

# Activating Village Courts in Bangladesh

## Phase II Project

Annual Report 2018



Co-funded by  
the European Union



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# **Annual Report 2018**

## Activating **Village Courts** in Bangladesh Phase II Project

Published in 2019

### **Editorial Advisor**

**Dr. Kazi Anowarul Hoque**

Additional Secretary  
Local Government Division and  
National Project Director  
Activating Village Courts in Bangladesh Phase II Project

### **Chief Editor**

**Sarder M Asaduzzaman**

National Project Coordinator  
Activating Village Courts in Bangladesh Phase II Project  
United Nations Development Programme

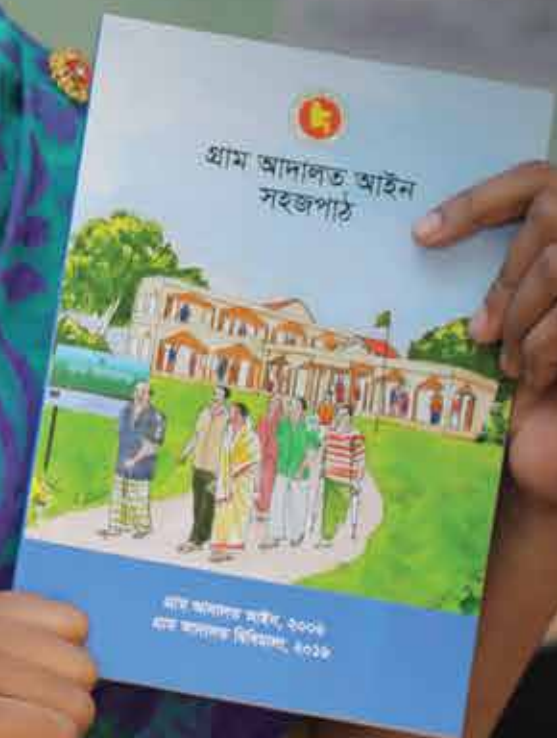
### **Editor**

**Mohammad Sirazul Haq**

Research and Evaluation Manager  
Activating Village Courts in Bangladesh Phase II Project  
United Nations Development Programme

# Activating **Village Courts** in **Bangladesh** Phase II Project

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## Message

### MINISTER

I am exceedingly delighted hearing that Activating Village Courts in Bangladesh phase II (AVCB II) project of Local Government Division is publishing its Annual Progress Report 2018. I am glad to see the results the project has achieved and enlightened with the challenges encountered in achieving these results in the last year.

Ensuring rule of law and access to justice for all citizens are still a challenge in achieving the target of the SDG 16 and the objective mentioned in this regard in the 7th Five-year plan of the government. Areas of concern include mammoth number of case backlogs, difficulties in accessing courts especially for the poor and the lengthy justice delivery process. I am contented seeing that the success of the AVCBII project is complementing in these areas and also in achieving SDG 16 by implementing Village Court Act through building capacity of service providers and increasing awareness of rural citizens.

One of the main thrusts of the current government is to accelerate public service delivery which is evident from various ongoing initiatives undertaken already such as Digital Bangladesh and Local Governance Reform, with the slogan 'bringing services to the doorstep of the people'. AVCBII project is one such mechanism of the Government that brings justice service to the peoples promoting reconcilia-

tion between disputant parties at low cost and in a reasonable timeframe. The project demonstrates promising sign of being a highly effective model for scaling up across the country. Scaling up village courts to its nationwide will transform village courts as an integral part of the justice eco-system in Bangladesh.

I extend my sincere thanks to EU and UNDP for their support to the Government of Bangladesh for this noble project to implement this successfully. I do sincerely acknowledge the contribution of LGD officials and the AVCBII project team members for their achievements reflected hereby.



Md Tazul Islam, MP  
Minister  
Ministry of Local Government,  
Rural Development and Co-operatives



## Message

### STATE MINISTER

Bangladesh Government has an unprecedented vision to simplify its public services in a way so that citizens require lesser time, cost and number of visits (TCV) to access those. Towards this vision, government has paid off extended efforts to activate Village Courts in every union so that citizens can obtain justice at their doorsteps at lower cost and time. As the ruling party, Bangladesh Awami League acknowledges the success of the pilot phase through scaling it up to new areas and accordingly referred as a significant achievement in its manifesto during last national election. It has a visionary intention to mainstream Village Courts through institutional and human capacity development. Honorable Prime Minister Her Excellency Sheikh Hasina accredited village court's effectiveness and efficiency during Deputy Commissioners' conference held in 2018 and directed all the Deputy Commissioners for making village courts as per its jurisdictions.

I do really appreciate the enthusiasm of Local Government Officials, Activating Village Courts project team, local administration and Union Parishad elected bodies for their benevolent accomplishments, stated in this report. I firmly believe, it wouldn't happen without their extraordinary team work. I would like to express my gratitude and

deeper appreciation to the European Union and UNDP Bangladesh for their financial and technical assistances and being part of the continuous progress and development of the country.

I wish the success of this project in future and expect it will bring smile on the faces of underprivileged peoples.



Swapan Bhattacharjee, MP  
State Minister  
Ministry of Local Government,  
Rural Development and Co-operatives



## Message

### SENIOR SECRETARY

It's a great pleasure to see the achievements and highlights of the Activating Village Courts in Bangladesh Phase II (AVCB II) project during 2018. This report has tersely captured the achievements, successes, challenges and lessons learned, during the third year of its four-year life time.

With the assistance of the first phase of this project, Government of Bangladesh has amended village court law in 2013 for the rural women and people who are marginalized and living in poverty so that they can access to legal services for petty matters easily with minimum expense through the village courts at union parishads. As this project has been working for effective implementation of Village Court Act, it will be able to ensure access to justice to local rural people within minimum time and budget by activating village courts in its working unions.

It gives me pleasure to note the performance and success demonstrated by the project through this period. I am impressed seeing that the village courts have offered dispute resolution services following the prescribed procedures with proper documentation. The capacity development initiative for elected-UP representatives and village court officials has resulted in effective application of the law and regulations during proceedings.

Recently Bangladesh has stepped into Middle-In-

come Country status through accelerated economy growth and country has earned the eligibility to graduate from the list of the Least Developed Countries. Activating Village Courts in Bangladesh project has undoubtedly makes a significant contribution to reach that milestone contributing in achieving the target of 7th Five-year plan and Sustainable Development Goals.

I would like to take this opportunity to thank European Union and UNDP for their continued support and cooperation. I also do congratulate members of the project team, who have worked tirelessly in making the successes possible.



S. M. Ghulam Farooque  
Senior Secretary  
Ministry of Local Government,  
Rural Development and Co-operatives



## Message

### EU Delegation

An effective, transparent and affordable dispute resolution system operating at local level has a highly significant added value for governance in Bangladesh. I am very pleased that the EU supported project "Activating Village Courts in Bangladesh" is helping poor and vulnerable groups, and in particular women, gain access to justice.

Access to justice is one of the main links which hold societies together. It is a basic human right and contributes to democratic governance and to the realisation of a range of other fundamental rights. This is at the core of EU's readiness to provide more than 30 Million Euro of funding since 2011.

Established in 1078 Union Parishads covering almost a quarter of Bangladesh's population, the Village Courts provide a simple institutional and legal framework that people can understand. They provide access to justice for the rural poor and other disadvantaged and marginalised groups, in a more affordable, less intimidating and locally accessible context.

In 2018, women's participation in the Village Courts is visible with more than 28% of cases being brought by women, and 13% of panel members being women. This level of involvement of women is an achievement, but much more remains to be done.

I congratulate the Bangladesh government for having taken genuine ownership of the project, by adapting the legislative framework and institutional

structures to embed the project at local level. Local authorities are now more responsive to local justice needs, and the sustainability of the project seems assured for years to come. This is a fine example of the EU and the Government working together to improve governance in Bangladesh. With the expertise developed and the experience gained, the way is now open for the Village Courts to be rolled out in all the Union Parishads across the country.

I wish the Village Court Project an ongoing continuation of the excellent progress, benefiting both the people and the government of Bangladesh.



Rensje Teerink  
Ambassador of the European Union to Bangladesh



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## Message

### Resident Representative a.i.

Bangladesh's progress in achieving Sustainable Development Goals (SDGs) has been exemplary so far. But there remains many challenges to overcome, such as poverty and inequality. United Nations Development Programme (UNDP) in partnership with Government of Bangladesh (GoB), along with development sector partners is addressing these complexities in a multitude of ways.

Activating Village Courts in Bangladesh Phase II (AVCB II) Project is a flagship initiative that addresses these challenges, paving the way for SDG 16, "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels."

This project covers 27 districts, giving 21 million people access to justice through *gram adalat* or village courts, a uniquely Bangladeshi court system. *Uthan Baithak* (Courtyard Meeting), a community awareness activity has directly reached 1.92 million villagers, with almost 70% of them being female.

Over 55,000 cases were reported directly to village courts last year and BDT 471 million was recovered as compensation. AVCB has not only success in providing people justice, it has also made them more aware of their rights. Number of cases reported per

month in each Union Parishad on average has increased from three to four in 2018.

These results reflect Bangladeshi people's desire for a more equal, peaceful society that does not hesitate to provide justice. In addition to empower citizens, this project has helped local government build their own capacity.

I would like to take this opportunity to express my sincere appreciation to our implementing partners - Local Government Division (LGD) of Ministry of Local Government, Rural Development and Cooperatives (MoLGRD&C) and project team for their dedication and hard work for this noble cause, and to our development partner European Union whose generous support has helped us to make a difference in Bangladeshi rural communities.



A handwritten signature in black ink, appearing to read 'Sudipto Mukherjee'.

Sudipto Mukherjee

Resident Representative a.i.

United Nations Development Programme, Bangladesh





## Acknowledgement

### National Project Director

Bangladesh has achieved significant progress in social and economic sectors. Another year has gone by since the last annual report was published. It is the significant accomplishment of time that stick out. And for the project, the by-gone year has been one of consolidation of its development centered multidimensional activities and it adds successfully to the national sectoral development.

I'm pleased to report that we have experienced strong progress in 2018 as we completed the third year of our four-year project. Our focus on providing quality supports and inputs to the field has been crucial to the success of this plan. It was a busy year that included full pledged implementation of diversified activities and, at the same time, revision of the project for incorporating activities to be expanded in the Chattogram Hill Tracts (CHT) under this project support.

This project is assisting the Local Government Division (LGD) in implementing the Village Courts Act, 2006 (amended in 2013) through strengthening capacity of union parishads in providing dispute resolution services among the local peoples within a short period and at minimal cost. In the project areas, the union parishads are now fully equipped with *ejlas* (court bench), furniture, village court forms & registers and trained village courts' service providers (UP representatives and UP Secretaries).

I'm proud to report we have a lot to celebrate this year and our accomplishments were significant. Being sensitized by community mobilization initiatives, community people have started seeking justice from village courts. In 2018, a total of 58,000 community people (28% women) sought justice,

47,000 people got remedies and 43,780 decisions have been fully implemented. The village courts have recovered BDT 47.1 core (\$5.67 million) as compensation from respondents and provided it to the petitioners.

Women are seen enthusiastically taking part in the village courts operation – either as justice receiver or justice provider. Accordingly, the participation of women as panel member in decision making process is significantly increasing from 2% (baseline) to 13% in 2018.

I take the opportunity to express my gratitude to our valued partners both European Union and United Nations Development Programme for providing continuous supports to LGD in activating village courts. Additionally, I do congratulate the project colleagues, UP representatives, partner NGOs (BLAST, WAVE Foundation, ESDO and MLAA) and ministry colleagues for achieving successful performance of the project and their prompt efforts in producing this Annual Report 2018 with excellent outcomes.



Dr. Kazi Anowarul Hoque  
Additional Secretary  
Local Government Division and  
National Project Director  
Activating Village Courts in Bangladesh Phase II Project

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## INTRODUCTION



Activating Village Courts in Bangladesh phase II (AVCB II) project was scaled up to 1,078 UPs, based on the success of the pilot phase, and commenced full implementation during this reporting period. The Local Government Division (LGD) of the Ministry for Local Government, Rural Development and Cooperatives (MoLGRD&C) has been implementing this project with financial and technical support from EU, GOB and UNDP. It aims to activate VCs in 1,080 out of 4,573 unions.

The village courts have offered dispute resolution services following the prescribed procedures with proper documentation. The capacity development initiative for elected UP representatives and VC officials of 1078 UPs has resulted in effective application of the law and regulations during proceedings.

Community mobilization and motivational campaigns of the project have created a demand for the village court services. This is evident from cases by the people seeking remedies through Village Courts. As of December 2018, a total of 79,568 cases have been reported, of which 58,235 were filed in 2018. Number of reported cases per month per UP have been increased from 1.37 (Baseline in 2017) to 4 (2018). The national and international media coverage of VC issues is a clear indication of sensitization of media as well.

With an increase in capacity building and awareness, the village court process has further empowered women to seek justice and in delivering affordable and timely justice. As a result, involvement of women in decision making process has increased from 2% in April 2017 to 14% in 2018 and 16,490 women sought justice from village courts.

Government role for activation of VCs outside of the project areas are increasing. On 3 October 2018, LGD issued a letter instructing all UP chairmen of Bangladesh to run village courts following Village Courts Act 2006 (Amended in 2013). Government has recruited 105 Accounts Assistant-cum-Computer Operators (AACOs) who, in addition to other responsibilities, will administer village courts issues. The process of recruitment of AACO in other UPs is in limbo due to a Court Order which the Local Government Division is looking into.



অল্প সময়ে  
স্বল্প খরচে  
সঠিক বিচার পেতে  
চলো যাই  
গ্রাম আদালতে

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গ্রাম আদালতে



দক্ষ-সেতুয়াখপুর ইউনিয়ন পরিষদ  
কম্বো বিচার আদালত





## Section 1: Key Results and Achievements

### Access to justice

24% (1,078 out of 4,573) of Union Parishads of Bangladesh which are being sensitized and capacitated by the Activating Village Courts in Bangladesh Phase II Project offered local and fast access to justice to 21 million rural citizens through village courts.

In 2018, a total of 58,235 cases have been reported, 47,050 have been resolved and 43,783 decisions have been implemented.

Number of reported cases per month per UP has been increased from 1.37 (Baseline in 2017) to 4.00 (December 2018).

### Village Court Performance (2018)



**58,235**  
Cases Reported



**47,050**  
Cases Resolved



**43,783**  
Decisions Implemented

### Number of Reported Case (Per Month Per UP)



**1.37**  
Baseline (April '17)



**3.00**  
December 2017



**4.00**  
December 2018





গ্রাম আদালত  
সাতপাত্তে ইউনিয়ন

মিলে মিশে থাকি ভাই  
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ग्राम आदानत सहकारी

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### Village courts are efficient and fast

- Village courts resolved over 75% of 62,588 cases (including 4,353 pending cases) in 2018
- According to Mid-Term Review (MTR), resolution took place within a 6 weeks' time frame and settlements are generally enforced (91%).

### Small fees and easy access

- Case filing fees are very low (BDT 10 (US\$ 0.12) for criminal and BDT 20 (US\$ 0.24) for civil cases and the transaction costs are affordable. The poor and disadvantaged in Bangladesh can often not afford to travel long distance to the nearest district court. Village courts are usually not more than a few kilometers away at the doorstep of communities.

"I thought, I will not get the money back, especially, when Murad appealed to the district court against the decision of village court. My thought proved wrong when district court rejected his appeal. I got justice by paying only 20 takas as fee in VC. We do not need to go to district court for small disputes. The court for poor and vulnerable is running in our UP."

-according to one of the beneficiaries

### Increased recognition by district courts and community

A total of 4,665 cases are transferred from district courts to village courts in project areas between July 2017 to December 2018, of which 3,114 transferred in 2018.



**4,665**

Total transferred cases



**3,114**

Transferred in 2018.

“According to the study conducted on appeal cases in November 2018, acceptance of VC decision by community is high as across the project areas only 16 appeals were made by aggrieved parties challenging the VC’s decisions which is only 0.03% of total village court’s decisions. Similarly, higher courts also recognized the village courts decisions as higher courts rejected the appeals and kept the VC’s decisions unaltered.”

### Impact on communities

BDT 20 crore 58 lakh recovered directly as compensation, recovered land of 322 acres which approximately financial value is BDT 25 crore 56 lakh and other assets (watch, mobile, ornaments etc.) which approximately financial value is BDT 96 lakh. Total amount stands BDT 47 crore 10 lakh (US \$ 5.60 million) in 2018 that provided to the applicants.



USD **5.60** million

“The consensus view of police, UNO, UP staff and PNGOs is that where a VC is functioning properly, crime is lower”  
cited by MTR report.

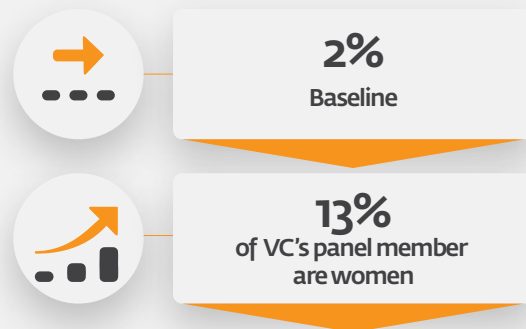
“VCs restores peaceful relations between neighbours and family members”  
cited by MTR report.

### Women’s access to justice improved

Project activities have targeted women to encourage in seeking remedy through village courts. In total, 16,495 women sought remedies in 2018 through village courts which is 28% of total justice seekers. Women justice seekers increased 36% from 2017.

The involvement of women in the village court decision making process has also increased from 2% (Baseline in 2017) to 13% (2018).

#### % of VC’s panel member are women





“

“Views and questions of women were given equal weight by the UP chair and parties or witnesses.” - cited by MTR

“VC provides a forum for women to speak in a safe space. Taboos are breaking down (cultural, religious and familial).” - cited by MTR

”



## Section 2: Progress Towards Outputs

### Output 1.1

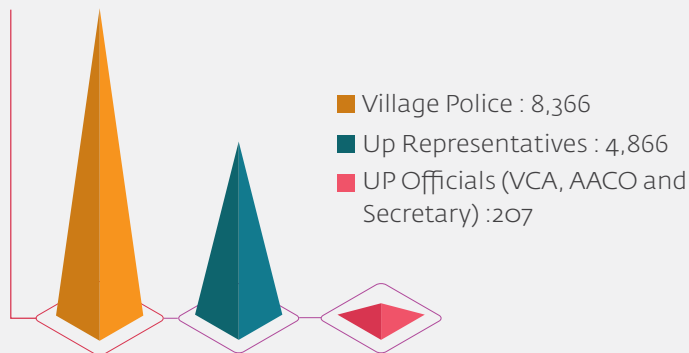
**Capacity of relevant stakeholders at national and local level improved and key skills strengthened to enable Village Courts in new target Unions to function effectively by the end of project implementation.**

#### Reflection workshops with DTP member

District Training Pool (DTP) members, who received Training of Trainers (ToT) from the project were involved in capacity development of village court service providers. The project organized eight (8) reflection workshops with DTP members during the reporting period. These included 102 GoB officials with 52 women among the 270 members.

#### Build up capacity of village courts service providers

The members of DTP who received ToT provided capacity building training to 15,484 VC's service providers. Among the service providers, 4866 (Women: 1,541) UP representatives, 207 UP Secretaries, VCA and AACO (women: 49) and 8,366 (Women: 455) Village Police.



#### Establish clear and systematic coordination mechanisms



Divisional Commissioner Office in association with Deputy Director, Local Government and the AVCB II Project have organized six divisional level conferences.



Half Yearly Coordination meeting with Deputy Directors Local Government and District Facilitators (DFs) held in 2018.

#### Training materials



5,000 copies DVD of Video Learning Aid (VLA) and 200 copies DVD of VLA with English subtitle have been produced.



Printed 3,000 copies of FAQ on Village Court. The FAQ on VC, handy for quick information, will enhance the basic knowledge of different stakeholders and empower both service recipients and providers.



# গালিয়া হরিপুর ইউনিয়ন পরি

বনবাড়িয়া, সিরাজগঞ্জ সদর, সিরাজগঞ্জ।



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## Output 1.2

### Legal and policy framework revised to enhance efficiency and effectiveness of VCs

#### Consultation with Judiciary and Police at District Level

21 consultations held in 21 districts with Judiciary and Police where Judges and police officers of respective district participated. A series of recommendations have been generated through consultations and few of them are:

- VC Act and Rules needed to be amended to remove inconsistency and weaknesses
- Village Court and Government Legal Aid must be linked as both systems is to facilitate access to justice for the poor and vulnerable population of the society
- Clear referral/case transfer mechanism should be developed as currently there is no mechanism
- Capacity building activities need to be taken for UP Chairs in changing their attitude, behavior and practices as well as to develop judicial mind and increase legal and human rights knowledge
- Large scale awareness programme on village courts should be carried out to make the VC functional and change the justice seeking behavior of community people
- Monthly/Quarterly VC Coordination meeting could be organized with UP chair, judiciary and police. A judge could be designated for hearing VC matters
- Right to appeal should be available for all decisions taken by VCs as in Bangladesh context

## Output- 1.3

### GoB monitoring capacity for evaluating Village Courts performance is strengthened and systematized

- 44% District VCMC and 44% Upazila VCMC had meetings following the existing GO (meet quarterly) issued in 2013 for monitoring VCs performance
- Revised DMIE system has been developed in consultation with MIE Wing of LGD for monitoring VC performance

## Output-2.1

### Beneficiaries in project areas understand the roles and functions of the Village Courts and are able to access their services when required

According to the outreach strategy the project accomplished following actions to boost up the knowledge of the target audience on VCs

#### Workshop/seminars with journalists at national and local level to increase coverage

27 district level sensitization workshops were with journalists where approximately 1,100 journalists attended and shared their ideas of more coverage and information dissemination

#### Organize outreach workshop with local GOB institutions and NGOs

The project organized 27 district level and 128 upazila level workshops with local GOB institutions and NGOs for promoting village courts messages through their own outreach interventions. During workshops, approximately 7,000 participants from GO-NGOs explored their own outreach interferences and shared their experiences to disseminate VC messages through their outreach.



## Community mobilization initiatives for local citizens about VC:

The project delivered VC related message to approximately 3,175,153 people, more than half of whom were women, through courtyard meetings, community meetings, and multimedia drama shows through the four partner NGOs.



VC-related message delivered to approximately

**3,175,153** people



**1,763,260** were women

## Develop and print IEC/BCC/outreach material

- Produced and distributed 23,500 Bangla newsletters.
- Produced and distributed 32,200 Bi-annual newsletter (Uchhas). English newsletter "Smile", an online version following same content of Bangla has been developed and distributed.
- Produced 40,000 caps to use mainly as a prize in quiz competitions during demonstration of video shows at community level along with various events.
- Distributed 1,06,000 posters and 1,130 CYM flipcharts.
- Published and delivered 2,600 greetings cards .
- Reprinted and distributed 150,000 leaflets.

- 'Gram Adalat' a 30 minutes community video drama was developed. This video has been uploaded in the project's You Tube channel as well as in the website for spreading messages to wider audience.

## Media coverage



**1800** coverage including **137** national, and **56** news coverage on TV



**340,400** people reached through social media

## Gender Equality and Women's Participation

- Prepared project's Gender Strategy, Gender Awareness Raising Strategy and Gender Guideline for Village Courts.
- The project organized fourteen district level sensitization workshops on gender and village courts in 10 districts with 323 women and 534 men.
- Organized 8 (eight) divisional level capacity building workshops with field staff on Gender and Human Rights where 23 women and 166 men attended. 128 meetings with Women Development Forum (WDF) members held in 128 upazilas where 3,686 women leaders participated.

## Rolling out of village courts in CHT areas

The project has received \$ 5.00 million from EU for rolling out of village courts project activities in three CHT districts. The PAGoDA (between EU and UNDP) has been revised and amended incorporating CHT component.





## Output -2.2

### Evidence-base and knowledge-management on Village Courts increased

#### Mid-term Review

Mid-term Review (MTR) of AVCB II Project by one national and one international consultant has been completed. The MTR mission was for 30 days starting from 27 August to 10 October 2018 and report is available now at project website.

#### Result Oriented Monitoring (ROM)

The ROM is the external monitoring system of the European Commission. It aims at enhancing the European Commission's (EC) accountability and management capacities with a strong focus on results, and supports EU Delegation and Headquarters services by providing an external opinion on project implementation. ROM review carried out in October 2018.

“After the completion of AVCB-II, there will still be a need for awareness-raising and capacity development to ensure that the work of the programme is capitalised on and that the VC system is then coordinated by LGD. Other EU- and UN-supported programmes in the areas of civil society governance and justice/rule of law could play a small but continuing role in the aftermath of AVCB-II.”

-said ROM mission

#### Project Management Information System (MIS)

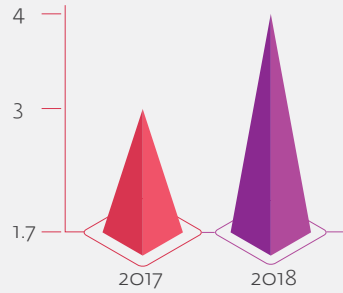
Web based project MIS was developed and deployed in 27 districts to monitor and track union wise village courts statistical performance. One day training has been provided to the 65 field staff to ensure effective implementation of project MIS.



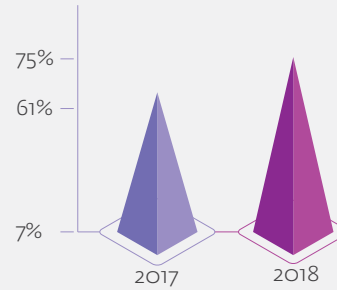


# Glimpse of Project Results

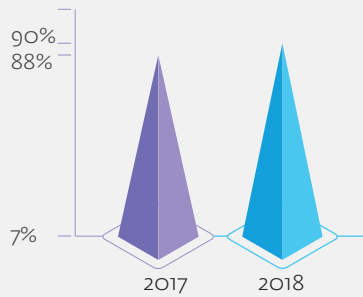
Average number of VC cases registered per month per UP



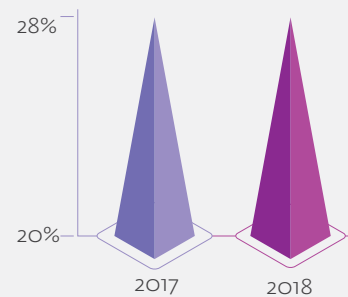
% of recorded resolved cases among the cases those fall under VC



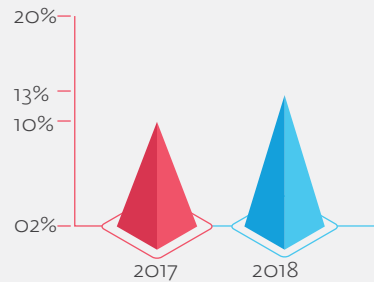
% of decisions implemented



% of women complains registered at VC



% of women involved as panelists





Village Court Established  
Trust on Justice

Success



# Story

Beauty Begum, 35 years old, wife of Nayon Dakua, lives in the village of Sonakandar of Gozalia Union, Kachua Upazila, in the district of Bagerhat. She has been living in poverty with seven family members because her husband earns approx. BDT 10,000 (US\$119) per month as a day labourer. Ms. Beauty had a dispute with her cousin Gaws Dakua, son of Imanudin Dakua from the same village.

On 2 June 2017, Mr. Gaws Dakua, with Badsah, Monsur, Hawa and Moyna, entered Beauty's house, escalating the dispute. Ms. Beauty and her husband were assaulted by miscreants who also took some of her valuable belongings and vandalized her homestead furniture. Her neighbors saved after hearing her painful screaming and brought her to the hospital in Bagerhat Sadar for treatment.

Beauty's family tried to mediate the issue locally through Shalish, but failed. The rival party was socially and economically powerful and influenced local leaders to avoid the Shalish. Sequentially, Nayon Dakua filed a criminal case at Kachua police station on 12 July 2017 on behalf of Beauty. The district court ordered police to submit the investigation report. After getting the report on 19 February 2018, the court realized the case is partially true and is triable by village court. Therefore, the case was referred to Gozalia Union Parishad on 16 August 2018. In the meantime, applicant spent more than BDT 20,000 (US\$238) for transportation, lawyer's fees and so on.

Receiving the case from the magistrate court on 29 September 2018, a panel was formed comprising representatives of both parties who heard the details with evidence. Hearing the statement of both parties, the courts realised that the claim of the applicant is partially correct and declared the decision on 07 November 2018 in favour of applicant. The court ordered respondents to pay BDT 20,000 (US\$238) to the applicant within 30 days and accordingly respondents paid the money within timeline.

Thus, Beauty got justice, spending BDT 10.00 (US\$0.12) as court fee and in total BDT 100 (US\$1.19) including travel cost, through the village court within 40 days, although she previously spent BDT 20,000 (US\$238) and waited for one year in the district court. She expressed her satisfaction and said, "*we were not informed about village court earlier that's why my husband went to higher court. But, village court has given a good decision. I have used the compensation to pay back the loan, which I borrowed for the treatment of my husband. Village court was highly beneficial for us. I will request the people to go to the village court for justice.*"



# Success

Power of Village Court:  
Story of Shikha Kirtonia



# Story

*"Perhaps, I would not be paid if the village court was not established in my Union Parishad. I cannot express my gratitude properly of how much benefit I got! I am really thankful to Boultohi Union Parishad," said Shikha Kirtonia.*

Shikha Kirtonia, 55 years old, wife of deceased Asih Kirtonia lives in the Telivita village of Boultohi Union Parishad of Sadar Upazila in the district of Gopalganj. Since her husband's demise, she has been living with two children in a small house built from tin. She got 28 decimals of land after inheriting the property of her deceased husband. Shikha used to work as a day labourer to bear the family expenses. She tried to save a small amount of money every day. Thus, she saved BDT 17,000 (US\$203) and looked for an opportunity to invest in a more lucrative earning source.

Monu Molla, 57 years old and unemployed, from the Kolpur village of Union Parishad, had been informed about Shikha's intention through someone else. He thought of leasing his 15 decimal of land to bear his family expenses. He communicated with Shikha and discussed land leasing. Shikha agreed to take lease of his 15 decimal of land for BDT 17,000 (US\$203) and made a written deed, including Rasmoy Kirtonia as a witness, on 19 June 2009. One of the main clauses in the deed was to hand over the land after paying back the money. Shikha became happy and used the land to earn income and pay her expenses.

After three years, Shikha learned that Monu Molla had sold the land to another person. She was in a gruesome situation and requested Monu to give her

back her money, which was in Monu's custody. Monu denied her request and fixed different deadlines for the payment. Shikha went to the local elite for justice. But her effort failed because Monu avoided the local leader's call. Finally, Shikha went to Monu's house on 19 July 2018 and tried to get her money. Monu threatened her and asked her to collect, if she can. Shikha was fully frustrated and prayed to the Almighty for final judgment.

In July 2018, the village court of Boultohi carried out a courtyard meeting in Telivita. Shikha participated in this meeting and found a light of hope. She met with the Village Court Assistant personally after the meeting and discussed her situation comprehensively. At last, she filed a case on 21 July 2018, claiming BDT 40,000 (US\$476) for the money owed to her and for compensation for the six years of losses. Following the village court procedure, the jury panel gave their decision to Shikha on 18 August 2018, deciding that Monu will pay BDT 31,000 (US\$369) by 19 August 2019. Monu paid the money on that day without delay.

Shikha got her money spending BDT 20 (\$.23) as court fees, in 30 days. With the recovered money, Shikha started a new venture in livestock rearing and homestead gardening. Now, she is trying to buy a small piece of land. Thus, the village court is helping to establish harmony in Bangladeshi society.



## Section 3: Lessons Learnt/Challenges And The Way Forward

The project envisages challenges in rolling out village courts activities in CHT region in terms of implementation modality. Furthermore, concerns may persist related to effective coordination among Regional Council (RC), LGD and MoCHTA raised, particularly by the Regional Council.

The project envisages challenges in getting approval of revised TPP due to GOB procedures. As a result, rolling out of village courts activities in CHT region could be delayed.

The MTR provided some recommendations which need to be taken care in coming years for efficiency and effectiveness of village courts.

- LGD should take the lead role in pursuing government to complete the appointment of the AACOs to all the UPs without further delay.
- UNOs should be co-opted as a member of the DTP, this will help to encourage their ownership of the VC.
- A pilot scheme in 4 sites (under each of the four PNGOs) to test the economic viability of retaining the VCAs and eventually transitioning them to a contract, or cooperation agreement, with National Legal Aid Services Organization (NLASO) (sourced from the Legal Aid Fund) to provide these services.
- The duty to convene a VC be added to the 39 duties currently set down in the Local Government (UP) Act 2009.
- Section 5 (5) of VC Act 2006 be deleted.
- The schedule of offences should be revised to include the type and nature of the offence (with examples in support) so as to emphasise the minor and petty nature of the dispute. Land disputes, for instance, should only be those that are simple to resolve and the value should attach to the area of land in dispute.

- Emphasis be placed in the VC Act on transparency of process (at all stages).
- The government should send required circulars to the DCs and UNOs to make sure District and Upazila VCMC sit separately to discuss the VC performance under their respective jurisdictions.
- Review on VC Forms and formats exactly to know how many of them are needed. A new form be created to report back the court- a) receipt of the case; and b) the result / outcome of the case.

### The way forward

In coming years, the project will continue in offering localized justice to approximately 21 million of rural citizens of Bangladesh through village courts activated by this project in 1,078 unions of Bangladesh. Increasing the involvement of the Government in carrying out of capacity development and monitoring of village courts performance, review legal and policy framework to enhance efficiency and effectiveness of VCs and rolling out of AVCB phase II project in CHT region will be the priority areas during the remaining period of the project. The project will also sensitize the policy makers, government and development partners for scaling up this project across the Bangladesh through a National Conference to be held in 2019.





## Section 4: Statement of Expenditure in 2018

Chart 1: Expenditure breakdown in US\$ for year 2018

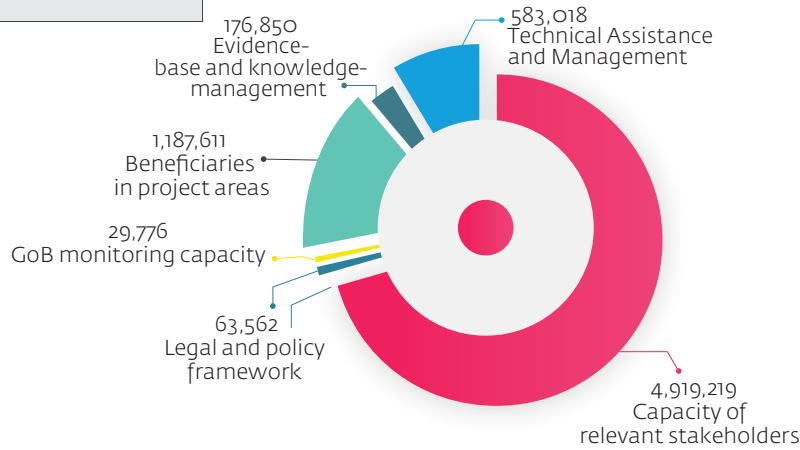


Chart 2: Capacity of relevant stakeholders output delivery US\$

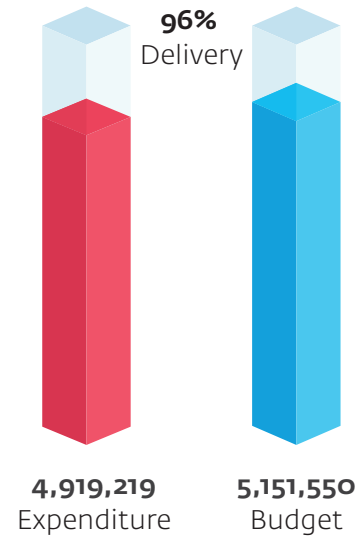


Chart 3: Legal and policy framework output delivery US\$

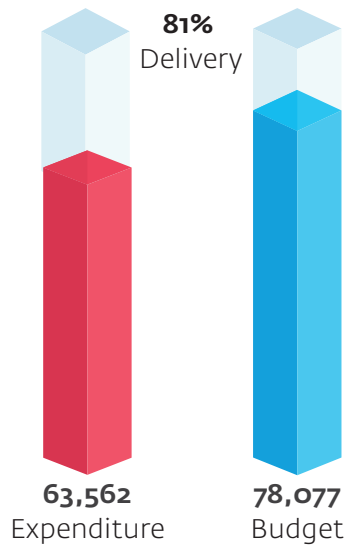


Chart 4: GoB monitoring capacity output delivery US\$

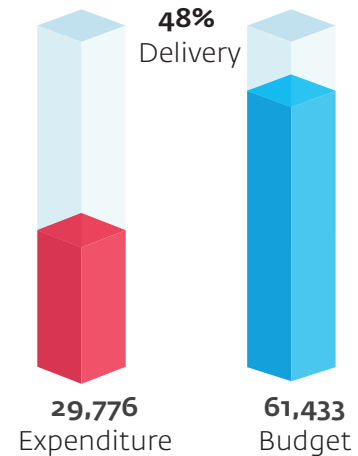


Chart 5: Beneficiaries in project areas output delivery US\$

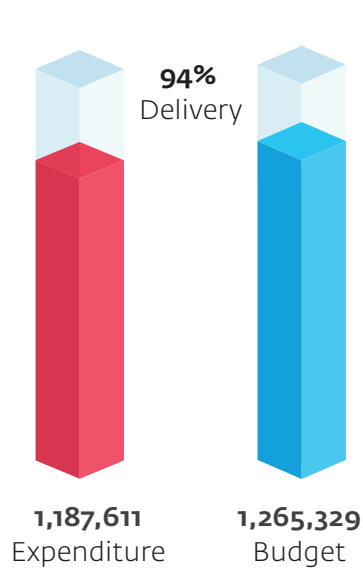


Chart 6: Evidence-base and knowledge-management output delivery US\$

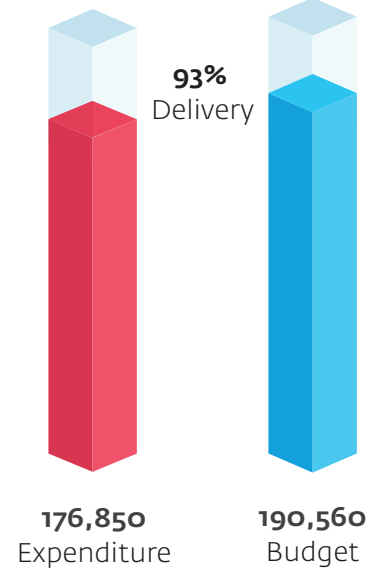


Chart 7: Technical assistance and management output delivery US\$

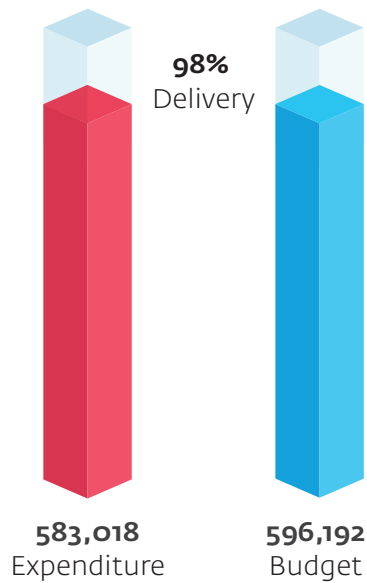


Chart 8: Combined outputs delivery US\$

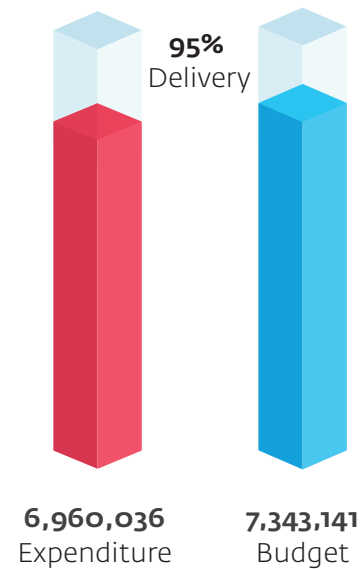
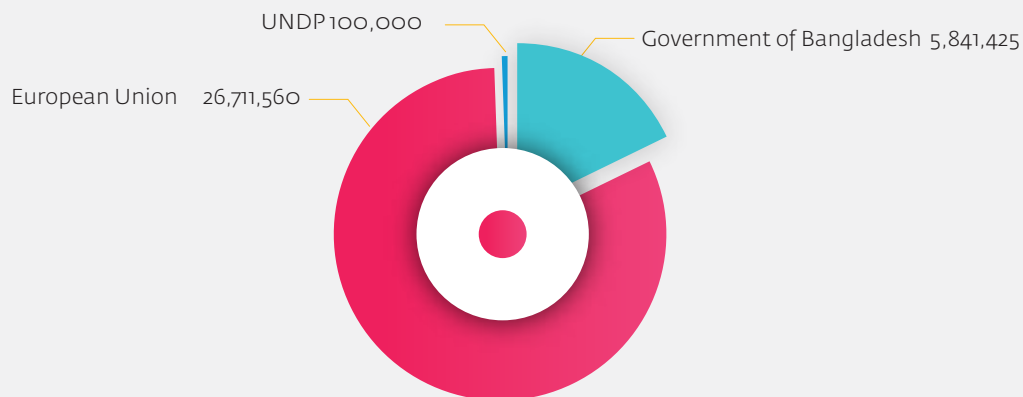


Chart 9: Major financial contributions US\$ to the activating village court project 2016-19



Summary of Budget and Expenditure: Jan-Dec 2018 (in US\$)

Output	Budget			Expenses			% of Delivery
	Donor	GoB	Total	Donor	GoB	Total	
Activity 1.1: Capacity of relevant stakeholders	4,453,437	698,112	5,151,550	4,447,269	471,949	4,919,218	95%
Activity 1.2: Legal and policy framework	36,751	41,325	78,076	36,691	26,870	63,562	81%
Activity 1.3: GoB monitoring capacity	21,347	40,085	61,432	21,438	8,336	29,775	48%
Activity 2.1 : Beneficiaries in project areas	924,069	341,259	1,265,329	925,915	261,695	1,187,611	94%
Activity 2.2: Evidence-base and knowledge-management	171,148	19,411	190,559	171,111	5,738	176,849	93%
Activity 3.1 Technical Assistance and Management	593,246	2,946	596,192	581,903	1,114	583,017	98%
<b>TOTAL</b>	<b>6,200,000</b>	<b>1,143,141</b>	<b>7,343,141</b>	<b>6,184,330</b>	<b>775,705</b>	<b>6,960,035</b>	<b>95%</b>

## Activating Village Courts in Bangladesh Phase II

Country	Bangladesh
No. and title of the project	00091274- Activating Village Courts in Bangladesh Phase II
Implementing agency	Local Government Division (LGD)
Implementing partner	Local Government Division, Ministry of Local Government, Rural Development and Cooperatives
Development partners	European Union, Government of Bangladesh and United Nations Development Programme
Other key partners	Ministry of Law, Justice and Parliamentary Affairs; Ministry of Home Affairs; Ministry of Public Administration; Ministry of Finance; Ministry of Planning; Ministry of Women and Children Affairs; Cabinet Division; Economic Relations Division; Various Non-Government Organizations, and Civil Society organizations
Project duration	January 2016 – December 2019
Reporting period	January – December 2018
Report prepared by	Activating Village Courts in Bangladesh Phase II Project
Project's objective	To contribute to improving access to justice for disadvantaged and marginalized groups in Bangladesh
Contact person	Dr. Kazi Anowarul Hoque National Project Director, AVCB II project and Additional Secretary, Local Government Division, Ministry of Local Government, Rural Development and Cooperatives

Activating Village Courts in Bangladesh Phase II Project  
United Nations Development Programme (UNDP)  
IDB Bhaban (Level 12), Sher-e-Bangla Nagar, Agargaon  
Dhaka, Bangladesh.

 [www.villagecourts.org](http://www.villagecourts.org)

 [info.avcb@undp.org](mailto:info.avcb@undp.org)

 [www.facebook.com/villagecourts](https://www.facebook.com/villagecourts)

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