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Local governance and rule of law contributions to prevent, address and solve forced displacement and statelessness situations

UNHCR-UNDP Programmatic Framework 2020-2023

Background

The 2030 Sustainable Development Agenda recognizes that displacement and exclusion are key development challenges in the world to date. It also provides a powerful overarching framework to address the complex inter-relationships between humanitarian, development and peace. The 2018 *Global Compact on Refugees* as well as important global policies and campaigns on statelessness and internal displacement¹ underscore these inter-relationships and call upon humanitarian, development and peacebuilding actors to leverage each other's strengths. Similar calls are made by the *Agenda for Humanity*, the *United Nations resolutions on Sustaining Peace*, and the *OECD DAC recommendation on the humanitarian-development-peace nexus*.

In particular for refugee hosting situations this has led to a significant increase in development financing and technical assistance in sectors such as livelihoods, social protection, education and health. However, this has not been the case for development financing, policy making and programming for governance and rule of law. Yet, governance and rule of law are the foundation of the asylum and protection regime, without which rights and access to public services for asylum seekers, refugees, IDPs, stateless persons, returnees and the local communities with whom they live cannot be fulfilled². Governance and rule of law are also essential to prevent and resolve forced displacement and statelessness³.

As such, UNDP and UNHCR have stepped up collaboration in the area of governance and rule of law since 2015 and in particular at the local levels. In 2017, the organizations confirmed local governance and rule of law as one of the key areas of focus of UNDP-UNHCR collaboration⁴. This has boosted the collaboration significantly. To date, over 25 UNDP and UNHCR field operations are implementing or designing joint initiatives that range between close coordination to joint programmes on local governance and rule of law. The collaboration has led to more coherence across the humanitarian-development-peace nexus and has in many cases also yielded positive protection and development results. However, there are also many knowledge gaps, operational and financing challenges that need to be addressed in order to improve the joint response.

Objective of the programmatic framework

The main objective of this framework is to improve the joint response to local governance and rule of law longer term developmental needs in support of the areas of action as set out in the *Global Compact on Refugees (GCR)*, and as also applicable to internal displacement and stateless situations:

¹ For instance, the *#IBelong Campaign* on statelessness, the recently revised *Guidance Note of the United Nations Secretary General on Statelessness*, the recently established *UN Inter-Agency Working Group on Statelessness and legal identity working group*, as well as the *20th anniversary of the Guiding Principles on Internal Displacement Plan of Action (GP20)*.

² [UN GA Executive Committee of the High Commissioner's Programme, Note 96/1145, 63rd meeting, 8 June 2015, EC/66/SC/CRP.10](#)

³ See also: Jonas Gamso, Farhod Yuldashev, *Development aid will not deter migration but Governance Aid will*, November 2016; *The complex effects of development aid on migration*, December 2018; World Bank – United Nations, *Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict*, 2018. Chapter 4: *Why People Fight: Inequality, Exclusion and a Sense of Injustice*.

⁴ 2017 Joint communication to revitalize between UNHCR and UNDP.

- Preparing for the arrival of refugees and IDPs
- Meeting needs and supporting displaced, stateless and host communities
- Prevention of and solutions for forced displacement and statelessness situations

The Framework helps UNDP and UNHCR to work together at the global level to consolidate the joint work in the area of local governance and rule of law, generate knowledge, share lessons, and promote, sustain and scale up successful practices that generate results across the humanitarian-development-peace nexus. Doing so the framework will not only contribute to the objectives of the Global Compact on Refugees but also to the objectives of the 2030 Sustainable Development Agenda and its underpinning principle to leave no one behind.

The programmatic framework is intended to be a four-year engagement with a mid-term evaluation at two years. Financing is sought for the first two years of the programmatic framework as set out in the budget and workplan below.

Target beneficiaries

Target beneficiaries under the framework are:

- Refugees, IDPs, returnees, stateless persons and the communities among which they live. This is in line with the Global Compact on Refugees which clearly recognizes the inter-linkages between internal displacement, statelessness and refugee movements.
- Governance and rule of law institutions, in particular at local levels: Local and Regional Governments, Ministries of Interior/Immigration, Ministries of Justice, informal authorities and courts, police/border control, prosecutors, courts, prisons, National Human Rights Institutions, bar associations, legal clinics, and civil society organizations.

The rule of law and local governance needs

70 million people are forcibly displaced, including 25.4 million refugees, 3.1 million asylum seekers⁵ and more than 40 million IDPs.⁶ 3.9 million people are known to be stateless though the real number is likely to be many millions more. 99% of internally displaced persons and 89% of all refugees are hosted in developing countries, generally in the most poor, remote and fragile areas. Of these almost 58 percent of IDPs and 34 percent of refugees are in fragile states. The regions hosting the largest number of known stateless people are Africa and Asia, many of whom also reside in developing states. On average, displacement for refugees lasts 20 years and for 90 percent of IDPs, displacement lasts for more than 10 years.⁷

The GCR explicitly emphasises the complementarity between security, justice and international protection and includes local governance and rule of law institutions as key relevant stakeholders in the implementation of the GCR. Justice and security institutions, cities and towns are at the forefront of refugee crises; the role of local and regional governments in creating inclusive communities has never been as important. On World Refugee Day 2019, over 175 cities from around the world undersigned a solidarity statement⁸ to acknowledge their responsibility to receive and include new residents in the provision of services, and to recognize that welcoming refugees can create opportunities for economic, civic and social growth, and that the diversity of experiences and ideas that refugees bring can spur creativity and innovation. Adequate local governance and rule of law capacities are indispensable to achieve the Areas of Action set out in the GCR and also applicable to internal displacement and stateless situations:

⁵ <http://www.unhcr.org/uk/figures-at-a-glance.html>

⁶ <http://www.internal-displacement.org/global-report/grid2018/>

⁷ https://ec.europa.eu/echo/what-we-do/humanitarian-aid/refugees-and-internally-displaced-persons_en

⁸ Cities #WithRefugees solidarity statement: <https://www.unhcr.org/withrefugees/cities/>

Preparing for the arrival of refugees and IDPs

The GCR calls for States and stakeholders to strengthen measures to prepare for mass influx. Improved and strengthened preparedness necessarily means increased support to institutions that are at the forefront of receiving refugees and IDPs: border control or security checkpoints providing access to towns/villages/countries and importantly local governments. They need to be enabled to strengthen their capacities and resources to be able to flexibly increase and adjust their services and plans when faced with imminent reception of large numbers of refugees or IDPs. However, national and local level preparedness plans are generally focused on preparedness for (climate related) disasters. In particular local level preparedness plans in areas with recurrent influx should ideally integrate measures to prepare for the arrival of refugees and IDPs.

Meeting Needs and Supporting Displaced, Stateless and Host Communities

The GCR calls for shared and inclusive socio-economic development in hosting areas. Functioning local governance and rule of law institutions are a prerequisite to achieving this.

First, domestic legal frameworks, policies, institutional and administrative measures often restrict the opportunities for displaced populations and stateless persons to exercise their rights and to participate in and contribute productively to their host communities and societies. Statelessness is a direct consequence of exclusionary policies and discriminatory laws and practices. When enabled with resources and capacity, legislative institutions, human rights institutions, civil society and bar associations have been indispensable in achieving legislative and policy improvements in line with international standards.

Second, local governments in hosting areas often lack capacity to manage and deliver public resources to ensure basic public service delivery. Strong capacity to generate resources, budget, plan, manage, coordinate and adapt public services in an inclusive and accountable manner are essential for local socio-economic development. This is especially important in refugee and IDP hosting areas where municipalities and towns have often grown in a rapid, unplanned manner. This can create pockets of exclusion where services are not adequately delivered and space for social integration and inclusive economic growth is limited. In some situations, ethnic and demographic balances are completely changed due to the IDP and refugee influxes. Such rapid changes in social fabric demands changes to systems for accountability, transparency, oversight, participation and legitimacy. Similarly, initiatives to include stateless persons in services available to the rest of the community are vital to ensuring integration and to disrupt cycles of intergenerational marginalisation. This can prevail even once stateless persons have acquired nationality unless they have had an opportunity to develop skills and fully participate in the societies in which they live. Research has shown that participatory planning and management of public resources and functioning grievance mechanisms are as important to social cohesion and trust as the delivery of the public service itself⁹. However, public service delivery at local levels is often severely underfunded or challenged by weaknesses in local capacity. Financing for inclusive local governance is even scarcer and severely under-prioritised by both Government and donors.

Third, justice and security are particularly important public services that are key enablers for other public services and inclusive economic development. Justice and security institutions have a central role to play in ensuring the protection of IDP, stateless and refugee rights and ensuring the civilian character of asylum. Women and girls have often experienced sexual abuse, and other gender-based violence before and during flight and are depending on the living situation in their new location often at a higher risk thereof. However, often justice and security institutions might not be aware of the specific rights and vulnerabilities of refugees, stateless persons and IDPs or might not have the capacity to deliver justice and security at all. In many situations rule of law institutions are in fact the main cause of insecurity and injustice and principle violator of rights such as non-refoulement, freedom of movement, non-arbitrary detention, protection from exploitation,

⁹Lisa Denney, Richard Mallett and Dyan Mazuranai, *Peacebuilding and Service Delivery*, United Nations University, February 2015

(sexual and gender based) violence and evictions. In other cases, justice and security institutions play an indispensable role in providing community security and ensuring equal access to justice for forcibly displaced and stateless populations and local communities.

Prevention of and Solutions for forced displacement and statelessness

Governance and rule of law are crucial to understanding and preventing the reasons for displacement and statelessness¹⁰. Insecurity is the main reason for flight¹¹ and deprivation of rights and perceived or real injustices are at the roots of most of today's violent conflict¹². This deprivation can be deliberate, or because of poverty and weak institutions. Whatever the reason, when state-society relations are not governed based on rule of law - where there is no due respect for civic rights, participation, representation, inclusive distribution of public services and resources, and the justice system fails to protect minorities, journalists or other individuals – grievances arise and people are prone to move.

Similarly, in most cases statelessness and the needless suffering it brings could be prevented through simple changes in laws to ensure adherence to international standards for the prevention and reduction of statelessness and their effective implementation in practice. Nationality laws that are not faithfully implemented or do not live up to key international standards—such as the right of every child to a nationality or the right of women to pass on their nationality on an equal basis as men—lies for instance at the root of many cases of statelessness. Statelessness, particularly if it becomes protracted and intergenerational in nature, can become a trigger for conflict, violence and displacement.

Solutions lie in addressing these obstacles and to generally strengthen local governance and rule of law in places of origin and return to promote stability, economic recovery and sustained peace. When IDPs and refugees are returning, access to local governance and rule of law services such as civil documentation, justice, security, and restoration of housing, land and property rights are particularly important to promote proper reintegration and prevent secondary displacement. Similarly, the strengthening of gender responsive justice and security systems, increased women's participation in justice and security institutions and engaging men and boys as agents of change are crucial for both prevention and solutions. Last but not least, transitional justice processes are central to addressing long standing grievances, and preventing marginalization and discontent based on impunity thereby facilitating durable solutions, sustainable peace and development. The participation of displaced communities in transitional justice processes needs to be factored in from the outset.

The Offer

To improve the joint response to the rule of law and local governance needs outlined above, UNDP and UNHCR propose to supporting programming that focuses on knowledge and evidence generation, provision of country support and sharing of good practices and experiences on rule of law and local governance. This programmatic framework will build on lessons learned from existing UNDP-UNHCR collaboration on local governance and rule of law since 2015, and will leverage partnerships with sister agencies and other actors that offer complementarities¹³, through the implementation of three outputs:

10 See also The complex effects of development aid on migration, December 2018; Jonas Gamso, Farhod Yuldashev, Development aid will not deter migration but Governance Aid will, November 2016; World Bank – United Nations, Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict, 2018.

11 World Bank, Forcibly Displaced: Toward a development approach supporting refugees, the internally displaced and their hosts, 2017

12 World Bank – United Nations, Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict, 2018. Chapter 4: Why People Fight: Inequality, Exclusion and a Sense of Injustice. The complex effects of development aid on migration, December 2018; Jonas Gamso, Farhod Yuldashev, Development aid will not deter migration but Governance Aid will, November 2016.

13 UNDP and UNHCR at the field level work with various UN funds, agencies and programmes. For example, in Turkey UNHCR and UNDP collaborate on rule of law with UNFPA and in Ethiopia with UN Women, UNFPA and UNICEF. The *Global Focal Point for the Rule of Law* is also a coordination platform for country support with participation of UNHCR, UN Women, UNODC, OHCHR and co-chaired by UNDP and DPO with frequent attendance of PBSO and the EOSG.

- **Output 1: Local governance and rule of law institutions provided with adequate tools and knowledge to work across the humanitarian-development-peace nexus to address situations of protracted and recurrent displacement**
- **Output 2: Technical and financial support provided to sustain and promote successful programming in identified country or cross-border situations**
- **Output 3: Lessons and experiences captured and shared with national/local partners and practitioners on rule of law and local governance programming to prepare, prevent and address situations of displacement**

UNDP and UNHCR at the global level will target 18 situations that will be monitored and supported under output 2 and 3 of the programmatic framework. This corresponds to UNDP's pledge at the Global Refugee Forum to work with UNCHR to support at least 18 countries to reinforce local institutions and to support local governance, rule of law and human rights systems in line with the Global Refugee Compact and the 2030 Agenda for Sustainable Development by the next GRF in 2023. The Programmatic Framework allows for enhanced cooperation between UNDP and UNCHR at global and country levels in the promotion, implementation and tracking of this support to facilitate progress against pledge made at the GRF.

Output 1: Local governance and rule of law institutions provided with adequate tools and knowledge to work across the humanitarian-development-peace nexus to address situations of protracted and recurrent displacement

As set out above, local governance and rule of law needs related to forced displacement and statelessness are complex and immense. When analysing current collaboration, it is clear that different approaches are required to development programming for local governance and rule of law as well as to humanitarian programming for IDP, refugee and statelessness protection. Many questions are yet to be answered and lessons to be learned, e.g. when and how to include displaced and stateless populations in local planning processes and fiscal systems; when and how to promote participation of refugees in political and peace processes in countries of origin; how to integrate preparing for displacement in local preparedness plans; when and how to transition from camp based governance and rule of law systems to local systems; how can local institutions be best prepared for influx or mass return etc.

Under the programmatic framework, UNDP and UNHCR will gradually unpack those various questions through country-based studies and rapid assessments on selected topics. During the first two years of the programmatic framework UNDP and UNHCR set out to focus on four local areas faced with both protracted camps (IDP or refugee) as well as a recurrent influx. The studies will assess and document i) governance structures and processes, and rule of law systems and dispute resolutions mechanisms within camps, and how these interact with and are influenced by host communities governance and rule of law systems, ii) how local governments and rule of law institutions can be better prepared to address displacement and include it in their contingency, preparedness and development plans. Based on the findings of the assessment and documentation process, the studies will provide recommendations for improved humanitarian and development programming. Based on the studies, a data collection/assessment tools and a programming checklist will be developed for UNDP and UNHCR staff and other protection and rule of law and governance practitioners.

Output 2: Technical and financial support provided to sustain and promote successful programming in identified country or cross-border situations

Lessons from existing collaboration clearly show that the strong added value of the partnership lies at the ability of UNDP and UNHCR jointly to directly support capacities and action at the local level. UNHCR maintains close proximity to forcibly displaced and stateless persons, and operates in areas that are either not targeted by development financing at all or where development financing provided at the national Government level does not easily reach due to weak capacities to transfer and execute such financing at local levels. UNDP is one of the few development partners with the ability, expertise and experience to provide institutional development support in remote areas where most refugees, IDPs and returnees reside.

Indeed, and while there are still significant knowledge gaps (to be addressed under output 1), many UNDP and UNHCR operations have designed programming interventions that seem to yield promising development and protection results (see annex 1 for examples). In many cases, technical support and/or temporary deployment of expertise on human rights and/or protection, rule of law, local governance have been instrumental to initiate the collaboration and help design and implement the appropriate interventions. As the interest by UNDP and UNHCR field offices to take forward this collaborative approach across the HDP nexus and operationalize the new way of working increases, dedicated resources are required to respond to and meet the demands for this type of technical support.

A recurrent challenge has been to attract and maintain multi-year development financing to the often remote, under prioritized areas where displaced and stateless populations tend to reside. This support often falls through the ‘cracks’ within the nexus, especially in situations of protracted crisis, where the support is neither immediate emergency humanitarian support, nor is it long term development financing. Financing in such situations is often non-existent or too little and short term to establish the solid development approach that these situations need¹⁴. In order to incentivize cooperation, UNDP, through the *Global Programme on Rule of Law and Human Rights*,¹⁵ and UNHCR, have been providing seed funding to a range of joint efforts to initiate a development response. Collaboration and initial results have often been promising but generally longer term, multi-year support is needed to ensure a sustained response. As such, this programmatic framework proposes working with a set of 3-5 countries or cross-border situations (including on statelessness), where financing will be provided for those meeting sustainability criteria and with long term technical engagement and advisory support by through UNDP and UNCHR global teams under the partnership framework to maintain successful development interventions to bridge the HDP nexus.

Output 3: Lessons and experiences captured and shared with national/local partners and practitioners on rule of law and local governance programming to prepare, prevent and address situations of displacement

While there have been a number of different initiatives on rule of law and local governance, dedicated capacities are needed to comprehensive support knowledge generation and management on good practices and lessons from country experiences to inform policy and programming. This programmatic framework aims to systematically evaluate practices and capture and share knowledge to continuously adjust and improve approaches, stimulate cross-country learning and develop capacity of UNDP and UNHCR staff.

Knowledge will be shared at country level but also through global and regional events and networks led and/or attended by member states such as the *Global Refugee Forum*, *World Forum on Urban Violence and Education for Coexistence and Peace*, *United Cities and Local Governance World Summit and Network*, the *Development Partners Network on Decentralization and Local Governance*, the *SDG 16 Global Alliance* and *UNDP Annual Meeting on Rule of Law and Human Rights*. Similarly, knowledge will also be shared through UNDP and UNHCR

14 See also: External Assessment of the UNHCR-UNDP joint programme “transitional solutions initiative”, Bogota, Colombia, Final Report October 2016.

15 Since 2008, the UNDP Global Programme on Strengthening the Rule of Law and Human Rights for Sustaining Peace and Fostering Development has provided rule of law and human rights support to nearly 40 crisis-affected contexts. See here for 2018 Annual Report - https://www.undp.org/content/undp/en/home/librarypage/democratic-governance/access_to_justiceandruloflaw/rule-of-law-and-human-rights--2018-annual-report-highlights.html

communities of practices and staff knowledge portals, and other important UN inter-agency platforms such as the Global Focal Point for Rule of Law¹⁶ (GFP) and the Global Protection Cluster¹⁷.

Finally, joint training initiatives and participation in training opportunities will be provided to help to build a greater mutual understanding of each agency's respective way of working. This includes UNHCR protection trainings for UNDP staff and UNDP trainings to UNHCR staff on local governance and rule of law.

Programme Management

The Framework is managed by UNDP and UNHCR through a core team from both organizations' HQ acting as management committee. This Committee will approve the global work plan, discuss countries, sign off joint initiatives, facilitate engagement of different coordination platforms and strengthen Member States' engagement. The Committee will also offer technical advice, identify capacity needs and build a knowledge resource and expertise. In other words, the Committee will offer a high-level quality advice to different country offices to ensure incorporation of protection priorities are adequately addressed. The administration of the funds will be managed under the existing UNDP's two global programmes on Rule of Law and Core Government Functions.

¹⁶ Co-Chaired by UNDP and DPO with membership of UNODC, OHCHR, UN Women and UNHCR. <https://www.un.org/ruleoflaw/15653-2/>

¹⁷ See: <http://www.globalprotectioncluster.org/>

INDICATIVE WORKPLAN AND BUDGET FOR THE FIRST TWO YEARS OF THE PROGRAMMATIC FRAMEWORK	Timeframe								Planned Budget	
	Q1 2020	Q2 2020	Q3 2020	Q4 2020	Q1 2021	Q2 2021	Q3 2021	Q4 2021	Amount	Funding Source
Output 1: Local governance and rule of law institutions provided with adequate tools and knowledge to work across the humanitarian-development-peace nexus to address situations of protracted and recurrent displacement										
1.1 Studies/assessments in four locations faced with protracted camps (IDP or refugee) and recurrent influx	x	x	x	x					200,000	
1.2 Development of assessment/data collection tools and a programming checklist for protection sensitive local governance and rule of law support to situations with protracted camps and recurrent influx, based on the studies/assessments			x	x	x				150,000	
<i>Sub total</i>									<i>350,000</i>	
Output 2: Technical and financial support provided to sustain and promote successful programming in identified country or cross-border situations										
2.1 Financial support to 3-5 country/regional joint initiatives, including one joint initiative on statelessness		x	x	x	x	x	x	x	3,000,000	
2.2 Technical support to countries for developing and implementing programmes on local governance and rule of law		x	x	x	x	x	x	x	200,000	
<i>Sub total</i>									<i>3,200,000</i>	
Output 3: Lessons and experiences captured and shared with national/local partners and practitioners on rule of law and local governance programming to prepare, prevent and address situations of displacement										
3.1 Develop case studies and other knowledge products based on the partnership and share with relevant UNDP and UNHCR communities of practice and knowledge portals		x	x	x	x	x			100,000	
3.2 Stimulate cross-country learning by facilitating the sharing of experiences and lessons between subnational governments and rule of law institutions in responding to displacement situations				x	x	x	x	x	50,000	
3.3 Develop online training modules for UNHCR and UNDP staff on programming for protection sensitive local governance and rule of law support in displacement and statelessness					x	x	x	x	90,000	
<i>Subtotal</i>									<i>240,000</i>	
Project management and coordination (human resources)	x	x	x	x	x	x	x	x	<i>150,000</i>	

<i>SUBTOTAL</i>									<i>3,940,000</i>	
<i>GMS 8%</i>									<i>315,200</i>	
<i>TOTAL</i>									<i>4,255,200</i>	

Examples of existing UNDP-UNHCR collaboration on rule of law and governance

Democratic Republic of Congo (DRC)

Context

The DRC has experienced decades of instability and violence. This has led to refugee waves into neighbouring countries, as well as significant internal displacement. There are more than 886,000 Congolese refugees and asylum seekers hosted by countries in the region, some of which are returning mostly to North Kivu. In addition, there are more than 4.5 million Internally Displaced Persons (IDPs) in DRC, a majority in the East. DRC in turn hosts more than 538,000 refugees and asylum seekers, including from CAR, Burundi, South Sudan, and Rwanda.¹ Both North Kivu and Haut-Uélé in the North-East of DRC host significant numbers of refugees, with close to 52,000 South Sudanese in Haut-Uélé alone.

Despite of an abundant wealth of natural resources (including in North Kivu and Haut-Uélé provinces), socio-economic development has been undermined as a consequence of political instability and generalized violence. While a generally calm electoral period in December 2018 and the first peaceful transition of power since 1960 give rise to careful optimism, the overall state and security infrastructure remain weak. More than 100 armed groups are operating in the DRC and contribute to the volatile security situation.

Rule of Law and Local Governance Collaboration

Many villages that are hosting refugees are concentrated in areas in North Kivu and Haut-Uele that have received some stabilization support from UN Peacekeepers but have otherwise exclusively been served by humanitarian actors. They are difficult to reach and fragile and also include high numbers of IDPs and returnees. The protracted refugee situation combined with the often highly cyclical movements of IDPs and returnees contributes to limited livelihood opportunities, chronic food insecurity, challenges in public service delivery and risks of social tensions and general insecurity. Yet the areas can still be considered pockets of relative peace that should be capitalized on for further stabilization and development.

As such and in support of DRC's development and peace and recovery agenda, the UN mission transition objectives, as well as the Global Compact on Refugees, UNDP, UNHCR and MONUSCO/UNPOL developed in 2019 the *Joint Programme to Support Local Governance and Development in refugee hosting areas*. The project has a strong peacebuilding dimension and was developed based on data from a UNDP Peacebuilding and Justice Perception Survey conducted with the Harvard Humanitarian Initiative, and in partnership with local universities and the Institut National des Statistiques (INS). The survey identified rule of law and security challenges, assessed capacities of local governments to integrate refugees, returnees and IDPs into local development plans and highlighted the most immediate priorities for displaced populations and host communities. Specifically, the project is structured around four areas:

- Providing support to local governments on core capacities to extend and improve basic public service delivery;
- Strengthening the rule of law through building capacities of across the criminal justice chain (police, justice actors and corrections) on a range of issues, including human rights and the rights of IDPs and refugees;
- Strengthening existing community-based protection mechanisms, drawing on capacities within the host community and refugees, and increasing participation and inclusivity;
- Supporting local economic recovery, creating livelihood opportunities, including support to optimize sustainable agriculture.

The project is a good example of how effective collaboration across the humanitarian-development-peace nexus can help serve geographical areas and populations that have been left behind, and can be scaled up and replicated to promote peace and development across DRC more broadly.

El Salvador

Context

El Salvador, Honduras, and Guatemala form the Northern Triangle of Central America, a region which has seen mass displacement due to crime and gang-related violence at a scale which is comparable to violence levels conflict affected countries. In addition to cross-border migration and flight, all three countries have high levels of internally displaced persons (IDPs). At the end of 2018, approximately 71,500 persons were internally displaced in El Salvador; in 2018 alone more than 26,000 Salvadorans were returned from the United States and Mexico; and more than 46,800 Salvadorans fled the country in 2018 as a result of violence and rights violations, placing it the sixth highest refugee producing country worldwide.

Rule of Law and Local Governance Collaboration

UNDP has been supporting the Government of El Salvador in the implementation of the El Salvador National Plan for Citizen Safety, the *Plan El Salvador Seguro*. This includes enabling municipalities to track and analyse crime statistics and supporting local conflict resolution mechanisms. UNHCR has also been supporting the plan focusing on the integration of IDPs and returnees.

Building on this experience, UNDP-UNHCR-IOM developed the *Joint Peace Program for Post Conflict Generation* with funding by the Peacebuilding Fund (PBF). The project supports municipalities prioritized by the *El Salvador Seguro Plan* to strengthen rule of law mechanisms and capacities of local institutions to better equip them to deliver and expand services to victims of violence, including displaced populations. Project support included:

- The strengthening of 11 Local Offices for Assisting Victims (OLAVs) which are the first to assist and respond to needs of survivors of violence, specifically their psychosocial and legal needs, taking specific displacement related vulnerabilities into account. 9,415 people benefitted from OLAVs between 2017 and 2019. Due to their success the Government is establishing additional OLAVs.
- Support to the Government's systems for registering cases of children and adolescent's victims of violence which is crucial to better identify services and referrals. The system is currently operating.
- Successful pilots for reintegration of returnees in the municipalities of Guazapa and the metropolitan areas of San Salvador which resulted in the development of a National Protocol for the Reception and Attention to Returned Adult Migrants.
- The development of computer and management systems for internal police control currently being used in the metropolitan area of El Salvador, covering 60% of the police units, along with the establishment of civil society-Government dialogue to strengthen external oversight.

Efforts at the municipality and national level, are complemented by UNDP, UNHCR and IOM support at the regional level through the *Trinational project for resilience and social cohesion in North Central America*, also funded by the PBF. This is a cross-border initiative in Guatemala, Honduras, and El Salvador to respond to protection challenges encountered across the three countries by refugees and migrants, and increasingly returnees. The regional project provided a platform for intra- and inter- governmental coordination on topics such as civilian security and supported comprehensive capacity development to stakeholders, such as with border police officers.

Displacement has direct consequences for development and security at individual, sub-national, national and regional level. The collaborations in Central America are a good example of the importance of acknowledging and addressing these consequences while also strongly focusing on the root causes of displacement. These initiatives have good results at all levels with strong national ownership with commitments for sustained engagement either directly by the Government or through support from partners such as the PBF and USAID

Ethiopia

Context

As Ethiopia undergoes a significant national governance and rule of law reform process, there continue to be urgent demands at the local level to address key issues across the humanitarian development nexus facing refugees, internally displaced persons and host communities. Ethiopia hosts more than 705,820 registered refugees and asylum-seekers, including almost 45% South Sudanese refugees hosted in Gambella Regional State. The Gambella region is among the least developed regions in the country. It is a highly fragile area with recurrent conflict among various ethnic groups within the refugee community and between the refugee and host community. In the context of the Comprehensive Refugee Response Framework, the Government of Ethiopia made progressive commitments to facilitate refugee self-reliance and inclusion in national services. Given the fragile situation, these are so far not applied or mentioned in the context of Gambella where refugees continue to reside in camps without opportunities for socio-economic integration and relying exclusively on services provided by UNHCR and partners.

Rule of law and Local Governance collaboration

In response to a number of particularly violent conflicts in Gambella among and between refugee and host communities, UNDP and UNCHR conducted a number of joint and/independent assessments in 2016 and 2017 which led to the development of the *Gambella Community Safety and Access to Justice* project launched in 2019.

The project is being supported under the CRRF-umbrella by UNDP and UNHCR (who are co-located in Gambella) and in partnership with UN Women, UNFPA and UNICEF. The project puts emphasis on reinforcing capacities of local institutions and strengthening service delivery through improved coordination, collaboration, and referrals between formal and informal institutions in camps and host communities. It has strong engagement from the Gambella Regional Bureaus of Finance and Economic Cooperation, Justice, Security and Administration, the Gambella University, the Gambella Police Commission, the Regional Supreme Court, and the Administration for Refugees and Returnees Agency.

Despite security challenges and incidences of violence, the project has been successful in:

- Supporting legal aid services in five districts in partnership with Gambella and Jimma University, the Supreme Court and Attorney General's office, including legal awareness of of refugees and host communities on how to access the formal justice system to resolve disputes..
- Supporting the strengthening and establishment of community peace committees (including police commission, kebele administration, traditional dispute handlers, elders, youth leaders, religious leaders, women associations and refugee representatives).
- Developing lessons on mobile justice services to inform guidelines that have being used to design mobile courts for refugee camps; Mobile courts have received strong support from the government and for the last 6 months, regional and zonal high and district court judges, have litigated civil and criminal cases on a daily basis in and around targeted refugee camps.
- Supporting the Federal Police in delivering training of trainers to the local police and refugee community watch groups to strengthen community-oriented policing in and around camps.
- Continuing livelihoods interventions and completing assessments of five districts and seven refugee camps to see the potential available local economic opportunities; 340 beneficiaries across seven refugee camps and five districts benefitted from small business training.

The project demonstrates that inclusion of displaced populations as part justice services and community safety and security mechanisms can be an entry point for integrated local level services provided to host communities and refugees. This can help avoid a siloed approach and moved away from parallel service delivery in camps in areas where full socio-economic integration may not yet feasible.

Lebanon

Context

An estimated 5.6 million people have been displaced from Syria since 2011, seeking safety in Lebanon, Turkey, Jordan and beyond. Lebanon has the highest per capita rate of refugees with an estimated 924,161 registered refugees, a majority from Syria. In order to respond to the crisis, humanitarian and development partners are working through the *Regional Refugee and Resilience Plan (3RP)* as well as through country specific plans such as the *Lebanon Crisis Response Plan (LCRP)*.

Rule of Law and Local Governance Collaboration

UNDP and UNHCR have been collaborating on support to Rule of Law (RoL) and local governance within the overall frame of the 3RP and LCRP. In contribution to the LCRP and to support Lebanon and municipalities particularly to respond to the Syria Crisis, UNDP and UNHCR provided start-up capital to the *Lebanon Host Communities Support Project (LHSP) implemented by UNDP in partnership with the Government of Lebanon*. With this 'catalytic' funding a successful project could be established that then generated approximately 170 million to (1) create local economic opportunities; (2) strengthen the capacity of local and national actors to assess and respond to the needs and risks of communities; (3) improve local level dispute resolution and community security; and (4) strengthen the capacity of the Lebanese Government to respond to the influx of displaced Syrians. Results include:

- 192 vulnerable municipalities and 11 union of municipalities benefitted from LHSP interventions;
- 538 projects were implemented through LHSP, with 385 targeting the municipal and social services sector and 153 the livelihoods sector;
- 1,978,585 people benefitted of which 1,418,230 Lebanese (698,368 male and 719,862 female) and 560,355 Syrians (275,033 male and 285,322 female).

To reinforce the community security work of LHSP, UNDP developed the *Enhancing Community Security and Access to Justice in Lebanese Host Communities* project in consultation with UNHCR and other partners. UNDP and UNCHR's initial seed funding for the programme has led to raising approximately \$8 million for the programme. The project focuses on supporting the functioning of policing and security services at the local level, enabling access to marginalized populations to seek out legal aid and assistance, as well as developing an early warning and response mechanism to conflict and tensions to promote social cohesion. UNDP has been working closely with UNCHR to ensure that a strong protection lens and refugee concerns are integrated into project implementation. In practice this means:

- Ensuring that the reform of municipal police integrates refugee concerns into the policies and capacity development initiatives being developed, e.g. Standard Operating Procedures, Codes of Conduct, and municipal police training programmes.
- Developing early warning systems to process data and analyse trends in order to inform local authorities and put in place measures to prevent inter-community violence and promote social cohesion. This includes social media and stabilization monitoring, conflict and incident mapping, municipal data collection, Social Stability Working Groups, as well as analysis of protection trends gathered through protection reports.
- Taking forward a joint UNHCR-UNDP initiative on *Legal Aid for Social Stability* to provide free, inclusive legal aid for host communities and refugees, including an inclusive national policy and strategy on legal aid, local level and mobile legal aid desks, counselling and referrals and minor dispute mediation.

The programmes are good examples of 'burden and responsibility sharing' as called for by the Global Compact on Refugees which illustrate that by supporting the country's broader rule of law and governance systems there are strong benefits for both the host community and refugees. The programmes have also played a significant role in growing the legitimacy of municipalities and the police who are increasingly seen as able to provide services as well as becoming a trusted partner to resolve disputes within and between communities.

Pakistan

Context

Pakistan has been hosting refugees from Afghanistan since 1979, the majority residing in Khyber Pakhtunkhwa (KP) and Balochistan provinces. Currently Pakistan hosts approximately 1.4 million Afghan refugees. The Government's Comprehensive Policy for the Voluntary Repatriation and Management of Afghan Refugees of 2017 provides the legal framework for the rights of Afghan refugees. The main framework for the identification and implementation of lasting solutions for Afghan refugees in Pakistan remains the regional Solutions Strategy for Afghan Refugees (SSAR) which was developed and endorsed by the Governments of Pakistan, Iran and Afghanistan in 2012.

Rule of law and Local Governance Collaboration

UNDP and UNHCR have been collaborating on support to Rule of Law and Local Governance in Pakistan. This was done firstly through the *Refugee-Affected and Hosting Areas Programme (RAHA)*, developed by the Government and international partners. RAHA was launched in 2009, and focuses on improving basic service delivery and promoting social cohesion. Through RAHA, UNDP supported local governments in developing and implementing village development plans inclusive of refugees and their needs. UNDP also supported capacity development of provincial and local government officials in planning, coordination, management, as well as the engagement of civil society and human rights organizations in refugee hosting areas. Despite real needs, these interventions have slowed down due to lack of financing for RAHA.

Secondly, recognizing the need for UNDP and UNHCR to work jointly on the inclusion of refugees as part of rule of law and security support in Pakistan, UNDP and UNHCR decided to collaborate in 2018 to integrate particular concerns of refugees into ongoing support provided through the UNDP supporting *Strengthening Rule of Law Programme (SRLP)* in KP province. Since 2011, UNDP has been providing support to the KP Government through the SRLP on strengthening overall delivery of rule of law and security services. The KP Government has provided 25% of the financing for the programme which is now functional in 18 districts. A similar approach is being taken in Balochistan. The SRLP works closely with the police and community policing committees, prosecutors, legal aid providers, prison and corrections systems and community paralegals. At the same time, UNHCR had separately been supporting police-refugee liaison committees as well as legal aid service delivery to refugees.

UNDP and UNHCR identified specific areas for collaboration to move away from parallel services being provided to refugees and host communities. Areas of collaboration included:

- Ensuring refugee access to the legal aid desks and model police stations, in particular the women's desks. This includes connecting refugee and host community networks, training Legal Aid Desk and Advocacy and Legal Advice Centre (ALAC) lawyers on refugee rights and increasing refugee legal awareness on how to access national justice and security services.
- Skills development of refugees to be employed as community paralegals in the national paralegal network supported by SRLP; updating of paralegal training course to reflect refugee rights.
- Enabling refugee participation in community oriented policing forums – where local police and community members discuss and resolve local security concerns - by linking them to Refugee Liaison Committees and adjusting existing SOPs and training manuals to reflect refugee issues.
- Developing and including a training module on refugee rights into the police training curriculum delivered through the police academy; and developing and including a course on refugee law in Pakistan's LLB programme on Human Rights Law, both supported by the SRLP.

The project is a good example of how economies of scale can be achieved and inclusion of a specific focus on the rights of displaced communities can be integrated in national services and systems, including as part of overall development efforts to enhance justice and security service delivery at the local level.

Serbia

Context

The dissolution of the former Yugoslavia in the early 1990s led to massive displacement across the Balkan region, including in the Republic of Serbia which became host to both refugees, primarily from Croatia, Bosnia and Herzegovina, and Internally Displaced Persons (IDPs). This includes the Roma¹⁸ population who constitute the largest ethnic minority in Serbia. According to the latest (2011) census conducted by the Serbian government, more than 147,000 Roma people reside in Serbia, although actual numbers are likely to be much higher.

According to [UNDP 2017 Roma Survey](#), marginalised Roma¹⁹ face limited access to opportunities and often face systemic discrimination in virtually every aspect of development - from health, education, housing, employment - as well as securing basic rights. There are significant disparities between marginalised Roma and non-Roma² in terms standards of living, human capabilities and material well-being. While there are some recent signs of progress in the narrowing of the gap, with limited access to education, employment and training, Roma youth are particularly at risk of becoming socially excluded and further marginalized. The high incidence of early marriage (under 18) among marginalized Roma women, also poses a challenge.

Rule of law and Local Governance Collaboration

To address some of these challenges, the Serbian Government, UNDP, UNHCR and UNV have developed a joint programme on *Local Initiatives for Improved Social Inclusion of Roma in Serbia*. The programme works to implement the national strategy for the promotion and employment of Roma in Serbia and aims to promote the inclusion of young Roma women and men in government systems. This includes working towards making local government institutions more inclusive and improve their basic service delivery. Key features of the project include:

- Specialized complementary education of Roma youth on topics such as the rights of vulnerable groups (focusing on issues such as education, and housing) and anti-discrimination; statelessness and the importance of civic documentation; and strategies to foster social inclusion at the local level.
- Subsequently, the trained **Roma young women and men were placed in local institutions** through a UNV employment scheme to contribute to, and advocate for the political, social and economic inclusion of Roma and other vulnerable populations in Serbia. In Phase I of the project, 45 young Roma were successfully placed within the Center for Social Welfare, Primary Health Centers, local government bodies, the Ministry of Culture and Information, and Civil Society Organizations (CSOs) in line with their field of study (including accounting, social work, nursing, administration and law).

The project is a good example of a simple but highly effective strategy for inclusion in political, social and economic dimensions of life with immediate benefits at individual and systemic level. Following the successful conclusion of Phase I, the programme is now aiming to scale up and move on to the next phase of building a network of past and present participants of the project and provide a platform to conduct additional capacity building, including on communication, networking and social skills.

¹⁸ The term 'Roma' refer to a number of different groups (e.g. Roma, Sinti, Kale, Gypsies, Romanichels, Boyash, Ashkali, Egyptians, Yenish, Dom, Lom, Rom, Abdal) and includes travellers, without denying the specificities of these groups. All these groups are considered under the wider 'Roma' umbrella term under the EU Framework for National Roma Integration Strategies.

¹⁹ "Marginalised Roma" refers to Roma populations living in areas with higher densities (or concentration) of Roma population than the national average. "non-Roma" refer to non-Roma population living in close vicinity to the marginalised Roma.