Justice Systems Analysis Toolkit
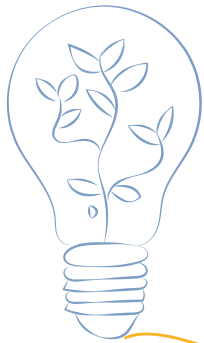
Foundation for your Legal Empowerment Strategy

INTRODUCTION

Know Use Shape The Law

Build your Strategy

Risk Prioritization

Legal Analysis of Risks

Justice Systems Analysis

INTERNATIONAL RESCUE COMMITTEE

Sida

Know

Shape

The Law

Use

ACKNOWLEDGEMENTS

At the heart of the Justice Analysis Toolkit is a focus on capturing voices of the most excluded social groups in each context to understand the risks they face and their needs as justice services users to inform the development of transformative actionable access to justice and legal empowerment strategies. This effort fits within the overall aim of the initiative to strengthen delivery of Access to Justice (A2J) for crisis affected populations through in depth understanding of justice ecosystems. The Toolkit recognizes that in-depth analysis of justice systems, inclusive of formal and informal justice systems, normative frameworks, stakeholders and their practices, is central to design and implement A2J strategies and programming that respond to lived realities, priorities and needs of people served.

The Toolkit was developed through an iterative process that incorporated a detailed desk review of existing resources from across the globe as well as pilots conducted in 20024/2005 by IRC country operations in Iraq, South Sudan, and Mali. Further grounding for the Toolkit comes from successful experiences with similar efforts in Cameroon and Uganda. This Toolkit is designed for use by all stakeholders operating in humanitarian, peace and development contexts by providing global, practical, and operational standardized tools and guidance. The Toolkit does not replace the existing Legal Aid Analysis Framework but complements it by ensuring a comprehensive analysis of the justice ecosystem in each setting.

We thank all contributors who have made this grounded, collaborative toolkit a reality.

ACKNOWLEDGEMENTS

ACRONYMS

A2J – Access to Justice

ADR – Alternative Dispute Resolution

AoR – Area of Responsibility

CAT – Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

CCS – Coordination and Common Services

CP – Child Protection

CEDAW – Convention on the Elimination of All Forms of Discrimination Against Women

CERD – Convention on the Elimination of All Forms of Racial Discrimination

CNIC – Computerized National Identity Cards

CRC – Convention on the Rights of the Child

CSO – Civil Society Organization

ERD – Economic Recovery and Development

GBV – Gender Based Violence

GPC – Global Protection Cluster

HLP – Housing, land, and property

ICCPR – International Covenant on Civil and Political Rights

IDP – Internally Displaced Persons

LAAF – Legal Aid Analysis Framework

LAC – Legal Assistance Center

PAF – Protection analysis framework

PWD – People with Disabilities

SIDA – Swedish International Development Cooperation Agency

SOGIESC – Sexual Orientation, Gender Identity, Gender Expression, and Sex Characteristics

UDHR – Universal Declaration of Human Rights

WPE – Women's Protection and Empowerment

Welcome to the Justice Systems Analysis Toolkit, a resource designed to support humanitarian organization with dedicated legal teams in enhancing access to justice for crisis-affected populations. In times of crisis, accessing justice is often overlooked, yet it remains vital for addressing rights violations and providing recourse for survivors of violence. This toolkit is part of the International Rescue Committee's initiative, supported by SIDA to strengthen access to justice programming in crisis contexts

TABLE OF CONTENTS

DEFINING LEGAL ANALYSIS AT THE IRC

About the Toolkit

The toolkit was developed as part of an IRC initiative entitled, 'Strengthening capacity to deliver access to justice programmes for crisis affected populations' funded by the Swedish International Development Cooperation Agency (SIDA) – from April 2023 – March 2025 to strengthen capacity to deliver Access to Justice (A2J) programming in crisis through supporting analysis of formal and informal A2J systems with linkages to operational action in prevention and response to protection risks in crisis contexts. Through this initiative, IRC aims to empower humanitarian actors with the tools and knowledge needed to navigate complex legal systems, and develop high quality and in-depth analysis and tailored strategies for effective legal protection programming. The Justice Systems Analysis Toolkit is developed in parallel of the Paralegal model toolkit, expanding A2J beyond traditional legal aid approaches.

The Uniqueness of the Toolkit

Access to justice (A2J) is a fundamental aspect of protection programming, particularly in crisis contexts where populations face additional legal barriers and challenges. The Justice Systems Analysis Toolkit represents a significant shift in humanitarian practice towards a more comprehensive and inclusive approach. First, it recognizes the need to engage with the entire justice system, including formal laws, informal norms, and customary practices. Secondly, it provides operational guidance, tools and tips on how legal can be used and play an essential role within the protection response in crisis context.

This approach allows IRC's teams to develop strategies that not only address immediate legal needs in crisis-affected contexts but also promote systemic changes to empower communities to navigate complex legal landscapes.

A focus on Complementarity

Making sure to link with existing global frameworks and community paralegal toolkit

IRC acknowledges the necessity to recognize, provide field teams with operational adaptations and complement the existing global analysis framework, particularly the Protection analysis framework (PAF) and the Legal Aid Analysis Framework (LAAF). Based on its operational legal analysis experience and on other humanitarian legal organizations [1] feedbacks and experiences in developing legal analysis, the toolkit will complement these global analysis frameworks with operational and practical justice system analysis tools.

For more details on how this Justice system analysis toolkit links and complement with PAF and LAAF, please review the Annex Explanatory Note **"Complementarity with PAF & LAAF".**

The justice system analysis is also the initial essential step before implementation of legal program, including before development and implementation of Community paralegal toolkit. Justice system and Community paralegal toolkit have been designed together with similar structures and approaches to make sure that all the analysis work can be transformed and used for legal protection implementation. (i.e : the risk guidance and report template within part 3 follow the same structure as technical template to train for paralegal)

The Community paralegal toolkit is accessible here.

OBJECTIVE OF THE JUSTICE SYSTEM TOOLKIT

The primary objective of this toolkit is to create a comprehensive suite of tools to complement global legal analysis, aimed at assessing and comprehensively understanding justice systems in crisis-affected regions. It aims to facilitate the analysis of justice systems by offering practical guidance and resources to humanitarian legal actors, enabling them to conduct thorough assessments encompassing both formal and informal components of justice systems:

- It includes a **systemic analysis of justice systems and engagement with informal justice mechanisms**, offering a more comprehensive and effective strategy.

- It enables practitioners **to translate analysis findings into actionable and effective strategies** to address legal needs and promote access to justice for all. This includes being able to use directly the analysis results to be used directly and transformed into legal interventions content *(i.e: use analysis results for legal awareness or training content for community paralegal)*.

- It helps to **enhance overall protection response and outcome by addressing diverse legal needs**. It equips humanitarian actors with the necessary tools and resources to respond effectively to a wide range of legal needs, ensuring access to justice for crisis-affected populations.

By achieving those objectives, IRC aims to empower practitioners to navigate complex legal landscapes in crisis settings and ultimately enhance access to justice. The Strategic outreach efforts should aim to target key stakeholders, incl. the Global Protection Cluster (GPC), legal aid task teams, IRC's global network, and the community paralegals, ensuring widespread adoption and utilization of the toolkit.

[1] The project was supported with regular review by an advisory group composed of expert legal actors of the humanitarian field

Potential uses

This Toolkit offers multiple applications for guiding access to justice programming in crisis-affected areas. This toolkit may be used to :
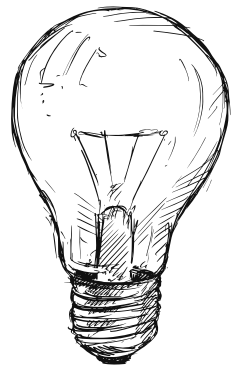
- Equip humanitarian actors and teams with a framework for conducting thorough legal assessments and identifying essential legal protection areas for intervention.

- Facilitate strategic planning efforts by providing a comprehensive suite of justice system analysis tools tailored to crisis contexts.

- Support policymakers and program managers to formulate targeted Access to Justice strategies informed by legal analysis findings and contextual nuances.

- Help other actors in understanding how justice impacts different population groups in crisis and aids in developing justice interventions that respond to their unique or cross-cutting needs. With this Toolkit, stakeholders can enhance access to justice for crisis-affected populations and contribute to the realization of justice, rights, and dignity for all. (i.e: Develop specific A2J strategy for GBV ; A2J strategy for children or people with disabilities…)

- Adapt program interventions based on analysis trends over time and inform strategic priorities and key advocacy messages.

- This toolkit can also be used by humanitarian actors using the PAF to develop a detailed protection analysis of their context, should they want to emphasize and better understand the legal and rights components of the PAF (legal context, legal needs and consequences, legal capacities).

The Justice Systems Analysis Toolkit doesn't stand alone!

The Toolkit is informed by existing IRC tools, guidance, and other resources, including:

- The **IRC's Access to Justice Guidance** (2019).
- Tools for protection analysis, particularly the Protection Analytical Framework and the tool for **Community-based Protection Risk Analysis**.
- Existing tools for access to justice analysis (ex. in Mali in 2022), which should be regarded as foundational documents for the development of an IRC-wide A2J analysis approach.
- Tools to support context analysis, such as **Conflict Sensitivity Analysis Tool, Stakeholder and Social Network Analysis Tool, SNA Handbook, Political Economy analysis guidance, Gender Analysis**.
- Tools to support institutional and systems strengthening, such as the Governance team's Guidance Note on How to Conduct a Service Delivery Assessment and Use It to Inform Project Design, which can be utilized in the analysis of justice institutions and systems.
- Inclusion mainstreaming resources, such as the **IRC Inclusive Client Responsiveness Toolbox and the Guidance on Accessibility and Accommodation.**

USER-FRIENDLY APPROACH

A user-friendly and practical approach is used to ensure accessibility and ease of navigation and help users to effectively utilize the toolkit's resources for enhanced impact and efficiency in access to justice programming.

The toolkit's approach is grounded in real-world experiences and responsive to the complex challenges faced by diverse crisis-affected populations. As you embark on this journey of using the toolkit, you will meet some fictional characters:

Fadi: A new IRC colleague who will conduct this assessment with you. He will help you to gather information and will ask questions that spark discussion and deepen understanding, contributing to a collaborative and enriching assessment experience.

Mariama: A woman, survivor of GBV, Mariam's experiences and challenges related to forced internal displacement and land acquisition will shed light on the unique legal needs and barriers faced by women, informing the development of targeted interventions in those areas.

Mahdi: A 12-year-old internally-displaced child due to the conflict in his country, Mahdi is looking for employment in the city and will go through several difficult situations. His story underscores the importance of considering the rights and protection of children in crisis settings, while exploring avenues for child-friendly justice.

Mustafa: A man who decided to leave his country. With the help of a smuggler, he manages to start his journey but he is soon arrested. He is now facing imprisonment and risk of torture. Mustafa's situation highlights the need for effective legal protection and dignity of detainees in crisis affected areas

This approach help you understand how a protection situation and needs are strongly interlinked with legal issues and legal solutions, which often, tends to be overlooked

Don't forget, the IRC Protection and Rule of Law Technical Advisor is here for you. Our expertise and guidance will provide you with valuable insights and strategies to effectively navigate the complexities of the justice system and address the diverse legal needs of crisis-affected communities. Contact us if needed!

The main approach of this toolkit is to prioritize user-friendliness, employing simple language and practicality to ensure ease of use and effectiveness. The toolkit aims to empower users to navigate through the different phases of this process with confidence and provide actionable guidance through its implementation. Illustrative examples help to demonstrate how the toolkit can be applied in real-world scenarios.

KEY DEFINITIONS & PRINCIPLES

The following definitions are based on the IRC's Access to Justice Guidance (2019) which is the main document of reference.

Access to justice	Access to Justice is the ability of individuals/groups (rights holders) and the state, non-state and community actors responsible for protecting those individuals/groups (duty bearers) to understand their respective rights and responsibilities and to seek and provide satisfactory remedies for rights violations through formal and/or informal institutions of justice, in conformity with human rights standards.
Diversity	Encompasses the recognition and celebration of differences among individuals and communities, including but not limited to factors such as race, ethnicity, gender, age, sexual orientation, disability, religion, socio-economic status, and cultural background. Diversity acknowledges the richness of human experiences, perspectives, and identities, and emphasizes the importance of inclusion, equity, and respect for all individuals, regardless of their differences.
Human Rights	Fundamental freedoms, protections, and entitlements that every individual is inherently entitled to, regardless of their nationality, ethnicity, gender, religion, or other characteristics. These rights include but are not limited to the right to life, liberty, and security of person, non-refoulement, legal identity, freedom from discrimination, access to justice, education, and healthcare, as well as the right to work and participate in cultural and political life, for all individuals, including those affected by conflict, displacement, and humanitarian crises.
Legal system(s)	Any system that may be operational on the ground, be it state/statutory, informal/customary, religious or hybrid (more than one system combined). Definition of the different systems are provided in part 1 of this toolkit.
Legal empowerment	Strengthening the capacity of all people to exercise their rights, either as individuals or as members of a community. Legal empowerment means starting and working with what people have and want and ensure we support them in knowing (legal awareness), using (legal assistance) and shaping the law (system strengthening).
Legal awareness/ information	Providing information to increase people's knowledge of their rights and entitlements; supporting people to understand their rights/responsibilities, and what/where/how to access services and support that will help protect their rights. The objective is to increase demand for and ability to access justice independently.
Legal assistance	Providing personalized legal advice services; assistance in completing legal forms or filing a claim; accompaniment to administrative authorities or justice providers; legal case management and/or representation. The objective is to ensure that people have their justice-related social service and urgent protection needs met.
Justice systems support	Building the knowledge, material capacity and willingness of justice sector actors to provide justice services that are aligned to human rights standards; monitoring justice systems to understand and build rights protective capacity. The objective is to support justice actors to fulfill their responsibility to provide justice services that meet the needs and rights of the people they are required to serve.

All concepts shall be defined according to local knowledge and understanding. IRC Justice programs will always start where people are, lending support to the justice systems that people are prepared to invest in themselves.

ACCESS TO JUSTICE & PRINCIPLES OF INTERVENTION

Fadi is new at IRC. He just started a new position within our team and would like to better understand the vision of IRC on access to justice. Let's provide more information on access to justice and the principles of intervention!

Legal empowerment & non-discrimination

IRC recognizes that access to justice should be available to anyone who needs it– both those whose rights have been denied or violated, as well as those accused of violating someone else's rights. We cannot make the mistake of assuming some people are 'right' and some are 'wrong' just because of what group they belong to, where they have come from, or what people say about them. The detailed analysis of barriers to A2J (i.e: discrimination; structural barriers…) will be essential to ensure that our legal protection response focuses on reducing barriers to access to justice for most vulnerable individuals and communities.

Positioned as an integral part of IRC's protection response, the A2J approach underscores the organization's commitment to empowering individuals through legal empowerment:

- Using the law to increase the knowledge.
- Understanding and power of crisis-affected populations to make informed decisions toward solving their own problems and to ensure their own safety.
- Working to create environments where rules, systems, and duty bearers work to protect the rights of all, and particularly the most disadvantaged.

While IRC's A2J approach provides valuable insights, it is essential to also consider approaches developed by other actors.

Diversity & inclusion

Diversity and inclusion are paramount in IRC's work. This includes children, survivors of GBV, and marginalized communities.

This is also part of IRC's commitment to:
- **Humanitarian principles**, including impartiality, neutrality, Do no Harm;
- **Holistic justice** (addressing civil and political rights; and economic, social and cultural rights; group or environmental rights (a new area that we currently exploring);
- **Diversity and inclusion**. Disaggregating the justice experiences and needs of women and girls, children, youth, older persons, persons living with disabilities or with diverse SOGIESC, etc; and working with them to address gaps or empower. **Part 3 will help you to identify the main categories at risk in your context.**

Access to justice stands as a pivotal component of the IRC's Protection and Rule of Law (PRoL) programming to enable individuals to live free from violence and coercion. Access to justice is not just a legal principle; it's a fundamental human right for everyone enshrined in various Human Rights Conventions, including the UDHR, the ICCPR, the CAT, the CRC, the CERD and the CEDAW.

KNOW, USE & SHAPE THE LAW

The 3 pillars of legal empowerment

IRC's A2J strategy is grounded in the principle of working within the justice systems and institutions that individuals choose or are obligated to utilize, be they state, informal, religious, or hybrid. The overarching aim of IRC's A2J efforts is to ensure that individuals understand their rights and responsibilities; have identity, voice and agency to exercise those rights; and can access quality legal assistance in case of violations.

This legal empowerment approach will translate into analysis and implementation of its 3 pillars : know, use and shape the law as per the below theory of change.

People are able to access justice and exercise their rights if they

KNOW the Law
Demand and access Justice

USE the Law
Access legal assistance & Justice services

SHAPE the Law
Work towards a protective justice system

FAQ: What does it mean in practice?

For IRC, all justice mechanisms, including formal, informal and customary, are products of the social environments in which they are found, and as such, no system is by definition 'better'. The effectiveness of justice provision rests primarily on the extent to which people feel that system is legitimate, fair, and true to the social values of the society in which it sits, and to the extent that system is inclusive of them – depending on factors such as gender, age, social membership or level of ability. The system should also adhere to the principles of natural justice, and ensure equality, fairness, transparency among others. For example, while the justice system in Afghanistan is accepted by most of the population there, the review by the IRC faulted it for its marginalization of women and girls.

Fadi is surprised. Even when the formal system is in place, studies show the preference for customary and informal justice mechanisms is around 80% in the types of humanitarian and displacement contexts where the IRC works.

Why? The main reasons are the absence or inaccessibility of formal systems, corruption, lack of trust in formal justice or social stigma around using it. It may not adequately protect their rights under law, but the community understands it, it is the only one that most people respect and will use in those context. In some countries, it system may be well in place and recognized in the law.

Legal recognition of the customary and informal system

In Mali, we have a plural legal system where 'customary justice system' are formally recognize in the law for some legal cases (civil and HLP matters mainly) and they constitute the first level of law process in some case and context. For criminal cases and other, the formal law prevails but those system are considered expensive, far, difficult to understand due to the language barriers and not in line with the culture and values to some extent. Therefore, more than 80% of men and women in the population confirm that they prefer to use the informal justice system.

The importance of the customary and informal system and its linkages with the formal system is highlighted through this toolkit.

This may have an impact of the identification of the legal issues in your context. For instance,

- A threat increasing the level of exposure to a protection risk may be the existence of harmful laws for women might increase the level of exposure to GBV.
- A vulnerability increasing the risk of exposure to a protection risk may be the lack of Identity documents might increase the risk of arbitrary arrest and detention,
- A capacity that reduces exposure to protection risks may be the presence of a strong community culture of mediation, which enhances the effectiveness of informal justice in divorce cases.

The IRC's Legal Assistance Center (LAC) Program operated in five camps on the Thai-Myanmar border, providing legal assistance to over 77,000 refugees. The LAC program offered a multi-pronged A2J approach: increasing demand for legal services, strengthening community dispute resolution structures, creating a cadre of trained community paralegals, and facilitating improved service delivery by local government. The IRC's legal team, working with community paralegals and CSOs, provided legal information, counselling and case management on civil and criminal matters; awareness-raising and legal empowerment on Thai and international law, human rights, refugee rights and responsibilities, available services and legal remedies; capacity-building for camp leaders to manage legal issues and resolve disputes in line with Thai and international standards; and the participatory development and implementation of a context- specific alternative dispute resolution (ADR) system for use in border camps.

FAQ : How do we know if we have enough information to identify the main risks?

Fadi is worried. He can easily find data on the formal justice system but he does not a lot of information about the customary and informal justice system. It might take a long time to explore all the different aspects and have a complete mapping. This is a common challenge when there is a disparity between formal and informal justice systems.

To address this, we can adopt a flexible approach. For instance, Fadi could conduct a desk review for aspects with sufficient secondary data, like formal justice mapping, and conduct a field assessment, such as key informant interviews, to gather additional information on the informal justice system. While our objective is to proceed step by step, it may also be pragmatic to conduct field assessments during Part 3 to focus on specific legal issues and explore more into details. In doing so, we invite you to continue to integrate the information in the same template started in Part 1 to have a more complete picture of the situation. This demonstrates our flexible approach based on the interconnectedness and adaptability of the process to allow us to revisit and adjust initial steps as necessary, ensuring a comprehensive and nuanced understanding of the justice landscape and develop an appropriate strategy.

Find below more about IRC's interventions, with other examples that could be replicated or adapted in your context!

IRC'S KEY INTERVENTION AREAS

A2J programming consists of three key intervention areas which allow to achieve legal empowerment of targeted population. This legal empowerment model aims at supporting affected population to:

Know the law – through legal awareness and information to support women, men, girls and boys to have information and support needed to demand and access justice independently. This pillar provides responsive information on peoples' legal rights and entitlements, and support to ensure that diverse women and girls in particular are able to access justice.

Use the law - to ensure that women, men, girls and boys can access quality legal assistance and justice services across formal and informal systems. This pillar focuses on providing specific legal assistance and support through diverse format used in the system in place, e.g. providing personalized legal information (e.g. adoption processes or marriage certificates), completing legal forms, filing a claim, accompaniment to justice providers, supporting displaced communities in concluding property or land lease agreements, legal representation in formal justice settings, support representation or equitable mediation process in informal justice settings including through the community paralegal model.... It can also include financial support depending of approaches, context and budget.

Shape the law – Whatever justice system we are working with and beneficiaries wish to access, a key component for meaningful access to justice is to ensure that the justice system in place are accessible, equitable and in line with the Human rights principles. The justice systems strengthening helps to build the capacity of justice sector actors (formal and informal) to ensure that justice services are delivered with accountability and in conformity with human rights standards. It starts with an analysis of their capacity and willingness to see how justice actors can better fulfill their responsibility to provide justice services that meet the needs and rights of the people they are required to serve. Shaping the law can also include activities and interventions aimed at influencing laws and policies, as well as changing practices, norms or values, such as research and analysis to generate accurate information on needs and solutions, evidence driven advocacy, strategic litigation, enhancing synergies between formal, customary and informal justice systems.
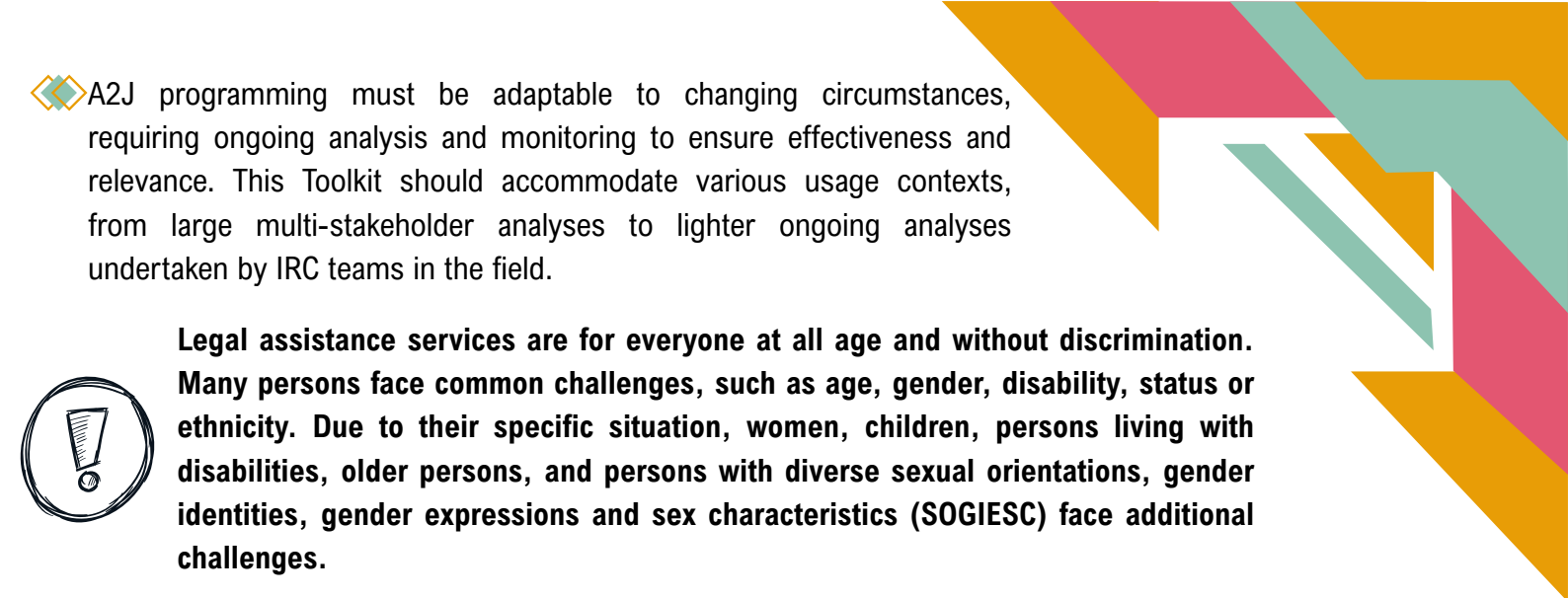
Legal Empowerment Model

Most commonly, A2J programs use a combination of these three approaches to ensure that we are both preventing and responding to violence and/or the risk of violence resulting from gaps in people's ability to access justice at both the grassroots and institutional levels. Don't forget:

◈ IRC's A2J activities are not limited to specific legal areas but aim to address the most urgent justice needs impacting the safety, security, empowerment, and well-being of vulnerable populations.

◈ A2J interventions are intertwined with Gender Equality, Health, Economic Wellbeing, and Education outcomes, highlighting the need for intersectionality, and the meaningful engagement with other IRC sectors to integrate A2J considerations into sector activities.

Justice System Strengthening

- Legal awareness & information
- Legal Assistance: Counseling
- Legal Assistance: Case Management
- Legal Assistance: Representation

◈ A2J programming must be adaptable to changing circumstances, requiring ongoing analysis and monitoring to ensure effectiveness and relevance. This Toolkit should accommodate various usage contexts, from large multi-stakeholder analyses to lighter ongoing analyses undertaken by IRC teams in the field.

Legal assistance services are for everyone at all age and without discrimination. Many persons face common challenges, such as age, gender, disability, status or ethnicity. Due to their specific situation, women, children, persons living with disabilities, older persons, and persons with diverse sexual orientations, gender identities, gender expressions and sex characteristics (SOGIESC) face additional challenges.

Legal assistance services are implemented in partnership with other sectors like WPE, Child Protection, Health, Education, and Economic Recovery and Development and include:

- Legal Information and rights awareness
- Mental health and psychosocial support
- Legal Counseling
- Support with acquisition and renewal / replacement of legal and civil identity documents
- Legal case support, including support to children at risk and GBV survivors (with health, Child protection and WPE)

- Post-conviction support for peaceful re-integration into the community. This can be in the form of transfer to another refugee settlement, updating of expired identity documents, or working with ERD for economic placements of ex-convicts.
- Working with communities, duty bearers and policy makers to identity and address the barriers to justice and drivers of rights violations.
- Dispute resolution, including alternative dispute resolution and legal representation.

Areas of law we work on :

- **Civil law** : Legal identity, civil documentation and foreign laws
- **Civil law :** Housing, Land & Property
- **Civil law**: Labor & Entrepreneurship
- **Criminal law & fair trial i**ncluding GBV and CP specific laws
- **Administrative policies & procedures**

Access to Justice at the IRC

Pillar 1: Demand & Access Justice

- Provision of legal information via offline modalities
- Provision of legal information through Signpost incl. online modalities
- Provision of tailored legal information for GBV survivors and children
- Provision of tailored legal information to achieved economic recovery and development outcomes

Pillar 2: Access to Legal Assistance & Justice services

- Legal monitoring
- Provision of trainings and mentoring on ADR
- Paralegal model to support provisions of legal assistance
- Provision of legal case management

Pillar 3: Justice System Strengthening

- Training of duty bearers on human rights and laws
- Legislation revision and elaboration
- Training of legal aid institutions

Example from your IRC colleagues in Pakistan

IRC in action: Women's Economic Empowerment Activity in Pakistan

This project aims to close the gender gap affecting women of Pakistan, who struggle for their basic rights in healthcare, education, economic opportunities, social inclusion, and political participation. While in recent years Pakistan has promulgated pro-women legislation, ongoing structural and socio- economic barriers continue to challenge implementation of women's rights.

The lack of women's independent access to Computerized National Identity Cards (CNICs) is a key barrier to Pakistani women's economic empowerment because it prevents millions of women from opening bank accounts, registering as voters, accessing credit, inheriting and owning property, obtaining passports, and accessing social protection benefits. The PRoL team will be working with the ERD team to support promotion of women's skills and opportunities to pursue economic empowerment through provision of legal information and assistance in securing CNICs.
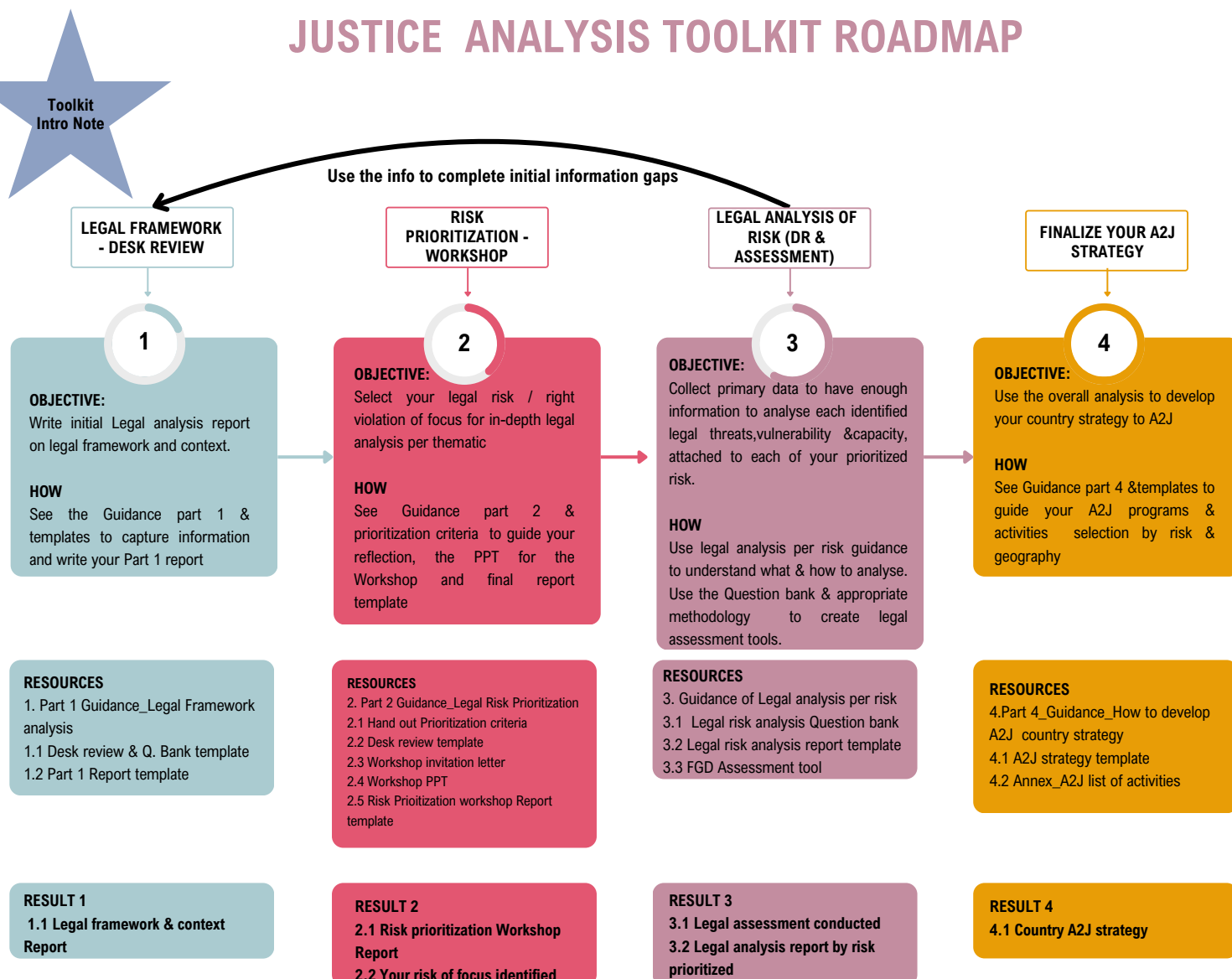
This toolkit will help you to identify the focus of your intervention and the best approach to develop your program and advocacy work that you want to focus on. If you have any question before starting this process, please contact the Protection and Rule of Law team.

OVERVIEW OF THE TOOLKIT

This toolkit is divided into four steps, following a comprehensive process and systematic approach. It is important to follow the order of the toolkit. However, each step is connected to another. The first step is to have a general undertsanding of your context, then to identify the main risks you will focus on. After that, you will conduct an in-depth analysis for each speciic risks identified. Based on this, you will then develop your strategy.

To start, make sure that you have a global understanding of the justice system before exploring the different risks. While being flexible to different situations and information levels, it is crucial to grasp the overall picture of the justice system before diving into specifics and develop your strategy. Those 4 steps are key to ensuring an effective implementation of your access to justice programme.

JUSTICE ANALYSIS TOOLKIT ROADMAP

Toolkit Intro Note

Use the info to complete initial information gaps

LEGAL FRAMEWORK - DESK REVIEW	RISK PRIORITIZATION - WORKSHOP	LEGAL ANALYSIS OF RISK (DR & ASSESSMENT)	FINALIZE YOUR A2J STRATEGY
1	**2**	**3**	**4**
OBJECTIVE: Write initial Legal analysis report on legal framework and context.	**OBJECTIVE:** Select your legal risk / right violation of focus for in-depth legal analysis per thematic	**OBJECTIVE:** Collect primary data to have enough information to analyse each identified legal threats, vulnerability & capacity, attached to each of your prioritized risk.	**OBJECTIVE:** Use the overall analysis to develop your country strategy to A2J
HOW See the Guidance part 1 & templates to capture information and write your Part 1 report	**HOW** See Guidance part 2 & prioritization criteria to guide your reflection, the PPT for the Workshop and final report template	**HOW** Use legal analysis per risk guidance to understand what & how to analyse. Use the Question bank & appropriate methodology to create legal assessment tools.	**HOW** See Guidance part 4 &templates to guide your A2J programs & activities selection by risk & geography
RESOURCES 1. Part 1 Guidance_Legal Framework analysis 1.1 Desk review & Q. Bank template 1.2 Part 1 Report template	**RESOURCES** 2. Part 2 Guidance_Legal Risk Prioritization 2.1 Hand out Prioritization criteria 2.2 Desk review template 2.3 Workshop invitation letter 2.4 Workshop PPT 2.5 Risk Prioitization workshop Report template	**RESOURCES** 3. Guidance of Legal analysis per risk 3.1 Legal risk analysis Question bank 3.2 Legal risk analysis report template 3.3 FGD Assessment tool	**RESOURCES** 4.Part 4_Guidance_How to develop A2J country strategy 4.1 A2J strategy template 4.2 Annex_A2J list of activities
RESULT 1 1.1 Legal framework & context Report	**RESULT 2** 2.1 Risk prioritization Workshop Report 2.2 Your risk of focus identified	**RESULT 3** 3.1 Legal assessment conducted 3.2 Legal analysis report by risk prioritized	**RESULT 4** 4.1 Country A2J strategy

This step-by-step approach helps to gain a comprehensive understanding of the toolkit's contents and how each component contributes to the overall objectives of enhancing access to justice in crisis-affected areas and informing programmatic interventions. From initial data collection to final analysis and reporting, insights generated through this process help to identify gaps in access to justice, legal barriers and recommendations for policy changes.

While Part 3 of the toolkit will delve into specific risks, it is crucial to identify since the beginning: Who are the most affected groups? Ensure that barriers faced by different population groups are effectively addressed in Part 1 and Part 2 as well while looking at the general justice system. Doing so allows for better support crisis-affected populations in accessing justice and the identification of tailored mechanisms, services, and interventions that cater to the unique needs of each group.

Part 1
General overview of the justice system: understand the general context

This is the first step to help you understand the general context. This section provides a resource package to assist with the desk review and the methodology for a comprehensive legal analysis.

A legal analysis needs to focus on a specific legal issue to be actionable. However, to initiate this analysis, the first step is to understand the general legal context, including:
- What is the legal system in place? Are formal and informal justice systems co-existing?
- Who are the key stakeholders in those systems and what are their levels of influence?
- Looking at the barriers to access to justice with an inclusion lens: in general, to what extend is the justice system, accessible, acceptable and adapted?

Part 2
Identification of the main risks: Focus on 3 to 4 risks in your context

The second step in the process will help you to identify the main risks in your context, together with all the protection colleagues, including the AoR.

Once the risks are identified, it will help you to understand how you can identify, as legal actors, the legal threats, vulnerabilities and existing capacities and how to address them.

The list of potential risks in a context is very broad. It is important to agree on the 3 main risks you may want to focus on and do an in-depth analysis for each of them (part 3) and develop your strategy (part 4). We suggest you to organize a workshop to take the time to analyze the situation and identify with other colleagues the main risks in your context

Part 3
Risk guidance: In-depth legal analysis for the specific risks identified

The third step helps you to conduct an in-depth analysis for the specific risks identified in your context. The third part contains all the risk fact sheets, providing comprehensive information for each risk identified. Each fact sheet is developed based on the protection analysis methodologies, with a specific focus on the legal aspect. You will select the one you are working on and will initiate an in-depth legal analysis and define the key elements to take into account in your strategy.

Note that before going into your selecting risk factsheet you will have to go through the first step mandatory factsheet looking into individual and legal status (civil status and documentation; IDPs and refugee status…)
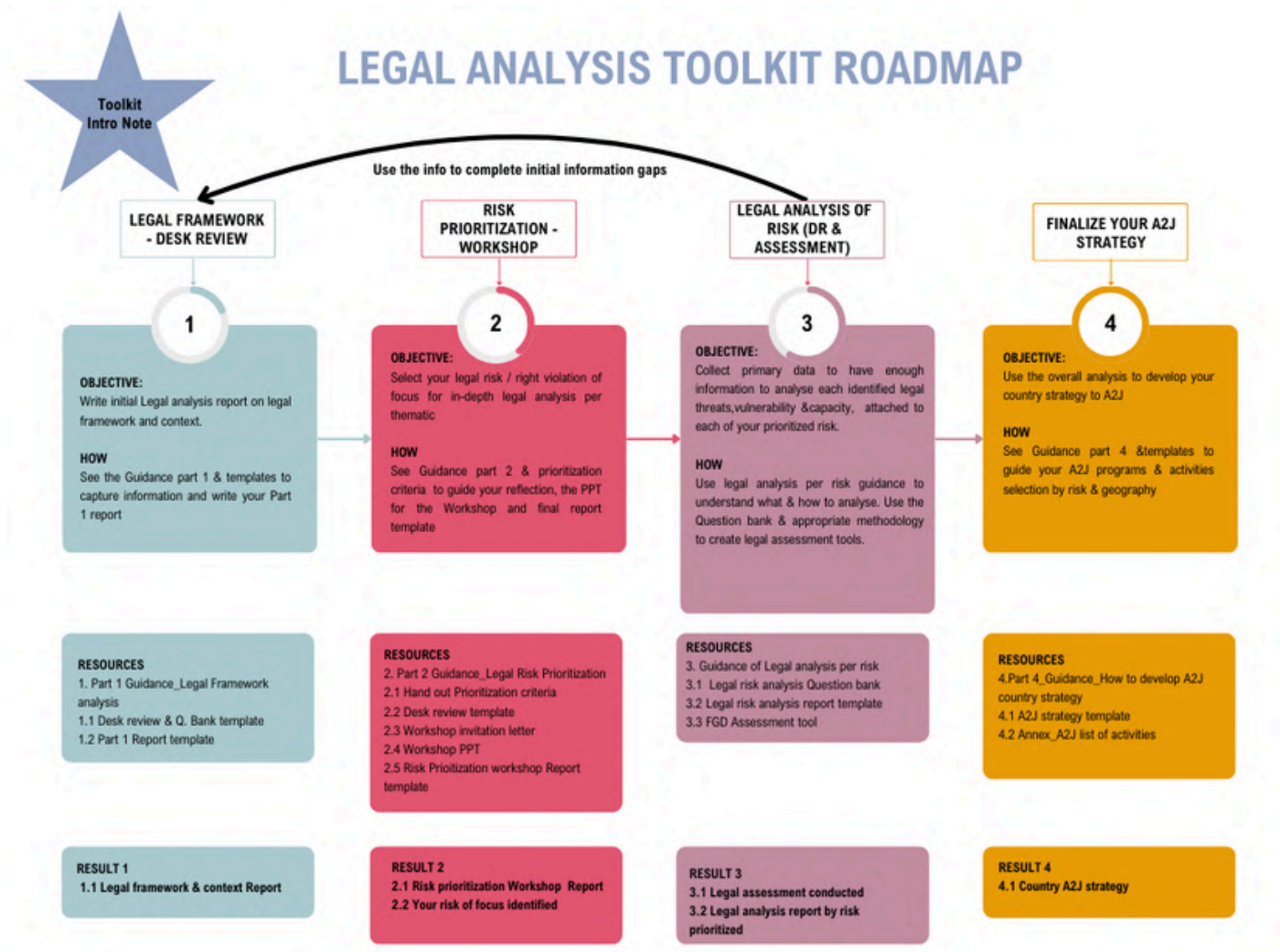
Part 4
Strategy and tools for implementation

The fourth part includes tools to take action, including the legal protection strategy template and guidance, the Implementation template, and the budget and workplan template. This is the last step in the process to help you to develop and implement your strategy.

MAIN TOOLS TO USE

FOR EACH PART, you will have 3 main tools:

- The Guidance to explain the objective and how to do it, give examples and guide you through the process
- The Desk review template with a Question Bank to guide you at each step and compile all the data collected
- The Report Template
- Additional tools if needed.

LEGAL ANALYSIS TOOLKIT ROADMAP

Toolkit Intro Note

Use the info to complete initial information gaps

1 — LEGAL FRAMEWORK - DESK REVIEW

OBJECTIVE:
Write initial Legal analysis report on legal framework and context.

HOW
See the Guidance part 1 & templates to capture information and write your Part 1 report

RESOURCES
1. Part 1 Guidance_Legal Framework analysis
1.1 Desk review & Q. Bank template
1.2 Part 1 Report template

RESULT 1
1.1 Legal framework & context Report

2 — RISK PRIORITIZATION - WORKSHOP

OBJECTIVE:
Select your legal risk / right violation of focus for in-depth legal analysis per thematic

HOW
See Guidance part 2 & prioritization criteria to guide your reflection, the PPT for the Workshop and final report template

RESOURCES
2. Part 2 Guidance_Legal Risk Prioritization
2.1 Hand out Prioritization criteria
2.2 Desk review template
2.3 Workshop invitation letter
2.4 Workshop PPT
2.5 Risk Prioitization workshop Report template

RESULT 2
2.1 Risk prioritization Workshop Report
2.2 Your risk of focus identified

3 — LEGAL ANALYSIS OF RISK (DR & ASSESSMENT)

OBJECTIVE:
Collect primary data to have enough information to analyse each identified legal threats, vulnerability & capacity, attached to each of your prioritized risk.

HOW
Use legal analysis per risk guidance to understand what & how to analyse. Use the Question bank & appropriate methodology to create legal assessment tools.

RESOURCES
3. Guidance of Legal analysis per risk
3.1 Legal risk analysis Question bank
3.2 Legal risk analysis report template
3.3 FGD Assessment tool

RESULT 3
3.1 Legal assessment conducted
3.2 Legal analysis report by risk prioritized

4 — FINALIZE YOUR A2J STRATEGY

OBJECTIVE:
Use the overall analysis to develop your country strategy to A2J

HOW
See Guidance part 4 &templates to guide your A2J programs & activities selection by risk & geography

RESOURCES
4.Part 4_Guidance_How to develop A2J country strategy
4.1 A2J strategy template
4.2 Annex_A2J list of activities

RESULT 4
4.1 Country A2J strategy

OPERATIONAL CONSIDERATIONS FOR THE TOOLKIT

Staffing

- Identify **1 legal staff** (preferably manager or officer) dedicated and responsible to lead the overall process : desk review ; draft report ; lead and organize Workshop ; prepare data assessment tools; analyse assessment results; draft report and main conclusion to guide the A2J strategy.

- You will need support of **frontline legal staff** (possibly CP and WPE colleagues) for part 3 for legal analysis data collection with KII and communities.

- **1 Legal or protection lead of the sector** (Senior Manager & coordinator) to guide and supervise the legal focal point for the process : Agree on Workplan; approaches; review each step report ; guide and support each step through training refresher, ensure tools and objectives are understood ect…

- **1 M&E** : primary cleaning and analyze data collected ; support dashboard development

- **1 PRoL TA** : Training of trainer on the toolkit ; coaching and support of the legal focal point and team; review all technical document including : each step reports ; participate and agree on finalized A2J strategy

Time & Effort

Overall process estimated to 2/3 month to achieve finalized A2J strategy based on comprehensive legal analysis

Refer to the annex: **Justice Systems Analysis Workplan** to help you define:

- The members of the team involved in this process
- And the timeline.

> **Ready to start? Please go to Part 1 to begin with the general overview of the justice system.**