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RULES OF PROCEDURE OF THE NATIONAL COORDINATION BODY FOR IMPLEMENTATION OF THE LAW ON FREE LEGAL AID[1]

I General provisions

Article 1

These rules of procedure are regulating the internal organization and manner of work of the National Coordination Body for Implementation of the Law on Free Legal Aid[2] (hereinafter referred as NCB), the composition of the NCB, establishing cooperation among all relevant stakeholders as well as other issue significant for the NCB.

Article 2

The NCB is forum for sharing information, communication and coordination among all relevant stakeholders on topics related to the implementation of the Law on Free Legal Aid and increasing the access to justice on national level.

The NCB enables realization of the obligation for cooperation among all relevant stakeholders stipulated in Article 8 § 1, Article 13 § 3 and Article 43 § 1 of the Law on Free Legal Aid (hereinafter referred as LFLA).

Article 3

The Rules of Procedure are mandatory for all members of the NCB.

Article 4

Objectives and functions of the NCB are:

- Improving the quality and accessibility of the free legal aid to all potential beneficiaries
- Improving the communication among the stakeholders including sharing information, coordination for individual cases and timely provision of data necessary for processing legal aid applications;

[1] Disclaimer: These draft rules of procedure are prepared by experts of the Council of Europe on the basis of the meetings held with the relevant stakeholders as well as the meeting of the NCB held on 21.1.2020 in Skopje. The draft rules of procedure shall be submitted to the member of the NCB for adoption and it may be subject to certain amends.

[2] Official Gazette of RNM No. 101/2019.

- Increased mutual understanding between all stakeholders of their competencies, expertise, specialisms, capacities and difficulties facing them in the process of implementation of LFLA;
- Identification of problems and challenges in the process of implementation of the LFLA;
- Identifying means and strategies for increased promotion of the LFLA to the citizens and active involvement in such activities;

II Composition of the NCB

Article 5

The NCB is composed of 28 members from whom 12 are members of the inner circle, while the remaining 16 members are in the outer circle of the NCB.

In the process of appointment of members to the Nacional coordination body a principle of appropriate gender balance should be respected.

Article 6

The inner circle is composed of representatives of the stakeholders directly involved in the implementation of the LFLA as administrators of the legal aid system or as providers of legal aid.

The members of the NCB from the inner circle are expected to attend all meetings of the NCB.

The inner circle is composed of the following 12 members:

- 3 representatives of the Ministry of Justice (Head of the Legal Aid Department, one State Advisor and one employee of the Legal Aid Department)
- 2 representatives of the regional offices of the MoJ, appointed by the Head of the Department for Legal Aid for each meeting separately following the principle of rotation
- 3 lawyers registered for FLA appointed by the Macedonian Bar Association
- 2 representatives of the Authorized NGOs delegated by the NGOs jointly for each meeting separately following the principle of rotation
- 2 representatives of the authorized legal clinics (If there are more than one authorized legal clinics, they will coordinate among themselves on rotating representatives)

Article 7

The outer circle of the NCB, beside the members stated in Article 6, is composed of representatives of state organs, institutions and organizations who are affecting or are affected to lesser extent by the implementation of the LFLA or are involved in the improvement of the access to justice for the citizens by other means.

The members of the NCB of the outer circle are invited to participate to all meetings while their attendance is solely mandatory when on the agenda there are topics for which their presence is necessary.

The outer circle of the NCB is composed of 13 members representatives of the following institutions:

- Ministry of Labor and Social Policy;
- Centre for Social Affairs – Skopje;
- Ombudsman;
- Public Revenue Office;
- Agency for Real Estate Cadastre;
- Basic Civil Court Skopje;
- Chamber of Notaries;
- Chamber of Enforcement Agents;
- Ministry of Interior;
- Pension and disability insurance fund;
- Health insurance fund;
- Central Registry;
- Employment agency;

The remained 3 members should be allocated to representatives of existing NGO platforms working on access to justice and providing services and advocacy on the rights of vulnerable categories.

Article 8

Representatives of the Council of Europe may participate in the work of the NCB.

On the meetings of the NCB other stakeholders or interested parties may participate upon invitation of the NCB or expression of interest to attend a meeting of the body and if agreed by the coordination team.

III Chairing the body

Article 9

The NCB is chaired by a coordination team.

The coordination team is composed of three members:

- One representative of the Ministry of Justice,
- One representative of the authorized lawyers nominated by the Bar association and
- One representative of the authorized associations and legal clinics.

Article 10

The coordination team in chairing the NCB shall have the following duties:

- Proposes agenda, calls and chairs the meetings of the NCB,
- Prepares and signs the minutes about the held meetings of the NCB,
- Takes all necessary measures for unhindered work of the NCB and
- Monitors the implementation of the conclusions adopted by the NCB.

IV Manner of work of the body

Article 11

The NCB works through meetings. The meetings of the NCB are held at least once every three months (quarterly) and if needed more often.

The meetings of the body are summoned by the coordination team with delivering invitation, proposal for agenda and working materials at least 7 days before the day of the meeting,

Meetings are held during working days and hours.

Article 12

The meeting is chaired by the member of the coordination team in accordance with the principle of rotation.

The members participate in the discussion and the adoption of the conclusions for certain topics.

Article 13

On the meetings of the NCB as a topics of the agenda the following issues may be included:

- Sharing information regarding the implementation of the LFLA,
- Discussion about the identified problems and challenges in the implementation of the LFLA,
- Discussion about the legal needs of the citizens,
- Presentation of certain legal updates or competencies of the institutions significant for the NCB (mini trainings),
- Identification of means for increased promotion of the LFLA,
- Other issues relevant for the NCB.

Article 14

A meeting of the NCB may be held if at least a majority of the members of the inner circle are present.

The conclusions of the NCB are adopted with a majority votes of the number of members attending the meeting.

Article 15

Minutes of the meetings shall be drafted. The minutes shall be signed by the members of the coordination team and shall be adopted on the following meeting.

V Final provisions

Article 16

These rules of procedure may be amended by a majority of all members of the NCB.

The rules of procedure enter into force on the day of its adoption.

Skopje, 21 January 2020