



Activating Village Courts In Bangladesh Project

Local Government Division

Ministry of Local Government, Rural Development and Cooperatives







ANNUAL REPORT 2011



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Annual Report 2011 Activating Village Courts in Bangladesh Project

Published on

March 2012

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Acronyms and Abbreviations

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



Jahangir Kabir Nanak, MP
Hon'ble State Minister
Ministry of Local Government,
Rural Development & Cooperatives



I welcome the initiative of publishing the Annual Report 2011 of 'Activating Village Courts in Bangladesh' Project of Local Government Division which aims to improve people's access to justice by activating existing village court system. Initially the project is being implemented in limited number of UPs with a view to scale-up gradually in the light of implementing experience. The unique feature of village courts, as we all know is its composition where the trial process is operating by people's representative and nominated members of the locality by both the parties in dispute. People do not need to go far for seeking justice for every single offence which are triable in the village courts. All these features are people friendly. What is needed for ensuring the smooth functioning of village courts, is enhancing the capacity of village court functionaries and revisit the related system, law in place. I consider this pilot initiative of Local Government Division very important as it is covering all these critical areas under its objectives.

The Annual Report describes the key achievements of the project as well as identifies some key challenges to be considered in future. This documentation is important for furthering the future initiatives.

I appreciate the Local Government Division (LGD) and the project officials for publishing the report. I also thank European Union and UNDP Bangladesh for their support to the Government of Bangladesh in this regard.

(Jahangir Kabir Nanak, MP)

- Lungin Ealen Namek

March 2012 Dhaka



Abu Alam Md. Shahid Khan Secretary Local Government Division



I feel happy to see that the Annual Report 2011 of "Activating Village Courts in Bangladesh' project is ready for publication. I consider this project of Local Government Division very important as it makes intervention in a sensitive area of ensuring grass-root people's easy access to local justice system. Historically speaking, village court system is not a new phenomenon in the country rather it has its roots back in 1919 and exists since then. Over the years, it has gone through different changes as an on-going process. Activating the system even more with some updating and reviewing the related legal framework has been a felt need over a period of time. Through this project, Local Government Division has tried to make intervention in four thematic areas that include capacity building of Village Courts Officials, awareness raising of community people, Review of Legal Reform and Monitoring and Evaluation of Village Court performance.

The project has taken some remarkable initiatives in the year 2011. Along with working in the area of enhancing the UP's capacity in running the courts, the project has also made some intervention to mainstream the village court functions across the judiciaries and field administration with a view to engage all concerned from their related platform in activating the village court system. It has prepared extensive training manual on Village Courts and incorporated the village court issues in the training curriculum of various GoB training institutions. A booklet named "Gram Adalatey Bichar: Sangslisto Ain O Bidhimala" has been published keeping in view the awareness campaign among people. The project also drafted a set of recommendations for necessary reforms in the Village Court Act 2006 and has taken initiative to frame the updated Village Court Rules and necessary amendments in the Act.

As a five year-long (2009-2013) pilot intervention, the project is covering 350 Union Parishads under 14 districts in 56 Upazilla's falling under 6 Divisions. I believe the implementation experience of the project can be instrumental in up scaling the village courts-across the country.

I strongly believe this kind of documentation in the form of Annual Report is very important as builds an institutional memory. I appreciate our valued development partners European Union and UNDP for extending their support to the Government of Bangladesh in implementing the project.

I extend my thanks to all concerned that put in their sincere efforts in producing the Annual Report 2011.

(Abu Alam Md. Shahid Khan)

March 2012 Dhaka



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. Access to Justice is one of these issues and we are glad to contribute with an amount of EUR 10 million to support the state-led rural justice system, known as Village Courts. By activating Village Courts in 350 selected union councils, the project is reducing pressure created by case backlogs in the courts and allowing easier access to justice at a local level.

The Annual Report 2011 for the project confirms that the progress is underway and the potential for ensuring social justice, development and good governance envisaged in the project design is becoming a reality.

I am aware of the challenges that the project faces on the ground. But I am also confident that if everyone works together - the Ministry of Local Government, Rural Development and Cooperatives, the project management team and the UNDP - excellent results can be achieved. Small adjustments may be made for the remaining period of implementation, so as to move ahead with result-based knowledge management and justify the rolling out of this project to more areas of Bangladesh.

I wish the project, the Ministry and UNDP every success in offering an exemplary model of effective local justice.

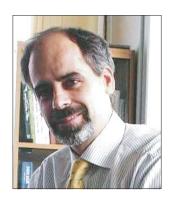
H.E. William HANNA

March 2012



Stefan Priesner

Country Director UNDP Bangladesh



I am pleased to present the 2011 Annual Progress Report of the 'Activating Village Courts in Bangladesh (AVCB) project. As part of the wider effort of the Government of Bangladesh (GoB) for ensuring equal access to justice for the poor and marginalized group of people, AVCB project has provided valuable support to stride the process to resolve local level disputes through village courts.

The AVCB project is part of the UNDP's strategic support to promoting access to justice for the poor and disadvantaged and is complementary to a number of other initiatives, such as our support to Supreme Court (JUST Project), to the Ministry of Law and Justice (Access to Justice Project), to the Police (Police Reform Programme) and to collaboration among key institutions in the justice sector (Justice Sector Facility). This "family" of programmes addresses different aspects of enhancing access to a fair and effective remedy for the people of Bangladesh.

The Government of Bangladesh passed the Village Court Act 2006 to make village courts more functional and effective. The Act has empowered Union Parishads (UPs) to resolve disputes that fall under the jurisdiction of the Village Court Act in an attempt to devolve justice delivery down to the grass root community level. For the poor and the marginalized people, who cannot afford the formal judicial system due to lack of orientation, social barriers and economic constraints, the Village Courts system is providing access to justice.

This progress report substantiates that the delivery of justice services at local level with the support of AVCB project has produced tangible results. Almost 10,000 cases were registered at village courts, while more than 6,000 cases have been disposed of since the inception of the project until December 2011. Furthermore, 562 cases were sent back to village courts from district courts. This shows the enormous demand from all sides for a speedy, low cost and accessible justice system at the people's doorsteps. The quickly emerging case load of the Village Courts also demonstrates its potential in reducing the case backlogs in the formal court system, which is now around two million. Now that the system has been tested the vision is to replicate this institutional mechanism for local level dispute resolution i.e. Village Courts throughout the country.

I would like to express my sincere thanks to the Government of Bangladesh for its continuing long-standing partnership with UNDP and for providing leadership to this programme. I would also like to appreciate the support of the European Union (EU) for its generous financial assistance to the project. I congratulate the AVCB project team for their dedication and the progress made so far and I look forward to further successes in the near future.

Stefan Priesner Country Director, UNDP Bangladesh March 2012, Dhaka

Acknowledgement |



K M Mozammel Hoq

Additional Secretary
Local Government Division
&
National Project Director
Activating Village Courts in Bangladesh Project



It gives me a sense of accomplishment to see that Annual Report 2011 on 'Activating Village Courts in Bangladesh' with partial glimpses from the past two years 2010 and 2009 as well. The report reflects the major tasks undertaken in the year of 2011.

The overall objective of the project is to strengthen the local justice system through enhancing the capacity of Village Courts along with some related intervention in the legal reforms. Initially, this pilot initiative is covering 350 union parishads falling under 56 upazillas in 14 districts.

The formal justice system in Bangladesh is under tremendous pressure with much workload and inadequate number of officials and staff to dispose the cases. Consequently, the case backlogs add up to the existing pending cases and at present it stands at about two million cases. The situation negatively impacts on the rural poor and vulnerable group of people who cannot afford the expenses of cases and do not have clear understanding of how to get access to justice in the upper courts. They run from here to there for seeking justice mostly on cases, which can be resolved through village courts.

With a view to ensuring grass-root peoples access to justice at their doorstep, Local Government Division has undertaken this pilot initiative the success of which would be replicated countrywide gradually. The last three and half years implementation experience has already identified some important areas to be addressed for making the Village Courts better operational which also includes revisiting the existing laws. As a National Project Director of the project, it is my privilege to report that the matter is in progress. UPs in the project intervention areas have already been provided with necessary logistics and supports like Ejlash, furniture, all necessary documentation supports including forms, registers, and court assistants, which show good results.

I hope this report will be helpful to the relevant stakeholders, policy makers, legal and social researchers, development activists apart from the routine use of the report in the project activities. I would also like to thank the project personnel for their efforts in producing the Report. I extend my gratitude to European Union and UNDP for all their cooperation.

(K M Mozammel Hoq) March 2012

Dhaka

At a glance Activating Village Courts in Bangladesh Project

Country Bangladesh

No. and Title of the 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

January 2009 – December 2013

Project Budget US \$15.05 Million

Project Duration

Reporting Period January – December 2011

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



The Local Government Division (LGD) of the Ministry of Local Government, Rural Development and Cooperatives (MoLGRD&C), with the financial and technical supports of European Union and UNDP, is implementing the fiveyear project tilted "Activating Village Courts in Bangladesh (AVCB)". For a large majority of the population, the costs for formal justice is prohibitively high, and this coupled with a poor understanding of taking legal recourse for disputes resolution, deprives the majority of the population from access to justice. The Government of Bangladesh passed the Village Court Act 2006 empowering Union Parishads (UPs) to resolve disputes that fall under the jurisdiction of the Village Court Act in an attempt to devolve justice delivery down to the grass root community level. Considering the context, the pilot project AVCB was conceptualized.

The overall objective of the project is to improve access to justice for disadvantaged and marginalized groups and enhance human rights systems and processes in Bangladesh. It covers 350 Union Parishads in 56 upazila under 14 districts of 6 divisions. To achieve these objectives of the AVCB project, LGD continues to implement various activities, such as capacity building of the village court members; elected representatives including support staff; conduct motivational programmes to sensitize all concerned on the role and functions of village courts; undertake review of legal framework and strengthening the monitoring and supervisory functions of Village Courts within the MoLGRD&C.

This report highlights the achievements of the project in 2011 and also includes snapshots of previous years. The project has successfully activated village court services in 338 UPs through providing capacity building supports to UP representatives, community peoples and cross-section of citizens of the society out of selected 350 UPs.As a result, 9,769 cases were registered and 6,102 cases were resolved in the village courts till December 2011. Decisions for 3,284 (54%) cases against the disposed ones have already been implemented in the same period. One of the important objectives of the Project is to reduce the back log of cases in the district courts through activating village courts in the project area. Backlog of cases will be reduced if the citizens file the cases to the VC instead of upper courts and the upper courts refer the cases to the VCs of its jurisdiction. Till December 2011, 562 cases were transferred from district courts to Village courts. The project has hired four reputed national NGOs in four divisions for assisting LGD in carrying out field level community mobilization, capacity building and providing technical supports to the UPs for rendering justice services through village courts. The capacity development intervention for the elected UP representatives, village court officials and community members enabled them to run the village courts in line with the Act and the Rules through sound case documentation. On the demand side, the community mobilization initiatives through formation of Community Based Organizations (CBOs) and different levels of interaction among the CBO members including meetings, courtyard-level interactions, stage drama followed with rallies, local and national level workshops etc. have contributed to empower rural peoples for raising their voice and demand in seeking legal services from Village courts (VCs).



During the year 2011, the project has made significant progress in establishing strategic institutional linkages with different pertinent government training institutes e.g. National of Local Government (NILG), Institute Bangladesh Civil Service Administration Academy (BCSAA) and Judicial Administration Training Institute (JATI). NILG has reviewed and endorsed the training manual on village courts which is the first ever government owned village courts manual in Bangladesh. Following the technical and knowledge building supports from the project, the NILG has undertaken initiative to incorporate training sessions for the elected representatives on village courts in their regular training calendar. This indicates a step towards mainstreaming village courts issue in their regular curricula. On the other hand, two consultation committees are formed respectively incorporate Village Courts issues into the curricula of BCSAA and JATI and JATI has officially agreed to include Village Courts issues in their curriculum as an agenda.

The project has assisted LGD for drafting the amendment proposal of Village Court Act 2006 through series of consultations with different

stakeholders. It is strongly expected that this amendment proposal will be placed to the National Parliament in the year 2012. The proposed amendment attempts to remove inconsistencies with the provisions of the Code of Criminal Procedure (CrPC), reducing the tendency for filing cases with police station by passing the VC and empowering village courts for enforcement of the decisions taken by it and making VC more pro-women and proactive in protecting women's rights.

Monitoring and evaluation is one of the vital components of this project that emphasized on institutional capacity enhancement of LGD and ensuring monitoring of the field level activities for producing expected outputs. In terms of institutional monitoring, the project has undertaken capacity assessment of the MIE (Monitoring, Inspection and Evaluation) Wing of LGD focusing effective monitoring capacity for village courts functions. The draft report is produced which is currently being reviewed by the Project and LGD. Monitoring of village courts performance by Upazila and District level government officials is very important to make it sustainable. On this point, the Project

has proposed LGD for forming Village Courts Management Committee (VCMC) at Upazila and District level. Terms of References (ToR) for these committees have been developed and approved by the Project Implementation Committee (PIC). The LGD is actively considering for issuing a Government Order (GO) soon to instruct the Deputy Commissioners to form the committees at district and upazila level. Furthermore, a M & E Framework is developed for monitoring the progress of the project. As per M&E framework, the project provided required training on M&E system to the relevant field level staff. Moreover, regular field visit and supervision are undertaken as per the framework. During this period, the project carried out monitoring visits in different Upazilas and Unions of Dhaka, Chittagong, Rangpur and Khulna Divisions and findings of the visits were shared with the field level team members through interactive workshops and report sharing.

As a part of communication and visibility plan, the project produced and installed billboards, signboards at district, upazila and union level. 56 billboards are placed in upazila headquarters, 17 billboards in district headquarters and signboards were placed in front of each UP project intervention areas. under the Furthermore, the project has printed and disseminated posters, stickers, pamphlets, wall festoons, leaflets etc. highlighting the key messages on the village courts services, its various aspects and relevant articles of the Act. The project printed and distributed pocket books on VC operation, booklet on key issues of VC, project scrapbook reflecting the project progress through pictures and newsletters.





However, the project could not resume Research and Development (R&D) initiatives in 12 pilot UPs as the Revised Technical Project Proposal (RTPP) awaiting approval from the Planning Commission. Therefore, during reporting period, the project could activate village courts in 338 UPs only instead of 350. Moreover, the project faced few other challenges which requires due attention in future. One of the challenges is to increase female representatives in the village courts panel since both petitioner and respondent are still less interested in nominating female as their representative in the panel. Another important challenge is related to the pecuniary jurisdiction of the village court since the current Act only allows VCs to deal with the disputes within the financial value of BDT 25,000.00 (Twenty Five Thousand Taka only). As a result, lesser disputes are reported to the Village Courts than it could be and thus the UP Chairpersons are more interested in conducting Shalish (traditional mediation) rather than referring the disputes to village courts.

In the coming days, the project will continue its support to 338 UPs and 12 UPs for the Research Process Development and intervention areas. The Project is pursuing for obtaining approval of the RTPP. The project will also provide necessary tools, techniques and capacity building support to the MIE Wing of the LGD for undertaking piloting initiative for the decentralized monitoring of village courts. More frequent and qualitative field monitoring should continue to expedite field level implementation and quality improvement. Necessary policy advocacy should be continued involving pertinent stakeholders for expediting the legal reform process. Mass awareness campaign and capacity building initiatives should continue for educating peoples about their roles and potential engagement in better performance of village courts. The project will work very closely with JATI and BCSAA for integration of village courts issues in their regular training curriculum.





Activating Village Courts In Bangladesh Project **Background and Objectives**

Background

The formal justice system in Bangladesh is under tremendous pressure with significant demand for legal recourse, and an inadequate number of officials, staff and resources to dispose of cases. Consequently, the case backlogs, coupled with existing pending cases, negatively impact upon all, especially the rural poor and vulnerable groups. Most people cannot afford to take a case to the formal court due to prohibitive costs and the majority of the public have a poor understanding of how to access courts. Issues that are more suitable to be processed by local justice structures are often submitted to upper level courts and there is a general lack of understanding about how the judicial sector serves the public.

It is in this context, in an attempt to devolve justice down to the community level, that the Government of Bangladesh passed the Village Courts Act 2006. The Act empowers UPs to resolve disputes that fall under its jurisdiction. However, the implementation of this Act remains limited for many reasons, including a lack of skilled human resources at UP and a lack of awareness among rural populations about their rights to accessing justice in the VCs. As a result, the public do not feel confident about going to the VC.

Against this backdrop, the LGD of MoLGRD&C is implementing the AVCBP with the partnership of UNDP Bangladesh and the European Union, to build confidence and address these development challenges in the area of local justice. Since early 2009, the Project initiated providing technical assistance to 350 selected UPs to strengthen a system of alternative dispute resolution through the establishment of Village Courts. The Project engaged Four NGOs who run field-level community mobilisation and capacity building work. The Project is building the capacity of Village Courts by working towards defining their role more clearly, raising public awareness and assisting in developing the skills of court officials.

A Village Court is composed of five members, headed by the UP Chairman. Apart from the Chairman, the other four members are nominated by the two parties to the dispute; each party must select one person from the local community and another who is a locally elected UP member. The underlying principle of VCs is that disputant parties can discuss their problems openly without hesitation, in an attempt to reach an amicable and sustainable decision, thereby helping to restore broken relationships. Village Court decisions are equally valid to those made by any other formal higher courts of the country. Village Courts can deal with cases of criminal and civil natures, where the amount sought for compensation falls below or equal BDT 25,000.00

Overall Objective

To improve access to justice for disadvantaged and marginalised groups and enhance human rights systems and processes in Bangladesh.

Specific Objectives

- To empower 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 and security, through a human rights-based approach to development, in both programming and delivery.
- To empower citizens to resolve their disputes at the local level in an expeditious, transparent and affordable manner.

To strengthen the capacity of local government institutions to be responsive to local needs and offer appropriate legal services through well functioning Village Courts.

Outputs of the Project

- 350 selected UPs strengthened for activating Village Courts
- Enhanced the monitoring and supervision function of the Ministry of Local Government, Rural Development and Cooperatives (MoLGRD&C)
- Developed the capacity and knowledge of UP representatives, UP staff and Village Police in regard to Village Courts
- Awareness raised about Village Courts operations and functions
- Reviewed Village Courts legal framework

Working Area

Initially, 500 UPs were selected from six Divisions, based on selection criteria developed by the Local Government Division of MoLGRD&C. In 2011 the target had to reduce to 350 instead of 500. The issue was shared in the last PSC meeting in January 2011 and as per the decision, the Contribution Agreement with EU is amended on 30 June 2011 and the TPP is revised with reduced target UPs (350 UPs) which is awaiting Planning Commission approval.

Division	District	Number of Upazilas	Number of Unions
Dhaka	Kishoreganj, Rajbari, Gopalganj, Faridpur	. 21	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	14	56	350

Project Management Structure

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 Local Government Division (LGD), Ministry of Local Government, Rural Development and Cooperatives (MoLGRD&C), is responsible for the overall supervision of the Project and the Chair of the PSC is the Secretary, LGD, MoLGRD&C.



PSC Meeting going on Chaired by the Secretary, LGD

One PSC meeting were held in January 2011, where members reviewed the Project closely and guided the management team to initiate a Technical Project Proposal (TPP) revision process. They proposed reducing the target UPs from 500 to 350. The PSC also reviewed the appointment of District Facilitators and recommended appointing 12, subject to the approval of the revised TPP, rather than 17, as suggested by the Project Implementation Committee (PIC).

Project Implementation Committee (PIC)

The Project Implementation Committee (PIC) holds with the Chair by the National Project Director (NPD), who is the Additional Secretary of the LGD, MoLGRD&C. He is responsible for supervising the day-to-day implementation and management of project activities, as undertaken by project personnel. The PIC is responsible for monitoring and evaluating the progress of the programme, suggests directives for smooth functioning of the programme and



The 4th PIC Meeting going on Chaired by the Additional Secretary, LGD and NPD, Activating Village Courts In Bangladesh Project

guide project personnel in preparing annual work plan etc. Two PIC meetings were held, one on 10 May, 2011, and another on 4 September, 2011. Both meetings were held at the LGD. The Project's progress was shared during the meetings.

Project Assurance

The Project Assurance role is responsible for carrying out oversights and monitoring functions, as designated by the UNDP Country Office (CO). This is to ensure the Project management delivers planned outputs, as per the annual work plan, on the basis of monthly, quarterly and annual progress reports.

Project Manager

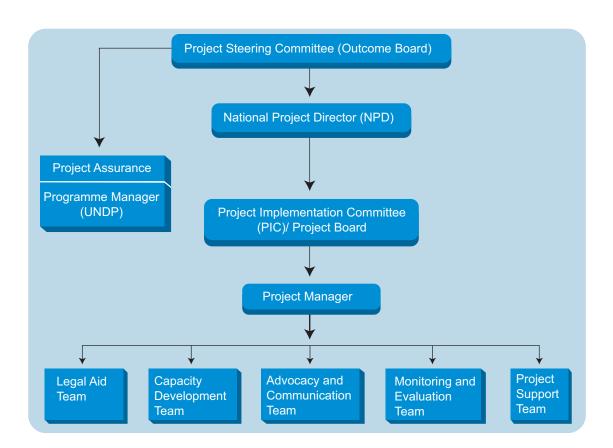
The Project Manager is responsible for the effective implementation of the Project and overall coordination between the Project, the UNDP and among different teams in achieving planned outputs and producing progress reports.

Thematic Components

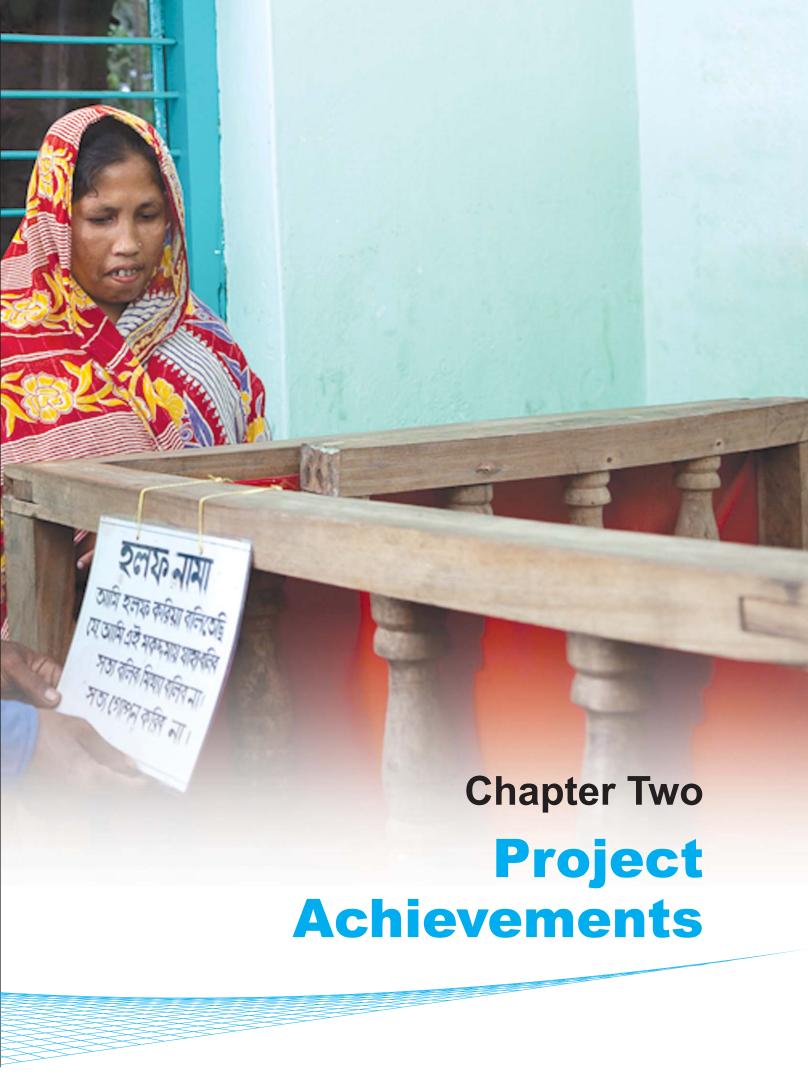
There are four technical thematic components against each of the outputs. These are Review of Legal Framework, Capacity Development, Advocacy & Communication and Monitoring & Evaluation. Each component is responsible for accomplishing the activities against their corresponding outputs.

Project Support Team

Under the direct supervision of the Project Manager, this team provides support on a day-to-day basis to the Project Manager and thematic groups, in relation to management of procurement, finance, and other general services required for project implementation.







Snapshot of Achievements 2011

- In total, 9,769 cases were reported to the Village Courts till December 2011. Of these, 6,102 cases (62%) were disposed of, and decisions against 3,284 (54%) of these disposed cases have already implemented.
- A training manual on Village Courts was developed and five ToT sessions were conducted using this manual. A pool of trainers on VCs was formed with NILG faculty members.



Twenty-one faculty members of NILG (including Directors, Joint Directors, Deputy Directors, Assistant Directors, Research Officers, Assistant Research Officers and other relevant staff) took part in the Training-of-Trainers course arranged to develop the trainers pool.

- The Project is mainstreaming VCs issues into Government training institutes to ensure their long-term sustainability, along with capacity development on Village Courts issues. The Project has initiated efforts to build strong and functional partnerships with the NILG, the BCSAA and the JATI. Two consultation committees were formed to incorporate Village Courts issues into the curricula of BCSAA and JATI. JATI, through a letter, officially agreed to include Village Courts issues in their curriculum.
- Draft training modules on Village Courts, for use by BCSAA, JATI, Police Academy, Police Staff College and BPATC, were developed and given to BCSAA and JATI for their consideration and eventual integration into their respective training curricula. Further, the NILG endorsed the Village Courts training manual and flip charts for inclusion in their curriculum and organised various training sessions, including incorporating a three-day VC training session into their training calendar.
- The Project submitted a draft Amendment to the Village Courts Act 2006 to the Government for approval. The amendment will remove inconsistencies with the provisions of the CrPC, reduce the tendency to bypass VC and file cases with Police Stations, empower VC to enforce their decisions and make VC more pro-women and proactive to protect women rights.

To ensure involvement and ownership of Government officials, the Project plans to establish VCMC at Upazila and District levels. Terms of references for these committees have been developed and approved by the PIC. The LGD is now working to issue a GO instructing DC to form committee at Upazila and District level.



Community awareness Meeting

- Capacity assessment of the MIE wing of LGD, MoLGRD&C to develop and strengthen M&E procedures and decentralization mechanism at district and upazila levels is going on.
- The field-level administration has been very positive in providing necessary support implement Project activities. Officials have attended various activities, workshops, such as and trainings meetings, organised by **NGOs** engaged by the Project. Engagement of government

- officials will help to ensure sustainability of activities beyond project life and to ensure the Government's ownership of the project;
- The capacity of 4,738 elected UP Representatives and VC officials and 9,974 community members has been developed, resulting in effective application of the VC Act and VC Rules in conducting VC functions and lodging complaints;
- 2,443 VP members' knowledge about VC has been enhanced through training;

Village Police Training going on

- In total, 44,817 community people came under the umbrella of 3,377 Union and Ward-level CBOs. In total, 14,792 CBO meetings were organised in different Unions and Wards of project intervention areas. At these meetings, 44,817 CBO members attended, of whom 42% were women, and informed about the functions of Village Courts;
- The knowledge and awareness of local citizens about Village Courts was increased through conducting 21,394 courtyard meetings, performing 384 dramas and organising 449 rallies in project intervention areas;

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- To improve access to justice for disadvantaged and marginalised groups and enhance human rights systems and processes in Bangladesh, the project delivered two-day training sessions to 1,004 religious leaders, to inform these religious leaders about the functions of VC;
- Draft Gender Guidelines were developed through consultation with different stakeholders.

Project Performance at Results Oriented Monitoring Mission

The EU, as the core donor of the Project, commissions Result Oriented Monitoring (ROM) mission every year. This is a high-quality independent mission to review and assess the periodic progress and achievements of EU-funded projects. The Project faced the mission annually in 2009, 2010 and 2011. The Project activities began in late 2009, immediately before the first ROM mission took place in early November 2009, and the scores were not satisfactory. However, over the last two years of implementation, the Project gained momentum and the speed of field implementation was enhanced. Accordingly, the progress is reflected in the subsequent ROM reports with a upward progress.





Review of Legal Framework Component

The existing legal framework is the Village Courts Act 2006, which describes the function of a Village Court, its jurisdiction and formation process. This Act was enacted in order to resolve applicable disputes quickly and easily within the jurisdiction of the UP. The Review of Legal Framework Component is a key component of the Project and works to review existing legal framework of VC. Amendments to the legal framework, designed to ensure Village Courts are more accessible to targeted beneficiaries, are to be proposed and submitted to the Government for consideration.

Under this component, the main activities are necessary assessments, consultations, advocacy seminars and policy dialogues with relevant stakeholders, both at national and local level. These activities facilitate the review and amendment process and create wider awareness about the benefits of Village Courts in regards to accessing local justice services and improving the overall human rights situation in the country. The Project also assesses the justice service delivery to disadvantaged groups. Meanwhile the Project has already reviewed the existing Village Courts Act and submitted a draft Amendment Bill to the Local Government Division, which is expected to be placed to the House of the Nation in 2012.

1. Review of Legal Framework of Village Courts

An in-house draft report, which reviews the legal framework of Village Courts and makes recommendations, was prepared in consultation with key personnel and experts. The following consultation sessions and workshops were held to enable different stakeholders to provide inputs.

a. Consultative workshop with the UNDP

A consultative workshop was held on 16 March, 2011, at the UNDP Country Office with Project Managers of the justice and human rights projects of the Democratic Governance (DG). The CD and ACD of UNDP, Dr. Shahdeen Malik, Legal Advisor of UNDP and the Project Managers of the Promoting Access to Justice and Human Rights Project (A2J) and Police Reform Programme (PRP) attended the workshop. The participants showed a keen interest in some vital areas of the draft review report, such as raising the pecuniary jurisdiction of the VC to BDT 100,000.00, constitution of VC with greater representation of women, domestic violence issues, restriction of appeals, and restricting police from investigating offences triable by a VC.

The recommendations of the workshops

- In the case that any party fails to nominate VC panel members, a provision should be made to empower the Chairman to constitute a VC:
- Instead of introducing three separate procedures (settlement conference, mediation and trial), one procedure, comprising mediation and trial, should be introduced into VC;
- The concentration of too much power with the UP Chairman should be avoided;
- The Schedule of the Village Courts Act 2006 states only some sections of the Penal Code and the Cattle-Trespass Act, which are not easily understood by people. In order to make these understandable, the contents of the sections should be provided in the Schedule;
- To avoid conflict between legal provisions for example, there is a one year limitation period in filing a case at a VC for dispossession from land, compared to a six month limitation period under section 9 of the Specific Relief Act 1877 for the same nature of suit the Village Courts Act should be amended and a standard period of limitation introduced for filing of all VC cases;
- The non-applicability of the Evidence Act 1872, the CrPC 1898, and the Code of Civil Procedure 1908, should be duly addressed in the draft Amendment Bill so that the Village Court procedure, and proving a case before a VC, should not be obstructed;
- The draft Amendment Bill should be redrafted in light of reexamining issues of jurisdiction, composition, effectiveness and legal flaws;
- Village Courts should be empowered to enforce their decisions; and
- The pecuniary jurisdiction of VC should be increased.

b. National Technical Consultation with Stakeholders

A National Technical Consultation on the 'Review of Legal Framework of Village Courts' was held at the BRAC Centre Inn, Dhaka, on 20 April, 2011. It was a half-day programme, where the draft report on the review of the legal framework of Village Courts was presented by the Legal Expert of the Project. The participants showed a keen interest and put forward important recommendations, which enriched the redrafting of the report.

Mr. Abu Alam Md. Shahid Khan, Secretary, LGD, MoLGRD&C, attended the Consultation as the Chief Guest, and it was presided over by Mr. Syed Mahboob Hasan, NPD of the AVCBP and the Additional Secretary of the LGD, MoLGRD&C. The Special Guest was Ms. Won Young Hong, ACD, UNDP Bangladesh. Other attendees included: Mr. Khondkar Mahbub Hossain, Senior Advocate and President of the Bangladesh Supreme Court Bar Association; Mr. Murad Reza, Additional Attorney General; Mr. Luc Patzelt, Programme Manager, European Union; members of



The Secretary, LGD delivering speech at national technical consultation on review of legal framework of village courts

the Bangladesh Judicial Service; members of the administrative service of the Metropolitan Court of Session; representatives from the Ministries of LGRD&C, Law, Justice and Parliamentary Affairs, Home Affairs, Women and Children Affairs; representatives from civil society; and NGO workers.

c. National Consultation on 'The Village Courts Act 2006: Challenges and Way Forward'

A National Consultation on the draft report was held at the Officers' Club, Dhaka, on 30 July, 2011, titled 'The Village Courts Act 2006: Challenges and Way Forward.' The National Consultation was presided over by Mr. Syed Mahboob Hasan, NPD, AVCBP, and the Additional Secretary, LGD, MoLGRD&C. Mr. Shawkat Ali, MP, Hon'ble Deputy Speaker of the Bangladesh Parliament, attended the programme as Chief Guest. Dr. Shirin Sharmin Choudhury, Hon'ble State Minister, Ministry of Women and Children Affairs and Mr. Stefan Priesner, CD, UNDP Bangladesh, were the Special Guests at the Consultation. Judges, senior government officers, representatives from UNDP and other donor agencies, Village Courts officials, NGO representatives, academia, and members of civil society also participated in the Consultation.



Stefan Priesner, CD, UNDP Bangladesh delivering speach at the National Consultation on 'The Village Courts Act 2006: Challenges and Way Forward'

The keynote paper of the Consultation was presented by Md. Mahboob Murshed, Legal Expert of the AVCBP. Mr. Justice Emdadul Huq, Professor Dr. Sumaiya Khair and Mr. Aftab Uddin, former Additional Secretary, presented their views on the keynote paper as panelists. Hon'ble Chief Guest, Mr. Shawkat Ali, MP, Hon'ble Deputy Speaker of the Parliament, stated in his speech that the VC should be kept free from corruption and nepotism, and, in ensuring this, Bangladesh would be able to reach a justice-based society, in the light of the freedom fighters.

Dr. Shirin Sharmin Choudhury reiterated in her speech the need to ensure at least one female member is included in each VC panel. Mr. Stefan Priesner emphasised the need to ensure justice is delivered in a fair and unbiased way.

d. Workshop on Restorative Justice

After getting necessary approval of the Law of Justice Division of the Ministry of Law, Justice and Parliamentary Affairs (MoLJPA), in consultation with the Supreme Court Bangladesh, the project organized four workshops with district judicary. The workshops were held at Gopalgoni, Rangpur, Lalmonirhat and Nilphamari districts. The following important recommendations were made about reforming the legal framework of VC, from the perspective of restorative justice:



Workshop on Restorative Justice

- VC should be constituted in such a way that they can work neutrally without any bias;
- There should be at least one female member in each VC panel;
- The Village Courts Rules 1976 should be reframed as per the Village Courts Act 2006;
- The District Judiciary should be vested with the power to inspect Village Courts;
- The pecuniary jurisdiction of VC should be increased; and,
- VCs should be empowered to enforce their decisions.

2. Draft Amendment Bill of the Village Courts Act 2006

A National Workshop was held with Members of Parliament on VC about the draft report and draft Amendment Bill to the Village Courts Act, 2006 on 23 October, 2011. The workshop was attended by Hon'ble MPs, Judges of Dhaka District Court, officers of the MoLJPA, and an Additional Secretary of the Bangladesh Parliament Secretariat. An in-depth discussion was held on the draft report and the proposed draft Amendment Bill of the Act. The Hon'ble MPs highly appreciated the move of activating Village Courts and also stressed the need to amend and update the Village Courts Act. The workshop endorsed the draft report and Amendment Bill without any remarkable suggestions or recommendations for changes.

ANNUAL REPORT 2011



National Workshop with Members of Parliament

Incorporating recommendations obtained from different stakeholders, the draft Amendment Bill on the Village Courts Act 2006 has been prepared and sent to the LGD of the MoLGRD&C for consideration and necessary action.

3. Quick Reference Guide and Easy Reference Guide

The Review of Legal Framework Component prepared a Quick Reference Decision Guide for Village Courts to facilitate Village Court's members to try cases procedurally and make proper decision, and an Easy Reference Guide to Village Courts for justice seekers. The Easy Reference Guide was prepared in-house with the help of two Research Assistants.

The draft Reference Decision Guide for Village Courts was tested in three UPs – Bhandaria Shardar and Gouripur of Bhandaria Upazila of Pirojpur District and Maharajpur UP of Moksudpur Upazila of Gopalgonj District. During field testing, feedback on the draft Reference Guide was taken from the concerned District Judge, Chief Judicial Magistrate, UP Chairmen and Members. The guide is in its final stage and will soon be ready for publication.





Contents of the Quick Reference Guide to Village Courts Decisions (for panel members)

- Instructions for use of the guide:
- Judicial System of Bangladesh at-aglance;
- Village Courts at-a-glance;
- The constitution of Village Courts;
- Roles and responsibilities of panel members of Village Courts;
- Jurisdiction and powers of Village Courts;
- How the Court works (procedure);
- Recording evidence;
- Local investigation by Village Courts;
- How a Village Court should take decisions;
- Appealing against a decision of a Village Court;
- Enforcement of the decisions of Village Courts;
- Contempt of Village Courts;
- Appointment of advocate prohibited;
- Model form of Decree or Decision to be followed in each kind of case;
- The use of different forms and formats:
- Inspection of records by the parties;
- Maintenance of records and registers;
- Furnishing copies to the parties;
- Laws relating to Village Courts (with explanations);
- Village Courts half-yearly return;
- Forwarding cases to the Criminal Court;
- Disposal of cases on admission; and
- Conclusion.





Contents of the Easy Reference Guide to Village Courts (for justice seekers)

- What is a Village Court;
- What is the jurisdiction and powers of the Village Courts;
- The stages of proceedings in a Village Court, from filing to final disposal of an application, with supporting pictures (as appropriate);
- The provisions for appeal and revision;
- The enforcement procedure of a Village Court decision;
- The relevant laws of Village Courts, particularly the Penal Code and the Cattle Trespass Act;
- The format of model application for all kinds of criminal and civil cases;
- The format of application for nominating members of a Village Court;
- The format of a compromise petition;
- The format of a memorandum of appeal;
- The format of a petition for a revision:
- The format of an adjournment petition;
- The format of a petition for local investigation by a Village Court;
- The format of a petition for restoration of a petition dismissed for default of the petitioner;
- The format of a petition for restoration of a case decided ex parte for default of the respondent;
- The procedure of procuring copies of the record and registers and inspecting records of cases:
- The format of a petition for obtaining money deposited to the Chairman of the Village Court/Union Parishad;
- Delegation of power to appear before a Village Court to give evidence on behalf of a pardanshin lady, an old woman or a physically disabled person.









Chobi Rani Ray secured justice through Village Courts

5 NAPSHOT

Ms. Chobi Rani Ray was able to quickly resolve her dispute and secure justice through a Village Court. She was awarded compensation for her losses from the perpetrator, while he was cautioned against repeating his mistake.



 $M_{ extsf{s}}$. Chobi Rani Ray resides in the Orakandi Union of Kashiani Upazila under Gopalgonj District. Her husband, Felu Ray, is a farmer by profession. They possess very little land, which barely produces enough to meet their needs. Chobi works with her husband in the field. Adept at sowing paddy seeds, she also cultivates various vegetables to secure extra income to support her family.

Chobi grows crops in 1.50 decimal land near her house. However, her distant relative, Mr. Topon Ray, frequently allowed his cow to invade Chobi's land and damage the paddy seeds and other crops in the field. When Chobi objected to his cattle trespassing, Topon Ray became outraged and started shouting and threatening, and at one point struck Chobi's house with an axe.

Chobi went to the community but did not receive justice. She then went to the Union Parishad after being advised by Mr. Shunil Bhokto, a member of one of the Project's CBOs. Chobi lodged a case against Topon Ray on 29th January, 2011.

Following Village Courts procedures, the UP Chairman served notice to both parties on 1st February, 2011, requesting nominations for panel representatives and their physical presence before the Village Court on 2nd February, 2011. The petitioner's representatives were Mr. Lutfur Rahman (UP Member, Ward No-2) and Mr. Shubash Chondro Chowdhury, while the respondent's representatives were Mr. Probhash Chondro Biswash (UP Member, Ward No-1) and Mr. Imon Molla. Topon, the respondent, did not raise any objections against the case, and

The case was heard on 5th February, 2011 in presence of both the parties. The instead confessed. full panel members of the VCs heard the case and the substance of the statement of the witness was recorded and found the complaint justified. The Village Court took unanimous decision by 5:0 in favour of the petitioner. The court ordered BDT 300.00 (2.49 €) as the compensation of damaged crops. Accordingly, Topon paid the compensation to the Village Court and sought

After receiving compensation from the Village Court, Chobi expressed her deep satisfaction in securing justice within a very short timeframe in her own community. She also opined that, henceforth, mischievous people will not dare to humiliate or abuse poor women, as the Village Courts are working as an effective local justice service institution.



Capacity Development Component

The capacity development of UP representatives, UP staff and Village Police is one of the major objectives of the Project. The purpose is to ensure the aforementioned groups can deliver justice services to poor, disadvantaged and marginalised groups, use the Village Courts Act and Rules, and maintain proper documentation of Village Courts proceedings. To build the capacity of these groups, the Project takes a two-pronged implementation strategy. The first strategy focuses on centralised and long-term capacity development interventions, such as developing training manuals and materials, conducting Training-of-Trainer (ToT) sessions, integration of Village Courts issues in the curricula of Government training institutes, and developing knowledge products and materials. The second approach focuses on operational capacity development interventions, such as providing capacity development training to all UP representatives, UP staff, Village Police and qualified citizens in the Project's operational areas.

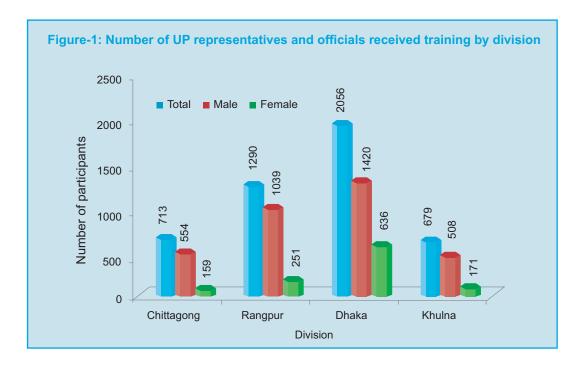
The Project works to develop partnerships with different GoB training institutes, such as BCSAA, BPATC, JATI, NILG, Police Academy (PA) and Police Staff College, to integrate VC issues into their respective curricula and to organise regular training sessions on VC issues. The training also involves judges, administration officials and police, in order to disseminate information through government training institutions.

1. Strengthened the capacity of Union Parishads to activate Village Courts

The following activities have been undertaken to strengthen the capacity of UPs in regard to Village Courts.

a. Capacity building of UP representatives and officials to deliver justice services

Building the capacity of UP representatives and officials is critically important to help them understand their role in ensuring Village Courts run successfully. Therefore in 2011, three-day



training sessions were provided to 4,738 (25% female) UP representatives and officials. The main topics of these training sessions include: the formation of Village Courts, pecuniary jurisdiction and authority of Village Courts, right to justice, process of Village Court proceedings, arbitration council proceedings, women rights, equity and empowerment, gender issues and so on. Through these training sessions, almost all of the UP representatives in Project areas were trained on effective application of the Village Courts Act and Rules relating to conducting Village Courts sessions and documenting proceedings.

b. Coordination meetings held with UP representatives

In total, 430 half-day experience-sharing meetings were held with the participation of 8,226 people, including UP representatives, village police and UP staff. The meetings were chaired by the respective UP Chairman, and discussions centred upon the performance of Village Courts, role of UP representatives, role of the UP Secretary, role of village police and other issues regarding activating Village Courts. At the Union level, such experience-sharing meetings are a strong tool to disseminate messages among UP members, inform them about activating Village Courts and create opportunities to make them accountable to each other regarding the activation of Village Courts.



Sharing meeting with UP representatives

c. Survey to determine UP capacity to use Information Technology

The Project commissioned a survey, which was conducted in 50 UPs of 14 Districts, to determine the capacity of UPs to use Information Technology (IT), including mapping the existing physical infrastructure opportunities for Village Courts. This survey will assist the Project with their plan to provide ICT equipment and skills development training to UPs. The Project also has a plan to develop and implement a web-based VCMIS to monitor VC performance.

d. Capacity building of Village Police on Village Courts

The village police are responsible for activities such as serving summons and notices upon witnesses, serving notices for enforcement of Village Courts' judgments, taking

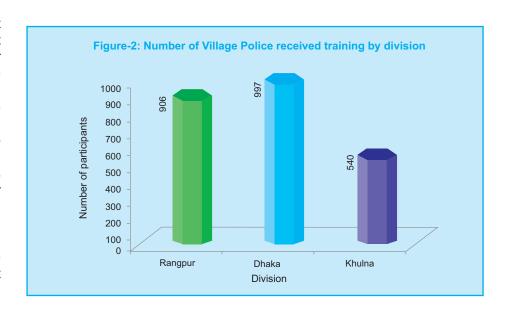
oaths at

hearings, and so on. Therefore development of their knowledge on VCs and their roles responsibilities is of great importance. In 2011, the Project provided one-day training workshops to 2,443 village police, covering all village police under the working areas of Rangpur Division, 80% of village police under the working areas of Dhaka Division and 92% under the working areas of Khulna Division. The training covered the function of VCs and the roles and responsibilities of village police in regard to VCs.



Training to Village Police

The Project developed a draft training module for the Police Academy and Police Staff College for consultation and integration into curricula. their Once it integrated into their regular training curricula, they will organise training courses for village police, with support from the Project.



e. Capacity development of community people and religious leaders



Workshop on mediation technique

were held in Dhaka, 1,036 were held in Rangpur and 15 were held in Chittagong Divisions. The objective of these workshops was to increase the knowledge and skills of CBO members on both VCs and Alternative Dispute Resolution (ADR).

To improve access to justice for disadvantaged and marginalised groups and enhance human riahts systems and processes in Bangladesh, the Project provided two days of training to 1,004

The Project formed CBOs at both Union and Ward level, comprised of 12-14 diverse citizens, such as school teachers, UP members, religious leaders, and local doctors. In each Union, ten CBOs were formed, of which one is a Union CBO and nine are Ward CBOs. During the reporting period, a total of 9,974 CBO members, of whom 40% were female, received three days of training on Village Court functions. In addition, 1,273 workshops on mediation technique and Village Courts were held, which were attended by 27,713 CBO members, of whom 39% were female. Of the workshops, 222



Training to religious leaders on VCs and its function

religious leaders through sub-contracted NGOs, aiming to educate religious leaders about VC functions.

f. Engage NGOs for capacity development, social mobilization, facilitate village courts operations

Although the LGD is primarily responsible for the implementation of the Project, in association with other partners under the NEX modality, the project implementation strategy includes engagement of four NGOs. These NGOs help the LGD with grassroots-level capacity building, social mobilisation activities and providing technical and logistical support to UPs for strengthening VC to resolve disputes and ensure access to justice for the rural poor. In 2011, the Project engaged two NGOs to help the LGD carry out field-level capacity building and mobilisation initiatives in Khulna and Chittagong Divisions. These two NGOs are BLAST and WAVE Foundation. They are responsible for implementing and setting up VC in 114 UPs.

g. Training of Trainers on Village Courts

In association with the Project and the LGD of MoLGRD&C, NILG organized two 12-day ToT courses at their training centre, attended by 45 staff, including 7 women, from two partner NGOs working in Chittagong and Khulna Divisions. The overall objective of delivering the ToT courses was to develop a pool of trainers who will conduct training courses at field level to develop the capacity of VCs officials, Project staff and other stakeholders in order to activate Village Courts. The training covered various important topics on general ToT and VCs. The Capacity Development Component team played the key role in conducting the ToTs and some high-ranking Government officials were deeply involved in conducting the sessions, including the Cabinet Secretary, Additional Secretary, Deputy Secretary, Senior Assistant Secretary, UNOs along with NILG faculty members who are experts on Village Courts.



12-day Training of Trainers (ToT) courses held at NILG

2. Integration of Village Court Issues into the curricula of Government training institutes

The Project organised various consultation workshops with Government training institutes on integrating VC issues into their regular training curricula, in order to institutionalise VC issues and enhance the institutional capacity of these training institutes in regard to the local justice system. The Following activies have been undertaken to Integrate of Village Court Issues into the curricula of Government training institutes.

a. Consultation with Bangladesh Civil Service Administration Academy

Consultation with BCSAA held during reporting period where the DG, BCSAA, chaired the consultation while the NPD, AVCB Project and Additional Secretary, LGD, MoLGRD&C, moderated the session. Twenty-five participants, mostly faculty members of BCSAA, including 5



 $Consultation\ with\ Bangladesh\ Civil\ Service\ Administration\ Academy$

female members. attended the consultation. The consultation identified three regular training courses of BCSAA in which Village Courts issues could be integrated. These courses are: 1. Law and administration training course for Assistant Commissioners Executive Magistrates: 2. Orientation course for fit-listed UNOs; and, 3. Upazila administration and development course for UNOs.

A consultation committee

was formed to identify the extent of Village Court issues to be incorporated into the curricula of BCSAA. This committee is comprised of the DG, BCSAA, Director and Deputy Director of BCSAA, the DG, NILG, the Additional and Deputy Secretary, LGD, and the Training Manager, AVCBP.

b. Consultation with Judicial Administration Training Institute (JATI)

During reporting period consultation with JATI held where the DG (acting), JATI, chaired the consultation, while the NPD, AVCB Project and Additional Secretary, LGD, MoLGRD&C, moderated the event. The Secretary, Judicial Services Commission, and District Judge, attended the consultation workshop as special guests, and a total of 54 participants, including faculty members and trainee judges, took part. The consultation workshop identified the following regular training courses of JATI in which Village Courts issues could be integrated: 1. Basic Training for newly appointed Assistant Judges (Judicial Education General); 2. Continuing Education Programme for judges of all tiers already focus Chief Judicial Magistrate(CJM) and District Judge (DJ); 3. Special Training Courses for Judicial Magistrates; and, 4. Training Courses for Government Leaders/Public Prosecutors and In-Service Training Programme for Court Support Staff.

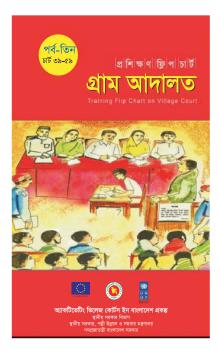
At the end of the consultation, a committee was formed, comprised of the DG, JATI, Director and Deputy Director, JATI, the DG, NILG, the Additional and Deputy Secretary, LGD, and the Training Manager, AVCB Project. The consultation committee has identified JATI courses for integration of VC issues. Through a letter, the JATI authority has officially recognized these courses and the issues to be integrated into their curricula. The customisation of modules for different courses is in progress.

c. Pool of Trainers on Village Courts formed with NILG faculty members

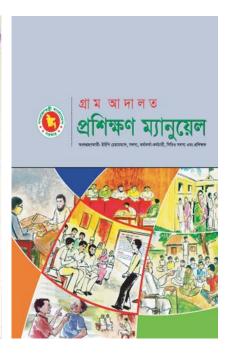
The AVCBP took the initiative to develop a three-day independent training course on VC, and the NILG has already incorporated this training course in their 2011-2012 curricula. The Project, in association with NILG, organised and conducted a three-day ToT course for NILG faculty members, held on 11-13 April, 2011. The overall objective of the ToT was to develop the capacity of NILG faculty members on Village Court issues, so that NILG can independently conduct ToT courses and other training programmes on Village Courts and the local justice system. Twenty-one faculty members of NILG (Directors, Deputy Directors, Assistant Directors, Research Officers, Assistant Research Officers and other relevant staff) took part in the training course, and all participants were very eager and spontaneous at the course. Through this training, the Project developed a pool of trainers within NILG who are capable of conducting relevant training on Village Court issues. This will be contributed to the sustainability of Village Courts, as NILG is the apex training institute on local government in Bangladesh.

3. Village Courts training curriculum, manual and materials

A training manual titled Gram Adalat Proshikhon Manual (Village Court Training Manual) and curriculum were developed. The following training materials were also developed and printed: 120







sets of flip charts on VCs; two learning pyramids; 130,000 Village Courts process cards; and 536 Village Courts trial process charts. Of these materials, the flip charts, process cards and process charts have already been distributed to the field. The training manual and flip charts are used in field-level training to enhance impact and maximise retention rate and outputs of the training. The flip chart is a learning aid of the Village Court Training Manual. It is a significant knowledge product of the Project, and contains 60 sheets describing the salient features and key issues of the Village Courts training, such as basic concepts and documentation, with colourful illustrations. The flip chart will also be used by NILG, as it was endorsed by the institute as part of the Village Court Training Manual. The trial process chart plays a very important role in enhancing the capacity of UP elected representatives, justice seekers and stakeholders. It also plays an important role in facilitating the Village Court trial process and enhancing the general public's understanding of Village Courts. In addition, the Project developed a draft training module for Police Staff College, BCSAA, JATI, PA, and BPATC, which was shared with BCSAA and JATI for consultation.

4. Workshop with Cabinet Division Officers

The Project organised an interactive workshop on Village Courts with Cabinet Division Officers at the Division's conference room on 30 June, 2011. The Project initiated the event to inform the Cabinet Divisions Officers about Village Courts functions, processes and the implementation of the Project, in order to boost their active involvement in advancing the Project, through mobilising local administration. The workshop was chaired by Additional Secretary of the Cabinet Division. Mr. Syed Mahboob Hasan, NPD, AVCB Project and Additional Secretary, LGD, MoLGRD&C, facilitated the workshop along with Ms. Shamima Nargis, Deputy Secretary (UP), LGD.



Workshop with Cabinet Division Officers

5. Learning Visit

A learning visit was made during the year 2011 to Australia and Papua New Guinea. The Delegation consisted of four officials from the GoB and one from the AVCBP and was led by the NPD of the AVCBP. Other members of the delegation were Ms. Abida Akter, Deputy Secretary, Cabinet Division, Mr. Mostain Billah, UNO, Rangpur Sadar, Rangpur district, Ms. Rumana Yasmin Ferdousi, Assistant Secretary, Law and Justice Division, MoLJPA, and Mr. Sarder Md. Asaduzzaman, Project Manager, AVCBP. The purpose of the learning visit was to exchange and share experiences, knowledge and best practices in the field of local justice, with a particular focus on VC and restorative justice for broader human development and poverty reduction.

6. Project Reflection Workshops

Stronger coordination between the Project Management team, NGOs, and local administration is critically important to build GoB ownership for the Project and set VCs as a priority agenda for ensuring people have equitable access to justice. Hence the Project organised two reflection workshops where GoB representatives, the Project Management team, NGO staff working in four Divisions, and representatives from UNDP participated. The first one was held on May 11-12, 2011, and the second one on 30 November-1 December, 2011, at the BIAM Foundation, Dhaka.



Impoverished Morzina Begum received justice through Village Courts

SNAPSHOT

After 10 years of unsuccessfully seeking justice and compensation for money taken from her, Ms. Morzina Begum received a favourable judgment via the Village Courts, after only one month and with minimal court fees.



 ${\sf T}$ he petitioner, Ms. Morzina Begum, a widow aged 45 years, lives in Koikuri Union of Pirgacha Upazila under Rangpur district. She has been surviving through begging in the Jessore district. On 12th August, 1999, she opened a savings account in Janata Bank of Chowdhurani branch, Pirgacha upazila and started depositing BDT 500.00 (US\$7) per month. One day she came in contact with Mohammad Abdul Haque, the night guard at Janata Bank and a good and faithful relationship was established between them.

Upon good faith, Morzina gave BDT 500.00 to Abdul Haque every month to deposit at Janata Bank in her account. After three years, Morzina found out that Abdul Haque was not depositing all of her money in her account. She grew tired and hopeless waiting on Abdul Haque's fruitless promises for 10 years and ultimately did not receive even a tiny amount back. One day she heard about "Gram Adalat" (Village Courts) through a CBO. Morzina filed a case against Abdul Haque in the Koikuri Union Parishad of Pirgacha Upazila on 6th February, 2011, as per the procedures of Village Courts.

Following the procedures, a Village Court panel was formed with two representatives of each party and the UP Chairman. On 27th February, 2011, the hearing was held in front of five panel members where both parties and their witnesses attended. Hearing the statements of both parties and witnesses, the full panel members of the Village Court found the complaint was justified. The panel gave the decision 5:0 in favour of the petitioner and ordered Abdul Haque to pay BDT 4,000.00 (US\$57) to Morzina. Accordingly, the respondent paid the said amount on the same day in front of the Village Court and apologised to the

After receiving compensation through the Village Court, Morzina expressed her deep satisfaction in securing justice within a short timeframe. She stated: "Last 10 years I visited door to door of different influential peoples of the society, but did not get any justice. But today I have got justice through Village Courts within only one month, investing only BDT 2.00 as court fees."



Advocacy and Communication Component

Raising awareness about the role and function of Village Courts is an important objective of the AVCB Project. The Project conducts a comprehensive awareness raising and sensitisation programme on legal rights, both at local and national levels.

The Project uses advocacy tools, such as dialogues, workshops, seminars, theatre, community mobilisation, and networking, to raise awareness among target groups about the role and function of Village Courts and their importance in ensuring access to justice for the poor and vulnerable.

The Project conducts motivational campaigns among community based organisations, school teachers, religious leaders, and youth groups and encourages them to disseminate knowledge about VCs to a wider public in order to promote access to justice. The Project also works with the media, organising information seminars for journalists at national and local levels. This set of activities plays a pivotal role in enhancing the understanding of Government officials, NGOs, civil society, UP representatives and officials, communities, judicial officials and policy makers about Village Courts.

1. Develop and disseminate IEC materials

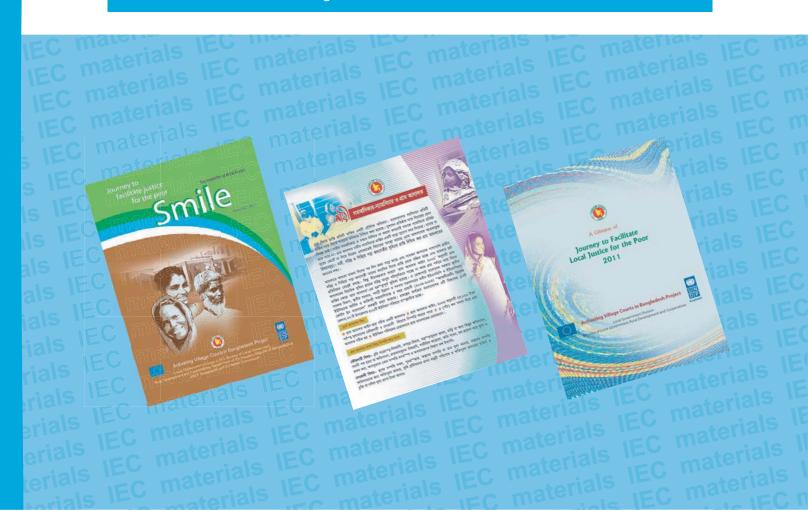
The Project developed a communication and visibility plan and secured necessary approval from the EU to raise public awareness about the role and function of Village Courts. During 2011, the Project disseminated its messages countrywide through electronic and print media.

Visibility materials that were developed and disseminated include: a poster focusing on women's empowerment; a poster focusing on access to justice for the entire community; 2011 yearly planner; Village Courts stickers; pamphlets on Village Courts; wall festoons with Village Courts slogans; a leaflet highlighting the key issues of the draft Amendment to the Village Courts Act; a pocket book on Village Courts issues; a booklet on key issues of Village Courts; a Project Scrapbook with progress of Project activity; and a newsletter.

To promote Village Courts the Project developed and placed billboards and signboards at District, Upazila and Union levels. A total of 56 billboards were placed in 56 Upazila Headquarters, 17 billboards in 17 District Headquarters and 500 signboards were placed in front of 500 UP complexes.

The Project prepared a TV spot on the messages of Village Courts, covering their potentials, rationale, jurisdiction and the impact of activating them, among other messages. The duration of the slot was one minute, and it was aired on BTV as part of their development TV slot. A version dubbed in Bengali of the Village Courts film (original in Engligh with four minutes duration) was prepared and 100 copies of the DVD were given to the Cabinet Division to distribute to the District Information Department, to be shown regularly at the rural level.

Project IEC materials























2. Awareness Raising Workshops with Journalists

Nine awareness raising workshops on the 'Role of Media in activating Village Courts' were held in Gopalgani, Rajbari, Faridpur, Narail, Chuadanga, Magura, Lalmonirhat, Nilphamari and Rangpur Districts. In total, journalists from national and local outlets participated. workshops were organised by the respective District administration, and were attended by the local journalists, DC, ADC, ASP, DDLG, UNO, lawyers and women representatives. Key technical papers were prepared and presented at all workshops, and the



Communication Officer, AVCB Project facilitating Media Workshop

needs and potentials of VCs were highlighted, along with how the media can play an effective role in advancing VCs at the Union level. Journalists participated in group discussions and presented suggestions on ways the media can advance VC. All of the workshops received wide media coverage, including on national TV channels.

3. Workshops to Raise Public Awareness

To raise public awareness on the function of Village Courts, the Project organised District, Upazila and Union level sensitisation workshops. A District level awareness raising workshop was carried out in Nilphamari on December 26, 2011. The objective of the workshop was to involve field-level

high and mid-ranking Government officials, along with other key stakeholders, in the process of implementing Project activities, through informing them about the potentials in activating Village Courts. The DC, Nilphamari District, graced the workshop as Chief Guest, while the Deputy Secretary and ADC (General), Nilphamari, chaired the event. In total, 71 participants including ADC, ADM, DDLG, UNO, UP Chairmen, UP members, secretaries, lawyers, teachers and NGO representatives attended the workshop. The stakeholders took part in group discussions and presented their opinions on ways of enhancing their involvement and contribution to activating Village Courts.



Workshop on Vilage Courts and Human Rights

In total, 354 workshops with community members were

Community Based Organisation (CBO) Meeting

held at both Upazila and Union levels in the Project working areas. In total, 19,770 community members, 38% of them female, 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 organised by the sub-contracted NGOs, while the District level workshops were organised by the LGD directly with technical assistance from UNDP.

4. Awareness Raising Among Local Citizens

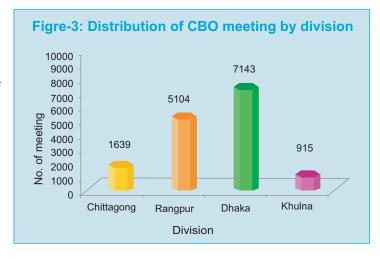
During the reporting period, communities were mobilised towards Village Courts services through courtyard meetings, rallies, staging street dramas, organising Union level workshops and social gatherings.

In total, 44,817 community members have come under the umbrella of 3,377 Union and Ward level CBOs. In total, 14,801 CBO meetings were organised in different Unions and Wards of the Project working areas. On average, 11 CBO members, of whom 42% were women, attended each meeting and were informed about the function of Village Courts.

In total, 415 workshops with youth groups were held in the working Unions of Chittagong, Rangpur, and Dhaka Divisions, where 20,525 youths aged between 18-32 years participated, of

whom 45% were female. Participants in the workshops were selected on the basis they were in the age group 18-32, socially accepted, vocal, and newly emerged 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, sub-contracted NGOs staged 384 dramas shows in different Unions of Dhaka, Rangpur and Chittagong Divisions.



In addition to this, 449 rallies were carried out in different Unions of Chittagong, Dhaka, Khulna and Rangpur Divisions. During 2011, 21,394 courtyard meetings were organised, which 433,293 rural dwellers attended, of whom 77% were women.





Liakot Ali compensated with BDT 9352 (77.94€) through Village Courts

S NAPSHOT

Mr. Liakot Ali, the sole provider for his family, was struggling to pay for his children's schooling due to the non-payment on rice and a cash loan he had provided in good faith. After learning of the Village Courts at a courtyard meeting organised by the Project, Liakot Ali accessed their services to settle his dispute, and was quickly compensated with 77.94€.



m Mr. Liakot Ali (55), son of deceased Mr. Yakub Ali, lives in Koikuri Union of Pirgacha Upazila, Rangpur District. To provide for his wife and two children, he earns a living as a farmer, cultivating other people's land.

For the last couple of years, Liakot has sold his crops to a local small businessman, Mr. Shohidul Islam Chowdhury. As a regular practice, Shohidul purchased 840 KGs of rice on 29th August, 2010, in the presence of Alauddin Boshunia, Abdul Mannan and Shah Alam of Moksud Kha village. The market value of the purchased crops was BDT 17250 (143.77€), but he paid only BDT 9950 (82.91€) cash to Liakot and promised to pay the rest soon after. However, the following day, Shohidul went to Liakot and sought a loan of BDT 2050 (17.08 €) with some urgency and firmly committed to repay the money as soon as possible, along with the rest of the money he owed. Liakot responded kindly and loaned him the money instantly.

Subsequently, as per their verbal agreement, Liakot requested the money back from Shohidul. However, Shohidul gave poor excuses for not making the repayment, one after another. After being refused repeatedly by Shohidul, Liakot went to the Village Court, as he was struggling to pay the school fees of his children. He had learnt about Village Courts through attending a Courtyard Meeting of the Activating Village Courts in Bangladesh Project.

He filed a case against Shohidul on 3rd February, 2011, by paying the Village Court fee. As per the Village Court procedures, Liakot nominated two representatives, Mr. Aminul Ehsan Lebu from Ward No-4 and Mr. Sheikh Nurul Islam. The respondent, Shohidul, nominated the female member of Ward No-1, 2 & 3, Ms. Jelekha Chowdhury and Mr. Shah Alam.

The hearing was held on 20th February, 2011, and both parties attended. The Village Court heard the case and the substance of the statement of witness was recorded and found the complaint justified. The panel ordered the respondent, Shohidul, to pay back BDT 9352 (77.94€) to the petitioner, Liakot, by 15th March, 2011, in two installments. Accordingly, the respondent paid the money to the Village Court in due time through installments.

After receiving compensation from the Village Court, Liakot expressed his satisfaction at receiving justice quickly and commented that the Village Courts are really working as the local saviour institution to establish the rights of marginalised people.



Monitoring and Evaluation Component

There are two streams of M&E in the Project. The first is focused on institutional monitoring, and aims to enhance the monitoring and supervision function within the LGD of the MoLGLR&C. The second focuses on the Project, to monitor the field-level implementation of Project activities and assess the changes brought about by the Project.

1. Institutional Monitoring

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:

a. Conduction of an institutional capacity assessment of the monitoring, inspection and evaluation wing of LGD

As part of the process of developing a decentralised M&E system for the MIE wing of LGD, the Project hired a consultancy firm, PMID, following UNDP's guidelines and policy. The capacity assessment of the MIE wing was carried out through: rigorous document review; KIIs with LGD officials at Ministry, District and Upazila level, Union Parishad Chairmen, and NGO staff; and FGDs and consultations with relevant stakeholders.

A half-day brainstorming session with relevant stakeholders on 'Institutional Monitoring and Evaluation of Village Courts' was held on 5 October, 2011, at the NILG Auditorium. An opening session was organised where Mr. Syed Mahboob Hasan, Additional Secretary, LGD, MoLGRD&C, and the Project's NPD, was present as Chief Guest and Mr. Kabir M. Ashraf Alam, Director General, NILG, chaired the session. A total of 45 peoples, including District and sub-District level administrators, UP representatives, officials from the MIE wing and LGD, experts from other organisations, and Project staff attended the session. The participants engaged in group work sessions and provided the following important observations and suggestions:

- No specific guidelines exist for the duties, responsibilities and authority of the DDLG regarding VC. According to the DDLG, there is no reporting system for VC. As such, they do not receive reports from Upazilas on the performance of VC and they do not send any reports to the Ministry;
- The UNO group noted that, according to law, every Union is supposed to send a six-monthly report to the UNO, but they do not receive such reports regularly. Further, they have not received any direction regarding what they should do with these reports. They suggested every UP Chairman should submit a monthly report to them and the UNO should forward the reports to the Ministry through the DC's Office;
- Representatives from the Ministry noted that they do not have a structured format to monitor the performance of VC. Presently the MIE wing includes only a single question related to Village Courts in the annual performance monitoring format of Union Parishad under the LGSP-LIC Project. They recommended that every UP Chairman submit quarterly reports to the UNO about their Village Court's performance, following a prescribed format. Using these reports, the UNO should submit a sixmonthly VC performance report using



MIE wing and LGD officials participate group exercise on institutional M&E of VCs

a prescribed format. The DC should then send six-monthly performance reports to LGD. They also suggested developing a web-based MIS;

- UNOs should have the authority to monitor the activities of NGOs involved in the AVCB Project;
- UNOs should arrange for monthly meetings with UP Chairmen regarding Village Courts services and performance;
- UNOs should inspect the quality of Village Courts' judgments using a prescribed format. To do so, UNOs should make 2-3 visits per month;

- The Project should provide capacity building, IT and logistic supports at Union, Upazila, District and Ministry levels;
- The case disposal period should be fixed. If a Court fails to meet this, the UP Chairman must inform the UNO in writing and seek extra time; and,
- The duties, responsibilities and authority of the DDLG regarding Village Courts should be specified in Acts, rules or circulars.

Meanwhile, the consulting firm has submitted a draft capacity assessment report, which is currently being reviewed by the Project and LGD.

b. Equipment and other logistic support

Five Districts, 7 Upazilas and 15 Unions have been selected and approved by the PIC as pilot monitoring locations within the Project operation areas. Once the capacity assessment procedures, including decentralize monitoring, inspection and evaluation System, are developed, they will be piloted in the selected areas. Meanwhile, procurement of ICT equipment is in process following UNDP's procedure for setting up monitoring cells.

c. Upazila and District Village Courts Management Committees

To involve District and sub-District level administrators in the monitoring of Village Courts' performance, the AVCB Project has planned to form Upazila and District level Village Courts Management Committees. Accordingly, ToR on UVCMC and DVCMC were developed and approved by the PIC. Based on the PIC's decision, the NPD wrote a letter to the Cabinet Division requesting them to provide necessary directions to the field administration in this regard.

2. Project Monitoring and Evaluation

a. M&E System to review service delivery and evaluate the Project's performance

The M&E system to monitor the work of the AVCB Project itself was developed, incorporating feedback from different stakeholders. A National Workshop on 'Monitoring and Evaluation Framework of Village Courts' was held on 5 May, 2011, at BRAC Center Inn. The key objective of this workshop was to share the draft M&E system of the Project with stakeholders for their input. At the opening session of the workshop, the NPD was present as the Chief Guest, while the Director General, MIE wing of LGD, Program Analyst of UNDP Bangladesh and Project Manager, AVCBP, were present as special guests. The honourable Chief Guest emphasised the importance of Project monitoring for smooth

implementation and to achieve the desired results of the Project. He urged field-level activity implemented by NGOs be monitored properly by Project and NGO staff. He stressed that this is a pilot Project and monitoring and assessment of its success. achievements and lessons learnt will be possible with a good M&E system. A technical paper, titled Monitoring and **Evaluation System of AVCB** Project, was presented by Mamdel Mr. Hossain. Consultant. SRS. The



Following his presentation, an National Workshop on M&E Framework of Village Courts Project

open discussion took place, where participants offered suggestions to improve the framework. Incorporating these suggestions, the M&E system was finalised and now operationalised. The following activities were carried out following the Project's M&E plan:

Training on M&E system, tools and reporting formats

Two residential trainings on the Project's M&E system were delivered to M&E Officers and Senior Officers of NGOs. The objective was to effectively implement the M&E system to ensure quality in field-level activities and improve record-keeping in regards to Village Court proceedings and other procedural documents. The first training was held in Rangpur from 24-26 May, 2011, where 25 field team members from Rangpur and Dhaka Divisions participated. The second was held in Chittagong from 18-21

September, 2011, and attended by 24 participants from Chittagong and Khulna Divisions.

Mr. Syed Mahboob Hasan, NPD, AVCB Project & Additional Secretary, LGD, MoLGRD&C, inaugurated both training programs as the Chief Guest, while the Deputy Commissioner, Divisional Commissioner, Additional Deputy Inspector General of Police and the Project Manager, AVCB Project, also attended. The Additional Secretary commented that efficient and qualitative monitoring and evaluation is crucial for ensuring quality services of both Village Courts and the Project. He mentioned



organisation through workshops. Monitoring reports were also produced and shared with NGOs and other components of the project. Issues assessed during such visits included: documentation of court proceedings; court performance; knowledge of CBO members about Village Court functions; use of IEC materials; satisfaction of justice recipients; set up of Village Courts; progress made towards targets;

and

Government and CSO coordination.

Training on M&E System

documentation

that it is also equally important to ensure sustainability of the Project's activities. The Chief Guest also stated that the involvement of local administration is pivotal in effectively advancing Village Courts.

Monitoring of field level implementation and village courts performance

A number of monitoring visits were carried out in different Upazilas and Unions of Dhaka, Chittagong, Rangpur and Khulna Divisions. Following each visit, monitoring findings were shared with the implementing



Monitoring of VC activity by Luc Patzelt, Programme Manager, EU

The Project developed a system to monitor Village Courts' performance on a quarterly basis. As such, the UP keeps records of all cases filed, including pending and resolved cases. The Project developed different forms and an information flow system through which it has been receiving quarterly reports on the number of cases filed, the number of pending cases, and the number of cases resolved by sex. The cases are divided into civil and criminal jurisdictions. At the end of each quarter the AVCBP analyses the performance, based on the information collected through this process.



record-keeping;

Monitoring of VC Performance



Gender

Under this Project, gender issues are not considered as crosscutting, but rather as key issues, as the Project was designed to empower women, the poor and disadvantaged groups to seek remedies for injustices, and to enable justice institutions to be responsive to claims.

1. Gender guideline

The Project has drafted Gender Guidelines through consultation with UNOs, UP chairmen, UP members, Women leaders, etc. These consultations were carried out through focus group discussions, in-depth interviews and key informant interviews in the Project intervention areas. The objective in developing such Guidelines is to facilitate establishing a responsive, functional and gender-friendly VC system, through community capacity enhancement and advocacy. The draft guidelines will be shared with stakeholders and specialists for finalisation through national level consultation in next year.

2. Training and workshop

The Project places a special emphasis on ensuring access to justice for women at the local level. This has been taking place through building the capacity of relevant stakeholders on gender and human rights issues to pave the way for establishing responsive, functional and gender-friendly Village Courts. In this regard, the Project conducted six District-level training workshops on gender, human rights and Village Courts issues at Kishoregonj, Cox's Bazar, Rangpur, Nilphamari, Lalmonirhat and Narail Districts, where 358 GoB officials, District and Upazila level staff of department of women affairs, UP representatives, police, and media officials participated and were informed on gender aspects of Village Courts functions. Of the participants, an average of 40% was female. Training workshops were concluded with commitments made on gender mainstreaming in the Districts, led by the relevant DCs or ADCs. The DCs or ADCs, with the support of participants, declared their commitments as follows:



Training workshop on Gender, Human Rights and Village Courts

"Women are discriminated and abused in the society and development cannot be ensured without eliminating all forms of discrimination and violence against women. We, the participants of this training workshop, will make all our efforts to mainstream gender at our home and workplaces



Group Work in a training workshop

and make continued initiatives to mainstream gender at the VCs so that the opportunities for women in terms of access to justice and participation at the trial process are enhanced."

The Project provided training to 1,709 women leaders on gender, leadership development and women's legal rights to: develop their capacity on these issues, develop leadership, enhance their role in conducting VCs sessions and CBO meetings, and, increase their representation in local level justice delivery service through UPs.

Achievement

The project has started to empower women to seek justice from Union Perished through its different awareness and sensitization activities. The Project has directly reached to 1,255,545 (42% women) community members through its various activities resulting 2,868 numbers of women (29% of total) have sought justice to Village Courts till December 2011. Women participation in VC's decision making process was not satisfactory as only 7% of VC panel members were women because both petitioners and respondents are giving a lower priority to nominating women as VC panel members. To overcome this, the Project has proposed a provision for compulsory inclusion of women in Village Courts panels in the draft Amendment Bill which, if passed, will enhance women's participation in the justice delivery process through the Village Courts system.

Village Courts secured timely and affordable justice for Jhorna

SNAPSHOT

After suffering at the hands of a neighbour and his son, who attempted to evict her and beat her up for refusing to leave, Ms. Jhorna Begum sought justice through the courts. Her case was referred to the Village Courts where she was awarded compensation.

f Ms. Jhorna Begum lives in Aliabad Union of Faridpur District. Her husband left her and does not provide for any of her costs. Moreover, Jhorna's only son, Musa, also left her. Helpless, Jhorna started working as a cleaner in various hotels and shops, but the money she earns is not sufficient for her livelihood.

The respondent is Jhorna's neighbour, Mr. Mannan Munshi. Mannan had a rival relationship with Jhorna's late father. As a result, Mannan consistently tried to evict Jhorna by force from her house. While protesting his attempts, Jhorna was beaten up by Mannan's son and her ears were hurt. Jhorna spent a lot of money on her treatment. To seek justice she approached the local elites but did not receive any help from them. Accordingly, she went to Faridpur Sadar and filed a case at the court of the Chief Judicial Magistrate. Since the case fell under the jurisdiction of Village Courts, it was, after a year of fruitless hearing, referred to Aliabad Union

Following the procedures, the Village Court panel was formed with representatives of both parties and the UP Chairman. On the scheduled day, the hearing took place in front of the panel members and both parties attended. Hearing the statements from both parties and witnesses, the full panel found the complaint was justified and ordered the respondent to pay BDT 4,200.00 (US\$60) as compensation. Accordingly, the respondent paid this amount to Jhorna in due time.

Jhorna expressed that she had to suffer for one year by pursuing justice in a higher court. However, Village Courts secured her justice and compensation quickly and at a lower cost.



Access to Local Justice through Village Courts

To improve access to justice for disadvantaged and marginalised groups and enhance human rights systems and processes in Bangladesh, the AVCB Project has provided local justice through Village Courts in 338 UPs. The project assisted the UPs in setting up village courts outfit through procuring and installing ejlas (court bench), office furniture for village courts, oath plate and village court name plate. In total 24 (twenty four) types of forms and requisite registers in adequate quantities have been printed, stored in project office and distributed to the UP to document cases, register decisions, issuance of implementation orders, collection of court fees, issuance of summons, etc. Courts Assistant also were appointed for each of the UPs to assist in running Village Courts.

1. Number of cases reported and resolved

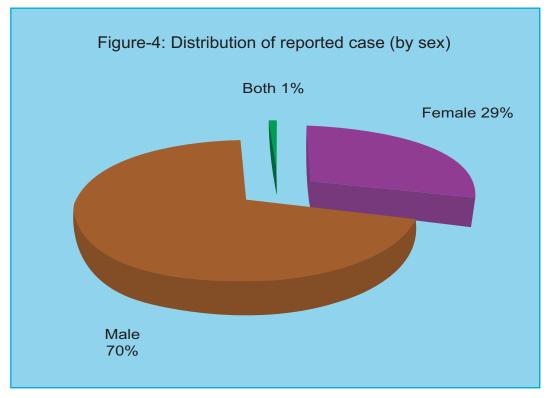
The table below shows that a total of 9,769 cases were reported to the Village Courts till December 2011, although the number of people reporting cases varied between Districts. The highest number of cases were reported in Rajbari (1,440) followed by Faridpur (1,417), Nilphamari district (1,399 cases), Lalmonirhat (1,390), and so on. Of these reported cases, decisions on 6,102 cases (62%) have already been made by Village Courts. The decisions of 3,284 cases (54%) have already been implemented. Less number of cases has been reported in different districts of Chittagong and Khulna division because the project was started its activity later on there.

Table: Number of case reported by districts and sex

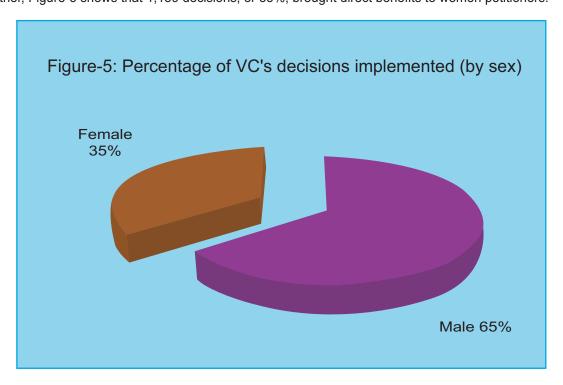
	Number of case reported				Number of case resolved				Number of decision Implemented			
District	Male	Female	Both	Total	Male	Female	Both	Total	Male	Female	Both	Total
Chittagong	149	66	1	216	50	35	0	85	36	30	0	66
Cox's Bazar	72	13	26	111	14	3	6	23	11	2	3	16
Faridpur	994	423	0	1417	725	318	0	1043	351	173	0	524
Gopalganj	679	273	0	952	478	213	0	691	234	102	0	336
Kishoreganj	662	362	0	1024	327	209	0	536	125	58	0	183
Rajbari	1116	324	0	1440	870	274	0	1144	354	131	0	485
Magura	114	34	1	149	44	18	0	62	43	19	0	62
Narail	115	37	4	156	40	13	0	53	32	13	0	45
Chudangha	249	99	2	350	108	50	1	159	72	37	2	111
Nilphamari	1034	365	0	1399	622	240	0	862	312	213	0	525
Rangpur	696	469	0	1165	383	311	0	694	313	265	0	578
Lalmonirhat	987	403	0	1390	518	232	0	750	237	116	0	353
Grand Total	6867	2868	34	9769	4179	1916	7	6102	2120	1159	5	3284

2. Number of women seek remedies

Figure-4 below shows that many women have visited UPs to seek remedies through Village Courts, as 2,868 women have filed cases (29% of all cases).



Further, Figure-5 shows that 1,159 decisions, or 35%, brought direct benefits to women petitioners.



3. Amount of mony recovered as compensation

Overall, BDT 1,340,7971.00 (US\$159,618) and 1222.51 decimal lands have been submitted or recovered as compensation from respondents.

4. Number of cases transferred from district court

A key objective of the Project is to reduce the backlog of cases in the District courts through the activation of Village Courts in the Project areas. As such, the backlog of cases will be reduced if citizens file relevant cases with the Village Courts instead of with District courts and if the District courts refer cases under the jurisdiction of Village Courts down to them. Quarterly performance reports on the Village Courts show that, as of December 2011, 562 cases have been transferred from District courts to Village Courts.

5. Number of days required resolving a dispute

Monitoring reports of AVCB Project depicts that on an average 21 days were required to resolve a dispute through VC and on an average 31 days were required to implement the decision of VCs.



Village Courts rebuilt amicable relations between petitioner and respondent

S NAPSHOT

In the case of Mr Sri Narayan Chandra Rai (petitioner) and Mr Md. Abdul Mojid (respondent), where a minor land dispute resulted in the respondent beating up Mr Narayan's father and stealing money from him, both parties were duped by an unscrupulous villager. Upon this villager's advice, Mr Narayan filed the case at the District court and both parties, due to a lack of knowledge of court processes, were tricked into giving the villager bribes to appoint lawyers and organise hearing dates. Two years passed with no progress and both petitioner and respondent wished to resolve the case. It was referred to the Village Court, where the matter was resolved



quickly to the satisfaction of both. The petitioner, Mr. Sri Narayan Chandra Rai, son of Mr. Rajanikanth Rai, lives in Polashbari Village of Polashbari Union Parishad, Nilphamari District. His family consists of seven members, including his parents, wife, brother, sister-in-law and sister. He is a farmer and also owns a small grocery shop. The respondents, Mr. Md. Abdul Mojid, Mr. Md. Fazlul Rahman, Mr. Matiur Rahman and Mr. Md. Mizan-ur

One day, the petitioner and one of the respondents, Mr. Abdul Mojid, quarreled over the issue of Rahman, live in the same village. cutting common land between two lands while they were working in the paddy field. As a consequence, the respondents beat Narayan Chandra Rai's father on 17th January 2006 and

In an attempt to seek justice, Mr. Narayan approached the then UP chairman but did not receive any help. Following the advice of a village tout, Narayan filed a case at the police station on 31st January, 2006, and the case was sent to the Judicial Magistrate Court of Nilphamari. The village culprit took advantage of the lack of awareness of both parties and took bribes from both to appoint lawyers, set the date for the next hearing, and so on. As such, two years passed but nothing progressed. Due to a lack of knowledge about the proceedings of District courts, the respondent, Mr. Abdul Mojid, failed to appear in front of the court on three consecutive occasions, was arrested and spent a night in jail custody. Meanwhile, a good relationship had been established between both parties, but they were unable to resolve the case, as both were completely unaware about the proceedings.

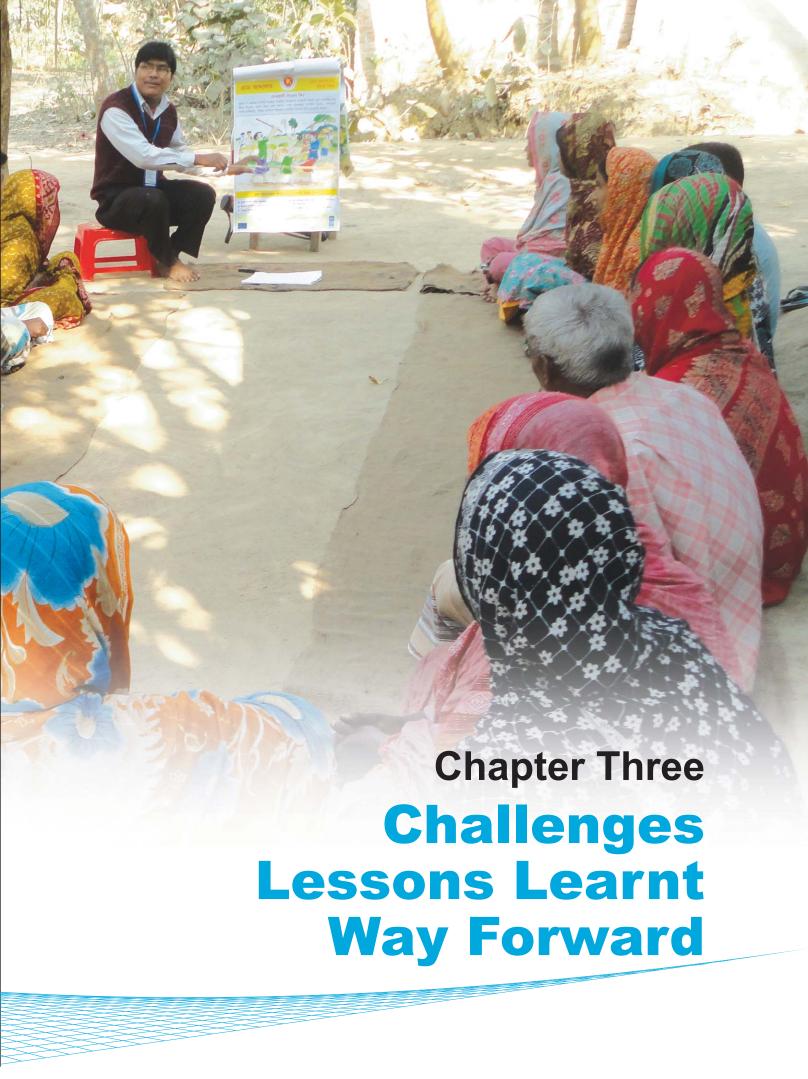
Finally, the court decided that the case fell under the jurisdiction of the Village Courts Act 2006, and sent it to Polashbari Union Parishad. On 7th July, 2011, Polashbari Union Parishad registered the case following the procedures of Village Courts, and issued summons to the respondents, requesting both parties to come to the UP. After discussing with both parties, the UP chairman asked them to nominate representatives. The petitioner's representatives were Mr. Md. Saidur Rahman (UP Member) and Mr. Norendronath Rai, while the respondent's representatives were Mr. Md. Foju (UP Member) and Mr. Abdul Rahman. The UP Chairman expressed his unwillingness to act as Chairman of the Village Court, as he had been a witness to the case when it was pending at the Chief Judicial Courts. Thus, following the procedure of the Village Courts Act, a Village Court was formed with two representatives

of each party and a Female UP Ward member became the Chair. On 8th December, 2011, the full members of the Village Court heard the case and the substance of the statement of the witness was recorded and found the complaint was justified. The Village Court took unanimous decision by 5:0 in favour of the petitioner and ordered the respondent to pay the amount of BDT 500.00 to the petitioner, as compensation for the cost of treatment.

After receiving justice, the petitioner stated that: "I have lost plenty of money and time while the case was running to the District court, due to my lack of awareness of the Village Court. Here I got justice quickly, investing only a tiny amount of money. I'm truly grateful to the government for delivering justice services at the door of the villagers. I advise everyone not to go to the District court for small matters."

Similarly, the respondent also expressed that: "I faced a lot of harassment at the District courts due to lack of awareness, but here everything ran smoothly. Although I paid BDT 500.00 as compensation, but it is not important, what is important is that now I'm free of all troubles. I advise everyone not to go to the District court for small matters."





Challenges

The Project has come up against the following challenges during the reporting period:

- The Project design did not include any Government linkages at local level to establish an effective oversight mechanism to assess the Village Courts performance. The local administration (both Upazila and District) is not institutionally linked to oversee Activating Village Courts in Bangladesh Project, and receives no directives from Ministry level (LGD, MoLGRD&C) about their involvement in the Project. As a result, less ownership by GoB at local level leads to less support from GoB in the implementation and monitoring of the Project, as their roles and responsibilities are undefined;
- Limitations in the existing Village Courts Act, such as financial jurisdiction of dealing dispute, create barriers to activating Village Courts. As a result, less disputes are reported to Village Courts than could be, and UP Chairmen are more interested in conducting Shalish (traditional mediation) rather than Village Courts;
- Despite the increasing number of females involved in cases at Village Courts, as both petitioners and respondents, less priority is being given to nominating female members to panels;
- Under the PDR Act, the process of recovering compensation is cumbersome and expensive. Consequently, the implementation of Village Courts decisions became difficult in some cases, which may inspire peoples to seek remedies through alternative means;
- Justice service delivery through Village Courts is not included in the Union Parishad's function. Further, there is nothing in the Local Government (Union Parishad) Act 2009 to state that VCs are statutory courts composed of local government representatives from the Union Parishad, community representatives and members from disputant parties. Therefore, UP Chairmen and representatives in some areas are reluctant to activate VC;
- VCs are authorised to deal with some cognizable offences. In the case of these offences, police also retain the power to investigate, which creates a barrier to activating VCs in these instances;
- A significant challenge has been found in the attitudes and perceptions of UP Chairmen regarding case resolution and proper documentation of VCs proceedings, according to the Village Courts Act 2006, as they are long accustomed to resolving cases without proper documentation or following formal procedure. Further, they often lack necessary knowledge about VCs.

Lessons Learnt

In the course of implementation throughout 2011, the Project has learnt the following lessons:

- As CSOs are receiving less support from District and sub-District level Government Officials, a GO is required to define the role of District and sub-District level Government Officials in implementing the Project;
- Monitoring of VC activities by the local administration will produce good results and can facilitate government ownership of the Project. Further, such involvement of local government would mean greater progress in VC performance and Project activities could be expedited;
- Rigorous field monitoring should be continued to boost field level implementation and quality assurance:

In addition to existing awareness and mobilisation activities, local and national level awareness and sensitisation campaigns on Village Court issues need to be organised using more media outlets, including local media, and local languages.

Way Forward

In 2012, the project will continue its support to 338 UPs for activating VCs and the remaining 12 UPs. The Project will provide necessary tools, techniques and capacity building support to the MIE wing of the LGD to undertake piloting of decentralised monitoring of Village Courts, along with the implementation of a web-based MIS in selected Districts, Upazilas and Union Parishads to monitor Village Courts' performance. Extensive field monitoring should continue to expedite field level implementation and quality improvement. Policy advocacy and research should be continued, involving different stakeholders, to support legal reform. Public awareness campaigns and capacity building initiatives will continue to inform the public of the role of Village Courts, in order to increase people's knowledge and likelihood to use them to access justice.



Annexure I

Statement of Expenditure 2011

The following expenditure arrived in 2011 as per final combined delivery report of 2011 against Annual Work Plan-2011:

Activity	Budget (USD)	Expenditure (USD)	Percentage of expenditure
Strengthening Union Parishad	1,839,757.57	1,658,898.29	90.17
Monitoring and Evaluation	250,169.21	89,508.10	35.78
Capacity Development of UP representatives, officials and VP	147,981.00	98,561.74	66.60
Awareness on Village Courts System	248,750.00	120,552.58	48.46
Review Legal Framework of Village Courts	116,897.50	49,560.99	42.40
Technical Assistance and Management Cost	602,137.72	435,768.14	72.37
Total	3,205,693.00	2,452,849.84	76.52

Annexure II

Snapshot of Achievements 2009 and 2010

Project output	Progress till December 2010
1. 350 selected UPs strengthened for activating Village Courts	A total of 500 UPs were selected from six Divisions, based on selection criteria developed by the LGD of MoLGRD&C. In 2011 the target had to reduce to 350 instead of 500. The issue was shared in the last PSC meeting in January 2011 and as per the decision, the Contribution Agreement with EU is amended on 30 June 2011 and the TPP is revised with reduced target UPs (350 UPs) which is awaiting Planning Commission approval;
	All 500 UP Chairmen were made aware of the AVCBP and VC functions;
	Conducted a survey to determine UP capacity to use IT, including mapping the existing physical infrastructural opportunities for VC;
	Piloted VC in 12 Unions under two Upazilas of two Districts;
	In total, 24 forms were developed in regards to issuance of summons, keeping case records, registering decisions, issuance of implementation orders, collecting courts fees etc. and shared with 236 UPs;
	Two NGOs, MLAA and ESDO, were engaged in Dhaka and Rangpur Divisions for grassroots level capacity building and awareness raising activities;
	Oriented UP representatives on the Project and Village Courts;
	The PSC, headed by the Hon'ble Secretary of LGD, MoLGRD&C, to provide broad-based oversight, policy guidelines and direction for the Project held its first meeting;
	The PIC, headed by the NPD of AVCBP and Additional Secretary of LGD, to monitor and evaluate Project progress and suggest directives for the Project's smooth functioning, held three meetings till December 2010.
2. Enhanced the monitoring and supervision function	▲ Conducted a comprehensive baseline survey and published the Baseline Survey Report;
of the Ministry of Local Government,	 Organised a National Round Table Discussion (NRTD) to share the findings of the baseline survey with experts and other key stakeholders;
Rural Development and Cooperatives (MoLGRD&C)	Organised one National and four Upazila level Workshops on Institutional Monitoring and Evaluation of VCs.

Project output	Progress till December 2010
3. Developed the capacity and knowledge of UP representatives, UP staff and Village Police in regard to Village	 ▲ Developed and disseminated 'Village Courts Trial Process' as capacity building material; ▲ Developed Learning Charts on the steps of Village Courts trial process; ▲ Organised consultation workshops with NILG on preparation of Training Manual on Village Courts; ▲ Developed and disseminated CBO and CYM guidelines; ▲ Organised day-long training workshops on gender, human rights and Village
Courts	Courts; Organised three batches of ToT courses for pertinent staff of the two partner NGOs; A total of 230 UP representatives and officials participated in training on VC through five batches on the job training;
4. Awareness raised about Village Courts operations and functions	 ▲ Detailed Project Communication and Advocacy Strategy developed; ▲ Developed UNDP-EU Communication and Visibility Plan; ▲ Various IEC materials were developed and disseminated, including a Project brochure, stickers, posters, pocket book, festoons, scrap book, flip charts for courtyard meeting, information booklets containing the Village Courts Act 2006, festoons with awareness raising slogans on Village Courts and human rights issues, Project notepads, files, and folders with the Project name along with the logos of GoB, UNDP and European Union; ▲ Developed a Project website (www.villagecourts.org), which is regularly updated with the progress of Project activities; ▲ Two Upazila-level media workshops were held in South Surma (Sylhet) and Bhandaria (Pirojpur) Upazilas, where more than 70 journalists of national and local media attended; ▲ Organised several FGDs with Village Courts officials, community members, local representatives, local administration and judiciary, aimed at boosting awareness among field-level key stakeholders; ▲ Around 1,039 participants, of whom 298 were women, were reached through 2
5. Reviewed Village Courts Legal Framework	Divisional, 5 District, 5 Upazila and 1 Union-level awareness raising workshops. ↑ The AVCB Project held an initial meeting with the Secretary (in charge), Legislative and Parliamentary Wing, MoLJ&PA, and explored the possibility of an institutional partnership between the Law Commission and the AVCB Project, as both have Village Courts on their priority agenda; ↑ Prepared a draft report on review of legal framework through consultation with judicial officers and UP representatives; ↑ Drafted updated rules for Village Courts in light of the Act 2006; ↑ Five workshops were conducted on potentials and reforms of Village Courts with judicial officers in Chittagong, Gopalgonj, Moulvibazar, Kishoregonj and Barguna; ↑ The Village Courts booklet titled Gram Adalate Bichar: Sangslisto Ain O Bidhimala was compiled, edited and published; ↑ In order to facilitate the drafting of the Easy Reference Guide, 13 FGDs were conducted at District and Union level, where judicial officers, police officers, other Government officers, UP officials, Village Court litigants and local elites participated and provided their feedback on the design and contents of the Easy Reference Guide; ↑ The draft report reviewing social barriers and limitations of Village Courts was prepared.

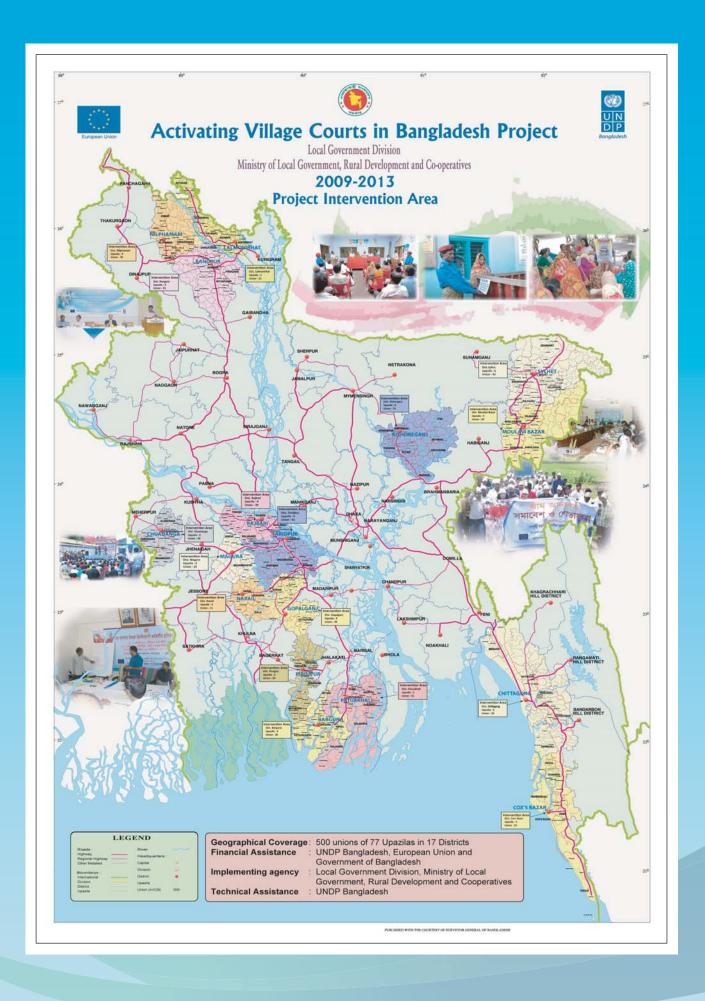
Annexure III



Annexure IV

.. Knowledge product and IEC materials

•	Baseline Survey Report on Village Courts in Bangladesh
<u> </u>	Report on Review of Social Barriers and Limitation of Village Courts
•	Training Manual on Village Courts
<u> </u>	Village Courts Booklet (Act)
-	Review Report of Village Courts Legal Framework
-	M&E Plan, Tools & Techniques and Reporting Outline of AVCB Project
-	Quick Reference Guide to Village Courts Decisions for VC panel members
-	Communication and Visibility Plan 2010-2014
-	Communication and Advocacy Strategy of AVCB Project
-	Easy Reference Guide to Village Courts for justice seekers
-	Training Flip Chart on Village Court
<u> </u>	Court Yard Meeting Flip Chart on Village Courts
•	TV spot on Village Courts
-	Pocket Book on Village Courts
•	Shanteer Gram (a docu drama on Village Courts)
_	Brochure on AVCB project
•	Working areas Map on Village Courts project intervention
•	Leaflet focusing on gender and Village Courts
•	Leaflet on Village Courts
_	Posters on Village Courts (three types)
•	Stickers on Village Courts (eleven types)
•	Billboard and Signboard on Village Courts
•	Scrap Book on Village Courts
•	Pocket card on Village Courts decision making process
•	11 Types of prescribed VC Forms (as per Village Courts rules)
•	11 Types of non-prescribed VC Forms (newly developed by AVCB Project)









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