

Justice Needs and Satisfaction of Forcibly Displaced Persons and Host Communities in **Iraq** **2023**



HiIL is passionate about social impact. We aim to empower 150 million people to prevent or resolve their most pressing justice problems by 2030. Why?

Each year, 1 billion people have a new justice problem. Shockingly, over 70% of those people do not find a satisfactory resolution. 30% don't even feel sufficiently empowered to take action. This has a significant impact on their lives and on society: From violence to seriously damaged relationships and business conflicts.

To make a long story short, justice systems, as they are currently organised, do not deliver what people need in their most difficult moments.

The problem is that the same models to deliver justice in past centuries are still used nowadays. This makes the process of getting justice today often slow, difficult and costly.

We truly believe basic justice care for everyone is possible. With data and technology, we can co-create high-quality justice based on what we need now.

At HiIL, we call it user-friendly justice. Justice that is affordable, accessible and easy to understand. It is justice that works.

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This study was conducted with the assistance from Al Mustakilla Research Group (IIACSS).



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Glossary

Domestic violence: It is used in this report to describe the types of violence that take place within the home or family between intimate partners as well as between other family members.¹

Gender-based violence: An umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed (that is, gender) differences between males and females. This includes acts that inflict physical, mental, or sexual harm or suffering; threats of such acts; and coercion and other deprivations of liberty, whether occurring in public or private life.²

Host communities: A community of the host country, usually in a given administrative unit, whose socio-economic circumstances have been impacted (positively and/or negatively) by an influx of refugees or internally displaced persons.

Internally displaced person (IDP): "An individual who has been forced or obliged to flee from his home or place of habitual residence, in particular as a result of or in order to avoid the effects of armed conflicts, situations of generalised violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognised state border".³

Justice demand: People with legal problems who need a fair resolution of these problems in such a way that resolutions result in positive and sustainable outcomes.

Justice gap: People who are not able to resolve their legal problems, either because they are still waiting for a resolution or have abandoned any hope of resolution, and those who resolve their legal problems but perceive the resolution as unfair.

Justice intervention: Refers to a particular action that a provider can perform when engaged in a dispute resolution process, such as providing advice, mediating actively between the parties, deciding on the matter, or referring to another third party.

Justice journey: Refers to the journey a person takes from the moment they recognise they have a legal problem until an eventual resolution. The journey includes searching for legal information and advice and taking actions to resolve the problem, either by directly engaging the other party, via a third party or through a combination of both.

Justice need: The need to have a legal problem resolved in a way that is fair, affordable, accessible, easy to understand, and results in an outcome that positively relieves the person of the most negative consequences of the problem.

Justice provider: A person or organisation involved to more or less systematically resolve legal problems.

Justice supply: Justice providers from the formal and informal sectors and/or a combination of both.

Justice user: A person with a justice need who engages a justice provider in a dispute resolution process.

Legal advice: People seeking to resolve a legal problem may seek personalised advice on how to address it.

Legal aid: A system of providing subsidised legal services to justice users who cannot afford to obtain legal services from the market.

Legal information: People seeking to resolve a legal problem may seek legal information. We make a distinction between legal information and legal advice. Legal information is obtained through public sources such as the Internet, radio, books and radio. Legal advice provides personalised legal information tailored to a specific justice user and her legal problem.

1 Inter-Agency Standing Committee (2015), *Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action: Reducing risk, promoting resilience and aiding recovery*.

2 UNHCR *Glossary of Terms*, at <https://reporting.unhcr.org/glossary>; UNHCR (1951), *Convention Relating to the Status of Refugees*, article 1A(2); UNHCR (1969), *Convention Governing the Specific Aspects of Refugee Problems in Africa*, article 1(2).

3 UNHCR *Glossary of Terms*, at <https://reporting.unhcr.org/glossary>.

Legal problem: A legal problem refers to a problem that takes place in daily life – a dispute, disagreement or grievance for which there is a resolution in the (formal or informal) law. The term ‘justiciable events’ is also used in legal needs research. The resolution of the problem could be through an intervention of a third party – i.e. adjudication, administrative process, arbitration (decision) or mediation or through negotiation or reconciliation between the parties. It is not necessary that the respondent know or recognise its legal aspects. It is also possible that nothing has been done to resolve the problem.

Refugee: Any person who meets the eligibility criteria under an applicable refugee definition, as provided for in international or regional refugee instruments, under UNHCR’s mandate, or in national legislation.

Under international law and UNHCR’s mandate, refugees are persons outside their countries of origin who are in need of international protection because of feared persecution or a serious threat to their life, physical integrity or freedom in their country of origin as a result of persecution, armed conflict, violence or serious public disorder.⁴

Resolution (of a legal problem): Resolution refers to the status of the problem; whether the respondent considers it resolved (completely or partially), ongoing and waiting or expecting to be resolved, or abandoned without expectation of the problem being resolved.

Sulh: It is a term that means “amicable settlement”⁵ or “reconciliation” in Islamic law. It is a way of resolving disputes without going to court or using violence. Sulh can be used for different kinds of conflicts, such as property disputes, tribal feuds, or personal injuries. Sulh is based on the Quranic command to “reconcile your differences” and the prophetic example of peacemaking.

User-friendly justice: Justice that is affordable, accessible and easy to understand based on evidence of what works for people seeking to resolve their legal problems. It places the user at the centre of the delivery of a justice service.

4 UNHCR Master glossary of terms <https://www.unhcr.org/glossary>

5 Al-Ramahi. Sulh: A Crucial Part of Islamic Arbitration



An enumerator conducting Justice Needs and Satisfaction survey in Qushtapa refugee camp, Erbil, Iraq

Executive summary

Voices of Resilience - Foundation for People-centered Justice for Forcibly Displaced Persons in Iraq

People-centred justice starts with evidence about ordinary people's legal problems and justice needs. The findings about access to justice in this report are not simply based on numbers but represent the summary of thousands of stories of forcibly displaced people and the host communities in Iraq who have to deal with impactful and difficult-to-resolve legal problems.

To achieve the goal of understanding the legal needs of the forcibly displaced people in Iraq, we went to big and small cities and villages in Iraq. This is the third report emerging from the HiIL-UNHCR partnership. It was conducted in 2023 in a period of relative calm in the region, right when the world was starting to leave the emergency of the COVID-19 pandemic behind. We visited refugee camps and IDP areas to talk with the people

affected by displacement. In total, 2640 randomly selected individuals spoke about the legal problems and justice needs in their daily lives.

Unveiling the Justice Gap

The Justice Needs and Satisfaction study of forcibly displaced persons in Iraq study reveals systemic challenges in access to justice. Almost 50% of the interviewed individuals experienced one or more significant legal issues within the last four years. Very few of the legal problems are resolved. The low resolution rate is the most salient dimension of the access to justice gap for the forcibly displaced people in Iraq. Only 15% of IDPs' problems are entirely or partially resolved. 22% of refugees' problems are perceived as completely or partially resolved. Similar is the situation for the IDP's host communities. Even fewer of the problems receive a solution that is perceived as fair. At a broader social level, tens of thousands of legal problems occur in the lives of already vulnerable individuals and communities. For many of these problems, there are no accessible justice journeys. Ultimately, the

forcibly displaced people and the host communities have to live with the consequences of these problems.

There are considerable differences in the frequency of legal problems between the four groups. 73% of the IDPs and 54% of the host communities of the IDPs had to deal with legal issues. 29% of the refugees and 37% of the refugee host communities encountered legal issues in their lives recently. With an average of almost two legal problems reported per person, IDPs and their host communities have more complex justice needs than the other groups, whose members often report only one legal problem.

Different groups of forcibly displaced people encounter different legal problems. IDPs most often have to deal with land and housing-related legal matters. Disputes over access to public services are most prevalent among refugees. The majority of the legal problems of the forcibly displaced people are perceived as unrelated to displacement, meaning that the problems they experience in the research's timeframe seem dislocated from displacement, particularly among the refugees living in camps. The

different groups experience different problems, which hints at the need for people-centred solutions. There is a need for tailor-made solutions rather than investing in institutions and mechanisms with supposedly universal answers to people's legal problems.

The legal problems of the forcibly displaced persons in Iraq and the people from the host communities have a high impact. Eighty per cent experience relevant consequences in their daily lives due to legal problems. Many forcibly displaced persons suffer from stress-related illnesses due to their legal challenges. More than 50% of the respondents believe that the legal problem has had a significant impact on their mental health. Loss of money is also widespread, being the second most common consequence across all groups. Host community members of refugees and IDPs more frequently report violence-related consequences, such as violence against the respondent or personal injuries.

Issues pertaining to debt, lending and borrowing, and security have the most significant impact, closely followed by legal problems like domestic violence, family problems, and land disputes.

Another facet of the justice gap is the finding that many individuals who encounter legal problems do not take action to resolve them. More than half of all IDPs hosts do nothing to respond to their legal issues. Forty-one percent of the IDPs do not act, 32% of the refugees and 28% of the refugees host communities. Female IDPs are significantly less likely to take action (45%) than male IDPs (70%).

Challenges on the Paths to Justice

The three most common reasons for people who experience problems but do not take action to resolve them are not expecting a positive outcome, not having enough money, and not knowing what to do about the legal problem. The disbelief that a positive result is achievable is a particularly concerning barrier because it is in people's minds. This renders access to justice for forcibly displaced people and the host communities already limited at the psychological level. Many people just give up before stumbling into the material barriers to justice, such as money, distance or complicated procedures.

Only around 3% of the forcibly displaced persons and the people from the host communities seek resolution in the Iraqi courts. The other 97% of the legal problems are brought somewhere else for resolution. Social networks are the most frequent sources of help. Many legal issues are referred to family members and friends. Relatively few refugees, IDPs and people from the host communities reach out to the other party or parties to pursue a bilateral resolution.

Camp management, refugee camp committees and UNHCR are particularly prominent dispute resolution sources of help among refugees. Around 10% of all legal problems are referred to lawyers. It is immediately clear from the data which these lawyers are and how exactly they are engaged in people's justice journeys.

Refugees and IDPs rate the quality of the processes rather positively but are negative about the outcomes. They generally feel treated with respect and that the procedure is clearly explained. Individuals who resolved their legal issues express reasonable satisfaction with the restitution of damages. However, they are less optimistic about

the fairness of the distribution, the actual resolution of the problem, and the clarity of the outcome explanation.

Significant variations exist within the sample's four groups regarding the use of dispute resolution sources of help. This is influenced by disparities in the legal problems faced by refugees, IDPs, and host communities, as well as variations in available resources and expectations regarding these issues. These differences point to the need for tailor-made and people-centred solutions. There is a need for customised, accessible and effective justice pathways instead of investing in institutions and mechanisms that claim to offer universally applicable answers to people's legal problems.

Exploring Interventions and Advice in the Justice Journeys

The third parties employ various and usually multiple interventions to resolve legal problems. On an average justice journey, there are 1.7 interventions by a neutral. Reconciliation, in the form of informal

mediation and Sulh, is the most common intervention for resolving problems, followed by providing advice and preparing documents. The data does not provide a conclusive answer to the questions "Which intervention works?" or "Which intervention works best?". Deciding or settling a problem has a slightly better chance of fully or partially resolving the problem. Indirect support, such as preparing documents and providing moral or financial support is associated with a higher risk that the problem is ongoing.

In this study, we refer to legal advice broadly as any information from a wide range of professional and non-professional sources about the problem or advice about the course of action in the specific situation. Except for the refugee hosts, in all other groups, no more than 43% of the people sought advice despite the broad definition. This implies that over 55% of individuals facing legal issues deal with them without seeking further advice. Advice most often comes from friends or family members.

Recommendations for Making Justice in Iraq More People-centred and Accessible

Based on the data and insights about the legal problem in the daily lives of forcibly displaced people and the host communities in Iraq, we formulate the following recommendations to the Iraqi governmental and non-governmental stakeholders as well as the international community:

- Continue monitoring the justice needs of populations in displacement-affected areas to know what legal problems are occurring, where they occur, and who is experiencing them. Constantly assess if those problems are being resolved in a way that restores damages and relationships and empowers people to move forward.
- Undertake a comprehensive nationwide legal needs study of the people in Iraq to enhance the big picture of access to justice in the country. Embed the study in the measuring and evaluation systems of national institutions such as the Central Statistics Organisation, Ministry of Justice and the Iraqi Supreme Judicial Council. Conduct legal needs studies on a longitudinal basis and integrate the insights and findings into people-centred justice policies.
- Research, design and implement accessible and efficient pathways that deliver justice for specific problems. The data points to land and housing problems for IDPs, disputes around accessing public services for refugees, neighbour-related disputes for host communities of IDPs, and family-related issues for host communities of refugees. Starting from evidence about people's needs, design and implement justice pathways for the most prevalent and burdensome legal matters. Mobilise national and international stakeholders and justice innovators to research, design and implement justice pathways.
- Leverage training and other capacity-building initiatives to foster a people-centred approach among national and international stakeholders. People-centred justice is a way of organising justice to deliver more and fairer resolutions. Policies and services must be designed, implemented, and evaluated, considering primarily the needs and interests of the users of justice - individuals, families, communities, and businesses.
- There are bright spots in justice for forcibly displaced persons in Iraq. Identify what works in dispute resolution and design ways to scale it up. Given that all groups in the sample lack access to justice solutions, justice pathways based on interventions that work will improve the quality of the processes and the resolution of legal problems.
- Organise innovative and scalable delivery models based on people's needs, knowledge about interventions that work, and sustainable value propositions. Traditional ways to deliver justice will not be enough to close the justice gap. Consider gamechangers that work elsewhere - community justice services; claiming services help people to access vital public services; or online information, advice and representation services.
- Work with diverse stakeholders to ensure enabling regulatory, business and financial environments for the scalable delivery models.
- Become part of the people-centered justice movement. This approach is gaining momentum locally, nationally, and internationally. Local authorities of areas with forcibly displaced persons and the national authorities of Iraq have the opportunity to connect with fellow professionals who share similar ideas, lessons, and aspirations for a significant overhaul of the justice system.





1

Introduction

Justice is a fundamental right and a basic protection need in situations of displacement. As important as access to shelter, food or sanitation; access to justice provides displaced people and host community members with a dignified way to prevent or resolve highly impactful disputes and problems in a wide range of daily life situations. A daily life that has already been disrupted and is rife with new challenges. Justice is a right and a social order that should not cease to exist in contexts of insecurity or disaster.

The United Nations High Commissioner for Refugees (UNHCR) has commissioned The Hague Institute for Innovation of Law (Hiil) to investigate the legal needs and satisfaction of populations of concern in displacement-affected areas through a people-centred approach. Together, UNHCR and Hiil have produced knowledge on the relationship between displacement and justice in regions of Ethiopia (2020) and Burkina Faso (2022). In this report, we provide the results of the third iteration, this time in the Republic of Iraq.

Iraq has been affected by waves of displacement since the early 1990s. In the past three to four decades, millions

of Iraqis have fled from their places of origin in different governorates. Syrian citizens and people from other nationalities have looked for safety in its territory. Because of these waves of displacement, Iraq has one of the largest populations of internally displaced persons (IDPs) and refugees in the world. According to the latest International Organization for Migration (IOM) data, there were about 1.2 million IDPs and almost 5 million returnees in Iraq as of April 2023.⁶ There are also about 300,000 refugees from Syria and other countries living in Iraq as of September 2023. Given the sheer size and needs of IDPs and refugees, it is critical for Iraqi stakeholders to obtain accurate people-centred justice data to inform subsequent policy and programming decisions to protect displacement-affected populations.

This report is about something other than justice in the books. While the books, codes or laws provide the framework of rights and obligations for people's daily interactions, they do not extinguish the range of possibilities for people who have a need - a justice need in this case - and search for a solution.

People-centred justice means justice that is accessible, understandable, affordable and effective. Procedures and solutions work for the users because the users are at the centre of people-centred justice. The outcomes of people-centred justice procedures can bring out the truth, restore relationships, and compensate for damages. People-centred justice is justice that allows people to continue with their lives. It supports progress. It increases social cohesion and unity.

This report focuses on understanding the justice needs of Syrian refugees living in camps, urban IDPs and their respective host communities in Federal Iraq and the Kurdistan Region of Iraq (KR-I)⁷. Previous reports in this series focused exclusively on refugees (Ethiopia) or IDPs (Burkina Faso) and their respective host communities. We comment on the limitations that this current approach generates in the methodology section of this report.

This report will contribute to evidence-based policymaking and programming that improve the protection of everyone in displacement-affected areas inclusively. UNHCR's policies in Iraq have moved from a post-

conflict response towards a long-term development response, reflecting a wider shift away from direct humanitarian assistance towards support for development interventions. People-centred justice focuses on the experiences and outcomes that people need to get their lives back on track, empowering them and their communities to find fair solutions to their legal problems, increasing social cohesion and economic development.

Access to justice is crucial to any response, be it a full-scale humanitarian emergency or sustainable development/government-led processes. This is a priority that remains constant through the transition process (from direct humanitarian assistance to development).

The Government of Iraq, with the support of the international community, has made progress in what relates to the protection of refugee and migrant populations as well as host communities. In May 2022, Iraq became the first MENA region country to "submit both a Voluntary National Review (VNR) – an overview of the State's progress toward the

⁷ Specifically, Syrian refugees living in Qushtapa and Akre camps in the KR-I, IDPs living in urban settings in Ninewa, Salah Al-Din and Anbar in Federal Iraq as well as non-displaced Iraqis in the host communities where these populations reside.

⁸ The KR-I is a semi-autonomous region designated by the Iraqi Constitution.

⁶ IOM Displacement Tracking Matrix (DTM) data: <https://iraqdtm.iom.int/>

Global Compact on Migration's (GCM) objectives – and a set of forward-looking policy pledges⁹⁹. Embracing people-centred justice can empower the Government of Iraq to implement its policy pledges on migration data, protection and reintegration.

A people-centred programming approach, including: the collection of data on the needs and experiences of people; moving from data to evidence-based practices; developing game-changing justice services; creating an enabling environment; and ensuring engagement and accountability is therefore consistent with the needs, ambitions and actions that the Government of Iraq has signalled in previous years. It provides the foundations to achieve the UN's Sustainable Development Goals (SDG 16 as an enabler of other SDGs such as SDG 10, 11 or 13 and others) and is compatible with the idea of the Open Government Partnership (OGP) of transparency, participation and accountability.

This report is organised as follows: chapter 2 explains the methodology used to measure access to justice in this project, including potential

limitations. Chapter 3 presents a brief overview of the background and context of displacement in Iraq. Chapter 4 provides the details of the sample composition. Chapters 5 to 9 show the survey results, including the Justice Gap (ch.5); Impact of legal problems (ch.6); Dispute resolution (ch.7); Interventions by justice providers (ch.8); and Legal information and advice (ch.9). Chapter 10 finalises with the findings and implications derived from the data.



Hiil-UNHCR Partnership

This report is the third in a series of Justice Needs and Satisfaction (JNS) surveys conducted as part of a partnership between Hiil and UNHCR initiated in 2019. Hiil is a leader in justice innovation. It is known particularly for its JNS survey, which has spent years refining and is an internationally recognised methodology for measuring justice, including in the context of the Sustainable Development Goals (SDGs) and Open Government Partnership (OGP). The surveys take a people-centred justice approach, focusing on understanding needs from the perspective of the justice users. Hiil has extensive datasets, with citizens and non-citizens surveyed, in over twenty countries so far.

UNHCR is mandated to work with States to provide international protection and to seek permanent solutions for persons under its mandate. These include refugees, refugee returnees, stateless persons and internally displaced populations. Key to fulfilling this mandate is supporting States in ensuring that these populations have access to rights at the same level as nationals or legal residents of a country, without discrimination.

In 2015, Hiil started including samples of displaced populations as part of general population studies in Ukraine, Jordan, Lebanon, and Nigeria. The Hiil-UNHCR partnership was initiated in 2019 to improve the methodology for doing so more systematically and at scale. The data that Hiil and UNHCR can collect together provides for a better understanding of inequalities, discrimination and potential triggers for conflict that might exist among and between different population groups. It provides a basis for innovation in justice delivery to forcibly displaced and stateless populations and their host communities and for improving social cohesion. This information is critical for ongoing and future programming by governments, humanitarian agencies, development organisations and other partners engaged in the justice or social sectors and/or in responses to forced displacement and statelessness. It is key to fulfilling the central premise of the 2030 Development Agenda to leave no one behind.

⁹⁹ Iraq in the UN. [In Lead Up to Flagship Migration Policy Conference, Iraq Makes Key Pledges for Improved Governance | United Nations in Iraq](#). Retrieved on November 24th 2022.



2

Methodology



The JNS methodology

This study builds upon HiiL's extensive experience conducting Justice Needs and Satisfaction (JNS) Surveys. Over the years, we have developed a unique survey methodology and implemented it in more than 20 countries. The methodology of the present survey builds particularly on two previous JNS surveys. In 2020, HiiL conducted a JNS survey of refugees and host communities in Ethiopia, which required methodological adaptations similar to those necessary for the present survey. More recently, HiiL completed a JNS survey of IDPs and host community members in Burkina Faso.

The leading local data collection company, Independent Institute & Administration Civil Society Studies - Al Muskatella for Research (IIACSS), conducted fieldwork using the computer-assisted personal interviews (CAPI) method in all governorates in the sample. A limited number of pen and paper personal interviews (PAPI) were conducted in the Erbil governorate due to officials' request.

Measuring the justice gaps

The JNS methodology implements HiiL's vision of people-centred justice by starting from the people's perspective and seeking to understand their problems and what they do to resolve them. This perspective is the opposite of starting from administrative data and case files of justice providers. Instead, the focus is on the justice users, their legal needs and their experiences. By doing so, we uncover legal problems that never make it to the formal justice system but profoundly affect people's lives. Of course, not all problems people face are legal problems, but more often than not, they have a justice aspect. This allows us to focus on people's needs regarding problem resolution and identify any mismatches between needs, the resolutions available to them, or the lack thereof. We call this mismatch the "justice gap". With this approach, we have a much broader understanding of access to justice as it allows us to identify problems that are not usually considered legal problems and, therefore, never get resolved. Looking from people's perspectives also maps where potential resolution mechanisms exist but are

not accessible to the justice users.

To measure the justice gap, we first asked adult individuals if they had experienced one or more legal problems in the previous four years. As legal problems are not always perceived as such, we presented respondents with a list of around 100 common legal problems and asked if they had faced any [\[see Annex\]](#). This list of problems was adapted to the situation of IDPs, refugees and host communities in Iraq and the problems were classified into broader categories such as land disputes, family problems, and crime. This report presents the most common problems among Syrian refugees, IDPs and the respective host community members in the locations surveyed.

We then asked people to indicate whether each of their selected problems had been resolved. Comparing the legal problems experienced and the legal problems resolved, we can gain an understanding of the nature of the justice gap. Although selected demographic indicators are recorded for each respondent, we were not able to produce an 'epidemiology' of legal

¹⁰ This list of problems was drafted in consultation with local justice experts and UNHCR Iraq team experts in two workshops and multiple review rounds, to ensure that it covers all potential legal problems particular respondents may have, in a language that is familiar to them.

problems and justice needs, as the sample size is small and covers only a fraction of the diverse groups of refugees and IDPs in Iraq.

People were also asked to rate the seriousness of their problems and to indicate which of their problems they considered the most serious. Based on a combination of the prevalence and seriousness of legal problems, we identified the most important justice needs of Syrian refugees, IDPs and host communities in Iraq, in the locations surveyed. Such a focus on the main legal problems allows for the prioritisation of resources and efforts in improving needs-based access to justice.

Key stakeholders from the UN protection system, experts from civil society organisations and academia discussed the initial study results in Baghdad during a Justice Data Workshop in September 2023. The participants in the event reviewed and discussed the main findings about the most important justice needs and provided further insights to reflect the national context and realities.

An enumerator conducting Justice Needs and Satisfaction survey in Qushtapa refugee camp, Erbil, Iraq



Measuring the impact of legal problems

Not all legal problems affect people's lives similarly. To consider this, the rest of the survey explores people's most serious problem in depth and their attempts to resolve it. For example, we asked respondents whether their most serious problem led to certain consequences, such as a loss of income, harm to family relationships, or even the death of a relative. We also explored in more detail the impact of the problem on their personal relationships, financial well-being, physical and mental health, and performance at work.

The justice journey

The JNS also seeks to map people's experiences into a justice journey, which is the succession of steps taken by the person from the moment they encounter a legal problem to the moment they either resolve it or abandon it. It is important to note that Hiil's approach acknowledges both informal and formal justice mechanisms to shed light on what

services people effectively use and which ones they do not. Whom did people ask for advice and whom did they ask for help? Did they try to resolve the issue directly with the person who did them wrong? Did they first consult with a family member, involve an elder from their community or perhaps an NGO legal worker? Or did they turn straight to court? Which of these actions were the most useful? And which people were the most helpful? Did people face challenges when trying to access justice services? When do people consider that a dispute is resolved? Has it been mediated? Or has it been arbitrated? Of course, the type of resolution and people's satisfaction with it will depend on the type of legal problem and the type of person.

Over the years, the Hiil has implemented an approach to evaluate the quality of a person's justice journey according to three dimensions: quality of the process leading to the resolution, quality of the outcome of the resolution, and the cost involved (see tables on the next page).

Each of these indicators is a composite measure on a scale of 1-5 which aggregates the respondents' answers to several questions.

QUALITY OF THE PROCESS LEADING TO RESOLUTION

Voice and neutrality	Process control, decision control, neutrality, consistent application of rules
Respect	Respect, politeness, proper communication
Procedural clarity	Timely and accurate explanation of procedures and rights

QUALITY OF THE OUTCOME (not populated in this survey due to low-resolution rates)

Fair distribution	Distribution is fair according to needs, equity and equality criteria
Damage restoration	Fair compensation for monetary loss, emotional harm and damage to relationships
Problem resolution	The extent to which the problem is resolved and the result is enforced
Outcome explanation	The extent to which people receive access to outcome information

COST OF JUSTICE

Money spent on the process	Monetary costs for legal fees, travel, advisors
Time spent on the process	Time spent searching for information, and evidence, attending hearings, travel, and other logistical expenses
Stress and negative emotions	Stress and negative emotions attributed to the process



Measuring legal information and advice

Awareness of rights and available mechanisms to claim these rights is a key element of understanding the legal dimension of a problem on the one hand, and that help is available to resolve it on the other. People who seek and obtain legal advice tend to be more likely to take action to resolve their legal problems. However, information about rights and legal procedures is not always available. Other times, it is available, but people do not know where to find it. This is why accessible legal information and advice is a cornerstone of access to justice.

The JNS survey identifies what sources of information people use and whether advice given effectively helps people resolve their legal problems. Results tell us when, where, and how people seek, and find, what they perceive to be the most useful information.

Limitations

Like any other study, the JNS survey of refugees, IDPs and host communities in Iraq has its inherent limitations and boundaries. Although the overall sample is relatively large, having several sub-samples decreases the effective number of observations per sub-sample. Some findings are based on a small number of respondents. This is especially the case when the disaggregation in the sub-samples gets closer to the end of people's justice journeys (the costs and quality of resolution of legal problems) or when a problem category with small prevalence is analysed in considerable depth. The available data varies depending on the number of people with problems, the number of people who take action, and the number of people who resolve their problems. The JNS questions are about first-hand experiences, and those who did not take action cannot say anything about

the quality of the process; those who did not resolve their problems cannot say anything about the quality of resolution.

The sample is indicative and not representative of the overall population of refugees, IDPs and host communities in Iraq. The refugee sample comprises Syrian refugees living in two camps in Erbil (Qushtapa) and Duhok (Akre)¹¹. The host communities' samples were drawn from populated areas near the camps (host community of refugees) or in the same cities are IDPs (host communities of IDPs). Given the high degree of socio-political fragmentation in Iraq, the sample is not apt for generalizations at the national level or for the totality of refugees. Further specificities about the populations surveyed are presented in the next chapter.

Another important factor to consider is that people tend to underreport some legal issues, especially highly traumatic problems such as domestic violence or sexual offences. These are often considered sensitive topics, making people, particularly women, refugees and other persons with precarious legal stays, less likely to report them. Cultural norms, shame, and fear might impact people's willingness to report certain problems. Lastly, this study does not cover the justice needs of IDP returnees, who are a particularly vulnerable population.

11 Other specific limitations during fieldwork that affected the representativeness of the sample include: Quota sampling instead of random sampling was followed in the Qushtapa camp. Our approval to work in the camp was limited until 6 p.m., and most of the males were still at work, the female percentage was much higher due to this reason. Enumerators tried to increase the number of male interviewees. Some of the provided PSUs for IDPs were empty and it was a remote area, the supervisors mentioned that the IDPs left in the previous months so the sample was distributed to a smaller number of PSUs in each governorate.





3

Background and context of displacement in Iraq

The 2014–2017 displacement crisis

In recent decades, Iraq has experienced long periods of insecurity and conflict, resulting in widespread displacement. Since the beginning of the century, the country has been facing a number of different armed groups operating on its territory. In 2014, Da'esh took rapid control over large areas of the country, especially in northern and central Iraq. The following three years saw widespread and well-documented human rights abuses against civilians in these areas, amounting to war crimes, crimes against humanity, and possible genocide.

This period saw the cumulative displacement of almost six million Iraqis, or 15% of the total population of the country, mostly to the Kurdistan Region of Iraq (KRI). At the height of the displacement crisis in 2017, 135 formal IDP camps existed across Iraq,

hosting over 800,000 people, as well as many more informal sites.¹²

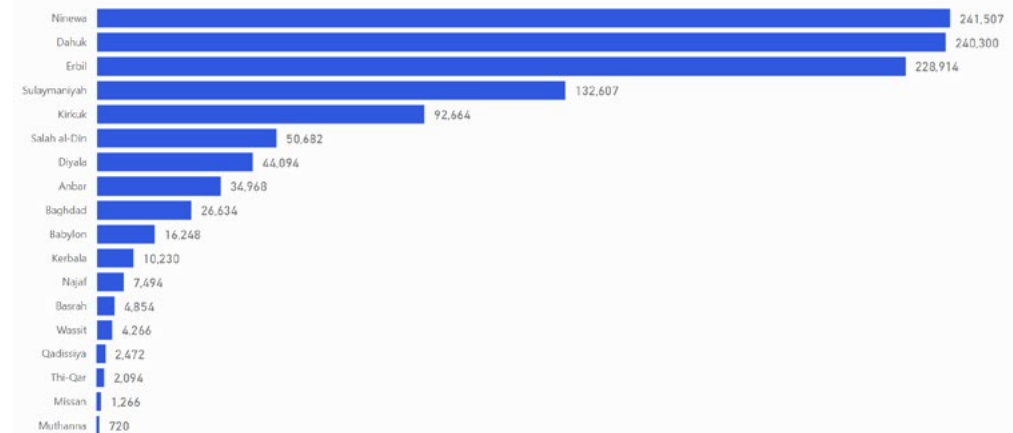
In the ensuing years, Iraqi and Kurdish Security Forces, supported by a range of international actors, were gradually able to retake territory from Da'esh. The Iraqi government officially declared victory over Da'esh in December 2017. Since then, the security situation has gradually improved, especially in major urban areas, as large-scale military operations and attacks have declined. Many IDPs started to return to their areas of origin, although insecurity continues to be a feature of daily life in many parts of Iraq, especially in rural areas that are sometimes still dominated by Da'esh and in formerly Da'esh-held territory.¹³ Although IDP returnees are not included in the current study, they likely face unique legal problems and related challenges.

IDPs and refugees in Iraq: the current situation

As of September 2023, the number of IDPs in Iraq totalled 1.1 million people.¹⁴ Many IDPs have been displaced multiple times and have been living in displacement for years on end. New and secondary displacement also continues to occur, either because of unsuccessful returns, continued insecurity and violence, or environmental factors.¹⁵

The vast majority of the IDPs are located in the KR-I, (Duhok, Erbil, and Sulaymaniyah governorates). Other governorates with large IDP populations are Ninewa and Kirkuk, located in northern Iraq. More than half of all remaining IDPs are originally from Ninewa.

GOVERNORATES RANKED BY NUMBER OF IDPs



Source: <https://iraqdtm.iom.int/Dashboard>, accessed 27.11.2023

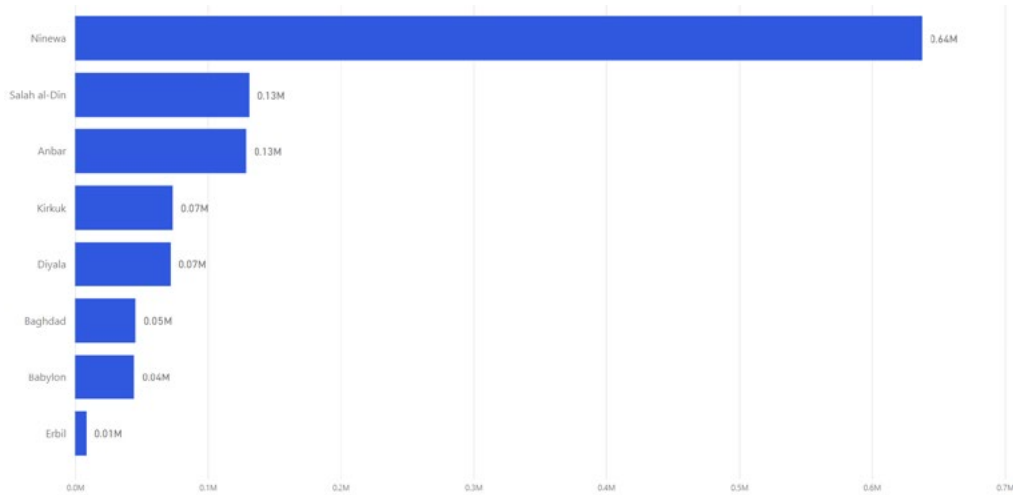
12 CCCM Cluster Iraq Transition Strategy

13 International Protection Considerations with Regard to People Fleeing the Republic of Iraq

14 <https://dtm.iom.int/iraq>

15 International Protection Considerations with Regard to People Fleeing the Republic of Iraq

IDPs BY GOVERNORATE OF ORIGIN

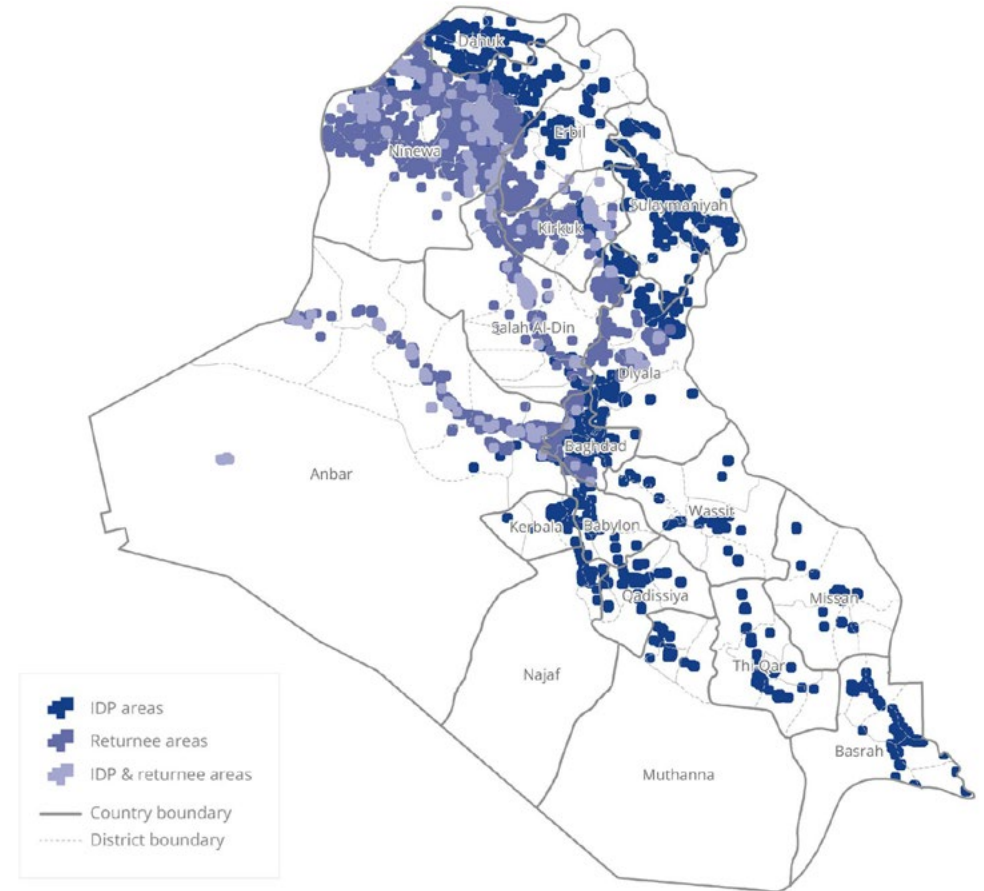


Source: <https://iraqdtm.iom.int/Dashboard>, accessed 27.11.2023

It is estimated that around 61% of IDPs in Iraq live in private shelters, such as rented housing or with host families. Around 31% live in one of the 25 IDP camps that continue to exist in Iraq, hosting around 180.000 people, all

based in the KR-I¹⁶. Finally, 8% of IDPs live in what are called ‘critical shelters’, which comprise non-housing units, such as unfinished or abandoned buildings, schools, religious buildings, and informal settlements.¹⁷

DISTRIBUTION OF IDP AND RETURNEE LOCATIONS IN IRAQ (AS OF APRIL 2021)

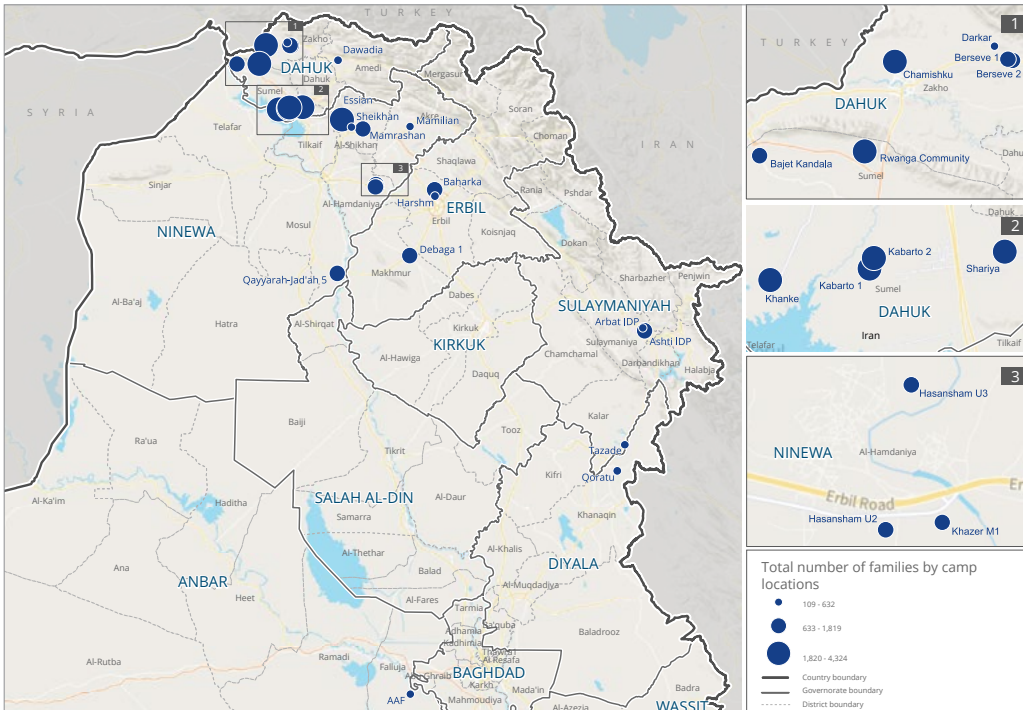


Source: International Protection Considerations with Regard to People Fleeing the Republic of Iraq; Housing, land and property rights in Iraq

16 International Protection Considerations with Regard to People Fleeing the Republic of Iraq; Housing, land and property rights in Iraq

17 International Protection Considerations with Regard to People Fleeing the Republic of Iraq; Housing, land and property rights in Iraq

DISTRIBUTION OF IDP AND RETURNEE LOCATIONS IN IRAQ (AS OF APRIL 2021)



Source: International Protection Considerations with Regard to People Fleeing the Republic of Iraq; Housing, land and property rights in Iraq

Many IDPs struggle with access to employment and livelihood opportunities, including challenges with access to government social programmes. The lack of income, in turn, affects people's ability to access

everyday necessities, such as food and shelter, as well as other public services, including health and education. It also creates an obstacle for return and can lead to renewed displacement.¹⁸

Most IDPs report having no plans to return to their area of origin, instead preferring to stay in their current location, which highlights the relevance of achieving local durable solutions now. Damage or destruction of houses is particularly often cited as a return barrier by IDPs, affecting between 60% and 70% of the population.¹⁹ Other common reasons cited by people for not wanting to return are continued insecurity; lack of livelihood opportunities and financial resources; lack of access to basic services; unresolved disputes around housing, land, and property; or a lack of sufficient information to make a well-informed decision about return.²⁰ IDPs have also faced discriminatory bans on return by local authorities and military and security actors. Individuals and families that are suspected of involvement with or support of Da'esh have often been blocked from returning or faced other repercussions.²¹

Besides the large number of IDPs, Iraq also hosts around 259,000 Syrian refugees and around 30,000 refugees from other countries, including Iran, Turkey, and Palestine. Almost all of these refugees reside in the KRI, particularly the Erbil, Duhok, and Sulaymaniyah governorates. Around two in three of them live in urban areas, while the remaining people live in camps.²² Very few of these refugees expect to be able to return to Syria in the foreseeable future. A mostly shared Kurdish identity has helped to facilitate de facto local integration, but legal restrictions and virtually no chances of obtaining Iraqi citizenship pose significant barriers to full integration and enjoyment of the same rights as Iraqi citizens.²³

18 International Protection Considerations with Regard to People Fleeing the Republic of Iraq

19 Housing, land and property rights in Iraq; NRC - "Your house is your homeland" How Housing, Land, and Property Rights Impact Returns to Sinjar, Iraq
 20 International Protection Considerations with Regard to People Fleeing the Republic of Iraq; Housing, land and property rights in Iraq
 21 International Protection Considerations with Regard to People Fleeing the Republic of Iraq; Life in the margins; Housing, land and property rights in Iraq
 22 UNHCR Iraq: Syrian Refugee Statistics December 2022
 23 Far from home

Access to civil and identity documentation

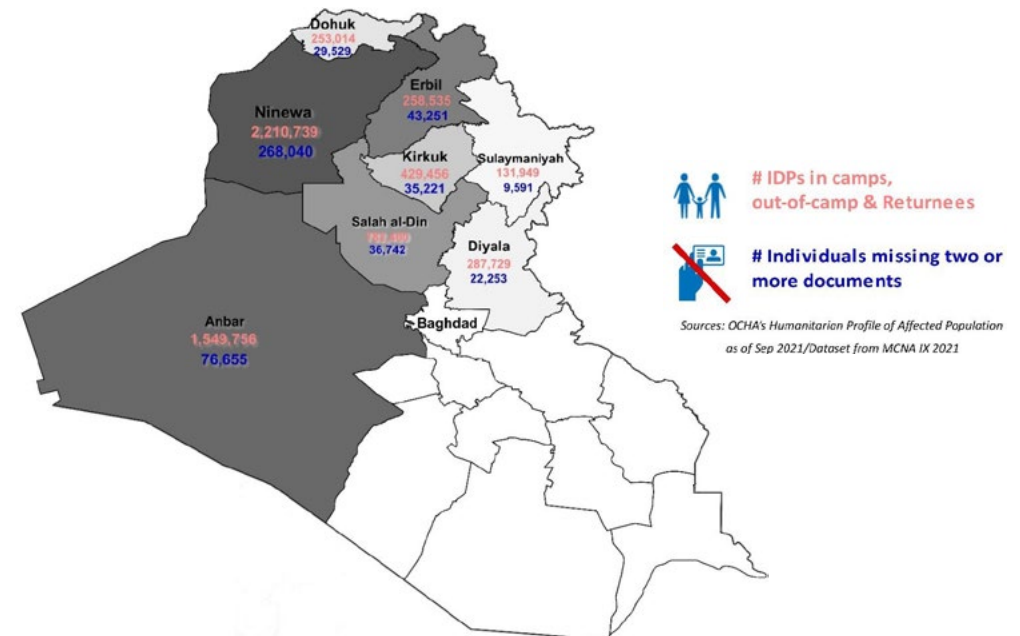
Lack of civil and identity documentation (core identity documents as well as birth, marriage, and death certificates) is one of the primary protection issues faced by IDPs and IDP returnees. It hampers access to a wide range of essential public services, including health care, social welfare benefits, and the justice system.²⁴ It can also hamper freedom of movement, as people might not be able to pass checkpoints and face heightened risks of arrest and detention, which complicates the options for a safe and sustainable return to their area of origin.²⁵

By the end of 2021, over 1 million Iraqis lacked one or more core legal documents.²⁶ This issue is proportionally much more common among IDPs than returnees. In terms of location, the issue is particularly prevalent in the Northwestern part of the country, with Ninewa, Al-Anbar, and Erbil governorates having the highest number of individuals missing two or more key legal documents.

Nationwide, around 5% of households report missing three or more key documents, making them particularly vulnerable. This percentage is almost identical for all groups – IDPs, refugees and their respective host communities.²⁷

	Absolute number of people lacking identity and civil documentation	Percentage of people lacking identity and civil documentation
In-camp IDPs	51,000	25%
Out-of-camp IDPs	245,000	28%
Returnees	788,000	16%

DISTRIBUTION OF INDIVIDUALS LACKING DOCUMENTATION



24 Life in the margins
 25 International Protection Considerations with Regard to People Fleeing the Republic of Iraq; Housing, land and property rights in Iraq
 26 Iraq - Civil and Identity Documentation - 2021: The year in review
 27 Protection cluster Iraq - Protection Analysis Report October 2021

A brief introduction to access to justice in Iraq

Legal pluralism defines the context of access to justice in Iraq. Its legal system contains Civil (state) law, Sharia law, and Tribal law. The 2005 constitution is the most important legal text and prohibits the passing of any legislation that contradicts it.²⁸ It enshrines the territorial unity of Iraq, describes Islam as the state religion and basic foundation for the country's laws, and lists Arabic and Kurdish as the two official languages of Iraq. The region of Kurdistan is recognised as a federal (autonomous) region with "the right to exercise executive, legislative and judicial powers in areas not reserved as exclusive of the federal government."²⁹

The Constitution guarantees the rule of law, the independence of the judiciary, and equality before the law. It also stipulates the right to a fair and public trial, including the right to counsel. Among the various economic, social, and cultural rights in the constitution

are the right to work, minimum wage, universal healthcare, and free education.³⁰

The three systems interact with each other in ways that have been affected by the recurrent crises that the Iraqi state has faced for decades. It ranges from cooperation and coordination in penal matters,³¹ to challenge and competition.

Still, a range of issues prevent people in Iraq from accessing the formal justice system. Reports about actual and perceived corruption in law enforcement agencies and the judiciary, as well as political pressure and threats, intimidation, and attacks against judicial actors, are compromising the effectiveness of the rule of law. Women and people of diverse sexual orientations, in particular, face multiple obstacles when trying to obtain justice.³² For IDPs, access to formal justice is further



complicated by their displacement, lack of income, and absence of civil and identity documents.³³

Refugees face additional challenges when it comes to accessing justice as they find themselves outside their country of origin. For instance, a 2019 study of Syrian refugees residing in urban areas in Erbil, Duhok, and Al-Ka'im found that only 47% of Syrian refugees reported having access to effective remedies for displacement-related violations, including access to justice (compared to 56% of the host community). Only 16% of refugees (and 21% of host community members) said they were aware of the available legal and justice bodies in Iraq, citing the police, courts, Ministry of Justice,

Asayish (Kurdish security organisation), and the Real Estate Dispute Resolution Authority.

Low levels of trust in the formal justice system means that many Iraqis take their disputes to tribal conflict resolution mechanisms. Studies have found that many people prefer to resolve their disputes through customary or community justice mechanisms rather than the formal justice system, as it is seen as fairer, timelier, and more affordable.

To the best of our knowledge, no comparable legal needs study has been conducted in Iraq, making this report the first of its kind in the country.

28 <https://proeliumlaw.com/iraq-legal-country-profile>

29 World Bank - Iraq Kurdistan Regional Government (KRG) Comprehensive review of legislation

30 Human Rights and Freedom of Expression: Trials in the Kurdistan Region of Iraq

31 Genat, M. (2021). Tribal Justice and State Law in Iraq. *International Journal of Middle East Studies*, 53(3), 507-511.

32 International Protection Considerations with Regard to People Fleeing the Republic of Iraq

33 International Protection Considerations with Regard to People Fleeing the Republic of Iraq

34 Far from home

35 International Protection Considerations with Regard to People Fleeing the Republic of Iraq

36 UNICEF - Mapping and assessment of the child justice system in Kurdistan region of Iraq

37 <https://worldjusticeproject.org/legal-needs-atlas>



4

Sample and implementation

The people who talked to us

This chapter presents the study implementation with an emphasis on sampling procedures, the selection of respondents, and the main sample characteristics.



2640

persons talked to us about their experiences with legal problems



Sampling procedure

There are three sub-groups in the population of interest: Syrian refugees living in camps in the KR-I; IDPs; and the respective host communities surrounding the refugees and IDPs.

The UNHCR Iraq operations selected two refugee camps due to their relevance to activities in the autonomous Kurdistan Region of northern Iraq: **Qushtapa Camp**, located around 20 km south of Erbil city centre, Erbil Governorate, and **Akre camp** in Duhok Governorate. Iraqi citizens living in the proximities of these camps were considered host community members. The former group was interviewed in Arabic, while the latter was in Kurdish.

Due to their large population of IDPs, we included in the sample three Governorates in Federal Iraq: **Salah Al-Din, Anbar, and Ninewa**. Non-displaced Iraqi citizens living near the IDP-populated areas were designated host community members for the IDP sample. Interviews with IDPs in Arabic were conducted in Tikrit, Mosul and Fallujah.

We wanted to understand the justice needs and experiences of different

groups of people in Iraq, such as refugees, IDPs, and host communities. To do this, we conducted interviews with around 2,600 people across different country regions.

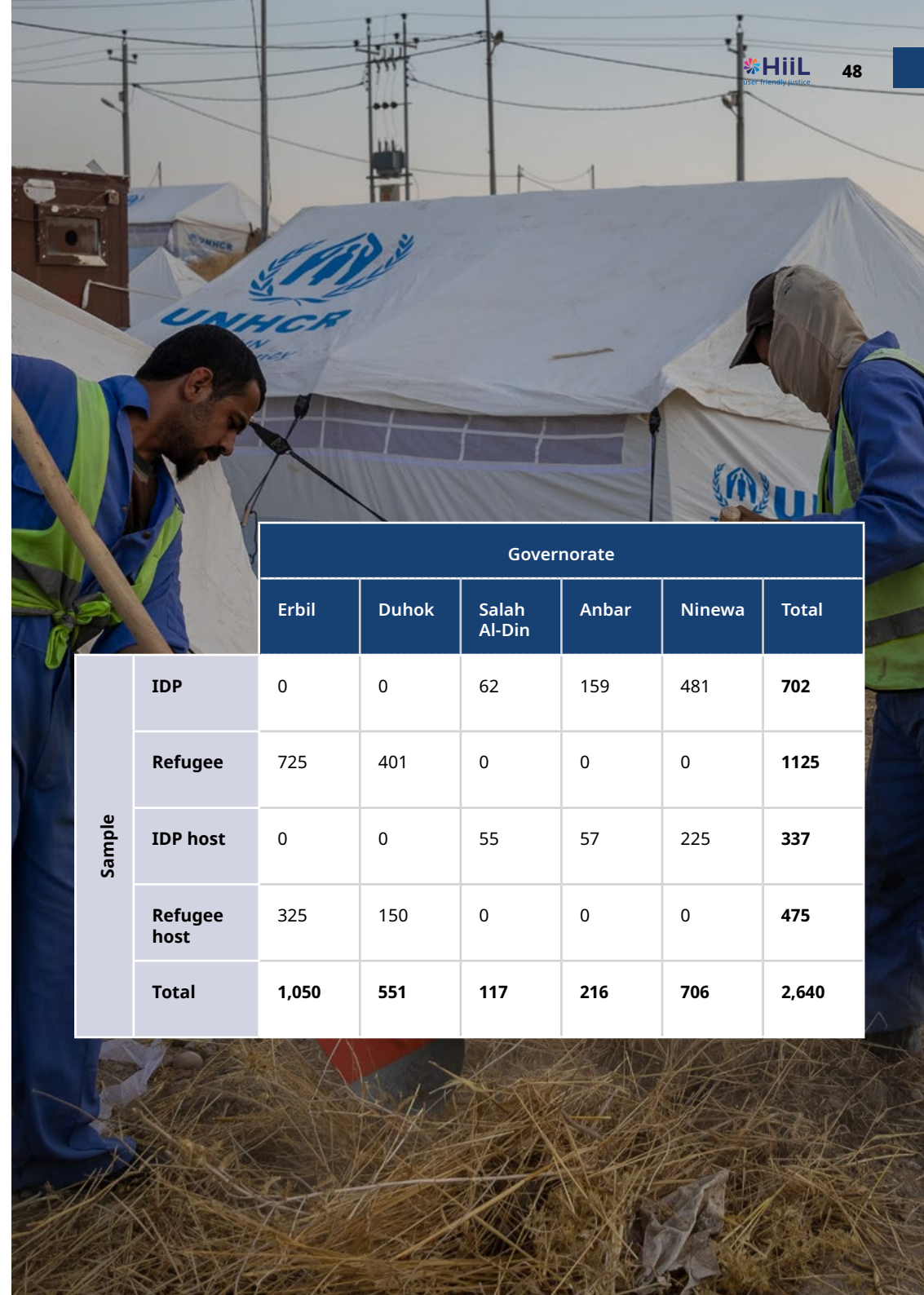
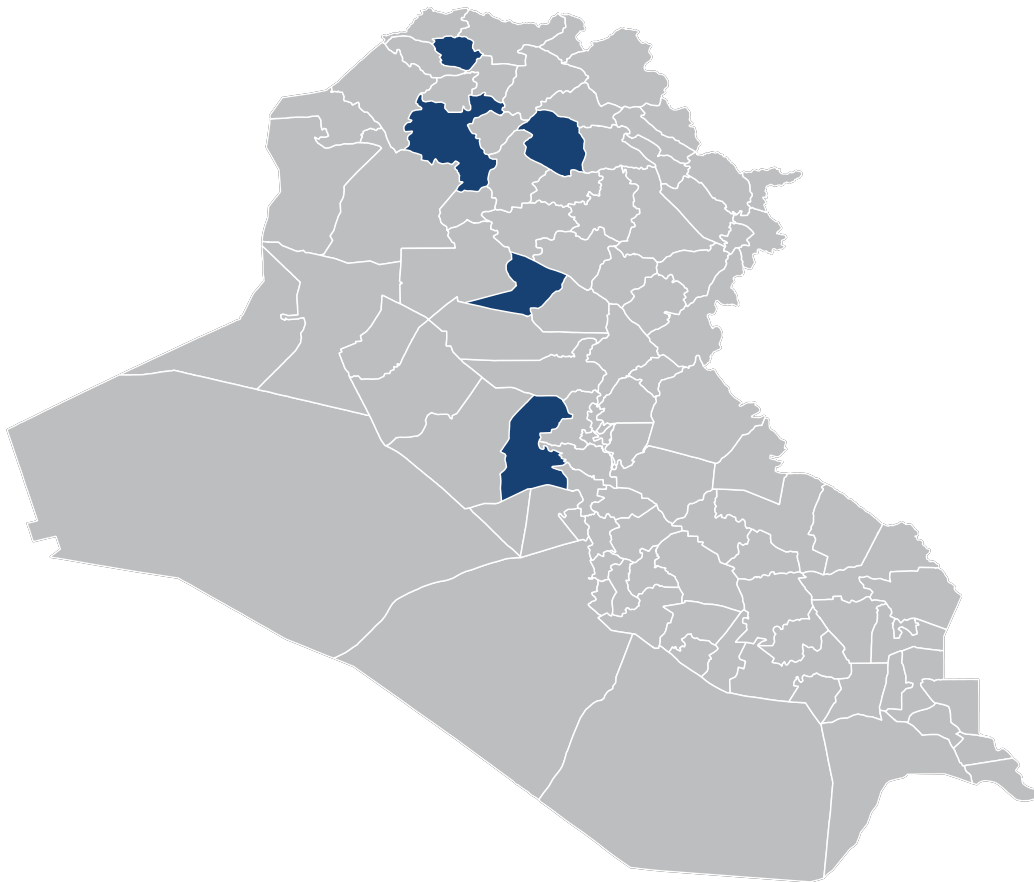
In the Kurdistan Region, we interviewed 1,600 people, including 1,125 refugees and 475 host community members. We tried to interview a similar number of men and women in each group. However, this was not easy in the Qushtapa camp because many men were not at home during the day. Therefore, we had to use a different method to select the respondents in this camp based on some criteria such as age and gender.

In the Federal Iraq Governorates, we interviewed 1,000 people, including 700 IDPs and 300 host community members. We chose regions with more IDPs, because of the relatively high number of displaced populations; however, we also had to consider the security situation in each region because we wanted to protect our interviewers from any harm. Therefore, we asked our local partners to help us select the safest places to conduct the interviews.

Sample Characteristics

Sample size: 2640 persons.
The map below shows the sample locations.

LOCATION OF THE INTERVIEWS

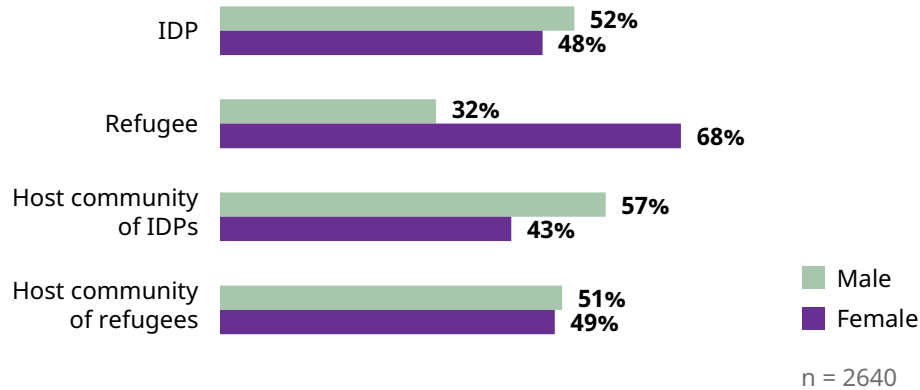


		Governorate					Total
		Erbil	Duhok	Salah Al-Din	Anbar	Ninewa	
Sample	IDP	0	0	62	159	481	702
	Refugee	725	401	0	0	0	1125
	IDP host	0	0	55	57	225	337
	Refugee host	325	150	0	0	0	475
	Total	1,050	551	117	216	706	2,640

The majority of the respondents included in the overall sample population are **female (56 percent)**. This is mainly due to a larger proportion of women (70 percent) within the refugee sample.

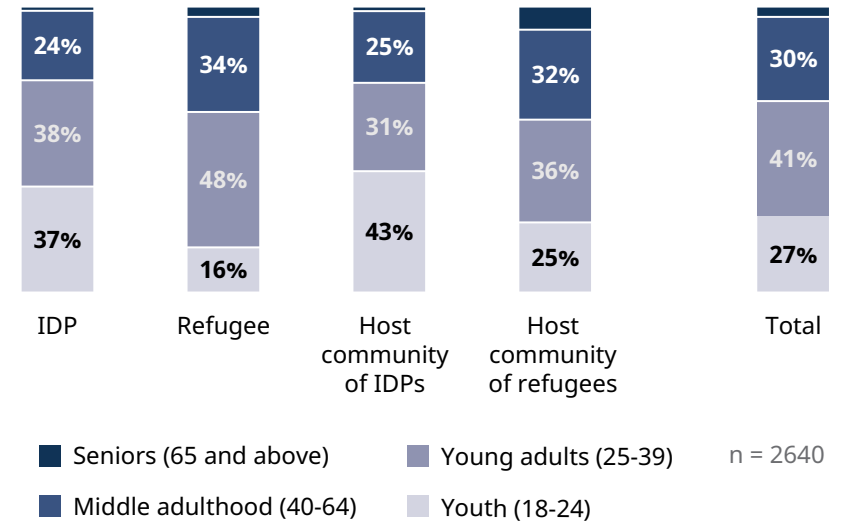
As mentioned above, this bias is most likely because, during the daytime, many refugee men were outside the camp. For safety reasons, no interviews were conducted in the evenings.

GENDER COMPOSITION BY SAMPLE



The average age of persons included in the sample is **35 years old**.

AGE GROUPS DISTRIBUTION BY SAMPLE



AVERAGE AGE BY SAMPLE

Group	Average age (years old)
IDP	31
Refugee	36
Host community IDP	31
Host community refugee	38

People told us their subjective income level, based on a four-point scale that goes from 'not having enough to cover their basic needs', 'can cover their basic needs,' 'can afford more than their basic needs', and 'can afford anything they need.'

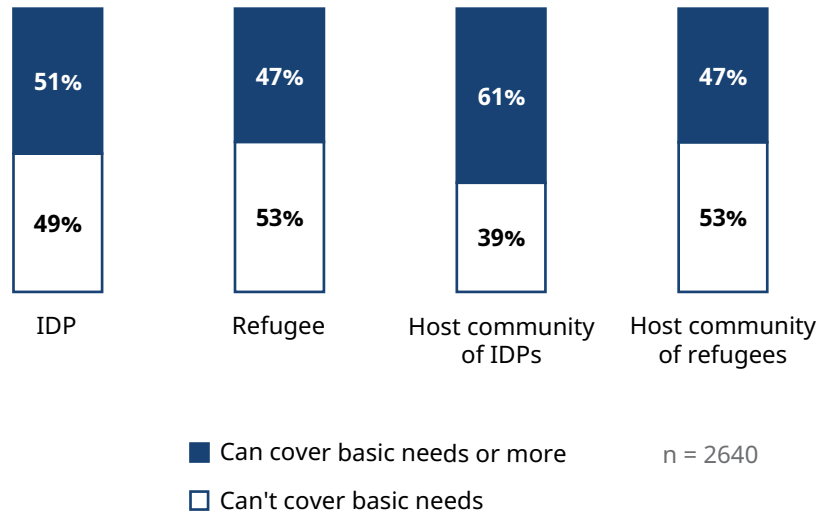
Given that most of the sample is concentrated in the first two groups of the income variable, we recorded the variable into two categories (cannot

cover their basic needs and those who can afford the basic needs and more). The distribution fluctuates around the 50-50 mark in all groups except for the host community of IDPs, in which almost two out of three respondents stated that they could cover more than the basic needs. This means that the IDP host community group considers itself slightly more capable of affording basic needs than the other groups.

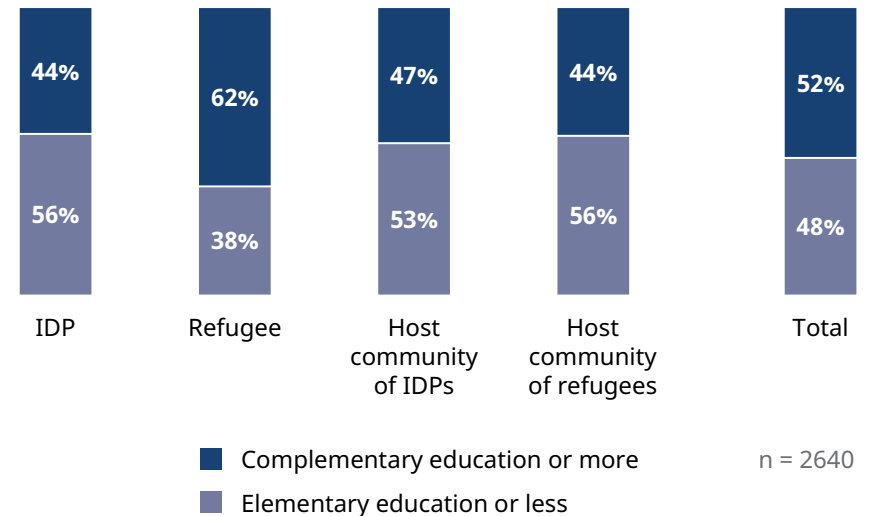
Similar to the income variable, the variable that captures the highest education level attained by the respondent was recoded into a binary version due to the skewed distribution of the original variable; this is, that there were too many levels in higher education with few people in them, therefore, we collapsed them in one level. The re-categorisation into two levels separates those who had completed elementary education or less (including those with no formal education) and those who had achieved complementary education or more.

While the distribution of the total sample is almost identical between levels, the graph below shows that the refugee sample contains relatively more people (both men and women) who have completed complementary education or beyond. This suggests that the refugee sample consists of a higher proportion of people with higher levels of education.

INCOME LEVELS BY SAMPLE

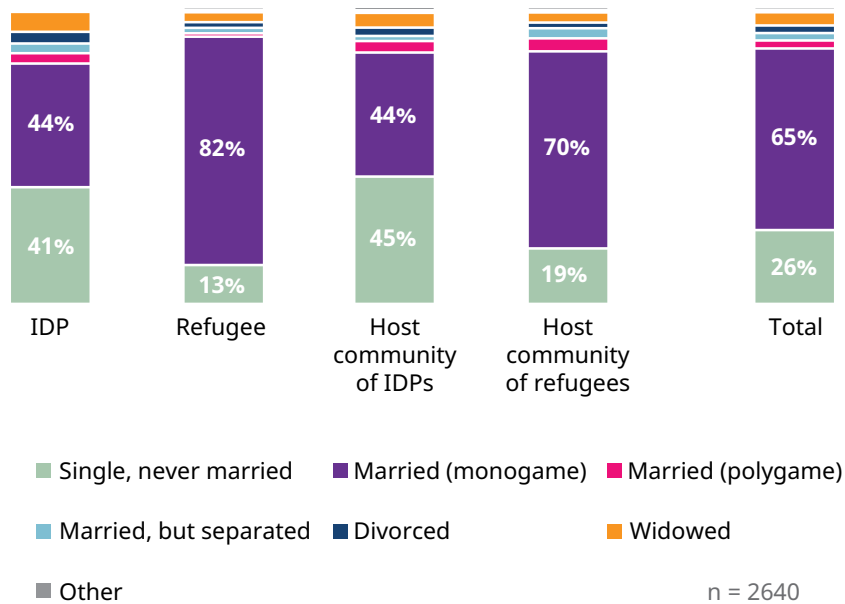


HIGHEST EDUCATIONAL LEVEL BY SAMPLE



Regarding marital status, most people are either single, never married or married in a monogamous relationship. The refugee group presents the highest percentage of married people.

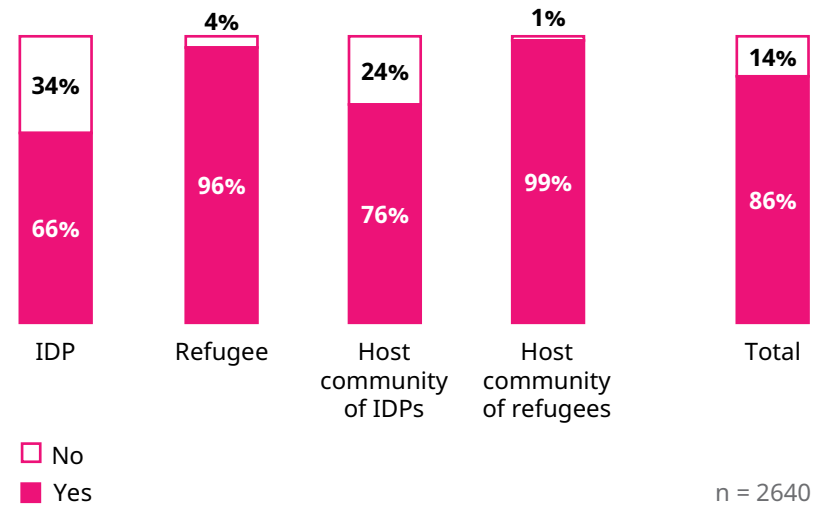
MARITAL STATUS BY SAMPLE



Access to the internet is unevenly distributed across groups. Both IDPs and host community members of the IDP group say they have less access to the Internet than the refugee-related

groups, who enjoy almost universal access. One-third of the IDPs in the sample report not having access to the internet. Access to the internet is particularly low in Tikrit and Falluja.

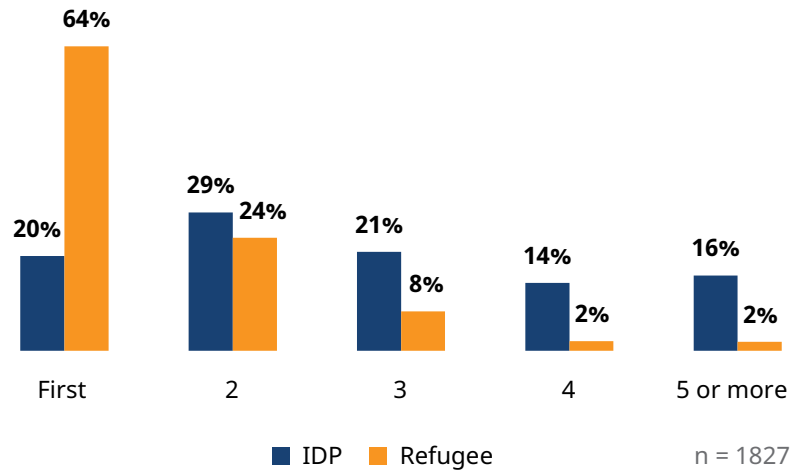
ACCESS TO THE INTERNET BY SAMPLE



Previous HiIL- UNHCR research has found that multiple instances of displacement were common among displaced persons. The graph below shows the number of previous moves or instances of displacement that refugees and IDPs in the sample have experienced. According to a UNHCR Iraq expert, these multiple moves often occur with individuals who were forced to leave their homes early in

the Da'esh conflict, and subsequently had to relocate multiple times as Da'esh expanded its territorial control. Those seeking to return from areas of displacement to their original homes may encounter challenges due to security concerns and social cohesion issues. As a result, returning to their previous residences may be restricted, necessitating relocation to alternative places.

NUMBER OF FORCED DISPLACEMENTS BY DISPLACED SAMPLE



The demographic differences between groups can be summarised as follows: refugees in the sample are mostly married women with relatively high education who have access to the Internet and have not moved/relocated as much as the IDPs in the sample. IDPs, and host communities of both refugees and IDPs have a more similar profile in terms of demographics, with the host community of refugees being slightly older than the rest.





5

The Justice Gap

What legal problems do members of the population of interest experience in their daily lives?

A need for justice starts with a disagreement or a severely hurt relationship. The cause of a justice need may be forced displacement or difficulties with finding and securing housing. The justice gap emerges when such events severely disrupt people's lives. The justice gap widens when people do not receive fair solutions for their justice needs. Injustice increases when some people systematically receive worse outcomes for their legal problems.

This chapter reveals the legal problems that refugees, IDPs and the respective host communities surveyed have encountered in the previous four years. In a way, just like epidemiologists map out the presence of different illnesses in a population, this is the justice epidemiology of the most common legal problems of the population

of interest. We provide in this chapter answers to fundamental questions such as: What proportion of the population of interest experienced legal problems? Who is likely to experience legal problems? How many problems do people experience? What are the legal problems about? What is the relation between displacement and legal problems?

The prevalence of legal problems is the proportion of people who identified having experienced at least one of the legal matters from a list of 105 specific issues that may occur in Iraq. These problems are grouped into 14 categories, which are listed below.

Respondents could report problems from multiple categories and up to 10 problems from the same category. This explains why many people reported experiencing multiple legal problems.

Legal problems are common in displaced populations and among members of their host communities

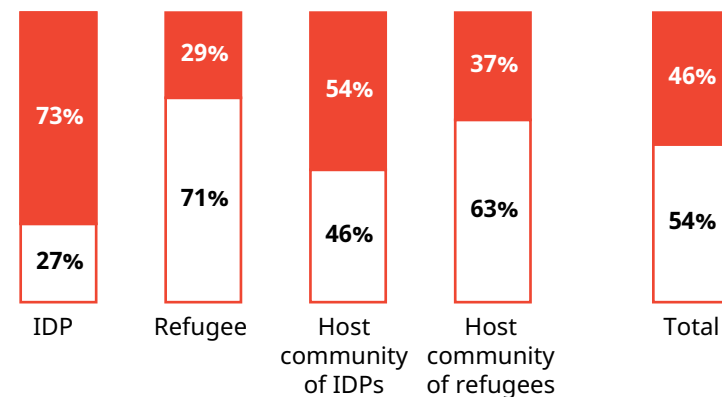
Almost half (46%) of all interviewed refugees, IDPs and host community members had to deal with one or more serious legal problems in the past 4 years. However, there are considerable differences in the frequency of legal problems between the four groups.

7 out of 10 IDPs in the sample (73%) experienced at least one legal problem that took place in the past

four years (June 2019 - August 2023). The proportion of host community members of IDPs is slightly lower, at 5 out of 10 (54%).

Syrian refugees reported fewer legal problems compared to IDPs. 3 out of 10 refugees (29%) experienced one or more legal problems. Slightly more – 37% – of the refugee host community members experienced legal problems.

PREVALENCE OF LEGAL PROBLEMS BY SAMPLE



■ One or more problems reported n = 2640
 □ No problems reported

PROBLEM CATEGORIES

- | | |
|--------------------|------------------|
| Land | Crime |
| Domestic violence | Consumer-related |
| Housing | Accidents |
| Neighbours-related | Money-related |
| Employment | Documentation |
| Family-related | Security |
| Public Services | Corruption |

Several plausible explanations might explain these differences. As shown in Chapter 4, many IDPs in the sample have suffered multiple instances of displacement, with more frequent moves from one place to another than the refugees. The average number of forced displacements for IDPs is 3, while for refugees, the average is 1.6.

The graph below shows that IDPs who are in their third or fourth move are more likely to report legal

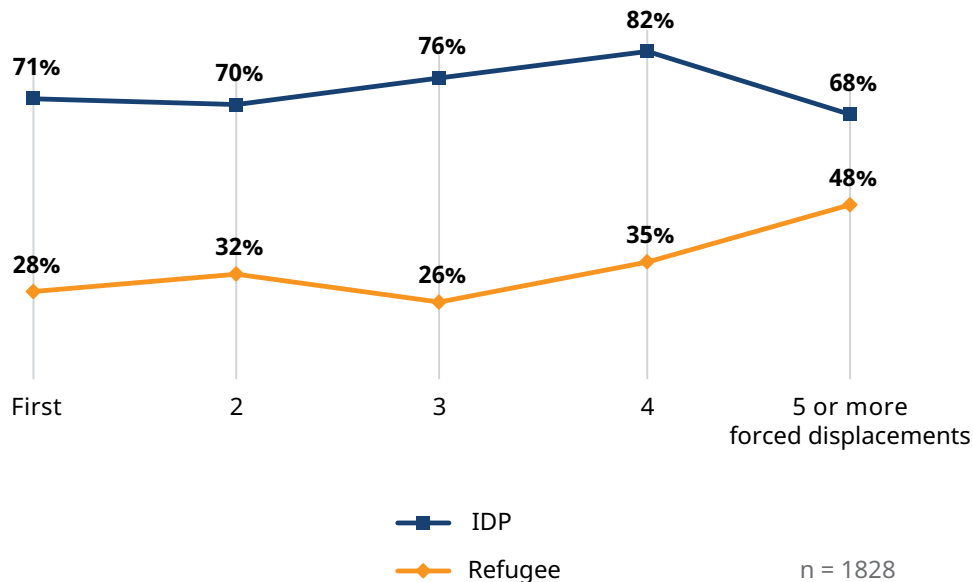
problems than those with fewer moves. According to participants in the data workshop, many refugees have resided in the same camp for a long time (sometimes far longer than the four-year research period). Hence, the case of IDPs moving more frequently indicates an increased risk of experiencing problems. Here, we must warn that some of the points in the chart below are based on very few respondents.

Participants in the workshop also stated that the length of the conflict and the fact that many IDPs have been displaced multiple times indeed play a role. For example, multiple forced displacements complicate official registration of life events like marriage and other official documents, which can cause or exacerbate other types of problems.

Experts who participated in the data workshop in Baghdad and enumerators who conducted fieldwork in the refugee camps put forth an additional explanation. Refugees have been in camps for a period of time that has allowed them to settle in a somewhat controlled environment. With this, two phenomena occur. First, serious legal problems that caused the displacement and for which no action has been taken in the research period are not reported since the question focuses on legal problems experienced in the last four years. Second, they are less likely to encounter certain common categories of legal problems, such as access to land and housing as these are dimensions that are taken care of in camps.

A third explanation is the refugee sample gender composition. Due to specific constraints explained in the subsection "limitations" of the methodology chapter, the refugee sample has more female than male respondents. Female, married refugees, most of them unemployed, have limited socioeconomic activities and therefore, encounter less often legal problems. However, this link between socio-economic characteristics and legal problems works differently with IDPs. Relatively more female IDPs are unemployed, and still, female IDPs report problems more often than refugees. This lends support to the finding that IDPs do indeed experience more legal problems than refugees.

PREVALENCE OF LEGAL PROBLEMS BY SAMPLE

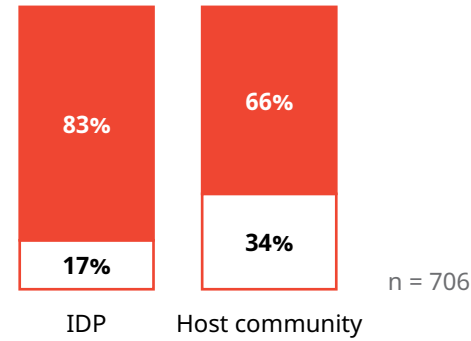


Prevalence of legal problems varies across samples and locations: IDPs in Ninewa are the group that face legal problems more often

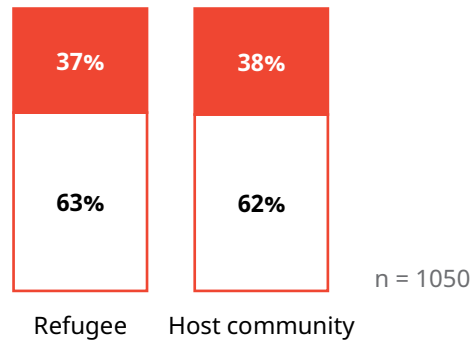
Due to the relatively small sample size of all groups, disaggregation may provide unreliable results. Therefore, we present only the prevalence of legal problems by governorate.

The graphs show the prevalence of legal problems in each Governorate.

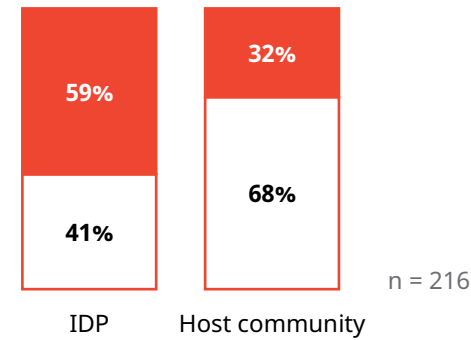
LEGAL PROBLEMS PREVALENCE NINEWA



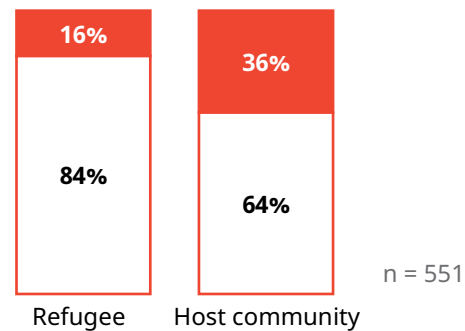
LEGAL PROBLEMS PREVALENCE ERBIL



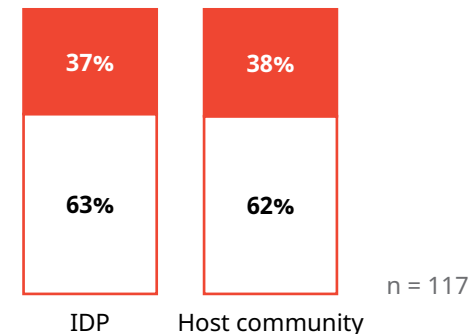
LEGAL PROBLEMS PREVALENCE ANBAR



LEGAL PROBLEMS PREVALENCE DUHOK



LEGAL PROBLEMS PREVALENCE SALAH AL DIN



■ One or more problems reported
□ No problems reported

■ One or more problems reported
□ No problems reported

Differences within groups

IDPs from Ninewa comprise almost 70% of the overall IDP sample and they most often report legal problems. This is an important note to understand the prevalence of legal problems among the IDPs properly. IDPs from Ninewa and Anbar experience legal problems more often than their host communities. IDPs in Salah al Din, on the other hand, report experiencing legal problems less often, and there is little difference between the IDPs and the host communities in Salah al Din.

There are clear differences between the Syrian refugees and the respective host communities in the different governorates. In Duhok, residents of Akre camp barely report legal problems (16%), while the host community members report significantly more often problems at 36%. In Erbil, residents of Qushtapa camp report legal problems more often than those in Akre (at 37%), but this percentage is not statistically different from the local host community (38%).

Another explanation of the underreporting of legal problems by refugees may be related to the fact that IDPs are Iraqi citizens and feel, therefore freer or able to speak. Previous experience with refugees indicates that they are reluctant to disclose data about their situation due to a lack of trust in different actors in the field. Additionally, participants in the justice data workshop stated that “Syrian refugees might not report problems that are not processable in Iraq; they might not even think about it”, which refers to the impossibility of resolving legal problems that occur(ed) outside Iraq.

Another observation brought up by participants in the workshop was that IDPs whose family members are perceived to be affiliated with Da'esh face discrimination. Missing or arrested spouses exacerbate the severity of the legal problems, resulting in a higher prevalence of legal problems.

Gender

There is a statistically significant difference in legal problem prevalence only between the men (43%) and women (31%) from the host community of refugees.

Income

Income significantly affects the prevalence of legal problems only among the host communities of refugees. Those who can cover their basic needs report facing legal problems more often (almost 50%) than those who cannot afford their basic needs (26%).

Education

48% of the people with lower levels of education report one or more legal problems. Those with higher education are less likely to report a legal problem (22%).

Age

The host community of refugees in Erbil and Duhok are the only groups showing a relationship between age and the prevalence of legal problems. Prevalence increases with the increase of age – from around 20% for the younger groups to more than 55% for the older groups.



Perceived lack of empowerment is the main reason for not experiencing legal problems

There is a common thread among almost all subsamples: the most common reason stated for not experiencing legal problems is that they felt too poor or weak to be involved in such problems. This points to the negative effect of a feeling of disempowerment and a perceived lack of legal capability to deal with legal problems. In reality, there are perhaps more legal problems, but people prefer not to “see” them because the problems are perceived as unsolvable.

Only the host community of refugees in Erbil and Duhok chose a different reason as the most common: legal problems tend to be a matter of luck (*I was lucky not to experience legal problems*), and they were unaware of these problems.

Respondents who selected the option *I am too poor/weak to be involved in such problems* as the primary reason for not encountering a legal problem:

- IDPs: 6 in 10 people did not experience problems
- Syrian refugees: 4 in 10 people did not experience problems
- Host community of IDPs: 4 in 10 people did not experience problems
- Host community of Syrian refugees: 1 in 10 people did not experience problems and particularly prevalent among women in this group.

As a point of comparison, IDPs in Burkina Faso overwhelmingly attributed not experiencing legal problems to “being lucky” and “taking measures to prevent problems”³⁸. In 2022, those who did not have legal problems among the general population of Niger also stated that they took preventive measures.³⁹ We have also found this tendency to attribute a lack of experiencing legal problems to preventive measures in other regions, such as Colombia, in our upcoming JNS report. From this small sample of countries, it seems that displacement-affected people in Iraq are particularly hopeless, disenfranchised and unable to consider situations that may happen to them as problems that can be resolved.

The picture that emerges is that a combination of factors such as mistrust and disempowerment make IDPs, Syrian refugees and the respective host communities less likely to consider disputes of daily life as something that can be resolved with legal means.

38 HiIL-UNHCR Justice Needs and Satisfaction of IDPs and Host Communities in Burkina Faso 2022. P 58

39 HiIL Justice Needs and Satisfaction in Niger 2021. P 46



IDPs report more legal problems than other groups

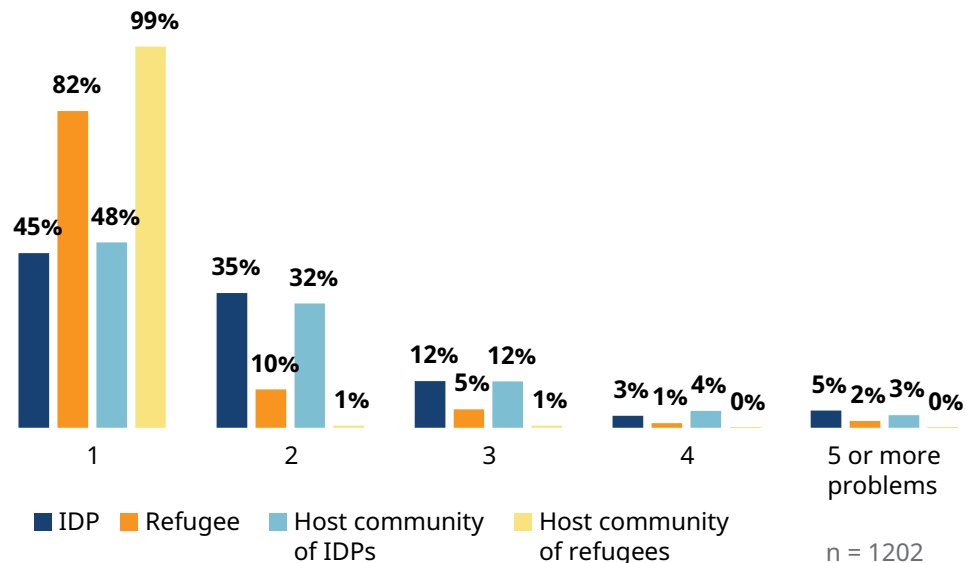
IDPs and their host community members faced, on average, around 2 legal problems in the four-year period (an average of 1.9 problems reported for both groups among those who face problems). Refugees (average of 1.3) and their host communities (average of 1) reported fewer problems.

Among those who experienced legal problems, the number of legal

problems they experienced (between one and five or more) is demonstrated by percentages in the below graph.

Most respondents with legal problems report one problem, and therefore, the overall mean is close to 1 problem per person. Gender, age, income and other socio-economic variables are unrelated to more or less reported legal problems per person.

NUMBER OF PROBLEMS EXPERIENCED BY SAMPLE



IDPs most often have to deal with land and housing-related legal problems. Disputes over access to public services are most prevalent among refugees.

Each group in the sample selected a different category of legal problems as the most prevalent. Chart on the next page shows that IDPs most frequently experience land-related problems (29% of the IDPs with legal problems) and Housing (28%). More than 30% of the refugees with legal problems report problems with access to public services, making it the largest category in the group. Almost 25% of the IDPs host community reported neighbour-related problems. Family-related problems are the most prevalent category for refugee host communities.

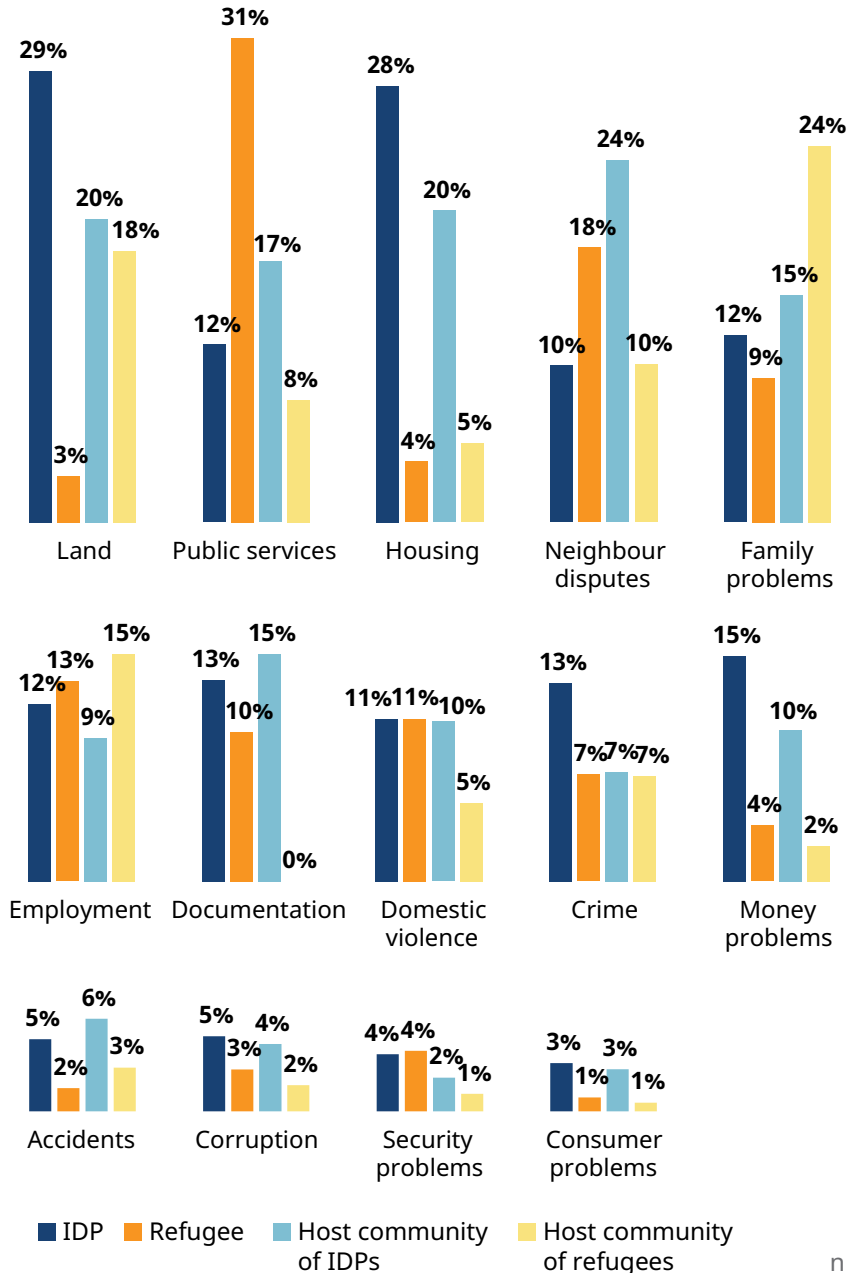
IDPs experience complex legal situations: they are most likely to encounter a legal problem and, on average, report more problems than the other groups. They are the group which deals with more crimes and money-related problems. Again, we warn that at this level of disaggregation, the sample size becomes very small for conducting reliable analysis. Only land and housing problems in the IDP group, and public services related problems in the refugee group have more than 100 responses.

Each category of legal problems consists of multiple problems (see Annex), which we call "specific legal problems". For instance, eviction is one of the legal issues from the category of legal problems related to Land.

Examining the specific legal problems, it is evident that both IDPs and their host communities most frequently encounter legal matters around renting houses (15% IDPs and 10% host communities). Most of their problems in this housing category are regarding the amount of the rent, followed by eviction from house/shelter. In the category of land problems, IDPs encounter most frequently disputes over land titles, eviction from land and lack of compensation for occupied land. Other recent research shows similar trends in terms of protection needs, with eviction (or threat of eviction) being a prominent problem among IDPs in Northern Iraq⁴⁰.

40 REACH Informal Sites Profiling & Movement Intentions Survey <https://reliefweb.int/report/iraq/iraq-reach-informal-sites-profiling-movement-intentions-survey-may-2023> Retrieved on November 14 2023

MOST COMMON LEGAL PROBLEM CATEGORIES BY SAMPLE



n = 1202

Examining the specific legal problems, it is evident that both **IDPs and their host communities most frequently encounter legal matters around renting houses** (15% IDPs and 10% host communities). Most of their problems in this housing category are regarding the amount of the rent, followed by **eviction from house/shelter**. In the category of land problems, IDPs encounter most frequently **disputes over land titles, eviction from land and lack of compensation for occupied land**. Other recent research shows similar trends in terms of protection needs, with eviction (or threat of eviction) being a prominent problem among IDPs in Northern Iraq.

The most common specific legal problems among **Syrian refugees** relate to difficulties **accessing healthcare and difficulties receiving welfare benefits** (11% and 9%, respectively). Given the predominance of women in the refugee group, we can infer that difficulties accessing healthcare are a pressing need for refugee women in camps (12% of the women refugees, compared to only 5% of the men).

The **host communities of refugees** in Erbil and Duhok report more often other types of problems, such as

unfair termination of employment and problems around **inheritance and wills** (7% each).

Other specific problems that are common for all groups include issues with ID documents (ID cards, passports), violence between neighbours, economic deprivation as a form of domestic violence, and theft.

Participants in the data triangulation workshop stated that in regard to the legal problems of IDPs, one factor that can contribute to the existence of land problems is political issues related to disputed claims about territory between the KRI and the central government, especially in Ninewa. The Ezidi population particularly often does not possess land title deeds.

Workshop participants also noted that most refugees arrived more than four years ago in Iraq, which means problems in their country of origin (especially land and housing problems) are not included in the data set. In Iraq, land ownership is low for this group as refugees live in housing in the refugee camps, therefore unlike urban refugees/IDPs, they have fewer housing problems.

What we know about all the legal problems reported

Throughout this chapter, we have presented all of the information with people as a unit of analysis. In this section, we will switch the unit of analysis towards legal problems. For every legal problem that individuals

reported, we asked a limited number of questions about that particular problem. The goal is to have sufficient information about all legal problems of the population of concern.

All groups perceive their legal problems as highly severe

These are not trivial problems. The graph below shows the distribution of all legal problems based on the perceived severity as the respondents felt them.

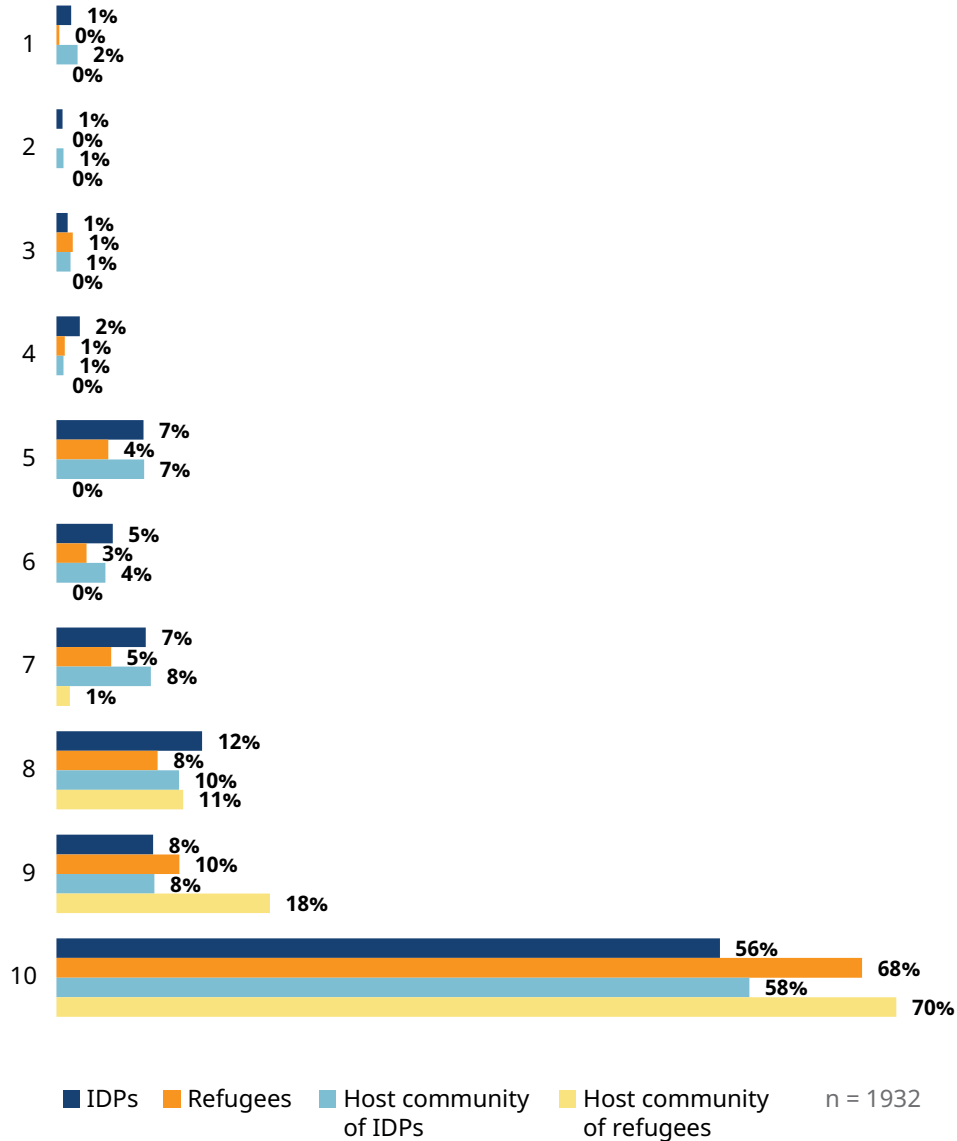
On a scale from 1 to 10, where 1 is the least severe and 10 is the maximum; 10 selected by 56% and 70% of individuals across all sample groups for the problems they reported, making it the most frequently chosen rating.



10

- most frequently chosen severity rating

HOW SERIOUS WAS THE PROBLEM (ON A 1 TO 10 SCALE) BY SAMPLE



The majority of the legal problems of the forcibly displaced people are perceived as unrelated to displacement

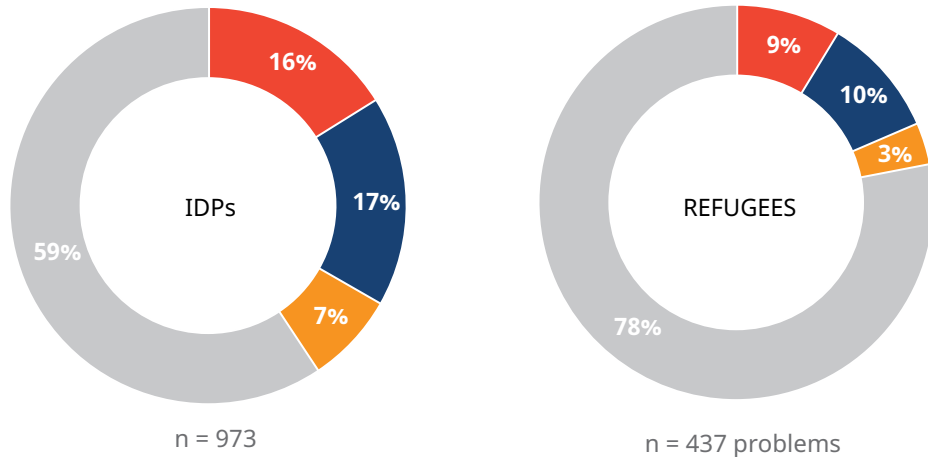
Within the IDP sample, around 40% of the legal problems are considered to be related, to a certain extent, to displacement. As a subset of this group, 16% of these legal problems were considered a direct cause of displacement. The remaining 59% are not deemed to be direct or indirect causes of displacement.

The percentage is lower for Syrian refugees. Around 78% of their problems are unrelated to the cause of the displacement. Problems that were indeed related to displacement took place outside of the research timeframe (June 2019 - June 2023) This means that the legal problems are directly caused by something else – i.e. a conflict, disagreement, or grievance which is different from the fact of the displacement. Only 9% of the legal problems of refugees are causes of displacement.

Recent and active violence in the surveyed areas can affect the link between displacement and legal problems. For example, despite some sporadic violence in the KR-I before the training of enumerators, the situation has remained relatively calm in the surveyed zones in Iraq. This might be one of the factors behind the fact that most of the problems are perceived as unrelated to displacement.

The graph [on the next page](#) shows the linkage between the legal problems and the cause of displacement.

RELATION BETWEEN A SPECIFIC LEGAL PROBLEM AND DISPLACEMENT



- The problem is a cause of my displacement
- The problem is a consequence of my displacement
- The problem is both a cause and a consequence of my displacement
- The problem is unrelated to my displacement

These distributions are consistent with the argument that refugees have had a relatively more stable situation in previous years than IDPs, who, as participants in the data workshop stated, have faced more recent and repeated displacement.

was a more volatile situation of recent displacement under circumstances of active conflict. A possible implication is that the more volatile the context, the more likely legal problems will be directly linked to displacement. In contrast, more protracted displacements in less volatile settings will produce legal problems less related to displacement and more related to the broader institutional and development context as well as daily life.

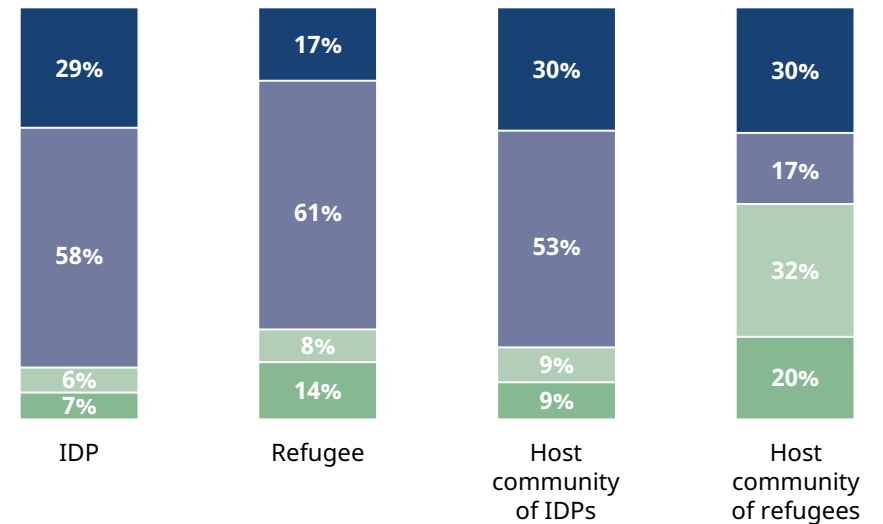
As a point of comparison, 77% of the legal problems IDPs experienced in Burkina Faso had a relation to displacement.⁴¹ As stated before, it

The resolution of legal problems is a challenge in the displacement-affected areas of Iraq

For each reported legal problem, we asked about the resolution status to identify whether the problem has been resolved (either fully or partially), is ongoing (with the hope or intention to resolve it) or has been abandoned (and not expecting any result thereby).

Chart below uses problems as a unit of analysis and reveals that a substantial majority of the problems do not get resolved and most remain ongoing. This is valid among all 4 population groups. IDPs and their host communities report that respectively 58% and 53% of their legal problems are in a process of resolution.

PROBLEM RESOLUTION BY SAMPLE



- Abandoned
- Ongoing
- Partially resolved
- Completely resolved

Only the host community of refugees – mostly in Erbil and to a lesser extent in Duhok – show higher resolution rates, with around 50% of their legal problems attaining full or partial resolution.

Participants in the data workshop suggested that these low-resolution rates result from the unavailability of justice services in these displacement-affected areas. Chapter X, dispute resolution, will provide a deeper look at how people attempt to resolve their most serious legal problems.



Land, housing and access to public services problems predominate among the most serious problems in displacement-affected areas

Following the questions about all reported legal problems, the respondents independently determined which of their reported problems they consider the most serious.

Table below shows the top five most serious problem categories for each of the 4 groups. **From this moment on, the data in this report refers to the most serious problem.**

THE MOST SERIOUS PROBLEM BY SAMPLE IN DECREASING ORDER

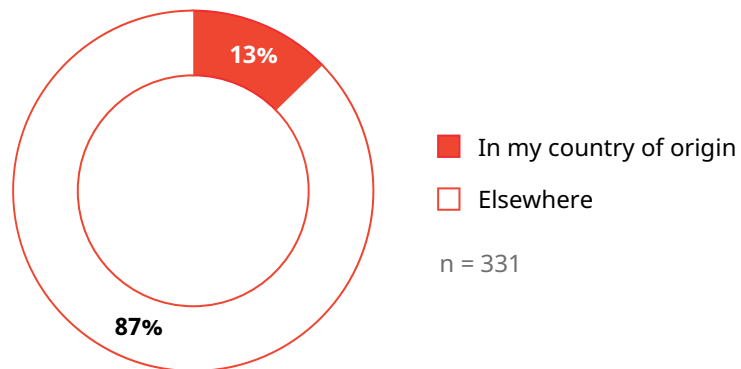
IDP	Refugee	Host community IDP	Host community refugee
Land	Public services	Land	Family
Housing	Neighbours	Housing	Land
Money	Employment	Public benefits	Employment
Crime	Domestic violence	Family	Neighbours
Documentation	Family	Neighbours	Public benefits

Syrian refugees’ most serious legal problems predominantly occur outside of their home country

The relatively low prevalence of legal problems among Syrian refugees living in camps is related to the relatively long duration of their displacement. When asked about where their most serious problem occurred, only 13% of the Syrian refugees said it was in

their home country. The rest occurred “somewhere else”, a purposely vague answer category designed to avoid distrust from the respondent. Due to the small number of moves, it is possible to say the remaining 87% of the problems occurred in Iraq.

LOCATION OF THE MOST SERIOUS PROBLEM





6

Impact

Aspects of life most impacted
by legal problems

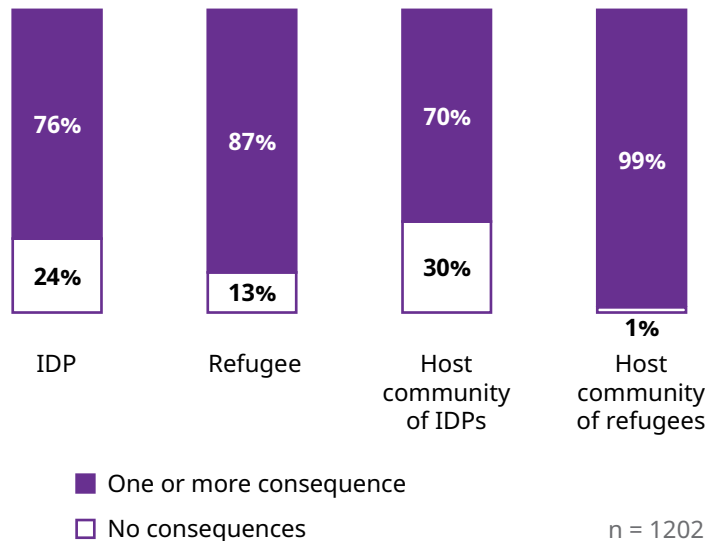
This chapter explains the changes that occur in the lives of people due to experiencing legal problems. Specifically, their most serious one. We do this through measuring specific consequences and impact on relevant dimensions of well-being.

People's most serious problems carry life-changing consequences regarding mental wellbeing

8 out of 10 people with legal problems in the sample experience relevant consequences in their daily lives due to the legal problem. Chart below shows the proportion by group. It is clear that the host communities of refugees face highly impactful legal problems with almost no exception.

Experiencing consequences due to legal problems is so prevalent in the sample that it does not make sense to disaggregate by socio-demographic characteristics. The finding is clear: the legal problems experienced by the forcibly displaced people and the members of the host communities have considerable consequences.

PERCENTAGE OF PEOPLE WHO EXPERIENCE CONSEQUENCES DUE TO LEGAL PROBLEMS BY SAMPLE



Stress-related illness is the most commonly experienced consequence of legal problems

There is a wide array of consequences that the literature identifies as results of a legal problem. The negative effects range from relatively mild, such as loss of time, to serious, such as losing a family member.

2 out of 3 Syrian refugees living in camps in Erbil and Duhok who have legal problems experience a stress-related illness. This is also the most common consequence among the other two groups in the sample – IDPs and their host communities. Loss of money is also widespread, being the second most common consequence across all groups. This suggests that the psychological and financial burden of legal problems is highly visible across the surveyed localities and

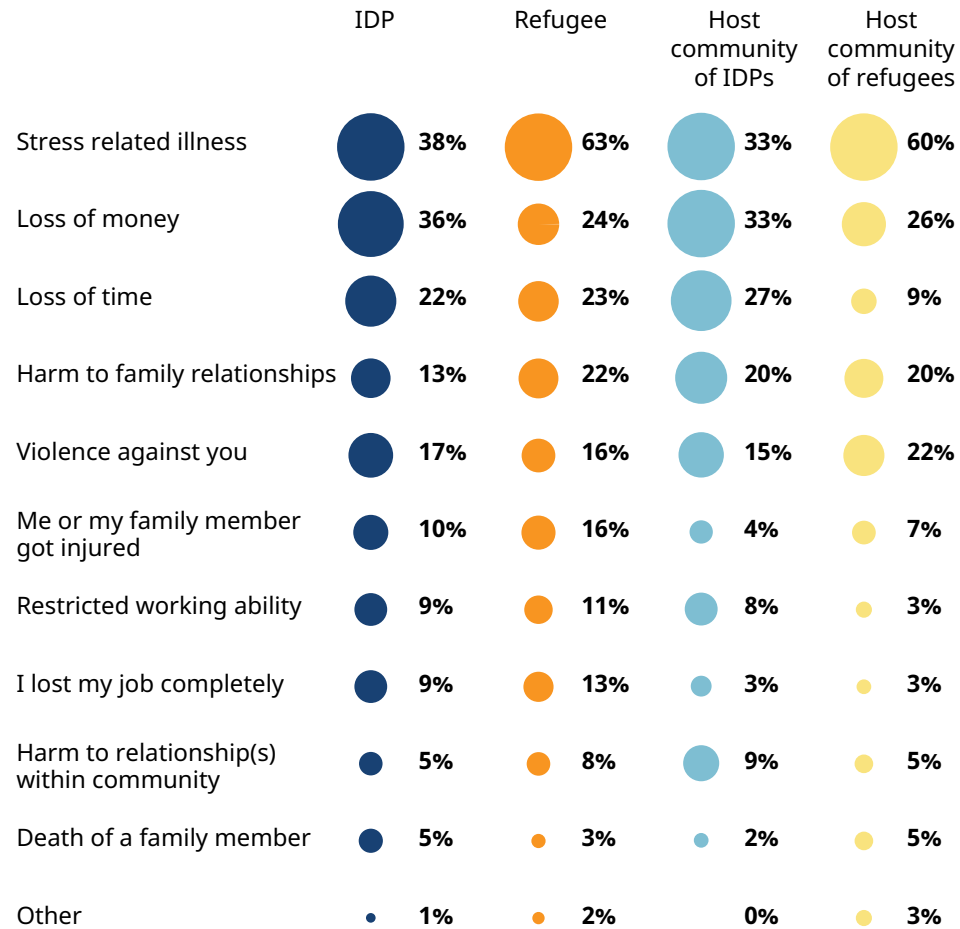
groups. These consequences are a direct result of the legal problem. Later in this report, we will consider the costs of travelling the justice journey, such as the monetary and non-monetary costs of problem resolution.

Host community members of refugees and IDPs more frequently report violence-related consequences, such as violence against the respondent or personal injuries. For refugees and, to a lesser extent, IDPs, losing a job is also likely. Chart on the next page shows the distribution of the consequences by sample, ordered from the most common to the least common. Note that the right tail of the distribution contains very few observations.



People's mental health is severely impacted when legal problems arise

MOST COMMON CONSEQUENCES OF LEGAL PROBLEMS BY SAMPLE



n = 387 (IDPs) / 128 (IDP hosts) / 287 (Refugees) / 174 (Refugee hosts)

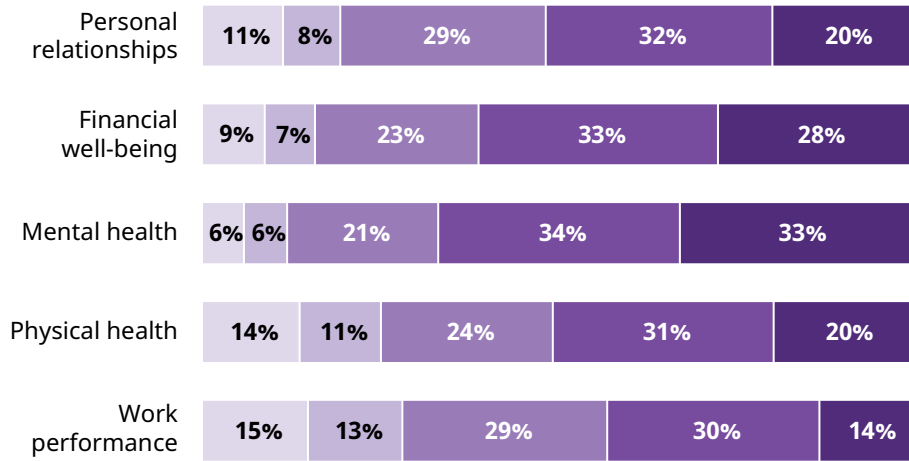


People recounted how severe the impact of the problem has been on five dimensions of their life. These dimensions are basic key aspects of well-being, seen in charts on the next page. The measurement scale ranges from experiencing the problem to a very small extent/not at all to a very large extent/fully.

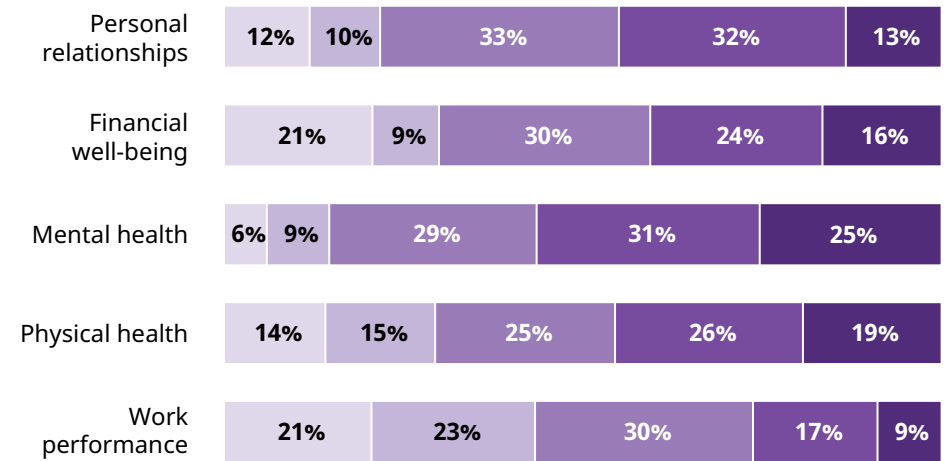
For all groups, the impact of the most serious legal problem on their mental health is considerable. More than 50% of the respondents believe that the legal problem has had a very large or large impact on their mental health.

TO WHAT EXTENT HAS THE PROBLEM IMPACTED YOUR...

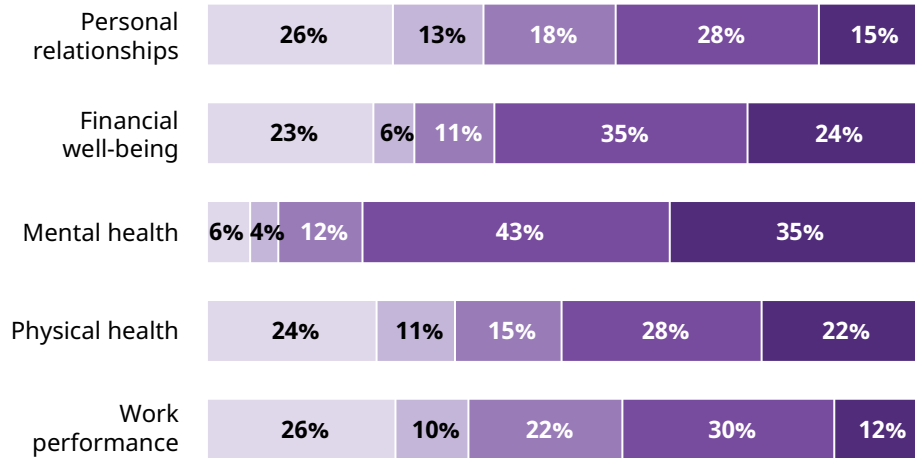
IDPs



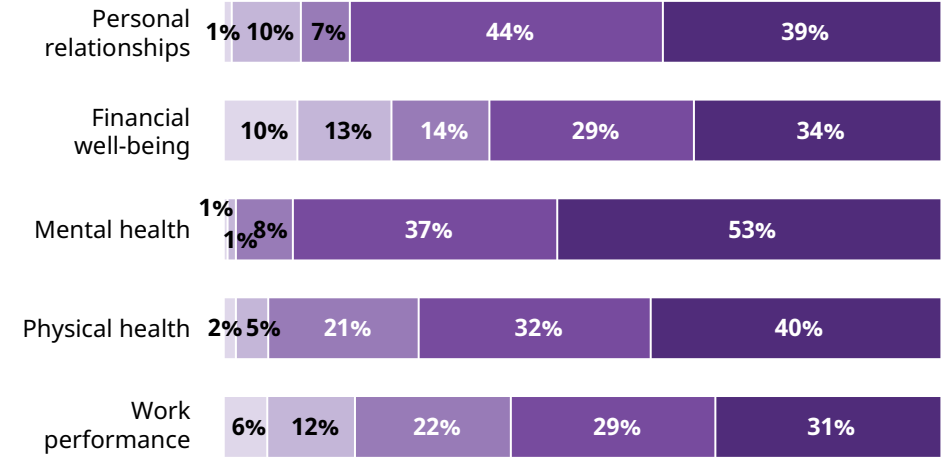
HOST COMMUNITY IDPs



REFUGEES



HOST COMMUNITY REFUGEES



Very small extent/not at all
 Small extent
 Moderate extent
 Large extent
 Very large extent / Fully

Very small extent/not at all
 Small extent
 Moderate extent
 Large extent
 Very large extent / Fully

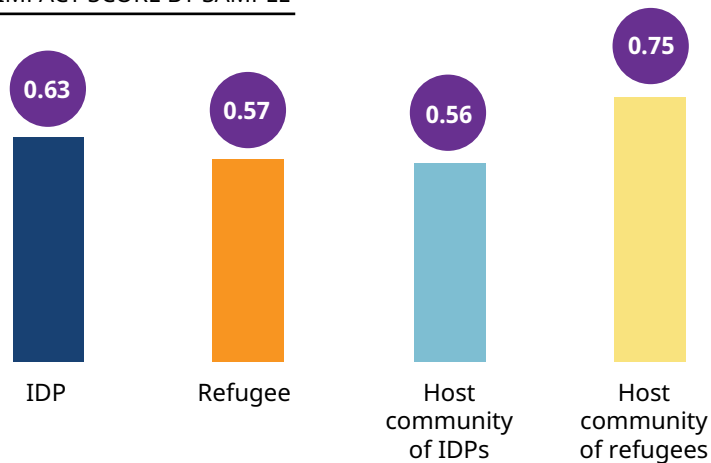
Legal problems have the most impact on the members of the refugees' host communities

To simplify the story of the impact of the legal problems on people's lives we calculate a unified measure of the impact. This aggregated impact score considers the effect of the most serious problem on the five dimensions of well-being presented above.⁴² The impact score is normalised, so it ranges from 0 (no impact on any dimension) to 1 (effects to a great extent on every dimension).

Chart below shows considerable impact across all groups, particularly the host community of refugees and the IDPs.

Participants in the data workshop suggested that the location and time of the interviews might explain the higher impact on refugee hosts. The interviews were done in a low-income town at a time when the economic situation was significantly worsening.

IMPACT SCORE BY SAMPLE



n = 512 (IDPs) / 183 (IDP hosts) / 331 (Refugees) / 176 (Refugee hosts)

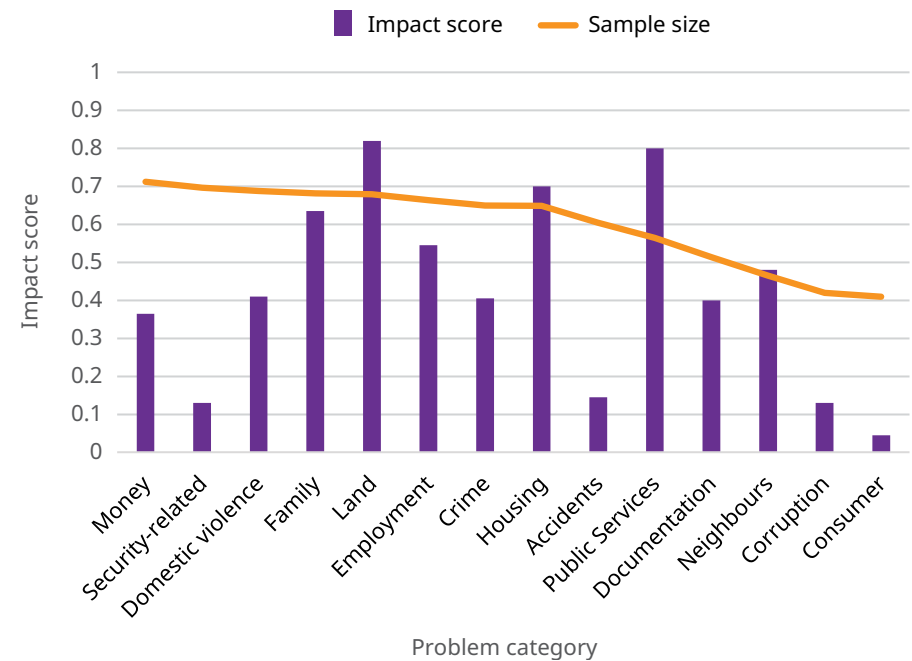
42 Reference to the Hiil dashboard where there the index composition is explained in detail.

Debt and security problems have the highest impact on life well-being

The impact score provides a different perspective on the severity of the legal problems. Chart below shows that legal problems, which are otherwise not that frequent, substantially impact people's lives. Problems around debt, lending

and borrowing money, and security-related problems have the highest impact, closely followed by more common problems such as domestic violence, family and land.

PROBLEM CATEGORIES BY AVERAGE IMPACT SCORE (POOLED SAMPLE)





7

Dispute Resolution

Where people go to
get their lives back on track

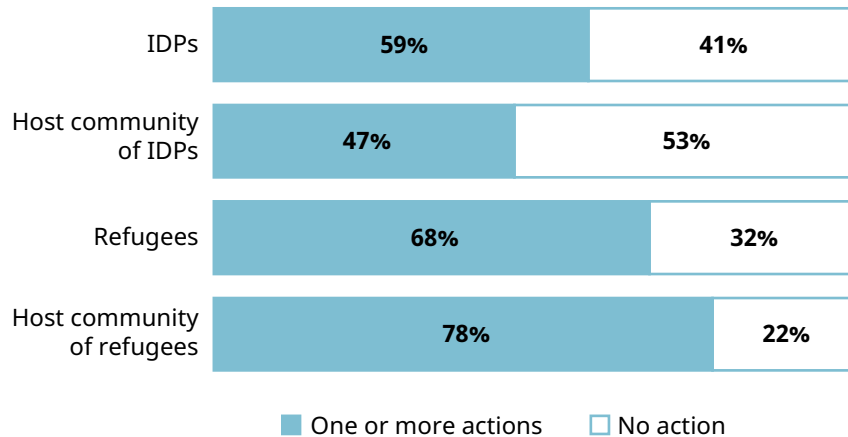
In this chapter, we explore what people do to resolve their legal problems and how they evaluate their justice journeys. The questions in this section are only asked to people who experienced at least one legal problem, which means that the number of respondents is often too low to make meaningful distinctions between the different groups.

Many people do not even try to resolve their legal problems

People take action to resolve their most serious problems when they either talk directly to the other party involved in the issue or engage the help of a third

party. Overall, refugees and members of their host communities are more likely to take action than IDPs and IDP host communities.

DID YOU TAKE ACTION TO RESOLVE YOUR MOST SERIOUS PROBLEM?



n = 512 (IDPs) / 183 (IDP hosts) / 331 (Refugees) / 176 (Refugee hosts)

IDPs are more likely to take action to resolve their most serious problem than their host communities. Still, only 59% of the IDP respondents who experienced a legal problem took active steps to resolve it. This means that 41% of IDPs did not even attempt to resolve their legal problem. This lack of action is one of the main reasons why so few problems are sufficiently addressed and resolved.

Female IDPs are significantly less likely to take action (45%) than male IDPs (70%). IDPs with elementary education or higher are more likely to take action (69%) than IDPs with no or elementary education (50%). A similar division is visible between IDPs who say they can cover their basic needs (66% took action) and IDPs who indicated they cannot cover their basic needs (50% took action).

Among the refugees and refugee host communities, the difference is reversed. Around 78% of refugee host community members take action to resolve their legal problem, compared to 68% of the refugees. This action level is still significantly higher than both IDPs and IDP hosts. Unlike the IDPs, there are no significant differences in the proclivity to take active steps to resolve the issue in the various socio-demographic groups of the refugees.

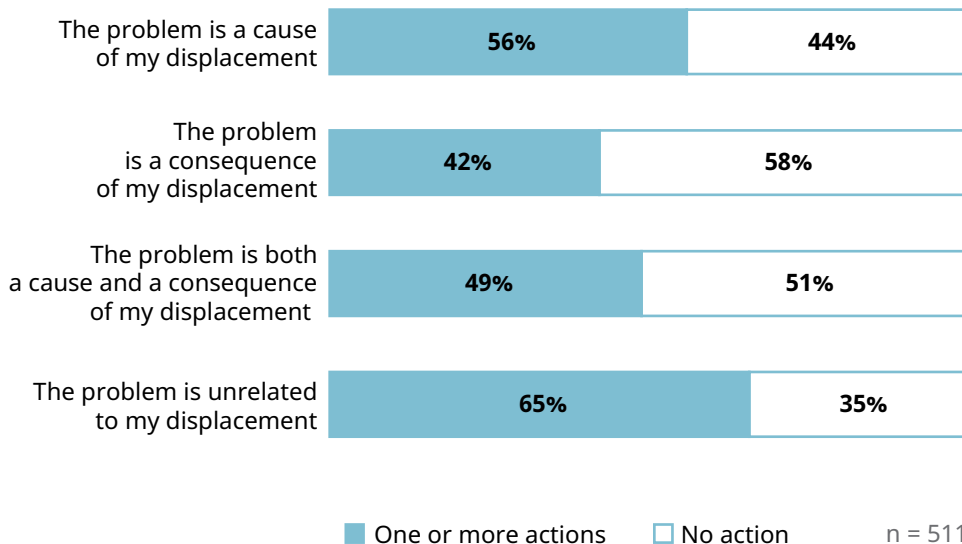


Problems that are a consequence of IDPs displacement are particularly often abandoned

IDPs are less likely to take action when their problem is linked to their displacement. When the problem is unrelated to displacement, 65% of IDPs take some form of action to resolve the legal problem. However, if their problem is a cause of displacement,

this drops to 56%. When the problem is a consequence of displacement, they are even less likely to take action (42%). This suggests that problems that are intrinsically linked to displacement are particularly hard to resolve.

DID YOU TAKE ACTION TO RESOLVE YOUR MOST SERIOUS PROBLEM?
IDPs only



Lack of money and disbelief in a positive outcome are the main reasons people do not take action

Understanding why people do not take action to resolve their most serious legal problems helps to address these barriers to access to justice. That is why we asked people who did nothing about the main reason they did not take any action to solve the issue. The three most common reasons are: not expecting a positive outcome, not having enough money, and not knowing what to do.

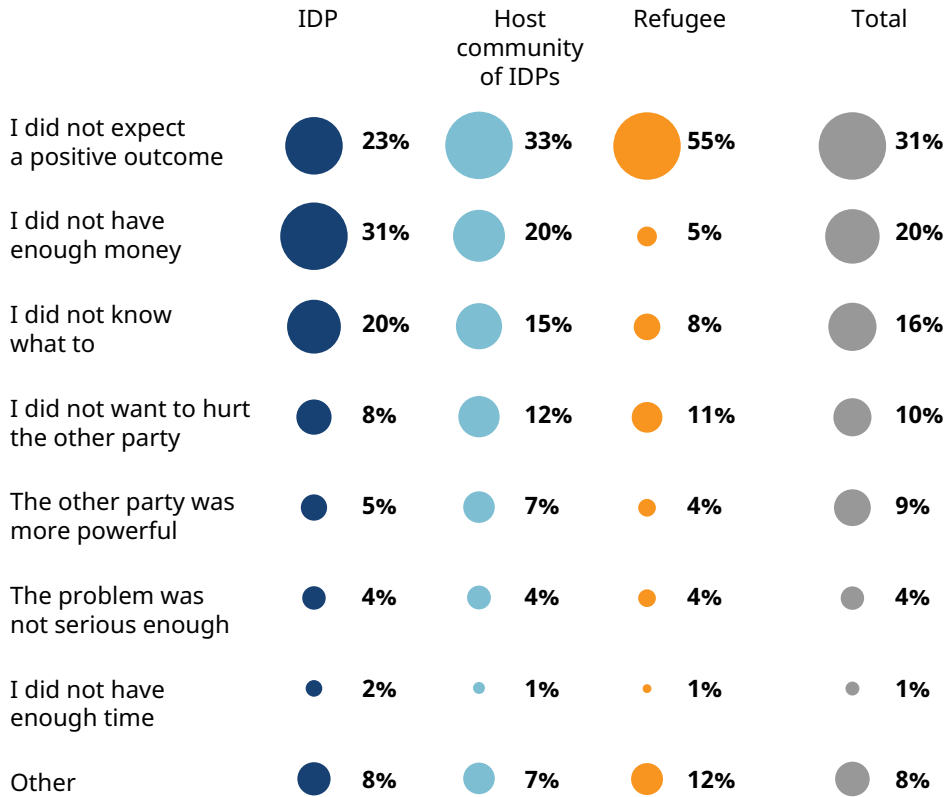
Refugees say they do not expect a positive outcome when trying to resolve the legal problem. On the other hand, refugees rarely select lack

of money or lack of knowledge about what to do as reasons for not taking action. For IDPs, lack of money is the most common reason, followed by low expectations about a positive outcome and not knowing what to do.

Only 4% of people say they did not take action because the problem was not serious enough. This shows that there is a clear need for accessible pathways to resolve the existing legal problems. Lack of time is even less often the main reason why people do not take any action.



WHAT WAS THE MAIN REASON YOU DID NOT TAKE ANY ACTION?

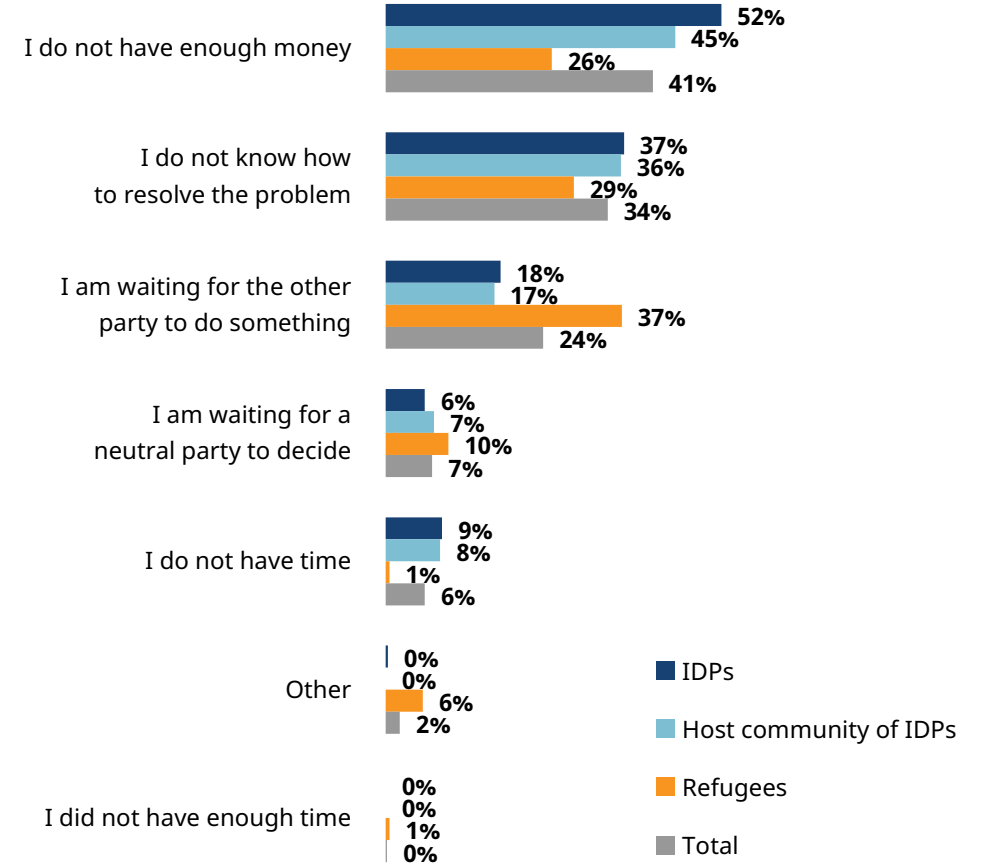


n = 212 (IDPs) / 97 (IDP hosts) / 106 (refugees)
/ Not enough observations for refugee hosts

These findings are corroborated by the answers from people whose most serious legal problem is ongoing and thus still in the process of trying to be resolved. For IDPs and IDP hosts, the main reason their problem is still

ongoing is lack of money, followed by not knowing how to resolve the problem. For refugees, lack of money is much less often the main reason. Instead, they more often wait for action from the other party.

REASONS THE PROBLEM IS STILL ONGOING



n = 298 (IDPs) / 122 (IDP hosts) / 189 (refugees)
/ Not enough observations for refugee hosts

Social networks are key in helping people with their legal problems

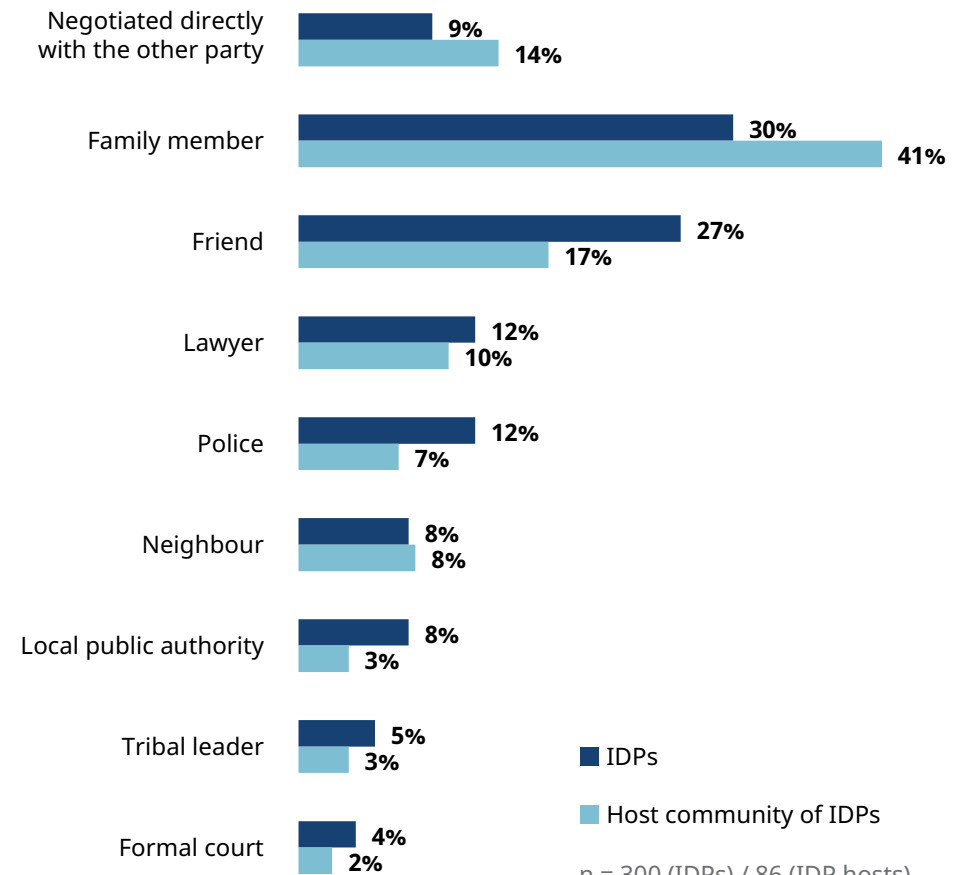
A relatively low percentage of IDPs who took action talked directly to the other party. Instead, 30% asked a family member or friend for help, illustrating the importance of social networks in dealing with legal problems. Female IDPs rely more often on family members than male IDPs (respectively 38% and 26%). Male IDPs more often turn to friends than female IDPs (35% versus 11%).

When engaging a more professional third party, IDPs most often seek help from a lawyer, the police, or a local public authority. It is more common for men than women to engage with a lawyer (13% versus 10%) or the police (15% versus 7%). From the experience of having conducted similar studies in more than 20 other countries, this lawyer engagement rate seems high. The justice data workshop participants suggested that lawyers are one of

the only resources to achieve results: *“Many immigrants rely on lawyers, even though it is expensive. It is the only way to get things done (especially related to official documentation) without too many problems.”* Another participant said that there is a network effect due to being present in the communities: *“Some lawyers are known by communities and find new clients through recommendations.”*

IDP host communities rely even more on family members than IDPs but less on friends. They also turn less often to the police or a local public authority.⁴³ It is noteworthy, again, that for the IDP host communities it is also relatively common to seek help from a lawyer despite the fact that this often entails high costs.

WHO DID YOU TALK TO TO TRY TO RESOLVE YOUR MOST SERIOUS LEGAL PROBLEM?
IDPs and IDP hosts



n = 300 (IDPs) / 86 (IDP hosts)

43 Note that that the number of respondents for IDP hosts on this question is relatively low (n=86)



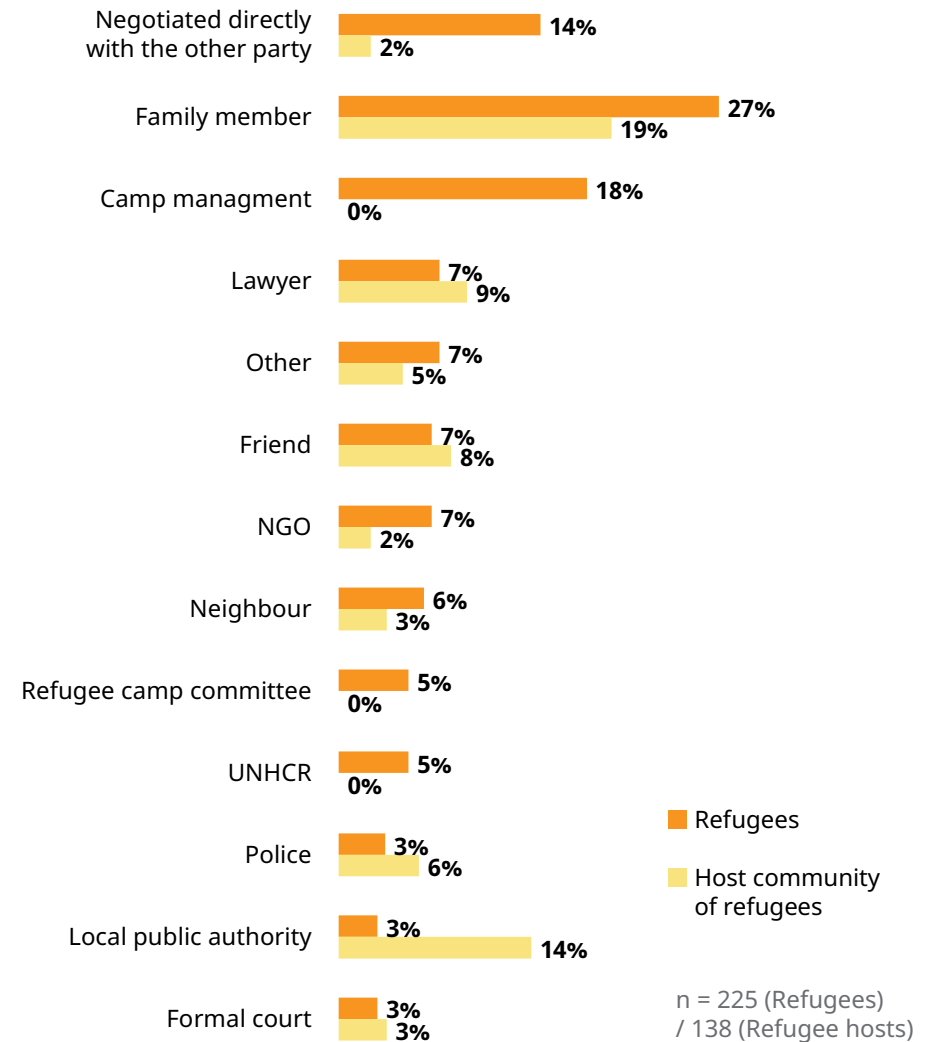
The refugees mostly engage family members and, to a lesser extent, friends when trying to resolve a legal problem. Like the IDPs, male refugees rely more on friends than female refugees (12% versus 5%), whereas female refugees seek help from family members more often than male refugees (33% versus 12%).

Due to the specific nature of the living situation of the refugees, the most common third party outside of their social network is camp management. Refugees also sometimes engage an NGO, the refugee camp committee, or UNHCR. There are no major gender differences in this regard. The fact that many of the refugees report problems related to public benefits probably also plays a role in this. Notably, while refugees sometimes engage a lawyer, they rarely turn to the police.

Refugee host community members rarely talk directly to the other party in the dispute and are less likely to engage a family member than any other group. The most common third party outside their social network is a local public authority, followed by a lawyer and the police.

Even though lawyers are a relatively common option for all groups when engaging a third party outside their social network, only a very small minority of the legal problems end up in a formal court (around 3% for all groups). This highlights the importance of finding complementary and alternative justice journeys for IDPs, refugees, and the people from the host communities in Iraq.

WHO DID YOU TALK TO TO TRY TO RESOLVE YOUR MOST SERIOUS LEGAL PROBLEM? Refugees and refugee hosts

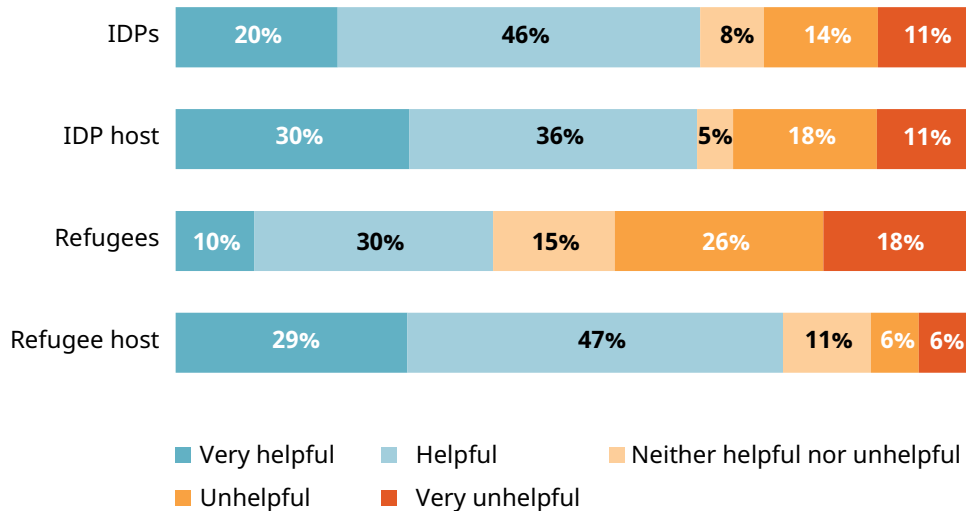


Refugees are less satisfied with the helpfulness of third parties

For each time an individual reported engaging a third party, we asked people what that person or actor did and how helpful they were in resolving

the legal problem. Chart below shows the evaluation of all sources of help for the four different groups.

HELPFULNESS OF ALL SOURCES HELP

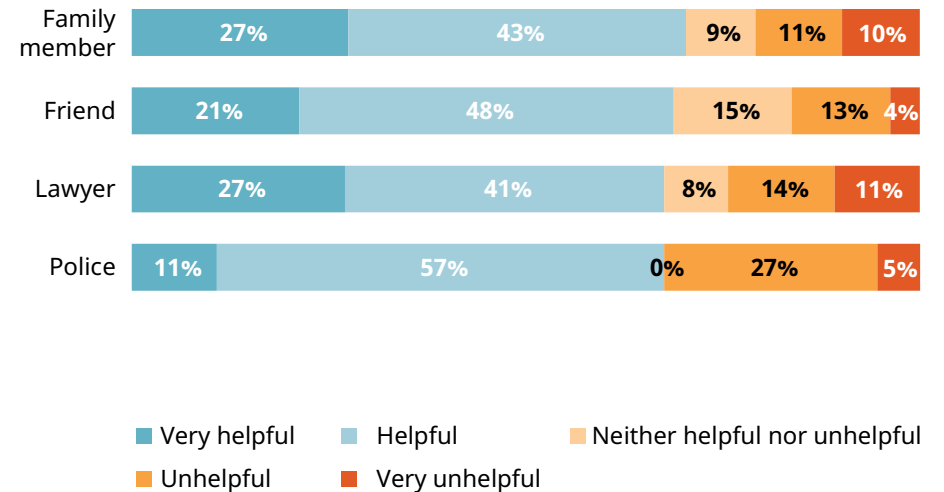


n = 347 (IDPs) / 88 (IDP hosts) / 227 (Refugees) / 166 (Refugee hosts) sources of help

Both IDPs and IDP host communities evaluate most sources of help positively in terms of helpfulness, with 66% of actors being seen as (very) helpful in resolving the legal problem. Refugee host communities are even more positive about the sources of help they engage, indicating that more than 75% of them are (very) helpful. On the other hand, refugees are less positive, with only 40% of sources of help evaluated as (very) helpful.

Looking at the evaluation of specific providers shows that among IDPs, there are little differences between the helpfulness of the most common sources of help. However, the respondents find the police slightly less helpful.

HELPFULNESS MOST COMMON SOURCES OF HELP IDPs only

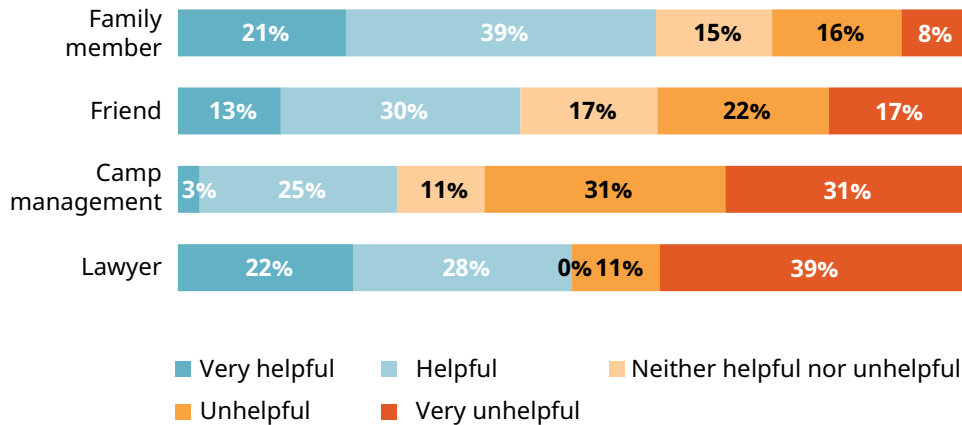


n = 91 (Family members) / 808 (Friends) / 37 (Lawyers) / 37 (Police)

For refugees, family members are more positively evaluated than friends. They evaluate lawyers similarly to IDPs, but are rather critical of the camp management, their most common

source of help after family members. It is important to note, the total number of respondents here is relatively low, and these findings must be interpreted cautiously.

HELPFULNESS MOST COMMON SOURCES OF HELP
Refugees only



n = 61 (Family members) / 23 (Friends) / 36 (Camp management) / 18 (Lawyers)

People are more satisfied with the process than with the outcomes

The JNS survey measures how people experience the quality of the process and the quality of the outcomes of their justice journeys. Note that the quality of the outcomes is only evaluated if the problem has been completely or partially resolved. Responses to multiple survey questions are aggregated into a score from one to five to give an overview of the justice journey experience. Again, we caution that because of the low-resolution rates, the total number of responses on the outcome evaluation indicators is low.

Both IDPs and refugees rate the process positively but are negative about the outcomes. IDPs and refugees generally feel they are treated with

respect (3.76 for IDPs and 3.59 for refugees) and that the procedure is clearly explained (3.45 for IDPs and 3.25 for refugees). However, refugees are less satisfied with the extent to which they felt heard and the neutrality of the parties (2.9 compared to 3.23 for IDPs).

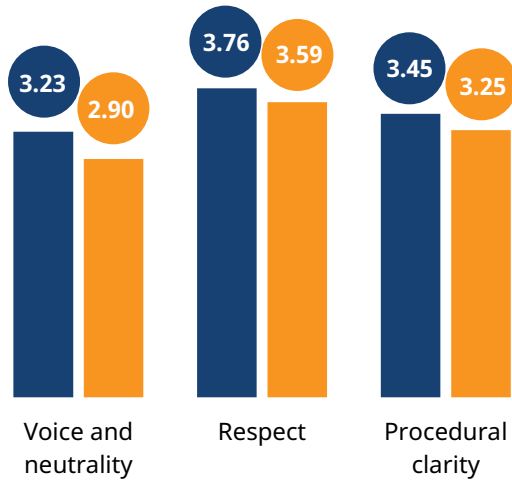
People who resolved their legal problem are reasonably satisfied with the extent to which the damages are restored (3.06 for IDPs and 2.94 for refugees) but are less positive about the fairness of the distribution (2.51 for IDPs and 2.6 for refugees), the actual resolution of the problem (2.56 for IDPs and 2.4 for refugees), and the extent to which the outcome was explained (2.35 for IDPs and 2.54 for refugees).



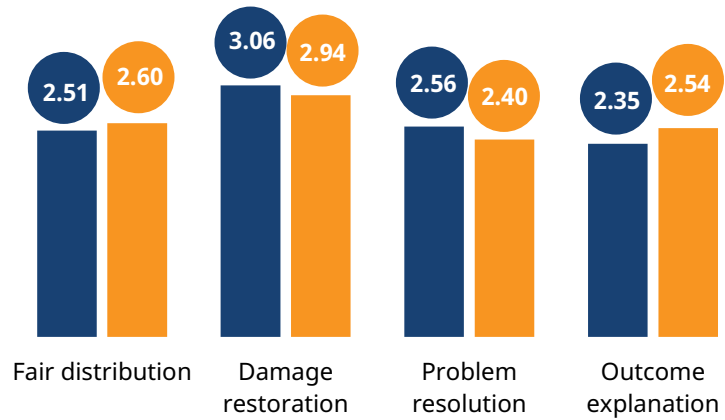
JUSTICE JOURNEY EVALUATION

■ IDPs ■ Refugees

PROCESS EVALUATION



OUTCOME EVALUATION





8

Justice Interventions

Many legal problems are resolved through the involvement of formal or informal third parties. Formal third parties include sources of help such as courts, central and local public authorities, and institutions that offer various justice and legal services. Informal third parties encompass sources of help such as friends, family members, and colleagues. The third parties employ various and usually multiple interventions to resolve legal problems. For instance, courts typically adjudicate legal matters and, as a result, issue a legally binding outcome for the parties. However, adjudication is not the only intervention courts could use. Courts may also employ alternative approaches such as mediation, advice, referral to another service, etc. Lawyers could advise, mediate and refer the problem to somebody else.

We call these methods for resolving legal matters “justice interventions”. The interventions are discrete actions that a justice provider or someone who intervenes to solve a problem can perform when engaged in a dispute resolution process. In this chapter, we describe what interventions the sources of help use to resolve legal

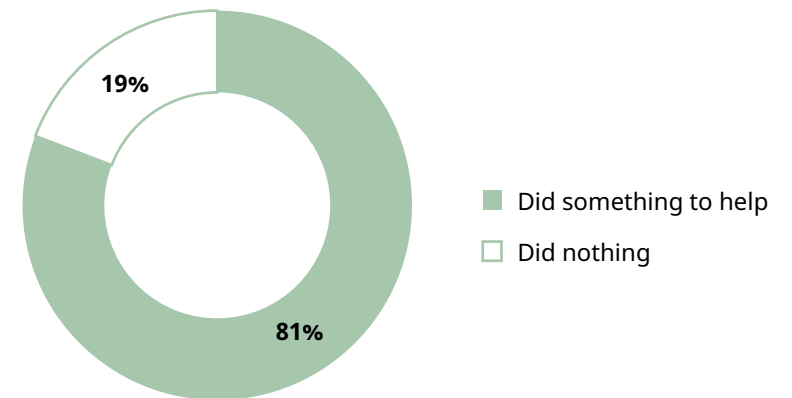
matters. We asked refugees, IDPs and the members of the host communities whether the neutral parties used any of the following interventions to resolve the most serious problems:

- Provided advice
- Prepared documents
- Mediated between the parties
- Sulh (Islamic law)
- Decided/settled the matter
- Directed the user to another person or office
- Intermediated with another person, institution or organisation
- Represented the user
- Gave moral/financial/material support
- Other

Diverse sources of help delivered dispute resolution actions in 698 situations of legal problems. To solve these problems, the third parties performed a total of 1196 interventions. This means that, on average, a source of help performs 1.7 interventions. IDPs and IDP host communities receive slightly more interventions per problem, respectively 1.9 and 2 interventions. For some legal problems, more than one source of help is engaged, resulting in more interventions throughout the justice

journey. For 19% of the problems, the respondents from all groups say the third party did nothing to resolve the issue. For 35% of the problems, the refugees report that the third party did nothing. This is a significantly higher proportion compared to refugee host communities (7%), IDPs (16%) and IDP host communities (18%). Across all sample groups 26% of the women indicate that the third party did not help. This is significantly more than the 15% for the men.

HOW DID THE THIRD PARTY HELP?

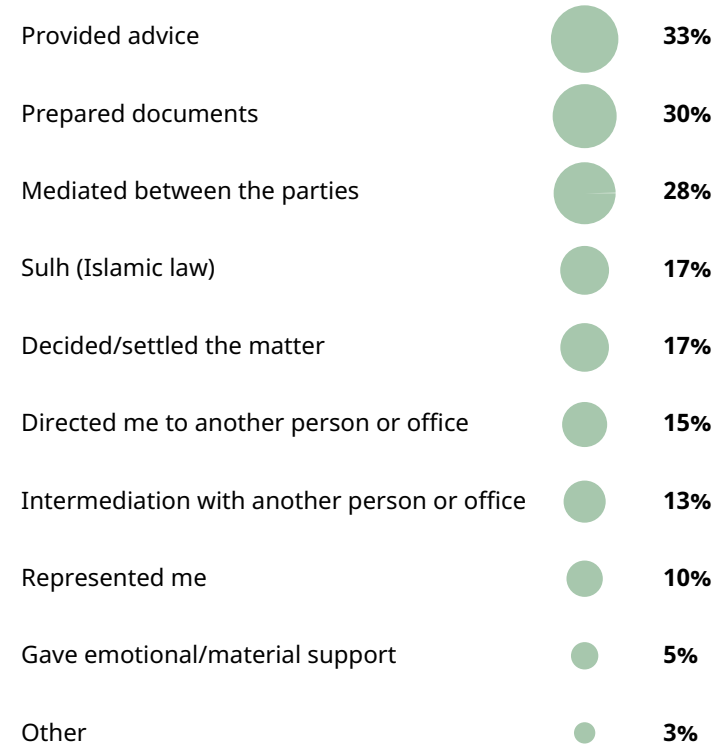


Providing advice, preparing documents and mediation between the parties are the three most often used interventions. In the populations of refugees, IDPs and their host communities, the process of mediation is not a structured and professional mediation model. Considering the content of the interventions, we hypothesise that mediation in the context of this study is a form of not very structured reconciliation and solving the problem through mutual compromises and compensation. Religious authorities use a similar approach to reconcile the parties by urging compensation and forgiveness.

If we add the two categories, which by their content are similar, reconciliation intervention becomes the most prevalent method for solving the legal problems of the population of interest.

Third parties use mediation less often when they help refugees and refugee host communities (respectively, 37% and 21% of the interventions). For comparison, in the problems of IDPs and IDPs host communities, mediation is used in respectively 47% and 50% of the problems. Advice is the intervention that third parties apply slightly more often in the problems of refugees and their host communities.

WHAT DID THE SOURCE OF HELP DO TO RESOLVE THE PROBLEM?

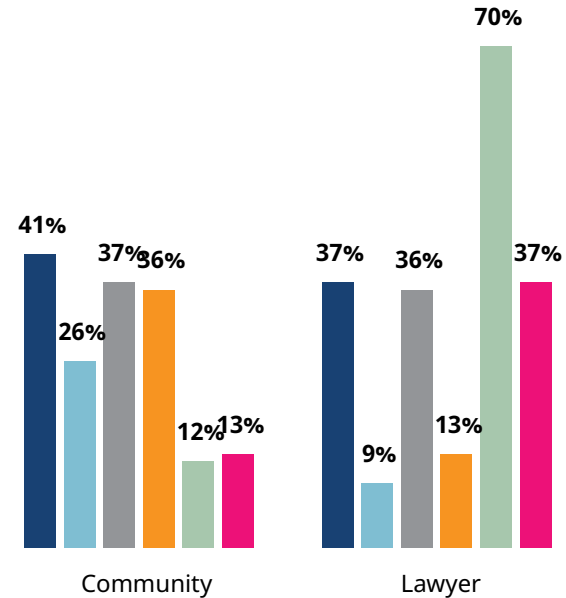
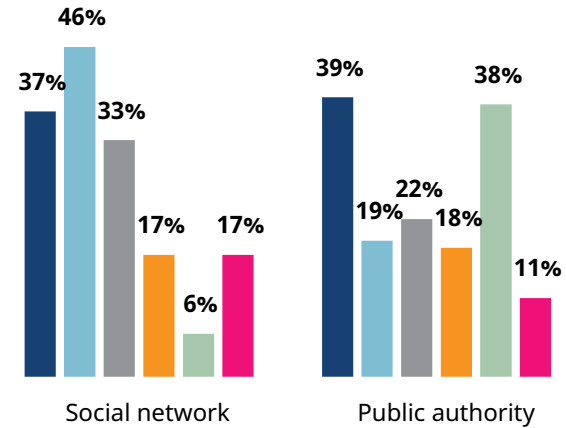


There are notable differences in the interventions used by the various sources of help. To mitigate the problem of small sample sizes,⁴⁴ we combined the sources of help into four groups – social network, public authorities, community mechanisms and lawyers.⁴⁵ Indeed, such combined groups are not homogeneous, but breaking them into smaller sub-groups leads to small numbers and inconclusive results.

Community mechanisms and public authorities perform mediation/ reconciliation significantly more often than other groups. Community mechanisms, among which tribal councils and leaders, residential area leaders, tribal leaders, and camp management use advice and sulh relatively frequently. The social network provides mostly moral or financial support to people experiencing legal problems. As expected, lawyers most often prepare documents, followed by interventions such as mediation, advice and such.

WHAT DID THE SOURCE OF HELP DO TO RESOLVE THE PROBLEM? INTERVENTIONS BY SOURCE OF HELP

■ Mediated ■ Supported ■ Advised ■ Sulh ■ Prepared documents ■ Represented



44 i.e. only 90 respondents selected the option "Decided", 67 respondents selected the option "Directed" etc. When cross tabulated with other variables with many categories, for instance – the category of the problem, the cell sizes become very small. i.e. only 5 respondents dealing with domestic violence report "Decided"; or only 7 respondents with an accident report "Represented".

45 Social network – family member, friend, neighbour. Public authority - police, local public authority, formal court, prosecutor, social worker. Community mechanism - refugee camp committee, tribal council, residential area leader, tribal leader, UNHCR, NGO, camp management. Lawyer - lawyer.

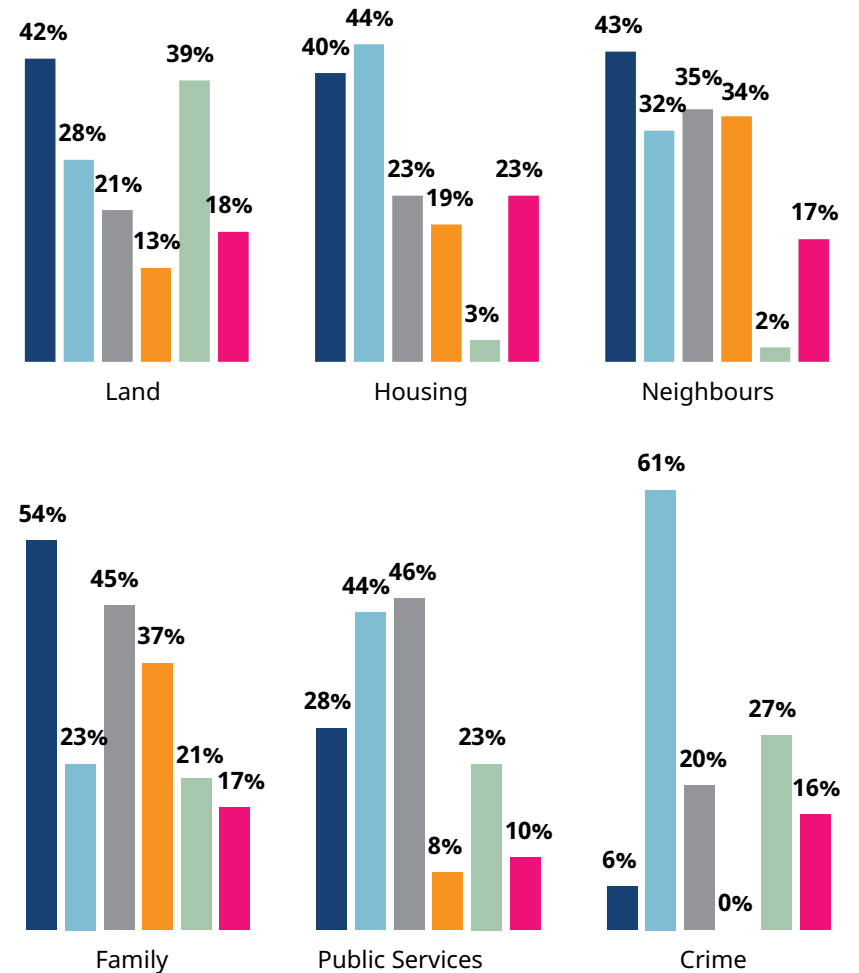
Upon closer examination of the six most common categories of legal problems, notable variations in the use of interventions become apparent. In Chart on the next page we visualise only the six most prevalent interventions and legal problems. Mediation is often used in land, housing, neighbours and family issues and is used significantly less in relation to problems with public services and crime. The sources of help often use moral or financial support in the context of problems with crimes, public services and housing. Advice is frequently employed in the context of problems with public services, family matters and disputes between neighbours. Sulh is more often used to deal with family and neighbour-related legal problems.



So far, the analysis of the interventions shows a diverse and complex picture. According to the people who took action to resolve their most serious legal problem, the sources of help tend to more often use specific interventions, but do not exclusively rely on any one of them. The interventions also vary by the types of legal problems. What works in one situation apparently does not work in another. Therefore, the third parties try different approaches to resolve the legal problems of refugees, IDPs and their host communities in Iraq.

WHAT DID THE SOURCE OF HELP DO TO RESOLVE THE PROBLEM? INTERVENTIONS BY PROBLEM CATEGORY

■ Mediated ■ Supported ■ Advised ■ Sulh ■ Prepared documents ■ Represented

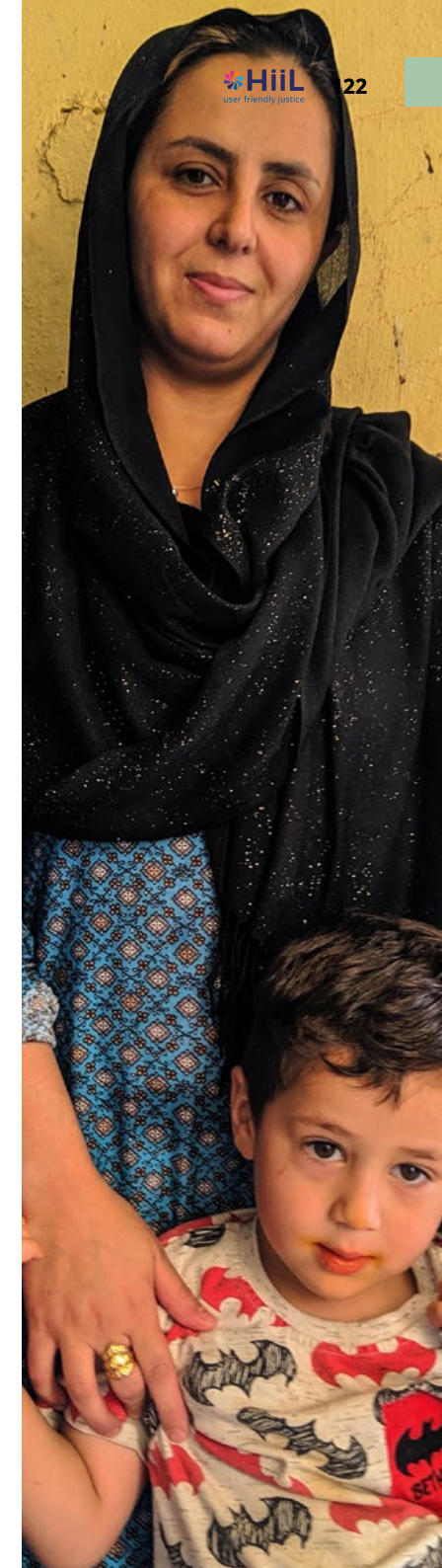
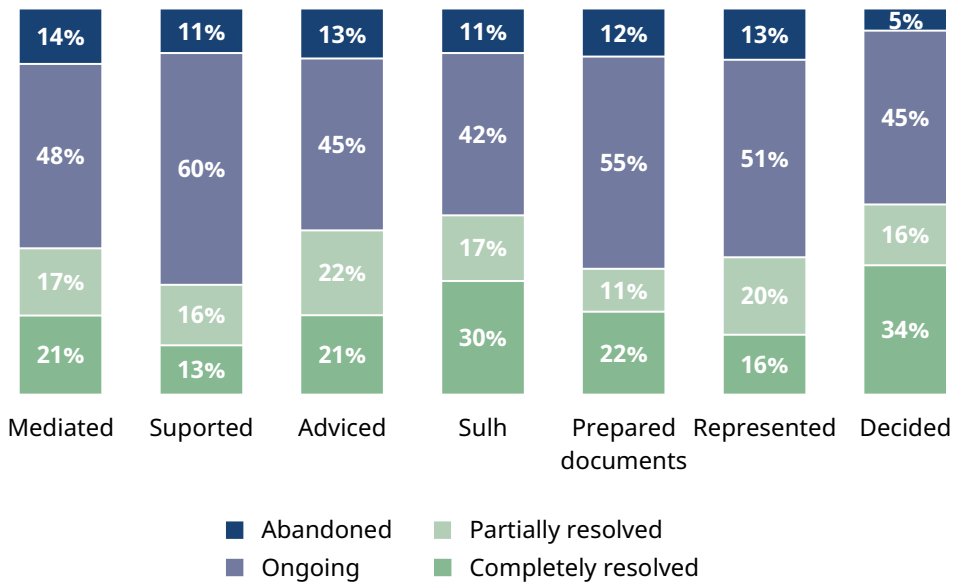


After examining the prevalence of the interventions and their use by source of help and type of legal problem, we look at the resolution rates of the various interventions. To assess whether an intervention works, we can assess it with different indicators such as resolution rate, well-being outcomes, process and outcome measures. Here, we evaluate the interventions by the resolution rate - whether a problem is fully resolved, partially resolved, still in the resolution process, or not resolved.

Chart below does not provide a conclusive answer to the question "Which intervention works". Deciding or settling a problem has a slightly better chance of fully or partially resolving the problem. Indirect support, such as preparing documents and providing moral or financial support is associated with a higher risk that the problem is ongoing.

In conclusion, we see that the sources of help apply different interventions to resolve the legal problems of refugees, IDPs and their host communities. Reconciliation, in the form of informal mediation and Sulh, is the most common intervention for resolving problems. This seems conventional, considering the prevalence of non-institutional sources of help in resolving the legal problems of the population of interest. Moral or financial support is another frequently used intervention. Deciding the matter with an authoritative resolution is a less frequently used intervention but has a higher chance of resolving the matter. Apparently, the sources of help try different strategies and approaches. Various legal problems necessitate distinct interventions. In response, the sources of help apply diverse justice interventions. Nevertheless, the legal problems often remain unresolved. These findings must be followed by further research with more respondents or different design frameworks to provide more valid and reliable answers to the question of "what works" in resolving the legal problems of refugees, IDPs and their host communities in Iraq.

RESOLUTION STATUS BY TYPE OF INTERVENTION





9

Legal Information and Advice

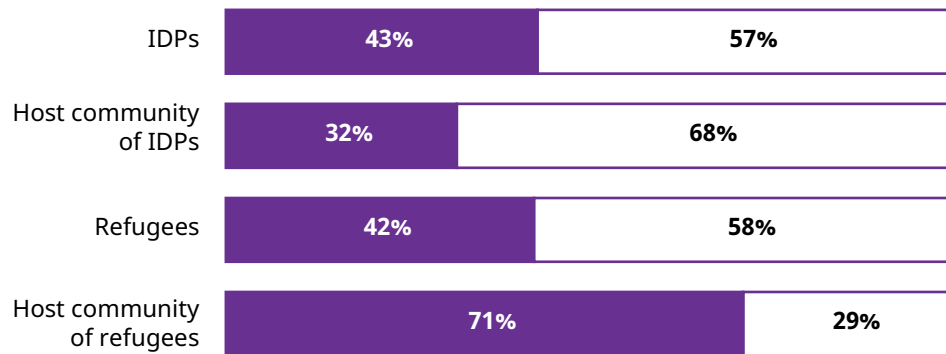
Just over 40% of displaced people with legal problems sought some sort of legal advice

Legal advice is an important part of the justice journey and is often critical for obtaining fair resolutions for legal problems. Such advice does not necessarily need to come from a legal professional but can come from a wide range of different actors.

In most groups, less than half of the people with a legal problem sought some form of legal advice. Just over 40% of IDPs and refugees obtained

some form of legal advice, while only just over 30% of IDP host community members did. The only exceptions are members of the refugee host communities, where more than 70% of people with a legal problem obtained legal advice. As shown in chapter seven, this group was also more likely to take action to try to resolve the legal problem.

DID YOU SEEK LEGAL ADVICE TO RESOLVE YOUR MOST SERIOUS LEGAL PROBLEM?



n = 512 (IDPs) / 183 (IDP hosts) / 331 (Refugees) / 176 (Refugee hosts)

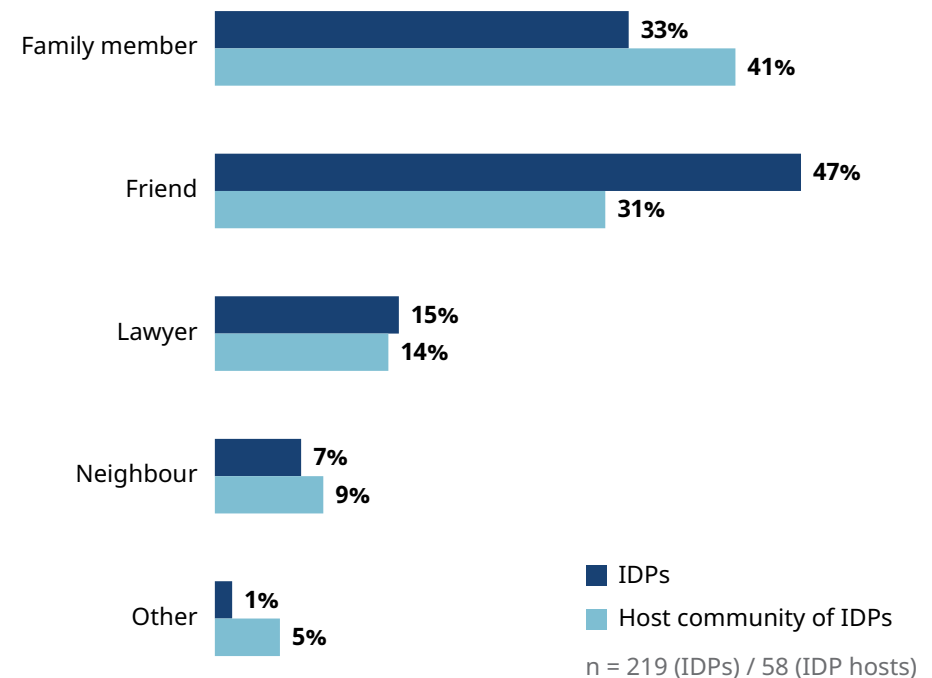
■ One or more sources of advice □ No legal advice

Legal advice comes from personal networks or a lawyer

Legal advice can come from many different sources, but for IDPs and their host communities, it tends to come from either a family member or friend; or, from a more professional

source such as lawyers. IDPs more often rely on friends (47% versus 31%), whereas IDP hosts more often rely on family members (41% versus 33%).

MOST COMMON SOURCES OF LEGAL ADVICE IDPs and IDP hosts



■ IDPs
■ Host community of IDPs
n = 219 (IDPs) / 58 (IDP hosts)

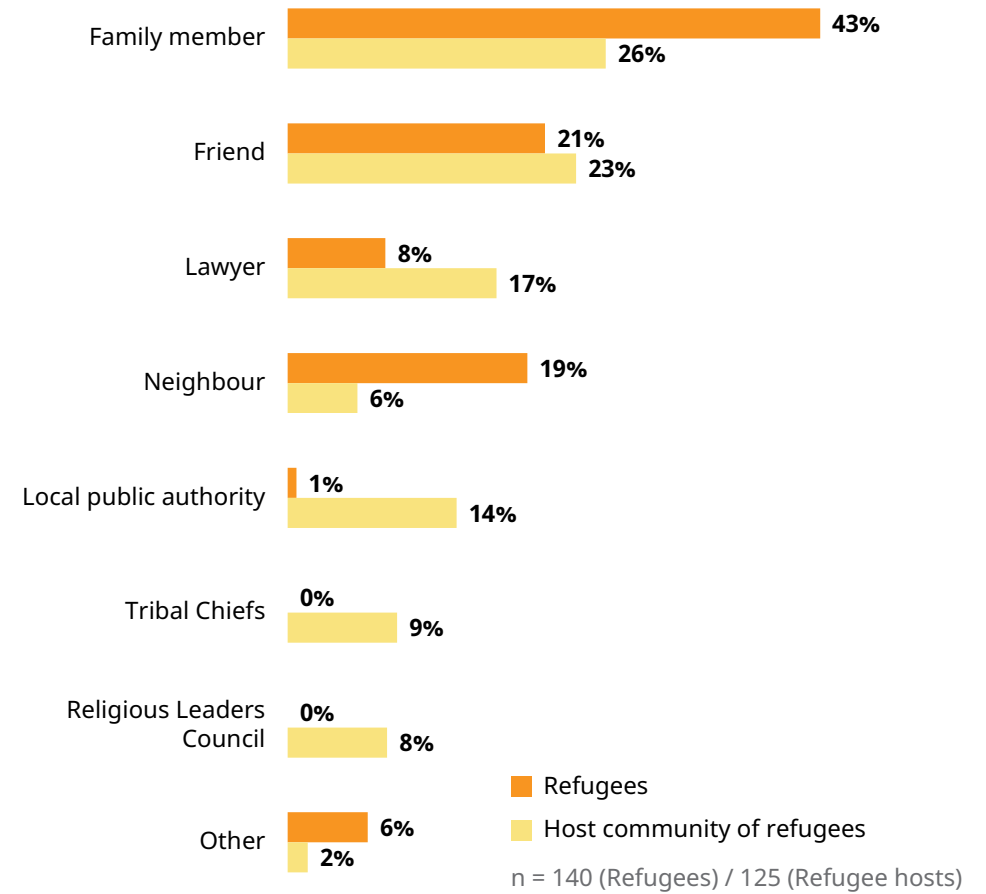


For the refugees, the main sources of legal advice are mostly limited to personal networks and lawyers. In contrast, their host community members obtain legal advice from a more diverse set of sources. This group obtains legal advice much more often than the other groups (see above) and is more likely to engage a lawyer (17% compared to 8% of refugees). Moreover, refugee host community members regularly obtain legal advice from diverse local actors, including local public authorities, tribal chiefs, and religious leaders. As noticed in chapter seven, this is related to better resolution of legal problems.

Different types of actors provide different types of advice. Family and friends mainly provide emotional support, advise on rights and legal options, and suggest where to go to resolve the problem. Lawyers primarily advise on rights and legal options, prepare documents, advise how to report a problem to the authorities or help reach out to the other party. Despite these differences, both family and friends and lawyers are seen as helpful or very helpful in around 90% of the cases.⁴⁶

⁴⁶ For the other actors, the numbers are too low to make such a distinction. However, based on 27 observations, it seems that people consider local public authorities to be helpful or very helpful in only 59% of the cases.

MOST COMMON SOURCES OF LEGAL ADVICE
Refugees and refugee hosts

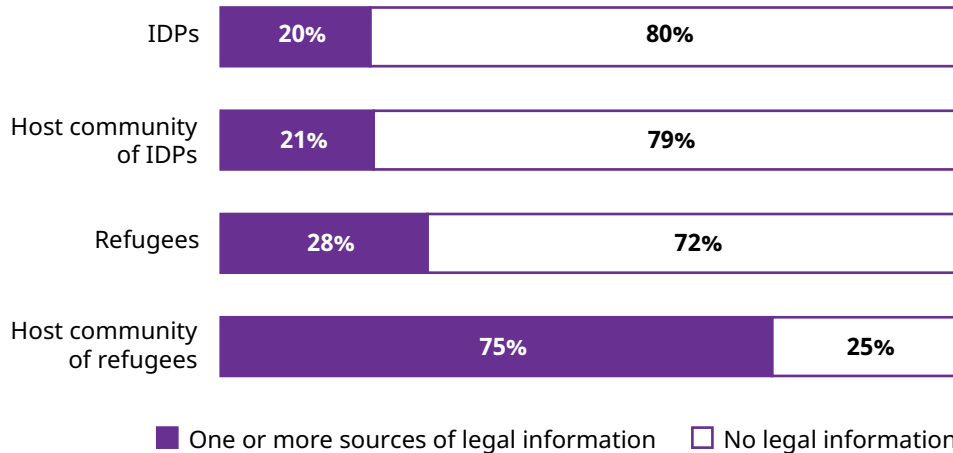


Few IDPs and refugees seek legal information, but when they do, they seek it online

Legal information, as defined in the JNS methodology, differs from legal advice in that it is more generically available information from public sources. It is not specifically adapted to people's personal legal problems. Very few people with legal problems looked for such legal information. Only 20% of IDPs and 21% of IDP

hosts obtained legal information, while for the refugees, this proportion is slightly higher (28%). The main exception is the group of refugee host community members, where 75% of the respondents with a legal problem obtained legal advice.

DID YOU OBTAIN LEGAL INFORMATION TO RESOLVE YOUR MOST SERIOUS LEGAL PROBLEM?



n = 512 (IDPs) / 183 (IDP hosts) / 331 (Refugees) / 176 (Refugee hosts)

When asked where they obtained such legal information, many respondents across all groups indicated the internet or social media (43% of IDPs, 76% of IDP hosts, 51% of refugees, 64% of refugee hosts)⁴⁷. The experts who discussed the survey's preliminary results indicated this includes formal government websites and official social media channels with information from NGOs or well-known lawyers.

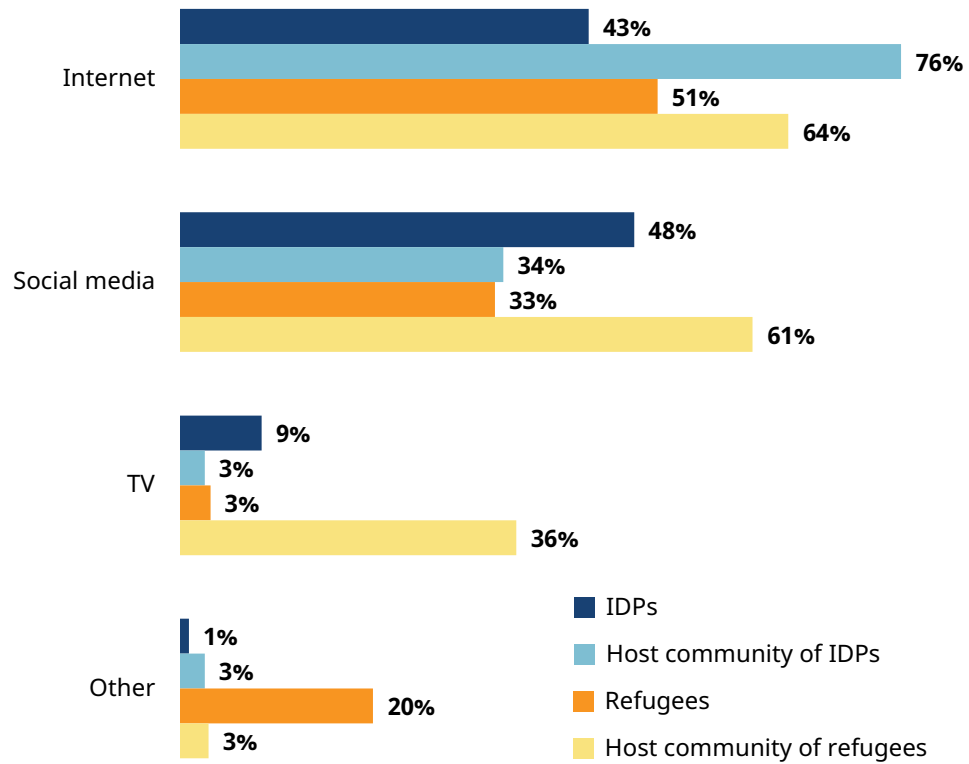
A relatively high number of refugee host community members reported receiving legal information from television. A significant proportion of the refugees say they obtained information from sources other than those listed.⁴⁸ The experts who discussed the preliminary results of the survey suggested that it could include WhatsApp groups where a lot of different information is shared, including potentially inaccurate or even fraudulent information.



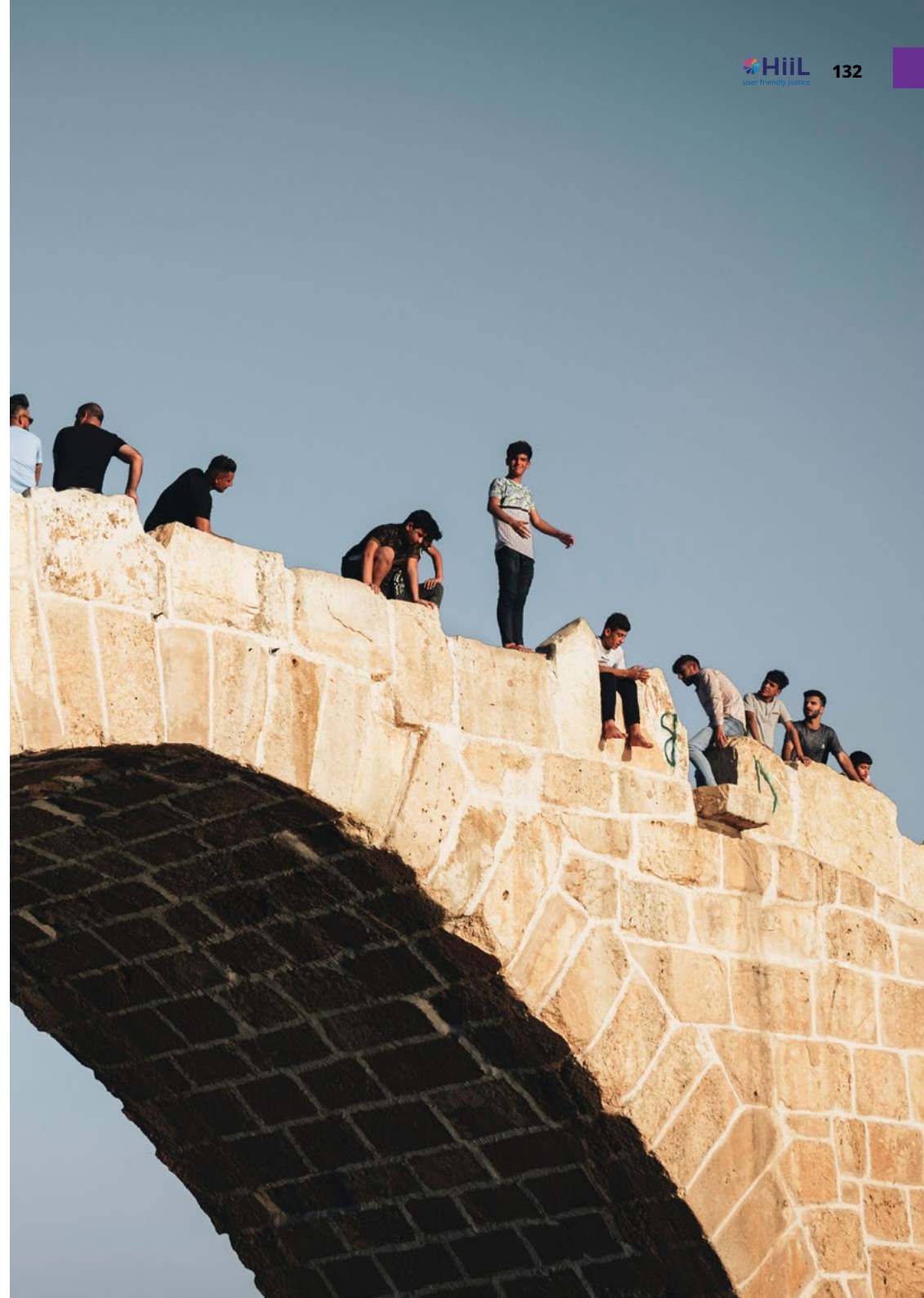
47 Both terms are often used interchangeably and it is not always clear what the distinction is.

48 The current methodology does not make it possible to do a qualitative assessment of what these other options include

MOST COMMON SOURCES OF LEGAL INFORMATION



n = 104 (IDPs) / 38 (IDP hosts)
/ 932 (Refugees) / 132 (Refugee hosts)





10

Findings and recommendations

Iraq is home to one of the world's largest populations of internally displaced persons (IDPs) and refugees. Close to 300,000 refugees and 1.2 million IDPs need shelter, sanitation, food, healthcare, education, and justice and security. Forcibly displaced people are particularly vulnerable to the lack of accessible, equal and effective justice. The host communities also face significant pressure and insufficient resources. In the humanitarian and policy discourses, the justice needs of refugees and IDPs are usually concentrated in legal status procedures and documents. The JNS survey confirms that the justice needs are significantly broader than that. Few of these needs are resolved, and as a result, the justice gap is further opening. This gap, however, is significant not only for the forcefully displaced people – the people from the communities where they live also do not have adequate access to justice.

This final chapter consolidates the study findings and formulates actionable recommendations. The ultimate objective is to improve access to justice by empowering Iraqi and international stakeholders, justice providers, and legal innovators. Data insights will leverage their efforts and

make them more effective in making justice a reality in the lives of the refugees, IDPs and Iraqi citizens.

We formulate recommendations for people-centred justice actions from data about the studied populations' legal problems and justice needs. The next step for the stakeholders involved is to formulate and implement comprehensive justice strategies. The Task Force for Justice⁴⁹, the Justice Action Coalition⁵⁰ and many others call this evidence-based way of working people-centred justice. Data about the people's needs for justice is the first step towards equal access to justice. The key pillars of people-centred justice are – working from data, applying best practices, supporting and scaling game-changers, creating an enabling environment, and strengthening the national and international movement for people-centred justice. We are convinced that the SDGs can only be achieved if national and international actors embrace people-centred justice and unite to work towards solving people's problems.

To achieve the goal of understanding the legal needs of the forcibly displaced people in Iraq, we went to big and small cities and villages

in Iraq. We visited refugee camps and IDPs locations to talk with the people affected by displacement. 2640 individuals spoke about the legal problems and justice needs in their daily lives. Some patterns were expected, others surprised us and the Iraqi and international access to justice experts. All of the findings in this section point to the need for a people-centred justice approach. The multitude of data provides insights on which the Iraqi and international stakeholders can build upon and bring more access to justice, regardless of citizenship or migration status.

The JNS study exposes systemic issues with access to justice for forcibly displaced people in Iraq. We did not study the general population of Iraq. Still, from the data from the host communities, we infer that there are critical access to justice challenges for non-displaced people as well.

Refugees, IDPs and people from the host communities face many legal problems in their daily lives. However, the high prevalence of legal problems is not the core of the access to justice problem. What really matters is what proportion of the legal problems are resolved fairly. The JNS study shows that relatively few of the legal matters reach a resolution. IDPs, refugees, and the host community of IDPs report resolution rates that barely reach 20%.

That means that for these groups, around 80% of their legal problems have not been resolved at the time of the interview. This low resolution rate is the most salient dimension of the access to justice gap for the forcibly displaced people in Iraq. Only 15% of IDPs' problems are entirely or partially resolved. Twenty-two percent of refugees' problems are perceived as completely or partially resolved. Similar is the situation for the IDP's host communities. Even fewer of the problems receive a solution that is perceived as fair.

At a broader social level, this means that tens of thousands of legal problems occur in the lives of already vulnerable individuals and communities. For many of these problems, there are no accessible justice journeys. Ultimately, the forcefully displaced people and the host communities have to live with the consequences of these problems. The data also shows that the legal problems are not marginal and take a considerable toll on individuals, families and communities.

The low resolution rates indicate systemic access to justice challenges for the Iraqi forcefully displaced populations and their host communities. The fact that many problems do not reach a fair solution is a critical component of the justice

49 <https://www.sdg16.plus/resources/justice-for-all-report-of-the-task-force-on-justice/>

50 <https://www.sdg16.plus/justice-action-coalition/>

gap. It needs a deep understanding of the scope and causes of the access to justice problems, precise policies, creative solutions and targeted funding.

Legal issues permeate the daily lives of forcibly displaced individuals in Iraq. Seven out of 10 IDPs had to deal with legal problems. From an international perspective, this is a high prevalence. Presumably, recent and multiple experiences with displacement or relocations explain this high rate reported by the IDPs who are Iraqi citizens. IDPs in Ninewa are the group that faces the most legal problems among all the combinations of subsample and location. The host communities of IDPs experience problems at a slightly lower but still considerable rate of 54%.

The people from the host communities also have to deal with many issues. At least three in 10 refugees (29%) experienced serious and difficult-to-resolve legal problems in the past four years. A mix of possible underreporting and experiencing legal problems before the research's timeframe may influence this rate. The host community of refugees experience problems at a higher rate of 37%.

We cannot extrapolate these findings with a high level of precision. Still, looking at the absolute number of

refugees and IDPs in Iraq, we can be reasonably confident that every year, the forcibly displaced persons encounter hundreds of thousands of legal matters. The people from the host communities (and perhaps the overall population) also face many problems that add to the demand for justice.

Across all groups examined in this study, the predominant perceived reason for not encountering legal issues is the belief in being too vulnerable or economically disadvantaged to face such problems. This finding needs further investigation as it clearly points to the adverse effects of disempowerment, lack of legal capability and difficulty to recognise and successfully deal with legal issues.

With an average of almost two legal problems reported per person, IDPs and their host communities have more complex justice needs than the other groups, whose members often report only one legal problem.

What are the problems that the forcibly displaced persons experience? IDPs most often have to deal with land and housing-related legal problems. Disputes over access to public services are most prevalent among refugees. The majority of the legal problems of the forcibly displaced people are

perceived as unrelated to displacement, meaning that the problems they experience in the research's timeframe seem dislocated from displacement, particularly among Syrian refugees living in camps. The different groups experience different problems, which hints at the need for customised people-centred solutions. Clearly, there is a need for tailor-made solutions instead of investing in institutions and mechanisms that claim to offer universally applicable answers to people's legal problems.

Another facet of the justice gap is the finding that a considerable proportion of the individuals who encounter legal problems do not take action to resolve them. More than half of all IDPs hosts do nothing to respond to their legal issue. Forty-one percent of the IDPs do not act, 32% of the refugees and 28% of the refugees host communities. There is a visible gender dimension in the inaction. Problems that are a consequence of IDP displacement are particularly often abandoned. Around 60% of such problems are left by the forcibly displaced people with no action. This indicates how difficult it is to resolve and how persistent the legal issues causing displacement are.

Of particular concern are the reasons for not responding to the legal problems. Many of the respondents indicated that they did not do anything



because of their disbelief that they could do anything. This is a particularly concerning barrier because it is in people's minds. Access to justice for forcibly displaced people and the host communities is already limited at the psychological level. Many people just give up before stumbling into the material barriers to justice, such as money and distance.

It is not a surprise that the forcibly displaced people and the host communities in Iraq use mostly informal dispute-resolution mechanisms. Only around 3% of the people who take action in all groups use the Iraqi courts. The other 97% of the legal problems are brought somewhere else for resolution. Social networks are the most frequent sources of help. Many legal issues are referred to family members and friends. Relatively few refugees, IDPs and people from the host communities reach out to the other party or parties to pursue a bilateral resolution. Camp management, refugee camp committees and UNHCR are particularly prominent dispute resolution sources of help among refugees. IDPs engage lawyers and the police at similar rates (around 12%). There seems to be a network of lawyers that are present in the communities. The presence,

accessibility, impact and scalability potential of legal services provided by lawyers need more detailed study.

It should be clear that the legal problems that forcibly displaced people and the host communities encounter are not trivial and insignificant. At least 70% of the reported legal problems cause negative consequences. The most commonly suffered consequence is stress-related illness, being the most common among all groups in the sample. Other common consequences are loss of money and loss of time. Host community members of refugees and refugees report more often than the other groups violence-related consequences, such as violence against the respondent or personal injuries

People across all groups report a negative impact on mental health as the most affected dimension of life. Our impact score measure shows that the host community of refugees report problems with the highest average score, followed by IDPs.

From all categories of legal problems, debt-related matters and security problems have the highest impact on respondents' lives and well-being. The other categories of legal problems also considerably impact the people who experience them.

Most often, the sources of help provide advice, prepare documents and reconcile the disputants. In the populations of refugees, IDPs and their host communities, the process of mediation is not a structured and professional mediation model. Third parties use mediation less often when they help refugees and refugee host communities (respectively, 37% and 21% of the interventions). The intervention "deciding the matter" is the most likely intervention to resolve the problem, but it is not often applied to the legal problems of the people in the sample.

In this study, we refer to legal advice broadly as any information from a wide range of professional and non-professional sources about the problem or advice about the course of action in the specific situation. Except for the refugee hosts, in all other groups, no more than 43% of the people sought advice despite the broad definition. This implies that over 50% of individuals facing legal issues deal with them without seeking further advice. Advice most often comes from friends or family members. Lawyers also appear relatively often.

Various types of advisers provide different types of advice. Lawyers primarily advise on rights and legal options, prepare documents, advise how to report a problem to the

authorities or help reach out to the other party. Family and friends mainly provide emotional support, advise on rights and legal options, and suggest where to go to resolve the problem. Despite these differences, family, friends, and lawyers are seen as helpful in around 90% of cases.

Unlike legal advice, legal information is general knowledge about the problem from publicly available sources. Few IDPs and refugees receive legal information, but when they do, they seek it online from websites and social media. Refugee hosts show more active behaviour, with three in four seeking legal information from publicly available sources.

The findings about the use of legal advice and information must be interpreted together with the justice journeys that the respondents use. If only 3% of the legal problems are brought to courts, it does not make a lot of sense to channel the bulk of the national and international resources and aid into court-related advice and representation. More legal aid services can help, but they are not scalable and will not address many of the outstanding issues. Information and advice must be embedded in such processes based on evidence about what delivers the most value to the justice users.

Recommendations for making justice in Iraq more people-centred and accessible

Based on these findings, we formulate the following recommendations to the Iraqi government and non-government stakeholders, and the international community:



Continue monitoring the justice needs of populations in displacement-affected areas to know what legal problems are occurring, where they occur, and who is experiencing them. Constantly assess if those problems are being resolved in a way that restores damages and relationships and empowers people to move forward.



Undertake a comprehensive nationwide legal needs study of the people in Iraq to enhance the big picture of access to justice in the country. Embed the study in the measuring and evaluation systems of national institutions such as the Central Statistics Organisation, Ministry of Justice and the Iraqi Supreme Judicial Council. Conduct legal needs studies on a longitudinal basis and integrate the insights and findings into people-centred justice policies.



Research, design and implement accessible and efficient pathways that deliver justice for specific problems. The data points to land and housing problems for IDPs, disputes around accessing public services for refugees, neighbour-related disputes for host communities of IDPs, and family-related issues for host communities of refugees. Starting from evidence about people's needs, design and implement justice pathways for the most prevalent and burdensome legal matters. Mobilise national and international stakeholders and justice innovators to research, design and implement justice pathways.



Leverage training and other capacity-building initiatives to foster a people-centred approach among national and international stakeholders. People-centred justice is a way of organising justice to deliver more and fairer resolutions. Policies and services must be designed, implemented, and evaluated, considering primarily the needs and interests of the users of justice - individuals, families, communities, and businesses.



There are bright spots in justice for forcibly displaced persons in Iraq. **Identify what works in dispute resolution and design ways to scale it up.** Given that all groups in the sample lack access to justice solutions, justice pathways based on interventions that work will improve the quality of the processes and the resolution of legal problems.



Organise innovative and scalable delivery models based on people's needs, knowledge about interventions that work, and sustainable value propositions. Traditional ways to deliver justice will not be enough to close the justice gap. Consider gamechangers that work elsewhere - community justice services; claiming services help people to access vital public services; or online information, advice and representation services.



Work with diverse stakeholders to ensure enabling regulatory, business and financial environments for the scalable delivery models.



Become part of the people-centered justice movement. This approach is gaining momentum locally, nationally, and internationally. Local authorities of areas with forcibly displaced persons and the national authorities of Iraq have the opportunity to connect with fellow professionals who share similar ideas, lessons, and aspirations for a significant overhaul of the justice system.

Annex: List of Problems

Land

Disputes over boundaries
 Disputes over use of land
 Disputes over land titles and ownership
 Lack of compensation for occupied land
 Disputes over lease of land
 Separation of jointly owned land
 Disputes related to transferring ownership of real estate
 Eviction from land
 Delays with compensation claims
 Disputes over jurisdiction
 Other land dispute

Domestic violence

Physical abuse (hitting, kicking, slapping, throwing objects)
 Emotional abuse (insults, belittling, constant humiliation, threat of harm, threat to take away children, etc)
 Sexual abuse
 Female genital mutilation
 Economic deprivation
 Other domestic violence problem

Housing

Renting a house - problems with getting deposit back
 Renting a house - getting the landlord to do repairs or provide other services
 Renting a house - disputes over rent
 Eviction from house/shelter
 Renting a house - being discriminated against when applying
 Other housing problem

Neighbour-related

Regular and excessive noise
 Threats, harassment or violence between neighbours
 Disputes relating to animals owned or kept by neighbours
 Children cause disorder or damage in neighbourhood
 Disputes concerning the management of shared property and equipment (ducts, pipes, walls, roofs, etc.)
 Other neighbour problem

Employment

Unfair termination of employment
 Non-payment of wages, benefits or overtime
 Non-payment of social security contributions or health insurance premiums due by employers
 Disputes over working hours, leave or vacation
 Dangerous working conditions / injury at work / work accidents
 Harassment at work
 Discrimination at work
 Employment without valid contract (irregular employment)
 Exploitation at work (children, adults)
 Other employment problem

Family-related

Divorce or separation
 Parental/custody rights
 Disputes over maintenance to or from a former partner
 Difficulties over maintenance/ household expenses in an existing relationship
 Disputes over child support
 Inheritance and wills
 Forced marriage
 Early marriage
 Disputes over dowry
 Inappropriate relationship
 Disputes affecting family unity
 Other family problem

State (public services) services

Dispute over receiving welfare benefits
 Dispute over access to health care
 Dispute over access to education
 Dispute over access to public utilities
 Dispute over pensions
 Dispute over services for disabled and elderly
 Other public services problem

Crime

- Theft
- Robbery, burglary
- Damage to property
- Assault
- (attempted) Homicide (voluntary / involuntary)
- Injury (willful or not)
- Sexual offense
- Drug-related crimes
- Other crime

Money-related

- Dispute over borrowing / lending money
- Dispute related to a bank loan
- Dispute over insurance claims
- Difficulties with enforcement of contract
- Dispute over paying tax to government or traditional authorities
- Victim of fraud
- Other money problem

Security-related

- Physical violence
- Psychological abuse
- Torture
- Arrest without justification
- Forced conscription (including children)
- Forced disappearance (missing family members)
- Harassment at checkpoints
- Other security-related problems

Consumer

- Buying defective or counterfeit goods
- Buying dangerous goods
- Services of substandard quality
- Refusal to respect warranty
- Incorrect or disputed bills (for communal services)
- Other consumer problem

Official documents

- Unable to obtain identity document (ID card, passport)
- Unable to obtain birth certificate
- Unable to obtain marriage certificate
- Unable to obtain death certificate
- My official document is not recognized by federal authorities
- Difficulties setting up a business
- My education diploma/ professional qualification is not recognized by the authorities
- Difficulties with obtaining security clearance
- Other problem linked to official documents

Corruption

- Abuse of power (by public official, traditional authority, private armed actor)
- Asked to pay a bribe ((by public official, traditional authority, private armed actor)
- Asked to pay a bribe by a private company
- Other corruption problem

Accident

- Manslaughter related to traffic
- Unintentional traffic injury
- My cattle was killed in vehicle accident
- Other accident

About the JNS

Justice is not just about the number of reported crimes. Nor is it about courts and laws. It is about common people. Their daily lives, their pain and frustration – and the justice outcomes they get or do not get.

That is why we listen to people in each country to measure their satisfaction. We collect the voices of thousands with our Justice Needs & Satisfaction Survey (JNS) tool. It is the state of play that reveals people's actual legal problems, experiences and access to justice.

Adjusted to the specific context of the country it provides in-depth understanding for people working in the justice sector.

We also make the data available to policy-makers through clever interfaces so that they can work with the findings. The responsible use of this data leads to knowledge, creates empowerment, and builds accountability.

The countries we have worked in since 2014 include Bangladesh, Burkina Faso, Ethiopia, Fiji, Mali, Morocco, the Netherlands, Tunisia, Niger, Nigeria, Uganda, Ukraine, and the United States. In 2024, we plan to publish reports on Honduras, Tunisia, Nigeria, Uganda, and Colombia.

For more information, data, and insights, visit:
www.hiil.org
www.justice-dashboard.com

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