as commercial law, family law, or international disputes.

✦ Limited avenues for ensuring continuous learning opportunities and exposure for the professionals to refine their skills and stay competitive and conversant.



Validation Workshop on the JUSTICE SECTOR STRATEGIC PLAN FOR 2024-2029





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