Global Protection Cluster Task Team on Law and Policy (TTLP)

Engaging with informal justice to respond to legal aid and justice needs in humanitarian settings

9 November 2023
AREAS FOR DISCUSSION

COORDINATION

PARTNERSHIP

HARD TO REACH POPULATIONS
COORDINATION

Conclusions

Formal justice institutions face also some of the challenges of CIJ. CIJ systems should not be considered as a second-best solution.

Some development partners are unwilling to work with CIJ actors. Donors cut their justice spending.

Recommendations

Adopt a justice ecosystem approach
Deliver a step-change approach for engagement
Empower justice seekers, especially marginalized groups
Advance women and girls’ participation and leadership
Share or create tools to engagement
Increase investment in people centered CIJ systems
**COORDINATION**

**Rule of Law Platforms**

**Challenges**

- **Ownership**
  - Rule of law platforms are often driven by development partners

- **Limited presence**
  - Predominantly include development and not humanitarian partners

**Recommendations**

- Promote nationally-owned platforms
- Include both development and humanitarian partners
PARTNERSHIP

Promoting sustainability through local partnerships

Key actions

- Co-create projects through PDIA
- Involve stakeholders in assessing implementation
- Implement in partnership with local organizations
- Promote stronger cooperation between CIJ and formal actors
PARTNERSHIP

Challenges that guided this approach

CIJ mechanisms are considered as an alternative to formal justice institutions, while they actually complement each other.

Interventions implemented directly by international organizations.

Sustainability considered seriously at the end of a programme.
PARTNERSHIP

Solution 1: Let national institutions lead the implementation of their activities and promote venues for information sharing.
PARTNERSHIP

Solution 2: Promote hybridization as a solution to justice challenges

Formal justice actors
- CIJ actors can quickly solve a significant number of cases, thus reducing case backlog.

CIJ actors
- Linkages with formal justice institutions will not over formalize their processes.
- Partnership with formal justice actors can facilitate enforcement of CIJ decisions
PARTNERSHIP

Solution 3: Start working on a sustainability plan from the offset and highlight the benefits of local ownership

Arguments to promote sustainability

The loss of an acquired service is worse than not receiving it

Showing sustainable results will lead to a multiplier effect
HARD TO REACH POPULATIONS

Challenges

- Awareness raising activities, if not coupled with expanded justice and legal aid services, lead to frustration
- The role of CIJ mechanisms in facilitating the provision of legal aid, medical and support services to GBV survivors underestimated
- Marginalized communities are not always empowered to become justice providers
HARD TO REACH POPULATIONS

Solution 1: use Mobile ADR Centers to reach nomadic communities and people displaced by climate change
Solution 2: use ADR Centers as a referral point and service aggregation hub for GBV survivors
HARD TO REACH POPULATIONS

Solution 3: capitalize on hybrid models to promote the role of women and vulnerable groups in the justice sector
READ MORE:


Women’s Participation and Leadership in Customary and Informal Justice Systems (2023), produced by the International Development Law Organization (IDLO)

Enabling Access to Justice for Survivors of Gender-Based Violence Against Women in Somaliland (2023), produced by the International Development Law Organization (IDLO)

Strengthening Climate Justice in Somaliland: The Role Of ADR Centers (2023), produced by the International Development Law Organization (IDLO)

Rule of Law Responses to Climate Insecurity (2022), produced by the International Development Law Organization (IDLO)
IDLO works to enable governments, empower people and strengthen institutions to realize justice, peace and sustainable development.

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