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Pride Narratives on Village Courts



**SUCCESS
STORY**

Activating Village Courts in Bangladesh (Phase II) Project
Local Government Division

PRIDE NARRATIVES ON VILLAGE COURTS

Activating Village Courts in Bangladesh (Phase II) Project

Published on

January 2019

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Published by

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Local Government Division

Ministry of Local Government, Rural Development & Cooperatives

We do acknowledge the hands received from Md. Mahabub Ul Alam, District Facilitator (Moulvibazar), Syed Nazrul Islam, District Facilitator (Sunamganj), Md. Nazrul Islam, District Facilitator (Gopalganj), Mohitosh Kumar Roy, District Facilitator (Bagerhat), Malick Shamim Akhtar, District Facilitator (Jamalpur), Mamunur Rashid Khan, District Facilitator (Khulna), Faisal Mustafijur Rahman, District Facilitator (Madaripur), Saikat Mazumder Saurav, District Facilitator (Patuakhali), Uzzal Kumar Das Chowdhury, District Facilitator (Chattogram) and four partner NGOs (Madaripur Legal Aid Association, Eco-Social Development Organization, Bangladesh Legal Aid Service Trust and WAVE foundation) in collecting the stories.

PROJECT OBJECTIVE

Contribute to improving access to justice for disadvantaged and marginalized groups in Bangladesh through activating village courts in 1,080 unions of Bangladesh

Fact Sheet

IMPLEMENTING PARTNER

Government of Bangladesh



IMPLEMENTING AGENCY

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



DEVELOPMENT PARTNERS

European Union and UNDP



PROJECT DURATION

January 2016 – December 2019



WORKING AREAS

1080 UPs of 128 upazilas under 27 districts of 08 divisions



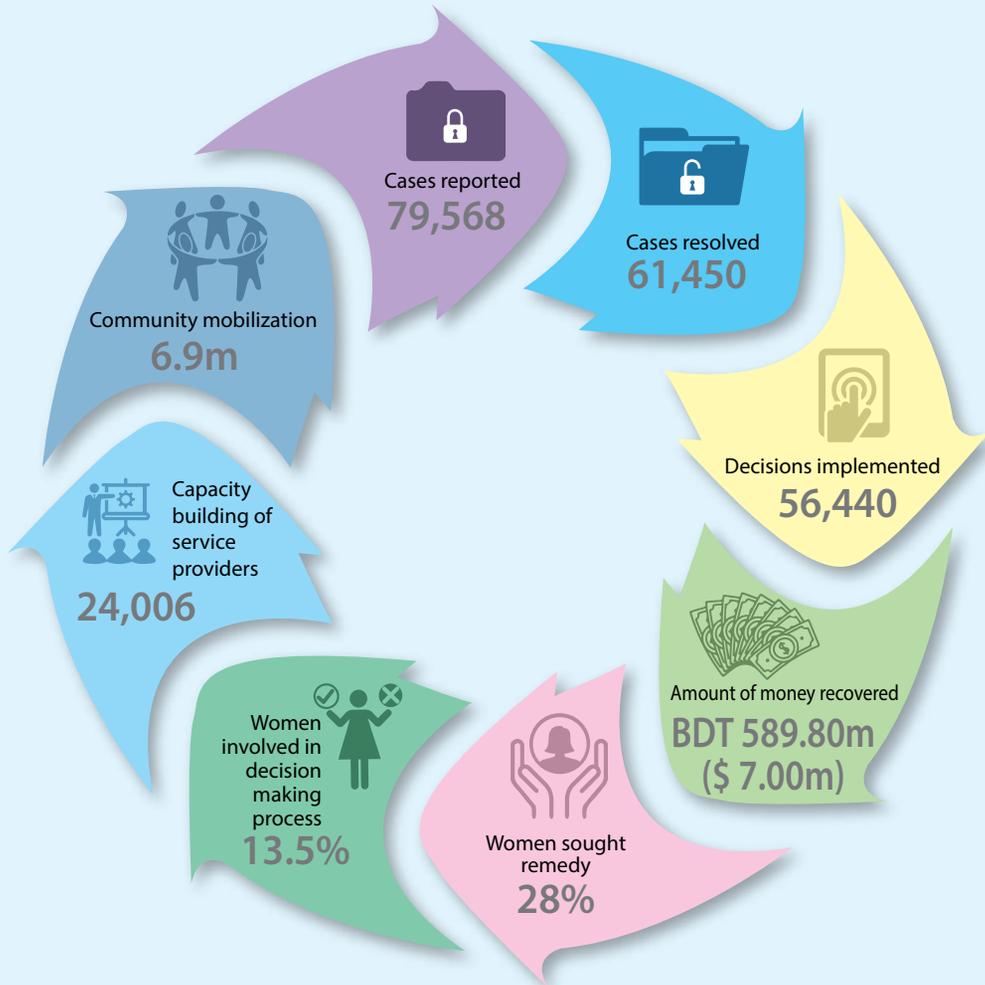
PROJECT BUDGET

US \$32.65 Million





KEY RESULTS





KEY ACHIEVEMENTS

- Enacted Village Courts Rules in 2016
- Developed gender guideline for Village Courts
- Endorsed of Village Court Training Manual by National Institute of Local Government (NILG)
- Developed Gender and Outreach Strategies
- Issued Government Order by 107 Upazila Nirbahi Officers (UNO) for local level outreach
- Accumulated the recommendations on case referral through consultations with Judiciary and Police



**Md Jahangir Alam,
lives in
Norottampur
Union, Begumganj
upazila in
Noakhali district,
where his father,
Delwar Hossain,
owns a tea stall.
For many years,
Jahangir and
Delwar have had a
conflict with a
local relative, Md
Shahjahan, over a
piece of land.**

Smile restored through Village Court

In 2016, while Jahangir's father was on the way to his tea stall, Shahjahan attacked him together with three other men. The assailants injured Delwar, tore his clothes and snatched nearly BDT 8,000 (\$96) from him. They also abused Jahangir's mother and sister and stole a gold necklace his mother was wearing. Neighbors rescued them and took Delwar to the hospital for treatment.

Jahangir lodged a complaint at the police station against four peoples, including Shahjahan, on 25 June, 2016. The police forwarded the case to the Chief Judicial Magistrate's court where it continued for almost one year without any concrete results. Jahangir became frustrated with the slow process and high expenses. He had already spent more than BDT 15,000 (\$181) on travel costs and food and had lost his daily wages throughout the different stages of the court case. Finally, the court referred the case to the Norottampur Union Parishad on 9 August 2017 for disposal through Village Court.

A Village Court was formed with representatives of both parties and heard the

details with evidence. On 6 September, 2017, less than a month later, the Court declared the verdict and found that the respondent was guilty of the theft of the BDT 8,000 (\$96) and of wounding Delwar. The Village Court panel unanimously ordered Shahjahan to repay the money to Delwar, which he snatched that same day. Both parties embraced each other following the Village Court's decision. Since then, they have been living in peace in their community and are grateful for the expediency of the Village Court system.

Jahangir expressed his gratitude to the Village Court, saying, *"I was not aware of the Village Court. That's why I reported the incident to the police station. It is a great opportunity indeed to solve local dispute in such a short period with little expense. I will recommend everyone to go to Village Courts for justice- if needed."*



Village Court helped to execute the dream of a woman in need

“Village Court relieved my pain, secured me during my tough time,” said Rina, just after resolving her dispute through Village Court. Forty years old and separated, Rina Begum lives at Sahebrampur Union of Kalkini Upazila in Madaripur district. She lives in a hut built on her father’s small plot of land with her only daughter, Sania. She works as cleaner for the local administration and earns approximately BDT 2,000 (\$24) each month.

Rina’s tiny house fell into disrepair over a long period of time and hence, the problems needed to be fixed. She decided to repair her house with her small savings, along with the sale of three large trees that grew on her father’s land. After she identified the buyer and confirmed the sale of the trees for BDT 7,500 (\$90.36), Rina contracted the carpenter for repairing her home. Suddenly, Rina received notice that her relatives Liakot Khan, Yasin Khan and Sekandar Khan had claimed ownership of the trees. They threatened Rina to give up further attempt to sell them. Feeling pressured and helpless, she talked with influential neighbors to resolve the conflict

but faced disappointment when a solution could not be reached.

In this circumstance, Rina applied to the Village Courts in Sahebrampur on 13 December, 2017 against Liakot Khan, Yasin Khan and Sekandar Khan. Following the court procedures, the Chairman issued summons to the respondents and formed a Village Court with the representatives of both parties. Hearing the statement of both parties, the panel handed down the decision in favor of Rina on 5 January, 2018 and ordered Rina’s entitlement to use the trees as these trees belong to her.

After receiving the decision, Rina completed the sale of the trees on 12 January, 2018 for the agreed amount and used the money to repair her house. She expressed her thanks, saying, *“I went to each doorstep of the local elites, they could not solve my problem. Village Court solved my problem within 22 days.”*



Dolena Begum and her husband live in a small house in Sadar Upazila in the Gopalganj district and earn less than BDT 6,000 (\$73) a month. They do not own land, but with her husband's rickshaw pulling and Dolena's various small-scale income generating activities like poultry rearing and homestead gardening, they had saved several hundred dollars.

Village Courts reestablish a couple's savings

In June 2017, Dolena lent the total of her life savings, BDT 75,000 (\$903), to her nephew Md. Kamrul Mina. In the presence of two witnesses, Dolena and Kamrul agreed to the conditions that Kamrul would return the money within six months. After the six months, Kamrul had not maintained his commitment. He continued to make promises but never repaid the money, and eventually denied he ever borrowed Dolena's savings. Dolena became frustrated and approached the local elite for assistance in settling the issue, but Kamrul ignored everyone's requests.

After attending a Courtyard Meeting (CYM) organized by the AVCB II project, Dolena learned about the Village Court and filed an application to the Chandradighulia Union Parishad against Kamrul on 20 January, 2018. Following due process, the Village Court was formed with the representatives of both parties and scheduled the hearing on 17 February, 2018. After hearing statements from both the parties and witnesses, the panel came to a quick and unanimous decision, ordering Kamrul to repay

the BDT 75,000 (\$903) to Dolena within seven days. Kamrul deposited the full amount to Dolena on the hearing day.

After receiving compensation, Dolena expressed her deep gratitude for obtaining justice within 27 days and with limited costs at BDT 20 (\$0.24). With the savings she regained, Dolena planned to establish a poultry farmhouse for additional income. Dolena stated, *“I was really frustrated when Kamrul refused to repay my money. If I would file my case to the formal court, there I had to spend huge amount of money as transport cost and fees for lawyer. I heard about Village Courts through CYM arranged at the community level. Now I can realize how beneficial Village Court is to women and the marginalized.”*



Village Court removes wrinkle and brings smile

Despite a significant progress in human development, rural Bangladeshis still suffer from slow and sometimes ineffective justice systems. Dulal Munshi's story is one such examples. He and his nine family members live in Jamalpur district, where he and his two sons earn BDT 15,000 (\$180.72) per month.

Dulal Munshi cultivated green chilis and sold to his neighbors Zinnat Ali, Hasan Ali and Azahar Ali for BDT 85,000 (\$1,024). The buyers promised to pay the money within seven days, but by week's end, they had paid only a fraction of the cost. They continued to promise repayment but consistently failed to honor their commitment. Dulal became worried and went in search of a reliable means to regain what he was owed.

After attending a Courtyard Meeting organized by the AVCB II project in his village, Dulal learned about Village Courts, their jurisdiction and the decision-making process through Village Courts Assistants.

Dulal submitted a written complaint against Zinnat, Hasan and Azahar in the Jaughora Union Parishad on 8 March, 2018 as compensation for the remaining balance of his sale. The Village

Court gave its decision on 11 April, 2018, only 33 days after the case filing, and openly declared its decision, instructing Zinnat, Hasan and Azahar to pay BDT 35,000 (\$421.68) to Dulal within seven days. However, the respondents did not pay the amount within the deadline even after receiving several reminders from the Union Parishad.

The local chairman filed a certificate case to the Upazila Nirbahi Officer (UNO) for executing the case decision in accordance with the Village Courts Act and Rules. The UNO then issued summons to Zinnat, Hasan and Azahar to repay Dulal as per the Village Court's decision. Finding no other means and knowing the power of the Village Courts, they deposited the full amount of money within four days.

Dulal noted with a smile, *"I was disappointed, thinking what I could do against them as they are more powerful. People provoked me to file a case in formal court. But Village Court helped me to realize the money at the soonest possible time."* Recently, Dulal used his compensation to purchase a cow as an investment to raise his monthly income.



Thirty-six years old rickshaw puller, Ekramul Islam lives with his six family members in Sadar union of Kachua upazila. He earns BDT 10,000 (\$ 120.48) per month and had saved a small amount of money for the future.

Village Courts took only 24 days to resolve a land dispute

In 2017, Ekramul made a contract for buying three decimals of land from his neighbor Md. Hafizul Sheikh for BDT 40,000 (\$481.92). He initially paid BDT 22,000 (\$265) and put a clause in the contract that he would pay remaining amount after registration of the land.

While waiting for the registration, Ekramul planted several trees on the property. Sometime after Ekramul's payment, Hafizul had still not registered the land. He made promises to do so but kept finding delays and excuses. In February 2018, Hafizul suddenly left the village without any notice, and his wife sold all trees that Ekramul had planted. Ekramul felt deprived and approached to local leaders for justice. Local people could not mediate the issue as Hafizul was not present at the village.

Ekramul was filled with agony and disappointment but soon noticed a poster of Village Court hanging in a grocery shop at his village and came to know about the VC. After consultation with the Village Courts Assistant of

Sadar union, he filed a case against Hafizul on 8 March 2018 at Sadar Union of Kachua. On 1 April 2018, a hearing of Village Courts was carried out in presence of the representatives of both parties and gave the decision in favor of Ekramul. The Village Courts ordered Hafizul to pay BDT 28,000 (\$337.34) within seven days, and accordingly, Hafizul paid the whole amount of money the following day.

“I got my money back within 24 days just spending BDT 20 (\$0.24) as fees of Village Court. I would not get the money back without the support of Village Court. It is not a matter of money rather justice. I would advise everyone to visit Village Court for any sort of disputes in our village,” Ekramul said. He praised the effort of respective authority for bringing such intervention for the sake of social justice.



Bringing Smile by Overcoming Sufferings: A Story from the Remote

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Nuru Mia is a low-income farmer in Dhonpur Union of Biswamvarpur upazila in the Sunamganj district. His monthly income is BDT 10,000 (\$120.48). Though he lived happily with his family members, a conflict emerged with his neighbor Amir Hossain that made his life difficult.

In September 2017, Nuru paid Amir BDT 30,000 (\$361.44) against the land mortgage. It was an urgent request, and Nuru sold his cow to gather the money quickly to pay Amir. The conflict occurred when Nuru attempted to plough the land. Another neighbor of Nuru, Baccu, protested him. Baccu claimed that Amir had already mortgaged his land to him earlier that year.

The three men came together and reached a verbal agreement. Baccu would cultivate the land and give 240 kilograms of paddy to Nuru after harvesting. Amir would return the principal amount of BDT 30,000 (\$361.44) to Nuru, along with 40 kilograms of paddy. However, conflict arose when Amir refused to return what was promised to Nuru.

Nuru became hopeless and sought justice from a local leader and was advised to file a complaint at the Village Court.

Nuru made an application against Amir at Union Parishad on 18 July, 2018 requesting the full amount of money and the paddy. The chairman issued a summon for Amir to present before the court. On 24 July, 2018, both parties together came before the chairman, and Amir acknowledged the petition made against him, agreeing to settle the issue. Accordingly, following the Village Courts Act, the local chairman resolved this dispute on that day and Amir paid the full amount to Nuru.

Nuru expressed his satisfaction with the court and said, *“Village Court system is very helpful for the poor and underprivileged people like me. I am very happy with the Village Court services.”* Nuru now plans to reinvest the money and purchase a cow.



Momtaz Uddin is a 55-year-old farmer in Char Mahmudpur Union of Melandaho upazila under Jamalpur district. He lives with his four family members and earns BDT 15,000 (\$180.72) monthly. A conflict emerged when his nephew Md Muraduzzaman refused to repay a large sum of money he took as a loan.

District Court upheld the Village Court's decision

Momtaz loaned BDT 70,000 (\$843.37) to his nephew Muraduzzaman with a verbal commitment of repayment within a month's time. Despite his uncle's reminders, Muraduzzaman did not repay the full amount of money as promised and even claimed that he had already returned the money.

Finding no other means to solve the issue, Momtaz appealed to local influentials seeking justice but found no result. Momtaz met a local Union Parishad member Bazlul Haq who briefed him on Village Courts and encouraged him to seek remedy there. Accordingly, Momtaz lodged a complaint against Muraduzzaman at Char Mahmudpur Union Parishad on 10 January 2018, and the final hearing of the case was held on 27 February, 2018. The court instructed Muraduzzaman to pay remaining BDT 35,000 (\$421.68) within seven days to his uncle Momtaz.

Muraduzzaman ignored the court decision and refused to pay the compensation. With court authority, the chairman filed a certificate case to Upazila Nirbahai Officer (UNO) of Melandaho upazila on 15 April, 2018 for recovering the

compensation. Receiving the notice of UNO, the respondent informed that he had appealed in the district court against the Village Court's decision. On 29 July, 2018, the District Court rejected the appeal of the respondent and reaffirmed the decision of the Village Courts.

After decision of the court, the UNO issued a further notice to pay the compensation and accordingly, Muraduzzaman paid the entirety of what was owed to Momtaz on 10 September, 2018. Although the case encountered some delays, Momtaz expressed satisfaction with the process: ***"I thought, I will not get the money back, especially, when Murad appealed to the district court. But I got justice ultimately by paying only BDT 20 (\$0.24) as fee in Village Court. We do not need to go to district court for small disputes. The court for poor and vulnerable is running in our Union Parishad."***



Saleha received his savings back through Village Court

Saleha Begum, a 45-year-old woman, lives with her family in the remote village of Ramnagar in the Asidron Union of Sreemongol Upazila in the Moulvibazar district. Saleha earned income through sewing and selling clothes. Her husband and son also operate a small-scale seasonal business that contributes to meeting the needs of the family. Saleha's average monthly income was BDT 5,000 (\$60.24), and she always saved a small portion for the future.

Rasel Mia, a small trader of same village, tried different businesses to change his fate. He purchased a few clothing items on credit from Saleha for BDT 12,000 (\$144.57) and promised to pay the money within three months. Three months passed, but Rasel could not pay the money as promised. Saleha asked him several times, but Rasel constantly made excuses and had delays in payment. Frustrated by the circumstances, Saleha shared the issue with Union Parishad members and local elites. They arbitrated the issue after hearing both parties and decided that Rasel would pay the whole amount of money within next three months. However, after two years, Saleha had received less than 20 percent of the total amount owed by Rasel.

Saleha again became frustrated with the delays and Rasel's refusal to pay. Fortunately, a Union Parishad member informed Saleha about Village Courts. She filed a case at the Village Courts of Asidron Union Parishad on 5 November 2017 against Rasel Mia for the remaining BDT 10,000 (\$120.48).

Following the court process, the jury panel formed by both parties' representatives made their decision in favor of Saleha within the month. The panel ordered the respondent, Rasel Mia to pay the remainder by 28 January 2018. Accordingly, Rasel paid the compensation to Saleha.

Saleha was thankful to Bangladesh government for such intervention. She stated, *"I went here and there for last two years. Nobody could assist me to get back my money. But Village Court has realized my money and provided me at the soonest possible time where I have invested only tiny amount of money as fees. I think, it is the best court for poor and vulnerable women like me."*



Jharna Begum a separated woman from the southern district of Khulna, leads her life enduring hardship with a son, since her husband has not provided support for some time. She works in a jute mill as temporary worker on daily wage and earns approximately BDT 4,000 (\$48.19) monthly.

Courtyard information empowered a woman to secure justice

Like many other low income, rural dwellers in Bangladesh, Jharna rears five goats to supplement her limited family earnings. On 10 September 2017, one of her five goats entered into the area of Alom Mollah's saw mill and ate grass and leaves from the trees. Alom's son Enam cruelly beat the animal, resulting in the goat's legs being broken. Jharna went to Enam's home and asked about the incident and the reason for the brutality. An altercation took place during which Enam slapped Jharna mercilessly. Feeling humiliated, she went to Enam's father and local leaders for justice. As a rich and influential person of the society, Alom Mollah did not care for the local leaders' authority and ignored Jharna's complaint.

By this time, Jharna learned about Village Courts and their services through a Court Yard Meeting. She was filled with optimism and hope to obtain justice through Village Court. On 13 September 2017, Jharna filed an application at Rajghat Union Parishad against Enam Mollah demanding BDT 1,000 (\$12) as compensation. Within a week, Enam received a summon from Union Parishad and confessed the claim before the local chairman. He paid the BDT 1,000 (\$12)

to Jharna as compensation for wounding the goat, and the chairman encouraged both Jharna and Enam to lead a good relationship in future.

Jharna expressed her gratefulness to Village Court as well as to the chairman, reflecting, *"I am highly satisfied with Village Court's system. Receiving the summon, Enam Mollah became afraid about judgement of Village Court for his misdeed and paid me BDT 1,000 (\$12) before the UP Chairman. I have received justice through Village Court within nine days only at the cost of BDT 10 (\$0.12), which is beyond my expectation. Now I am asking the community women and men to approach to the Village Court to obtain its service."*



Momela Begaum and her husband are rural fishermen in Golkhali Union. Together they earn BDT 8,000 (\$96.38) monthly.

In 2016, Momela received a poma net for fishing from the fisheries office after depositing BDT 3,000 (\$36.14) as a security deposit.

Village Court faster than District Courts; justice within 17 days

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Momela had borrowed the money from Forkan Mridha on the condition that she pay a monthly interest rate on the principal. As per agreement, Momela paid the interest owed for three months. Forkan unexpectedly asked her to pay back the full amount and accused her of failing to pay the interest. Momela sought to discuss the situation, but during an altercation, Forkan scolded and pushed Momela to the ground. Momela broke her wrist in the fall and incurred hospital expenses due to her injury. Momela managed the treatment cost by keeping mortgaged her ornaments. *“It all happened so quickly, I didn’t have time to think but afterwards I was in a lot of pain and fear”*, Momela recalled.

In May 2016, Momela reported the matter to the District Court that was 25 kilometers away from her locality. One year later, the judicial magistrate referred the case to the Golkhali Union Parishad to resolve through Village Court.

Receiving the case from the magistrate court on 27 July 2017, a panel was formed comprising representatives of both parties who heard the details with evidence. The Village Court

declared the verdict on 13 August 2017 in favour of Momela. The court ordered Forkan to reimburse BDT 8,000 (\$96.38) to Momela as compensation for medical expenses. The respondent paid the compensation in accordance with the judgement. Momela’s family believes that the Village Court’s decision was a fair one and prefers the Village Court to the district court because it is closer, faster and less expensive.

Momela said, *“I am very happy receiving justice including compensation of BDT 8,000 (\$96.38) through Village Court within 17 days only. It would be very difficult as a marginalized woman to get justice from District Court. More than 12 months were over by that time without any result at district court where I had to spend more than BDT 5,000 (\$60.24)”*.



Grocer finds justice and peace through Village Court

Thirty-year-old Md. Suman Khan lives in Kalkini upazila of the Madaripur district. He operates a small grocery retailer and earns on average BDT 7,000 (\$84.33) per month. Md. Forkan, a neighbor, often disturbed Suman at his shop and made requests in the middle of the night. Although Suman implored Forkan not to disturb at night, Forkan continued the bothersome behavior. Finding no other means, Suman informed the local elders as well as Forkan's father, seeking their intervention on the issue.

Upon hearing the complaint made by Suman, Forkan became enraged, and he rushed to Suman's grocery shop. Forkan attacked Suman, repeatedly punching him in the face and chest before then causing damage to Suman's shop. Fortunately, some neighbours who heard the altercation retrieved Suman and took him to the hospital for treatment for his injuries. The total medical cost was BDT 5,000 (\$60.24).

Injured and distressed, Suman went again to the village elders and Forkan's father for justice but found no solution. Suman said, *"I was always worried about the security of my shop and thought that Forkan could harm me again anytime."*

Suman learned about Village Court and its legal services through a signboard for courtyard meetings held in the community. He went to the Enayetnagar Union Parishad and lodged a complaint against Forkan on 5 July, 2017 claiming the amount for compensation of his medical bills. Following the Village Court procedures, a panel was formed with the representatives of both parties. Hearing the statements of both parties and testimonial of witnesses, the Village Court declared its decision openly on 26 July, 2017 with unanimous majority votes in favor of Suman. As per decision of the Village Court, Suman received BDT 5,000 (\$60.24) from Forkan on the same day.



Ranjit Das is a 55-year-old, low-income fisherman from Sitakunda upazila of the Chattogram district whose monthly earning is approximately BDT 8,000 (\$96.38). Jani Das also lives in the area as a farmer, and the two became involved in a dispute.

Fisherman grateful to Village Courts after receiving compensation

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Ranjit and Jani came into conflict in September 2017 over an old dispute. In the altercation, Jani beat and seriously injured Ranjit with a heavy wooden branch. Family members took Ranjit to the hospital where he received medical attention for his injuries at a cost BDT 5,000 (\$60.24). Ranjit was unable to afford treatment and was required to borrow the principal at eight percent interest. Ranjit and his family then went to the village elders to make a complaint about the neighbour's actions, but Jani ignored the village leaders' requests.

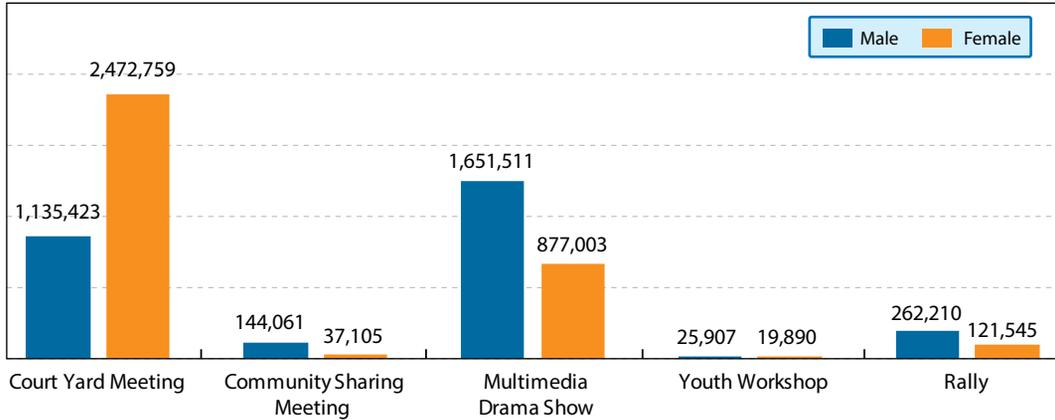
With no other recourse, Ranjit filed a complaint to the Sahebrampur Union Parishad on 13 September, 2017 against Jani. Following the procedures of Village Court, the chairman issued a summon to the respondent, and a panel was formed comprising representatives of both parties. The panel offered the option for Ranjit and Jani to resolve the dispute by themselves. Both the parties took this opportunity and resolved the dispute on 7 October, 2017 by themselves in presence of the panel members. Jani paid BDT 5,000 (\$60.24) to Ranjit as

compensation for treatment and committed that he would not repeat the same in future.

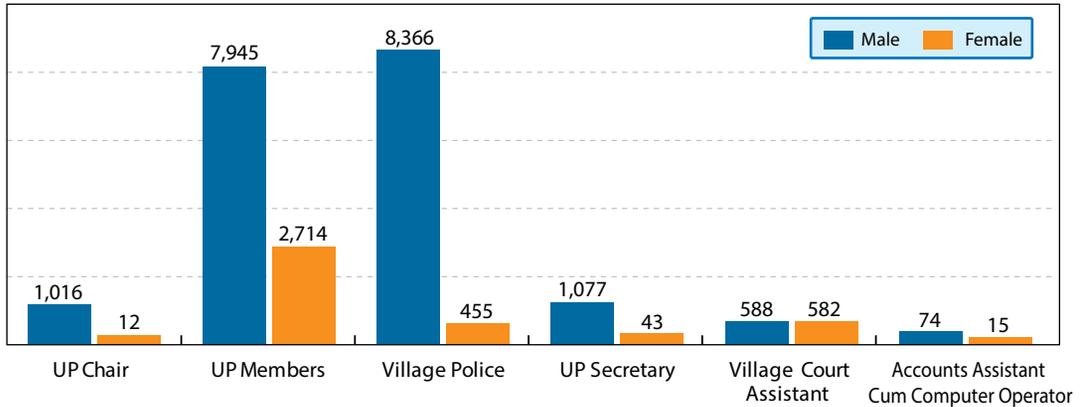
Ranjit said, *“I am very happy receiving justice with compensation within only 24 days through Village Court. Jani begged pardon to me for his misdeed. If Village Court would have not been activated here, may be I would not get justice and compensation. I didn't get the justice from the local elders. In addition, I had no capacity to file and continue the case in the district court engaging lawyer.”* Ranjit is grateful that Jani paid the compensation and noted how helpful Village Court is to low-income and marginalised people. He will request the community to approach the Village Court for remedying conflict within a short period and at low cost.



Community Mobilization



Capacity Building of Service Providers



Working Areas of
Activating Village Courts in Bangladesh
 Phase II Project



