

The work of our partners - Free legal aid system in Macedonia

The Macedonian Young Lawyers Association (MYLA) is one of the several organizations that are entitled to provide free legal aid, according to the Law on Free Legal Aid (LFLA) in Macedonia. The organization is registered in the Ministry of Justice and according to the Law it can provide **preliminary legal aid**, which includes initial legal advice about the exercise of rights, general legal information and legal assistance in completing applications for free legal aid. The **legal aid** in front of competent bodies, which includes representation and drafting of written submission in court and administrative procedures is provided by attorneys at law.

Since the implementation of the LFLA has been started (the Law was adopted in 2009 and started with its implementation in 2010), many shortcomings occurred and it came clear that the system is not functioning properly. The biggest problem arises when beneficiaries that are in need of free legal aid are not able to satisfy this right because of the very strict bureaucratic procedure. Another issue occurs when deadlines provided by the Law are not respected. Even though the procedure should be prompt, sometimes it lasts for more than 2 months. In this period the beneficiary can miss the deadline linked to the issue upon which he requested the free legal aid and thus, lose the particular right at stake.

The organization, together with other providers, produced many analyses and researches, and prepared policy papers,¹ thus advocating for improving the system for the state provided free legal aid. The proposals were, either to change the LFLA and incorporate the suggestions made to it by the organizations, or either to adopt a totally new Law that will satisfy all the criteria for efficient and applicable free legal aid system in accordance with the rules set up by international and regional instruments (for ex. the ECHR case of *Airey v. Ireland*). None of these documents were taken in consideration and no greater changes were made to the Law since its adoption.

In the period 2014-2015 Macedonia was in the process of making the new *Strategy for reforms in the judiciary 2016-2020*. MYLA was invited to participate in the **Access to justice** working group and make proposals for improvement of the free legal aid system in the country. MYLA actively participated in the process and gave its suggestions for improvement of the Law. The Strategy is not yet adopted by the authorized institutions. These suggestions, if not applied, will be

¹ <http://myla.org.mk/index.php/en/publications>
<http://soros.org.mk/en/Home/Publications?catID=9&additionalID=80>

further advocated in front of the institutions and relevant stakeholders, as part of MYLAs future activities.