

Activating Village Courts in Bangladesh Project

ANNUAL REPORT 2013



Local Government Division
Ministry of Local Government,
Rural Development
and Cooperatives



Empowered lives.
Resilient nations.



European Union

2013 Annual Report of the
Activating Village Courts in Bangladesh Project

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Contents

	Introduction	9
Section 1	Key Results and Achievements	
	Increasing access to justice	10
	Fast and reliable local justice	11
	Increased recognition by district courts	11
	Small fees and easy access	12
	Impact on communities	14
	Scaling up at policy level	15
	Scaling up geographically	15
	Women's access to justice improved	17
Section 2	Progress Towards Outputs	
	Strengthening village courts	19
	Monitoring and supervision functions enhanced	20
	Capacity of human resources for village courts enhanced	22
	Awareness raising and the village courts	24
	Village court legal framework reviewed	25
Section 3	Lessons Learnt and the Way Forward	
	Lessons learnt	27
	The way forward	27
Section 4	Statement of Expenditure and Delivery 2013	30

Message

It is my pleasure to present this annual report for the Activating Village Courts in Bangladesh project covering 2013. It highlights the implementation status of this project in line with its development objectives.

Ensuring service delivery on the doorstep of people's homes and at grassroots has been one of the priority areas of the government. This also includes enhancing justice for the poor through speedy access to quality justice.

For this to happen it is important disputes of a minor nature are resolved in a forum, which is respected by the parties to a dispute. This also means that rather than depend on the formal court system other platforms for these kinds of disputes should be available and accessible to seek resolution and if required compensation.

The concept of village courts emerged through an Ordinance in 1976 that was subsequently followed by the Village Court Act 2006. With a view to activating the existing village courts and making them more effective a pilot initiative was started by the Local Government Division with the United Nations Development Programme and the European Union covering 351 Union Parishads across the country.

During the project period the Local Government Division has also been promoting a policy agenda to ensure village courts become an integral part of the services delivered at union parishad level. This has meant highlighting the need for more resources and technical skills in the management of village courts to ensure sustainable pathways.

It gives me pleasure to note the performance and success demonstrated by the project through this period. The trend of steady progress gives me confidence that we are ready to scale up the courts from the pilot to a nationwide approach looking to widen the project's reach and impact. This has been made possible because of the strong sense of partnership

the project has been built upon and a highly satisfactory set of working relations between the partners.

An independent assessment of the project recognized a "highly effective intervention for scaling up across the country and establishing an international best practice model that could be applied in other jurisdictions." And in this respect the partners including the European Union and United Nations Development Programme and their contribution has been wonderful.

I extend my appreciation to the field administration for their active engagement in monitoring and assessing the village courts' performance and congratulate the National Project Director Mr. KM Mozammel Hoq for his dynamic leadership to the project. I also extend my sincere appreciation to the project team for their efforts in carrying forward the activities.

This annual report for 2013 will give an invaluable insight to all concerned into the performance of the village courts. Standing on the verge of the completion of the first phase of the project I am sure the report has also captured the gains and experience gathered through the project cycle, which will be a guide in shaping future interventions in this regard.



Monzur Hossain

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

Message

This annual report of the activating village courts project for 2013 outlines the strong results that the United Nations Development Programme holds at the heart of its work in Bangladesh. The real benefit of village courts is that it allows communities to resolve disputes quickly and at affordable costs.

Utilizing the existing resources of local governments and with the strong support of the European Union, a convenient and simple platform has been developed to ensure that all individuals particularly the most vulnerable members of society have access to justice through the village courts in the pilot areas.

Not only are village courts demonstrating stronger performance they are also increasingly being recognized by communities and the justice sector itself as a key local justice platform in their own right. This year has been a milestone for village courts. On a national policy level amendments to legislation means that more people will have access to village courts in the coming years and a greater range of complaints can be dealt with by the village court panels.

Village courts work well. Communities trust their proceedings, respect their decisions and generally there is a perception that in places where there is a village court there is a decrease in petty crime and improvement in law and order in those communities. This is made possible because these courts are rooted in the communities they have been established to serve and to a large extent are managed according to the interests of those communities.

We are entering a new period for the growth of village courts. Just as the pilot area village courts have established themselves in the communities they work within, there are ambitious plans to roll out the village court model to a greater percentage of the population in the second phase. This expansion

will be complemented with new services including exploring how the upazila offices can further act as focal points for guiding citizens with their legal matters.

These successes would not be possible without the strong commitment and cooperation of the Ministry of Local Government, Rural Development and Cooperatives and the continued financial support from the European Union. This dynamic partnership helped reach the poorest of the poor and made substantial, sustainable changes in people's lives.

I would like to express my appreciation to the Local Government Division of the Ministry of Local Government, Rural Development and Cooperatives and the staff of the project.

I am confident that together we can ensure faster and affordable justice services to all the poor and vulnerable in Bangladesh.



A handwritten signature in black ink that reads "Pauline Tamesis". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Pauline Tamesis

Country Director
United Nations Development Programme
Bangladesh

Message

The European Union has been Bangladesh's development partner for 40 years. We are proud to contribute 90 percent of project costs to this unique model of legal empowerment, designed to target the most basic level of the formal, state-led rural justice system.

Citizens must be able to apply the rule of law in their locality. Village courts can provide this forum and opportunity – not just for a fortunate few, but for all, including those who are amongst the disadvantaged.

In 2013, the project saw a number of major achievements. The Village Courts Amendment Act elevated village courts' financial jurisdiction, strengthened their authority to enforce decisions and addressed the under-representation of female panel members by applying minimum quotas for women. Figures for cases filed and resolved, referrals by higher courts, decisions implemented and compensation recovered all show a continuous improvement.

These facts are more than just abstract statistics – they go to the heart of respecting the rights of individuals. The aggrieved use the compensation awarded for meeting their family, business and farming needs. The wider impact at the community level includes increased social harmony and trust in the rule of law, closer relations between union councils and communities, in addition to a reduction in local incidents of petty crime.

Village courts have already changed society. As with any beneficial change that is at first approached slowly and with caution, once the change is made no one would want to go back. With a new phase in the pipeline that will scale up the on-going pilot intervention to reach a significant part of the country, the project is now at a crossroads. Careful analysis of lessons learnt will determine the future course of the project, with attention given to ensuring sustainability and correcting some of the weaknesses of the past.

The project is a partnership between the state and civil society groups which has proven effective. The court assistants provided for by the partner civil society organizations are playing an integral administrative role by issuing summons, organizing sessions and updating paperwork and files.

Government engagement with the project has grown significantly, but evidence of firm commitment, including financial as well as human resources, will be a test to see if the state truly owns its rural justice system. The European Union stands ready to be a supporting partner, but Bangladesh is in the driver's seat and has the roadmap. Battling social exclusion and the risk it poses to a democratic way of life that the whole community enjoys requires more than just lip service of providing access to justice.

In its pilot phase, village courts show early promising indications of being a highly effective model for scaling up implementation across the nation and being an international exemplar of best practice. I congratulate the project team for their dedication and the progress made so far, and I look forward to future successes.

At its essence, democracy's very existence depends upon making the machinery of justice as well as government so effective that every citizen can have faith in benefiting from impartiality and fairness. We know that making government accountable at the local level can improve the quality of life and decrease poverty through better allocation of resources, better service delivery, more accountability and reduced corruption.



A handwritten signature in dark ink, appearing to read 'W. Hanna'.

William Hanna
European Union Ambassador
Bangladesh

Acknowledgements

It gives me immense pleasure and a sense of accomplishment in presenting this annual report for the year 2013. While concentrating on the results of the year the report also captures the success of the model of the village courts that have been supported by this pilot initiative. It truly presents village courts as a platform for local communities to resolve local disputes between individuals, families and neighbours.

This project has continued to generate strong community demand for village court justice even outside the areas where the project works. It has successfully contributed to improving delivery in the justice sector at local level to the benefit of grass roots communities. While meeting local demand, the project has also consistently maintained high levels of quality and transparency in justice delivery.

Speedy, transparent and effective proceedings in village courts have increased community confidence in their work. The increasing number of cases being submitted to the village courts, number of disputes resolved by their panels and demand for the introduction of village courts in new areas outside the pilot areas stand as testimony to the model's success.

Following the amendments to the village courts act, the number of cases being submitted as well as beneficiaries of village court justice is likely to increase as it allows higher thresholds for cases to be heard in the village courts. The Local Government Division also plans to widen the geographical coverage of the village courts in a proposed second phase, which is presently being prepared and is currently underway.

I believe this report will also be a useful guide in understanding the work of the village courts as well as

highlighting a sense of the progress made during this pilot phase. This report on the year will also be a useful reference for stakeholders in the years to come.

On behalf of the Local Government Division I would like to convey my sincere appreciation and thanks to our valued development partners the European Union and United Nations Development Programme for their continued support to the government in furthering the village courts project.

I congratulate the project staff and my colleagues at the Local Government Division for their dedication and commitment in carrying forward the project activities.



KM Mozammel Hoq

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

Coming to attend a courtyard meeting



Introduction

Official estimates are that case backlogs in the law courts have risen to 2.7 million cases over the past decade. Many cases can also take over five years to complete and arcane procedures and the costs of making a legal claim through the formal legal system in Bangladesh can exclude many of the population particularly the poor and vulnerable.

With the passing of the village courts act by parliament in 2006 a local and community level mechanism has been introduced providing a new layer in dispute resolution particularly targeted at local communities in Bangladesh and the poor. Whilst this provided the legislative framework for village courts huge challenges remained to realize this vision of village court justice with local communities resolving disputes at their community levels without having to face the daunting task and costs of seeking recourse through the formal court system.

In response the United Nations Development Programme and European Union partnership developed the activating village courts project that commenced in 2010. The partnership aims to provide the fabric for village court justice and focuses on a number of key spheres that work to build capacity of the village courts' human resources and infrastructure.

The Local Government Division under the Ministry of Local Government, Rural Development and Cooperatives implements the project. It improves access to justice for the disadvantaged and marginalized and enhances their human rights by strengthening the village court system in 351 union parishads.

Objectives of the project include empowering women, the poor and disadvantaged groups to have access to affordable, impartial and timely justice that allows them a space to resolve local disputes at community level by strengthening the capacity of the local government to accommodate village court models of justice.

It has included designing procedures and providing physical resources as well as investing in ensuring members of the village court panels have the required skills and access to information for them to be able to adjudicate over disputes. It has also ensured the mainstreaming of knowledge products and training modules and embedding these in the civil service and developed a robust monitoring system in partnership with civil society to provide public accountability and worked to increase awareness of communities of their rights related to access to justice.

The village court system is now part of a national strategy of the government for access to justice and reflected in key government strategies. In 2013 the government has amended the village courts act 2006 by lifting limits to these courts which will further increase access to justice for people including those most vulnerable.



Section 1

Key Results and Achievements

Increasing access to justice

Village courts in 351 union parishads are now operating and reach approximately eight percent of the population that live in rural areas.

In 2013 a total of 18,348 cases were reported to village courts and throughout its life cycle so far a total of 45,297 cases have been reported directly involving over 90,000 individuals.

Of these 15,276 cases have been resolved in line with the village court act in 2013. A total of 35,379 cases have been resolved in line with this act since the village courts project commenced. Of these decisions 80 percent have been implemented.

- A total of 45,297 cases have been reported since 2010, of which 35,379 have been resolved taking only on an average 28 days per case. Of the resolved cases, 28,650 decisions have been implemented.
- Over 90,000 people, particularly those from vulnerable communities have been extended direct access to localised justice through village courts.
- The average time it takes to resolve a complaint is only 28 days compared to five years in the civil courts.



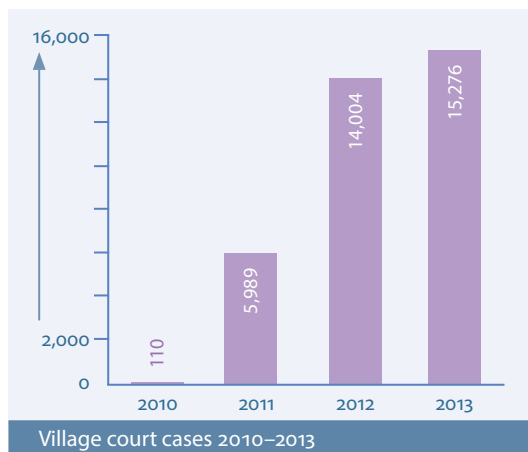
Court session in progress

These resolved cases related to petty crime including physical fights, financial and property and land related and family disputes, and petty theft. There has been a 154 percent increase in cases resolved from 2011.

Fast and reliable local justice

Village courts are efficient, fast and accessible and they resolved 83 percent of the 18,348 cases in 2013, and the verdicts of 86 percent of these decisions were implemented.

A citizen filing a case at a village court has – on average – only to wait for 28 days to have the case resolved compared to an average waiting time of five years in the civil courts.



Increased recognition by district courts

There was a total of 2,776 cases referred from district courts since village courts commenced and in 2013 this number has risen on the previous year with 1,093 cases referred from district courts in 2013.

Increased awareness of judges and the district court staff is gradually ensuring the village courts are more closely embedded in the justice culture of Bangladesh. This is saving time and money for the complainants and referring cases to village courts means more cases are concluded efficiently.



Taking the oath

“Sixteen cases were referred to us from the district courts. Two years have passed without any result. It took us only three weeks to resolve these matters in village courts.”

according to one of the union parishad chairpersons

Small fees and easy access

Case filing fees are very low (BDT 2 (US\$ 0.025) for criminal and BDT 4 (US\$ 0.051) for civil cases and the transaction costs are affordable. The poor and disadvantaged in Bangladesh can often not afford to travel long distances to the nearest district court. Village courts are usually not more than a few kilometers away at the doorstep of communities.

As a union parishad chairperson describes:



The union parishad is 2–3 km from a person's home. They do not have any transport costs. The district court is 14 km away and it will cost 50 taka (US\$0.65) for transport. The person has to file the case, find a lawyer and over the year the cost will run into thousands of taka. //

Being rooted in the community is a key advantage according to a union chairperson who chairs one of the arbitration panels of the village courts.



Local knowledge and local justice are more effective and communities can see the benefits in their lives. Our village court is community based, easily accessible and offers speedy justice for the community. We do not need lawyers and police that can bring extra costs and pressures. As a community, we can solve our own disputes. //



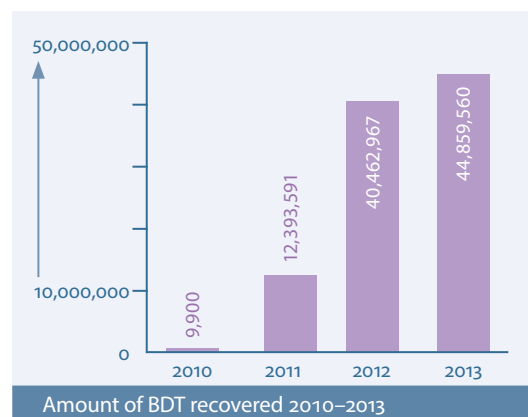


Impact on communities

The mid term review in 2013 identified impact on communities including increasing social harmony, building closer relations between union parishads and communities and reducing incidents of petty crime in their locality.

Village courts provide simple and effective legal avenues that communities understand and a large number of decisions by the panels are adhered to. The wider impact on communities is positive with communities witnessing lower incidents of petty crime in village court areas according to surveys. Confidence in village court decisions is high in both complainant and defendant groups regardless of whose case the decision supports.

- 68 percent of those directly involved with a village court case were satisfied or very satisfied with the manner in which the village courts dealt with the case.
- Individuals believe law and order have improved in their communities because of the village courts.



Village courts have recovered BDT 97,726,018 (US\$ 1,265,061) in compensation since 2010. A study conducted in 2013 shows complainants use this money for meeting family needs, business and farming, medical expenses, paying back their loans or buying assets.



Village court learning session with women from the community

Scaling up at policy level

The village courts (amendment) bill 2013 was enacted in September 2013 increasing the powers and responsibilities of village courts. A financial ceiling that limited the kinds of cases that could be submitted to village courts has been lifted and more powers are granted to the village courts to ensure implementation of their decisions. There is also a quota for the representation of women in the panels for some kinds of cases introduced by the amendments.

Scaling up geographically

From the start sustainability has always been a key part of the village court approach. The programme has therefore always sought to ensure strong national ownership at the highest policy level as well as in the community. Government has always provided the facilities for village courts and important policy directions including incorporating village courts culture into national training schemes in the civil service and police. It has also meant basing performance assessments and development grants for local councils on the accessibility of village courts. These mechanisms have all pushed to mainstream village courts.

The value of village courts is also increasingly leading to more government leadership and larger ambitions for increasing access to these across the country. Amendments revising the village courts act were promulgated in 2013 providing an improved legislative framework and increased scope of village courts (see above). Strong national ownership is also reflected at grass roots levels with an increase in cases submitted to the courts and ones that are referred to the courts from the district courts.

The next steps are crucial and the government is discussing with partners both widening and deepening of the village court model. Today the village court reaches approximately eight percent of the rural population, or nine million people, and in the next phase of growth the government aims to increase this catchment area to 47 million Bangladeshis. The goal in the end is to ensure there are village courts in all of the 4,571 local councils across 64 districts.

Granting access to justice for communities for a fraction of what it costs to submit grievances to the formal courts has become a key public policy objective of the government and continued developments towards scaling up to nationwide level will result in village courts becoming an even more integral part of the dispute resolution system in Bangladesh.



Receiving a summon from court

Village Courts Widening Access to Justice for the Vulnerable

Asma Begum is 42 and lives in Kuchlibari that is one of the poorest areas in the district of Lalmonirhat. She is a single mother with a young daughter and is the only income provider for the family. As a domestic help Asma earns a salary of a little over US\$2 a day and relies heavily on cultivating a small patch of crops on land she owns which she sells at market to feed her family.

This livelihood was threatened following a dispute with her neighbour after he damaged her crops. When confronted, the neighbour became aggressive and assaulted Asma causing her to be admitted to a local hospital for treatment.

Seeking damages for the harm caused, Asma decided to submit her case to the district court. However, after nine months of delays she grew disheartened with the process. It was only when the district court referred the case to one of the village courts in Kuchlibari that the complaint was taken up. Although apprehensive at first, Asma found this village court system of justice a simple and effective way to resolve her complaint.

“

In the village courts I received fair justice that was quick. I only spent a tiny amount of money compared to the district courts. The village court has concluded my case in a short time period. I lost nine months and a significant sum of money while my case continued in the district court [...] If the case was not transferred to the village court, we ultimately would be penniless by now. ”

Village courts were activated with the support of the United Nations Development Programme in 2011 as a way to bring localised justice to communities. These help communities to access cheap and speedy justice on their doorsteps and offer a platform to resolve their grievances without having to navigate a complex formal court system.

In this case the court ruled in favour of Asma and ordered the accused to pay compensation for the damages. The decision was made within 48 days and Asma expressed satisfaction with the process.

Asma is now back at work and her daughter is attending school and life is back to normal. With the assistance of the village courts justice was served and compensation was paid for the harm done to Asma and her livelihood. Harmony has been restored now in the community and she feels she has a bright future with her family.



Asma Begum back at work after the completion of her case



Women's access to justice improved

In 2013, 5,829 women sought justice in village courts. Women also constituted 11 percent of panel members in 2013 a yearly increase of three percent. Changes following the amendments to the legal framework and the introduction of the quota for women on panels for certain types of cases should further increase this number.





Section 2

Progress Towards Outputs

Output 1

Strengthening village courts

Functioning village courts

Village courts in all 351 union parishads are functioning according to the output's timetable. New or extended contracts have also been signed by the four partner civil society organizations that are assisting the union parishads establish the village courts in 2013 and feedback sessions have been organized to ensure stakeholder input into the review of the court system.

The court assistants provided for by the project are continuing to support the union parishads promptly resolve cases and are playing an integral administrative role in issuing summons, organizing sessions and updating paperwork and files.

Pilot projects exploring new models

In order to explore complementary models for the village courts pilot projects have been established in 12 union parishads. In these pilot initiatives responsibility for the direct supervision and management of the village courts project has been fully transferred to the local level government administration to test how to increase government ownership in village courts and to explore the most sustainable approaches for the longer term vision for village courts.

To build a common understanding of this approach orientation sessions have been organized that included key civil service management that outlined clearly roles and responsibilities going forward. A training of trainers programme was also delivered to staff members to increase training capacity and create a pool of trained staff that can provide technical support and backstopping to the union parishads that manage village courts.

Deployment of district facilitators in 12 districts

Eight district facilitators have been appointed in the districts providing an essential liaison link with local administration as well as monitoring the village courts' performance. Orientation courses have also been organized to ensure consistency in their approaches and increased understanding of rules and regulations pertaining to the village courts.



Village police signing on the post register before bringing a notice

Capacity building of village police

In 2013 a specially designed one day training workshop was delivered to 103 village police of 12 union parishads increasing their awareness of the village court system and their own responsibilities in respect to these courts including serving summons and notices upon witnesses, serving notices for enforcement of village courts' judgments and taking oaths at hearings.

Output 2

Monitoring and supervision functions enhanced

Upazila and district village courts management committees have been formed in 12 districts and 55 upazila by the end of 2013. Of the districts 71 percent organized village court monitoring meetings rising to 89 percent in the 55 upazila. In the 15 pilot areas where the decentralized monitoring is being applied, two government orders have been issued in 2013 outlining responsibilities of different stakeholders and a reporting framework of the decentralized monitoring and evaluation system is in the process of being designed.

Seven orientation sessions were conducted with a broad range of village court staff to improve the decentralized monitoring systems and performance reporting by officials. 36 union parishads have received recognition of their outstanding performance in the area of village courts at an awards ceremony organized by the Local Government Division under the Ministry of Local Government, Rural Development and Cooperatives.



Meeting of a community based organization

Village court management committees are established to provide effective oversight and monitoring of the performance of village courts and are comprised of local stakeholders including officials. They play an important role in performance evaluation and nurturing local ownership of the village courts.

Mid-term review

The mid-term project review was conducted in 2013 by a team of independent consultants. Some of the main findings of this review included:

- Village courts represent a highly effective model for scaling up across the country and provide an international best practice model that could be applied in other jurisdictions.
- The village courts have gained acceptance both with the government and in communities. The legal structures for village courts are simple. The courts are local, most are within a 3km radius of households. Income is no bar to accessing the courts. The enforcement rate is high because of the restorative nature of the proceedings and relatively low compensation awards made.
- Estimated activation costs are on average approximately US\$7,000 covering a 12 month period per village court. This reduces to US\$3,000 in terms of running costs once the courts are operating.

Subodh Boiragi's First Experience of Village Court Justice

Subodh Boiragi is a local tailor in the village of Simulia. His living ensures sufficient earnings to support his wife and two children and although he is a person with physical disabilities since the age of 18 he is an active and ardent member of the local community and a regular volunteer to community development schemes.

His experience of village courts came about when a petty dispute developed with Subodh's neighbour over an overhanging tree branch that threatened to damage the roof of his house. Worried about the effect on his property Subodh approached his neighbour with a request to remove the potentially dangerous branches. After several attempts with no remedial actions taken to cut back the tree frustrations increased and what was a small matter initially turned into a tense standoff between neighbours.

The idea of taking his complaint to the village courts first came from his son. At first Subodh had turned to local leaders to find a solution but the *Salish* (mediation) failed to resolve the dispute one way or another leaving him with what he thought were few other choices because to take the case to a district court would be expensive and timely and he may not necessarily find a conclusion to the problem faced. When his son however, recounted what he had learnt from a youth workshop on village courts, they both agreed that this might be the ideal platform for finding a resolution.

After submitting his case at the local union parishad office a hearing panel was quickly convened and each party to the complaint allowed to nominate one person each to the five member arbitration panel. Both parties to the case attended and a swift and unanimous decision was made in support of Subodh's submission. On hearing the judgement that ordered the neighbour to remove all branches and leaves hanging over the roof of Subodh's small home within a seven day period the neighbour promptly responded by making the tree branches safe and removing them in accordance with the ruling.

Both the neighbour and Subodh expressed confidence in the decision with Subodh being so pleased that he has carried on his relationship with the village court and gone on to become a spokesperson for his local village court. Both agreed in the end that the problem should have been resolved locally and the village courts provided an independent platform for them to air their grievances and resolve a petty dispute that threatened to blow up into a longer term argument between neighbours that was easily avoided because of the intervention of the village courts.



Court proceedings

Output 3

Capacity of human resources for village courts enhanced

Training material distributed

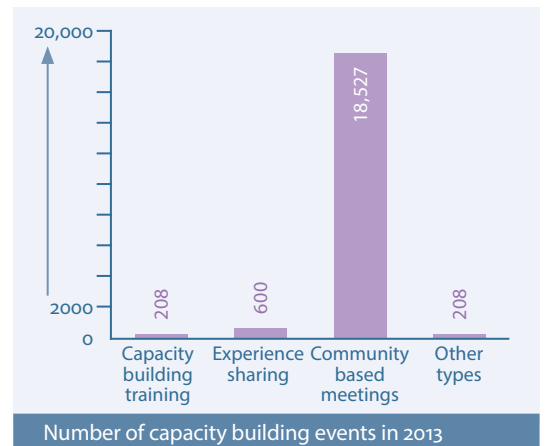
A further 1,000 copies of a frequently asked questions booklet, *Gram Adalat Bishoyok Proshnuttor*, related to the village courts have been published enhancing the available information to different stakeholders in the working of village courts. The project also distributed a high quality 60 minute long documentary film on village courts, *Amader Gram Adalat*, that seeks to increase the technical knowledge of staff and awareness of wider stakeholder groups of the village court model.

Training and capacity building

The recipients of training of trainers courses organized by the project have provided capacity building training to 6,338 village court stakeholders including union parishad representatives, staff, police and civil society and religious leaders. Of these, 44 percent of the participants were women. Complementing the training 600 experience sharing meetings were held at the union parishad level where representatives, village police, and village court staff aired their views and experiences.

Reflecting increased national ownership, capacity building courses were also conducted in Patuakhali district for 140 union parishad chairpersons and secretaries at the request of the local authorities.

Knowledge and awareness of communities of the village courts has also increased with a total of 18,527 community based organizations' meetings with all members of these 3,360 organizations attending.



Gender mainstreaming awareness

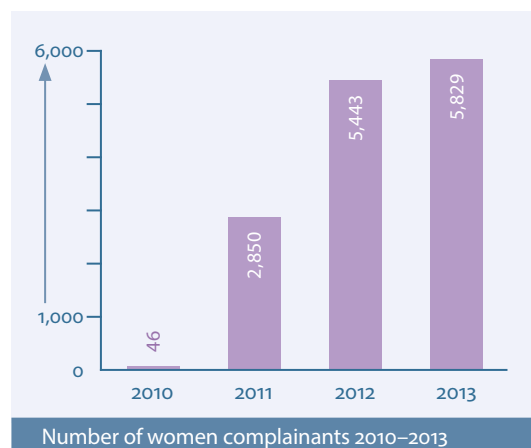
The project has continued to support a set of learning and resource tools and in 2013 a total of 500 copies of gender mainstreaming commitments were distributed in the 351 union parishads, 57 upazilas and other places. The commitments stem from gender based workshops and priorities highlighted during those sessions with stakeholders.

Training workshops have been organized to deepen mainstreaming of gender at village court level in Rajbari, Faridpur, Chittagong and Gopalganj districts and 240 officials, union parishad representatives, police, and media workers participated furthering their insights into the importance of gender equality and incorporating this principle into the work of the village courts.

Integration into curriculums of national training institutes

The training content has been designed to ensure village courts are fully incorporated into the training curriculum of the key training institute the Judicial Administration Training Institute. Today a total of two hours of village court training is an integral part of the regular training sessions for the judiciary.

After several meetings with the training wing of the police headquarters and staff college police headquarters has agreed to integrate village court issues into their own training modules. Following this the police have requested relevant training material supplied by the project including training manuals, laws and frequently asked questions booklets to assist the police design appropriate content for the courses.

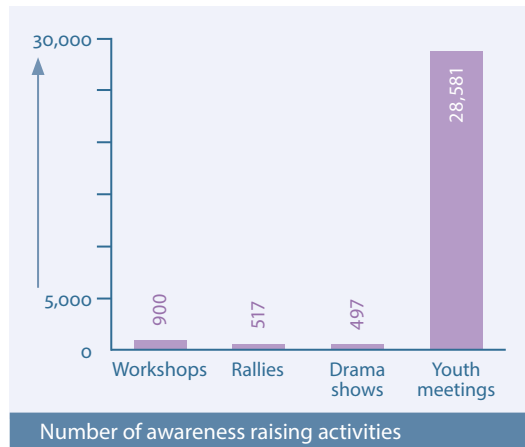


Output 4

Awareness raising and the village courts

Civic education and communications

In 2013 approximately 800,000 individuals in 338 union parishad attended a village court awareness-raising event. These included 28,500 courtyard meetings, 490 drama performances and 900 workshops.



In addition 188 field workers have carried out a grass-roots legal awareness campaign to increase demand side pressures for village court justice.

The project also produced a one minute advertising spot to highlight the amendments to the village court act in 2013 that was aired by the national broadcaster BTV daily during peak time viewing and listening throughout December 2013 with an estimated audience of above 20 million households.



“Communities are becoming increasingly aware of the village courts by attending theatre, courtyard meetings, rallies and other events organized by the project.”

community based organization facilitator

A range of corporate material was produced to increase awareness of the village courts. This included 25,000 information leaflets, 3,000 posters, 30,000 stickers and other corporate products highlighting the role of village courts. A total of 6,000 copies of the newsletter were distributed among stakeholders.

Output 5

Village court legal framework reviewed

Legal reform achieved

The Bangladesh Parliament passed the village court (amendment) bill in September 2013 that contained a number of new provisions to deepen the role of village courts in providing local justice to communities. The revisions followed active engagement at policy level lobbying for change of the village court project with the project playing a key brokering role. Key amendments include:

- Increased financial jurisdiction of village courts from BDT25,000 (US\$323) to BDT75,000 (US\$970).
- Inclusion of a minimum quota for women in the arbitration panels for specific cases that include women or children issues.
- Inclusion in the law of a fine of BDT5,000 (US\$64) for filing a false claim.
- Increasing fines for disrespecting village courts from BDT500 (US\$6.5) to BDT1,000 (US\$13).
- Increased authority has been transferred to the union parishad to enforce the decisions of village courts and in particular in its role in ensuring compensation has been paid.

To promote awareness of these amendments the project has finalized the contents of a booklet on the amended village courts act that was approved by the Local Government Division and subsequently in 2013 a total of 1,000 copies have been distributed. The forms required for managing the proceedings of village courts have also been modified in line with the new provisions to ensure consistency across all village courts in procedures that are in line with the new legal provisions.







The year 2013 has witnessed a number of milestones for the project. Amendments to the village court act have increased the potential role that village courts can play in providing local justice in communities. The policy level forward movement has also been matched in terms of improving performance of village courts with clear indicators that communities and stakeholders feel a strong sense of ownership for the courts. More cases were concluded in 2013 than in previous years, more communities became aware of the role of village courts, satisfaction ratings remain high and the speed in which cases are concluded has been maintained.

At the end of 2013 important preparations are in pipeline for village courts' successes to be built on and in years to come more communities will enjoy the services of a greater number of courts whilst the high standards achieved by the existing village courts will be maintained.

Lessons learnt

The mid term review provided an in-depth and independent review of how the village courts have performed over the past three years and made some recommendations looking forward that have been adopted by the project.

Some key recommendations include the need to:

- Develop a flexible model for national scale up in a future second phase.
- Pilot a legal services hub in several of the best performing village court sites.
- Standardize training in consultation with stakeholders.
- Conduct research into a) the impact on poverty of the village courts; b) criminal offending rates and trends and victimization; and c) the kinds of legal services needed by communities.
- Elaborate an advocacy strategy that makes the economic and political case for village courts.

The way forward

The project in 2014 will continue to provide support to strengthening the performance of village courts. New contracts have been prepared for the four partner civil society organizations that implement some of the services at village level and current levels of partnership will be maintained. Increasing institutional capacity focusing on high quality service delivery, performance based monitoring systems and integration of village court issues into training curriculums will remain a priority during 2014.

Plans to extend the reach of village courts in a second phase that will see significant geographic scaling up of the pilot areas for the village courts are also being put in place and these are being drawn up in parallel to plans to ensure the existing pilots are sustainable and can deliver local justice independently of the project's support. The partnership with the European Union remains central to the success of the village courts and the United Nations Development Programme will continue to work to strengthen this partnership to achieve the important development aims that village courts contribute towards.



Union Parishad Chairperson: a Champion of Village Courts

Soon after being re-elected in 2011 Mohammad Nurul Huda, Chairperson of Mohinando Union Parishad learnt about the village courts project and its activities. He knew about the village court policy but previously had not had full knowledge of the legal parameters of these courts or access to information to ensure he felt comfortable establishing a facility within the union parishad.

The chairperson arranged to attend a series of capacity building and awareness raising initiatives for elected union parishad representatives in his constituency in a bid to learn more about how and why village courts could provide a service to the community he was elected to represent.

On attending the courses he became more knowledgeable about the role of village courts, how they operated and the legal requirements. Impressed with how village courts were helping communities the chairperson set about establishing a court in his local vicinity. A first step was to build a corrugated shelter for the village courts to sit and using local funds he arranged the installation of furniture and electricity to ensure the court could run smoothly. Soon after, following broad consultation with the community, the village court was operating.

To date, a total of 172 cases have been resolved at the village court in Mohinando and the majority of decisions have been made quickly and subsequently implemented by the parties in a dispute. With his dynamic leadership this has led to a total of 344 families benefiting from access to justice and being able to recover damages for harm. The community has expressed high degrees of satisfaction about the scheme and is actively supportive of the chairperson's commitment to village court justice.

The courts have also gained a reputation for their smooth and efficient functioning. A number of visits have been made to the area to learn about how to make village courts run smoothly and a national television programme was produced highlighting the success of the village courts and their important role in the community.

Mohammad Nurul Huda has also become an active champion of village courts sharing his stories in many meetings and forums. He also regularly attends rallies and community based organization and courtyard meetings to encourage community participation in making the courts a success. He has, in short, become a champion of the village court model.

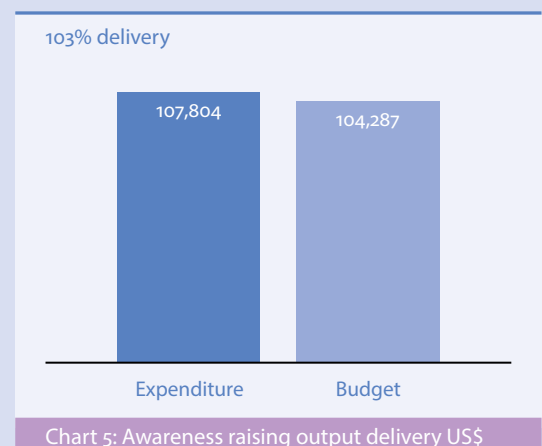
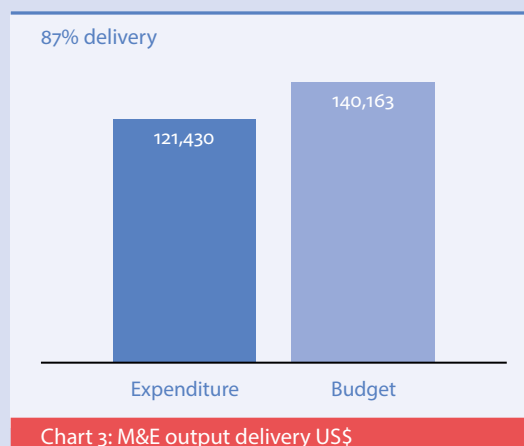
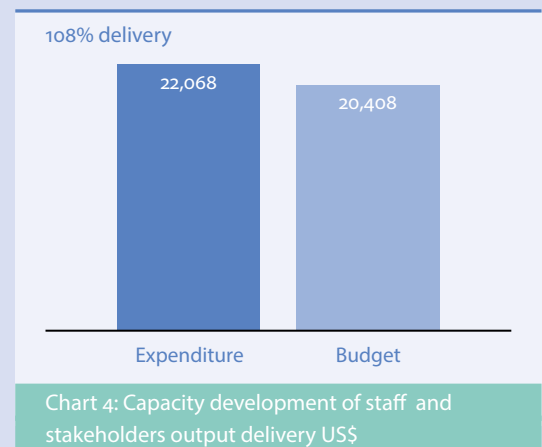
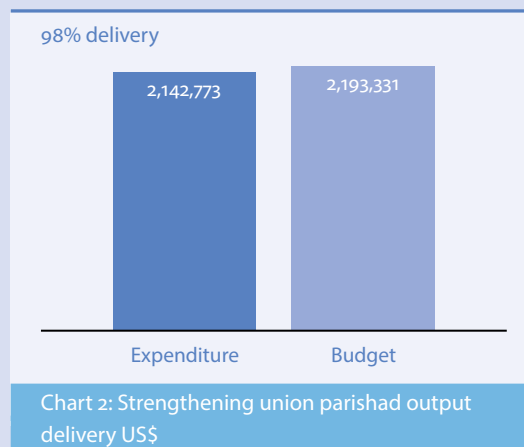
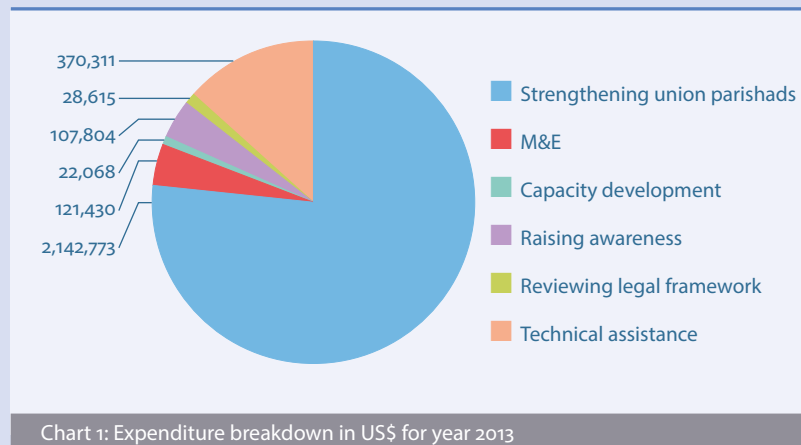


Exiting a village court
– happy with the result



Section 4

Statement of Expenditure and Delivery in 2013



73% delivery

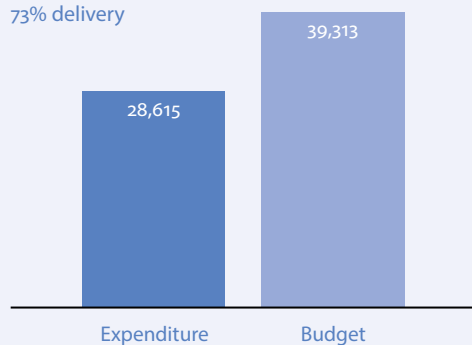


Chart 6: Review of the legal framework output delivery US\$

109% delivery

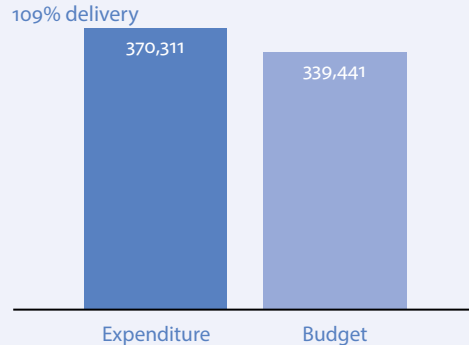
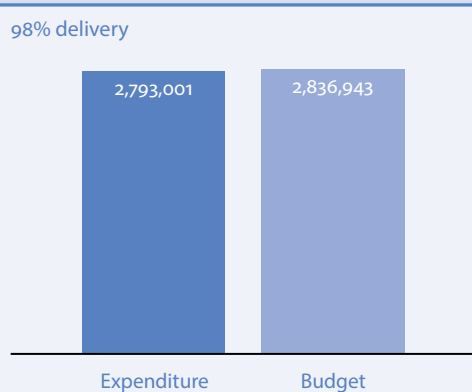


Chart 7: Technical assistance and management output delivery US\$

98% delivery



ACTIVITY	EXPENDITURE	BUDGET
Strengthening union parishads	2,142,773	2,193,331
M&E	121,430	140,163
Capacity development	22,068	20,408
Raising awareness	107,804	104,287
Reviewing legal framework	28,615	39,313
Technical assistance	370,311	339,441
	2,793,001	2,836,943

Chart 8: Combined outputs delivery US\$

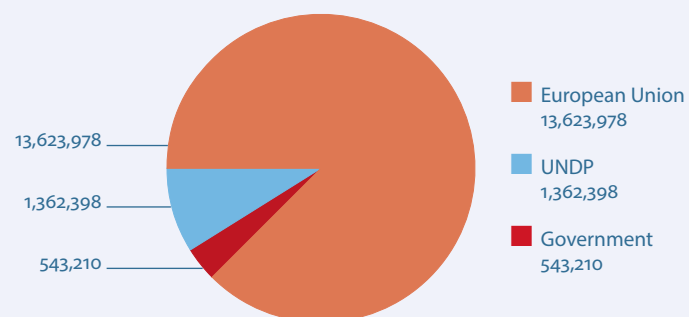


Chart 9: Major financial contributions US\$ to the Activating Village Court project

Activating Village Courts in Bangladesh

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 United Nations Development Programme
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 Ministry of Information Various non-government organizations, community based organizations and civil society organizations
Project duration	January 2009 – December 2014
Project budget	US\$15.53 million
Reporting period	January – December 2013
Report prepared by	Activating Village Courts in Bangladesh Project
Project's goal	The project seeks to strengthen local justice systems in 351 union parishads through the establishment and activation of village courts.
Project's objective	To improve access to justice for disadvantaged and marginalized and enhance human rights systems, and processes in Bangladesh.
Contact person	Mr. K M Mozammel Hoq National Project Director, Activating Village Courts in Bangladesh Project and Additional Secretary, Local Government Division, Ministry of Local Government, Rural Development and Cooperatives.



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