

FREE LEGAL AID PROJECT IN SERBIA

■ MARCH, 2007



SINDIC

EL DEFENSOR
DE LAS
PERSONAS



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March 2007

Published by the Síndic de Greuges de Catalunya

Legal deposit

Introduction

This publication is intended to inform on the task carried out within the framework of the Free Legal Aid Project in Serbia, directed by the Síndic de Greuges de Catalunya (Catalan Ombudsman) and the Spanish Agency for International Cooperation (AECI).

The following pages detail the results achieved over more than four years' activity. These results make up a truly solid foundation for the establishment throughout Serbia of a high quality, effective and economically sustainable public free legal aid system. This is a system that must ensure access to the justice system for all people, regardless of their economic resources.

Institutions participating in the project

Catalan Ombudsman

The Catalan Ombudsman is the project's director and implementation organization. Therefore, it contributes personal, material and economic resources to the project. It is a co-financer along with the Spanish Agency for International Cooperation (AECI).

Spanish Agency for International Cooperation (AECI)

The Spanish Agency for International Cooperation is the main project financer.

Council of Catalan Bar Associations

The Council of Catalan Bar Associations works in collaboration with the Catalan Ombudsman. This organization participates in the project activities by providing expert personnel for training sessions.

People's Office of the President of the Republic of Serbia

The People's Office of the President of the Republic of Serbia plays the role of observer over the collaboration agreements that make possible the implementation of free legal aid in various municipalities. It collaborates with the Catalan Ombudsman to promote the dissemination of this free legal aid system around the country.

Nis, Vojvodina, Sabac and Belgrade Bar Associations

These Bar Associations are responsible for providing the free legal aid services in the different municipalities.

Local Councils of Nis, Pancevo, Sabac, Zrenjanin, Prokuplje, Lebane, Vlasotince and Novi Beograd

These Local Councils are responsible for financing the free legal aid services provided by the attorneys.

Presentation

The Free Legal Aid Project of the Síndic de Greuges de Catalunya (Catalan Ombudsman) is important for various reasons. The mere possibility of offering professional legal aid in judicial processes to those in financial straits entails, above all, a significant social and humanitarian activity. Without such aid, the realization and defence of the rights of many citizens would be difficult or even impossible to achieve. It is clear that legal aid contributes to the realization of the rule of law, one of the main tenets of which is to offer all persons, in equal conditions, and through professional advice, the possibility to defend their interests in accordance with the legal system. The importance of the project, or the justification for its implementation, is clearly illustrated with the results achieved and citizens' and institutions' will to support it.

The collaboration existing in the rendering of legal aid is also an important part of Spain and Serbia's international relations, and in any event, promotes mutual cooperation. I am certain that in future this will be carried out in multiple directions and with increasing volume.

Lastly, I would like to thank the Catalan Ombudsman and the Spanish Agency for International Cooperation for the assistance they have offered Serbia in the implementation of European standards for protection of human rights, and wish them great success in all their future undertakings.

Boris Tadic
President of the Republic of Serbia

Presentation

It is an honour for me to address you regarding the Free Legal Aid Project in Serbia, which the Catalan Ombudsman has carried out with the support of the Spanish Agency for International Cooperation.

I would now like to establish the context for this project. The establishment of the rule of law is one of the main challenges faced by new democracies. Following its recent troubled history, Serbia began a new period in 2001, in which our support to achieve the consolidation of democratic institutions is vital. Aware of this, Spanish Cooperation activity has as its priority in Serbia the institutional consolidation of the Rule of Law. I am happy to say that several Spanish organizations are cooperating with Serbia to strengthen its general –and specifically its judicial– institutions.

In this context, the contribution to the project carried out by the Catalan Ombudsman –which has enjoyed the full collaboration of the Spanish Agency for International Cooperation from the outset– is of great value. The establishment of a free legal aid service is one of the main pillars through which to guarantee citizens' equality before the law.

The project's background dates back to the implementation in 2003 of the pilot project for free legal aid in the city of Nis, carried out under the Spanish Institutional Programme (between the Catalan Ombudsman, the Spanish Ombudsman and the Madrid Bar Association). As a result, the institutionalization of free legal aid in the Municipality of Nis was established, the costs of which have been covered by the municipality since 2004.

With the completion of that effort, the Catalan Ombudsman decided to further his efforts and transfer the experience to various other municipalities around the country, once it had been shown that the Spanish model of free legal aid had worked on a small scale. It was decided to expand the model to the municipalities of Pancevo, Sabac and Zrenjanin, later making inroads in Prokuplje, Lebane, Vlasotince and finally in 2006, the country's largest municipality, Novi Beograd (Belgrade). This is a project that has progressed gradually, municipality to municipality, making major efforts to engage in dialog with local municipalities and bar associations.

I want to emphasize the great receptivity of our Serbian partners' local institutions in their adaptation of the Spanish experience to the reality of their country. There is no question that to establish a model of these characteristics, the active participation and involvement of the local agents is indispensable. At the end of the day, they will be responsible for the continuity of the free legal aid services.

I want to especially acknowledge the collaboration of the Vojvodina Bar Association, the Pancevo Local Council, the Zrenjanin Local Council, Sabac Bar Association and Local Council, the Nis Bar Association, the Medijana, Palilula and Pantelej (Nis) Local Councils, the Prokuplje, Lebane and Vlasotince Local Councils, the Belgrade Bar Association and the Novi Beograd (Belgrade) Local Council. A project like this would be impossible without their involvement.

Thanks to the uniting efforts of the Catalan Ombudsman and his staff members, Mss Judit Salas and Arantxa Díaz, Serbia is now closer to the implementation of a free legal aid system that guarantees the equality of citizens before the judicial system.

José Riera Siquier
Spanish Ambassador to Serbia

SÍNDIC DE GREUGES DE CATALUNYA

The Síndic de Greuges de Catalunya (Catalan Ombudsman) is the Catalan institution charged with the mission of supervising the Catalan Autonomous Administration, local Catalan governments and companies rendering public services, in order to protect the fundamental rights and public freedoms of all persons, and guarantee their right to good administration.

To fulfil that aim, it receives the complaints and queries of any person or group, with independence and objectivity.

Specifically, the Catalan Ombudsman investigates possible violations of persons' rights following up on the complaints received, also doing so on his own initiative, in ex officio activities. After studying each case, the Catalan Ombudsman makes recommendations and warns administrations and companies rendering public services when they infringe citizens' rights and freedoms, in order for them to take the necessary steps to rectify irregular situations. He may also recommend the introduction of changes or modifications to the laws or rules in which he observes any infringement of persons' rights.

The institution is directed by the Síndic, or Ombudsman, who is elected by the Parliament of Catalonia in plenary session by a qualified majority of three fifths, and for a term of five years. The Catalan Ombudsman is politically independent, and acts with freedom of criteria. He is not dependent on the government of Catalonia.

The Catalan Ombudsman presents an annual report to the Catalan Parliament in plenary session on the work done by his organization. He also presents special reports on specific issues considered especially important or urgent.

The post of Catalan Ombudsman is currently occupied by Rafael Ribó. After being elected by the Parliament on June 17, 2004, he took office on July 1 of that same year, thereby becoming the third Ombudsman elected by the Parliament of Catalonia, following the terms of his predecessors: Anton Cañellas (1993-2004) and Frederic Rahola (1984-1992).

The Catalan Ombudsman's Cooperation Efforts

Since 1999, the Catalan Ombudsman has been devoting part of his staff and budget to carrying out international cooperation projects, as part of his aim to contribute to building a safer, fairer international community based on solidarity. This economic contribution has progressively grown to its current level of over 0.7% of the annual budget. Furthermore, the Catalan Ombudsman has access to resources from the Spanish Agency for International Cooperation (AECI), the Catalan Agency for Development Cooperation (ACCD), and other international bodies that co-finance the Catalan Ombudsman's projects.

With this effort, the Catalan Ombudsman aims to strengthen the rule of law, the administration of justice and the promotion and defence of human rights in other countries through specific projects

such as that for free legal aid, exchange study visits, training seminars, round table discussions, conferences, and permanent technical advice to public institutions of other countries.

From the outset, the Catalan Ombudsman's cooperation activity has mostly taken place in the Balkans, especially Bosnia and Herzegovina and Serbia, where he has worked with Ombudsman institutions, members of parliament, judges, public prosecutors, attorneys and other government officers.

Since 2002, much of the Catalan Ombudsman's presence there has been devoted to promoting and advising on the establishment of a free legal aid system in Serbia. This is the context in which the free legal aid pilot project came about in Nis, and the later extension of the system to various other parts of Serbia.

Specifically, the Catalan Ombudsman's role in this free legal aid project consists of:

- Promoting the extension of the free legal aid system throughout Serbia.
- Organizing training for the Bar Associations involved in the project.
- Coordinating and supervising the provision of free legal aid in the municipalities that have implemented the system.
- Collaborating with Serbia's Executive and Legislative branches in the regulatory realm of free legal aid.

These tasks are conducted by two project coordinators who regularly travel to Serbia, and by a local collaborator who works on the ground, specifically devoted to the project.



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THE SPANISH AGENCY FOR INTERNATIONAL COOPERATION (AECI)



The Spanish Agency for International Cooperation (AECI) is an autonomous organization that works under the aegis of the Spanish Ministry of Foreign Affairs and Cooperation and through the Secretary of State for International Cooperation and Latin America. It has been organized, pursuant to the International Cooperation for Development Act, as the management body for Spain's international cooperation for development.

The Agency is the expert organization responsible for the design, implementation and management of cooperation projects and programs, either directly, with its own resources, or through collaboration (conventions, agreements) with other national and international bodies

and non-governmental organizations. The ultimate aim of Spanish Cooperation for development is the contribution to the economic growth and social, cultural, political and institutional progress of developing countries.

The AECI's overseas structure is now made up of 36 Technical Cooperation Offices, 13 Cultural Centres and three Training Centres in the countries where the AECI carries out its main cooperation projects.

The Balkans are an area of special attention for the AECI, which since May 2001 has enjoyed the support of the Technical Office for Cooperation with the Balkans (OTC), with headquarters in Sarajevo. From there, coordination, management, supervi-

sion and follow-up tasks are conducted for the cooperation projects and programs for scientific and technical economic development that take place in Bosnia and Herzegovina and Albania (special attention countries) and the Republics of Serbia and Montenegro (priority countries).

TECHNICAL OFFICE FOR COOPERATION WITH THE BALKANS

Address:
Cekalusa 14
71000 Sarajevo
(Bosnia and Herzegovina)

Tel: + 387 33 250 350
Fax: + 387 33 265 480
E-mail: otc_balk@bih.net.ba

COUNCIL OF CATALAN BAR ASSOCIATIONS

The Council of Catalan Bar Associations collaborates with the Catalan Ombudsman in free legal aid project activities, for which it provides expert professionals for training sessions. Along these lines, the collaboration of the In-Court Representation Service Coordinator of Catalonia has been especially significant.

One of the Council's missions is to uphold the professional ethics of attorneys and the rights of citizens. Thus aware of the social role of the law-practicing community and its commitment to citizens, the Council collaborates in the project by sharing its experience in free legal aid with Serbian institutions.

The Council is a public law corporation with full capacity and its own legal status, founded in 1983. It is the highest representative and

executive body of the 14 Catalan bar associations. The council is made up by the deans of the Bar Associations of Catalonia.

It is governed by its by-laws and the Catalan Professional Associations Act. Its main services and duties are, among others: coordinating Bar Associations, drawing up common ethical and professional rules for the practice of law, deciding on appeals lodged against certain bar association decisions, carrying out a disciplinary role with relation to members of the council and the government bodies of bar associations, and deciding on the appeals lodged against the bar associations in disciplinary affairs.

The council has various working committees, among them the In-Court Representation Committee.

The In-Court Representation Committee, staffed by one member from each bar association, chaired by a Dean and organized by its Coordinator is the only spokesperson for the Catalan legal community vis-à-vis the Public Administration. It commissions and prepares reports on any matters related to the rendering of free legal aid services, in-court representation and legal advice services.



PEOPLE'S OFFICE OF THE PRESIDENT OF THE REPUBLIC OF SERBIA

In the implementation of the free legal aid project carried out by the Catalan Ombudsman, the People's Office of the President of the Republic of Serbia (Narodna kancelarija predsednika Republike) plays the role of observer over the collaboration agreements that make possible the implementation of the free legal aid in various municipalities, working with the Catalan Ombudsman to promote the extension of this free legal aid system throughout Serbia.

The People's Office of the President of the Republic of Serbia began its activity on October 1, 2004 within its drive to provide citizen services that address logistic, analytical and advisory concerns.

The mission of the People's Office is conceived as a two-way communications channel between President

and society, with the goal of restoring citizens' trust in State institutions.

Within the process of project implementation and serving citizen requests, the People's Office cooperates with governmental institutions as well as national and foreign institutions like the Catalan Ombudsman.

The People's Office received 23,392 complaints up to December 31, 2006, of which 22,182 (94.82%) were admitted. A third of these cases were satisfactorily resolved. Most of the complaints filed by citizens had to do with court affairs, residence problems, unemployment, pensions, insurance, etc.

With an aim to facilitate communication between the People's Office,

the municipal authorities and the citizens, it has opened delegations in several local councils. There are currently 46 offices.

With these initiatives, actions and projects, conceived to address the requests received on a daily basis, the People's Office intends to influence Serbian society and trigger major changes meant to improve people's living conditions, especially those of society's most vulnerable groups.

As part of this effort, the People's Office of the President has lent its full support to this free legal aid project, clearly geared to society's most underprivileged members.



Free legal aid project in Serbia

Objective and scope of the project

Without the right to defence, expressly established in Serbia's recently ratified Constitution (article 67), no other rights would be feasible, as their exercise could not be guaranteed.

Therefore, since 2003 the Catalan Ombudsman, with financing from the AECI (Spanish Agency for International Cooperation) has been implementing a public free legal aid system in various Serbian municipalities. The task of the Catalan Ombudsman consists of working with the Council of Catalan Bar Association to provide Serbian institutions with the prior training necessary to put the system in motion, and then follow up on it

once established in each municipality. Furthermore, the Catalan Ombudsman and the AECI co-finance project activities (such as training seminars and workshops, initial rendering of free legal aid services, etc.).

This system of free legal aid carried out through the project consists of a legal advice service in which free counselling is given to all citizens who come to the office for the service, and an in-court representation service (public service financed by the Administration consisting of covering the costs of an attorney to represent the citizen in court, for the defence of the rights of individuals lacking financial resources to cover the cost, once the citizen accredits

his or her lack of economic solvency). The legal advice and in-court representation services have been conceived as public services financed by the Local Councils and rendered by the bar associations, which have been assigned the management of both services. This system is now implemented in the municipalities of Nis (since 2003), Pancevo, Sabac, Zrenjanin (since 2005), Prokuplje, Lebane, Vlasotince and Novi Beograd (since 2006).



Workings of the Free Legal Aid Services

The legal advice services (LAS) in place in these towns work as follows: the offices open in the morning, staffed by a lawyer from the Bar Association who receives anyone who comes to the service, free of charge and in private. The attorney gives these users legal advice and determines whether their affairs require appointment of an attorney. If not, the citizens are referred to the institution or organization competent to solve their problem. If an attorney is deemed necessary, the citizen is given an application for free in-court representation. They are assisted in filling out the form and instructed on providing the documents that accredit their personal and economic circumstances. All of this documentation is then filed with the In-Court Representation Committees, made up of representatives from the Bar Associations and Local Councils. These Committees propose the appointment of an attorney to the Bar Association, except when the application is dismissed because the applicant's income exceeds the maximum established by the Local Council, or because the grounds of the applicant's case are judicially unsustainable in court; in other words, lacking the legal grounds that would make the court case viable.

The compared reports from the Council of Europe regarding free legal aid show substantial differences in the social, political and economic realms of countries as regards the degree to which these states have an effective system of free legal aid. With the public free legal system aid implemented through this project, the Local Councils of Nis (Medijana, Palilula, Pantelej), Pancevo, Sabac, Zrenjanin, Prokuplje, Lebane, Vlasotince and Novi Beograd have taken the lead

over the Serbian state, establishing a global, coordinated, consistent and economically sustainable model of free legal aid that ensures that the public administration fulfils its international obligations regarding the right to equal access to justice, a significant element of the European Union accession process.

By starting this free legal aid program, the Local Councils of Nis (Medijana, Palilula, Pantelej), Pancevo, Sabac, Zrenjanin, Prokuplje, Lebane, Vlasotince and Novi Beograd have proven their awareness of the need to apply international standards. Furthermore, they have made it possible to achieve other concrete results: they have helped to determine the real demand for the legal advice and in-court representation service and provide useful information to determine the real costs and quality standards of free legal aid.

This free legal aid system provided by the Bar Associations is meant as an independent, autonomous service, as established by Article 67 of the Constitution of Serbia. According to the terms of that article, the system ensures independent legal aid, with no other limitation than respect for the law. In fact, this system guarantees the independence of attorneys and their freedom of expression in court, full loyalty to the client and privilege. The Bar Associations supervise the ethical principles to be observed by attorneys in providing free legal aid, while also guaranteeing their independence before public authorities.

Finally, it is important to emphasize how well this public free legal aid system has been accepted by citizens. This, together with its adaptation to a small budget and

the absence of bureaucracy has led to no Local Councils withdrawing their financing in the municipalities where it is established.



Legal advice service in Zrenjanin

Aggregate statistics on the free legal aid services



In the municipalities of Nis, Pancevo, Sabac, Zrenjanin, Prokuplje, Lebane, Vlasotince and Belgrade the free legal aid services are provided (legal advice and in-court representation service) according to the system established within the framework of the Catalan Ombudsman's project.

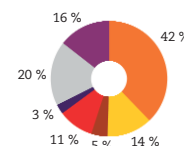
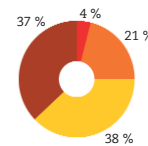
As the different municipalities joined this network progressively, the time frames for which data can be presented vary from town to town. The town with the longest experience is Nis while the most recent incorporation is the city of Belgrade.

2003-2006

LEGAL ADVICE SERVICE:

12,462 persons served: Men 54% Women 46%

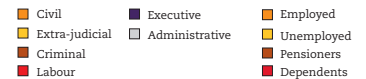
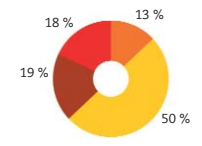
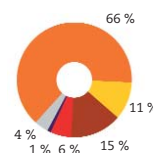
By economic situation: By area:



IN-COURT REPRESENTATION:

818 applications received. 750 applications accepted: Men 36% Women 64%

By area: Applicant Profile:





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The statistical data collected since the implementation of the services in each municipality up to December 31, 2006 are shown on the following pages. As the public service office of Novi Beograd did not open until February 1, 2007, statistical data on this municipality are not included in this publication.

In the legal advice services (LAS), the statistical data reveals that the most often-sought advice is for civil

affairs. Applicant profile data show that the services' most frequent users belong to society's most underprivileged groups: the unemployed and pensioners. On another note, men and women use the service in similar proportion although there is a slight predominance of men.

Insofar as in-court representation (ICR), the area most frequently consulted is also civil affairs, and the

largest group of users are the unemployed. Since 2003, when this free legal aid system began in Serbia up to December 31, 2006, 12,462 people have benefited from the legal advice and 750 from the in-court representation service.

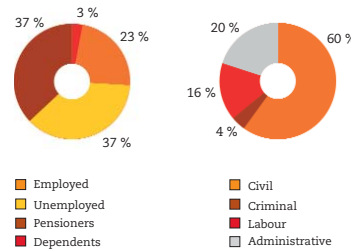
- Population: 300,000
- LAS Starting date: 17 February 2003
- ICR Starting date: 1 July 2003
- Number of attorneys providing both services: 70

LEGAL ADVICE SERVICE:

2003

1,623 persons served: Men 61% Women 39%

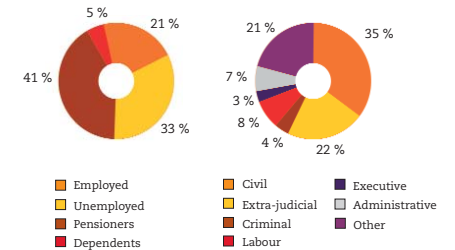
By economic situation: By area:



2004

2,667 persons served: Men 53% Women 47%

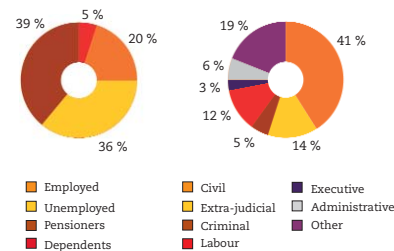
By economic situation: By area:



2005

2,369 persons served: Men 54% Women 46%

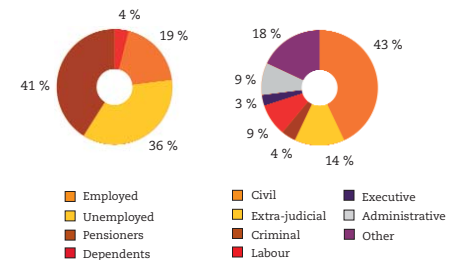
By economic situation: By area:



2006

1,882 persons served: Men 54% Women 46%

By economic situation: By area:





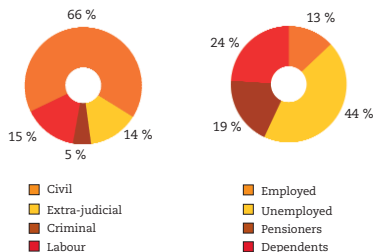
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IN-COURT REPRESENTATION:

2003 /2004

319 applications received. Men 29%
303 applications accepted: Women 71%

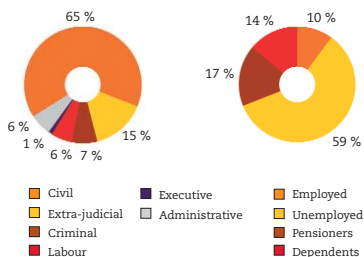
By area: Applicant Profile:



2006

233 applications received. Men 39%
213 applications accepted: Women 61%

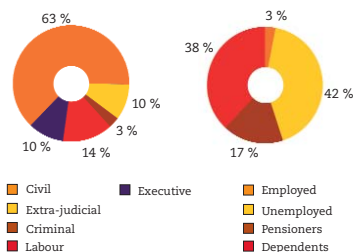
By area: Applicant Profile:



2005

58 applications received. Men 45%
58 applications accepted: Women 55%

By area: Applicant Profile:



Address of the free legal aid offices:

Local council of Medijana: Pariske Komune bb
Office hours: Monday and Tuesday 9 am to 1 pm
Local council of Palilula: Branka Radicevica 1
Office hours:
Wednesday and Thursday 9 am to 1 pm
Local council of Pantelej: Gutenbergova 4a
Office hours: Thursday and Friday 9 am to 1 pm



© Pancevo Bar Association

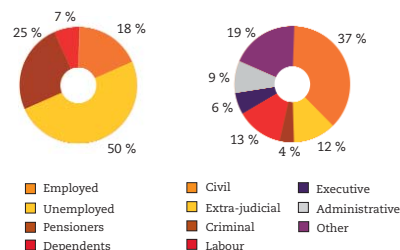
Pancevo Free Legal Aid Committee

LEGAL ADVICE SERVICE:

2005 (partial)

553 persons served: Men 51%
Women 49%

By economic situation: By area:

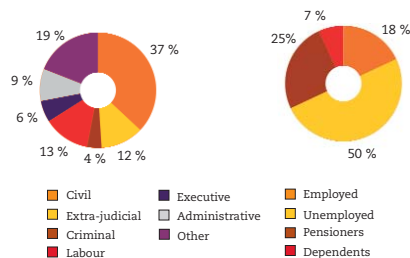


IN-COURT REPRESENTATION:

2006 (partial)

138 applications received. Men 44%
111 applications accepted: Women 56%

By area: Applicant Profile:

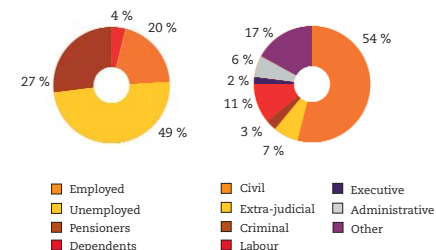


- Population: 130,000
- LAS Starting date: 11 April 2005
- ICR Starting date: 15 February 2006
- Number of attorneys providing both services: 30

2006

1.063 persons served: Men 47%
Women 53%

By economic situation: By area:



Address of the free legal aid office:

Zmaj Jovina, 5 Trzni Centar, lokal 5
Office hours: Monday to Friday, 9 am to 1 pm

Sabac

- Population: 123,000
- LAS Starting date: 23 May 2005
- ICR Starting date: 22 February 2006
- Number of attorneys providing LAS: 45
- Number of attorneys providing ICR: 28



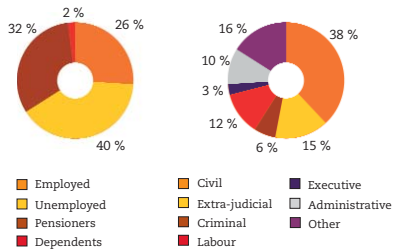
© Sabac Bar Association

LEGAL ADVICE SERVICE:

2005 (partial)

838 persons served: Men 56%
Women 44%

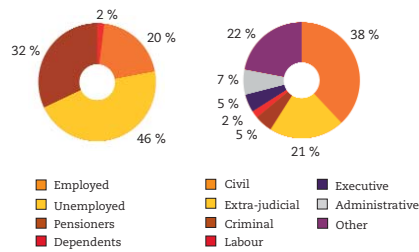
By economic situation: By area:



2006

1.012 persons served: Men 53%
Women 47%

By economic situation: By area:

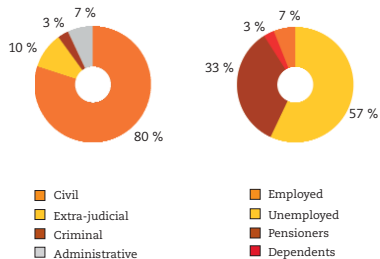


IN-COURT REPRESENTATION:

2006 (partial)

65 applications received. Men 30%
60 applications accepted. Women 70%

By area: Applicant Profile:



Address of the free legal aid office:

Karadjordjeva 25
(Sabac Municipal Courthouse)

Office hours: Monday to Friday, 9 am to 1 pm

Zrenjanin

- Population: 130,000
- LAS Starting date: 1 April 2006
- ICR Starting date: 1 October 2006
- Number of attorneys providing both services: 45



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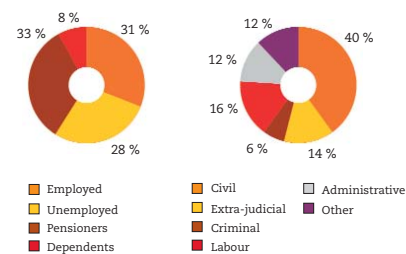
Formalization of Collaboration
Agreement in Zrenjanin

LEGAL ADVICE SERVICE:

2006 (partial)

427 persons served: Men 49%
Women 51%

By economic situation: By area:

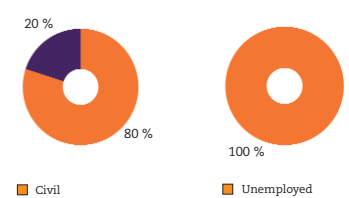


IN-COURT REPRESENTATION:

2006 (partial)

5 applications received. Men 60%
5 applications accepted. Women 40%

By area: Applicant Profile:



Address of the free legal aid office:

Pupinova 14

Office hours: Monday to Friday 9 am to 1 pm

Prokuplje

- Population: 52,969
- LAS Starting date: 25 October 2006
- Number of attorneys providing LAS: 3

LEGAL ADVICE SERVICE:

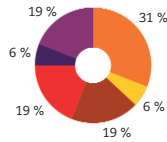
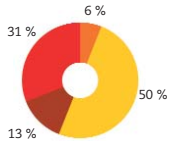
2006 (partial)

16 persons served:

Men 69%
Women 31%

By economic situation:

By area:



- Employed
- Unemployed
- Pensioners
- Dependents
- Civil
- Extra-judicial
- Criminal
- Labour
- Executive
- Other



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Address of the free legal aid office:
Prokuplje: Nikodija Stojanovica 2
Office hours: Wednesdays, 11 am to 2 pm

Lebane and Vlasotince

- Population: 27,068 and 34,302
- LAS Starting date: 1 December 2006
- Number of attorneys providing LAS: 4

LEGAL ADVICE SERVICE:

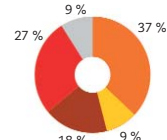
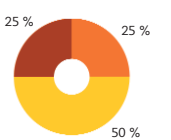
2006 (partial)

12 persons served:

Men 58%
Women 42%

By economic situation:

By area:



- Employed
- Unemployed
- Pensioners
- Civil
- Extra-judicial
- Criminal
- Labour
- Administrative



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Address of the free legal aid offices:
Lebane: Cara Dusana 116
Office hours: 2nd and 4th Friday of every month, 9 am to 1 pm
Vlasotince: Trg. Oslobođenja 12
Office hours: Wednesdays, 11 am to 2 pm
Office hours: 1st and 3rd Friday of every month, 11 am to 3 pm

Novi Beograd



© Novi Beograd Local Council

Formalization of Collaboration Agreement in Novi Beograd

This is the Local Council where free legal aid services have most recently been established.

As has been done in every municipality joining the network of municipalities that have adopted this free legal aid system, a collaboration agreement was signed among the participating institutions. Thus, on November 20, 2006, the Catalan Ombudsman, the Bar Association of Belgrade and the Local Council of Novi Beograd formalized a collaboration agreement that established the implementation of free legal aid in the Serbian capital. The People's Office of the President of Serbia, as on prior occasions, took the role of observer over the agreement.

The Bar Association of Belgrade had been familiar with this free legal aid system since 2003, having had the opportunity to follow up on the experience of Nis and through working sessions organized in Serbia and Spain. In fact,

the board of directors of the Bar Association had decided some years ago to create the Free Legal Aid Project Management Committee, whose goal was to promote establishment of such a system in Belgrade. Finally, the Novi Beograd Local Council's strong commitment has made it possible to achieve the objective.

The legal advice office has been open since February 1, 2007. Following four months' operations, it will also receive in-court representation applications. According to the terms of agreement, during the first twelve months of operations, financing for the services will be covered by the Catalan Ombudsman, as in Nis, Pancevo, Sabac, Prokuplje, Lebane and Vlasotince), with the following twelve months to be paid for by the Novi Beograd Local Council.

The Novi Beograd Local Council, aware of the magnitude of service that legal advice provides to citi-

zens, has decided not to limit access to the citizens of Novi Beograd, and allows all citizens of the city of Belgrade to use it. Nonetheless, the only beneficiaries of the in-court representation service will be the citizens of Novi Beograd, as resources are limited and, as opposed to legal advice, free in-court representation is only meant for citizens with insufficient means.

Address of the free legal aid office:
Jurija Gagarina 81
Office hours: Monday to Friday, 9 am to 1 pm

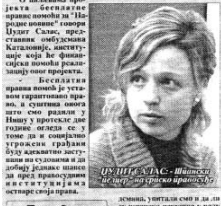
THE PROJECT IN THE MEDIA

1. НАРОДНЕ НОВИНЕ

Правна помоћ - јавна служба

Бесплатна правна помоћ треба да се помера из оних који финансира држава у Шпанску иницијатуву о побољшању користи за њих.

Док од финансирања из буџетских средстава јер они не треба да се уклапају у јавну службу и зато што је држава обавезна да финансира јавне услуге, у другим државама Србије - Београду и Сарајеву - имају и Шпанског институционалног програма. У овим случајевима финансирање се одвија из општег буџета државе, а не из општег буџета државе, а не из општег буџета државе, а не из општег буџета државе.



Помоћ за 1.300 грађана

Узгред, уредиласи смо и да се овај институционални пројекат уопште не финансира из државног буџета, већ из општег буџета државе, а не из општег буџета државе.

1. Article from the Narodne Novine newspaper (01.02.05): "Legal Aid - Public Service"
2. Article from the Blic newspaper (01.02.05): "The Nis Model for all Serbia"
3. Article from the Glas Podriñja newspaper (17.04.05): "Free Legal Aid for the Citizens of Sabac - A step toward improving human rights"
4. Article from the Politika newspaper (17.04.05): "Free Legal Aid for the Poor"
5. Article from the Pančevaц newspaper (26.05.05): "Initiative of the Catalan Ombudsman and Spanish Agency for International Cooperation - Cost-Free Services Against Injustice"
6. Article from the Dnevnik newspaper from Novi Sad (10.12.05): "Catalan Ombudsman Project Begins in Zrenjanin - Free Legal Aid for Citizens"

2. Blic

Нишки модел за Србију

После две године пилот пројекта бесплатне правне помоћи који је у Нишкој општини и Адвокатској комори Ниша реализоване уз помоћ омбудсмана Каталоније и Шпанског институционалног програма, овај пројекат имплементираће се у још неколико општина у Србији, при чему ће нишка иницијатива послужити као модел.

Наше јуче је у општини "Медриана" потписан уговор о другој фази овог пројекта који ће финансијски помоћи и омбудсману Каталоније Рафаел Рато. У име Ниша уговор о пројекту потписали су Драгослав Тарковски, председник општине Медриана, и Дејан Тирфић, председник Адвокатске коморе Ниша, а у име Шпанског институционалног програма присуствовали су координатор овог пројекта Дујан Салас и Аричеа Вјас.



Потписивање уговора о бесплатној правној помоћи

3. ГЛАС ПОДРИЊА

Корак ка унапређењу људских права

Успешно уредиласи смо и да се овај институционални пројекат уопште не финансира из државног буџета, већ из општег буџета државе, а не из општег буџета државе.



Успешно уредиласи смо и да се овај институционални пројекат уопште не финансира из државног буџета, већ из општег буџета државе, а не из општег буџета државе.

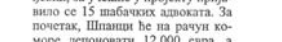
4. ПОЛИТИКА

Правна помоћ за сиромашне

ШАБАЦ - Шпанска агенција за међународну сарадњу и омбудсман Каталоније потписали су у згради СО Шабачки комором овог града о финансирању бесплатне правне помоћи сиромашним грађанима у наредних годину дана.

После овог рока у пројекат ће се укључити и локална самоуправа, која ће особама са социјалним картоном омогућити и заступање пред судом.

Према речима представника Адвокатске коморе Биљана Ђорђевић, за учешће у пројекту пријавило се 15 шабачких адвоката. За почетак, Шпанија ће на рачун комореноваца 12.000 евра, а адвокати ће за труд бити награђени са по 20 евра по „предмету“.



Успешно уредиласи смо и да се овај институционални пројекат уопште не финансира из државног буџета, већ из општег буџета државе, а не из општег буџета државе.

7. ГЛАС ЈАВНОСТИ

Бесплатна правна помоћ

Служба за заступање на суду за грађане са територије Новог Београда који испуњавају економске услове почне с радом 1. фебруара наредне године. Такође, служба за бесплатно правно саветовање помаће свим грађанима Београда, који се обрате за помоћ.

Споразум о сарадњи на пружању бесплатне правне помоћи у општини Нови Београд потписала су данас Јулија Салас Каљап, координатор Пројекта бесплатне правне помоћи у Србији омбудсмана Каталоније, Војислав Неђић, председника Адвокатске коморе Београда, и Жељко Ожеговић, председника општине Нови Београд.

Потписивањем овог споразума постаје могаћим за још једну функцију, одбрау права грађана пред судовима. Сведоми смо да нам се грађани свакодневно жале на дугину судских процеса, због чега мислимо да нам је потребна што бржа реформа правосудја - рекао је Ожеговић. Он је додио да ће помоћ грађанима бити доробљена јер правду често не могу да остваре чак ни институције попут општине, која и уз све добрије пресуде не може да оствари своја права.

Адвокати који на овом рачун буду заступали грађане неће обрађивати плату на везини хонорара. Овим пројектом функцију адвоката добија шире друштвено димензију - објаснио је Неђић.

Служба за бесплатно правно саветовање радеће сваког дана од 9 до 13 часова. Током прве године финансираће је омбудсман Каталоније, а друге општина Нови Београд. Услуге ће пружати и Адвокатска комора Београда, преко адвоката који се буду пријавили.

9. Топлицке Новине

Пројекат који заједнички спроводе Омбудсман Каталоније, Адвокатска комора Ниш и Општина Прокупље

Бесплатна правна помоћ

Председник Општине Прокупље Владимир Јовановић, потписа је Споразум о реализацији пројекта бесплатне правне помоћи, који заједнички спроводе Омбудсман Каталоније, Адвокатска комора Ниш и Општина Прокупље.

Овај пројекат има за циљ покретање система који би грађанима омогућио приступ правној саветовању и служби за бесплатно заступање на суду на основу шпанског модела који је имплементирају у Нишу и који се развија у Панчеву, Шању и Зрењанину.

Прокупље ће омогућити свим грађанима везување бесплатне правне помоћи од стране локалне самоуправе, независно од њихових економских ситуација.

Према речима Дејана Тирфића, представника Адвокатске коморе Ниш, ради се о пројекту који је у Нишу започео да се реализује 2003. године и који је остварио одличне резултате, што потврђује и одржаност пројекта у протекле три године, будући да је Служба за пружање правне помоћи финансирао град Ниш.

Од 1. октобра ове године, грађани Прокупља моћи ће да у Народној каталерији Општине Прокупље добију бесплатне

8. Blic

Uz dobre savete kraći put do pravde

Besplatni advokati



Opština Novi Beograd prva opština center za besplatne pravne savete za građane

Beograđani kojima je potreban pravni savet od 1. februara moći će da ga dođu besplatno i posle ovog službi i opštini Novi Beograd, dok Novobeograđani koji imaju pravne probleme mogu imati pravo i na besplatno zastupanje na sudu. Socijalno ugroženo stanovništvo, koje nema novca da plati advokate, sada će ih dobiti besplatno i to za sve vrste sudskih slučajeva, počev od parnica, tužbi, imovinskih uprava

Advokatske usluge na Novom Beogradu prve godine finansirace Španci, a kojima je potpisan sporazum o saradnji

Beogradski advokati veruju da će ovaj model besplatnog zastupanja sиромашних Novobeograđana dovesti jer u našoj zemlji ima dovoljno advokata. To je nešto poput televizione službene odbrane, kao i postojeće. Ova funkcioniše, uprkos pričama da se to malo plaća, koze iplate i silno, tako da ne verujem da će i sa ovom vrstom zastupanja biti problema - kaže advokat Radostin Marković, a kancelarije Tomica Filip.

Poznati advokati zauzeći

Popratni advokati uglavnom su završili radom i sklozovima klijentima, koji ima da plaću. To je prvi korak ka tome da se pravni dogovori otko daju i ako se plaću, kao i pravno imamo pravo glava - kaže Marković.

5. ПАНЧЕВАЦ

БЕСПЛАТНО ПРОТИВ НЕПРАВДЕ

Успешно уредиласи смо и да се овај институционални пројекат уопште не финансира из државног буџета, већ из општег буџета државе, а не из општег буџета државе.

6. ДНЕВНИК

Бесплатна правна помоћ за грађане

Успешно уредиласи смо и да се овај институционални пројекат уопште не финансира из државног буџета, већ из општег буџета државе, а не из општег буџета државе.

The Project's Contribution to the Institutionalization of Free Legal Aid in Serbia

Since 2003, the results of the system implemented in the Local Council of Nis and later extended to Pancevo, Sabac, Zrenjanin, Prokuplje, Lebane, Vlasotince and Novi Beograd have proven that it is:

- Economically sustainable: the Local Councils, following the first year of financing by the Catalan Ombudsman, have continued financing continuously up to the present, including the free legal aid service as part of their public budgets. The Zrenjanin Local Council began financing the entirety of the free legal aid service from the outset.
- Appropriate for all Serbia: this Public Free Legal Aid Service guarantees the same level of quality for the citizens of rural and economically deprived Serbia as it does for citizens of the Serbian capital, or of any other city.
- Compatible with the existing legal framework and recent legislative proposals.

Gradual extension of the system throughout the territory

The free legal aid project in Serbia was born out of the pilot project carried out by the Catalan Ombudsman in Nis in 2003, where, following an initial year of Spanish financing, the services have been financed continuously by the Nis Local Council.

After this successful experience, Pancevo and Sabac joined the initiative in 2005. They also had financing from the Catalan Ombudsman in their first year of operations.

A qualitative institutional leap occurred with the incorporation of Zrenjanin, which, from the very beginning, financed the public free legal aid service with its own budget, assuming the administration's obligation of guaranteeing the rights of the most vulnerable groups of society.

After the establishment of the system in three mid-size towns, the challenge was to prove its viability in two territories with contrasting realities: the rural and economically deprived area of Serbia, through its implementation in Prokuplje, Lebane and Vlasotince; and Belgrade, through the agreement signed with the Local Council of Novi

Beograd, which has the largest population of all Serbia.

Everywhere this public free legal aid system has been implemented, it has been offered with financing from the Local Councils (from the beginning, as in Zrenjanin, or after twelve months of Spanish financing, as in the rest of municipalities) on an ongoing basis up to the present, proving the effectiveness and sustainability of the system, as well as its wide acceptance among citizens.



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Support of the Serbian institutions

The People's Office of the President has led the formalization of collaboration agreements between the Catalan Ombudsman, the Local Councils and the respective Bar Associations, which have made it possible to implement free legal aid in the municipalities of Sabac, Zrenjanin, Prokuplje, Lebane and Vlasotince, where the People's Office acts as an observer over the project.

On another note, on April 14, 2005 the Parliament of Vojvodina approved a recommendation that all Local Councils of this Autonomous Province establish this model of free legal aid.

Later, in a letter dated June 6, 2005, the Minister of Public and Local Administrations, Zoran Loncar, sent a recommendation to all Local Councils of Serbia proposing this free legal aid system, considering it to be of interest for the citizens of Serbia.

Regulatory Area

Members of the Ministry of Justice task force responsible for drawing up a draft bill on free legal aid in Serbia participated, together with the dean of the Bar Association of Nis and a board member of the Bar Association of Serbia, in a study visit to Barcelona, held March 21-26, 2006. The study visit allowed them to carry out a detailed analysis on the applicability of the main characteristics of the Spanish system in Serbia. The draft bill that this task force drew up is fully compatible with this free legal aid system. It must be noted that a major regulatory advance came in this field



Participants in the Barcelona study visit

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with Serbia's current constitution, whose article 67 expressly mentions the right of all persons to legal aid in the conditions stipulated by law. According to this article, the aid shall be provided by an attorney, as an independent and autonomous service, and by the legal aid offices established by the local self-government bodies in accordance with the law. Furthermore, Article 21 of the Constitution prohibits any discrimination, establishing that all citizens have the right to the same legal protection, notwithstanding any personal circumstance, including their economic situation.

Concerning the legal regulation and implementation throughout all Serbia of a system like this, the results achieved with the project bring to light some very valuable information, as it is the only free legal aid that covers the legal advice service as well as in-court representation and that is proving its effectiveness and economic viability on the ground in Serbia.

Project coordinators:
Arantxa Díaz
Judith Salas

Local collaborator:
Jasmina Nikolic

Contact details
Judith Salas
International Relations and
Cooperation Officer
Síndic de Greuges de Catalunya
Josep Anselm Clavé, 31 08002
Barcelona
Tel. + 34 933 018 075
Fax + 34 933 013 187
jsalas@sindic.cat
www.sindic.cat

Director and co-financer:



Co-financer:



Collaborators:



Participants:

