

2022–2025

# **Global Development Strategy: Information, Counselling and Legal Assistance (ICLA)**



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Thank you to everyone who contributed to this document.

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**Cover photo:** Mariam Toure/NRC

*From 2018 to 2021, more than 13,000 men and women received legal documents and more than 1,700 children managed to go back to school thanks to a project to improve access to civil documentation and education through our ICLA team in Mali.*

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NORWEGIAN  
REFUGEE COUNCIL

# Information, Counselling and Legal Assistance

The Norwegian Refugee Council (NRC) is one of the leading legal protection actors in the humanitarian sector. We are recognised by stakeholders for our expertise in housing, land and property (HLP) rights and in legal identity. Our strength lies in our solid thematic expertise and our versatility, making information, counselling and legal assistance (ICLA) a relevant intervention in any context. The catalogue of thematic areas grows organically to respond to field needs, and as of today we cover a broad spectrum of legal aid issues relevant to displacement contexts. In recent years, ICLA has increasingly been recognised for the technical services it provides to other sectors to overcome legal obstacles to their programming.

By the end of 2025, employment laws and procedures should be our third main area of expertise, while we will have deepened our expertise in HLP and legal identity, and strengthened our legal stay interventions. We will be leading the digital transformation of legal services in the sector and will enable others through our expertise and our tools. We will profile ourselves as an access-to-justice actor and address systemic barriers hindering access to rights and essential services at all levels, and we will be able to document positive changes.

To get to this point, the global ICLA development strategy will focus on the priorities below. Click on each heading to go to the respective section.

- 1 Institutionalise our work on displaced womens' housing, land and property (HLP) rights
- 2 Deepen our expertise on legal identity and share it with other sectors
- 3 Consolidate and scale up our response on employment law and procedures
- 4 Improve our ability to assist people in achieving legal stay
- 5 Profile NRC as an access-to-justice actor
- 6 Improve adherence to Safe and Inclusive Programming (SIP)
- 7 Enhance ICLA in first-line responses
- 8 Enable ICLA programmes to digitalise services and processes
- 9 Improve collaboration and exchange of expertise with local actors
- 10 Explore ICLA's potential as a technical service provider to other sectors and actors
- 11 Strengthen advocacy capacity for policy change and rights protection

# Introduction

**What is the purpose of the development strategy?** It shows where NRC will focus global programme development and innovation efforts, and towards what areas we will channel internal resources and global fundraising efforts in relation to the core competency (CC). The strategy covers NRC's global portfolio, therefore countries and regions will find workstreams that are more or less relevant for their particular context.

**Who is the audience?** The strategy is primarily intended for the core competency technical line and other relevant staff at country, regional and global level, but can also be shared externally.

**Who will implement it?** The global core competency leads are responsible for leading the implementation of the strategy. They will engage with regional and country colleagues, primarily through the technical line, to get input, exchange experiences, share work, conduct pilots, develop trainings and guidance, fundraise etc. This will be done both remotely and through face-to-face workshops and seminars at country, regional or global level. Global technical guidance and tools will be developed to support the implementation. The strategy is ambitious and will require successful fundraising if we are to achieve our goals.

**What is expected from countries and regions?** Except for prioritised workstreams (see below), country and regional offices can select the workstreams that are most relevant for them. The response policy provides a framework for the activities and themes falling within the scope of each core competency, and countries can implement any activities within that scope that are relevant in their context. Contributions to the core competency development strategies should be factored into the annual workplans and balanced scorecards of the core competency team. As guidance becomes available for new areas of work, countries and regions are expected to follow this. Please reach out to the global lead if your country/region is planning to do, or already doing, work or pilots in line with a workstream.

**What does it mean if a workstream is prioritised?** All country and regional offices implementing the core competency are expected to contribute to or implement elements of this workstream within the current strategy period 2022–2025. Prioritised workstreams are marked with orange in the overview on page 3 and with a grey flag ( ► ) after the heading.

**How did we arrive at these workstreams?** The strategy was developed through a participatory process across the organisation. The process identified areas of work needed to: 1) address quality issues discovered through monitoring, evaluations and risk monitoring to ensure we comply with the NRC Response Policy and the quality standards we adhere to; 2) stay relevant by responding to global trends in the sector and beyond; and 3) deliver on the NRC Global Strategy.



**What does the strategy not do?** It does not: 1) set boundaries for what NRC does and does not do within a core competency (see NRC Response Policy); 2) provide technical guidance on how NRC will implement certain activities (see framing papers, handbooks, guidance notes); 3) promote NRC's activities and approaches (see capacity statements, value propositions and programme presentations).

**What is the duration of the strategy?** The strategy reflects the duration of the NRC Global Strategy 2022–2025, and includes a mid-term review.

Please note: NRC has clear ambitions to make all our programmes more people-centric and improve how we design and implement responses as one – both across core competencies, and between programmes and advocacy. How we will go about this is still not decided. These two elements will therefore be strengthened across the core competency development strategies as part of the mid-term review.



Awareness campaign on civil documentation in Al-Mishqafa camp in Yemen. Photo: Mohammed Al-Jgaidy

# 1 Institutionalise our work on displaced women's housing, land and property (HLP) rights

## **Strategic outcome:**

Displaced women are empowered to safely claim and enjoy their housing, land and property (HLP) rights during all phases of displacement.

Housing, land and property (HLP) rights are crucial for the economic and social wellbeing of women, especially in situations of conflict and reconstruction. These rights are also increasingly affected by climate change and environmental degradation. The UN's Sustainable Development Goals emphasise the significance of HLP rights for women's economic empowerment, and for durable solutions.<sup>1</sup> NRC's research<sup>2</sup> indicates that displaced women enjoy a range of HLP rights under the mix of statutory, customary and religious legal regimes in different countries. Yet, gendered norms and social and cultural practices perpetuate the imbalance of power between men and women, resulting in systemic discrimination and limiting women's ability to claim rights and seek redress. Unfortunately, humanitarian programming can exacerbate inequalities since it often delivers assets and services to the male "head of household".

NRC's recent internal gender thematic review indicates a need to pay better attention to gender needs in our programmes. Despite some advances, displaced women's HLP rights are still not central in ICLA programmes, and we lack a systematic programming approach, including a safe and inclusive practice.

By the end of 2025, in close consultation with women, our programmes will systematically identify the barriers faced by women in accessing HLP rights across all phases of displacement and will engage with relevant stakeholders at global, regional and country level to address harmful policies and practices.

Global initiatives will include guidelines and training material, capitalising on the learning and interventions generated by our research, to institutionalise programming approaches which address legal, social and cultural barriers. Partnerships – especially with women's local organisations – and collaboration with other programmes (Shelter and Settlements and LFS in particular) will be central to our response.

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<sup>1</sup> Target indicators (5.A.1 and 1.4.2)

<sup>2</sup> See NRC's research on displaced women's HLP rights at <https://www.nrc.no/what-we-do/speaking-up-for-rights/housing-land-and-property-rights/displaced-womens-hlp-rights/>

## 2 Deepen our expertise on legal identity and share it with other sectors

### **Strategic outcome:**

People affected by displacement overcome legal and bureaucratic barriers to access a legal identity and the rights and services depending on it.

Legal identity is often understood as the right to have rights or to be recognised as a person before the law. It is a precondition to enjoying rights and basic services, such as access to justice, freedom of movement, education and health care. Development and humanitarian policies call upon stakeholders to ensure that displaced people have access to proof of legal identity, such as birth certificates and identity cards.<sup>3</sup> Yet, people affected by displacement face particular legal and practical barriers to accessing these entitlements. Women and other vulnerable groups face additional barriers linked to social and cultural practices. Digital technology increasingly affects identity governance and can benefit vulnerable groups but can also exacerbate exclusion and discrimination. Emerging private-public partnerships are blurring the obligations of duty bearers.

By the end of 2025, ICLA will have worked with peer organisations and other sectors – education, livelihoods and health actors – so they can promote access to a legal identity and thus to rights and services relevant to their programming. Our advocacy will continue to address legal and practical barriers while also calling for rights to be available to all, regardless of what documentation they have. We will have increased our understanding of the use of technology in identity and registration processes and will promote approaches sensitive to the difficulties faced by displacement-affected people.

Global initiatives will include the development and delivery of a training package for humanitarian actors to improve their understanding of the barriers faced by displaced people and how to adapt their programming to address them. We will bring to practice our recently developed advocacy methodologies. We will seek alliances with academia and the private sector, so we are better prepared to influence the digitalisation of identity processes.

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<sup>3</sup> See the New York Declaration, the Global Compact for Refugees, the IASC Durable Solutions Framework for Internal Displacement and Sustainable Development Goal 16.9.





An ICLA information session in Ebrahim Khail village, Barmal, Afghanistan. Photo: Maisam Shafiey/NRC



Hadiza receives a birth certificate for her child from our ICLA team in Nigeria. Photo: Innocent Parkouda/NRC



### 3 Consolidate and scale up NRC's response on employment laws and procedures

#### **Strategic outcome:**

People affected by displacement are provided with legal assistance to access labour markets and decent employment, and benefit from social protection.

Access to livelihoods and employment is one of the criteria required to achieve durable solutions, while there is increased focus on “resilience-based” programming and a renewed commitment to refugee self-reliance. Yet, a critical challenge is whether people affected by displacement enjoy the right to work, can access labour markets and have decent employment. This challenge is even more complex for those working in the informal sector, in the emerging digital economy, or without the appropriate work or other permits. Women are likely to face gender discrimination and sexual exploitation in addition to these obstacles.

There are few actors working on this emerging issue and it is becoming a niche area for ICLA. Over a third of NRC country programmes are already programming in this area and others are conducting assessments to inform future interventions. By the end of 2025, we aim for the majority of our ICLA programmes to be working on this area, either through standalone legal projects or in collaboration with Livelihoods and Food Security or Youth Education teams. Affected populations will benefit from services to access decent employment, dispute resolution, regulations related to self-employment or small businesses, and support to workers' associations and trade unions. Facilitating access to decent employment is often dependent on accessing other rights such as legal identity or legal stay.

Our global initiatives include developing technical guidance on access to decent employment (including in informal economies), expanding our collaborative dispute resolution approach to employment disputes, and test our new monitoring and evaluation approach in this area. We will learn from country experiences and use those as a platform for collaboration with others such as the International Labour Organization (ILO) and Women in Informal Employment: Globalizing and Organizing (WIEGO) to position NRC as a “work rights actor”.

## 4 Improve our ability to assist people in obtaining legal stay

### **Strategic outcome:**

Refugees, asylum seekers and other populations in need of protection are empowered to claim and secure a legal stay in the host country so they are protected against refoulement and deportation and can enjoy socio-economic rights.

Legal stay is not an end in itself but rather a precondition to ensure protection and durable solutions. For the purpose of this strategy, legal stay encompasses procedures for refugee status determination, residency documents, and immigration visas and permits. Without securing a legal stay, refugees, asylum seekers and vulnerable migrants are exposed to protection risks such as refoulement, arrest and detention, deportation, trafficking and other forms of abuse. Displaced populations in an irregular situation in a host country will often be prevented from accessing education, health care or employment.

About one third of the countries in which we operate are not party to the global or regional refugee conventions. Many countries that are parties to these conventions look for alternatives to avoid processing and hosting refugees. In addition, legal and policy frameworks are blind to the needs of populations crossing borders as a consequence of climate change and mixed migration flows. As a result, people fleeing violence and persecution use other immigration pathways or stay irregularly in the territory of host countries. NRC's global strategic objectives of achieving quality services, protection, safety and rights realisation for displaced people depend heavily on the legal stay of these populations.

By 2025 we will have understood the various options for legal stay and how it can be obtained in different contexts. We will have established how it relates to protection, rights and services, especially those of concern for our education, shelter, protection from violence, and livelihoods programmes.

Our global initiatives include developing a conceptual framework to ensure a coherent approach by country programmes in different contexts and for different categories of displacement. We will develop basic training materials for ICLA and other humanitarian actors so they can collaborate in achieving legal stay for affected populations.



Our ICLA team in Colombia supports displaced Venezuelans with registration and documentation so that they can access their rights. Photo: Vannessa Jiménez/NRC



NRC paralegal case officer Caroline Kamugiri helps newly arrived refugees from DR Congo at the Nyakabande Transit Centre in Kisoro, Uganda. Photo: Karl Schembri/NRC



## 5 Profile NRC as an access-to-justice actor

### **Strategic outcome:**

Displaced people are empowered to engage with relevant justice systems, claim rights and obtain remedies, and the systems' capacity to respond is strengthened

Access to justice is the ability of people to seek and obtain remedies through formal or informal mechanisms of justice, and in conformity with human rights standards.<sup>4</sup> It is fundamental to ensuring human rights, good governance and rule of law, to inclusive and sustainable development, and is a key condition for accessing durable solutions in displacement contexts. Legal aid plays a crucial role in enabling people to navigate the justice system: to make informed decisions, claim and enforce their rights, and obtain justice remedies. The absence of free legal aid services is one of the most common barriers to equal access to justice, particularly for vulnerable and marginalised people (such as those affected by displacement) who face challenges in affording legal advice and representation. Countries with robust legal aid systems, including dispute resolution mechanisms, and active civil society organisations are more able to address the legal needs of people affected by displacement.

ICLA plays a key role in supporting people affected by displacement with quality legal services so they can access formal and informal justice mechanisms. We are known to be a humanitarian legal protection programme, and by 2025 our strategic ambition is to be recognised as a main contributor to access-to-justice objectives, in particular through our collaborative dispute resolution approaches.

Our global initiatives include the development of guidance and other materials to enable ICLA teams to explain their role and contribution to access to justice in their contexts. We will promote the use of the Global Protection Cluster's Legal Aid Analysis Framework so our programmes can profile themselves as actors in access-to-justice processes in their contexts. We will institutionalise and scale up the use of our dispute resolution approaches with informal (customary, religious and other) and formal mechanisms, as relevant.

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<sup>4</sup> UNDP Access to Justice Note

## 6 Improve adherence to Safe and Inclusive Programming (SIP) ▶

### **Strategic outcome:**

ICLA services are delivered in an inclusive manner that puts the safety and dignity of the people we support, especially women and children, at the core of programme design and implementation.

The people we serve can be exposed to a multitude of risks and threats, including when accessing our services. The provision of information and legal services touches upon sensitive topics which can trigger additional risks for them, in particular children and women. Therefore, ICLA needs to pay particular attention to avoid potential harmful results of its activities for these groups.

By 2025, we will ensure that Safe and Inclusive Programming (SIP) concerns are identified in consultation with the people we serve, throughout the programming cycle, and that appropriate responses are designed to address these concerns. The objective is to ensure that programmes avoid causing harm, reduce protection risks, are equitable and transparent, and empower communities to be decision-makers.

Our global initiatives include building the capacity of all ICLA staff to integrate NRC's SIP Minimum Standards into all our programming. We will develop ICLA-specific SIP guidance and training with a particular focus on women and children so case workers can identify specific risks when these groups access ICLA services.<sup>5</sup> NRC's ICLA tools and resources will be adapted to promote consultation and participation of communities, including responding to and analysing complaints and feedback received through our mechanisms.

### **Safe and Inclusive Programming (SIP):**

SIP ensures the mainstreaming of protection, age, gender and diversity in NRC programmes. Our SIP Minimum Standards describe a number of actions, in a suggested hierarchy of urgency, that guide NRC country offices to ensure that our programming is safe, accessible, accountable and participatory.

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<sup>5</sup> We will capitalise on the Legal Protection of Children initiative in the Middle East regional office to develop global material.

## 7 Enhance ICLA interventions in first-line responses

### **Strategic outcome:**

People in acute crisis receive relevant and timely ICLA services tailored to the emergency context.

Information and legal assistance can be life-saving activities and need to be integrated in first-line responses. People affected by displacement are particularly vulnerable at the onset of an emergency and need timely and accurate information and counselling to access essential services and protect their rights. Legal and administrative requirements to access health services, enrol in humanitarian assistance programmes or obtain identification documents can make a difference to survival. Assistance with negotiating terms for temporary shelter and access to land is also of crucial importance. Unless these needs are addressed from the start, negative consequences can occur at a later stage, for example if HLP or civil and identification documents are not secured and get lost or destroyed. Lastly, ICLA expertise can be relevant in the early stages of a crisis in mapping and analysing legal protection needs that can later inform responses in protracted situations or support durable solutions programming (e.g. gathering HLP data for ulterior reparations processes).

NRC has gathered experience in implementing ICLA front-line responses and we count upon a solid toolkit that includes technical guidance, theories of change and indicators. By 2025 we aim for NRC's emergency responses to systematically include ICLA activities.

Our global initiatives include revising our emergency toolkit to incorporate the latest methodologies in the humanitarian sector, including those relevant for legal protection. To avoid our toolkit becoming guidance solely for experts, we will develop a user-friendly companion for generalists. We will also test our information and legal services digital platform and associated tools to improve the timeliness of our response.





Our ICLA team in Bangladesh supported a displaced mother with relocating to a camp where her son lives. They also helped her access essential services there. Photo: Sadia Rahman/NRC



Our activities in Jordan include supporting displaced people with work permit applications. Photo: Leen Qashu/NRC

## 8 Enable ICLA programmes to digitalise services and processes

### **Strategic outcome:**

Relevant, accurate and timely legal services are available through digital solutions to a larger portion of people affected by displacement.

The effective use of technology will provide ICLA with an opportunity to expand its reach to more people, provide more accurate information in a timelier fashion, and improve our understanding of the target population's needs and priorities. A digital transformation journey is not only about developing online applications but rather requires a paradigm shift in the way that humanitarian legal services are delivered. ICLA teams will need to adapt their strategies and processes to unleash the potential of digital tools so they can dedicate more time to addressing more complex cases.

During this strategic period, ICLA will continue with the digital transformation process that started in 2018 and ICLA's legal services platform, "Kobli", will be ready to scale up beyond the pilot country programmes. The platform includes a suite of online tools that can be custom selected for facilitating legal aid based on needs. We will contribute to ensuring that our ICLA teams are trained and equipped to use other NRC digital programme tools as well as future applications as they are developed. We will also use digital technologies to enhance services, including developing business models that allow us to work with partners in a sustainable manner.

Our global initiatives include efforts to continue to improve the software components and working with ICLA teams to embrace digital transformation by standardising and optimising their workflows. In the digitalisation of its services, ICLA will be vigilant of the digital divide and ensure that the safety and dignity of end users are preserved. To embark on this digital journey, ICLA will need to invest in recruiting specialised staff and building new partnerships (e.g. with tech companies).

## 9 Improve collaboration and exchange of expertise with local actors

### **Strategic outcome:**

ICLA will promote and ensure sustainability of outcomes by harnessing complementary skills and niches through partnerships with local actors.

NRC recognises that local actors are the main responders in any crisis, and we already collaborate with different types of local actors in the countries where we work. However, we want to do much better and significantly increase our collaboration and exchange of expertise with local actors.

While ICLA programmes address immediate humanitarian needs, established legal aid systems (NGOs, bar associations, private lawyers and state justice actors) can provide more sustainable forms of access to justice for displaced people and contribute to durable solutions and protection of rights in the long term.

Local legal aid providers often have better access to affected populations, greater local acceptance and a better understanding of the local context. Conversely, well-established international actors with expertise in delivering legal aid, such as ICLA, can play a critical role in strengthening local systems.

By 2025 we aim to have increased our engagement with local actors to reinforce and complement implementation of activities, working as an enabler of action rather than a direct implementer. In order to promote sustainability and localisation, we will systematically address needs as identified by local legal aid providers.

Our global initiatives include adapting NRC's guidelines and tools on how to set up, manage and monitor partnerships. In selected countries, we will apply the newly adopted legal aid analysis framework of the Global Protection Cluster to understand local legal aid capacities and gaps. This will enable our programmes to engage with relevant actors for specific activities but also to develop relevant training activities for the entire sector. We will identify best practices and develop tools to assess when and how we should transfer activities to local actors, especially upon NRC's exit.



## 10 Explore ICLA as a technical service provider to other sectors and actors

### **Strategic outcome:**

NRC teams and other organisations benefit from ICLA technical services, including coordination and standard setting through the cluster system, to remove barriers to achieving quality outcomes.

Over the years, ICLA has refined its technical legal expertise by focusing on a number of thematic focus areas. These have proved to be cross-cutting and have impacted the design and implementation of other humanitarian programmes, including NRC's other core competencies. HLP due diligence and security of tenure have become a central feature in Livelihoods and Food Security (LFS), Shelter and Settlements, and WASH. The mine action sector is also turning to ICLA as a technical service provider on HLP rights. Employment laws and procedures and legal identity are increasingly regarded as requirements in LFS and education programming. Many of these programmes lack sufficient expertise in these thematic areas and ICLA is often called upon to provide technical expertise and ICLA interventions.

This expertise has raised demand for ICLA's leadership and coordination, globally and in the field. NRC's leadership of the HLP Area of Responsibility at global and country levels gives NRC a unique opportunity to shape strategic, technical and policy orientations across the sector. We aim to apply lessons learned from this experience to increase our visibility and leadership, including on legal identity.

By 2025, ICLA will have tested opportunities to leverage its full potential by adopting an innovative approach to humanitarian programming that combines direct implementation, assuming leadership in coordination mechanisms, and offering technical expertise to other actors.

Our global initiatives include assessing the market for legal services relating to HLP and legal identity to other NRC teams and external actors, and piloting approaches to deliver such services. We will further invest in profiling ICLA as the go-to agency for legal identity matters, applying learning from our experience with HLP programming and coordination.



Wajeesh, a Syrian refugee in Lebanon, showing an NRC ICLA officer pictures of his agricultural projects.  
Photo: Tina Abu Hanna/NRC

## 11 Strengthen advocacy capacity for policy change and rights protection

### **Strategic outcome:**

ICLA programmes address barriers to accessing rights and durable solutions through promoting positive changes in laws, policies and practices at national, regional and global level.

Displaced people face barriers based on laws, policies and practices that intentionally or unintentionally hinder their access to rights and to durable solutions. Overcoming such barriers requires that information and legal services are combined with actions to influence those with power to achieve positive change. ICLA advocates to improve laws, policies and practices so that the positive effects can reach more people affected by displacement.

By 2025, ICLA will lead evidence-based advocacy interventions at national, regional and global level, taking advantage of its legal aid profile combined with its thematic expertise and broad geographical coverage. Priority will be given to HLP rights and legal identity, due to ICLA's expertise and the available quantitative and qualitative programme data. ICLA may also collaborate with other core competencies to address policy barriers identified through their systems analysis. This will require promoting effective collaboration between ICLA staff, advocacy staff (where available) and senior management to maximise the impact of ICLA's programmatic and advocacy work through targeted and effective dissemination of key messages and recommendations to external stakeholders.

Global initiatives include testing ICLA's advocacy toolkit at global and country level by applying it in practice to specific HLP and legal identity topics. When relevant, ICLA will seek to establish collaboration with like-minded partners from civil society and academic institutions to achieve specific changes. We will invest in developing ways of collaboration with our advocacy colleagues and with senior management, including in relation to clarity of roles and responsibilities. We will prioritise testing our monitoring and evaluation tools to measure the impact of advocacy activities.