

Seventy-third session of the Executive Committee
of the United Nations High Commissioner for Refugees
10-14 October 2022
Geneva, Switzerland

**Statement by the International Development Law Organization (IDLO)
Permanent Observer to the United Nations, Mark Cassayre**

As prepared for delivery

Thank you, Chairperson.

Allow me to start by congratulating High Commissioner Grandi for his extended tenure and thanking him and his entire team at UNHCR. Through thick and thin, UNHCR has demonstrated its unfailing commitment to respond to the world's most pressing humanitarian needs, and to do so with a dedication to serving the most vulnerable.

The International Development Law Organization (IDLO), as the only global intergovernmental organization solely dedicated to promoting the rule of law to advance peace and sustainable development, shares this ethos of putting people and their needs at the centre of responses.

As we collectively take stock through the lens of this year's ExCom, we all see the same problem – rising numbers of people displaced by conflict, climate, and instability.

These annual discussions about the world's growing humanitarian needs often revolve around the importance of prevention as a tool to reduce the levels of displacement and thereby reduce the need for humanitarian assistance.

If we are to reduce conflict and address the drivers of displacement, the world needs to invest more in justice and the rule of law.

Let me offer an example at a micro level that applies more broadly. Through its programmatic work, IDLO has found that when civil or customary justice systems fail to address people's land disputes, those disagreements flare into violent confrontations, leading to increased criminal cases. The climate crisis risks exacerbating such disputes. Similarly, when criminal justice systems fail to adjudicate cases fairly or expeditiously, we see increased grievances with governance mechanisms, which can fuel extremism, violent conflict, and displacement.

More globally, a growing trust deficit between people and their governments has exacerbated a sense of disenfranchisement, injustice and discrimination.

IDLO promotes the rule of law, access to justice, improved governance, and human rights by supporting governments to strengthen their institutions, making them more inclusive, equitable, accountable and transparent and by assisting people to have improved access to those institutions.

Reinforcing the rule of law through inclusive decision-making, effective institutions, and in line with international norms and standards carries benefits for individuals and societies. It builds trust in governance, provides redress to those who need it, and prevents conflicts from escalating.

The rule of law is also particularly important for people in situations of vulnerability. Refugees, internally displaced persons, migrants, and stateless persons, need to have access to justice mechanisms. One key element in supporting vulnerable individuals is to promote equality before the law, including through participatory processes.

Addressing discriminatory laws is also critical. Recognising the urgent need to identify and reverse laws that discriminate against women and girls, IDLO is working with UN Women and national partners to undertake comprehensive reviews of legislation in The Philippines, Kenya, Mali and Sierra Leone. This work has shown the importance of investing in comprehensive assessments of legal frameworks that can lead to the repeal of discriminatory ones or the adoption of new ones to close the gaps for the protection of women's rights. And we must support civil society, especially women's rights advocates, who play a key role in advancing legal reform through monitoring, capacity development, strategic litigation, and advocacy.

IDLO continues to provide support for legal aid services in Western and Northern Uganda, in order to support pathways to justice for refugees who do not enjoy nationality rights and require an expedited legal recognition and to resolve disputes with the host communities. Community Legal Volunteers have also worked to link the informal justice structures to the statutory justice system in ways that improved access to justice for people experiencing displacement.

In cooperation with Honduran institutions and civil society, IDLO continued helping to reduce social insecurity and rebuild trust and confidence in public institutions through work to enhance the capacity of the judiciary, thereby contributing to the efforts of the Government of Honduras to promote sustainable development and social change and reduce the impetus to migrate.

In the Mano River Union countries of Cote d'Ivoire, Guinea, Liberia, and Sierra Leone, where migrants aim to relocate to areas that are perceived to offer better economic opportunities, IDLO has launched an initiative to ensure that countries have harmonized legal and policy frameworks, as well as the knowledge and the tools to work more effectively together to investigate, prosecute, and adjudicate human trafficking cases.

In Somalia, IDLO supported the amendment of the Somali Refugee Act, considered a landmark tool protecting refugees in the country. We also supported the National Commission for

Refugees and Internally Displaced Persons to adopt laws, policies, and administrative regulations that increase the level of protection for IDPs and refugees. This complemented the work of other development partners, such as UNHCR, in support of the African Union's Agenda 2063.

This focus on the law is equally important in addressing statelessness. Direct and indirect discrimination on the basis of ethnicity, race, religion or language is one of the main causes of statelessness and can be found in the nationality laws of more than 80 countries around the world. It is estimated that more than 75% of the world's known stateless populations belong to ethnic, religious, or linguistic minority groups. Sex discrimination in nationality laws is another major cause of statelessness.

IDLO is very pleased to have partnered with UNHCR to develop a policy brief about the importance of the rule of law in addressing the issue of statelessness. We offer actionable steps that States and other actors can take to address the issues that underlie statelessness. We look forward to publishing this joint paper in the coming months.

With sound investments in the rule of law today, we can strengthen governance mechanisms, helping them to respond to the needs of people and thereby preventing instability, displacement and humanitarian crises.

Thank you.