

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 10 November 2015

CDCJ(2015)24

**90th MEETING OF THE EUROPEAN COMMITTEE
ON LEGAL CO-OPERATION
(CDCJ)**

Strasbourg, 28-30 October 2015

MEETING REPORT

(EXTRACT)

- *Rule of law review – free legal aid*

2. Reflecting the importance of legal aid as recognized by the Secretary General in his 2nd report on the State of Democracy, Human Rights and the Rule of Law in Europe, CDCJ held a debate on the challenges facing free legal aid schemes in Europe with a focus on Council of Europe standard-setting, monitoring and co-operation activities in this area, and with a view to promoting synergies between them.

3. The debate included presentations on the current challenges to legal aid schemes by Peter van den Biggelaar (Chief Executive Officer of the Legal Aid Board, Netherlands) and by Stéphane Leyenberger (Executive Secretary, CEPEJ); on member state initiatives on the role of NGOs and civil society in Bulgaria and Romania by Maria Marinova-Alkalay (consultant) and on the Federal Law on Free Civil Legal Aid of the Russian Federation by Yury Zudov (Ministry of Justice, Russian Federation); and on Council of Europe co-operation projects in the area of legal aid in Bulgaria, Romania, the Russian Federation and Ukraine, presented by their respective project co-ordinators.

4. CDCJ welcomed the debate and, in particular, the opportunity to receive information on the practical implementation of legal aid schemes within the context of the co-operation projects, and underlined its importance in deciding upon the direction of the committee's future work.

- *Free legal aid*

17. CDCJ approved the terms of reference for a comparative analysis of existing data on free civil legal aid schemes in the member states with particular attention to the key challenges facing them and possible solutions, as they appear in Appendix IV.

APPENDIX IV

FREE LEGAL AID - COMPARATIVE ANALYSIS

TERMS OF REFERENCE

—————

The consultant shall:

- Analyse existing data on free civil legal aid schemes in the member states of the Council of Europe
- Identify the key obstacles to the effective working of these schemes, and conduct a gap analysis.
-

The structure of the comparative analysis shall be as follows:

- Executive summary
- Introduction
- Sources of information
- Comparative assessment of existing data on civil legal aid schemes in member states
- Gap analysis
- Conclusions

The draft comparative analysis will be presented to the CDCJ at its plenary meeting in 2016 and revised in light of the discussion.