

Annual Activity Report

Project Title:
Access to Justice and Human Rights

Period:
July 2004 to June 2005



**Madaripur Legal Aid Association
New Town, Madaripur.**

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1. Project Title:

Access to justice and human rights

2. Background

Human beings are in a relentless quest for peace and progress. The UN Declaration of Human Rights provides directions for this purpose. The main message of the UDHR is equal rights and dignity for all. In consonance with the Universal Declaration of Human Rights--Articles 27, 31 & 32 of our Constitution affirm and guarantee equal protection of law for all citizens.

For about three decades, Madaripur Legal Aid Association (MLAA) has been working towards facilitating access to human and legal rights to the disadvantaged of our society, especially women. The association has engaged in integrated programs with a multidimensional approach to address this issue.

This annual report (2004-05) notes some of the challenges MLAA has had to overcome in fulfilling the hopes and aspirations of those ordinary people in need of appropriate legal services at the local level. MLAA works in partnership with all stakeholders as much as possible so as to respond effectively to the demand for justice by the poor. The results of MLAA's work are set down below and speak for themselves. The impact on the lives of the poor enables them to take more control over their lives and provides them with the tools to defend themselves and seek a remedy for the harm they have suffered.

3. Goal

Improved quality of life of the disadvantaged people through establishing their human, legal and gender justice for peaceful coexistence.

4. Objectives

- To make local justice systems more effective
- To ensure access to formal judicial system for disadvantaged people
- To institutionalize and modernize the traditional mediation system
- To contribute in the establishment of the rule of law and promote human rights in Bangladesh by raising awareness
- To pursue advocacy activities for law reforms .
- To strengthen the institutional capacity of MLAA

5. Justification

The prevalent justice system in Bangladesh has a number of problems which makes it inaccessible to the disadvantaged members of the society. Besides being extremely complex, it is based mostly around urban areas, it is gender biased, and costly. 85% of the population of the country lives in rural areas, with low education, economic deprivation and social stigma. The current justice system is, hence, beyond the reach of the poor and voiceless. Alongside the formal justice system, there exists the traditional shalish, which is an ancient informal system of conflict resolution in Bangladesh society. The MLAA has been committed to preserving the rights of the voiceless population particularly, women and children, since 1978.

The Arbitration Council (introduced in 1961 under the Muslim Family Law) and the Village Court(introduced in 1976) were intended to strengthen the local justice system for conflict resolution. No Union Parishad of Bangladesh succeeded in putting into practice these two Institutions of dispensation of grass roots justice in an appreciable manner .

The prevalent justice system has some procedural problems. In addition, the environment of the formal courts makes the system inappropriate for the poor population, especially women and children. The advocacy program has been undertaken with the aim of activating, strengthening and reforming the Arbitration Council and Village Court in order to restore local level justice system as an alternative to formal courts.

6. Project Location:

Districts	3 (Madaripur, Shariatpur and Gopalgong)
Thana	15 (All Thanas of 3 Districts)
Union	191
Boundary	3,815 square km
Household	5,66,178
Population	30,89,988
Male	15,59,755
Female	15,30,244

7. Stakeholders:

The primary and important beneficiaries of the program are disadvantaged rural population, particularly women and children. Apart from the wider population, UP representatives (both male and female), Government officials, village leaders, lawyers and their assistants, journalists and MLAA workers are all secondary stakeholders of this project.

8. Summary of Activities:

8.1 Judicial system of Union Parishad:

- **Training of elected UP representatives:** A total of 37 courses were arranged including the basic training and refreshers, with 891 participants, 234 of whom were women.
- **Involving other stakeholders in making the Village Court and the Arbitration Council effective:** Follow up meetings at the Union Parishad, Union meetings, Thana workshops and informal discussions (*Uthan Baithaks*) were organized in order to inform and motivate all parties involved at different levels. 10 Upazila Nirbahi officers, 22 Government Officers, 84 Chairmen, 238 woman Members, 300 Members and 51,508 village women participated.
- **Awareness campaign:** The project organized 30 street theatres, 90 local campaigns, 8 billboards and 1 sign board in each of the 96 Unions to promote general awareness about VC & AC.
- **Publications:** 20,000 texts on Village Court and Shalish were published as training material, 8 kinds of posters on the Village Court and Arbitration Council, 7 different flip charts for conducting informal discussions and 1 module were published by the project.
- **Dispute resolution:** The project has resolved a total of 5472 conflicts. Among these, 2,934 were under the Village Court, while 2,538 were under the Arbitration Council.

8.2 Legal aid:

- **Provide free legal aid:** 581 cases were filed in the reporting period. Combined with the pending 861 cases, the total number of cases is 1,442. 506 cases were disposed of and currently 936 cases are pending.
- **Meetings with law enforcing agencies, lawyers, judges and mohora:** The objectives of this meeting was to motivate all involved parties in facilitating fair and effective legal services. 8 of these meetings were held with a total of 324 participants.

8.3 Advocacy and networking:

- **Skill development of woman leaders:** 1,945 women participated in 99 workshops. 09 training sessions were arranged for Woman Members on leadership development and gender issues. These sessions had 228 participants in 87 Unions of 11 Thanas. 10 training sessions for community based female animators were also implemented with 278 participants.
- **Publications:** 7500 posters of 3 kinds and five issues of the bi-monthly newsletter '*Jug Chetona*' have already been published for creating mass awareness.

8.4 Mediation:

- **Forming Shalish Committee (CBO):** 879 CBOs (9 in each Union) were formed with a total of 13,092 members (4,456 women and 8,636 men). Each of the 97 Unions have one central CBO. These have a total of **1471** members (566 women and 905 men).
- **Meetings with the Shalish Committee members:** 3 meetings were held each month, with 30 members from 3 wards. A total of 1,287 of these meetings were held. The Central CBO met every three months. 171 of these meetings were held.
- **Capacity building for resolving conflicts of Shalish Committee members:** 100 workshops were held with 50 members from each Union for each meeting. The total number of participants for the workshops was 4,816. 30 three day long training sessions with 9 CBO members from each Union.
- **Dispute resolution through mediation:** A total of 10,138 applications were received, of which, 6,318, were resolved with assistance from the CBO members, 627 were referred for litigation, 547 were transferred to other branches, 1,186 were rejected and 1,460 are currently pending.

8.5 Institutional capacity building:

a. Skill development of workers:

- **Training for Trainers (TOT):** With assistance from CARE Bangladesh, 32 trainers have been trained.
- **Training Union workers (Village Court and Arbitration Council):** 5 training courses were conducted and a total of 111 workers were trained.
- **Training Union workers (Shalish):** In 2 training courses a total of 55 mediation workers were trained.

- **Project development workshop:** The aim of this workshop was to improve the skills of supervisors and 28 supervisors participated in one workshop.
- **Gender and development training:** 23 participated in one workshop on the issues of gender and development.
- **Advocacy and lobbying training:** One training was held on advocacy and lobbying with 22 participants.
- **Preparing modules and manuals:** 2 modules on 2 topics have been completed.

b. Capacity building of the monitoring and evaluation division:

- **Training on monitoring & evaluation:** One Training on monitoring and evaluation was held with 27 participants.
- **Reports on different issues:**
The reports of the Monitoring and Evaluation Cell show that the work of MLAA has been successful in making the local justice system of the target areas more effective. The MMM has received wide acclaim and acceptance.
Providing free and accessible legal aid has helped to preserve the rights of the poor and disadvantaged, particularly women and children.
Effective mass awareness campaigns have resulted from workshops on influencing policy. Hence the base for wider policy reforms has been set.

c. Management development: The Project implementation plan (PIP), a Gender Policy, a Financial Manual and an Internal Evaluation manual has been prepared.

9 . Results Achieved

9.1. Judicial system of Union Parishad:

Village Courts Ordinance of 1976 requires local government and village representatives to resolve petty civil and criminal cases of Taka 5,000, and the Muslim Family Law of 1961 gives the responsibility of resolving divorce, polygamy and maintenance by the Arbitration Council.

a. Training for UP representatives:

The main objective of these three days long training is to equip the Union Parishad representatives and Secretary with the knowledge about the legal procedures and also to enhance their ability to effectively resolve conflicts.

a.i Training for UP representatives (Basic course)

Between July 2004 to June 2005, 18 training courses were held. 484 representatives participated in these courses, including 105 women and 379 men. Among the 484 participants, there were 65 Chairmen, 25 Secretaries, 103 female and 291 male Members.

a. ii. Training for UP representatives (Refreshers course)

The objectives of this training were to identify the problems regarding AC and VC, exchanging ideas from experience and enhancing ability. Here the participants discussed the problems they faced when using the AC VC methods of conflict resolution.

From July 2004 to June 2005, 19 refresher courses were held. The following table shows the number and kind of participants for these courses.

Title of Training	NO of Course	Participants						
		Female	Male	Total	Secretary	Member (female)	Member (male)	Chairman
Basic course	18	105	379	484	25	103	291	65
Refresher Course	19	129	278	407	42	128	237	0

b . Dispute Resolution through Village Court and Arbitration Council

i. Resolving disputes through the Village Court:

During the project period, 3,254 cases were brought to the Village Court. In the last year there were 438 pending cases. The total number of cases to date is 3,692. Among these cases, 2,934 cases were disposed under the Village Courts of the respective Union Parishads. 378 cases were rejected, 1 case was submitted to the High Court and 379 cases are pending for decisions.

Out of the cases that were solved, 525 were Civil and 2,409 were Criminal. 1,075 of the resolved cases (37%) were brought by women.

District	Previous Pending		Case Received		Total		Case Disposed		Rejected		Transfer to Court		Total		Pending	
	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M
Madaripur	45	118	491	802	536	920	423	704	53	102	0	0	476	806	60	114
Shariatpur	56	147	529	832	585	979	460	788	65	128	1	0	526	916	59	63
Gopalganj	20	52	212	388	232	440	192	367	10	20	0	0	202	387	30	53
Total	121	317	1232	2022	1353	2339	1075	1859	128	250	1	0	1204	2109	149	230
G. total	438		3254		3692		2934		378		1		3313		379	

District name	Number of Thanas	Resolved cases (number)	Resolved cases (kind)	
			Criminal	Civil
Madaripur	4	1127	942	185
Shariatpur	6	1248	973	275
Gopalganj	2	559	494	65
Total	12	2934	2409	525

ii. Resolving disputes through the Arbitration Council

During the reporting period, 2,577 cases were brought to the Arbitration Council. In the last year there were 295 pending cases. The total number of cases to date is 2,872. Among these cases, 2,534 cases were resolved under the Arbitration Council of the respective Union Parishads. 51 cases were dismissed and 287 cases are pending for decisions.

Out of cases that were solved, 2,349 cases (93%) were filed by women clients.

District	Previous Pending		Application Received		Total		Disputes Resolved		Rejected		Transfer to Court		Total		Pending	
	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M
Madaripur	142	20	1084	79	1226	99	1089	87	20	3	0	0	1109	90	117	9
Shariatpur	86	12	895	74	981	86	864	67	21	1	0	0	885	68	96	18
Gopalganj	30	5	413	32	443	37	396	31	6	0	0	0	402	31	41	6
Total	258	37	2392	185	2650	222	2349	185	47	4	0	0	2396	189	254	33
G. total	295		2577		2872		2534		51		0		2585		287	

Out of the total cases solved, 2,022 (80%) were for maintenance, 456 (18%) were for divorce and 56 (2%) were for polygamy.

District name	Number of Thanas	Resolved cases (number)	Resolved cases (kind)		
			maintenance	Divorce	Polygamy
Madaripur	4	1176	898	251	27
Shariatpur	6	931	763	151	17
Gopalganj	2	427	361	54	12
Total	12	2534	2022	456	56

c. Activating relevant stakeholders to strengthen Local justice systems

i. Follow-up meeting: The objective of this meeting is motivate and train all elected representatives and staff of the Union Parishad in making the Union Parishad justice system work in order to make sure that upcoming conflicts are resolved effectively.

From July 2004 to June 2005, 177 follow-up meetings have been arranged. A total of 3,375 people attended these meetings, 439 of whom were women, and 2,936 were men.

ii. Thana workshop: The objective of this workshop is to create awareness and motivate Government officers, Union Parishad representatives, and other influential people in order to ensure effective functioning of the Village Court and Arbitration Council and also help strengthen the ties between MLAA and Government agencies.

From July 2004 to June 2005, 11 workshops have been arranged in 11 Thanas. There were a total of 449 participants in these workshops, of whom 96 were women and 353 were men.

iii. Union Meeting: The Union Meeting comprises of Union representatives, and local influential people who discuss the legal procedures of the Village Court and the Arbitration Council. The main objective of this is to increase awareness and motivation for making the local justice systems effective.

From July 2004 to June 2005, 93 Union meetings were held in the targeted project location. 3,667 participants attended these meetings, with 930 women and 2,737 men.

iv. Uthan Baithak: The aim of these informal meetings is to spread awareness and help with legal issues at the grassroots level, especially for rural women. Participants are encouraged to know about and use the Village Court and Arbitration Council for easy and effective conflict resolution.

Under this project, 5,040 meetings have been held from July 2004 to June 2005. A total of 63,342 villagers participated in these meetings, with 51,508 women and 11,834 men.

Activity	No of Meeting/ Workshop	Total Participants	Female	Male
Follow-up Meeting	177	3375	439	2936
Thana Workshop	11	449	96	353
Union Meeting	93	3667	930	2737
Uthan Baithak	5040	63342	51508	11834

d. Disseminate information on Village Court and Arbitration Council

i. Street Theatre: This is conducted in order to inform the general public about the benefits of the local justice system and to increase their awareness about legal issues. Each theatre is 1 hour long and held in a convenient open space in the Union. To date, 30 theatres have been staged, with a total audience of 22,000 from 40 Unions.

ii. Campaign: Once a year, a day long campaign program is conducted in each Union with the intention of increasing awareness about the Village Court and Arbitration Council. A rally is arranged with the villagers as participants and posters about the two justice systems are distributed at the end of the rally.

iii. Putting up bill boards & Sign board: 8 bill boards in 8 Thanas with information about the Village Court and Arbitration Council have been put up. 96 sign boards have been set up in 96 Unions to inform the public about where to go for availing of the services of the local justice system.

iv. Publications:

a. **Flipcharts on AC and VC:** 7 kinds of flipcharts were published this year to assist the field workers in explaining the functions of the Village Court and Arbitration Council to the rural women.

b. **Booklets on AC and VC:** A book on the Village Court and Arbitration Council was published (20,000 copies) to serve as teaching material for trainings and workshops.

c. **Posters on AC and VC:** 16,000 copies (8 types) of posters for distribution to the mass public were published. This comprised of 3 posters on the Village Court and 5 posters on the Arbitration Council.

d. **Uthan Baithak Module:** The Uthan Bithak Module has been written to serve as a guide for these workers so that they can conduct these meetings more effectively. 500 copies of this module were published this year.

9.2. Legal Aid

The program provides legal aid services to the disadvantaged, in particular the poor women, for the matter of polygamy and divorce. Preliminarily applications from the Union workers and the Shalish committee at Thana level are received. The application is evaluated according to the guidelines of the program, and if it is appropriate for a shalish, a shalish is organized. If the shalish fails to resolve the case, and if it is appropriate for the court, the case is filed. A Paralegal from the program assists at all stages of the case proceedings by supervising and communicating with lawyers.

a. Free legal aid services:

579 cases were filed in the year 2004-2005. Including the 861 pending cases from the previous year, the total cases stood 1,442. Out of the total of 1,442 cases, 136 cases received verdicts in favour of the parties and 27 of the cases supported by the program went against. 163 cases were resolved by the court and 111 were settled locally (In total 275 cases were resolved). 68 cases were registered. 936 cases are currently pending.

Subject	Number
Previous pending (2003-04)	861
No. of cases institute	581
Total cases	1442
Expenses through court	163
In favour of MLAA	136
Against MLAA	27
Present resolve dispute	275
Total Number of cases mediated	68
Rejected	506
Pending	936

Gender distribution of the cases:

Nature of Cases	Case Instituted				Case Disposal				Pending	
	M	F	T	%	M	F	T	%	Total	%
Criminal	20	313	333	57.31%	18	282	300	59.29%	33	9.91%
Family	-	188	188	32.36%	-	165	165	32.61%	23	12.23%
Land	3	40	43	7.40%	2	23	25	4.94%	18	41.86%
District Appeal	14	3	17	2.93%	13	3	16	3.16%	1	5.88%
Total	37	544	581	100%	33	473	506	100%	75	12.91%
%	6.37	93.63	100%	-	6.52	93.48	100%	-		

b. Case follow-up (resolved and pending cases):

The objective of the follow-up is to check if the verdicts are implemented in the grassroots and how the plaintiff's social, family and economic life is affected afterwards. 71 cases have been followed up this year which included 28 pending cases and 43 disposed cases.

c. Meetings with judges, law enforcing agencies, lawyers and Lawyer's clerk:

The goal of these meetings was not only to exchange ideas, but also to motivate all involved parties, such as, judges, law enforcing agencies, lawyers and lawyer's clerk in facilitating fair and effective legal services and request for their assistance for the project. 324 lawyers, lawyer's clerks and law enforcing officials have participated in 8 of meetings in 3 districts.

Activity	Total meeting	Female	Male	Total
Meetings with lawyers	4	20	115	135
Meetings with Lawyer's clerk	3	2	148	150
Meetings with law enforcing agencies	1	1	38	39
Total	8	23	301	324

9.3 Advocacy and Networking

The availability of legal rights in Bangladesh is deficient due to the limitations of the prevalent traditional and local level justice systems. The 'Advocacy, networking and research' component of the program was added in order to identify these limitations, suggest appropriate reforms and advocate for these reforms.

The main tasks of this component are:

- Conduct research to identify limitations of the Village Court and Arbitration Council
- Conduct research to take appropriate advocacy measures to present these findings
- Conduct research eliminate the present complexities of the justice system
- Conduct research improve the court environment in favour of the disadvantaged
- Disseminate research findings at the national level
- Develop capacity of local woman leaders on leadership and gender awareness
- Generate awareness among rural women on human rights, gender and legal rights

a. Initiatives towards reforming legal procedural complicity and making court environment congenial.

i Create networks with all agents providing legal aid services

In order to present the problems of the current justice system and advocate for the suggested reforms, cooperation and collective action is required. A network is being initiated comprising of 4 national level associations. The four associations are:

- Bangladesh Legal Aid and Services Trust (BLAST), Dhaka
- Ain O Shalish Kendra, Dhaka
- Bangladesh Mohila Parishad, Dhaka
- Madaripur Legal Aid Association

b. Capacity building of woman leaders

i) Leadership development and gender training: Women are harassed and deprived in the family and society due to lack of awareness, illiteracy, social norms, poverty and discrimination against women. In order to break free of this condition, women need to rise in social leadership. Towards this end, the program undertook 'Gender and Development' training for 300 female UP Members in 100 Unions.

From July 2004 to June 2005, a total of 228 woman Members attended 9 such courses in 3 districts.

Course Title	No. of courses	District	No. of Upazila	No. of union	No. of female participants
Leadership development and gender training:	09	3 (Madaripur, Shariatpur & Gopalganj)	11	87	228

ii. Training for Community based female Animators

The role of the female Animators is to facilitate the day-long Union level workshop on 'Gender, Human Rights and Family Law'. The objective of this workshop is providing practical knowledge and ability to contribute to the program by promoting awareness regarding gender, human rights and family law. 3 Animators from each of the 100 Unions were selected for this purpose.

From July 2004 to June 2005, 278 Animators participated in 10 basic courses.

Course Title	No. of courses	District	No. of Upazila	No. of union	No. of Animators
Training for Community based female Animators	10	3 (Madaripur, Shariatpur & Gopalganj)	12	98	278

iii. Workshop on Gender, Human Rights and Family Law

This day-long workshop is organized for rural women with assistance from the Animators. Keeping in mind the level and backgrounds of the trainees, the method used for this workshop is to exchange ideas and question answer sessions in the language appropriate for them and drawing examples from their practical experiences.

Within the reporting period, 99 workshops were conducted in 100 Unions of 12 Thanas in the 3 districts. 1,945 local women attended these workshops.

Course Title	No. of Workshop	District	No. of Upazila	No. of participants	No. of animators
Workshop on Gender, Human Rights and Family Law	99	3 (Madaripur, Shariatpur & Gopalganj)	12	1945	105

c. Publications

i. Posters on Human Rights

The program printed 6,000 copies of 3 posters in order to create awareness among the mass public regarding human rights.

b. Bi monthly newsletter 'Jug Chetona'

This bi monthly newsletter contains articles and reports on human rights and legal issues, programs on these issues and the activities of all stakeholders that aim to inform and increase awareness. 7,500 copies of 5 issues have been published this year.

9.4. Mediation project

The shalish on informal system of resolving conflicts at the local level. Compared to the expensive and complex formal justice system, this system is easy, cost free and quick. The aim of this project is to formalize this system in order to make it more effective in maintaining peace and establishing human rights.

a. Forming CBO

i. Ward CBO: 879 CBOs have been formed in 98 Unions of three districts. The total number of members was 13,092, with 4,456 women (34.04%) and 8,636 men (65.96%). The members included elected representatives, housewives, farmers, private service providers,

social workers, teachers, entrepreneurs, doctors, NGO workers, journalists, Imams, Marriage registrars, students, etc.

ii. Central CBO: 97 Central CBOs have been formed in the 97 Unions of three districts. The total number of members was 1,471, with 566 women (38.48%) and 905 men (61.52%).

Activities	No. of CBO's participants			
	Number of CBOs	F	M	Total
Formation of CBO(Ward)	879	4456	8636	13092
Formation of CBOs(Central)	97	566	905	1471

b. Meetings with CBO committees

i. Monthly meetings with Ward CBO

1,287 Ward CBO meetings were held in 98 Unions of 3 districts. Out of the total of 31,614 participants, 12,638 (39.98%) were women while 18,976 (60.02%) were men.

ii. Monthly meetings with Central CBO

171 Central CBO meetings were held in 98 Unions of 3 districts. Out of the total of 2,022 participants, 829 (41%) were women while 1,193 (59%) were men.

Activities	Participants of CBO			
	Number of CBOs	F	M	Total
Meeting with Ward CBOs	1287	12638	18976	31614
Meeting with Central CBOs	171	829	1193	2022

c. Capacity building of CBO Committee members on shalish

i. One day workshop for Ward CBO members: A total of 100 one day workshops have been held with CBO members of 3 Thanas and 98 Unions of 3 districts. The total number of participants was 4,816, of whom 1,986 (41.24%) were women and 2,830 (58.76%) were men.

ii. Three day training workshops for CBO members

30 training courses have been completed with Central CBO members of 98 Unions of three districts. The total number of participants was 826, of whom 372 (45.04%) were women and 454 (54.96%) were men. The topics included importance of shalish, shalish strategies, the role of CBO committee, rules and guidelines, the rules of shalish and the legal restrictions of shalish.

Activities	Participants of CBO			
	Number	F	M	Total
1 day's workshop	100	1986	2830	4816
3 Days Workshops	30	372	454	826

d. Dispute Resolution

10,138 applications have been received this year, including applications from before. Out of these total 10,138 applications, 6,318 cases have been resolved with the help of CBO members. 627 have been referred for litigation, 1,186 have been rejected and 4,742 of these resolved cases were at the Union level while 1,576 were at the Upazila level. 1,460 cases are currently pending.

Distribution of applications (Application's details):

Upazilla/ Union	Previous pending	Application received		Total (2+3+4)	Mediatio n	Send for case		Rejected		Total (6+7+8 +9+10)	Pending (5-11)
		Direct	Branch office			Direct	Failure to resolve	Dropped	Transf eri		
1	2	3	4	5	6	7	8	9	10	11	12
Total	1214	8621	303	10138	6318	361	266	1186	547	8678	1460

Nature wise Dispute Resolution

Office	Family	Assault	2 nd Marria ge	Dowry	Commu nity dispute	Financi al Dispute	Land	Misc.	Total
Upazila	535	92	11	648	39	129	87	35	1576
Union	1180	557	18	1262	403	586	574	162	4742
Total	1715	649	29	1910	442	715	661	197	6318

9.5. Institutional capacity building

a. Capacity building of training cell and staff development

An able group of skilled and trained workers is the driving force of a development institution. The workers of a development institution determine the effective implementation of a project.

i. Training of trainers (TOT): In this training session is trainers are trained i.e. in conducting and facilitating meetings, workshops and training sessions. 32 trainers have received this training. The training has been completed with help from CARE Bangladesh.

ii. Training of Union workers on Village Court and Arbitration Council

5 training sessions were held in order to enable the Union workers to efficiently assist the Union Parishad in conducting the Village Court and Arbitration Council and preserving the documents of cases. 111 workers of the program attended these sessions.

iii. Training of Union workers of the Mediation

2 training sessions were arranged for the workers involved in the Shalish project at the Union level in order to enable them to conduct the shalish at the grassroots level effectively and document the proceedings properly. 55 workers attended these trainings.

iv. Workshops on project development for Supervisors

Supervisors oversee the tasks of the Union workers on local justice systems and shalish in their respective Thanas. The problems they face in conducting their tasks and the solutions to these practical problems are discussed in these workshops. 26 supervisors were participated in 1 workshop.

v. Training on Gender and Development

A training session has been designed to sensitize workers on issues of gender and development. The training is organized with help from Brac Gender cell. 23 workers of the program have attended this training, with 14 women and 9 men.

vi. Advocacy and lobbying training:

One training was held on advocacy and lobbying to developed the capacity of concern personnel's. Out of total 22 participants, 4 were female and 18 were male..

No. of Courses	Title of Training	Female	Male	Total	Participants
1	Improving Training Quality and Facilitation Skills	05	27	32	MLAA activists
5	Training on AC & VC	73	38	111	Field Level Workers
2	Law & Mediation Process for Union worker.	39	16	55	Field Level Workers
1	Workshop on Project Development	02	26	28	Field Level Supervisors
1	Gender and Development	14	09	23	MLAA activists
1	Policy Advocacy and lobbying	04	18	22	MLAA activists

vii. Preparing manuals for training on Village Court, Arbitration Council: The program has completed preparing two modules on two of the aforementioned topics. These modules will play an important role in making the training sessions more effective and participatory.

b. Capacity building of the Monitoring and Evaluation Division

i. Training for the staff of Monitoring and Evaluation Division: The aim of this training is to provide information and practical knowledge on monitoring and evaluation. 27 workers from different projects of the program attended this training.

No. of Courses	Title of Training	Female	Male	Total	Participants
1	Training on Monitoring and Evaluation	00	27	27	MLAA activists

ii. Preparing issue based reports of different projects

The goal of the monitoring cell is to check if the projects are implemented in accordance with the missions, goals and objectives of the projects. This is determined using specific indicators to measure the results and impact of the projects.

c. Findings of the monitoring cell

i. The UP justice system has become more effective

a. Training of elected representatives: The monitoring cell has carried out process documentation of the training of UP elected representatives. The findings show that 34% of the representatives had a good grasp over the material, 23% had a fair understanding, while 40% had little understanding of the material after training.

b. Involvement of different parties in the Village Court and Arbitration Council: The monitoring and evaluation division conducts process documentation of these activities. The findings show that these meetings and workshops are run effectively and have been successful in increasing awareness and knowledge about the local justice system.

c. Awareness programs: The monitoring division conducts surveys for evaluating the awareness levels of the people after the campaign programs are launched. The findings show that 16% of the sample population has gained awareness regarding the Village Court, 18% know about the Arbitration Council

d. Conflict resolution: Conflicts are resolved through the formation of the Village Court under the Union Parishads assisted by MLAA. The role of the Union Parishad is becoming increasingly important in this process.

ii. Free legal aid program: 83.44% of the cases have received verdicts for the program beneficiaries. In a study of 51 cases that went to the court and were solved, the beneficiaries received their demanded compensation in 47% cases and in 35% of the cases regarding conflicts between husband and wife were resolved and now they are living amicably peaceful family life. .

iii. Mediation: The process monitoring results show that 9 CBOs and 1 Central CBO have been formed in all Unions. Although the monitoring cell identified some problems in the formation of the CBOs, the recommendations of the report was taken under consideration and reforms implemented accordingly.

10. Qualitative Results:

a. Local justice system of the Union Parishad

Though the formal function of Village Court (V.C) was started in 1976, the similar court in the past had been functioning on in various names and forms time to time. It is regretful that an effective restructuring of V.C. with adequate resources, such as, finance, manpower and training of incumbents were not forthcoming for lack of political will. As a result, this institution did not contribute successfully in the dispensation of justice at the grass-root level since its inception though the felt need for Village Court was absolutely undeniable.

One of the important aspects of the village court is execution of verdict of the said court. For realization of compensation in accordance with the verdict of the Village Court, if the opposite party does not abide by the order (of the Village Court).- the same has to be (compensation) recovered from the opposite party as per provision of PDR Act (Public Demands Recovery Act) which is vested in a magistrate under the control and authority of the District Commissioner. But there is no clear stipulation in the Village Court Ordinance or elsewhere that the compensation shall be recovered mandatorily vides PDR Act as under an order of the Court. The authority often under PDR Act does not enforce the recovery. As a result of which Village Court verdicts become infractious causing failure of justice.

In this matter there ought to be an amendment clearly incorporating provision for recovery of Compensation under PDR Act as and when referred to the said authority by the Village Court.

In our working area, when MLAA started to assist for activating effective Village Court, the people, elected representative and local Govt Administration cordially accepted the activity of Village Court in view of the negative impact of the formal judicial system. This has been

amply reflected from the active interest and participation of the district administration (D.C. and TNOs) UP representatives and people at large.

The training of elected representatives has resulted increased knowledge and skills of Union Parishad representatives. Hence they are conducting the Village Court and Arbitration Council more effectively and efficiently. Survey results of the monitoring cell shows that 37% of the Union representatives of the target Unions have high levels of awareness while 63% have fair awareness regarding the local justice system. In terms of skills, 23% were evaluated as well skilled while 77% were evaluated as fairly skilled in dispensation of justice through the Village courts and Arbitration council.

Meetings, workshops, Uthan Baithaks are undertaken in order to increase mass awareness. Knowledge on AC and VC has been effectively disseminated among the public through campaigns, street theatres, bill boards and sign boards. The various publications in the forms of booklets, posters and flip charts have assisted in this dissemination also. In a survey jointly conducted by the program and the monitoring cell shows that 17% of the population knows about the Village Court.

5,468 cases were resolved by the Village Court and Arbitration Council of which 63% clients are women.

b. Legal aid

The absence of independent judiciary gives rise to undue influence by the Administration that leads to corruption. As a result, the poor and weak, specially, the women are oppressed by the mighty person.

Though the state enacted and amended few laws in favor of women but not implemented properly due to dominance the patriarchal society. Very recently by introducing some new laws, such as., enhanced Court fees, adjournment cost and etc. these steps turn into an instrument of harassment and oppression of the poor.

Out of the 506 cases resolved, only 27 (5.3%) verdicts went against the beneficiary of MLAA which indicates that the merits of the cases are rightly assessed before acceptance

94.07% of the beneficiaries receive their demanded cash compensation or land.

300 criminal cases were resolved in the year 2004-2005. In 21 cases, 15 persons have been sentenced to imprisonment ranging from 2 years to six month. 15 accused (MLAA beneficiaries) of 24 cases have been released. 81 cases clients received Taka 46,000 as compensation. In 125 cases marital tie between husband and wife were restored and 3 children have been rescued in 2 cases.

Out of total 165 disposed of family cases, MLAA beneficiaries got degree of Tk. 22,72,752 in 101 cases for dower and maintenance. In 29 cases MLAA beneficiaries got Tk. 5,90,000 as compensation on compromise and their marriages were dissolved. . In 120 cases, marital relationship continued pursuant to compromised between the parties.

In 23 land cases, MLAA beneficiaries' rights and title had been declared and possession given by the court for about 45.5 of land acres. The estimated value of this land is Taka 19,62,000.

c. Advocacy

Advocacy is a recent formulation for reformation of laws and policy there is no way out without amendment of laws of colonial period in order to get time - bound equitable laws. As such, advocacy though in our society has a limited scope and impact, nonetheless, there is no alternative of the same.

278 Animators were appointed in order to create awareness about Family Laws at the grassroots level in 100 Unions. These Animators provide information to rural women through local workshops. 99 workshops were organized in order to identify the weaknesses of the local justice system and create awareness about law and human rights. The participants emphasized on the role of advocacy in enacting stringent laws against polygamy violence against women ensuring affirmative rights for women in divorce and increasing the jurisdiction the Village Court.

d. Mediation

Under the 879 CBOs formed in 97 Union Parishads the following results were achieved through various trainings and workshops:

- Legal knowledge on Muslim Family Law (marriage polygamy, Denmohor, maintenance, divorce, Land Law, dowry and woman and child abuse laws) has increased.
- Skills in conducting the proceedings of a shalish have increased. This includes guidelines on what to do before, during and after the shalish proceedings.
- Participation of more people as shalish ker (mediator) has increased.
- The members of the community man and women have become aware of their legal rights and the uses of the shalish.

51.18% of CBO members were present in the shalish proceedings. 12.49% of the members were women, whereas the figure was only 4.5% in the year 2003-2004. Among the 423 cases resolved and followed up, 377(89.13%) resolutions were effective. The benefits of the resolutions being complied with in practice are:

- Family ties, particularly women's respect and children's right to a proper home, have been restored.
- Divorces were completed with proper compensation (denmohor and maintenance).
- Children separated from mothers have been returned to their mothers and have received support from their fathers while in custody of their mothers.
- Disputes over long term debt related problems have been resolved with fair settlement.
- Poor people have obtained possession of land from land grabbers.
- Disputes over land ownership have been resolved.

Analysis of resolved disputes:

Out of total 6319 disputes resolved, 3625 were resolved related to family matter, second marriage and dowry. Among these 2930 are continuing their conjugal life in harmony and

695 couple dissolved their marriages. In these cases of divorce an amount of Tk. 87,40,650 was received as maintenance and dower money. The rest 130 disputes were settled amicably.

31 disputes resolved relating to the custody of child. In that 28 children had been rescued and handed over to their mother. 12 women beneficiaries received an amount of Tk. 23,850 as maintenance of children.

2003 disputes were resolved related to minor assault, financial and miscellaneous matter. Among these, 804 were resolved on payment of Tk. 40,26,845 as compensation and rest 1182 were resolved amicably by mutual understanding.

659 disputes were resolved related to land. Among these in 337 disputes, 70.095 acre land were recovered the value of the said land is about Tk. 2,77,44,350. On the other hand, in 90 disputes Tk. 8,51,400.00 was recovered as compensation for 3.975 acre land. The rest 277 disputes were resolved by mutual understanding as the disputed land has been demarcated by mits and bounds.

By above analysis, it is clear that Total Tk. 4,13,87,104 (Taka Four core thirteen lac eighty seven thousand one hundred and four) is considered as financial gain from the disputes resolved. Besides, contribution of domestic and social harmony is not less important than financial gain.

e. Institutional Capacity Building

The various training programs and workshops have helped to improve skills and efficiency of the staff in their respective fields. Due to intensive training on the shalish and laws, Village Court and Arbitration Council, workers have been able to successfully carry out their designated duties and obligations.

11. Impact

Judicial system of Union Parishad:

The incidences of divorces and polygamy have also decreased. The importance of the Village Court and Arbitration Council has increased along with increased awareness among the people. The Parishad representatives are carrying out their tasks of conducting the Village Court and Arbitration Council more seriously and effectively.

Legal Aid project

The impact of the legal aid program in serving the disadvantaged are:

- The incidences of polygamy and divorce have started to fall due to exemplary court verdicts.
- Women are becoming independent by engaging in income generating activities from their financial compensations
- The value of woman's work in the household is increasing
- Both men and women are being able to contribute towards economic development due to increased stability at home

Advocacy

- Local leadership development and appointment of Animators have resulted in reduced family conflicts due to increased awareness.
- The limitations of the Village Court and Arbitration Council are being identified in order to make them more effective. The advocacy unit ensures communicating the identified problems and translating them into local and national level policy.

Mediation

The pressure of numerous cases has been relieved by the shalish project. 6,318 cases were resolved by the project in 15 Upazilas and 95 Unions of the target location. In one hand the families have been saved from incurring huge expenses for these cases, and on the other hand the social peace stability has been ensured. All these families are engaging in income generating activities and contributing to poverty alleviation. Along with establishing and engaging CBO members and the general public in this program, the rural population's ownership, voice in decision making have been enhanced by the activities of this program. Hence, civic sense is improved among the people, which in turn ensure a peaceful and good society. The quick and easy resolution of small conflicts prevents bigger problems to crop up that hamper peace in society.

Institutional Capacity Building (Training and staff development)

The program staff has been able to effectively assist the Union Parishad in conducting the local justice system due to the training on Village Court and Arbitration Council. Hence people's trust in the Union Parishad justice system is slowly improving. The program is consistently playing a strong, dynamic and responsible role in achieving its goals with effective support from MLAA.

12. Planned results not achieved (Delayed)

During the reporting period almost all the targeted activities have been achieved except the following:

Judicial system of Union Parishad:

Activity	Target	Achievement	Not achieved
Basic Course for UP rep.	No. of Course=30 Participants=750	No. of Course=18 Participants=484	No. of Course=12 Participants=266
Ref Course fro UP rep.	No. of Course=26 Participants=650	No. of Course=19 Participants=407	No. of Course=07 Participants=243

Legal Aid

Activity	Target	Achievement	Not achieved
Meeting with Lawyers	6	4	2
Meeting with Lawyer's Clarks	6	3	3
Meeting with Law enforcement agencies	3	1	2

Advocacy and Networking

Activity	Target	Achievement	Not achieved
Study on limitations on AC & VC	1	00	1
Meeting with network members	2	1	1

Mediation

Activity	Target	Achievement	Not achieved
CBO Meeting (Ward)	3600	1287	2313
CBO Meeting (Central)	400	171	229

Institutional Capacity Building

Activity	Target	Achievement	Not achieved
Training on Research Methodology	1	00	1

13. Reasons

- Starting of project activities has been delayed
- In continuous project some obtained activities are added which were not re-existed.
- The permission of NGO Bureau was not received in time.
- Time was not sufficient to arrange all trainings, workshops for staff and concern stakeholders.

14. Unplanned Achievement

Training Assistance: MLAA's training cell provides specific training to various organization. In this year, MLAA provided two training to 47 development workers of Charity Foundation, Agualjara, Barisal and Bangladesh Legal Aid & Services Trust (BLASTI) Dhaka, on women rights, Legal awareness and Mediation.

Staff Development: Staff training and development is an integral part of institutional development and capacity building. During the reporting period 7 staff members of MLAA participated in different training courses, such as, Women & child rights, Monitoring, evaluation and report writing, Quantitative research & documentation, disaster management organized by CCDB-HOPE, RIC- Forum Asia and SHED.

15. Problems Faced

- a) Govt. attitude is not usually co-operative and favorable towards NGOs. Especially necessary clearance from NGO Affairs Bureau cannot be obtained in due time.
- b) UP representatives are not yet so much committed to the concept of social-justice and don't envisage this area to be their duties.
- c) Lack of proper communication with UP representatives
- d) Lack of awareness about law and human rights in general.
- e) Fund was not available in time due to delay of approval of the project.

16. Suggested Action to meet the Problems

The above noted problems may be met by the following way:

- a) Congenial relation should be developed between NGOs and Govt. bodies.
- b) Democratic norms and culture should be developed.
- c) Realistic plan will be drawn.
- d) Training facilities should be increased for UP representatives.
- e) Necessary steps will be taken to ensure participation of UP representative specially chairman in the training.
- f) Legal Aid and Alternative Dispute Resolution Program should be expanded and awareness on law & human rights should be increased in rural society.
- g) Committed fund should be made available in due time.

17. Conclusions

Poverty is the biggest obstacle in the path of development. Exclusion of a major portion of the population from the social-economic activities is detrimental to our over-all development. Apart from the basic rights, economic independence, decision making, and access to legal & human rights can facilitate poverty alleviation.

MLAA is striving to establish human rights by promoting the position of the disadvantaged in society. The Association will continue contributing to the development process by strengthening its program of access to affirmative justice.
