

Justice for Refugees

#JusticeForAll Series

# Legal Empowerment: From Accompaniment to Justice

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## Legal empowerment: what it is, why it matters

*“More than five billion people are deprived of justice.”* This was a core finding of the Task Force on Justice’s 2019 Justice for All report. Two years into the global COVID-19 pandemic, that figure has likely risen. The global justice gap manifests in the lives of individuals in varied ways: 1.5 billion people had an unresolved justice problem, the Task Force found. 4.5 billion people were excluded from the opportunities that law provides.<sup>1</sup>

Among those often left behind by justice systems are refugees. Like other forced and voluntary migrants, refugees are subject to discriminatory laws and frequently denied fair treatment in regard to documentation, employment, housing, and access to state services. At the same time, many have little meaningful access to justice services. One way the justice needs of refugees are addressed is through legal empowerment.

Legal empowerment is a cornerstone of access to justice for all; empowering people and communities is a critical first step towards improving people’s justice journeys. This is true for refugees as for all people, and is particularly true for refugees because of the marginalization and deprivation of power inflicted on them by a variety of actors, beginning with those in their home countries whose actions caused them to flee, and continuing with governments and private actors in the countries where they take refuge, often called “host” countries.

Legal empowerment in this paper refers to increases in the capacity of people, particularly those who are marginalized, to understand and use the law and legal systems to protect and advance their rights and interests. In this definition, “the law and legal systems” refers to all types of legal instruments, including national legislation, regulations, and policies; regional and global instruments such as conventions and declarations; and all institutions and systems that promote, uphold, or enforce legal instruments or legal rights at national, regional, and global levels. This definition draws on and synthesizes definitions from leading legal empowerment scholarship and practice, including the Task Force on Justice and its Justice for All report; the International Development Law Organisation; the United Nations Development Program; the US Agency for International Development (USAID); and Namati, a leading legal empowerment civil society organization, among others.<sup>2</sup>

As the Justice For All report notes, legal empowerment is not just about providing people with better knowledge of the law. Legal empowerment also, “enables them to recognize legal problems when they arise and equips them with the skills and confidence to take action.” It provides broad-based support that recognizes and responds to the urgency, stressfulness, and complexity of injustice as it manifests for individuals, families, and communities.

Legal empowerment for refugees can take many forms. For example, it can include the provision of basic information about their host countries’ laws and the justice mechanisms that enforce those laws, which allows refugees to understand their rights and how to assert them. It can include help to complete necessary paperwork or accompaniment to file such paperwork. It can

include advice or support to refugees in asserting their rights verbally in daily interactions with employers, landlords, schools, or government officials. It can include full legal representation to challenge injustice and redress wrongs. It can include community organizing and empowerment, equipping communities to collectively demand and receive justice. Entities that provide legal empowerment to refugees may offer some or all of these services and more.

*I had the opportunity to observe refugee legal empowerment in action during a trip to Ecuador in 2013, when I attended a meeting of a Women's Group run by Asylum Access Ecuador. A group of refugee women met regularly to learn about their rights, address the psychosocial impacts of forced displacement, and support each other in rebuilding their lives after being forced to flee their homeland. As the room quieted and the meeting began, a woman rushed in, out of breath. "I have to tell you what happened!" I recall her saying as she looked around at the other women in the group. Her face glowing, she told her story.*

*Her employer told her he was not making social security payments on her behalf — an employment benefit that amounted at the time to about one-third of a worker's salary. He said he was not required to pay social security for her, "because you're just a refugee." She looked him in the eye and responded, "I am a refugee — and I have rights." She knew the law entitled her to social security. She cited the law to her employer, explaining that he was obligated to make her social security payments just as he would with any other worker.*

*As she described the encounter with her employer, her back straightened and she gazed at the circle of women seated around her. "I never would have done this before," I remember her telling them. "But I have seen some of you stand up for your rights. I knew I could do it because you showed me how." Then she added with a grin: "And I didn't want to be the one who came in and said I couldn't do it!"*

*This, to me, epitomized of the meaning and value of legal empowerment. While legal empowerment techniques and impacts can vary widely, the woman described above used the law to advance her rights and interests, seizing the power of the law to equalize the relationship between herself and her employer.*

**Emily E. Arnold-Fernandez**

For refugees, legal empowerment is often fundamental to their ability to survive and rebuild. Legal empowerment enables many refugees to access the right to stay in a country of refuge, through obtaining legal status or recognition thereof and the documentation that supports it. It protects refugees from arbitrary arrest, secures refugees' release from unjustified and arbitrary detention, and facilitates their access to avenues for evading internment in countries that confine refugees to camps (which, despite widespread practice, violates international law). It secures and facilitates refugees' access to economic opportunities, including participation in the labor

market and in entrepreneurial activities, and protects their rights as workers and business owners. It secures and facilitates refugees' access to state and private services, from education to healthcare to banking to police protection, and protects them against discrimination. And it enables refugees to access protection from and redress for violence and injustice by state and private actors. All of these outcomes are necessary elements in ensuring justice for refugees.

## **Re-thinking refugee legal empowerment: goals and structure of this paper**

To achieve justice for refugees, therefore, we need to grapple with legal empowerment: its role, its availability, and how it is practiced in relation to refugee communities. This paper represents an initial attempt to do so. A think-piece designed to spark dialogue about this important issue, the paper is part of a global conversation launched by Justice For All, an initiative that aims to breathe life into Sustainable Development Goal 16's promise to, "promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels," particularly "access to justice for all."

This paper is structured in several sections, beginning with three sections that provide a foundation for understanding the role of legal empowerment in facilitating refugees' access to justice, and the limitations of the ways legal empowerment for refugees is implemented today. This part of the paper begins by demonstrating that without legal empowerment, any attempts to achieve justice will be limited — particularly for populations that are already marginalized or disempowered because of their legal or social status, their access to resources, or their particular characteristics such as gender, age, or disability. It then identifies that refugees are among the populations that are consistently marginalized around the world, illustrating how refugees across the globe face rampant violations of their human rights. This leads to a conclusion that legal empowerment can be a powerful tool to achieve justice for refugees — if done right.

The paper then examines the current practice of refugee legal empowerment, demonstrating that unfortunately, the promise and potential of legal empowerment as a tool for justice for refugee populations frequently goes unrealized. Legal empowerment for refugees is, in many countries, highly limited in scope, and its potential to chart a path to justice is correspondingly truncated. Often, legal empowerment for refugees begins and ends with what we might call "bureaucratic accompaniment": Provision of information about how to navigate bureaucratic processes to obtain required documentation, sometimes coupled with physical accompaniment during specific transactions.

While such bureaucratic accompaniment can be helpful, even crucial, in enabling refugees to obtain proof of legal status, personal status, or formal permission to work, in most cases it does not support refugees to seek remedies when they encounter injustices or experience rights violations in the process of obtaining such documentation. It also does not help refugees resolve other justice problems they face in their daily lives. Rather, it stops short of empowering refugees

to use the law to address, prevent or remedy injustice, and thus fails to alter embedded power imbalances that perpetuate and reinforce systemic failures of justice.

This paper then outlines an alternative vision for refugee legal empowerment, taking as its foundation the exhortations of the Justice For All report:

*A more dynamic model of legal empowerment invests in organizations that are rooted in communities and that are close enough to people to understand their legal needs and the context in which they arise. It challenges justice institutions to become more open and responsive to citizens and communities as they seek justice. And it actively promotes the inclusion of groups who have historically had the least access to justice.*

In other words, to adequately address deprivations of justice, legal empowerment must go beyond providing information, advice, or accompaniment to individuals: It must also foment systemic change.

By insisting that refugee legal empowerment must include the full range of legal empowerment activities and outcomes, by reframing our expectations of refugee legal empowerment programs and initiatives to encompass the systemic change envisioned in seminal definitions of legal empowerment, this paper posits that we can pursue a vision of legal empowerment for refugees that achieves this tool's underlying purpose: To make justice a reality in the lives of refugees.

## **Legal empowerment is necessary for justice**

Before addressing specific questions related to legal empowerment in and for refugee communities, it may be helpful to explain in more detail the links between legal empowerment and justice for all. We can best understand these links using the concept of a “justice journey,” a framework illuminated by the Task Force in the Justice for All report.

A justice journey is the route someone takes to address their justice problems. To understand what a justice journey looks like, we begin with a justice problem. Then, we follow this problem through the steps to its resolution. As the Task Force explains, a justice journey can be understood in three stages:

1. People and communities are empowered so they can act when a legal need arises.
2. They have access to people-centered justice services that are responsive to their needs.
3. They achieve a fair resolution to their problems, which results in meaningful and measurable increases in justice.

Along a justice journey, legal empowerment provides the foundational set of tools and strategies by which those in need of justice are able to make use of the law and the rights it confers — in other words, to make paper promises of legal rights and remedies into everyday reality. Civil

society organization, Namati, describes these tools and strategies as ones that allow individuals and communities to know the law, use the law, and shape the law. A person who does not know or cannot use the law is unable to access justice when needed; and a person who cannot participate in shaping the law has no way to contribute to collective decisions about what is just and how the law can uphold justice rather than injustice.

For someone with a justice problem, legal empowerment can help them understand the law and use it to seek solutions — with the support of professional legal practitioners if necessary. Simply by using the law, this person also will contribute to shaping it: Like water flowing in a riverbed, use of a law carves a channel, making the law a deeper communal norm, or widens it, applying the law to new people or new situations. Beyond this, however, legal empowerment can support this person to take further steps to intentionally shape the law. It can help them use their own justice journey to educate and empower others. It can support them to engage in civic participation to widen the channel of the law, so that it is more likely to yield justice for people like themselves and situations like their own. It can identify trends or patterns in injustice and build collective strategies that use or change justice mechanisms — such as collective litigation or rulemaking processes — to disrupt the status quo and replace it.

This foundational role of legal empowerment is not just theoretical. In practice, legal empowerment increases both an individual's willingness to act and their likelihood of acting to prevent or address injustice. The woman in Ecuador who stood up to her employer to demand the social security benefits is an example of action and willingness to act in response to a legal empowerment intervention, but her story is not unique: In a meta-study of 199 evaluations of the impact of legal empowerment, Namati found that 110 of the legal empowerment interventions assessed had demonstrated a positive impact on the agency of those affected by or at risk of injustice.

Legal empowerment also tends to result in successful acquisition of a remedy, an entitlement, or information. Namati's meta-study found that 73 legal empowerment interventions assessed had a positive impact on an individual's ability to access these manifestations of justice.

*I witnessed the power of legal empowerment to facilitate access to an entitlement when I represented my first refugee client in Egypt. A teenager who had fled Liberia's civil war at a time when boys of his age and ethnic group were being abducted to serve as child soldiers, my client had sought recognition of his refugee status from the Cairo office of the United Nations Refugee Agency, UNHCR. UNHCR denied his claim. Under their procedures at the time, he was permitted only a single "request for review"; if unsuccessful, he would be unprotected from arrest, detention, and deportation by Egyptian authorities and would have no access to resettlement to a country whose laws allowed him to rebuild his life.*

*Before he sought help at the organization where I worked as a volunteer legal advisor, my client knew little about UNHCR's refugee status determination procedures or his rights under international refugee law. He did not know that, at the time, UNHCR in Egypt generally declined to recognize the refugee status of people fleeing*

*war or other unrest, even when they met the legal definition of a refugee under the OAU Convention, to which Egypt was a party. He did not know that the 1951 Convention, which UNHCR was applying in Egypt at the time, recognized those at risk of persecution as refugees because of their membership in a “particular social group,” such as teenage Mandingo boys in Liberia. He likely would have had difficulty articulating why and how he met the 1951 Convention definition, and therefore why UNHCR should recognize his status as a refugee even if they were declining to uphold the recognition requirements of the OAU Convention.*

*I spent several hours working with and for my client, preparing an affidavit of his testimony and drafting a legal brief that articulated the reasons he was entitled to recognition of his refugee status under the 1951 Convention as well as the OAU Convention. Eight months later, UNHCR recognized him as a refugee, protecting him from deportation and putting him on the path to eventual resettlement in the United States where, unlike in Egypt, national law granted him permanent residence, the right to work, equal protection of the law and a range of other rights.*

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## Refugees have a heightened need for legal empowerment

While the connection between legal empowerment and access to justice is well documented in the Namati meta-study and elsewhere, the importance of legal empowerment for refugees also bears examination. The Commission on Legal Empowerment of the Poor described the connection between marginalization, lack of access to justice, and poorer life outcomes thus:

*This Commission argues that four billion people around the world are robbed of the chance to better their lives and climb out of poverty, because they are excluded from the rule of law.... [T]hese men, women, and children lack the protections and rights afforded by the law.... [T]heir resources, modest at best, can neither be properly protected nor leveraged. Thus it is not the absence of assets or lack of work that holds them back, but the fact that the assets and work are insecure, unprotected, and far less productive than they might be.*

Building on the Commission’s work, the Task Force on Justice cited the above text and added: “We estimate that today [2019] at least 4.5 billion people are excluded from the opportunities the law provides,” because they, “lack access to the basic ‘legal infrastructure’ that underpins inclusive growth, poverty reduction, and social inclusion.” The Task Force also articulated more precisely the specific attributes of those who are excluded: people who lack legal identity; people who lack proof of housing or land tenure; and people who are employed in the informal economy. Refugees often possess all three of these attributes.

Obtaining legal documentation is often a major challenge for refugees. Unfair treatment in regard to housing and social welfare is common. In many places, refugees are not permitted to own some types of assets, or to lawfully operate a business. Similarly, many are not authorized to work, or can work only in a limited range of sectors. Few refugees globally are adequately protected by the law in regard to their rights in the workplace, and those in places where the law *de jure* guarantees work rights often find that the *de facto* compliance with and enforcement of such rights is lax, nonexistent, or supplanted by the use of immigration laws to coerce refugees into exploitative situations.

Thus, even more than other populations, refugees frequently find themselves held back not by, “the absence of assets or lack of work...but the fact that assets and work are insecure [and] unprotected,” just as the Commission noted. Moreover, refugees’ justice problems frequently intersect, each compounding the others. A refugee who lacks documentation, for example, will find it difficult to obtain anything other than informal work. A refugee who lacks proof of housing may have trouble obtaining documentation.

Perhaps most importantly, refugees are displaced outside their own countries as a result of circumstances beyond their control. By definition, a refugee is not a citizen of the place they reside. Unless a refugee already has permission to reside in a country other than their own, they will find themselves in a country of refuge without authorization to reside there indefinitely — which means they immediately need to know and use the laws of their country of refuge relating to residence or lawful stay. If the law does not provide a way for them to reside indefinitely (as in Malaysia and Lebanon), or legal recognition and lawful stay is difficult or impossible to access in practice (as in Thailand and Mexico), they will also need to shape the laws in order to achieve justice. In this context, the tools and strategies that comprise legal empowerment are especially necessary.

## Refugee legal empowerment today falls short of justice

When Asylum Access, a global group of civil society organizations dedicated to making refugees’ human rights a reality, began providing legal empowerment services to refugees in 2007, it was among only a handful of such organizations supporting refugees in major refugee-hosting countries to assert their human rights through use of national laws and justice mechanisms. Together with mostly small national civil society organizations such as AMERA Egypt, Frontiers Ruwad in Lebanon, Hong Kong Refugee Advice Centre (now Justice Centre Hong Kong), and Helsinki Citizens’ Assembly Refugee Law Project (now Refugee Rights Turkey), alongside university-affiliated programs such as the University of Cape Town Refugee Law Clinic and Makerere University’s Refugee Law Project, Asylum Access represented a nascent movement for legal empowerment for refugees, one whose inception is described in Zachary Kaufman’s “pathbreaking” book, *Social Entrepreneurship in the Age of Atrocities*.

At the time, these legal empowerment pioneers understood their services as a means of achieving justice for refugees. Most of these organizations fought primarily for their refugee

clients to access the right to stay in a country of refuge, a central component of the right to asylum. The connection with justice was clear: Without information about their rights and the legal process for accessing asylum or other protection against deportation, the refugee clients with whom these organizations worked would be at risk of forcible return to a country where they were threatened with persecution: Torture, deprivation of liberty, rape, death. While some of the organizations that comprised the early movement for refugee rights did not litigate cases in court, this decision was typically driven by a lack of legal avenues by which litigation could be undertaken — not because the organizations shrank from challenging injustice.

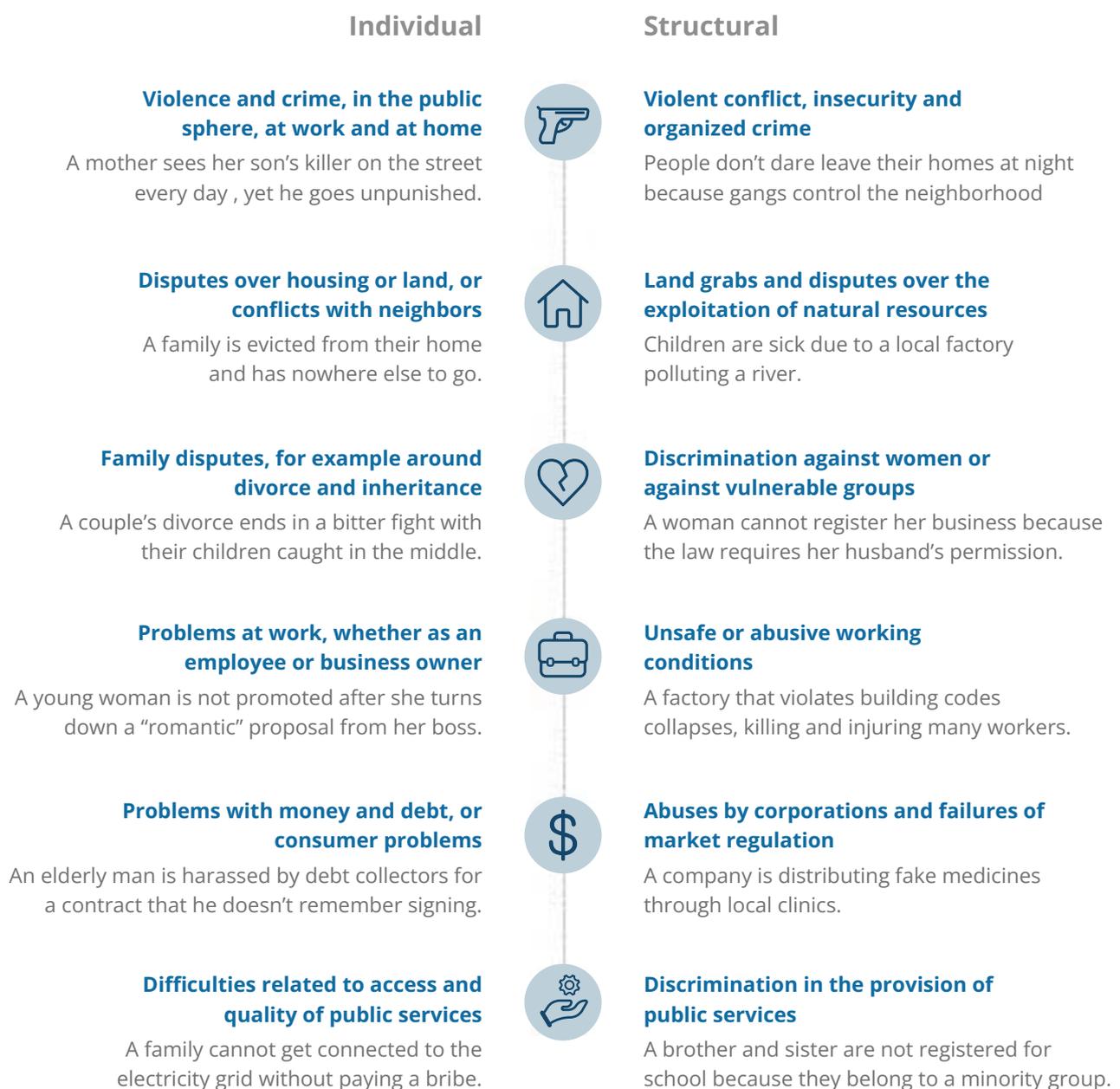
In the decade and a half since then, a wide array of new actors has begun providing legal empowerment to refugee communities. This growth can be linked in part to increased funding for such services: Over the past 15 years, government donors — collectively the largest funders of refugee assistance — have increasingly incorporated legal empowerment among the types of services eligible for humanitarian assistance funding. Simultaneously, an increasing number of human rights funders have become aware of the prevalence and depth of human rights violations inflicted on refugees, the extended duration of displacement, and thus the importance of legal empowerment and other human rights interventions for refugees.

Some of the new actors in the refugee legal empowerment field, like Justice Center for Legal Aid in Jordan and Kituo cha Sheria in Kenya, are legal empowerment organizations that have added services for refugees alongside services for nationals. Others, like Basmeh & Zeitooneh in Lebanon and St. Andrews Refugee Services in Egypt, are humanitarian aid organizations that have added legal empowerment to their range of services for refugees. Increasingly, refugee legal empowerment organizations are refugee-led — Refugee & Asylum-Seeker Information Center in Indonesia and Refugiados Unidos in Colombia among others. Dominating the numerical increase in refugees who can now access legal empowerment compared with 2007, however, is the Norwegian Refugee Council (NRC), an international non-governmental organization which reports that it benefits around 2 million people annually with “information, counselling and legal assistance (ICLA)”. This number can be misleading: NRC does not itself provide legal empowerment to 2 million refugees, but rather contracts with national civil society organizations in a variety of countries — including some of those mentioned above — to provide legal empowerment services.

As legal empowerment has reached more refugees, however, its role as a mechanism for achieving justice appears to have diminished. Some organizations providing legal empowerment to refugees — both newcomers to the sector and long-established organizations that were among the original pioneers of refugee legal empowerment — today now limit their services to legal information and bureaucratic accompaniment. These services can sometimes address individual justice problems, but they largely fail to challenge the systemic injustice that is often inherent in bureaucratic mechanisms or their absence. Because such limited programs fail to utilize the full range of legal empowerment modalities, they are unable to respond when bureaucratic accompaniment fails to achieve justice, either in a particular instance or as a systemic failure. In Namati’s terms, these programs may help refugees to know the law and to use it for limited purposes, but do not empower them to fully use the law to achieve justice, nor to shape it.

For example, legal information can ensure that a refugee knows where to register a child's birth and obtain a birth certificate. Accompaniment by a legal worker can ensure the refugee completes the necessary paperwork in the appropriate way. It also can reduce — but not eliminate — the risk that a refugee will be charged extortionate rates for the certificate. Such accompaniment, however, is a threat without teeth if the organization running the program cannot or will not take further action to address extortion when it happens, leaving the extorted refugee unable to complete their justice journey.

Beyond the impact on an individual's justice journey, the limitation of legal empowerment to information and bureaucratic accompaniment ignores the structural side of injustices affecting refugees. Like all justice problems, those that confront refugees typically have both individual and structural components. The Task Force on Justice outlines the individual and structural components of the six most common justice problems:



For refugees, difficulties related to legal documentation are among the top justice problems. In the birth certificate extortion example above, limiting legal empowerment to information coupled with bureaucratic accompaniment not only leaves some refugees without a resolution to their justice problem — such limited services also fail to address a pattern or practice of extortionate charges for those refugees who are not accompanied, or to challenge the inherent injustice in laws that prescribe a higher fee for refugees than for nationals. Thus, the barriers to justice are left firmly in place not only for refugees on a justice journey today, but also for those who will seek justice in the future. To dismantle such barriers — to challenge the systemic components of injustices affecting refugees — requires an ability and willingness to elevate complaints to administrative or judicial forums or to organize refugees and their allies to collectively advocate for change.

Just as limiting services to information and bureaucratic accompaniment restricts the potential of legal empowerment to achieve justice, so does a limitation on the types of issues a legal empowerment program will address. Today, many refugee legal empowerment programs focus primarily on personal status issues, such as registration of births, marriages, divorces, and deaths, which typically involve relationships between refugees or between refugees and similarly-situated (ie, not powerful) nationals with whom they have formed a family. Fewer programs focus on the relationship between refugees and the state, or between refugees and powerful private actors, such as employers or banks. This means refugees are empowered to know and use the law only vis-à-vis other individuals with similar levels of power — not in relation to more powerful individuals and entities, or as a means of equalizing power.

Early refugee legal empowerment programs in refugee-hosting regions largely tackled the relationship between refugees and the state head-on: they focused on supporting refugees to obtain asylum or recognition of refugee status, which fundamentally defined a refugee's relationship with the state in which they had sought refuge. A natural expansion of this justice-focused approach would include addressing refugees' exclusion from state systems of healthcare and education, their confinement in internment camps under state policies that violate international law, and the discrimination and exploitation they face by powerful actors such as employers, banks, and police. Such areas of focus, however, seem to be the exception rather than the rule in today's legal empowerment programs.

By refusing to tackle the problems and legal needs that arise when refugees engage with more powerful entities, legal empowerment programs relinquish their power to advance justice in the situations where their efforts could have the greatest systemic impact. For example, consider the issue of refugees' rights related to work. Refugees are entitled to rights related to fair pay, safe working conditions, non-discrimination, and access to so-called "decent" work under a variety of international instruments, from the 1951 Refugee Convention to the International Covenant on Economic, Social and Cultural Rights to the International Labor Organization conventions, and more. Many countries have at least some national laws related to work rights. Few refugee legal empowerment programs, however, provide legal support to refugees to challenge work rights violations, despite widespread evidence that safeguarding refugees' work rights has advantages

for virtually every stakeholder in a labor economy. At the same time, refugees routinely face wage theft, exploitation, and abuse in the workplace. Violations of work-related rights are one of the most common areas of concern for Asylum Access' refugee clients, and a well-documented problem for refugees around the world — but few legal empowerment programs support refugees to prevent, respond to, and redress these violations.

## **To achieve Justice For All, we must invest in empowering refugees**

Limited legal empowerment efforts for refugees pose a major barrier to achieving justice for refugees — and thus justice for all as envisioned by SDG 16. Fortunately, reversing the limitations on legal empowerment appears increasingly possible. The emergence of increased global dialogue about justice for all is prompting a reconsideration of the justice barriers that marginalized groups, in particular, confront. Among these marginalized populations are refugees.

As demonstrated above, legal empowerment is closely connected to achieving justice. In particular, legal empowerment ensures a person knows the law, and increases their willingness and likelihood to use the law and shape the law. To achieve justice, therefore, refugees must know, use, and shape the law across all aspects of their lives. They must have the information and support to understand the problems they face as justice problems, and to undertake a complete justice journey that arrives at a just resolution. This means that legal empowerment for refugees should not be limited only to certain legal issues or areas, but rather should look holistically at the problems refugees face and the ways in which injustice is at the root of those problems — and then design legal empowerment programming that supports refugees throughout their justice journeys.

Moreover, refugees must be able to count on the support and alliance of legal empowerment organizations to dismantle systemic barriers to injustice, shaping the law not only for themselves but for their current and future communities. This means legal empowerment programs should support refugees to know, use, and shape the law in relation to powerful actors, not just peers. Legal empowerment for refugees must engage with injustice perpetrated by the state and by powerful private actors, using all modalities to empower refugees to stand up individually and collectively for their human rights, so they can access the justice to which they are entitled.

The Task Force on Justice identifies four priorities for expanding legal empowerment:

1. Help people understand the law;
2. Support people to seek solutions;
3. Invest in legal aid for the most vulnerable — or perhaps a better framing would be the most marginalized, those whose power has been curtailed by the actions of others;
4. Increase participation in justice.

Our recommendations for expanding justice for refugees address all of these priorities, on both individual and systemic levels. To achieve justice will require shifts by all those whose actions affect refugee populations. Following are specific recommendations for key stakeholder groups.

## **Justice Ministries**

1. Host government justice ministries are charged with achieving SDG16 and ensuring justice for all. Refugees should be included in SDG16 plans and measurements.
2. Justice ministries should prioritize the expansion of legal empowerment for refugees as part of the development of justice mechanisms and other SDG16 implementation efforts. Negotiations for development funding related to access to justice should include expansion of legal empowerment for refugees alongside other marginalized or underserved groups.
3. Justice ministries should collaborate with counterparts in national human rights and development institutions to ensure refugees have access to legal empowerment commensurate with their marginalized status and considering their particular needs in relation to other populations.

## **Donors**

1. Donors play a critical role in supporting the global achievement of the SDGs. SDG16 was adopted without concrete funding commitments; now is the time to change this. Donors should prioritize funding to increase justice for refugees in countries hosting significant refugee populations.
2. Data shows that providing legal information and bureaucratic accompaniment is not sufficient to achieve justice for refugees. Donors should invest in strategies that work to resolve justice problems for refugees, including legal empowerment through strategic litigation, community organizing, and other systemic change approaches.
3. Legal empowerment is a means for refugees to access justice in their relationships with more powerful actors, in particular their host states. Donors should invest in legal empowerment that supports refugees to assert their rights, achieve fair outcomes, and reform unjust systems, including where injustices are committed by the state.

## **Civil society and non-governmental organizations**

1. Expand legal empowerment modalities and issue areas to advance justice for refugees across all areas of their lives, addressing both individual and structural aspects of the justice problems affecting them.

2. Organizations that provide only legal information and bureaucratic accompaniment should partner with peer organizations that can provide complementary services, such as legal representation, community organizing, and advocacy or government engagement to change laws.
3. International organizations should recognize and uplift the critical role of proximate organizations in providing frontline legal empowerment, and should lead the fight to secure resources that expand legal empowerment modalities and issue areas.

<sup>1</sup> Task Force on Justice, *Justice for All – Final Report*. (New York: Center on International Cooperation, 2019), available at <https://www.justice.sdg16.plus/>

<sup>2</sup> See, eg, Golub, Stephen, "What Is Legal Empowerment? An Introduction." *Legal Empowerment Working Papers*, International Development Law Association, 2010. [https://www.files.ethz.ch/isn/138100/Golub\\_Introduction.pdf](https://www.files.ethz.ch/isn/138100/Golub_Introduction.pdf); Namati, "What Do We Know About Legal Empowerment? Mapping the Evidence." Working Paper, May 2014. <https://namati.org/wp-content/uploads/2014/05/Evidence-Review2.pdf>