



Kingdom of the Netherlands



MISIÓN PERMANENTE DE COLOMBIA ANTE LA ONU

Access to Justice in Situations of Forced Displacement: From Evidence to Action

Concept Note



New York University’s Center on International Cooperation (CIC), Pathfinders for Peaceful, Just, and Inclusive Societies, UNHCR, UNDP, The Hague Institute for Innovation of Law (Hiil), and the Permanent Missions to the UN of the Government of Canada, the Government of Colombia, and the Kingdom of the Netherlands, are delighted to invite you to an expert-level discussion entitled *Access to Justice in Situations of Forced Displacement: From Evidence to Action*.

Location and Registration

This hybrid event will take place at the Permanent Mission of Canada to the United Nations **between 10:00 am and 12:00 pm EDT on 1 February 2023**. To RSVP for this event, please [register here](#) before January 30th at 5:00pm EDT. **For those attending in-person, there will be a coffee and networking just prior to the event from 9:30-10:00am EDT.**

Permanent Mission of Canada to the United Nations

Entrance 1: 237 Park Avenue, New York, NY, 10017

Entrance 2: 466 Lexington Avenue, 20th floor, New York, NY 10017

Zoom Link: <https://us06web.zoom.us/j/81899101467?pwd=Rlo3Q2xJVktjSlJNNzhDbEJXRkw1UT09>

Meeting ID: 818 9910 1467

Passcode: 176768

Context

More than 100 million people around the world are forcibly displaced as a result of conflict, violence, fear of persecution, and human rights violations. The situation is particularly acute in low and middle-income countries, where over 80 percent of forcibly displaced persons live uprooted for extended periods of time, often for decades. Refugees, asylum seekers, IDPs, stateless persons, and returnees have legal issues, like those of any other human being. However, forcibly displaced persons have exceptionally limited access to resources and support. They also face unique challenges deriving from their status, or lack thereof, and are often deprived of their most basic rights. Many of them live with “hidden” legal problems in regards to land rights and employment disputes. They face discrimination in access to public services and development opportunities and are more likely to be victims of abusive practices and violent crime. Displaced women face higher risks of sexual and gender-based violence (GBV) and are less likely to request or receive protection from law enforcement.

In crisis-affected settings the risk of exclusion, discrimination and the violation of the rights of displaced populations becomes even higher. Many official and unofficial paths to justice are unavailable to them. Authorities often lack the capacity, and sometimes the willingness, to deliver justice and security for all or to respond to situations of forced displacement. Given the protracted nature of displacement today, these legal problems, if not addressed, can turn into chronic sources of insecurity and poverty, including for host communities.

The 2030 Agenda highlights the importance of leaving no one behind and providing equal access to justice for all for the development of peaceful, just, and inclusive societies. People-centered and accountable institutions contribute to state legitimacy, conflict prevention, and peacebuilding. They are key to preventing and solving issues of forced displacement. However, access to justice and its significance in situations of forced displacement receives insufficient attention.

There are two key issues in this regard confronting humanitarian, development, and justice actors alike. First, too often **governments and aid organizations lack sufficient and specific data** to identify the justice needs of refugees, internally displaced, and host communities, as well as the capacities of authorities to respond. Context-specific and people-centered justice data is needed to understand the justice needs of these populations, the distinct hurdles they face when trying to address those needs, and the impact of unresolved justice problems. This data and evidence are key to raise awareness, advocate, and to design and implement effective programming. Second, there are **barriers to translating analysis into action**. Once the specific needs of displaced persons are identified, the focus must shift to delivering fair outcomes. Such outcomes require evidence-based working, cross-system coordination is needed to facilitate people-centered solutions for both everyday justice problems and those specific to legal status, and innovative approaches to delivering access to justice for all.

About the event

This event aims to explore these gaps and challenges in knowledge and practice, shed light on the importance of collecting data on the justice needs of displaced populations, and identify ways to translate evidence into action by discussing the role national and international actors can take to ensure access to justice for all.

The event is one of a series co-convened by NYU-CIC and Pathfinders as part of our [Justice for Refugees Initiative](#), which aims to bring together actors in the humanitarian, development, and justice sectors to advance interdisciplinary collaboration in addressing displaced persons' justice needs. This event also builds on existing partnerships between UNHCR and HiiL to identify the justice needs of forcibly displaced populations and between UNHCR and UNDP on rule of law and local governance under the Global Collaboration Framework for Inclusion and Solutions (2023-2025).

The event will present and discuss two initiatives:

The recent **justice needs surveys conducted by HiiL in partnership with UNHCR**, in [Ethiopia](#) and [Burkina Faso](#) targeting IDPs, refugees, and host communities. A third survey is currently underway in Iraq. Using innovative methodologies to identify the key justice challenges facing refugees and IDPs, and how these compare to those of host communities, these surveys provide critical insights for internal planning purposes, support strategic engagement with rule of law partners, and inform external advocacy efforts, in the focus countries and beyond.

The **baseline exercise jointly implemented by UNHCR, UNDP and other UN Agencies with the technical support of JIPS** (Joint IDP Profiling Service) for joint analysis and programming in Darfur, Sudan. In 2020, a [large-scale analysis](#) covering eight localities across Darfur's five states was initiated to provide a shared evidence-base to support peacebuilding and solutions for displaced and host communities under the UN Peace Building Fund (PBF) and the Central Emergency Response (CERF). The locality studies have informed policy and programming led by the Government of Sudan with the support of the humanitarian, development and peacebuilding actors in-country.

Following initial presentations, a panel of experts from the justice and refugee sectors will contextualize these studies and their implications for advocacy and policymaking and consider how the global community can better identify and address the justice needs of displaced populations. An open discussion will follow, aimed at exploring the intersection of the people-centered justice movement and the justice situations of forcibly displaced populations. Key topics will include the importance of data and evidence on access to justice in situations of forced displacement, the promise of existing initiatives, and reflections on how to coordinate and maximize efforts between international and national actors when it comes to addressing the needs of refugees, IDPs, and host communities.

In particular, the discussion will consider the following set of issues:

Understanding the challenges

- Why is comprehensive, up-to-date evidence on people-centered justice and equal access to justice for those in forced displacement so critical, what are the main obstacles in gathering meaningful data and how can these challenges be overcome?
- What does access to justice look like from the perspective of forcibly displaced persons?

Looking towards solutions

- How can actors at the local, national, and international level integrate evidence-based policymaking into their forced displacement responses?

- In the lead up to the SDG Summit and Global Refugee Forum, how can we most effectively and collectively advocate for the mainstreaming of approaches and disaggregated data that ensure proper identification of the justice needs of forcibly displaced populations?

Agenda

- 9:30 - 10:00:** Coffee and Networking (in-person only)
- 10:00 - 10:05:** Introduction by the moderator, **Leah Zamore**, Associate Director for Humanitarian Policy, NYU-CIC
- 10:05 - 10:14:** Welcome remarks by **H.E. Amb. Bob Rae**, Canadian Ambassador to the United Nations
- 10:14 - 10:20:** Remarks by **Ruvendrini Menikdiwela**, Director of UNHCR's New York Office
- 10:20 - 10:45:** Understanding the Challenges: Data on Justice in Forced Displacement
- Presentation by **Agnès Hurwitz** (UNHCR) and **Martin Gramatikov** (Hiil), Justice Needs and Satisfaction Surveys for IDPs, Refugees and Host Communities
 - Presentation by **Lara Deramaix** (UNDP) and **Svend-Jonas Schelhorn** (JIPS), on data and evidence for programming in situations of forced displacement.
- 10:45 - 11:50:** Looking Towards Solutions – the role of local, national, and international actors
- Panel discussion by respondents (see below)
 - Open discussion of participants
- 11:50 - 12:00:** Conclusions and Next Steps: Implications for Programming, Policy and Advocacy
- **Swati Mehta**, Director, Pathfinders Justice for All, NYU-CIC

Respondents

- **Ceciel Groot**, Senior Policy Officer, Rule of Law and Peacebuilding Unit, Ministry of Foreign Affairs, Kingdom of the Netherlands
- **Willy Mutunga**, Justice Leader and Former Chief Justice of the Kenyan Supreme Court and Commonwealth Secretary-General's Special Envoy to the Maldives
- **Sana Ali Mustafa**, Chief Executive Officer, Asylum Access
- **Salaheddin Al-Bashir**, Justice Leader and Former Minister of Justice and Chairman of the Board for the Justice Center for Legal Aid, Jordan; Founder and Senior Partner of International Business Legal Associates (IBLAW)
- **Annette Mbogoh**, Executive Director, Kituo cha Sheria – Legal Advice Centre
- **Nathalia Sánchez García**, Second Secretary, Permanent Mission of Colombia to the United Nations

Background Materials

- [Justice Needs and Satisfaction of Refugees in Ethiopia](#)
- [Justice Needs and Satisfaction of IDPs and Host Communities in Burkina Faso](#)
- [UNDP-UNHCR Workshop on Advancing Access to Justice in Situations of Forced Displacement](#)
- [Durable Solutions & Baseline Analysis | Locality Reports \(PBF & DSWG Sudan, 2021\) - JIPS - Joint IDP Profiling Service](#)
- [Community Engagement in Data Processes in Displacement Contexts \(JIPS, 2022\) - JIPS - Joint IDP Profiling Service](#)
- [Pre-Fieldwork Missions & Village Sketching: Finding New Ways to Prepare Data Collection in Darfur, Sudan - JIPS - Joint IDP Profiling Service](#)
- [Sudan: Working With Communities, In-Country Partners & Government to Convert Data into Action in Darfur - JIPS - Joint IDP Profiling Service](#)