# **People-Centered Justice**

# AN APPROACH TO STRATEGY, POLICY AND PROGRAM DEVELOPMENT



<sup>\*</sup>These include entities implementing rule of law/access to justice programs across multiple contexts including UN agencies, intergovernmental organizations, INGOs and private international firms implementing development programs.

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# **Getting Started**: Cross-Regional and Multistakeholder Global Advocacy Platform Supported by External Funders

( <u>Q</u> )	CHECKLIST: Ensure awareness and understanding on people-centered justice
	Understand the key principles and best practices for developing people-centered justice strategies, policies and programs.
	<b>Engage with like-minded partners and networks</b> such as the Justice Action Coalition, to expand your understanding on people-centered justice.
	<b>Promote people-centered justice</b> with government and non-governmental stakeholders through leadership training, international conferences, and public information campaigns.
	Advise and support national partners on people-centered justice initiatives, with consideration for context-specific entry points.
	CHECKLIST: Focus on evidence-based holistic programming and collective action
	Take a more systematic, holistic and coherent approach to justice program design, implementation, and impact assessment. Remember that people-centered justice requires much more than merely tweaking existing programs.
	Support national processes that are aimed at setting shared goals for reform and creating joint actions/partnerships among key stakeholders; promote a people-centered and service delivery focus; use an evidence-based approach; and ensure effective participation of justice users and formal and informal service providers in the design, implementation and evaluation of program initiatives.
	Identify ways to <b>obtain comprehensive and disaggregated data on people's justice needs</b> and their experiences of trying to seek justice (justice journeys).
	<b>Map</b> existing national and local resources and <b>stakeholders collecting justice data</b> and consider options for supporting an integrated justice data system.
	Build/strengthen local, national and programmatic capacity to regularly collect data, conduct analysis, support evidence-based monitoring and reporting, and make iterative program adjustments.



# CHECKLIST: Reassess programming models, support partnerships and invest in front line services and scalable solutions



Ensure that program strategy and design prioritize people's justice needs and justice journeys and address gaps in the provision of justice services.
Introduce and support online services providing legal information and assistance as well as for filing complaints/cases and participating in court proceedings. Support the use of digital technology in the justice system. This should not be a standalone project but must be designed as part of a larger problem-solving exercise. It should also complement physical services and information and not replace them.
Develop program strategies and projects using a people-centered approach to justice including by:
Ensuring programming strategies and project goals are demand-driven and include a focus on improving justice service delivery and accessibility.
Providing strategic and technical assistance for reforming justice institutions from a people-centered lens (see institutional reform Practice Note 5).
Identifying and understanding the justice needs of people including vulnerable groups most at risk of being left behind.
Ensuring that the proportion of assistance directed to criminal justice versus civil justice systems corresponds to the data on people's needs and to address common justice problems as well as opportunities to scale up.
Promoting innovative, data-informed justice services at the community level and encourage local ownership, with support from national justice counterparts.
Considering interventions that combine justice outcomes with broader social and economic challenges in the communities and contribute to peace and development more widely. This should include intervention that help to prevent recurring justice problems by supporting access to social welfare, mental health services, employment, land, and property.
Facilitating and incentivizing greater collaboration and coordination between justice stakeholders including the government and civil society justice service providers.  Consider solutions for linking formal justice institutions with informal providers, Alternative Dispute Resolution, and customary mechanisms at the local and community level.
Prioritizing initiatives that are cost-effective, scalable, and sustainable. Create space for innovation, experimentation, and adequate testing of program interventions that can be iterated in other locations within the country, planning for scalability and sustainability from the point of program inception.

### **Introduction and Objectives**

This Practice Note is part of a series developed for different justice actors and service providers to support the transition to a people-centered approach to justice and reduce the justice gap. Such a transition is in line with SDG16.3 which seeks to promote the rule of law at the national and international levels and ensure equal access to justice for all.

People-centered justice is a context-specific approach, prioritizing the prevention and effective resolution of people's justice problems by putting people and their needs at the center of justice systems, priorities, policies and interventions. While a 'one-size-fits-all' methodology for delivering people-centered justice is not possible, we have developed a series of practice notes to support key justice stakeholders in implementing the approach.

This note serves as a guide for **international program implementers**, including United Nations (UN) agencies, intergovernmental organizations, international NGOs, and private international firms implementing development programs. It is designed to be read in conjunction with the series' **introductory note**, which discusses the concept of people-centered justice and outlines key interventions needed for its implementation. Other practice notes respectively target: (1) judiciaries, (2) Ministries of Justice, (3) external funders, and (5) any actors interested in institutional reforms specifically.

# The Role of International Implementers in Pursuing a People-Centered Approach to Justice

International implementers typically possess expertise, human capital and the tools needed to support justice reforms. Their outlook is distilled from varied development and humanitarian contexts exhibiting different types of local and national justice challenges and solutions. They benefit from ongoing conversations with policy experts within the international rule of law community who are familiar with cutting edge global policy research and eager to share their knowledge. Furthermore, international program implementers are often engaging with the state and its institutions and creating relationships that they can leverage to promote people-centered justice. For all these reasons, international implementers are particularly well positioned to offer expertise to support people-centered justice initiatives at the national level.

International implementers of rule of law and access to justice programs have played an active role in developing people-centered justice principles and approach. This has occurred, for example, through the development of policy guidance on a people-centered approach, in areas of reform related to justice and security. Many are members of the <u>Justice Action Coalition</u>, which has urged countries to pivot to people-centered justice and to guide their reforms based on its five underlying principles. Moving towards people-centered justice will require implementers' ongoing collective, engagement at the national, regional, and global levels.

A key challenge large international implementers often face is that they are bound by specific criteria or areas of focus that donors/external funders prioritize. This reality, at times, hinders engagement in people-centered justice and leads to programming focusing solely/predominantly on institutions thereby, amongst other things, missing out on the role that diverse and informal pathways to justice can play in ensuring justice at the community level. International implementers are particularly effective when they prioritize partnerships with other organizations, rather than competition or duplication of efforts. A people-centered justice approach can help reduce fragmentation and support different partners and their external funders to align themselves with a joint-vision and strategy.

### **Entry Points for Action**

Recognizing that each context is different, below is a suggested list of potential entry points for action for international implementers:



#### Ensure awareness and understanding of what people-centered justice means

It is important to promote a shared understanding of the concept of people-centered justice, its relevance, as well as its implications for local contexts.<sup>3</sup> While the term "people-centered justice" has proliferated within the international rule of law community, it is not always well understood. Some programs, even while purporting to implement people-centered justice, still proceed with top-down approaches to justice. They concentrate their support on institutional reform and capacity development of formal actors within the justice sector without understanding people's actual justice needs and their experiences of seeking justice. It is important for international implementers to ensure that people-centered justice principles are fully understood and upheld within their policies and practices. This requires an emphasis on improving people's experiences of seeking justice and focusing on fair outcomes for them including through provision of community level services.



#### Develop a holistic and systemic approach to justice at the country level

While international implementers have made some efforts towards the development of people-centered justice policies and have advocated for their adoption, there is an ongoing need to develop and test comprehensive, nationally led, people-centered approaches to justice at the national and local level. Many people-centered interventions are part of what implementers are already doing. However, there is a need for a more systematic, holistic and coherent approach to program design, implementation, and impact assessment.

Creating this coherent approach at the national level will require four key areas of work in line with the Justice Action Coalition's 2023 Justice Appeal:<sup>4</sup>

- 1. Gathering data on the justice people want and need and how they experience their justice journey;
- 2. Co-creating strategies to become better at resolving and preventing people's most common justice problems, ensuring gender equality of all responses;
- 3. Setting shared goals for a range of justice actors and implementing strategies to achieve these goals;
- 4. Investing at scale to transform justice as it is delivered to and experienced by people, reducing the number of unresolved justice problems and creating fair outcomes.



#### Set shared goals, focus on collective action and reduce fragmentation

Policy coherence, program coordination, and strategic alignment should be prioritized across local, national, and international stakeholders. International program implementers can support efforts to work jointly in support of national justice actors such as ministries of justice. This includes support for the development of a shared vision, joint analyses, and joint data collection, monitoring, evaluation and learning. Implementors can encourage country-led efforts to develop a national strategic reform and investment plan for people-centered justice. They could also support the sector to develop a detailed finance and spending plan, including steps and processes needed for implementation. This

would seek to maximize financing efforts while being realistic about total available finance when planning.<sup>5</sup>



#### Design and implement programs based on data and evidence

Program models for justice sector reform are often based on an assessment of institutional and professional capacities. Such assessments use available administrative data from the formal justice system and rely on consultations with associated service providers. A people-centered approach to justice reform, on the other hand, focuses on the justice needs of people, their ability to access justice, and their satisfaction with the services of all providers, including informal providers and customary mechanisms. This more holistic approach, is outcome-oriented, seeking to address peoples' justice problems. To follow this approach, one must begin with collecting data and evidence.<sup>6</sup>

Justice/legal needs surveys outline people's most common legal problems and examine people's justice journeys: their lived experiences in resolving disputes using available services (including their treatment, physical access, length and cost of the legal process and the impact of unresolved problems on their lives). It is important to have disaggregated data, which demonstrates commonalities and differences between geographies, demographics, and other vulnerable people who are most at risk of being left behind. Such data enables gaps in justice service provision to be identified and can support effective and targeted justice interventions.

Justice/legal needs survey should be led and coordinated by national institutions and should serve as a starting point for program development. Ideally, where possible, they should be conducted regularly (every three years is ideal) and may often require resources and capacity support. A periodic review of the data, alongside a qualitative assessment of context and outcomes, can inform iterative programmatic adjustments.

To mainstream this evidence-based approach among key stakeholders, international implementers can encourage and support the following:

- Define a common purpose—to collect and use data and evidence across stakeholders.
- Promote an institutional culture that emphasizes evidence-based methodology.
- Support national capacity for data collection including government infrastructure, mapping of data resources, and integrated data collection ecosystems.8

Notably, improving data collection and quality alone will not translate into better policymaking. There must be an investment in the dissemination and utilization of data to enhance accountability and inform policy decisions.



#### Reassess programming models

To address people's justice needs, a new alignment of key stakeholders is needed. International implementers can support country-led approaches to this. A people-centered approach requires a reassessment of the traditional model of top-down program development<sup>9</sup> by prioritizing evidence-based assistance to justice services that will most effectively and efficiently address people's needs and improve their justice journeys.

The latter approach means supporting broader and more innovative interventions that may include but are not limited to formal institutions. This encompasses support for front line/community-based

actors including those providing legal advice, assistance and dispute resolution, which may include informal legal aid providers, paralegals, private sector actors, mediators and customary mechanisms.<sup>10</sup> Preventing common problems and supporting their resolution requires an integrated package of services, including other forms of community development support. This could include broadening the range of services available at community level including deployment of social workers or psychologists or facilitating youth employment and livelihoods support.<sup>11</sup>

Programs could also focus on increasing accessibility using digital technology, including online applications for legal information and assistance, digital filing for people, online processing of service providers, online consultations and hearings, and virtual hearings of protected witnesses. Lastly, to support the resolution of peoples' most common justice problems, there ought to be more investment in civil justice to accompany services which already exist for the criminal justice matters.<sup>12</sup>



#### Support partnerships and platforms for action

Pivoting to a people-centered approach requires creating/strengthening country-led platforms for joint planning and action. The ability to deliver change will depend on partnerships and collaboration with a full range of national justice actors and institutions including civil society as well as international stakeholders who bring diplomatic and operational capacity to a country. To facilitate national and local ownership, international implementers can conduct leadership training or share international good practices on people-centered justice with decision-makers and (potential) champions.

Programming should also include joint initiatives as well as incentives to promote collaboration among key stakeholders. International implementers could potentially play a role in facilitating cooperation and joint action between national service providers, including government agencies and civil society actors, or formal and informal providers at the local level. This can take many forms including:

- · Gathering and sharing justice data;
- Coordinating advocacy efforts and messaging;
- Conducting joint analyses and assessments of progress;



Contributing to reforms.

# Support context-specific and cost-effective front line services and scalable solutions

Program strategy and design should be based on evidence of effectiveness (including cost-effectiveness) and impact. Empirical studies of access to justice programs in the last decade have indicated that community-based initiatives and investment in front line/community-based workers is more impactful and cost-effective than institutional reforms and application of international norms and standards at the national level.<sup>13</sup> While the latter often display only incremental progress, at times needing a generational effort, community level efforts tend to have a faster impact on justice seekers, enhance prevention, and increase trust in both service providers and the justice system as a whole.<sup>14</sup>

Research demonstrates that "affordable unit costs are achieved by local innovation: approaches that begin with people and their needs, are context-specific, and are developed on a low-cost basis from the start. Examples include community-based paralegals, mobile legal aid clinics, village courts, village mediation, alternative dispute resolution centers and telephone call-in centers." Investment

in community-based people-centered initiatives are particularly cost-effective when they are context-specific,<sup>16</sup> include plans for scalability and sustainability at their onset, when they are supported by justice institutions, and when they are included in strategic planning at the national level.

# Examples of Evidence-Based Programming by International Implementers



### **Justice Activity: Kosovo**

USAID funded Justice Activity Program 2020-2025,<sup>17</sup> implemented by Chemonics, has assisted the Government of Kosovo to pivot to a people-centered approach to reforms. Kosovo's justice leaders adopted a <u>Rule of Law Strategy</u> in 2021 and issued a <u>joint statement of commitment for justice reform</u> in 2023. The objectives of the Justice Activity Program include: creating people-centered service delivery options for users, strengthening people's understanding, improving engagement with and trust of the justice system, and promoting innovation to improve quality of services with opportunities for scalability and sustainability.

The program conducted a series of nationwide surveys of over 5,500 court users and the public, assessing people's justice needs, level of satisfaction with services, and confidence in the justice system. Based on the findings, it launched a wide range of initiatives, including: initiating the Procedural Justice Initiative in all basic courts which included training for the judiciary and court administration and raised legal awareness to navigate the justice system; expanding legal aid and introducing best practices for developing community justice projects in 11 municipalities housing under-served communities; setting up a Justice Innovation Network and launching an innovation competition for justice actors; providing leadership training; and organizing "Judiciary Days" as an opportunity for people to meet with justice representatives.

[17]: With the shutdown of USAID operations, it is unclear if funding covers the full 2025 period.



### **Enhancing Access to Justice: Solomon Islands**

In 2019, the <u>Access to Justice Study Report for Solomon Islands</u> was released. The study examined people's justice needs and gaps in services in Solomon Islands, disaggregated by geography and demographically disadvantaged groups. It also assessed existing formal and informal mechanisms; justice user satisfaction; and costs associated with service provision through formal institutions and frontline providers. It found that communities lacked awareness about formal justice services and that geographic location and cost were barriers in accessing justice services due to the topography of the archipelago, which consists of over 1,000 islands. These barriers particularly impact women, persons with disability, and victims of violence in remote areas.

Based on findings from this report, UNDP developed a new access to justice program in collaboration with the Ministry of Justice and Legal Affairs and Public Solicitor's Office (PSO). The project aims to improve the efficiency of resources by investing in frontline workers instead of formal institutions. It focuses on training and deploying paralegals through the PSO and its provincial offices as well as community legal advocates to conduct community awareness for 25,441 people (12,896 of whom are women). In addition, the project developed a range of community-specific initiatives to enhance gender and social inclusion, including the introduction of a legal clinic for people with disabilities.

#### **Endnotes**

- Examples of policy development activity include: Mark Sedra, PhD, "A People-Centered Approach to Security: Seeking Conceptual Clarity to Guide UN Policy Development," UNDP, 2022, https://www.undp.org/publications/ people-centered-approach-security; "Applying a people-centric approach to advocacy and project management - A Guidebook For Syrian Civil Society Organisations," OHCHR, 2020, https://www.ohchr.org/ en/documents/tools-and-resources/technical-guidebook-people-centric-approach-programming-advocacy; UN Women, "Multi-country analytical study on access to justice for victims and survivors of violence against women and girls in East and Southern Africa," UN Women, 2021, https://www.academia.edu/89307484/Multi Country Study on Access to Justice for Women and Girls in East and Southern Africa Final; Group on Transitional Justice and SDG16+, "Towards Victim- Centered Change: Integrating Transitional Justice into Sustainable Peace and Development," UN Women, 2023 https://www.unwomen.org/en/digital-library/ publications/2023/09/toward-victim-centred-change-integrating-transitional-justice-into-sustainable-peaceand-development; Working Group on Customary and Informal Justice and SDG16+, "Diverse pathways to peoplecentred justice: Report of the Working Group on Customary and Informal Justice and SDG16.3," Pathfinders for Peaceful, Just and Inclusive Societies, September 2023, https://www.sdq16.plus/resources/diverse-pathwaysto-people-centered-justice/: USAID has prominently included people-centered justice approach in their new rule of law policy: Stephen Hendrix, "USAID Introduces Landmark Rule of Law Policy: A Pragmatic Approach to Global Development," ABA, May 2024, https://www.americanbar.org/groups/international\_law/resources/ international-law-news/2024-spring/usaid-landmark-rule-of-law-policy-global-development/, while other large international implementers are testing this new programming outlook: https://chemonics.com/projects/ championing-people-centered-justice-in-ukraine, or taking steps towards creating institutional arrangements to develop a new programming approach, https://www.unodc.org/unodc/en/speeches/2023/achievinapeople-centered-justice-150623.htm.
- 2. The people-centered justice principles are defined as: 1) Put people and their justice needs at the systems; 2) Use justice for prevention and to promote reconciliation; 3) Empower people to access services and opportunities; 4) Resolve justice problems; and 5) Improve justice journeys. See, Statement, "The Hague Declaration, Declaration on Equal Access to Justice for All by 2030," Pathfinders for Peaceful, Just and Inclusive Societies, February 7, 2019, https://www.sdq16.plus/resources/hague-declaration-on-equal-access-to-justice-for-all-by-2030.
- 3. This series is intended to provide an initial information and guide to resources on people-centered justice. Also see the Further Readings section added to the introductory note.
- 4. Justice Action Coalition, "Justice 2023: Pivoting to People-Centered Justice," Pathfinders for Peaceful, Just and Inclusive Societies, 2023, https://www.sdg16.plus/resources/pivoting-to-people-centered-justice.
- 5. For further discussion on these issues, see the Practice Note 2 for Ministry of Justice as well as the Justice Action Coalition's "Justice Financing Framework," Justice Action Coalition, November 2025, <a href="https://www.sdg16.plus/justice-financing-framework">https://www.sdg16.plus/justice-financing-framework</a>.
- 6. See Peter Chapmen, "Grasping the Justice Gap: Opportunities and Challenges for People-Centered Justice Data," World Justice Project/Pathfinders/OECD, 2021, <a href="https://worldjusticeproject.org/news/grasping-justice-gap-opportunities-and-challenges-people-centered-justice-data">https://worldjusticeproject.org/news/grasping-justice-gap-opportunities-and-challenges-people-centered-justice-data</a>. Also see SDG16.3 indicators on the kind of data which must be collected at a minimum.
- 7. See, OECD, "OECD Framework and Good Practice Principles for People-Centered Justice," *OECD*, 2021, <a href="https://www.oecd.org/en/publications/oecd-framework-and-good-practice-principles-for-people-centred-justice\_cdc3bde7-en.html">https://www.oecd.org/en/publications/oecd-framework-and-good-practice-principles-for-people-centred-justice\_cdc3bde7-en.html</a>.
- 8. See, American Academy of Arts and Sciences, "Measuring Civil Justice for All: What Do We Know? What Do We Need to Know? How Can We Know It?," American Academy of Arts and Sciences, 2021, <a href="https://www.amacad.org/sites/default/files/publication/downloads/2021-Measuring-Civil-Justice-for-All.pdf">https://www.amacad.org/sites/default/files/publication/downloads/2021-Measuring-Civil-Justice-for-All.pdf</a>.
- 9. Praia Group on Governance Statistics, "Handbook on Governance Statistics," 2020 (118 and Table VI.2), <a href="https://unstats.un.org/unsd/statcom/51st-session/documents/Handbook\_on\_GovernanceStatistics-Draft\_for\_global\_consultation-E.pdf">https://unstats.un.org/unsd/statcom/51st-session/documents/Handbook\_on\_GovernanceStatistics-Draft\_for\_global\_consultation-E.pdf</a>; and Chapman, "Grasping the Justice Gap."

- 10. Traditionally, justice sector reform starts with constitutional or legislative reform and moves on to focus on capacity building for justice institutions, its departments and services, and training of the judiciary and other formal justice actors. Resulting initiatives tend to develop some provision for legal aid and other forms of access to justice support. This is a standard top-down approach. Such top-down interventions often operate under the implicit assumption that they will result in improved service delivery for the people. Evaluations of programming over the past 20 years have, however, concluded that this assumption does not hold and that the top-down approach to justice reform has not resulted in significant impact for the system's users. See for example, Clare Manuel and Marcus Manuel, "Justice Aid Update and Lessons from Latest Evaluations of Donor Programming," ODI, 2022, 23, <a href="https://odi.org/en/publications/justice-aid-update-and-lessons-from-latest-evaluations-of-donor-programming/">https://odi.org/en/publications/justice-aid-update-and-lessons-from-latest-evaluations-of-donor-programming/</a>.
- 11. Task Force on Justice, "Justice for All Report," *Pathfinders for Peaceful, Just and Inclusive Societies*, 2019, 67, https://www.sdg16.plus/resources/justice-for-all-report-of-the-task-force-on-justice/.
- 12. For example, the Access to Justice Centers in Argentina. These are small offices, often located in low-income neighborhoods or in informal settlements, where a team composed of a lawyer, a social worker, a psychologist, and an administrative agent provide diverse justice services—such as legal information, representation, and advice, assistance with administrative procedures, community mediation. Gustavo Maurino, "Putting People at the Center, A case study on access to justice centers in Argentina," NYU Center on International Cooperation, 2020, <a href="https://cic.nyu.edu/resources/putting-people-at-the-center-a-case-study-on-access-to-justice-centers-in-argentina/">https://cic.nyu.edu/resources/putting-people-at-the-center-a-case-study-on-access-to-justice-centers-in-argentina/</a>.
- 13. Report, "Evaluation of the UNDP support to access to justice, *UNDP*, 2023, <a href="https://www.undp.org/evaluation/publications/evaluation-undp-support-accesçs-justice">https://www.undp.org/evaluation/publications/evaluation-undp-support-accesçs-justice</a>.
- 14. See, for example, Dr. Adam Day and Jessica Kau, "Rule of Law and Sustaining Peace: Towards More Impactful, Effective Conflict Prevention," *United Nations University*, 2021, <a href="http://collections.unu.edu/eserv/UNU:8342/RuleofLaw Overarching.pdf">http://collections.unu.edu/eserv/UNU:8342/RuleofLaw Overarching.pdf</a>; European Court of Auditors, "EU support for the rule of law in the Western Balkans: despite efforts, fundamental problems persist," *European Union*, 2022, <a href="https://www.eca.europa.eu/en/publications?did=60343">https://www.eca.europa.eu/en/publications?did=60343</a>; and Manuel and Manuel, Justice Aid Update and Lessons from Latest Evaluations of Donor Programming."
- 15. ODI research provides 25 examples of "innovative, locally developed approaches that are providing cost-effective front-line legal advice, assistance and informal dispute resolution services" provided by both the government and civil society. LIC countries examined include Bangladesh, Democratic Republic of Congo, Haiti, Kenya, Malawi, Rwanda, Sierra Leone, Solomon Islands, Somalia, South Sudan, Tajikistan, and Uganda. See, Clare Manuel and Marcus Manuel, "How to finance universal access to people-centered justice: Scaling up local innovation to leave no one behind," ODI, 2023, <a href="https://odi.org/en/publications/how-to-finance-universal-access-to-people-centred-justice-scaling-up-local-innovation-to-leave-no-one-behind/">https://odi.org/en/publications/how-to-finance-universal-access-to-people-centred-justice-scaling-up-local-innovation-to-leave-no-one-behind/</a>.
- 16 Ibid 2
- 17. For more information on context specific and area-based programming and how that is particularly important to consider in conflict settings, see UNDP's Development Future Series, "Fit for purpose? Area based programming in contemporary crisis and development response," *UNDP*, 2023, <a href="https://www.undp.org/publications/dfs-fit-purpose-area-based-programming-contemporary-crisis-and-development-response.">https://www.undp.org/publications/dfs-fit-purpose-area-based-programming-contemporary-crisis-and-development-response.</a>