

PROGRAM OF FREE LEGAL AID

During 2015, the Lawyers' Committee for Human Rights - YUCOM continued with provision of free legal aid to the citizens whose human rights were threatened. Legal aid was provided in more than 600 cases, mostly in the form of legal advice (55% cases) and provisions of information (18.38% cases). In approximately 15% cases, legal aid was provided in preparation of filings and urgencies. In certain number of cases (9%), our legal team undertook representation of legal aid seekers before national authorities – courts, administrative authorities or the Constitutional Court, as well as the European Court of Human Rights.

Compared to the persons who apply for free legal aid, persons from the category “general public” (53%) still dominate. The following vulnerable social groups addressed as: persons with disabilities (10% cases), seekers of social welfare (9%), the Roma (9%), but also LGBT persons, national minorities, displaced persons deprived of freedom, as well as human rights defenders. There is a new category this year – migrants, i.e. asylum seekers in Serbia. It is not uncommon for certain individuals to appear in several social categories, for example, persons with disabilities or the Roma are often also the seekers of social welfare, which shows multiple exposure of these citizens and inadequate systemic response to the needs of these social groups.

Seekers of social welfare are mostly equally divided by gender, and in respect of age groups, the biggest group are the citizens who belong to the age group of 45-65 years of age.

In respect of threatened human rights, most persons who complained had their right to a fair trial and right to trial within reasonable time breached (35%), as well as right to work (20%), right to social welfare (18%), right to peaceful enjoyment of property (10%), rights of a child (7%), right to good administration, right to privacy and family life, right to medical care and breach of the ban of discrimination (10%). It is obvious that certain systemic problems have reoccurred for years. The Law on Protection of the Right to Trial within Reasonable Time came into force on January 1, 2016, with ambition to change certain things in this filed. We will see if 2016 will bring some actual changes.

The following are still in the focus of legal aid, primarily, labor law (25%), followed by criminal (23%) and family law (20%). Great number of cases is related to the field of administrative law (17%) and law on contracts and torts (11%), while the other cases are related with inheritance and property rights (4%).

In regards to specific instances of provisions of legal aid, citizens most frequently address YUCOM due to domestic violence and failure to pay alimony, as well as instances of mobbing and hate crime. As of this year, there is new category of whistleblowers, pursuant to the Law on the Protection of Whistleblowers which came into force on 2015. The fact that the cases of

failure to pay alimony and domestic violence prevail emphasizes particularly vulnerable position of women and children in our legal system.

During 2015, Serbia did not succeed in adopting of the Law on Free Legal Aid, despite the fact that the right to legal aid has been guaranteed by the Constitution of the Republic of Serbia as of 2006 and the extreme need to define provision of legal aid by law and provide it to the most vulnerable groups of citizens. For that reason, numerous citizens contact YUCOM seeking advice or information, since due to lack of financial means they do not have anyone else to address in order to exercise their rights. Legal team of YUCOM has often met the needs of these seekers of legal aid, but this is one type of ad hoc solution while waiting for a suitable law pursuant to which the state would take over social function related to citizens and enable legal aid to the poorest and most vulnerable citizens.

YUCOM's legal team currently consists of eight lawyers: three attorneys at law and five law school graduates. We have tried to respond to all requests for free legal aid and all the questions sent to us by the citizens, by electronic mail, and by telephone, and all other means of communication (Facebook, twitter etc.). In case you or someone you know has a problem and you believe his/her human rights are threatened due to it, you can contact us at our telephone 0 700 400 700 on working days from 11 a.m. to 4 p.m., or e-mail office@yucom.org.rs and talk with one of our lawyers. If needed, our legal team will request to review documentation and after consultations you will receive a response or requested information.