

Free Civil Legal Aid and Assistance for Vulnerable Groups in the Russian Federation

Background

The adoption on 21 November 2011 of the Federal Law No. 324-FZ “On Free Legal Aid in the Russian Federation” has launched a reform that aims to promote access to justice for vulnerable and disadvantaged children, women and men in Russia.

The Federal Law guarantees citizens’ right to free and qualified legal services and paves the ground for the creation, in all regions of the country, of targeted legal aid schemes. This legal aid is available to socially vulnerable groups of the population - mainly women and men in poverty, people with disabilities, and children, especially children without family support.

Civil legal aid under the law includes not only support to representation before a tribunal but also legal assistance, i.e. advice on a person’s civil and administrative legal rights. It is for each region to decide how the free legal aid should be delivered. It can be delivered directly under the state system by lawyers and governmental legal bureaux set up in the regions. Free civil legal aid can also be provided through legal aid clinics in universities and voluntary centres run by non-governmental organisations as part of a complementary non-state system.

As the Law entered into force on 15 January 2012, there is a need to create and fine-tune the mechanisms that will facilitate its effective implementation and so improve the take-up of legal services by the target population.

To that end the Council of Europe in co-operation with the Ministry of Justice, has launched a 2-year project on “Free Legal Aid and Assistance for Vulnerable Groups”. Focusing on civil law, the project seeks to facilitate the development and country-wide expansion of free legal aid schemes that are locally tailored to the needs and opportunities of the target public.

Outline of the project

The project aims to ensure that:

- Women and men on low income, certain senior citizens, people with disabilities or mental illness, persons without legal capacity and their guardians, orphaned children and their guardians, and children in institutional care all have better access to legal services and that their civil law rights are better protected;
- Publicly-funded legal services and other forms of free legal advice and assistance are targeted effectively and, as a result, the take-up of legal services by vulnerable and disadvantaged children, women and men to protect their civil law rights is increased and generalised.

The project includes three stages.

Component 1:

Drawing upon examples of European and regional good practices, the project will develop a methodological tool to research, in each specific regional context, the everyday justice needs of disadvantaged children, women and men, and to help make decisions to improve the way free legal services under the Federal Law can meet these needs. This tool will help decision-makers in the Ministry of Justice and regional authorities assess the gaps to be filled between the demand and the supply of free civil legal aid and decide on corresponding measures to improve the provision of services.

Component 2:

The tool will be tested in three pilot regions: Ulyanovsk, Tambov and Volgograd oblasts. This pilot phase will first include researching legal needs in the three regions. Building upon the research findings, the project will then support the development of plans of action and pilot implementation of target measures for the improvement of local supply of free civil legal aid in these regions.

Component 3:

The results of the pilot implementation will be confirmed through evaluations and the methodological tool revised in light of the experience. The conclusions will be shared at a conference for the rolling out of lessons learnt and good practice to all other regions of the Russian Federation.

Strategic guidance for the project is provided by a Project Advisory Group gathering representatives from the Ministry of Justice, the Council of Europe and international and national experts in legal aid and access to justice.

The project will be implemented in co-operation with the Ministry of Justice of the Russian Federation and involve the following stakeholders:

- Representatives of the Russian judiciary
- Regional authorities
- Public legal bureaux
- Bar associations and associations of lawyers
- Non-governmental and non-profit organisations involved in legal aid
- Other organisations working in the sector.

Financial support

The project is supported by a voluntary contribution from Luxembourg. Additional funding is required in order to complete the project. For information on how to make a contribution to this project, please contact matthew.barr@coe.int (Head of Resource Mobilisation and Donor Relations).