



ANNUAL REPORT 2012



Activating Village Courts in Bangladesh Project Local Government Division

Ministry of Local Government, Rural Development and Cooperatives



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Activating Village Courts in Bangladesh Project

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ACRONYMS AND ABBREVIATIONS

ACD	Assistant Country Director	LG	Local Government
ADC	Additional Deputy Commissioner	LGD	Local Government Division
ADM	Additional District Magistrate	LGSP-LIC	Local Government Support Programme – Learning and Innovation Component
ASP	Assistant Superintendent of Police	M&E	Monitoring and Evaluation
AVCBP	Activating Village Court's in Bangladesh Project	MIE	Monitoring, Inspection and Evaluation
BCSAA	Bangladesh Civil Service Administration Academy	MIS	Management Information System
BDT	Bangladeshi Taka	MLAA	Madaripur Legal Aid Association
BIAM	Bangladesh Institute of Administration and Management	MoLGRD&C	Ministry of Local Government, Rural Development and Cooperatives
BLAST	Bangladesh Legal Aid and Services Trust	MoLJPA	Ministry of Law, Justice and Parliamentary Affairs
BPATC	Bangladesh Public Administration Training Center	MP	Member of Parliament
BTV	Bangladesh Television	NEX	National Execution
CA	Court Assistant	NGO	Non-Government Organization
CBO	Community Based Organization	NILG	National Institute of Local Government
CD	Country Director	NPD	National Project Director
CJM	Chief Judicial Magistrate	NRTD	National Roundtable Discussion
CrPC	Code of Criminal Procedure	PA	Police Academy
CSO	Civil Society Organization	PIC	Project Implementation Committee
CYM	Courtyard Meeting	PDR	Public Demand Recovery
DC	Deputy Commissioner	PMID	Participatory Management Initiative for Development
DDLG	Deputy Director Local Government	PMT	Project Management Team
DG	Director General	PSC	Project Steering Committee
DGC	Democratic Governance Cluster	R&PD	Research and Process Development
DJ	District Judge	ROM	Results Oriented Monitoring
DVCMC	District Village Courts Management Committee	SRS	Survey and Research System
EC	European Commission	TPP	Technical Project Proposal
ESDO	Eco-Social Development Organization	ToR	Terms of Reference
EU	European Union	ToT	Training-of-Trainers
FGD	Focus Group Discussion	TV	Television
FW	Field Worker	UNDP	United Nations Development Programme
GO	Government Order	UNO	Upazila Nirbahi Officer
GoB	Government of Bangladesh	UP	Union Parishad
ICT	Information and Communication Technology	UVCMC	Upazila Village Court Management Committee
IEC	Information, Education and Communication	VC	Village Court
IMED	Implementation Monitoring and Evaluation Division	VP	Village Police
IT	Information Technology	VCMIS	Village Court's Management Information System
JATI	Judicial Administration Training Institute		
KII	Key Informant Interview		

Message



Advocate Jahangir Kabir Nanak, MP

State Minister

Ministry of Local Government, Rural Development and Cooperatives
Government of the People's Republic of Bangladesh



I was delighted to read the Annual Report 2012 of Activating Village Court in Bangladesh Project of the Local Government Division. I have been privileged to watch as the project's activities grew from a limited number of UPs to now operating in 350 UPs across the country. The project has reached impressive milestones and has focused on the long-term sustainability of these achievements.

As the project approaches its fifth year, it has undertaken several initiatives to ensure the sustainability of village courts so that beneficiaries will continue to have access to justice even beyond the project's tenure. These efforts have already paid off and there is great reason to be optimistic about its success. The project has fostered a sense of ownership amongst government officials towards village courts, all the way up to the **Honorable Prime Minister Her Excellency Sheikh Hasina**, who wholeheartedly endorsed the activation of village courts in 2012. The village courts agenda has become a part of the mainstream discourse of local governance and, thanks to the project's efforts, it has been incorporated into the core curriculum of the leading training institutes. Village courts performance has also become an important criterion for the allocation of LGSP's block and performance grants.

I commend the LGD officials and the AVCB project and its staff for their achievements, which are documented in this report. I would also like to extend my thanks to the European Union and UNDP Bangladesh for their ongoing support to the Government of Bangladesh in this regard.

Joy Bangla, Joy Bangabandhu,
Bangladesh Chirojibi Hoke.

(Advocate Jahangir Kabir Nanak, MP)

Message



Abu Alam Md. Shahid Khan

Secretary

Local Government Division

Ministry of Local Government, Rural Development and Cooperatives

Government of the People's Republic of Bangladesh



I am delighted to know that activating Village Courts in Bangladesh (AVCB) project is going to publish its Annual Report 2012. We all know that Annual Reports play the role of institutional memory of an activity. It creates opportunity to reflect over the past year's activities and consider the challenges lying ahead. Annual Report 2012 of AVCB is particularly crucial because the project is approaching its fifth year and looking forward to the future of village courts beyond the project's tenure.

Village courts are considered as part of comprehensive local governance by Local Government Division (LGD). The Project has contributed significantly in raising awareness about village courts and in building capacity both at the justice seeking and delivery ends. People are now more Union Parishad oriented when they seek social services, including local justice. Numerous sensitization and capacity enhancement interventions have taken place during last year. Amongst other initiatives, a monitoring protocol has been set up, through the formation of Village Courts Management Committees (VCMC) at the district and upazila level, which engages the local administration and community in monitoring Village Courts services, as well as extending trouble shooting mechanisms. Expediting the village courts Act amendment process was another noteworthy progress made by the Project.

As part of the project's wider efforts to ensure long-term sustainability of village Courts, AVCB Project has established working relationships with National Institute of Local Government (NILG) and Judicial Administration Training Institute (JATI). Village courts have been made a core part of the curriculum. Through these partnerships, the project seeks to develop the skills of service providers, as well as create awareness amongst officials to encourage the use of village courts. It is a multi-pronged initiative as it is a capacity development activity and it generates awareness about the issues as well. NILG and JATI have organized several training sessions using materials provided by the project. Most importantly, these joint efforts are helpful for mainstreaming village courts in the governance discourse.

I extend my sincere thanks to EU and UNDP for their support to the Government of Bangladesh to implement this worthy project. I would also like to acknowledge the contribution of my colleagues of Local Government Division and the project staff who have worked hard to prepare the Annual Report and to make Activating Village Courts in Bangladesh Project a success.

Abu Alam Md. Shahid Khan

Secretary

Message



European Union

H. E. William HANNA

Ambassador and
Head of Delegation of the European Union to
Bangladesh



The European Union has been a development partner of Bangladesh for 40 years, providing significant financial support to help address the major development issues faced by this country. We are proud to contribute € 10 million (approx. 90% of project costs) to the Activating Village Courts in Bangladesh project. This is a unique model of legal empowerment designed to occupy the lowest rung of the formal, state-led rural justice system. Village courts have gained acceptance both with the government and the community. The legal structure is simple and easy to understand. Courts are close and affordable to those who are wronged, proceedings are speedy, and the enforcement rate is high.

In autumn 2012 I visited the project in Rangpur, and saw for myself how village courts are delivering justice to the poor and marginalised. These courts are shaped by the communities in which they belong. They help the justice system to reflect better the interests and perspectives of the communities it serves. At the same time the project is helping to build strong, viable accountable, effective and responsible local government in Bangladesh which is also high on our development agenda.

In 2012 the project made a number of important achievements. Figures for cases filed and resolved, referrals by higher courts, as well as decisions implemented all show a steep rise. The project has a commendable communications strategy. Thanks to major media events, attended, inter alia, by the Prime Minister, and project's relentless awareness raising efforts at the grassroots level, the majority of Bangladeshis are now aware of village courts and more than a third have encouraged others to make use of its services. These are impressive numbers considering that even in developed countries more than half of people initially turn to family and friends for help when they have a legal problem, and only one in eight turn to the legal profession.

Challenges remain. The project has taken the form of a public private partnership between the state and civil society groups which has proven effective. Government engagement with the project has grown significantly, but evidence of firm commitment, including resources, would be strongly desirable to show that the government owns its rural justice system. The limited financial jurisdiction, cited by all stakeholders as a major impediment in resolving land and livestock disputes, and the under representation of female panel members are addressed in the draft Amendment Act approved by the Cabinet. The swift tabling of this Act would further signal the priority placed on enhancing efficiency and inclusiveness of villages courts.

In its current pilot phase village courts show promising indications of being a highly effective model for scaling implementation up across the nation and establishing an international best practice model. I congratulate the project team for their dedication and the progress made so far and I look forward to future success in the remaining period of implementation and possible phases beyond. The European Union remains committed to an accountable and responsive justice system at the local level in Bangladesh.

H. E. William HANNA



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Pauline Tamesis

Country Director
UNDP Bangladesh



It is my pleasure to present the Annual Progress Report of the Activating Village Courts in Bangladesh (AVCB) project for the year 2012. The report is a testimony to the tremendous impact that our efforts have had in translating the demand for an easily accessible judicial process into a practicable and cost-efficient state initiative that is delivering timely justice based on principles of accountability.

'Access to Justice' is recognized as one of the fundamental preconditions for development and good governance. According to Article 1 of United Nations Universal Declaration of Human Rights (1948). "All human beings are born free and equal in dignity and rights." Therefore all human beings should have equal access to justice when their dignity or their rights are infringed upon. However, deficient or discriminatory justice systems can undermine the basic human rights principle, when such systems cannot ensure equal access to justice for the vulnerable and marginalized. A robust and effective legal system based on the rule of law is central to assisting the vulnerable in becoming equal partners in decision-making and development.

Village courts play a unique role in society: they ensure community participation under a legal structure; they bridge the formal and informal justice system and bring judicial services to the doorsteps of rural people with special attention to women, the poor, and other vulnerable groups. The formal justice system in Bangladesh is under growing pressure with case backlogs and the government is making every effort to address this. The Village Court Act was passed in 2006 and an amendment of the Act is underway to make village courts more functional and people-friendly.

This progress report describes the achievements of the Activating Village Courts in Bangladesh project for 2012 in justice service delivery at the local level. A total of 17,197 cases were reported in 2012 and 14,004 cases have been resolved. Of the resolved cases, 11,500 decisions have been implemented. A total of 1,139 cases have been referred from the district courts to village courts. In this reporting period, the number of cases registered at the VCs increased by 70 per cent compared to the earlier reporting period (January 2011 – December 2011). Aside from the direct benefits accruing to petitioners, the project has conferred significant societal benefits on local communities, including: enhanced social harmony, closer relations between the UP and community, perceptions that crime has been reduced, a neutral forum for resolving disputes according to the law. We are very optimistic that the project can be scaled up considering the significant results already achieved through this pilot phase.

I would like to thank the Local Government Division for providing the strategic guidance for the implementation of this project. I would also like to acknowledge the financial contribution of the European Union to the project. I congratulate the AVCB project team for their dedication and the progress made so far and I look forward to further success in the near future.

A handwritten signature in black ink that reads 'Pauline Tamesis'.

Pauline Tamesis
Country Director, UNDP Bangladesh

Acknowledgement



K M Mozammel Hoq

Additional Secretary
Local Government Division
Ministry of Local Government, Rural Development and Cooperatives
and
National Project Director
Activating Village Courts in Bangladesh Project



It gives me great pleasure and a sense of immense pride to see the achievements of the Activating Village Courts in Bangladesh project presented in the Annual Report 2012. The project has completed its fourth year and it offers a good vantage point to step back and take stock of the progress made, and the challenges that lie ahead.

Key among the pressing issues that the project faces is the question of gender. Women are amongst the most vulnerable and marginalized groups in society, and yet they remain underrepresented in Project activities, both as justice seekers and as panel members. This past year the project has shown determination and made substantial headway in addressing the gender imbalance. The project has undertaken numerous initiatives to encourage women to seek remedy through the village courts, as well as encourage petitioners and respondents to nominate women as panel members. As a result, in this reporting period, female representation in the village court decision making process increased from 7% in 2011 to 8% in 2012. But there are also intangible benefits to increased female visibility in the village courts process. The sense of empowerment and confidence, which is difficult to measure in statistics, is best reflected in the comment of a monitoring team member in Chuadanga, who noted that "previously women did not come out of their houses. Now they are beginning to come out and speak."

At a policy level, the project has sought to ensure gender equality by suggesting an amendment to the Village Courts Act, which requires at least one panel member to be a female when the case relates to women or children. The draft amended Act has been approved in principle by the Cabinet, keeping this important recommendation. This change to the Act will ensure the continued participation of women in the long term, even beyond the tenure of the project.

While there is still much work to be done, these achievements augur well for the future of the project and for village courts across the country. The project's efforts are paying off and we are already seeing more women play a meaningful role in the village courts justice process.

I would like to take this opportunity to thank the European Union and the UNDP for their ongoing support. I would also like to wish the project well and congratulate the staff who have worked tirelessly to make these achievements possible.

K M Mozammel Hoq

ACTIVATING VILLAGE COURTS IN BANGLADESH

Country	Bangladesh
No. and Title of the Project	Project BGD/07/007- Activating Village Courts in Bangladesh
Implementing Agency	Government of Bangladesh
Implementing Partner	Local Government Division Ministry of Local Government, Rural Development and Cooperatives
Development Partners	European Union and UNDP
Other Key Partners	Ministry of Law, Justice and Parliamentary Affairs; Ministry of Home Affairs; Ministry of Public Administration (previously Establishment); Ministry of Finance; Ministry of Planning; Ministry of Women and Children Affairs; Cabinet Division; Economic Relations Division; Various non-government organisations, community based organisations and civil society organisations
Project Duration	January 2009 – December 2013
Project Budget	US \$15.05 Million
Reporting Period	January – December 2012
Report Prepared By	Activating Village Courts in Bangladesh (AVCB) Project
Project's Goal	The Project seeks to strengthen local justice systems in 350 Union Parishads through the establishment and activation of Village Courts.
Project's Objective	To improve access to justice for disadvantaged and marginalised groups and enhance human rights systems and processes in Bangladesh.
Contact Person	K M Mozammel Hoq National Project Director, AVCB Project, and Additional Secretary, Local Government Division, Ministry of Local Government, Rural Development and Cooperatives

Executive Summary

In order to bring justice to the doorstep of the rural people, AVCB project helps the LGD to implement various activities, such as setting up village courts (VCs); capacity building for village court members, elected representatives and support staff; motivational programmes to create awareness on the role and function of village courts in the community; review of the legal framework; and strengthening of the monitoring and supervisory functions of the village courts within the MoLGRD&C.



The project has strengthened the UPs' ability to deliver justice to rural areas through village courts in 350 UPs, all of which are providing legal services to the community. A cumulative total of 26,949 cases have been reported since 2010, of which 20,103 have been resolved. Of the resolved cases, 15,476 decisions have been implemented. A total of 1,683 have been referred by the district courts. In this reporting period, a total of 14,004 cases were resolved, indicating a significant increase from the 5,989 cases resolved in the previous reporting period. An independent evaluation entitled "Evaluation of Village Court (VC) Performance at the Beneficiary End," commissioned by the project, scores it highly in terms of improving performance and efficiency in the justice system. This includes the fast and efficient conclusion of cases (on an average 28 days for resolution), high levels of satisfaction of

petitioners and respondents (68 percent of petitioners and respondents were either very satisfied or satisfied with their experience of the village courts). The study also shows that the project has a significant impact in its target areas, as 64 percent of petitioners and respondents said that social problems and petty crimes occur less in their locality due to the presence of village courts. The survey concluded that vulnerable and poor people as well as officials believe that minor disputes and petty crime have been reduced in their communities because of the functional existence of village courts.

The project has established working relationships with several government training institutes in order to develop the skills of service providers, as well as create awareness amongst officials to encourage the use of village courts. Through its

links with training institutes, the project provides technical support and knowledge materials on village courts, as well as makes village courts a mainstream issue and an integral part of the curriculum. The NILG have endorsed the village courts training manual and organized several trainings using materials from the project. The capacity development of all UP representatives, Village Police and community members in 350 UPs resulted in the effective application of the Act and Rules in conducting the village courts functions and lodging complaints.

The project continues to raise awareness at the grassroots level through courtyard meetings, drama shows and songs, and IEC materials. Now 52 percent of citizens are aware of village courts, compared to 23 percent at baseline. Of those who know about the function of village courts, 35 percent have encouraged others to make use of its services. The participation of the Prime Minister at the Village Courts Conference boosted public awareness and discussion, as well as increased the sense of ownership towards village courts amongst UP representatives and district and upazila officials.

In terms of policy advocacy, the project prepared an amended draft of the Village Courts Act, which was in principle approved by the cabinet division, keeping all the recommendations made by AVCB

project. The amended Act is planned to be placed before the Parliament by the second quarter of 2013 and once it is ratified, it will enhance the efficiency of village courts, as well as improve female representation and increase the jurisdiction to a wider range of cases.

In order to strengthen the monitoring and supervision of VCs, the project has developed a decentralized monitoring, inspection and evaluation system aimed at involving upazila and district level GOB officials in monitoring of VCs performance. Twelve (out of 14) district and 54 (out of 57) upazila Village Court Management Committee (VCMCs) have already been formed to monitor VCs performance.

The project has also worked hard to ensure the sustainability of the village courts and there are several reasons to be optimistic about its success. The sense of ownership and support amongst government officials is very high. The Prime Minister's endorsement created a buzz around village courts and has drawn interest from various levels of government. Village courts performance has become an important criterion for the allocation of LGSP's block and performance grants to UPs. The village courts have been successfully set up according to village courts law and as a part of the local government structure. These factors, along with a concerted sustainability strategy – including capacity development of legal service providers





and the inclusion of village courts issues in the curriculum of national training institutes – means that the village courts are becoming entrenched in the local governance culture.

The project has of course also faced some challenges. The proposed amendment to the Village Courts Act seeks to address several issues, including the limited jurisdiction under the existing Act, the underrepresentation of female panel members and the difficulty in recovering financial compensation from the respondent. District Courts continue to accept appeals against village courts decisions (even though the decision is taken by the majority of members); accordingly, national and local level advocacy and awareness interventions have been planned in order to brief the judicial officers on the procedure. At an operational level, the project is losing several key staff members, which may hamper its ability to reach its targets; recruitment and back up plans will seek to address this challenge. Finally the turbulent political situation, marked by frequent hartals, violence and civil unrest, continues to challenge the working of AVCB project in its day to day operations, running VCs and monitoring village courts performance and execution of its awareness and advocacy initiatives.

While showing signs of improvement, increasing female representation is a long-term challenge. Women remain underrepresented, both as panel members and petitioners, in the village courts system. They are less likely than men to bring their disputes to the village courts, and both petitioners and respondents are less likely to nominate women as panel members. But in this reporting year, due to concerted efforts to increase female participation, more women sought justice through village courts than in the previous reporting year;



the figure increased from 2,850 in 2011 to 5,443 in 2012. In terms of participation as panel members, female representation increased from 7% to 8%. In order to address this problem, the project has undertaken several initiatives targeting women in the local community to create awareness and encourage participation. At a policy level, the project reviewed the existing legal framework of village courts and recommended in the amended Act draft to make the nomination of at least one female panel member mandatory when the case involves the interest of a child or woman. As the purpose of AVCB project is to ensure meaningful and affordable access to justice for the disadvantaged and marginalised, increasing the participation of women – one of the most vulnerable groups in the community – is key to the success of the project.

The project will continue to support village courts in 350 UPs, offering capacity building for service providers, community mobilization, and awareness campaigns amongst key stakeholders, in order to deliver quality justice. These efforts will not only strengthen the village courts, but also increase demand for their services. As the project moves into its fifth year, greater focus will be given to ensure its sustainability so that beneficiaries will continue to have access to justice through village courts even after the end of the project's tenure. In this regard, it will continue policy advocacy to amend the Village Courts Act to make it more responsive to stakeholder needs. It will also build further upon the institutional links with NILG, JATI and BCSAA to integrate village courts issue into their training curricula. While still following the existing project monitoring and evaluation system, the project is also piloting a decentralized M&E procedure with the LGD, MoLGRD&C to ensure the long-term institutional viability of the village courts.





1

Project Information



1.1 Brief description of context

The formal justice system in Bangladesh is overwhelmed by the demand for legal recourse. But for the vast majority of the population the prohibitive costs of formal justice, coupled with a poor understanding of legal matters, means that access to justice is outside their reach. In order to reduce the burden on the higher courts, as well as to increase access to justice for the wider population, the Government of Bangladesh passed the Village Court Act 2006, which empowered Union Parishads (UPs) to resolve disputes that fall under their jurisdiction.

In the period following the promulgation, the Act remained limited in implementation and effectiveness for many reasons, including insufficient material and skilled human resources in the Union Parishads, limited awareness in the rural areas about access to justice through village courts and a general lack of infrastructure. As a result, the local community had few incentives or confidence in taking disputes to the village courts. In order to facilitate the implementation of the Village Courts

Act, the Local Government Divisions (LGD) under the MoLGRD&C initiated Activating Village Courts in Bangladesh project.

The project seeks to improve access to justice for the disadvantaged and marginalized groups and enhance human rights systems and processes in Bangladesh. The project aims at strengthening a system of alternative dispute resolution in 350 Union Parishads through the establishment of village courts. Major objectives of the project include empowering women, the poor and disadvantaged groups to seek remedies for injustices, and to enable justice institutions to be responsive to claims; to promote and protect human rights security through a human rights based approach to development in programming and delivery; and to empower citizens to resolve their disputes at the local level in an expeditious, transparent and affordable manner. Finally it seeks to strengthen local government institutions to be responsive to local needs and offer legal services through well functioning village courts.



1.2 Implementation modality

The GOB is implementing the project through the Nationally Executing (NEX) modality. However, there is a Project Management Team (PMT) composed of project staff- Project Manager, five thematic components and Project Support Team. In addition, four CSOs have been hired to carry out field level capacity building, mobilization initiatives and to provide support to the government to setup village courts in various Union Parishads.

The Additional Secretary, LGD, MoLGRD&C is the National Project Director (NPD) and supervises the day-to-day implementation and management of project activities. In addition, two committees, Project Steering Committee (PSC) and Project Implementation Committee (PIC), oversee the project.

The Project Steering Committee (PSC):

The Project Steering Committee (PSC) is responsible for providing policy guidelines for project implementation and approval of any implementation decisions. The PSC also provides policy advice and guidance to facilitate links between project activities and national development initiatives. The chair of the PSC is the Secretary, LGD, MoLGRD&C. One PSC meeting was held during the reporting period, which was presided over by the Secretary, LGD, MoLGRD&C.



Project Implementation Committee (PIC)

The Project Implementation Committee (PIC) is chaired by the NPD. He is responsible for supervising the day-to-day implementation and management of project activities. The PIC is responsible for monitoring and evaluating the progress of the programme, suggesting directives for smooth functioning of the programme and guiding project personnel in preparing the annual work plan, etc. One PIC meeting was held during the reporting period, which was presided over by the NPD.

1.3 Geographical coverage

The project has been working in 350 UPs in 57 upazilas under 14 districts of 6 divisions. Distribution of unions by division is given in the table below.

Table -1 Geographical coverage of the project			
Division	District	Number of upazilas	Number of unions
Dhaka	Kishorganj, Rajbari, Gopalganj, Faridpur	22	136
Rangpur	Rangpur, Lalmonirhat, Nilphamari	13	88
Khulna	Chuadanga, Narail, Magura	09	59
Chittagong	Chittagong, Cox's Bazar	11	55
Barisal	Pirojpur	01	07
Sylhet	Sylhet	01	05
Total		57	350



2

Activities carried out



2.1 Output 1: 350 selected UPs strengthened for activating Village Courts

Development, printing and distribution of all the necessary official forms to the UPs:

Following a day-long workshop at the project office, attended by LGD officials, partner CSO representatives and AVCB project staff, the project reviewed the existing non-prescribed forms developed earlier by the project. Based on participant feedback, the decision was taken to remove the VC non-prescribed forms numbers 10 and 13, as well make a few minor corrections to other forms. Seven types of prescribed and eleven types of non-prescribed forms were printed again and sent to the UPs through the Upazila Nirbahi Officer (UNO) of the respective upazila. The quantity of forms sent from the project is given below:

Table-2 Quantity and types of forms sent from the project					
Prescribed form			Non-Prescribed from		
Sl	Forms and formats	Number	Sl	Forms and formats	Number
01	Form 01:	177	01	Form 01:	531
02	Form 02:	2,836	02	Form 02:	731
03	Form 03:	356	03	Form 03:	1,507
04	Form 04:	244	04	Form 04:	715
05	Form 05:	110	05	Form 05:	2,628
06	Form 06:	514	06	Form 06:	328
07	Form 07:	174	07	Form 07:	359
08	Form 08:	4	08	Form 08:	284
09	Form 09:	6	09	Form 09:	185
10	Form 10:	0	10	Form 10:	80
11	Form 11:	0	11	Form 11:	30



Capacity building of Village Court Assistants (VCAs) and Field Workers (FWs) in 350 UPs:

The knowledge and skills of the 338 VCAs and 338 FWs have been developed through refresher training, on the job training and mentoring. During the reporting period, VCAs assisted the Union Parishads to resolve cases by issuing summons, organizing VC sessions, updating different forms

and registers. The FWs organized and conducted CBOs and courtyard meetings. They also assisted in organizing motivational and sensitization campaigns such as drama shows, rallies, union level workshops and trainings in the project areas.

Extension of contract of four CSOs:

The Project extended the contract with four CSOs- WAVE foundation, Madaripur Legal Aid Association (MLAA), Bangladesh Legal Aid and Services Trust (BLAST), and Eco Social Development Organization (ESDO) to help the LGD to carry out field level capacity building and mobilization initiatives, including setting up Village Courts in 338 Union Parishads of Khulna, Dhaka, Chittagong and Rangpur divisions. A performance assessment of all four CSOs was carried out during the reporting period and their contracts were extended based on the

assessment reports. The CSOs provided support to the Union Parishads in following ways:

- Running village courts in 338 UPs;
- Documenting village courts proceedings and updating different forms and registers;
- Capacity building of Union Parishad through training, consultations and mentoring;
- Creating demand of village courts through workshops, courtyard meetings, drama shows, and rallies.

Organize project reflection workshop:



Improved coordination between the Project Management Team, NGOs, and local administration is critically important to develop GoB ownership for the Project and set VCs as a priority agenda to ensure that people have access to justice. The project organized a two-day reflection workshop in which GoB representatives, the Project Management Team, NGO staff working in four divisions, and representatives from UNDP participated. The implementation status compared to the agreed plan, challenges experienced by CSOs in implementing projects, and monitoring findings of PMT were shared during the workshop. The event enhanced the GO, NGO relationship and also enhanced GoB ownership over the village courts operations.

Organize national and international learning visits:



During the reporting period, two national and two international learning visits were carried out. Nationally, one was held in Rangpur hosted by ESDO, the partner CSO, and another was held in Chuadanga district, hosted by WAVE foundation. The Project Support component of PMT coordinated and managed both visits. The objective of the visits was to create a shared understanding of the quality outputs of the project activities and allow participants to compare their work with the host organization, and to share their learning experiences for uniform implementation speed across the divisions. The participants also made recommendations to improve the work of the local CSO and strategies for enhancing government's engagement and ownership.

Two international learning visits, one in Thailand and another in Turkey, were held during the reporting period. A team composed of eight members, four from LGD, one from IMED, one from MoLJPA, one UP chairman, and one from PMT visited Turkey from 12-18 November 2012. The visit included meetings with officials of Ministry of Justice and Judiciary, visiting court rooms in Istanbul, meeting with the Law Faculty of Bilgi University, and interactions with Bangladesh Embassy officials. The team leader Mr. K M Mozammel Hoq, Additional Secretary, LGD, and National Project Director, AVCB Project, made a presentation on the judicial system and the Village Courts Concept of Bangladesh. Another team composed of nine members, three from LGD, one from the Planning Commission, two from MoLJPA, one UNO and two

from PMT visited Thailand from 21-27 November 2012. The learning visit was led by the Joint Secretary (UP), MoLGRD&C. The visit included basic orientation about the justice system of Thailand, discussion sessions, presentation on the justice delivery mechanism, village court session, interaction with target beneficiaries and consultation with government representatives.

Both learning visits allowed the participants to learn from international experiences, practices and initiatives in the advancement of justice services. The delegation recommends the continuation of such study tours and extending the invitation to countries to visit Bangladesh to promote the system more widely, as well as making it more effective and sustainable.



2.2 Output 2: Monitoring and supervision function within MoLGRD&C enhanced

Develop monitoring, inspection and evaluation procedures with MoLGRD&C and set up monitoring cells at the upazila level:

To develop monitoring, inspection and evaluation procedures within the MoLGRD&C, including tools and techniques, and set up monitoring cells at the Upazila level, the project has performed the following activities.

Capacity assessment of MIE wing of MoLGRD&C regarding monitoring of VC:

Capacity assessment of MIE wing of MoLGRD&C regarding monitoring of VC has been completed. A brief assessment of the findings are given below:

- The assessment found that the village courts are not monitored systematically and the officers are not aware of the monitoring mechanism. But in the AVCB project areas, 50% of UNOs were receiving VC performance reports from the Chairmen of Union Parishads, through prescribed form no. 10 (six monthly VC performance reporting form), whereas in non-project areas, no such practice was observed;
- DDLGs and UNOs, being the part of administration cadre of the Bangladesh Civil Service, had the opportunity to participate in training courses organized by the government training centers including BPATC and NILG. Some of the officers had the chance to participate in training courses abroad where they were briefed on monitoring practices. But no training was received on Monitoring of village court activities by DDLG or UNOs. Union Parishad Secretaries and Chairmen had almost no training on monitoring;
- The Monitoring, Inspection and Evaluation (MIE) wing of the Local Government Division (LGD) is responsible for monitoring LGIs of the country. When interviewed, the officials of LGD said that:
 - There is no monitoring system exclusively for village court activities from their side;
 - The only way of monitoring UP is the Yearly

Performance Evaluation, which includes the activities of village court;

- When LGD officials visit the UP, they monitor VCs as a part of a more general inspection;
- DDLG was not asked to prepare any consolidated report on VC activities exclusively from the office of LGD.

Despite some limitations and capacity gaps, the assessment shows a number of prospective situations prevailing over monitoring the VC activities. The Union Parishad chairmen, members, UNOs and DDLGs have expressed their enthusiasm to participate in monitoring VC. The main recommendations of the assessment were:

- Establish IT-based Monitoring System for VC activities;
- Develop and implement a decentralized monitoring mechanism;
- Provide logistics and capacity building support;
- Pilot a decentralized monitoring mechanism in selected districts, upazilas and unions.

Develop decentralized monitoring, inspection and evaluation system:

Based on the capacity assessment findings and consultation with different stakeholders, including the Secretary, LGD, MoLGRD&C, the project developed a decentralized monitoring, inspection and evaluation system. In the meeting held in July 2012, chaired by the Secretary, it was decided that the proposed decentralized system will be tested on a pilot basis in 15 unions in coordination with the concerned upazilas and districts, where monitoring cells will also be established. The objectives of the pilot program are to pre-test the decentralized monitoring system and to identify the problems and bottlenecks before implementing it countrywide. The proposed decentralized system consists of four tiers of monitoring at the Union, Upazila (by UNO), District (by DDLG) and Central (by MIE wing, LGD) levels.

Provide orientation to DDLGs and UNOs on decentralized monitoring, inspection and evaluation system:

The project has provided orientation to the five DDLGs, seven UNOs, four District Facilitators, and three District Coordinators on decentralized monitoring, inspection and evaluation system so that the system can be smoothly implemented. The orientation session covered the objectives of a

decentralized system, the activities of the decentralized monitoring system at the union, upazila and district levels and the role and responsibilities of UP chairmen, UNOs, DDLGs, MIE wing and AVCB project for piloting the system, reporting mechanism and tools. The DG (MIE) and Senior Assistant Secretary of LGD facilitated the session.



Provide orientation to Village Courts Management Committee members:

LGD issued a Government Order in concurrence with MoLJA and Cabinet Division for the formation of Village Courts Management Committees (VCMC) at the upazila and district level across the country. The primary objective is to ensure the institutional monitoring of village courts by the local administration. Ten District and 54 Upazila level VCMCs have already been formed in the project working areas. Two orientation workshops were held on VCMC. The objective of the workshop was to orient DDLGs and UNOs on the VCMC, its formation process, roles and responsibilities and reporting mechanism so that they can shape and run VCMC following the guideline. The first session was held at Cox's Bazar on August 2012, attended by 18 participants including nine UNOs, two DDLGs from Chittagong and Cox's Bazar districts, ADC general of Cox's Bazar, three NGOs staff and three AVCB Project officials. The second orientation

was held at Hotel Ruposhi Bangla in Dhaka in November 2012. Mr. Abu Alam Md. Shahid Khan, Secretary, LGD, MoLGRD&C attended the program as Chief Guest and Ms. Won Young Hong, Assistant Country Director, UNDP and Mr. Swapan Kumar Sarker, Director General, MIE, LGD were present as Special Guests. Mr. K M Mozammel Hoq, NPD and Additional Secretary, LGD, chaired the event. A total of 115 participants including DDLGs from 14 districts and UNOs from 57 Upazilla under AVCB project's working area, project officials and officials from the partner CSOs attended the workshop. In his opening remarks, the Secretary, LGD emphasized the significance of village courts in providing legal services for vulnerable and marginalized groups, and more specifically women, in the rural areas. He also highlighted the involvement of GoB officials at various levels to support the initiative taking place at the grassroots level.

Review of service delivery and evaluation of Village Court performance by the project:

Under the project monitoring and evaluation, the project performed the following activities:

Provide training to the field staff on M&E:

A three day residential training workshop on M&E was held at WAVE Foundation training center, Chuadanga from 21-24 April 2012. A total of 24 CSO staff members including M&E coordinators, M&E officers, and Project Coordinators of four CSOs working in Chittagong, Dhaka, Khulna and Rangpur divisions attended the training workshop. The workshop enhanced the knowledge and skill of CSOs staff on the reporting system, tools and techniques, and the M&E system of village courts.

Monitoring of field level activities:



As a regular activity, the M&E unit of AVCB project carried out monitoring visits in Rangpur, Faridpur, Nilphamari, Lalmonirhat, Cox's bazaar, Chittagong, and Narail to ensure quality of the activities. The monitoring visit assessed the documentation of VC proceedings, knowledge and skill of CAs and UP representatives on VCs and documentation of VC proceedings, VC performance, and knowledge of CBO members on their roles and responsibilities. The findings were shared with CSOs and PMT through de-briefing sessions and reports.

Evaluation of Village Courts Performance at Beneficiary End:

The AVCB project commissioned a study entitled 'Evaluation of Village Courts Performance at Beneficiary End' by an independent consulting firm. The study took interviews of 360 service recipients (180 petitioners and 180 respondents) in 27 Unions of 20 Upazilas in the seven districts under the working areas of Dhaka and Rangpur divisions. Structural interviews with 1,183 community people took place. In addition, 27 FGDs and 15 case studies were conducted. The objective of the study was to evaluate Village Courts performance from the community perspective. Snapshots of the studies are given below:

- Among the service recipients, 68% were satisfied with the VC decision. They considered

transparency (74%), fairness (96%), low costs (95%), and prompt and quick decision-making process (47%) as the reasons behind their satisfaction.

- According to both petitioners and respondents, VC officials followed VC guidelines, such as assigning an investigation person, sending notice, selecting nominees by petitioners and respondents, hearing the statement of the complainant and accused, and questioning the witness thoroughly in order to resolve the dispute – with fair and transparent judgment.
- 52% of citizens knew about VCs, which was 23% in baseline.
- 35% of citizens informed other about VCs.

Conduct Impact Baseline Study:

Another study entitled “Impact Baseline Study” was completed through an independent consulting firm. It was conducted in working areas of Dhaka, Rangpur, Chittagong and Khulna divisions using qualitative methods such as FGD, Case Study, Key Informant Interview and massive document review

at district courts and chief judicial magistrate courts. The objective of the study was to examine the incidence of human rights violations within the jurisdiction of VC, related to petty criminal and civil matters, and the status of case backlog in the district and chief judicial magistrate courts under the operation areas of AVCB project.



UNDP Country Director and Deputy Country Director Visit Village Courts:

During the reporting period, Mr. Stefan Priesner, Country Director, UNDP Bangladesh visited Kotiadi Upazila in Kishoreganj in September 2012 and Mr. Robert Juhkam, Deputy Country Director, UNDP visited Rangpur Sadar Upazila in Rangpur district also in September 2012. Both visitors observed VC sessions, talked with UP representatives, beneficiaries and CBO members and observed a courtyard meeting. They shared views with the beneficiaries, UP representatives and CBO members who expressed their satisfaction with the VC. Mr. Robert Juhkam was very happy and commended ESDO and project staff for their efforts, good monitoring, and the overall success of the project.



EU Ambassador Visits Village Courts:

H.E Mr. William Hanna, Ambassador and Head of Delegation of the European Union to Bangladesh and Mr. Luc Patzelt, Programme Manager, EU Delegation, visited Mithapukur Upazila in Rangpur district in October 2012. Mr. Hanna praised the ongoing activities of the VCs for bringing justice to the door steps of the rural people and expressed his support while observing a VC session. The EU Ambassador also had a meeting with the Divisional Commissioner of Rangpur, the Deputy Commissioner of Rangpur and the UNO of Mithapukur Upazila about the on-going activities of AVCB project. They informed him how people

are receiving justice at low cost and in less time, which substantially contributes to the reduction of the backlog of cases in the higher courts. He also visited Bhangni Union Parishad and had discussions with UP Chairmen, UP members, VC panel and shared views with the beneficiaries. The Ambassador observed a courtyard meeting and spoke to the participants who expressed their satisfaction with the functions of VCs in ensuring affordable justice fairly without facing any hassles. Ms. Young Hong, Assistant Country Director of UNDP and Mr. Sarder M. Asaduzzaman, Project Manager, AVCB project accompanied the EU Ambassador during the visit.



2.3 Output 3: Capacity of UP chairmen, UP staff and village police on VCs developed

Develop and disseminate training materials:



AVCB project has developed and printed 80 sets of flash cards on gender and 80 sets of flash cards on VC as training materials. Each set of flash cards on gender contains 15 cards on gender and village court. Each gender flash card has several illustrations and describes the gender situation of our society in picture format, which includes drawings and several modification works. Similarly each set of flash cards on VC contains 36 cards. The flash cards focus on the village court's jurisdiction laws i.e. penal code, cattle trespass act, minimum wage of agricultural labor act and civil laws. Both of the materials are important learning aids and have been used in training sessions, workshops, and courtyard meetings to increase the knowledge of stakeholders as well as community people on gender and VC.

AVCB project produced a 60 minute Video Learning Aid on village court named 'Amader Gram Adalot'. The objective of the video is to provide an overview on the village court trial process and local justice system, as well as the VC and its steps, rules and laws for target audiences in an interesting and entertaining form. It is a stand alone knowledge product which will act as a facilitator.

During the reporting period, AVCB Project printed 750 copies of training manuals on village courts, of which 300 copies were distributed to NILG, 5 to RDA, 5 to BARD, 2 to JATI, 4 to BPTAC, 4 to BCSAA and 71 to four CSOs working in 55 upazilas and 12 districts.

Provide ToT refresher to field staff:



The AVCB project organized two four-day ToT refresher in collaboration with NILG in Dhaka. The first was held from 5-8 August, 2012, in which 25 participants from two CSOs working in Dhaka and Khulna divisions participated and the second was held on 23-26 September 2012, in which 25 senior staff members from the two CSOs working in Rangpur and Chittagong divisions participated. The ToT was interactive and participants asked questions on the documentation process, constitution of VCs, trial procedure, and the maintenance of case records based on their experience.

Capacity building to UP elected representatives, Village Police, VC officials and community members:



Field staff who received ToT provided capacity building training to 4,329 UP representatives and officials, of whom 25% were female. In addition, 781 experience sharing meetings were held at the UP level with the participation of UP representatives, Village Police, and UP staff. The meetings, chaired by UP Chairmen, included discussions on the performance of VCs, the role of UP representatives, UP secretary and Village Police, and other issues regarding activating VC. In addition, the project also provided capacity building training to 3,849 community members and 2,090 religious leaders. In a total 18,236 CBO meetings took place where all members of 3,360 CBO attended.



The village police are responsible for activities such as serving summons and notices upon witnesses, distributing notices for enforcement of village courts' judgments and taking oaths at hearings. The development of their knowledge on VCs and their roles and responsibilities is of great importance. During the reporting period, the project provided one-day training workshops to 721 village police. The training covered the function of VCs and the role and responsibilities of village police in regard to VCs.

Organize consultation workshop with various GoB training institutes for developing a customized training curriculum:

As reported last year, a technical and consultation committee was formed, headed by the Director General (DG), JATI, to identify the VC issues to be incorporated in the curriculum of JATI. During the reporting period, the committee successfully identified the areas to be integrated into JATI's training curriculum and developed a training module. To validate the customized module and integration into JATI curricula, with the support of the MoLGRD&C, JATI organized a workshop and shared the committee's findings. Twenty-two participants from the Law Commission, Judicial Service Commission, JATI, LGD and AVCB project took part in the workshop. The following topics were included with the JATI's training curriculum:

- Relevant basic issues of the local justice system;
- The Village Courts Act 2006;
- The Village Courts Rules 1976;
- The roles and responsibilities of:
 - Judges;
 - Chief Judicial Magistrates and District Judges;
 - Assistant Judges and Judicial Magistrates;
 - Government Pleaders/Public Prosecutors and Court support staff.



2.4 Output 4: Awareness on VC operation and functioning raised

Develop and disseminate IEC materials to sensitize public:

The project produced and disseminated the following print materials to boost the knowledge of VCs amongst the target audience. Produced 200,000 and distributed 143,769 leaflets; produced 50,000 pamphlets and distributed 42,424; produced 1,000 case study compilations; produced 7,500 New Year Greetings Cards (2013)

and distributed 7,330 copies; produced 30,000 VC Booklets (Bengali) and distributed 2,127 copies; produced 500 copies of Policy Brief (Bengali and English) and distributed 70 copies; and produced and distributed project Fact Sheets (Bengali). Also to promote VCs, the project has developed and placed 350 Citizen's Charter Boards (Bengali) in 350 UPs. A one minute TV spot on VC was aired on RTV channel.

IEC MATERIALS



Organize Annual Conference:



The Project organized a two-day event called 'Village Courts Conference 2012' held from June 09-10, 2012 at Bangabandhu International Conference Centre in Dhaka. The aim of the event was to generate national level sensitization and awareness about VCs and its function as well as the AVCB project and encourage cross-sectional media coverage to make VC a priority in policy discussion. It also sought to encourage policy dialogue and discussion on VC issues with the overall goal of increasing access to justice and bringing development partners, practitioners, academics and GoB officials together on a common platform to think constructively about VCs. Prime Minister Sheikh Hasina inaugurated the event. Mr. Syed Ashrafur Islam, Minister for MoLGRD&C and Mr. Jahangir Kabir Nanok MP, State Minister, MoLGRD&C, were present as Special Guests while Mr. Neal Walker, UN Resident Coordinator and UNDP Resident Representative and Mr. Milko van Gool, Charge d'affaires a.i., Delegation of the European Union to Bangladesh spoke at the occasion as the Guests of Honor. The inaugural session also showed a live video conference of a trial of VC from a UP in Faridpur district. The Prime Minister stressed the importance of making VCs functional all over the country to widen justice services to the rural people in an affordable and easy manner. "The government is

considering appointing a judicial assistant to each UP across the country to help public representatives making the village court operational," she said in her inaugural speech.

During the two-day conference there were three comprehensive technical sessions, entitled 'Sharing with UP Chairmen and Secretaries: Perspectives of Village Courts and Union Parishads', 'The Village Courts Act 2006: The Role of Union Parishad in Implementation of the Act, the Enforcement and Necessity to Reform', and 'Access to Justice for Women & Marginalized Peoples: Perspectives of Village Courts'.

The Deputy Speaker of Parliament, State Minister of MoLGRD&C and MoWCA, Secretary, LGD attended different sessions. Among others Barrister Sara Hossain, Mr. Bikash Kumar Saha, Chief Metropolitan Magistrate, Dhaka, Mr. Shahdeen Malik, Director, School of Law, BRAC University, SM Kuddus Zaman, Special Officer (District Judge), Bangladesh Supreme Court, Prof Mamtaz Begum, Chairman, Jatiya Mahila Sangstha and other dignitaries attended at the working sessions. The Conference also hosted stall presentations by the CSOs and the project, video exhibitions, photo and documentary shows and cultural events. A total of 1000 participants, including 700 UP Chairmen and

Secretaries, law makers, government high officials, representatives from UN and donor agencies, local government and judicial officials, leading civil society members, NGOs, and the media, attended the conference. Some key findings of the conference are summarized below:

- Separate budget for VC activities is needed at the UP level;
- VCs must be provided with stationery items and adequate remuneration for those who are involved, especially at the UP level;
- The VCs must work to avoid injustice;
- The fine/compensation rule should be amended and the amount of fine/compensation should be increased;
- Police should refer cases under VC jurisdiction to VCs rather than magistrate or higher court; Rules should be changed in this regard;
- The law, Rules and regulations relating to the VCs should be amended as there are many discrepancies;
- Separate human resources are required for the VCs;
- The position of the Secretaries has to be nationalized and promoted as a Class II officer;
- VCs need to be strengthened;
- Judiciary and civil society should be included in its function;
- There should be separate budget for the VCs as a GoB mechanism;
- Proper monitoring is required to ensure proper functioning;
- The name of the VC should be changed to Union Court as it functions at the union level;
- The VCs should ensure that poor, widowed and other vulnerable women in the rural areas can access court facilities;
- Representation of women should be ensured in the VCs;
- VCs should coordinate with NGOs working in the field of Alternative Dispute Resolution in the rural areas; and
- Local social organizations should be encouraged to get involved with village court activities.



Organize workshop to raise public awareness:



To raise public awareness on the function of Village Courts, the project organized district, upazila and union level sensitization workshops. In this reporting year, the project organized six district workshops on strengthening sensitization and involvement of the stakeholders on village courts. The workshops were held at Gopalganj, Chittagong, Cox's Bazar, Chuadanga, Rajbari and Pirojpur districts. All of the workshops highlighted the issues of village courts, needs and potential of VCs and how the stakeholders can have effective role in advancing VCs at the union level. In total, 438 participants including senior and mid-level government officials, women representatives, UP Chairmen, members, secretary, lawyers, teachers and NGO representatives attended the workshop. The stakeholders took part in group discussions and presented their opinions on ways to enhance their involvement and contribution. The participants said that village courts can only be effective when all the stakeholders extend their utmost support as it needs to establish social trust on VC from all corners of the community.

Furthermore, 110 workshops with community members were held at both upazila and union levels in the project working areas. In total, 5340 community members attended the workshops where UP Chairmen and UP members, school and

college teachers, retired government officials, religious leaders, community leaders, women leaders, NGO workers and local journalists attended union level workshops. The UNO, Upazila Chairmen, Upazila Vice Chairmen, school and college teachers, government officials, religious leaders, social workers, women leaders, NGO representatives and local journalists attended the upazila level workshops.

Both the upazila and union level awareness raising workshops were organized by the sub-contracted CSO, while the district level workshops were organized by the LGD directly with technical assistance from PMT.



Organize seminars for journalists nationally and locally:

The project organized a National Consultation on Role of Media in Activating Village Courts on April 18, 2012 in Dhaka, aiming to share the progresses of village courts activities and to involve media in the efforts to activate village courts through enhancing the awareness and sensitization on VCs amongst journalists.



Mr. Jahangir Kabir Nanak MP, State Minister, MoLGRD&C, graced the consultation as the Chief Guest. H.E. Mr William Hanna, Ambassador and Head of Delegation of the European Union to Bangladesh and Mr. Stefan Priesner, Country Director, UNDP Bangladesh were present as Special Guests while Mr. Dulal Chandra Biswas, Director General, Press Institute of Bangladesh (PIB) spoke as the Guest of Honor at the Consultation. Mr. K M Mozammel Hoq, Additional Secretary, LGD, MoLGRD&C and the National Project Director, AVCB project chaired the event.

The Chief Guest said, "the Village Courts Act empowers the local government representatives and general people in intensifying the scopes of access to justice and strengthening local justice system. The main aim of the court is to take decision in a way so that it could ensure co-existence and mutual understanding between protestant and complainant to avoid further clash or dispute." The Minister also suggested simplifying the language of the Village Court Act for easy understanding of rural people.

"Village Courts are shaped by the communities in which they belong," said EU Ambassador William

Hanna at the consultation. Mr Stefan Priesner, Country Director, UNDP Bangladesh said there is plenty of potential of village courts in strengthening local justice system in the country and media can have crucial role in promoting this. "In regards to boosting the awareness level of rural people and making analytical criticism of VC services, role of service providers including policy framework issues relating to VC, media should intervene profoundly as an instrumental watchdog," Mr. Priesner added.

The consultation highlighted the success stories and the necessity of media involvement. Journalists expressed their interest in promoting village courts and they enriched the consultation with their opinions and suggestions to activate the village courts effectively.

About 100 national level senior journalists attended the consultation. Policymakers, government high officials, representatives from UN and donor agencies, elected local government representatives, local government officials, judicial officials, leading civil society members and NGOs also attended the event. The event garnered huge media coverage.

Conduct motivation campaign among local citizens:

During the reporting period, communities were mobilized towards village courts services through courtyard meetings, rallies, street dramas, and workshops. In total, 549 workshops with youth groups were held in the working Unions of Chittagong, Rangpur, Khulna and Dhaka Divisions, where 27,218 youths aged between 18-32 years participated, of which 45% were female. Participants in the workshops were selected on the basis of age (between 18-32 years old), socially accepted, vocal and emerging social leaders. Issues discussed included the type of conflicts experienced in society, village courts and their function, and the role of youth groups in ensuring social justice by activating village courts.

To create and improve community awareness about village courts, the partner CSOs staged 617 dramas shows along with 623 rallies in different Unions of Khulna, Dhaka, Rangpur and Chittagong divisions. In a total 25,148 courtyard meetings were organised, in which 499,599 rural community members attended, of whom 77% were women.



Table-3 Number of people reached by motivation campaign

Activity	No. of events	Number of people		
		Male	Female	Total
Organize youth workshop	549	15,051	12,167	27,218
Organize rally	623	-	-	184,872
Organize stage drama show	617	-	-	572,765
Conduct CYM	25,148	115,824	383,775	499,599

2.5 Output 5: Village Court legal framework reviewed

Review the legal framework and proposed amendments to the law and implementing procedure:

In 2012, the proposed amendment Village Courts Act was approved in principle by the Cabinet Division, keeping all recommendations made by the project, and was sent to MoLPA for their consideration.

Conduct advocacy seminars and policy dialogues with the relevant stakeholders for legal reform:

A meeting was organized with the District Judiciary of Chuadanga at the Court of District Judge, Chuadanga on 5 September 2012, attended by the District and Sessions Judge, Additional District and Sessions Judge, Chief Judicial Magistrate and other Judicial Officers. The District Judge made very positive comments on the village courts and admired the unique provision for the constitution of VC which itself ensured a check and balance to provide fair justice. He suggested the creation a post of Vice Chairman at UP to render VC functions and the introduction of an honorarium for VC members. The other judges also made positive comments on VC and stressed the need for proper monitoring of VC functions by the judiciary.

Another workshop was organized on the amalgamation of Arbitration Council with VC on 14 February, 2012 at Cox's Bazar where judicial officers of different tiers working in Cox's Bazar, two UP Chairmen and one Upazila Chairman attended. Several important recommendations were made during group work and question-answer session, including amendments to the constitution of VC and Arbitration Council, trial procedure of VC on the matter of Arbitration Council after amalgamation, inclusion of guardianship, awarding heir certificate, maintenance of a Hindu wife, and divorce of Christian in the jurisdiction of VC.

Carry out institutional assessment every six months:



A brief study on institutional assessment has been conducted internally during the reporting period. The study was carried out in five UPs of Faridpur and five UPs of Chuadanga districts. Data collection was carried out from 15-19 July 2012 using the prescribed format. Three prescribed formats – assessment of legal compliance of VC, statistics of VC cases sent to and from district courts and statistics of execution of cases – were developed through field tests. A report has been written incorporating feedback of the PMT.





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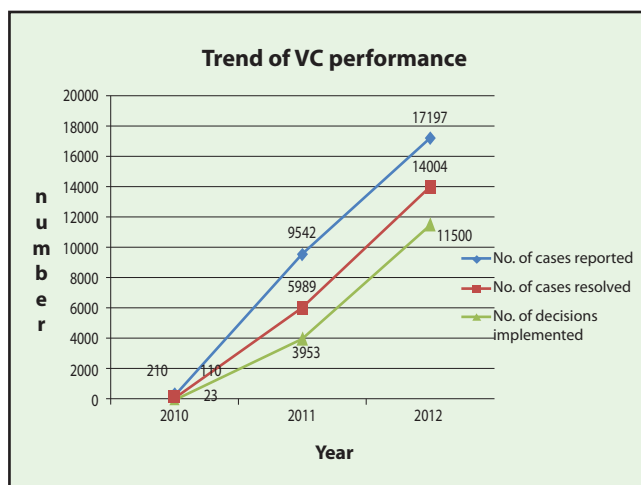
Results/Achievements



3.1 Result 1: Village Courts are activated and functioning in 350 UPs

Village Courts performance:

A cumulative total of 26,949 cases have been reported since 2010, of which 20,103 have been resolved. Of the resolved cases, 15,476 decisions have been implemented. A total of 1,683 have been referred by the district courts. In this reporting period, a total of 14,004 were resolved, indicating a significant increase from the 5,989 cases resolved in the previous reporting period (January 2011 – December 2011).



Efficiency and effectiveness of Village Courts:

An independent evaluation entitled "Evaluation of VC performance at the beneficiary end" commissioned by the project scores it highly in respect to improving performance and efficiency in the justice system. This includes fast and efficient conclusion of cases (on an average 28 days for resolution), levels of satisfaction of petitioners and respondents (68 percent of petitioner and respondents were either very satisfied or satisfied with their experience of the village courts). They considered transparency (74%), fairness (96%), less expensive (95%), prompt and quick decision making process (47%) as reasons behind their satis-

According to the study, 92% of citizens reported that VCs are active in their locality, 77% of citizen reported that people in their locality go to VC to resolve disputes and 58% of community members and 84% of petitioners and respondents reported that VC can enforce its decisions.

Amount of money recovered by Village Courts:

Below table shows that overall BDT 34,102,571 (USD 437,212) have been recovered till December 2012 as compensation from respondents of 388 UPs, of which 26,280,343 from criminal, and 7,822,228 from civil cases. On an average each UP recovered BDT 100,895 and handed over to the petitioners. In addition 4826.8 decimal lands also recovered and handed over to the petitioners.

Division	Amount of money recover (BDT)			Amount of land recover (decimal)
	From criminal case	From civil Case	Total amount recover	
Chittagong	1731613	1179092	2910705	201.1
Dhaka	17396132	3673545	21069677	1254.8
Khulna	3324453	1323921	4648374	393.9
Rangpur	3828145	1645670	5473815	2977.0
Grand Total	26,280,343	7,822,228	34,102,571	4826.8

Impact of the Village Courts:

The study shows that the project has a significant impact in its target areas as 64% of petitioners and respondents said that social problems and petty crimes occur less in their locality due to the presence of village courts. The survey concluded that vulnerable and poor people, as well as officials, believe that minor disputes and petty crime have been reduced in their communities because of the functional existence of village courts.

Joint effort of village courts and Upazila Nirbahi Officer ensure justice

Though Bangladesh is fast urbanizing, it remains a predominantly rural country. Most of its people rely on agriculture for their livelihood, like Foyjora Begum and her husband subsistence farmers who live in Goeshpur village under Nagarkanda Upazila of Faridpur District.

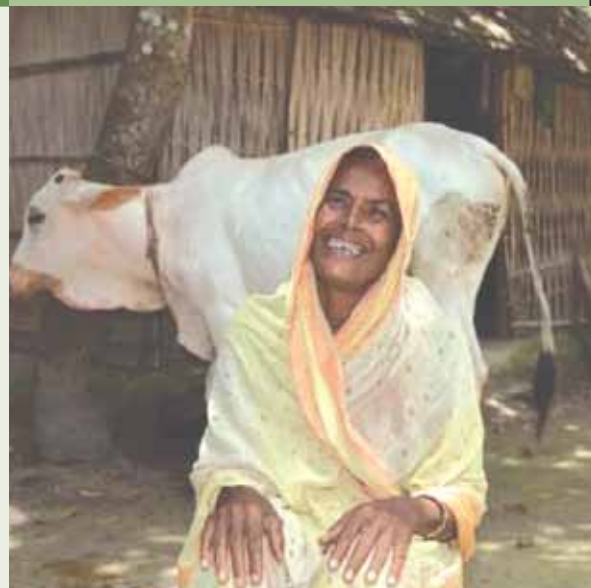
Every day, before preparing the evening meal, Foyjora would set aside some uncooked rice. After several weeks, she had enough rice saved to sell back in the market and she used the money she made to buy some hens and ducks. She soon saved enough money by selling the eggs from the ducks and chickens to buy two goats. With the same thrift, Foyjara was able to accumulate several more goats and was able to augment her family income in this manner. Foyjara's neighbor Abdul Salam suggested that she sell some of her livestock in order to obtain a mortgage to buy some land. So her husband, Ismail Mollah, sold several of their animals. Soon after, Abdul Salam said he was facing a family emergency and asked Foyjara to lend him Tk. 15,000, with the promise, made in front of three witnesses, to return the money within two months.

After two months, Foyjara asked Abdul Salam to repay her the loan but he made one excuse after another, and ten months later there was still no sign of the money. Foyjara wanted to take Abdul Salam to court to get her money back, but she was put off by the high costs of hiring a lawyer and the complex nature of legal procedures. During that period, however, a village courts field worker, Aysha Begum, conducted a courtyard meeting in Foyjara's neighbor's house. So Foyjara, having heard about the low costs and ease of village courts process, went to the Union Parishad to file her case.

On the same day that Foyjara submitted her petition to the UP, and paid her Tk. 2 court fees, the Chairman issued a summon to the opponent and called on both parties to be present at the UP office two days later. Ten days later, the Chairman formed the five-member panel, with two members nominated by each party, and told Abdul Salam he had four days to file an objection statement, if any, and fixed the hearing for the same week.

Based on the testimony of the three witnesses, the panel found in a 4 to 0 decision (one panel member was unable to attend due to illness) the opponent guilty and ordered Abdul Salam to pay back the Tk. 15,000 that he had borrowed from Foyjara. But Abdul Salam failed to return the money within the stipulated time, despite numerous notices from the UP chairman. After two months, a certificate case was filed with the Union Nirbahi Officer (UNO), who issued an arrest warrant for Abdul Salam. Following his arrest, Abdul Salam paid the Tk. 15,000 to the UNO, who then sent the money to the UP chairman, who returned it to Foyjara. Foyjara used the money to buy a young buffalo, whose value is now three times what she paid for it.

Foyjara was happy with her experience with the village court. She expressed her gratitude to Aysha Begum, the fieldworker who held a courtyard meeting in the village and from whom Foyjara learnt about village courts. Even Abdul Salam, who was found guilty by the village court panel, acknowledged the important role the court can play and praised it as an effective tool for justice delivery at the local level and for its ability to give a fair judgment.



3.2 Result 2: Capacity and knowledge of Village Court officials and members developed



- Integration of VC issues into the training curriculum of government training institutes is critically important to the sustainability of VC by ensuring that capacity building initiatives of relevant stakeholders, including service providers, is continued after the project has come to an end. To do this, NILG and JATI have already integrated VC issues into their regular training curriculum. Several GOs have already been issued by LGD to heads of government training institutes (NILG, BARD, RDA) and DCs to incorporate sessions on Village Courts in the trainings provided to UNOs, UP representatives and secretaries.
- EC-ROM and field studies suggest that knowledge of UP chairmen about VCs is 'excellent'
- Knowledge and capacity of UP representatives, UP officials, community members and Village Police on Village Courts and its function has developed through capacity building training, mentoring and IEC materials. Different study and monitoring reports show that UP representatives, officials and community members have resolved disputes according to the correct procedures and proper documentation.
- 'Evaluation of VC performance at the beneficiary end' study shows that Village Police also performed their responsibilities, as all of the respondents in the study said that they received the message about the allegation against them either through VPs, Village Court Assistants or UP representatives.



Local leader returns home and sets up village court

The family of Gazi Shelim Reza Masum has been settled in Narail for generations, and his ancestors were the ruling aristocratic family in Afra village. Through his work he witnessed the difficulties and challenges the rural poor faced and promised that following retirement he would commit himself to help the plight of the marginalized. After a long and successful career in the government as a police security officer to some of the country's most important political leaders, Masum returned to his village. Due to his family legacy, Masum is highly respected in the community and enjoys a prominent social position.

Shortly after his return to his ancestral home, Masum was elected Union Parishad Chairman of his union (Shaikhhati Union, Narail Sadar) and he began his dream of serving the poor. He immediately set about to construct roads, bridges and tube wells as well undertook the restoration of mosques and temples in the area. Masum also tried to resolve local conflicts in consultation with the other village leaders through *Shalish*. Under his tenure, the Activating Village Courts in Bangladesh project selected 350 unions in which to set up village courts, and his union was one of them. For Masum, given his commitment to resolving local conflicts, this was a welcome initiative.

Masum and his ward members received a three-day training on village courts to help them to set up the village court and to orient them on its procedures, rules and jurisdiction. Initially Masum and his colleagues faced several challenges. There was some delay in the procurement of the *ejlas* (court bench), which is important not only for the aesthetic of the room, but also to create a sense of trust and authority in village courts. His Parishad office is an old building, still made with a tin roof, and has limited space and so Masud had to extend it to create another room for the village court. Despite this challenge, he was able to inaugurate the village court in his union with a big event, attended by senior government officials and community leaders, where a mock trial was staged.

Since December 2012, from when the court has been up and running, 58 civil and criminal cases have already been reported, of which 42 cases were settled, 11 were canceled and 5 were ongoing. Nearly Tk. 115,000 has been realized as compensation by the village court. In addition 6 decimals of land were also recovered.

Masum's efforts as community leader were appreciated by the members of his union and serve as an example of successful stakeholder partnership with the project and local government initiative. Masum's story has been shared with other UP chairmen in the district to encourage them to follow his lead. The chairman of a neighboring UP managed to set up a village court despite the shortage of space in the Union office by renting a house. These stories go to show how central the commitment of village leaders and stakeholders is to the success of village courts.



3.3 Result 3: People are sensitized on the roles and responsibilities of VCs



- The project continues to raise awareness at the grassroots level through courtyard meetings, drama shows and songs, and IEC materials. Now 52% of citizens are aware of village courts compared to 23% at baseline. Of those who know about the function of village courts, 35% have encouraged others to make use of its services.
- An independent study found that 37% of citizens encouraged people to take service from VC and 35% of citizens informed others about the roles and responsibilities of VC.
- The attendance of the Prime Minister at the Village Courts Conference boosted public awareness and discussion, as well as increased the sense of ownership towards village courts amongst UP representatives and district and upazila officials.



Courtyard meeting spreads awareness about village courts

The people of Bangladesh are known for their love of rice and fish, which are staples of their diet. Many of the country's fishermen come from the Malo caste, whose people have been fishing for generations.

Nirmala Rani Malo, a member of the Malo caste in Laskerdia Union Parishad of Faridpur district, has made her livelihood by making fishing nets. But in recent years the price of the raw materials needed to make the net has increased and Nirmala has had to take a loan on several occasions to buy her supplies. Nirmala gave Tk. 20,000 in several installments to fellow villager Rabu Sheikh, who said he would use the money to arrange a larger line of credit for her. But Nirmala did not get a witness for all the financial transactions, only for one payment of Tk. 6,000. And so, when Rabu Sheikh neither got her a larger loan, nor returned the money, there was no one to counter his claim that he never took the money from her. Fortunately, one of Nirmala's neighbors, Shewli, works for the village court in their area and she advised her friend to file a case.

On the same day that Nirmala submitted a petition to the Union Parishad, the Chairman reviewed it and a criminal case against Rabu was lodged. Three days later, both Nirmala and Rabu were summoned to the Union Parishad, where they were instructed to nominate two representatives each to form the Village Court panel for their case. Later that week, Rabu, the accused, was asked to submit an objection letter, if any, and the case hearing was fixed for four days later. The four nominated representatives were served a memo, summoning them to the Village Court for the case hearing one week later.

At the hearing, the plaintiff's two witnesses said under oath that Rabu had taken Tk. 6,000, which was sufficient to convince the five-member panel of his guilt. The village court instructed Rabu to pay Nirmala Tk. 6,000 within one month of the hearing; however, Rabu failed to respond to the Court's several notices, nor did he meet the deadline. As a result, the Union Parishad then sent the Case to the Upazila Nirbahi Officer to issue a case vide memo to Rabu in December. Within two days of receiving the case vide from the upazila authorities, Rabu deposited the Tk. 6,000 with the Union Parishad Chairman.

Nirmala was pleased with her experience in the Village Court because she recognized that had she gone to the higher courts, the wait would have been much longer, costlier and more difficult. With the money returned to her, Nirmala was able to buy the supplies she needs to make nets.



3.4 Result 4: Relevant Legal Framework is in place for Village Court activation



The amended draft of Village Courts Act was in principle approved by the cabinet division on 22 October 2012 keeping the recommendations made by the project and sent to MoLJPA for their consideration. MoLJPA has completed their vetting process. It is expected that the amended Act will be placed before the Parliament by the second quarter of 2013. The Project recommendations include:

- raising the pecuniary cap to BDT 75,000;
- requiring at least one woman panel member to be nominated where the case involves the interest of a child or woman;
- enhancing provisions for confidential mediation of the dispute in place of trial;
- recovering of unpaid compensation under the Local Government (Union Parishads) Act 2009 and making the amount recoverable as a local tax;
- restricting the investigative powers of the police in cases falling under the VC's jurisdiction.

Once it is approved by the Parliament, the limitations of the existing VC Act 2006 will be eliminated and access of local citizens to legal service through VCs will be increased. It is thought that the implementation of these amendments will increase the caseload of

the VCs and reduce the inflow of cases into the superior courts and so relieve some of the pressure and backlog.



Faster than the district court: justice delivered through the village court in only 10 days

Mohammed Sohraf Mollah was born and raised in Kalukhali upazila of Rajbari district, where he still lives today with his family. He supports his wife and four daughters by cultivating the small plot of land he owns, as well as pulling a rickshaw to supplement his income. Adjacent to Sohraf's home is a small family cemetery which he tends and looks after. In the plot next to him lives Sokir Sheikh, who is also a farmer. Sokir and his family often urinated beside the graveyard, which caused offense to Sohraf. One morning, after Sohraf saw Sokir relieving himself in the graveyard, he asked him to respect his family cemetery, which led to a confrontation between the two neighbors during which Sohraf was badly injured and was unable to work for four days.

Following the incident, Sohraf filed a criminal case in the district court in early February 2012. After four hearings and seven months later, the district court referred the case to Sohraf's Union Parishad (Modapur Union Parishad) to try it in the village court. Within ten days of the case being registered in the village court, the panel unanimously ordered Sokir to pay Sohraf Tk. 2,500 as compensation for the income he lost when he was unable to work due to his injuries. Sokir paid the money to the Union Parishad two days after the hearing and Sohraf was able to get it on the same day.

Sohraf, relieved to have received the much needed compensation, was also glad to be free of the hassle of dealing with the district courts. In the seven months that his case was being heard, he had to attend court four times, along with his five witnesses, costing them all time and money. Apart from the lost income from missing a day's work, he had to spend Tk. 11,800 including for his lawyer's fees, travel cost and other expenses. Similarly, the respondent Sokir also incurred travel and legal costs, as well lost productivity for the four working days he had to spend in the courts instead of the fields.

By resolving the case in the village courts, both the applicant and the respondent saved money and time, as well as avoided the bureaucratic difficulties of dealing with the higher courts.



3.5 Sustainability of the project

The project's sustainability potential is very high due to the following reasons:

- It is expected that at the end of the project the VCs in the targeted unions will remain functional because the project is running completely according to VC law and the local government structure, and VCs are part of UP.
- Government ownership of and support towards the project is very high. The MoLGRD&C has issued several orders regarding the running of VCs in all UPs and the formation of VC Management Committees. The LGD also considers VC performance as an important criterion for allocation of LGSP's block grants and performance grants to UPs. Additionally, the endorsement and support of the project expressed by the Prime Minister at the VC conference in June 2012 created a huge encouragement to service providers to run VC. The attitude of government is very positive in amending the Village Courts Act. During the reporting period, the amended draft of Village Courts Act was in principle approved by the Cabinet Division, keeping all the recommendations made by the Project. Once approved by the Parliament, the Act will enhance access to the VC for local citizens.
- A sustainability strategy, including capacity development of legal service providers and national training institutes as well as integration of VC issues in their training curriculum, has been undertaken by the project. Meanwhile two training institutes, NILG and JATI, have integrated VC issues into their training curriculum.
- Involvement of GOB officials in monitoring of VC performance is very important. In this regard the project has developed a decentralised monitoring, inspection and evaluation system through an institutional capacity assessment of the MIE wing, LGD and the MIE wing intends to implement it in few selected unions, upazilas and districts on a pilot basis. In this regard, a GO has already been issued and circulated highlighting the roles and responsibilities of UP chairman, UNOs, DDLGs and the MIE wing.
- The following Government Orders (GOs) were issued by LGD to activate and mainstream village courts across the country:
 - o Letter to DCs to incorporate village courts issues in all training provided to UP representatives and Secretaries;
 - o Letter to heads of government training institutes (NILG, BARD, RDA) to incorporate sessions on village courts in the trainings provided to UP representatives;
 - o Letter to Divisional Commissioners to promote village courts;
 - o Letter to all UP Chairmen to conduct village courts as per the Act and inform them about the linkage with LGSP;
 - o Letter to local administration to allocate 1-2 days/week for village courts in each UP;
 - o GO issued to form VCMC at upazila and district levels;
 - o GO issued to decentralise monitoring, inspection and evaluation system.



Police station play important role in activating village courts

For children in rural Bangladesh, the countryside is their playground. There is open land to run around in, ponds to swim in, animals to play with and all the village children to as their playmates. With many of the dangers of city life – like traffic and pollution – far away, mothers often allow their children to play in the vicinity of the home without parental supervision.

Kahinoor Begum, who lives in Lahuria UP of Lohagora upazila under Narail district used to allow her daughter Antora to play with her neighbor's children Amina and Kana, while she was doing household chores. One day the girls were playing together in the garden when a quarrel broke out amongst them and Antora was injured by her two friends. Kahinoor went to speak with Amina and Kana's father Monsur Dhani, but rather than apologise for his daughters' behavior, he along with his family members hit Kahinoor, in the presence of two witnesses who intervened to save her.

After this distressing incident, for which Kahinoor required medical treatment, she and her husband went to the local police station, where the officer on duty received the application and filed the criminal case. But when the officer in charge reviewed the case he realized that the offence fell under the jurisdiction of village courts, and so he forwarded the case to the Lahuria Union on the very same day.

The case was heard in the village court and by a unanimous decision ordered Monsur to pay Kahinoor Tk. 4,000 to cover her medical costs. Kahinoor was amazed at the speed and ease with which her case was resolved and was especially grateful for the help of the officer in charge at the local police station for forwarding her case to the village court. But Kahinoor was not alone in her satisfaction with village courts; Monsur too was pleased with his experience and recognized that had the case gone to the magistrate court, the punishment could have been more severe. Kahinoor was relieved to have her medical costs compensated and her relationship with her neighbor, which could have deteriorated further had the case been drawn out in the courts, was repaired.



3.6 Women's participation increased in obtaining and delivering VC service

Project activities have targeted women to encourage them to seek remedy through VC. This initiative empowers local citizens to seek remedy through VC and also encourages petitioners and respondents to nominate women as village court panel members. As a result, in this reporting period more women sought remedies through VC than in 2011. Monthly case statistics data shows that in total 2,850 women sought remedies through VC during January to December 2011. This increased in this reporting period to 5,443. Representation of women in the VC decision making process has increased from 7% in 2011 to 8% in 2012. The potential role of the VC in curbing sexual harassment is well illustrated in the case study below drawn from the Impact Baseline Study.



Case study on gender

Asma Begum, aged 44 years, lives with her husband, two sons and three daughters in the village of Manikberain Milonpur union, under Mithapukur upazila of Rangpur district. On her way to school, Asma Begum's adolescent daughter used to be teased by a neighbour boy. Hearing this from her daughter, Asma Begum went to the family of the boy to lodge a complaint but the family, instead of rebuking their son, harassed and physically assaulted Asma Begum. As a result Asma Begum was injured.

Asma Begum first went to the *matbors* (village elders) for justice but the *matbors* also took a position in favour of the family of the boy, as the family was powerful in the locality. In this situation, Asma Begum went to the Chairman of the Union. The Chairman advised Asma Begum to file a case against the boy and his family in the village court, which she did in December 2011. The village court, after reviewing the witnesses and the versions of the defendants and the complainant, found the boy and his family as guilty of the charge. The accused apologised in the village court for the offense committed by them. They also promised not to allow such untoward behaviour in the future.

When Asma Begum lodged the complaint in the village court, she was threatened by the boy's family. From the date of filing, it took 25 days to resolve the case in the village court.

3.7 Snapshot of EC-ROM visit's finding

The 4th EC-ROM mission visited the AVCB project activities from September 02 to 06, 2012. Ms. Britta Madsen, representative of EC-ROM mission took part in several meetings with the project team, UNDP senior management, LGD officials and paid visits at project intervention areas of Rajbari, Faridpur and Chuadanga. At the field level, the mission also met with concerned judicial officials, local administration, community, beneficiaries, UP officials and other stakeholders. The mission also shared the findings of the visit in a debriefing meeting and pointed out the following progress of the project along with some specific issues and recommendations.



- The project continues to be highly effective and is considered a model for replication on the national level.
- The awareness raising and capacity building activities and the establishment of Community Based Organizations (CBOs) have been effective, although not all respondents to the Impact Baseline Survey could describe the functions of the VCs correctly.
- While the knowledge of UP chairmen and Upazilla Nirbahi Officers (UNOs) about VCs is excellent, it was noted that the judiciary at the local level needs more capacity building.
- The most important factor hampering access by the population to the VC is the unrealistic financial ceiling of 25,000 BDT. Most cases are related to land grabbing and exceed by far the legal ceiling stipulated in the VC Act. UP chairmen reported that as a consequence of this limitation, the VC can only hear 40% of cases brought to its attention, while the other 60% of cases have to be mediated outside the VC.
- The level of satisfaction of beneficiaries with VC decisions is also very high.
- The project has a significant impact in its target areas. According to the recent Impact Baseline Study, the overwhelming majority of poor and disadvantaged respondents confirmed that they have a functioning VC in their area.
- Local authorities stated that the VCs also serve

as a conflict prevention mechanism, because of their speedy decisions and the satisfaction of disputing parties with those decisions.

- Chairmen of UPs not covered by the project have approached the implementing NGOs for information and advice.
- The project's sustainability potential is very good. The maintenance costs of equipment provided is low and the services of the VCs will continue to be affordable, as the fees of 2 BDT for civil cases and 4 BDT for criminal cases is only likely to increase within a limit acceptable to beneficiaries and will still be a lot cheaper than using the higher justice system.
- The project is completely embedded in local UP structures, based on a law and government orders. The endorsement of and support to the project expressed by the Prime Minister at the VC conference in June 2012 and the related media coverage was very significant in raising awareness about VCs at the national level.
- The LGD has given increasing importance to the VCs, by issuing an order in March 2012 on the obligatory establishment of Village Court Management Committees (VCMC) in district and sub-districts throughout the country. Additionally, the National Institution for Local Government (NILG) has included VCs in their curriculum.
- External factors which might hamper the project's impact are a delay in the approval of

the revised VC Act by Parliament and political polarization on the local level. Stakeholders in Khulna division reported that pre-electoral violence in 2013 is expected to affect the functioning of VCs.

Recommendations of EC-ROM mission:

- This is a successful model project and extension to the national level is desirable.
- EU can consider a no-cost extension of the project for one year till the end of 2014. This would provide the opportunity to extend the project to other UPs.
- LGD/PMT should decide which position assigned to the UP administration will cover the tasks of the VC Assistant.
- LGD/PMT should propose to national budget authorities an adequate budget allocation for the UPs to manage the increasing caseload of the VCs, in case the VC Act is amended, including adequate remuneration for the Village Police, who have to distribute the summons.
- LGD should advocate with the Cabinet that the revised VC Act is submitted to Parliament as soon as possible.
- PMT should coordinate with UNDP's Access to Justice's project and the Ministry of Law on the record keeping of VC cases at the Assistant Judges's Courts and Chief Judicial Magistrates' Court.



4

Challenges and the Way Forward



4.1 Challenges

The types of challenges encountered during reporting period are given in below table:

Table-5 Challenges encountered and measures taken to overcome problems	
Types of challenges	Possible steps already taken or to be taken to overcome challenges
1. Limitations of the existing VC Act, such as dispute jurisdiction, create barriers to activate VC. As a result fewer disputes are reported to VCs and chairmen are more inclined to use <i>Shalish(Informal mediation)</i> rather than VC.	To overcome challenges 1, 2 and 3, the project has already reviewed the existing Legal Framework of VC through research and consultation. In the revised Act, nomination of female members, enhancement of pecuniary jurisdiction from BDT 25,000 to 75,000 and empowerment of VC to enforce its decisions has already been proposed.
2. Increasing female participation in VC, as both petitioners and respondents are less inclined to nominate female members.	
3. Under the PDR Act, the process of recovering compensation is cumbersome and expensive. Consequently, implementation of VC decisions in some cases becomes difficult, which often leads people to seek remedies through alternative means.	
4. VCs are authorized to deal with some cognizable offences. In the case of these offences, police retain the power to investigate which creates a barrier to activate VCs.	Meanwhile the cabinet division has in principle approved the amended Village Courts Act (proposed) and MoLJPA has completed their vetting process, keeping all the recommendations proposed against the challenges 1, 2 and 3.
5. District level judicial officers accept appeals against VC decisions even though VC decision took place by the majority of the panel members.	As in the past year, both national and local level advocacy and sensitization interventions have been planned to overcome these challenges.
6. UP chairmen have other priorities, such as meeting their livelihood and handling cases against them, which distract them from the VC duties.	National and local level advocacy and sensitization interventions have been planned.
7. As project reaches its last year, staff drop out will hamper its ability to reach its target and quality achievement.	GO has been issued instructing them to hold VC sessions once or twice a week. Follow up on the implementation of GO has been taking place. In addition, advocacy with UP chairmen has been planned to hand over charge to Panel Chairman to carry out his/her activities in absence of an elected Chairman.
	Necessary back up plan has been taken to address these challenges.

4.2 The Way forward

The project will continue its support to 338 UPs and 12 UPs of the Research and Process Development (R&PD) areas including capacity building of service providers, community mobilization and sensitization of key stakeholders to deliver quality judicial services and creating demand of VC. It will give greater focus to the sustainability of the project so that targeted beneficiaries continue to get judicial service through VC law, even after the project comes to end. In this regard, it will continue policy

advocacy to amend Village Courts Act 2006 and capacity building support to NILG, JATI and BCsAA for the integration of VCs issues in their training curriculum. Along with implementation of the existing project monitoring and evaluation system, more emphasis will be given in implementing decentralized institutional monitoring, inspection and evaluation procedures within the LGD, MoLGRD&C with regard to village courts on a pilot basis.





ANNEXURE

Annexure-I

Snapshot of grassroots level awareness raising and capacity building activities

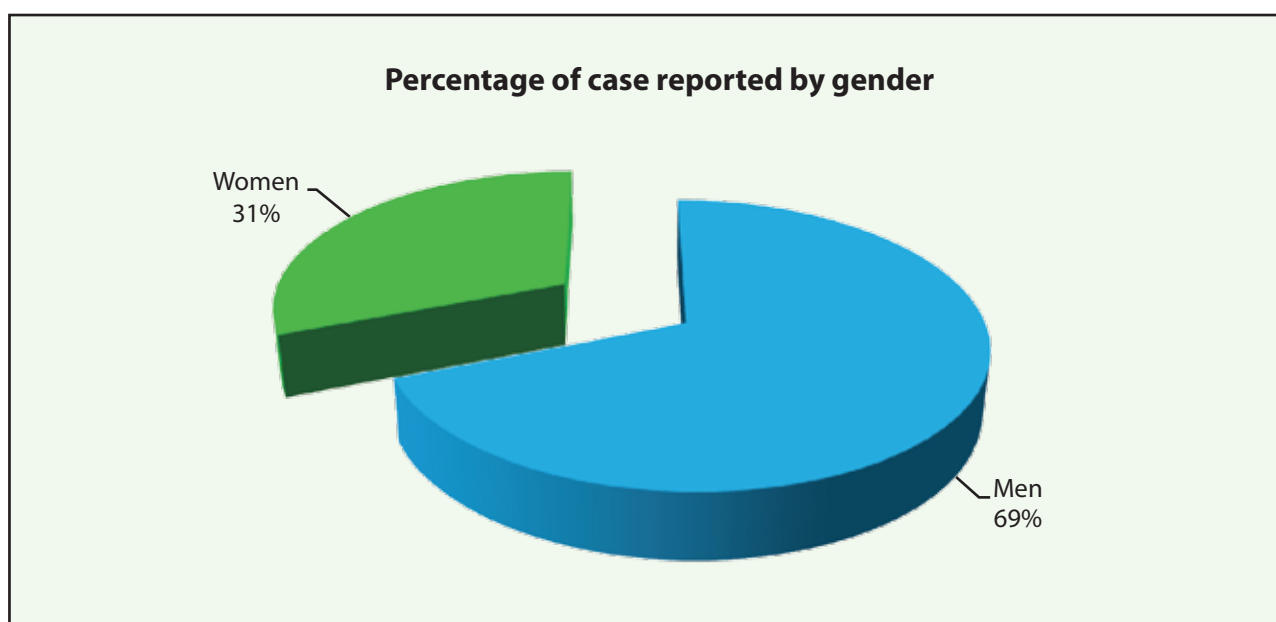
Beginning to December 2012

Activity	No. of event	Number of participants		
		Male	Female	Total
A. Awareness activity				
1. Organize mediation workshop	2,038	32,170	20,960	53,130
2. Conduct sensitization workshops at upazila and union level	464	16,531	8,579	25,110
3. Conduct experience sharing meeting with UP	1,211	19,451	4,567	24,018
4. Conduct meeting with DDLG	97	694	162	856
5. Conduct youth workshop	964	26,233	21,510	47,743
6. Organize rally	1,179	—	—	290,417
7. Stage drama show	1,156	—	—	1,539,726
8. Conduct courtyard meeting	46,542	215,040	717,852	932,892
9. Conduct community Based Organization (CBO) meeting	33,037	208,892	149,601	358,493
B. Capacity building				
1. Provide training to UP representatives and officials	340	6,747	2,320	9,067
2. Provide training to CBO members	494	8,358	5,465	13,823
3. Provide training to religious leaders	106	3,094	—	3,094
4. Provide training to women leaders on gender and VC	161	0	4,122	4,122
5. Provide training to Village Police	116	3,130	34	3,164

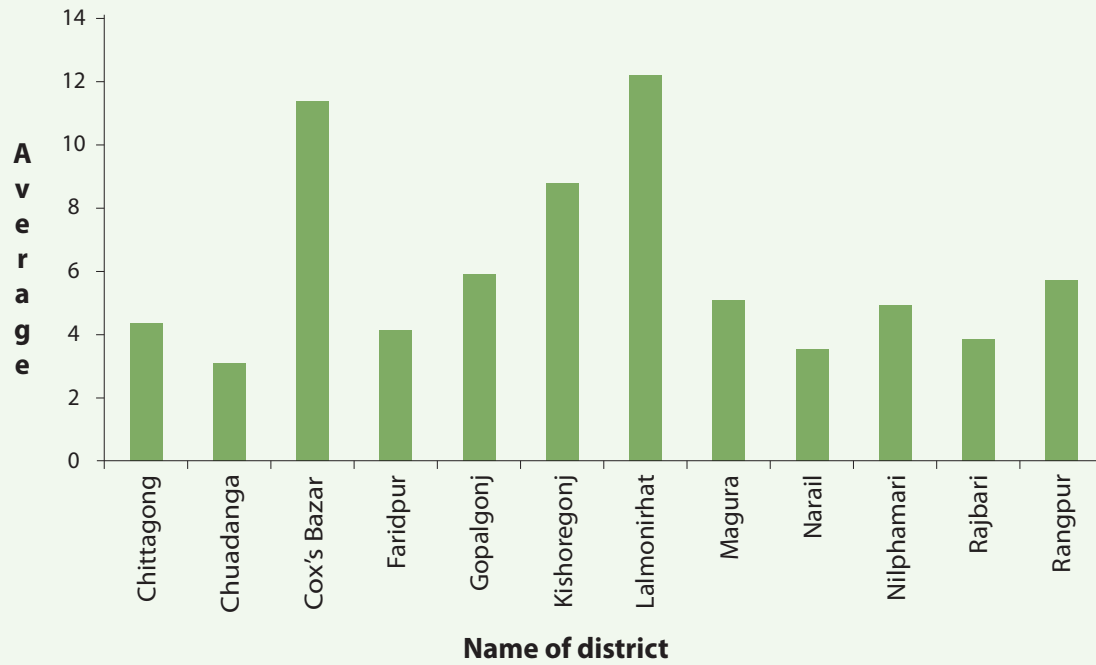
Annexure-II

Village Courts performance

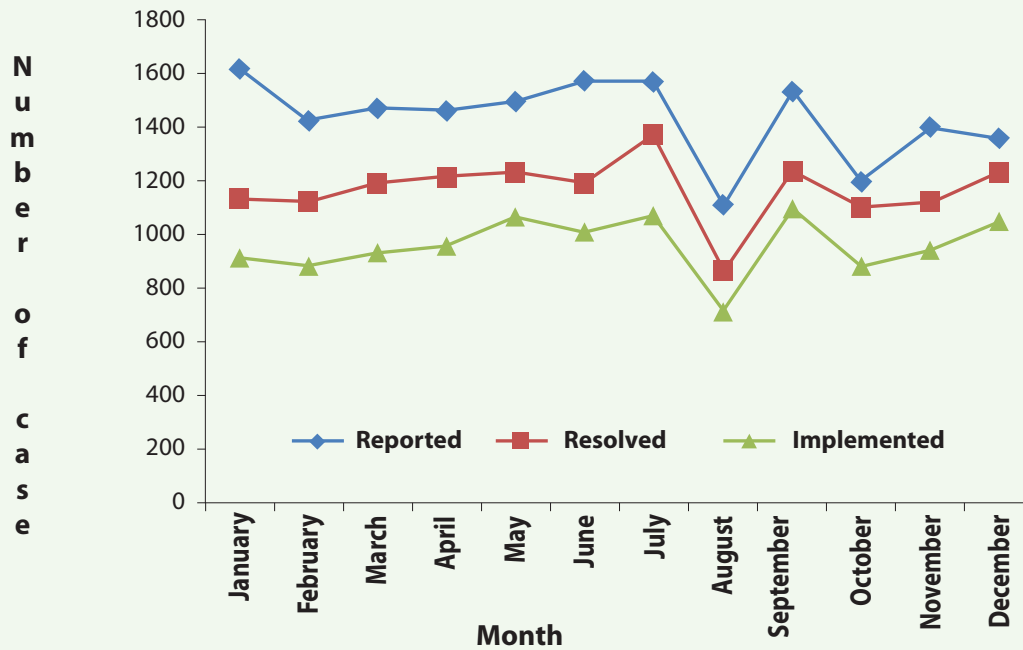
Number of case reported, resolved and number of VC decisions implemented from 2009 to December 2012												
District	No. of case reported				No. of case resolved				No. of VC decisions implemented			
	Male	Female	Both	Total	Male	Female	Both	Total	Male	Female	Both	Total
Chittagong	938	579	19	1536	453	334	12	799	397	301	12	710
Cox's Bazar	996	441	141	1578	481	211	42	734	429	189	37	655
Faridpur	2325	969	0	3294	1966	841	7	2814	1389	592	0	1981
Gopalganj	1774	711	0	2485	1469	580	0	2049	983	370	0	1353
Kishoregonj	2055	1245	0	3300	1519	966	0	2485	972	601	0	1573
Rajbari	2179	715	0	2894	1842	611	0	2453	1110	398	0	1508
Magura	627	182	11	820	459	141	5	605	409	118	5	532
Narail	382	153	11	546	268	111	4	383	195	74	1	270
Chuadanga	941	295	7	1243	620	209	3	832	580	212	3	795
Lalmonirhat	2293	1007	0	3300	1677	757	0	2434	1356	665	0	2021
Nilphamari	2307	967	0	3274	1778	757	0	2535	1593	699	0	2292
Rangpur	1604	1075	0	2679	1152	825	3	1980	1015	771	0	1786
Grand Total	18421	8339	189	26949	13684	6343	76	20103	10428	4990	58	15476



Average number of pending cases in each UP at the end of December '12



Trend of Village Courts performance (Jan'12 to Dec'12)



Annexure-III

Progress made so far against the LFM indicators

Objectives	Objective Verifiable Indicators (OVI)	Achievements so far
Overall objective: To improve access to justice for disadvantaged and marginalized groups and enhance human rights systems and processes in Bangladesh	Revised approved VC law is in place	Proposed amendments to the Village Courts Act have been approved by the Cabinet Division and vetting process has been completed by MoLJA
	Number of cases at formal courts reduced.	26,949 cases registered in VC since 2010 to December 2012 and 1,683 cases were referred from District Courts to VCs in the same period in the project area.
Specific objective-1: To empower women, the poor and disadvantaged groups to seek remedies for injustices, and to enable justice institutions to be responsive to claims	Increased % of target people especially women and disadvantages in the project areas seek remedies for injustices	Cases reported by women increased by 2% in last 2 years (29% in 2011 and 31% in 2012). Overall 26,949 cases reported till December 2012, of which 210 reported in 2010; 9,542 reported in 2011, 17,197 reported in 2012
	% of target people, especially women and disadvantaged groups, reported that VC accept /file their claims	74% of people including women and disadvantaged groups responded that VC heard their case
Specific objective-2: To promote and protect human rights security through human rights based approach to development in programming and delivery	Incidence of human rights violation within the jurisdiction of VC related to petty criminal and civil matter decreased	Both Impact Baseline and Evaluation of VC performance studies show that incidence of disputes (family disputes and community scuffles), and social problems decreased due to activation of VCs
Specific objective -3: To empower citizens to resolve their disputes at the local level in an expeditious, transparent and affordable manner	% of women representation in the VC panels	Overall 7% women as member of VC panels (1% increased from the year 2011 (7%) to 2012 (8%))
	Increased % of reported disputes resolved at local level	<ul style="list-style-type: none"> Of the reported cases 20,103 (75%) were resolved till December 2012, of which 110 (20 women got remedies) resolved in 2010; 5,989 resolved (1,912 women got remedies) in 2011; 14,004 (4,411 women got remedies) in 2012. At the end of this reporting period 32% women got remedies through VCs

Objectives	Objective Verifiable Indicators (OVI)	Achievements so far
	% of citizens reported that disputes resolved at VC level are transparent	74% petitioners & respondents reported that disputes resolved at VC level are transparent.
	Average days required to resolve a dispute	Average 28 days required to resolve a dispute
	% of citizens specially women reported that disputes resolved at VC level is fair, less costly and less time consuming	68% petitioners and respondents were satisfied with VC decision. They considered transparency (74%), fairness (96%), low costs (95%), prompt and quick decision making process (47%) as reasons behind their satisfaction
Specific objective-4: To strengthen local government institutions to be responsive to local needs and offer appropriate legal services through well functioning VCs	% of UP providing justice delivery service through VC	338 (97%) UPs activated to provide justice delivery
	Local government institute at different levels are well equipped to run VCs	338 (97%) UPs are equipped with staff, forms, registers, <i>ejlas</i> and trained VC officials and 12 (3%) UPs are equipped with forms, registers, <i>ejlas</i> and trained VC officials
	Different Village Court related directives issued	<p>The following GOs were issued by LGD to activate and mainstream VCs across the country:</p> <ul style="list-style-type: none"> - Letter to DCs to incorporate VC issues in all training provided to UP representatives and Secretaries; - Letter to heads of government training institutes (NILG, BARD, RDA) to incorporate sessions on VCs in the trainings provided to UP representatives; - Letter to Divisional Commissioners to promote VCs; - Letter to all UP Chairmen to conduct VCs as per the Act and inform them about the linkage with LGSP; - Letter to local administration to allocate 1-2 days/week for VCs in each UP; - GO issued to form VCMC at upazila and district levels; - GO issued to decentralize monitoring, inspection and evaluation system;

Objectives	Objective Verifiable Indicators (OVI)	Achievements so far
	Village court related issues discussed in different meetings held at union, upazila, and district level	Formed and mobilized upazila and district VC Management Committees to monitor VC performance
	Decentralized monitoring, inspection and evaluation system piloted in 15 unions, 7 upazilas and 7 districts	<ul style="list-style-type: none"> Decentralized system developed; Piloted areas (5 districts, 7 upazilas and 15 unions) approved by PIC; Required GO issued to 5 districts, 7 upazilas and 15 unions; Orientation provided to UNOs and DDLGs on decentralized system; 10 districts and 54 upazilas VCMC formed and started functioning; Orientation provided to UNOs and DDLGs on the ToR of VCMCs; Self-monitoring started
Result-1 VCs are activated and functioning in 350 UPs	Increased % of decisions made by VC implemented	Among the resolved cases, 15,476 (77%) decisions were implemented till December 2012, of which 23 in 2010, 3,953 in 2011, and 11,500 in 2012
	% increased of citizens reporting that VCs are active in their locality	92% of citizens reported that VC are active in their locality
	% increased of citizens reported that people in their locality go to VCs to resolve disputes	77% of citizens reported that people in their locality go to VC to resolve disputes
	% increased of citizens reporting that VC is able to enforce its decisions	58% of community members and 84% of petitioners and respondents reported that VC can enforce its decisions.
	Satisfaction level of citizens who received service from VC	48% of citizens who received services from VC were very satisfied and 20% satisfied
	Member of UPs took initiatives for activating village court	<ul style="list-style-type: none"> VCs regularly sit once or twice in a week; Many UP members participate in different awareness raising and capacity building initiatives; Separate room or space is made for VCAs

Objectives	Objective Verifiable Indicators (OVI)	Achievements so far
	Decentralized monitoring, inspection and evaluation system piloted in 15 unions, 7 upazilas and 7 districts	<ul style="list-style-type: none"> Decentralized system developed; Piloted areas (5 districts, 7 upazilas and 15 unions) approved by PIC; Required GO issued to 5 districts, 7 upazilas and 15 unions; Orientation provided to UNOs and DDLGs on decentralized system; 10 districts and 54 upazilas VCMC formed and started functioning; Orientation provided to UNOs and DDLGs on the ToR of VCMCs; Self-monitoring started
	Type of issue related to VC discussed in the upazila, and district level development meetings and type of actions taken	Formed VCMC to meet quarterly at upazila and district levels.
	VCs regularly send their six monthly progress report to the UNO	In most of the working areas, UP have started sending six monthly VC progress reports to UNOs.
Result-2 Capacity and knowledge of Village Court officials and members developed	% of village court officials and member can explain the following issues: <ul style="list-style-type: none"> formation of village court types of offences/disputes handled by VC financial jurisdiction of VC Decision making process of VC Different forms/formats and guideline required to smooth implementation of VC 	EC-ROM report shows that knowledge of UP chairmen about VCs is 'excellent'.
	All of the UP representatives and officials in 350 UPs were trained on VCs	<ul style="list-style-type: none"> All of the UP representatives and officials in 350 UPs were trained on VCs All of the Village Police in 350 UPs were trained on VCs

Objectives	Objective Verifiable Indicators (OVI)	Achievements so far
	Disputes (pending and resolved) documented properly by UP	Proper documentation of VC proceedings took place in most of the UPs as application forms, summons, nomination forms, attendance sheets, decree forms, etc. were attached with the order sheet. Registers were accurate and up to date
Result-3 People are sensitized on the role and responsibilities of VCs	<ul style="list-style-type: none"> • % of citizens reported that they encourage people to take service from VC • % of citizens reported that they informed others about role and responsibilities of VC • Number and types of citizens participated different VC initiatives and spoke favourably of VC. 	<ul style="list-style-type: none"> • 37% of citizens reported that they encouraged people to take service from VC • 35% of citizens reported that they informed others about roles and responsibilities of VC • Articles in print media about VC • Prime Minister attended VC conference in 2012
	% of citizens heard about VC by sources	52% citizens heard about VCs and as the sources, they referred to CYM, CBO members, poster/stickers, local leaders, CAs, FWs, UP representatives
	% of citizens are aware on the following issues of VC <ul style="list-style-type: none"> • types of offences/disputes handled by VC • financial jurisdiction of VC • Know where to seek justice 	<ul style="list-style-type: none"> • 51% know the VC formation process • 42% citizens are aware about financial jurisdiction of VC • 44% know about fees for civil and around 46% know about criminal cases • 33% had demonstrated correct knowledge about VC decision making process

Objectives	Objective Verifiable Indicators (OVI)	Achievement so far
Result-4 Relevant Legal Framework is in place for Village Court activation	<ul style="list-style-type: none"> Reviewed and approved legal framework is in place Commitment received to amend legal framework 	<ul style="list-style-type: none"> An amended Village Courts Act has been approved by the Cabinet Division and the vetting process has been completed by the MoLJPA.
	<ul style="list-style-type: none"> Number of studies and evaluation carried out by 2013 to indentify gaps and limitation of existing legal framework Village Court Act 2006, Rules 1976 and PDR Act 1913 reviewed and amendment process initiated according to the recommendations 	<ul style="list-style-type: none"> Reports on i) Review of VC Legal Framework; ii) Social Barrier and Limitations of VCs; iii) Institutional Assessment are in place; An amended Village Courts Act has been approved by the Cabinet Division and vetting process completed by the MoLJPA.

Annexure-IV

Statement of Expenditure 2012

The following expenditure arrived in 2012 as per final combined delivery report of 2012 against Annual Work Plan- 2012:

Activity	Budget (USD)	Expenditure (USD)	Percentage of Expenditure
Strengthening Union Parishad	2,433,191	2,400,428	99%
Monitoring and Evaluation	238,096	108,689	46%
Capacity Development of UP representatives, Officials and Village Police	69,940	69,815	100%
Awareness on Village Courts System	261,278	199,586	76%
Review Legal Framework of Village Courts	82,820	47,593	57%
Technical Assistance and Management Cost	476,775	372,372	78%
Total	3,562,100	3,198,483	90%

Annexure-V

Knowledge products and IEC materials

Report on Evaluation of Village Courts Performance at Beneficiaries End
Impact Baseline Study Report
Institutional Assessment Report
Flash Cards on Gender
Flash Cards on Village Courts
60 minute Video Learning Aid on Village Courts named ' <i>Amader Gram Adalat</i> '
60 second TV spot
Leaflet (Bengali) - Awareness Material on VCs
Pamphlets (2 types)- Awareness Material (Bengali) on VCs
Compilation of Case Studies (English)
Citizen's Charter Board (Bengali)
Project Newsletter (English)
Diary (Bengali) 1419
Village Courts Booklet (Bengali)- Awareness Material
Policy Brief (Bengali and English)

VILLAGE COURTS Govt mulls judicial assistants for UPs

Says prime minister

BSS, Dhaka

Prime Minister Sheikh Hasina yesterday said the government is considering appointing a judicial assistant to each union parishad (UP) across the country to help public representatives make village courts operational.

The village court system, which will be expanded to all unions, will be an ideal justice delivery model for developing countries. There might be some loopholes initially but the process will be gradually standardised, she said.

Hasina was addressing the inaugural session of a two-day "Village Court Conference" under "Activating Village Courts in Bangladesh Project" at Bangabandhu International Conference Centre in the capital. Rangpur Pourasabha will be very shortly upgraded to a city corporation, she declared.

Chairmen and secretaries of 350 UPs under the project are taking part in the conference to review the success of the Village Court Law and identify its loopholes for improvement.

Local Government Division, with financial assistance from United Nations Development Programme (UNDP) and European Union (EU), initiated the project in 350 unions in 2009.

The project preliminarily aimed at executing the village court law enacted to give the traditional local dispute resolving system a formal and legal structure.

Hasina said the government took steps to introduce village courts in over 4,000 UPs outside the project area and urged donors to provide assistance in this regard.

She reminded that village courts are a unique opportunity for elected representatives to deliver justice and service to people, being authoritative on one hand while undertaking a huge responsibility on the other.

"Nothing unjustified should be imposed, under an external influence, on people who seek justice. Religious superstition and fanaticism should also have no role while justice is being discharged," she said.

There should also be provisions for punishment against false complaints. Disputes should be resolved through understanding and motivation, she added.

Hasina said local representatives can earn the confidence and love of the people using the

authority bestowed upon them by the village court law.

Peaceful resolution of disputes would also help maintain peace in society and fraternity among people, she noted.

Stating that the government is pledged to undertake any activity required for the people's welfare, Hasina hoped that village courts will pave the way towards ensuring justice for the poor and disadvantaged rural people.

She reiterated that Dhaka City Corporation was divided into Dhaka North and Dhaka South city corporations to improve service delivery and for the decentralisation of the administration.

Narayanganj and Comilla municipalities were upgraded to city corporations and Rangpur would be upgraded to a city corporation very shortly, she said.

The government enacted and amended the upazila parishad laws and formulated the regulations to strengthen the upazila parishad, she said.

It also undertook massive development programmes for the municipalities. For instance, pourasabha mayors and UP chairmen are being trained at home and abroad, she said.

A master plan is being prepared for municipalities in 23 districts headquarters and 223 upazila headquarters, said Hasina.

She said the union councils are implementing a number of projects aided by UNDP, EU, World Bank and Unicef.

The largest WB financed project, "Local Governance Support Project (LGSP)", was executed during 2006-2011 when Tk 1,034 crore was directly channelled to the local government's lowest tier as the basic grant, she said.

Moreover, the government took up LGSP-2, which will cost Tk 3,912 crore and be operational till 2016, she said.

LGRD and Cooperatives Minister Syed Ashrafur Islam and State Minister Jahangir Kabir Nanok, UNDP Resident Representative Neal Walker and EU Delegation Charge d'Affaires Milko Van Gool attended as special guests.

Local Government Division Secretary Abul Alam M Shahid Khan was in the chair while the project director KM Mozammel Haque spoke on the occasion.



Prime Minister Sheikh Hasina addresses an audience of chairmen and secretaries of 350 Union Parishads (UPs) during the inaugural session of a two-day Village Court Conference at Bangabandhu International Conference Centre in the capital yesterday.

PHOTO: PNO

VILLAGE COURT ACT
Cabinet okays changes

The cabinet approved the draft of "The Village Court (amendment) Act, 2012" following the recommendation of the Ministry of Local Government, Rural and Cooperative Development. The bill aims to strengthen the village court system by providing for the appointment of judicial assistants and the establishment of village court committees. It also outlines the powers and functions of the village courts and the procedures for filing and disposing of cases.

গ্রাম আদালত কার্যকর না করলে বরাদ্দ পাবে না ইউনিয়ন পরিষদ

বঙ্গবন্ধু আদালত পরিষদ

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

এই বিজ্ঞপ্তিতে জানানো যাচ্ছে যে, সরকারী আদালত পরিষদ কর্তৃক প্রদত্ত নির্দেশনা অনুযায়ী, গ্রাম আদালত কার্যকর না করলে ইউনিয়ন পরিষদের বরাদ্দ স্থগিত থাকবে। ইউনিয়ন পরিষদের প্রধানের মাধ্যমে গ্রাম আদালত কার্যকর করা হবে।

'Make village courts more functional'

STAFF CORRESPONDENT

Speakers at a consultation programme yesterday stressed the need for creating awareness among the grassroots level people to make the village courts more functional.

Mass media can play vital role for creating awareness towards the quasi-judicial system, they said.

As per the Village Court Act, 2006, a village court would be constituted consisting of five members headed by respective Union Parishad chairman to settle down disputes like family conflict, stealing and realising compensation.

The village court can realise compensation up to Tk 25,000 but it cannot give any punishment or imprisonment.

The Local Government Division (LGD) organised the programme titled "National Consultation on Role of Media in Activating Village Courts" at a hotel in the capital.

Journalists, legal experts and representatives of the government and development partners attended the programme which was a part of a project titled "Activating Village Courts in Bangladesh Project."

LGD in association with European

Union and UNDP is implementing the project to make village courts functional in 350 selected union parishads under 56 upazilas of 14 districts during its piloting period (2009-2013).

State Minister for LGD and Cooperatives Jahangir Kabir Nanok, PTB Director General Dulal Chandra Biswas, European Union Ambassador in Dhaka William Hana, UNDP Country Director Stefan Priesner, LGD Joint Secretary Shamirna Nargis, also spoke at the inaugural session with LGD additional secretary KM Mozammel Hoq was in the chair.



Empowered lives.
Resilient nations.

Activating Village Courts in Bangladesh Project

Local Government Division
Ministry of Local Government, Rural Development and Co-operation

2009-2013

Project Intervention Area





Activating Village Courts in Bangladesh Project
Local Government Division
Ministry of Local Government, Rural Development and Cooperatives

