



## Project Background

The formal justice system in Bangladesh is overwhelmed by the demand for legal recourse. But for most of the population, the prohibitive costs of formal justice, coupled with a poor understanding of legal matters, means that access to justice is out of their reach. To reduce the burden on the higher courts, as well as to increase access to justice for the wider population, the Government of Bangladesh (GoB) passed the Village Court Act, 2006, which was amended in 2013, empowered Union Parishads (UPs) to resolve petty disputes that fall under their jurisdiction. This village court's service has been offered based on the GoB five year plan focusing to achieve the 16<sup>th</sup> goal of Sustainable Development Goal (SDG).

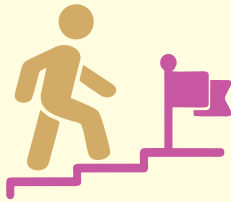
To facilitate the implementation of the VC Act, 2006, the Local Government Divisions (LGD) under the Ministry of Local Government, Rural Development and Cooperatives (MoLGRD&C) piloted the Activating Village Courts in Bangladesh (AVCB) Project between 2009 to 2015 to make Village Courts (VCs) active and functional in 351 unions across the country.

# RESULTS REFLECTION

## ACTIVATING VILLAGE COURTS IN BANGLADESH PHASE II PROJECT

Based on the success and lessons learned from the pilot project, a new phase was launched in January 2016 (2016-2022) with financial support from the EU, UNDP, and GoB aiming to improve access to justice for the disadvantaged and marginalized groups of Bangladesh through functionalizing VC services in 1,080 unions of 128 upazilas in 27 districts under 8 divisions. Later on, the project was extended further to 121 UPs of 26 upazilas in 3 districts of the CHT area aiming to strengthen the traditional justice system in the CHT districts and explore the possibility of Village Courts in 15 UPs doing an action research.





## Objectives

### Overall Objective

Improve access to justice for the disadvantaged and marginalized groups.

### Specific Objectives

1. Make local authorities more responsive to local justice needs and offer legal services in the form of well-functioning village courts/local justice mechanisms in CHT.
2. Empower local people, especially women, to seek remedies for injustices and to resolve their disputes at the local level.

## Access to Justice



**236,868**  
Cases Reported



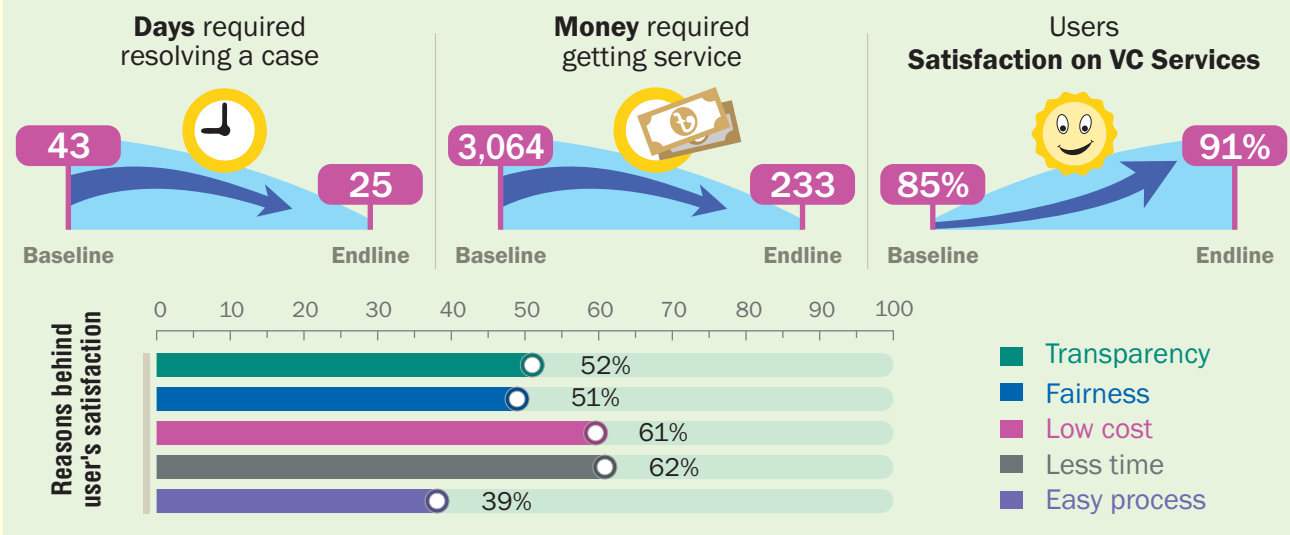
**199,291**  
Cases Resolved



**186,220**  
Decisions Implemented

Source: PMIS data

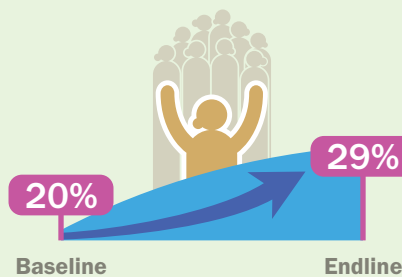
## Effectiveness and Efficiency of the VC



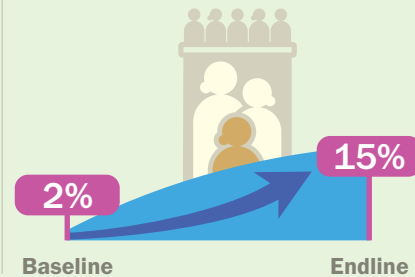
## Women's Access to Justice

“The Village Court is supportive as women can visit the place of their own after managing their household duties, less social stigma due to closeness with the UP Chair and members, receive justice within short time at less cost, transparency of the VC process etc. Women participate in the VC sessions as VC panel members, applicants, respondents, witnesses, and audience. Though men and women's proportions are not the same, women's visibility at the justice system has broken century-old tradition.”

### Women sought remedy from the VC



### Women's representation in VC panel



- Gender Impact Study

## Contribution to Backlog Reduction of District Court



“ I lost huge money and time to get justice at the district court. It was quite a hardship for me to go there frequently as I couldn't work on those days and needed to pay a big amount of money for different reasons like fees, transportation, snacks, etc. Now I am happy. Village Court helped a lot to re-establish our relationship.”

– Jagadish, a service receiver



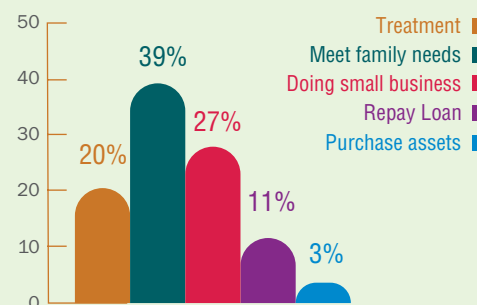
## Impact of the VC on Community People

BDT 191.76 crore (US \$ 22.67 million) recovered as compensation from respondents and provided to applicants through VCs.



According to study on Smarter Solution for Bangladesh by Copenhagen Consensus Center and BRAC “Low cost but the return is impressive (per unit establishment cost of a VC brings 18.6 times monetary gains or benefits for each petitioner.”

### Compensation used by applicants



## Increase Capacity of UPs

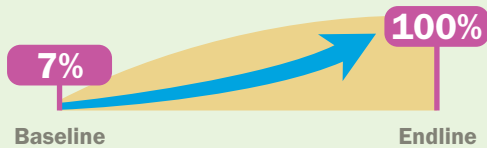


**1,079**  
UPs equipped with VCA, ejlas and VC forms

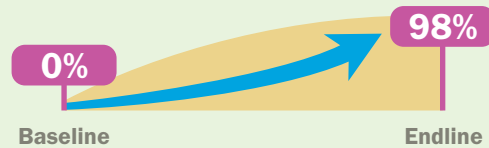


**27,367**  
Service providers (UP Chairman, UP Secretary, UP member, VCA, Village Police, AACO) are trained. Among them, female are 20% and male are 80%.

Resolved cases under VC jurisdiction



Reported cases resolved maintaining all VC procedures



**According to endline survey "UP officials were more knowledgeable about the VC and they spent more time on resolving disputes through the VC system."**

### Legal Framework Review

- Enacted Village Courts Rules in February, 2016.
- VC Act, 2006 amendment proposal has been submitted to the Cabinet Division.

### Strengthening GoB Monitoring

- GO issued on DMIE system in 2020 and 27 districts send quarterly progress reports on VC under the DMIE system accordingly.

UPs submitted last quarterly report to UNO



- 75% VCMC meetings were held quarterly at district and upazila level in last year.
- Web-based VCMIS piloted in 57 UPs.

## Increase Awareness of Community People



**1,0016,000**

community people received messages about VC services (Women: 58% And Men: 42%)

Community people are aware of VC functions



Community people correctly said that VC deals with minor conflicts and disputes



### Media coverage



100 million (approximately) people received VC messages through National TV Coverage, National and Local news coverage, SMS sharing, Social Media etc.

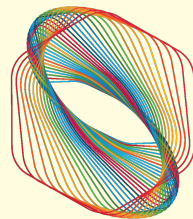


### Evidence based knowledge management

- Conducted Baseline and Final Evaluation (Endline study) of AVCB II project.
- Conducted Lessons Learned Study of AVCB II project.
- Conducted study on the impact of village courts on Women Empowerment.
- Conducted study on Court Users Surveys.

### South South cooperation

- In December 2019, one news outlet published in South-South Galaxy (<https://www.southsouth-galaxy.org>) regarding Village Court's contribution for upholding peace at the local level.



**SOUTH-SOUTH  
GALAXY**

- UN Office for South-South Cooperation (UNOSSC) published "Good Practices on South-South and Triangular Cooperation for Sustainable Development- Volume 3" on 10 September 2020 which highlighted the Activating Village Courts project as one of the seven initiatives -by UNDP Bangladesh.



## Rolling out of VC in CHT

- Equipped traditional courts with logistics i.e. wooden chairs, wooden tables, wooden benches and file cabinet.
- Equipped different traditional institutions (circle offices, Headman network offices, Karbari network offices, and Women Headman and Karbari Network office) with ICT equipment (computers, printer, digital camera, scanner) and other logistics supports for establishing an effective monitoring system on case document and follow-up.
- Equipped Chittagong Hill Tracts Regional Council (CHTRC) Resource Center with logistics (computers, cameras, printers, scanners, photocopier & file cabinets) for monitoring of traditional justice mechanism (Rangamati).
- 4,481 (590 female) traditional leaders are trained on the traditional justice system (case management and documentation).
- Message delivered on Traditional System and VC to 211,963 community people (Women :89878 And Men:120846).



- A compendium of CHT statutory laws and regulations has been prepared for publication.
- Customary laws of different tribes in CHT i.e. Chakma, Marma & Tripura communities are reviewed incorporating the human rights, particularly women's rights and child rights issues and documented for publication.
- Action Research in 15 UP is underway aiming to explore feasibility of VC in CHT areas.

## Rahima got fair justice through VC

Rahima Khatun (age 42), a marginalized woman was living in a hut on 3 decimal of land with her husband and three children at Gazipur village of Sreeula under Satkhira. Her husband Kuddus Gazi is a day laborer. Poor housewife Rahima occasionally works as an agricultural day laborer to bear children's education costs. In absence of their parents, children of Rahima was playing with son of Arshad Ali (38), a neighbor of Rahima. But an altercation took place among the children during playing. After 2 hours, Arshad Ali came to Rahima with a bamboo stick and charged against Rahima's children for quarreling and abused Rahima in filthy language. Rahima became afraid and requested him not to abuse her mentioning that it was a tiny matter that happened among the children while playing and they would forget it soon. Arshad being annoyed assaulted Rahima and broke a television as well as the fence of the house. Rahima was injured and took primary treatment.

Rahima went to the village leaders several times to seek justice but got no result. Being influenced by the village leaders, hopeless Rahima filed a case in the Judicial Court on 05/10/17 against Arshad Ali claiming Tk. 10,000 and fair justice. However, the Judicial Court referred the case to Sreeula UP on 17/04/18 to resolve the case through Village Court. Sreeula UP received the case on 24/04/18 and the village court was duly formed on 06/05/2018 following all village court's procedures.

After evaluating the statements of both parties, witnesses and evidence, the Village Court passed the verdict on 04/06/2018 in favour of Rahima and ordered the respondent, Arshad Ali to pay Tk. 5,000 to Rahima as compensation within 10 days. As per the decision, Arshad Ali paid Tk. 5,000 to Rahima on 14/06/2018.

Rahima said, "I have spent a lot of money & time in Judicial Court of Satkhira to get justice, but became frustrated getting no result even after six months. It was very difficult for me to continue the case investing a lot of money for lawyer's fees, transportation and convenience etc. on every date. However, the case was resolved through village court within a short time and I got Tk. 5,000 as compensation. I have purchased two goats and some chickens with the amount. I am very happy with the decision of the village court. I am grateful to the village court."





## Lessons learned and way forward

- Involvement of women in the decision-making process of VC is still minimal though the VC has demonstrated significant value for women in terms of access to justice. It is evident that relatively a few women from community are nominated to be members of the VC.
- The financial jurisdiction of the Village Court Act, 2006 is a bar to accept a significant number of applications from the applicants. A gap in the policy framework hindered the case referral as Police cannot refer the case to the Village Court directly.
- Regularizing the Village Court is challenging as there is no reward and/or penalty option if service providers are unwilling to implement and monitor VC Act, 2006.
- The Village Court paperwork needs to be simplified so as to reduce the burden on UPs and

reduce the likelihood of compliance dropping off after the project ends.

- Given the context of the CHT region, working with both the traditional justice system and village courts in 15 UPs has created confusion among the community people and concerned stakeholders.
- The overall project progress was affected due to the Covid-19 pandemic. As such, it hampered the implementation of a significant number of activities in both plainland and CHT area.



## Recommendations

- The VC Act, 2006 need to be amended to increase the pecuniary jurisdiction of the village court.
- Take necessary measures to increase women's participation as both service seekers and providers.
- Initiate country-wide village court services to ensure rural justice.



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[activating village courts in bangladesh phase II](https://www.youtube.com/activatingvillagecourts)

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