



**Institution of Court-Annexed Mediation System  
Judiciary of the Kingdom of Bhutan**

**Strategic Plan  
2019 - 2023**

**Bhutan National Legal Institute  
Motithang, Thimphu, Bhutan**

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## Executive Summary

The age-old informal and amicable custom of community dispute resolution system, known as *Nangkha Nangdrig* has been revived and strengthened over the last few years under the initiative of Her Royal Highness, Ashi Sonam Dechan Wangchuck, Honourable President of the Bhutan National Legal Institute (BNLI). This informal dispute resolution system has supplemented the Royal Court of Justice in enhancing access to justice. In order to further prevent acrimony between the parties and keep justice within the reach of the common people, the Judiciary under the visionary leadership of Her Royal Highness, and guidance of Hon. Chief Justice of Bhutan, BNLI is poised to institute the Court-Annexed Mediation(CAM) services in the country. This will enable people to opt out from the litigations even after the cases are registered in the courts, at any stage of adjudication, in favour of mediation within or out of courts.

This Strategic Plan (2019-2023) outlines the strategies for institution of an in-house judicial mediation of disputes, where parties on their own can opt out of litigations or the presiding judges may refer the suitable cases to the Court-Annexed Mediation Unit.

The Strategic Plan sets out vision, mission and principles; and plans of activities for the next five years. It also identifies the key strategic issues which affect, the ability to deliver the services.

The Court-Annexed Mediation System aims to operate in the following key areas:

- Mediation Services within the Court System;
- Mediation Education and Training;
- Promotion and Advocacy Services;
- Governance of the Mediation Units;
- Infrastructural and Development Needs; and
- Research, Evaluation and Reporting.

These areas are supported by a number of objectives, plans and programs to be implemented through annual action plans which will be implemented by the Mediation Units in consultation with the Royal Courts of Justice and the Institute.

The Institute shall be responsible for implementing the Strategic Plan, along with its implementation. It shall review the Plan every six months, assess progress, relevancy, effectiveness and efficacies of the Units and staff.



## About Us

The Court-Annexed Mediation Unit shall be established in 2019. It provides mediation and conflict resolution services for the litigants within the courts. This includes facilitation of mediation conferences, training the mediators, community education on court-annexed mediation, professional development for mediators, and accreditation services. The Unit shall be governed by a small team of the respective judges of the courts, Registrars and Mediators as stipulated in the Inception Document.

The Mediation Units shall strive to provide high-quality professional mediation services to the litigants. These services shall be made freely available through consistent and dedicated efforts of trained mediators, volunteers and efficient staff.

## Our Vision



Our Vision is to provide High Quality Professional Mediation Services to the litigants and promote Consensus and Access to Justice.

## Our Mission



Our Mission is to:

### 1. Set and Achieve High Mediation Standards

The Court-Annexed Mediation Unit in collaboration with the Management shall create standards for mediation services nationwide. The Unit shall maintain qualified mediators through accreditation programs, and by enhancing the practice of mediation to improve consensus and access to justice.

### 2. Promote Understanding on Court-Annexed Mediation

The Mediation Unit shall work closely with the similar national and international institutions to promote the usage and adoption of Court-Annexed Mediation in the country.

### 3. Disseminate Skills to the Litigants, Counsel and Mediators

The Mediation Unit shall in collaboration with the Institute, provide skills and trainings to the Litigants, Counsels and Mediators to promote alternative forums for conflict resolution. This will empower the parties and their counsels with the opportunities to tailor their own solutions with in-win outcomes.

### 4. Promote Community Vitality

The Mediation Unit shall ensure that the parties produce amicable resolution of disputes without damaging the relationship of the parties. Ultimately, it promotes community vitality thus achieving the goal of Gross National Happiness (GNH).

### 5. Promote and Enhance Access to Justice

In its endeavour to promote and enhance Access to Justice, the Mediation Unit shall encourage the parties to avail the services of Out-of-Court and Court-Annexed Mediation. Therefore, the Mediation Unit shall ensure that Mediation services are readily available, and the services are effective, efficient and user-friendly.

## Our Core Values



Court-Annexed Mediation Unit holds a set of values that provide the foundation of its relationship with all constituents. Our seven core values are summed up as **MEDIATE**:

**Morale:** The Mediation Unit provides world-class dispute resolution services with high professionalism that upholds the high morale of the general public.

**Education:** The Mediation Unit educates the general public through amicable resolution of disputes and the benefits it brings to the society.

**Diligence:** The Mediation Unit shows determination and perseverance through hard work and dedication, and provides settlements that are mutually acceptable and satisfying to the parties.

**Integrity:** The Mediation Unit provides an environment for respectful, understanding alternative perspectives, and building positive resolutions.

**Accessibility:** The Mediation Unit ensures accessibility and user friendliness to every litigant both in terms of cost and legal procedures.

**Time:** The Mediation Unit provides mediation services at the earliest point of conflict without delay.

**Efficient:** The Mediation Unit provides efficient and high quality mediation services through good use of time, energy and resources at minimal cost.

Mediation Services



Research & Development



# Strategic Plans & Priorities



Infrastructure Development



Promotion and  
Advocacy Services



# 1 | Court-Annexed Mediation Services



## Overarching Goal

To facilitate, support and/or provide high quality, professional and timely mediation and conflict resolution services within the courts premises.

## Objectives

1. Provide accessibility of Mediation Services to the people, with an initial focus on areas where there is an identified need.
2. Facilitate and ensure that majority of the civil cases preferred by the parties; or referred by the judges are mediated/resolved successfully.
3. Every Unit shall have at least two Bench Clerks trained as mediators who shall facilitate the informal mediation/resolution of disputes.
4. Develop and maintain systems of quality assurance and accreditation for mediations and practitioners.
5. Identify emerging issues relating to conflicts and ensure that the Unit is proactive and responsive, with mediators that are suitably resourced, trained and supported.

## 2 | Training and Development Services



### Overarching Goal

To provide flexible, robust and appropriate mediation training services, that enables the Unit, individuals and communities to appreciate and undertake their disputes to conflict resolution and mediation services.

### Objectives

1. Develop, design and deliver appropriate and high quality mediation training and professional development services which are culturally, socially and economically relevant for the smooth functioning of the Unit.
2. Deliver basic standard trainings in mediation and its processes to all the judges of the country;
3. Deliver advanced trainings on mediation to all the judges of the courts where the Court-Annexed Mediation Units are established.
4. Deliver advanced trainings on mediation to a minimum of 70 Bench Clerks within the current Plan.
5. Conduct periodic awareness programs for practicing lawyers, para-legal practitioners and advocates.

## 3 | Promotion and Advocacy Services



### Overarching Goal

To promote Court-Annexed Mediation Services so that people and the community groups have access to information about the mediation and conflict resolution services and have an increased awareness of mediation services available to resolve conflict within the courts premises.

### Objectives

1. Promote Court-Annexed Mediation services through quality-community awareness programs on its roles and responsibilities.
2. Design, deliver and evaluate community education about Court-Annexed Mediation through interactive workshops and forums.
3. Facilitate and provide access to mediation services and training, as required.
4. Establish sustainable working relationships with the communities to ensure continuity of the Community Mediation and, at the same time ensuring the success of Court-Annexed Mediation.
5. Enable people to speak for themselves, think for themselves, and decide for themselves on matter of dispute resolution through education and advocacy programs.

## 4 | Governance



### Overarching Goal

To have stable, dynamic and efficient governance and leadership, and provide adequate human resources with enabling organisational structure and institutional environment that aims at efficiency and professional excellence.

### Objectives

1. Maintain dynamic, high-quality, professional and skilled team of management in the Unit.
2. Ensure that there are appropriate and effective mechanisms in relation to planning, reporting and accountability of the Unit.
3. Ensure that the Unit is adequately supported to fulfil its roles and functions.
4. Provide high quality, reliable and expert advice to the Judges in relation to conflict resolution within the Unit.
5. Recruit adequate and efficient number of staff and human resources to give continuity to the day to day administration of the Court-Annexed Mediation Unit.
6. Ensure that staff is adequately trained and motivated to work for the reputation of the Unit.
7. Provide an environment conducive to collegiality and the promotion of the holistic wellbeing of the staff.
8. Encourage to establish a community of inclusive participation in the decision making process.
9. Ensure that legitimate public relation is upheld through courtesy, politeness, and civility.

## 5 | Infrastructural Needs and Development



### Overarching Goal

To study the need and develop infrastructure facilities for Court-Annexed Mediation Services in the courts.

### Objectives

1. Provide mediation friendly environment through adequate infrastructural development ensuring sustenance of current and future programs as, well as invest in its most valuable resources – the staff.
2. Provide adequate space for the mediators as well as the litigants, counsels and visitors.
3. Provide comfortable and peaceful Mediation Chambers that enable the settlement of disputes peacefully.
4. Maintain the infrastructure which supports research at the highest levels, including information and communication technology systems.
5. Study, plan, and procure any other equipment, machinery, and furniture that assist the Unit in its efficient functioning and administration.

## 6 | Research, Evaluation, and Reporting



### Overarching Goal

To ensure that the work of the Unit is informed by the ongoing evaluation and the broader evidence based, to direct policy, programs and practices at the Unit, creating a culture of continuous quality improvement and reporting strategy.

### Objectives

1. Develop, refine and utilise the Case Management System (CMS) to maintain and assemble the appropriate data on Court-Annexed Mediation Services.
2. Ensure that mediators have strived to mediate most of the cases referred to the Unit.
3. Ensure that Units use the Judicial Mediation Registers so that correct data of success and failure of mediation are maintained correctly.
4. Ensure that Unit submits its Mediation Report annually for compilation of the total number of cases settled through Court-Annexed Mediation services.
5. Ensure evaluation of the services of the Unit and make recommendations for continuous improvements and reforms.
6. Reflect and embed the broader knowledge-base on mediation and alternative dispute resolution into the policy and practices of the Unit.