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Republika Kosovo / Republic of Kosovo

AGJENCIA PËR NDIHMË JURIDIKE FALAS
AGENCIJA ZA BESPLATNU PRAVNU POMOĆ
AGENCY FOR FREE LEGAL AID



NDIHMJA JURIDIKE | PRAVNA POMOĆ
LEGAL AID

Raporti Vjetor

Godišnji Izveštaj

Annual Report

Prishtina
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1. VISION AND MISSION

Vision

Republic of Kosovo, as a democratic state, with its Constitution ensures and guarantees respect of human rights and equal access to justice, promoting rule of law.

By integrating legal aid system, the Agency for Free Legal Aid will contribute in: (1) establishment of a new legal and institutional framework in the entire system of legal aid; (2) opportunity to citizens with difficult material conditions to benefit from free professional services; (3) strengthening lawful ruling in Kosovo, through awareness of legal culture for citizens, to use institutional ways in dispute settlement situations, which is possible only through equal access for all citizens to legal aid services.

Mission

Agency for Free Legal Aid has determined that its mission is: to provide free legal assistance to all citizens of Republic of Kosovo, who meet the legal criteria set, enabling equal access to justice.

In carrying out its mission, Agency for Free Legal Aid remains committed to respecting the principle of non-discrimination against anyone regardless of ethnic, racial, political, gender or any other distinction, the principle of transparency and full respect of law and International Conventions.

As a result of this, Agency for Free Legal Aid is committed to ensure that legal aid be effective, efficient, functional, inclusive and sustainable.

1.1. Introduction Speech

We have the honour to present before you the report of the Agency for Free Legal Aid (AFLA) for 2012.

Summary of AFLA results reflects the capacity and annual performance related to the fulfilment of providing free legal aid in the justice system of Republic of Kosovo.

Pursuant to the Constitution of the Republic of Kosovo, legal aid is defined as constitutional category, under section 31, paragraph 6: “Free legal assistance shall be provided to those without sufficient financial means if such assistance is necessary to ensure effective access to justice”.

On 07 March 2012 entered into force Law nr.04/L-017 on Free Legal Aid, which has started to be implemented gradually.

Despite the fact that Republic of Kosovo has adopted all the necessary legislation to ensure the establishment of an integrated, impartial, professional and independent system that will have the potential to provide and ensure access to justice for all Kosovar society, nevertheless, the lack of mechanisms and instruments, as well as their implementation, continues to be a major challenge.

In this context, it is important to emphasize AFLA capacity regarding the possibility of meeting the obligation to ensure the provision of free legal aid. In particular, there should be taken into account existing structures and mechanisms within AFLA, examining the possibility of establishing new structures/mechanisms, establishing and strengthening new capacities of human resources and instruments of cooperation among AFLA and other institutions, especially those involved in the provision of free legal aid.

AFLA continues to be the most important institution in the integrated system of legal aid in terms of providing free legal aid. The number and variety of legal assistance beneficiary requests demonstrate the need and importance of the sustainability of this institution.

However, in achieving its objectives, AFLA has faced considerable challenges, among which the most serious has been non-approval of the budget request, this being a hindrance not only to filling new vacancies necessary for the development of operational capacities but also for the payment of engagement of the lawyers.

It is worth noting that from 65 employees in AFLA, 21 employees are from 5 offices funded by the Budget of the Assembly of the Republic of Kosovo, while 42 employees are from 8 offices of the Project "Advancing Gender Justice", funded by UNDP. With offices supported by UNDP, the number of beneficiaries of free legal aid has significantly increased. From cases performed and completed, 37.89% are from offices supported by UNDP, while 62.11% are from offices funded by the Budget of the Assembly of the Republic of Kosovo. UNDP will support the Project to the end of 2013. Upon completion of the Project, the number of cases will significantly drop and the sustainability of this institution will be an issue if these offices are not included in AFLA offices which will be financed from the budget of the Assembly of the Republic of Kosovo.

Despite this fact, the Agency for Free Legal Aid remains dedicated to be in service to all those who meet the criteria established by law in providing free legal aid, in particular to the principles of justice and the rule of law.

Thank you for your attention and your time.

Respectfully,

Agency for Free Legal Aid

2. AGENCY FOR FREE LEGAL AID

Agency for Free Legal Aid is an independent public institution that functions and exercises its responsibilities according to Law no. 04/L-017 on Free Legal Aid, which entered into force in March of 2012. This law regulates the establishment of a functioning free legal aid system in civil, criminal, administrative and misdemeanour procedure, through which is ensured effective access to justice for citizens who do not have sufficient financial means.

3. FREE LEGAL AID COUNCIL

Pursuant to the Law on Free Legal Aid is established Free Legal Aid Council (hereinafter Council), which is responsible for providing free legal aid.

The Council is a crucial institution which carries out its functions independently from other public institutions and without instructions and interferences from any person, as well as exercises direct supervision of the Agency. The competences and responsibilities of the Council are drafting of policies and rules for providing free legal aid that will ensure effective, efficient, comprehensive, flexible and sustainable system.

3.1. Composition of the Council for Free Legal Aid

The members of the Council are elected from the Assembly of the Republic of Kosovo from the ranks of proposed candidates by the institutions referred to in Article 11, paragraph 3 of the Law on Free Legal Aid. The Council was established on 12.12.2012.

The Council for Free Legal Aid consists of the Chairperson, Deputy Chairperson and 5 (five) Council members. The Council members are appointed by the Assembly of the Republic of Kosovo, from the list of names recommended by respective institutions.

Nr.	Name and Surname	Position	Institution
1.	Alban Sutaj	Chairperson	Ministry of Justice
2.	Shukrije Gashi	Dep. Chairperson	Kosovo Women's Network
3.	Nenad Stojćetović	Member	Ministry of Communities and Returns
4.	Fadil Racaj	Member	Ministry of Labour and Social Welfare
5.	Bahrije Berisha	Member	Ministry of Finance
6.	Afrim Shala	Member	Supreme Court
7.	Armend Krasniqi	Member	Kosovo Chamber of Advocates

4. AFLA ACTIVITIES

Until November of 2012, has functioned Legal Aid Commission respectively the Board which had held 6 meetings from which were issued 18 decisions.

Among the numerous AFLA activities will be mentioned Memorandums of Understanding with:

- State Commission for Legal Aid of Albania, on cooperation in the field of free legal aid.
- Municipality of Skenderaj, on providing free facilities for the provision of professional legal aid.
- Municipality of Klina, on providing free facilities for the provision of professional legal aid.
- Municipality of Klllokot, on providing free facilities for the provision of professional legal aid.

5. OFFICE OF THE EXECUTIVE DIRECTOR

Office of the Executive Director is the central office in free legal aid system. It is responsible for the administration of the legal aid system, supervision of regional free legal aid offices, and performance supervision of all employees in AFLA.

OED is responsible for the implementation of all decisions of the Council, and it communicates such decisions, policies and procedures of the Agency to all institutions and stakeholders.

It cooperates with all institutions, local and international organizations in order to advance the provision of free legal aid.

5.1. Activities of the Office of the Executive Director

OED has managed to offer and generally provide administrative services, technical and other support services for the AFLA, ensuring effective and efficient management of work. Also, in terms of achieving the specific objectives of the work, it has coordinated, supervised and followed the work of the Office of Central Administration, Office of Personnel, Procurement, Information Technology and Archives.

OED commitment has always been directed to providing administrative support and regular function of the meetings of the Council for Free Legal Aid, by implementing all the decisions taken by the Council.

OED has every month held regular meetings with representatives of ROFLA and OLA of the project "Advancing Gender Justice" - UNDP, to reinforce communication and efficient referral of cases. This has been achieved due to regular visits of ROFLA and OLA.

5.1.1. AFLA activities supported by the project "Advancing Gender Justice" - UNDP:

UNDP has supported a range of activities through the project "Advancing Gender Justice"

1. Opening of 3 additional offices in Municipalities of: Klllokot, Skenderaj and Klina,
2. Organization of Regional Conference "Free Legal Aid and Strengthening of Regional Cooperation",
3. Employment of 15 trainees,
4. Staff trainings,
5. Designing a database,
6. Recruitment of Legal Expert on Monitoring and Evaluation of Free Legal Services,
7. Design and publication of AFLA promotional materials,
8. Comprehensive campaign,
9. Opening of mobile clinic

➤ **Description of the components of the UNDP project**

1. Opening of new offices, Klllokot, Skenderaj and Klina is made after identifying the needs of the citizens in these municipalities. Given the scale of social status, which is due to lack of financial means, this does not allow citizens of these municipalities equal access to justice and fair trial. Another factor has been the territorial distance measuring existing offices of AFLA. Furthermore, for these offices was conducted a recruitment process for the positions: Free Legal Aid Officer and Administrative Assistant.
2. The Conference organized by AFLA and the UNDP, has been of great importance, and given the fact that Republic of Kosovo, as the first state in the region, has been host to such an important event. At the conference were invited seven countries from the region: Slovenia, Albania, Croatia, Montenegro, Bosnia and Herzegovina, Serbia and Macedonia. States were represented by state bodies and civil society. The purpose of the conference was to exchange their experiences in the field of free legal aid, tending to establish regional cooperation, in terms of providing free legal aid, as well as their networking in the future.
3. It is worth noting that the Conference has been dignified by the presence of senior leaders of the Republic of Kosovo, as president of the Republic of Kosovo, Mrs Atifete Jahjaga, President of the Assembly of the Republic of Kosovo, Jakup Krasniqi, Deputy Prime Minister and Minister of Justice Hajredin Kuqi, Chief State Prosecutor Ismet Kabashi, and many other participants from government, municipal institutions and civil society.

The conference has shown that free legal aid of the Republic of Kosovo is the most advanced in the region. Also, the conference has come with very significant recommendations.

4. Employment of trainees was done in order for newly graduated jurists to be professionally trained in practical work, in order to prepare them for the bar exam and after the completion of one year of practical work, be employed more easily in institutions and state bodies.

5. AFLA staff training has been conducted for professional capacity building of AFLA staff, in order to improve the quality of the provision of free legal aid.
6. Design of the database is very important for the daily work of AFLA, because it will very accurately reflect all statistical data related to cases of AFLA, therefore, at the request of AFLA, UNDP has supported this activity. The database will be operational in the first half of 2013, and it will support and facilitate the work of the AFLA.
7. Given the great importance of monitoring and evaluation, as an indicator for measuring the results of AFLA, as well as the operation of the database of the Agency, on the proposal of the UNDP was supported the recruitment of the Legal Expert on Monitoring and Evaluation of Free Legal Services.
8. In order to promote all AFLA work and to inform the public on all matters related to the provision of free legal aid emerged the need that AFLA be equipped with various promotional materials. Thanks to the support of the UNDP, this activity was carried out successfully.
9. One of the very important activities for promoting the work of AFLA, as well as information of the public about the mission of this institution is the comprehensive campaign, also supported by UNDP project. This project is scheduled to be carried out also in the first half of 2013.

5.1.2. Practical Learning

In the implementation of AFLA Agreement with the University of Prishtina (UP) Faculty of Law, AFLA has enabled students who were selected by the Faculty of Law, to attend the practical work in legal aid offices. During the reporting year, 6 students have been trained and have received professional knowledge in the field of legal aid.

AFLA has also given the opportunity to volunteer students to carry out practical work in this institution.

5.1.3. Attendance at Meetings

With the aim of increasing the awareness and promoting AFLA work, a series of meetings have been held. Among the most important was the meeting with the President of Kosovo, Mrs Atifete Jahjaga, then with UNDP, EULEX, KJC, OSCE, KCA, EDMI, MIA, MEI, UNHR-OHCR, and Ombudsperson. The Agency has actively participated in the International Women's Summit in Kosovo, conferences, round tables, various other campaigns, etc.

5.1.4. Central Administration Office

Deals with the administrative service activities and is supervised by the Executive Director.

5.1.5. Human Resources

Human resources continue and remain one of the most important activities in this institution. AFLA reporting year has been very successful in terms of increasing the staff, especially due to the activities supported by UNDP.

In the reporting year, AFLA has hired 10 employees. Also, in this year, in all AFLA offices was employed a trainee, which means a total of 15. Recruitment procedures have been conducted in accordance with the Law on Civil Service of the Republic of Kosovo, no. 03/L-149. During the recruitment procedure, according to gender, 22 women and 22 men were employed.

AFLA's staff is currently comprised of 63 employees, of which 21 are civil servants, while 42 are from UNDP project.

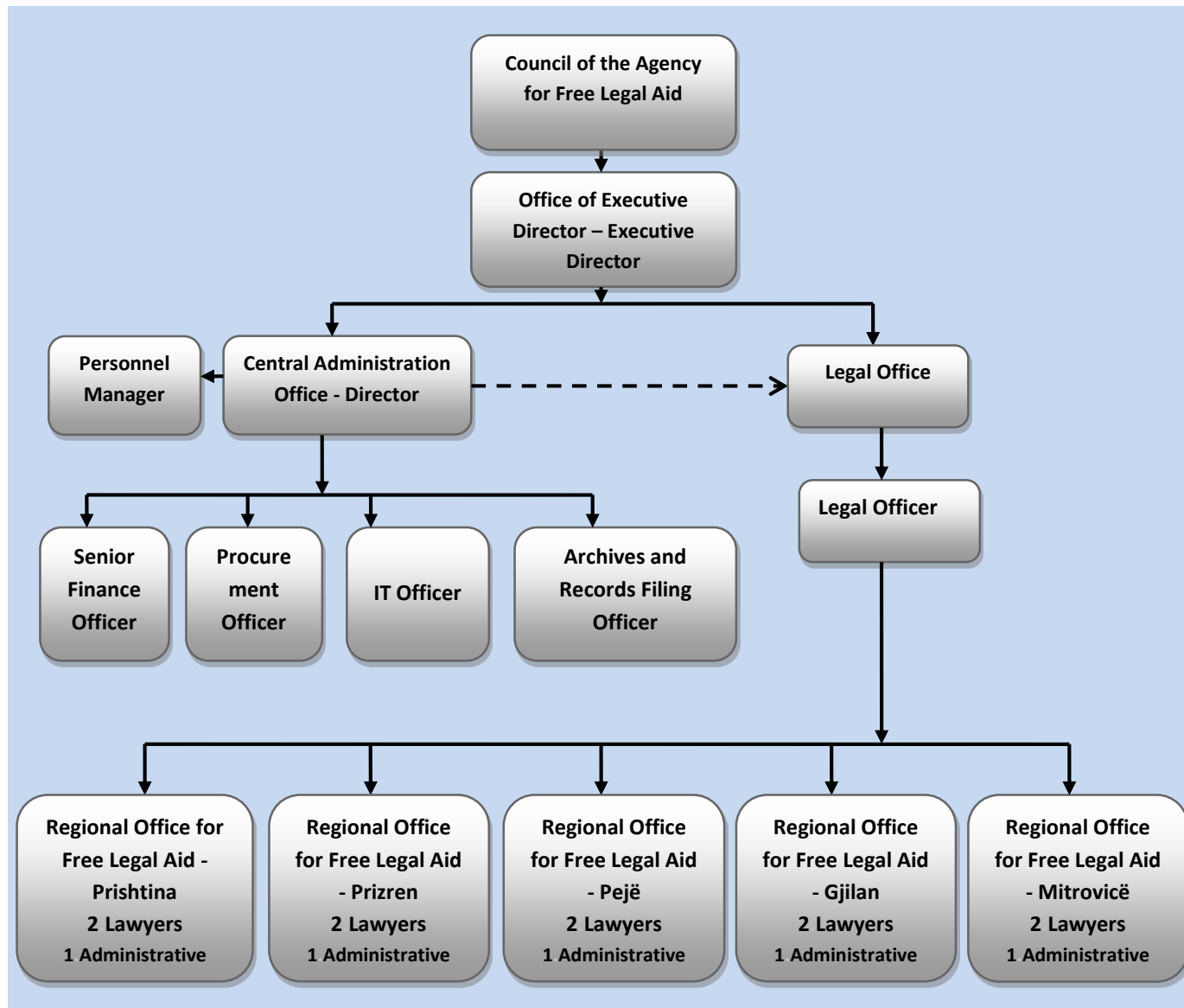
Of the total number of employees 32 are female and 31 male. Of these 55 are from Albanian community, 4 from Serb community, 2 from Bosnian community, 1 from Turkish, and 1 from Ashkali community.

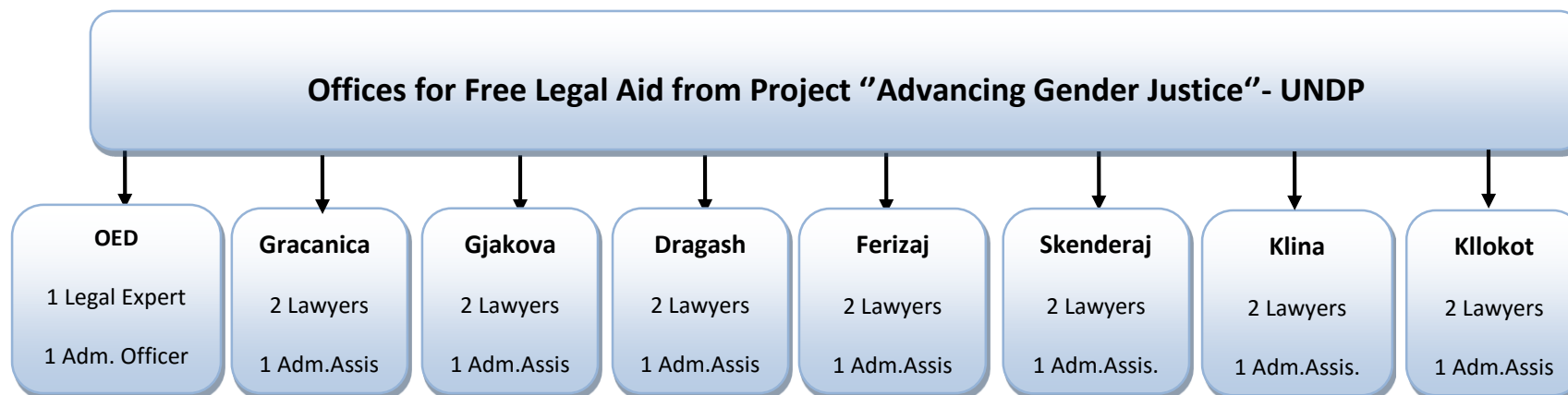
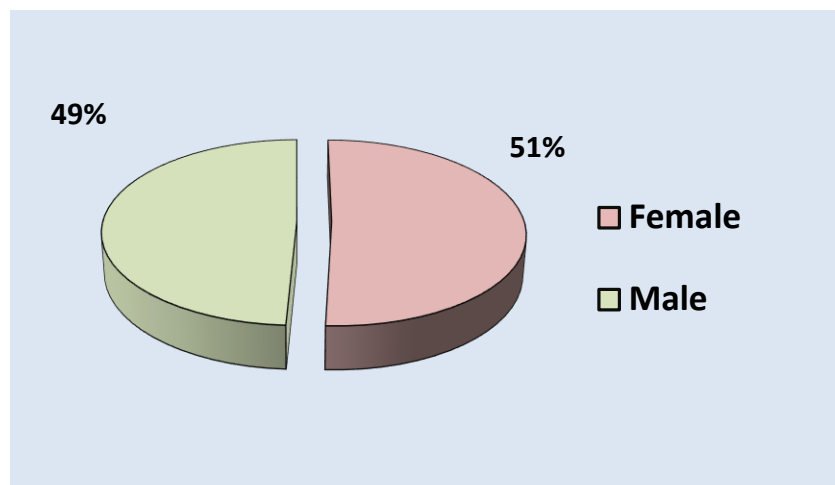
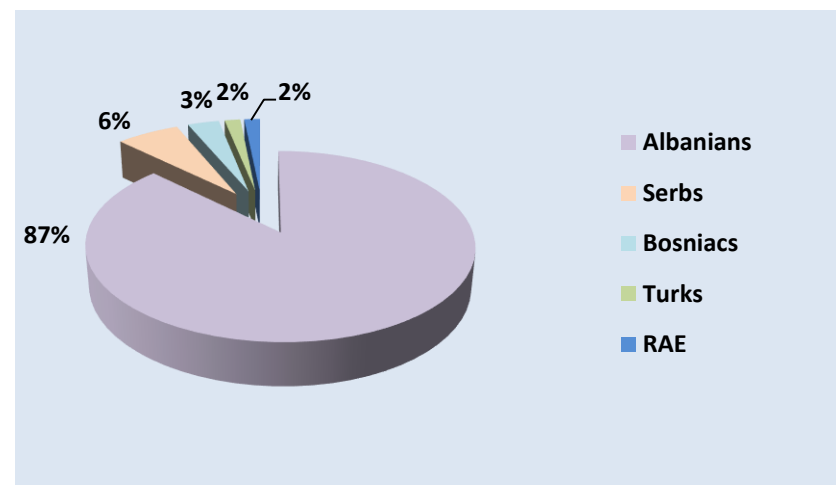
During the reporting period, 2 employees terminated the employment, a Legal Officer in ROLA - Prishtina and a Legal Aid Officer in ROLA - Gjilan.

5.1.6. Trainings

In the reporting period, the Office of Personnel consistently implemented professional development of staff through various trainings. By attending successfully the trainings, the staff has completed the trainings and was certified by specialized institutions: Institute of Public Administration of Kosovo (IPAK); UNDP, OSCE, etc. During the reporting year, the professional development of the staff has been supported also by AFLA itself.

ORGANIZATIONAL STRUCTURE OF THE AGENCY FOR FREE LEGAL AID





The graphs represent the gender and ethnic structure of the staff in AFLA

5.1.7. Budget and Finance

Financial Service is responsible for the implementation of the budget and development of financial procedures.

According to Law no. 04/L-001 on the Budget of the Republic of Kosovo, Kosovo Budget funds set for Agency for Free Legal Aid for year 2012 were 287,845.00 €.¹

In the chart below is presented the initial budget structure by economic categories.

Salaries and Wages	Goods and Services	Utilities	Capital Investments	Subventions and Transfers	Total
122,955.00	142,370.00	22,520.00	0.00	0.00	287,845.00

At the request of AFLA was made the transfer of funds in the amount of 6,500.00 €, from utilities category to the category of goods and services.

After all changes according to finance management system of Kosovo, the final budget in 2012 for the AFLA, was as presented below:

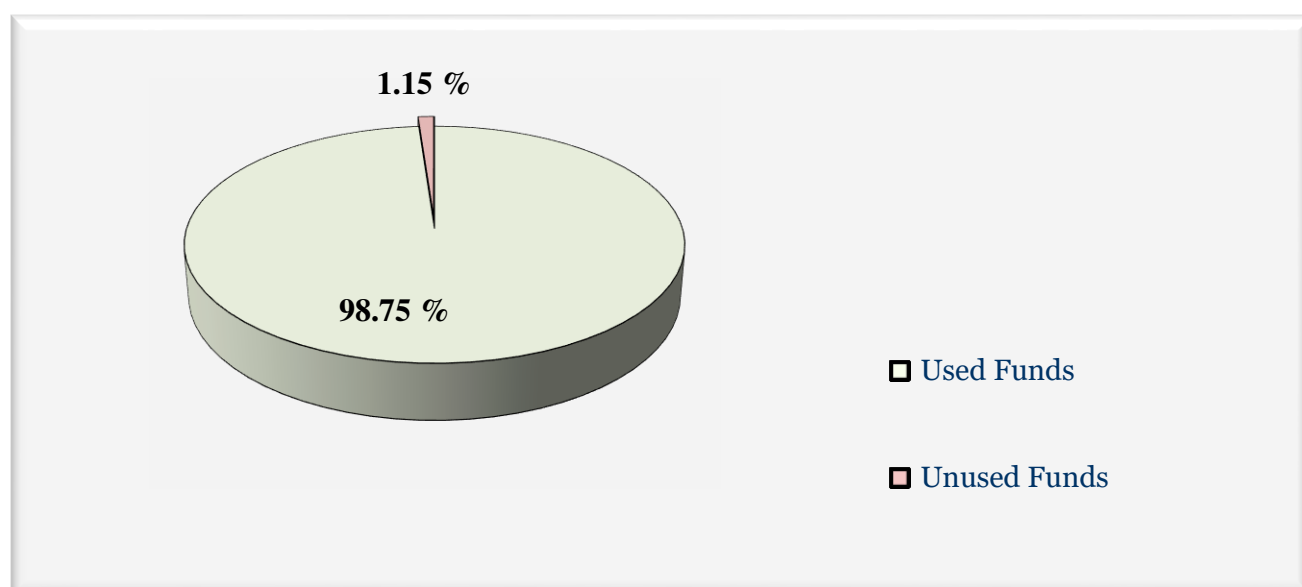
Salaries and Wages	Goods and Services	Utilities	Capital Investments	Subventions and Transfers	Total
122,955.00	148,870.00	16,020.00	0.00	0.00	287,845.00

¹ Implementation of detailed budget is attached to the end of the Report.

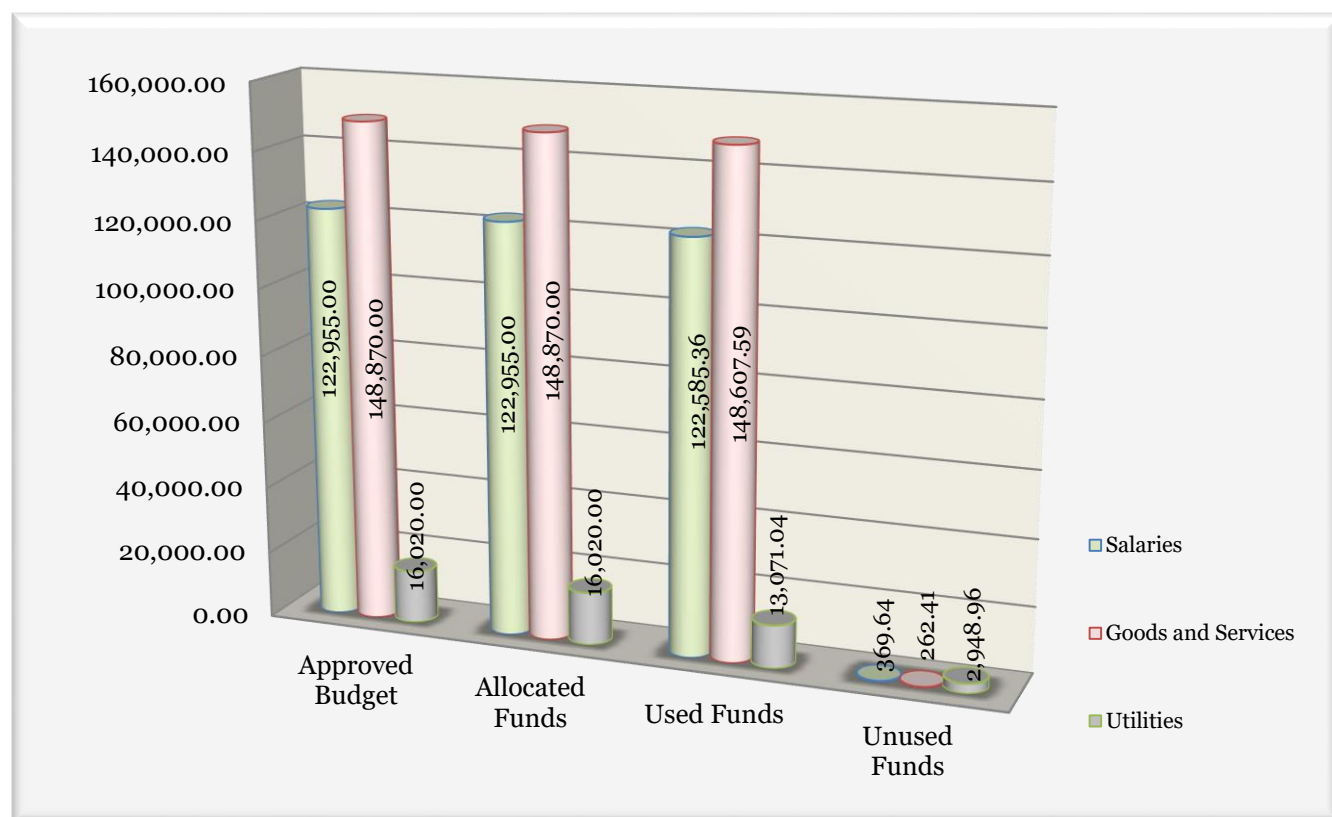
Allocation of funds from the Kosovo Consolidated Budget by cash flows for the period
January-December

	Initial Budget (A)	Final Budget (B)	Allocations Jan. - Dec. (C)	Implementations Jan. - Dec. (D)	% D/B)
Salaries and Wages	122,955.00	122,955.00	122,955.00	122,585.36	99.69%
Goods and Services	142,370.00	148,870.00	148,870.00	148,607.59	99.82%
Utilities	22,520.00	16,020.00	16,020.00	13,071.04	81.59%
Subventions and Transfers	0.00	0.00	0.00	0.00	0%
Capital Investments	0.00	0.00	0.00	0.00	0%
Total	287,845.00	287,845.00	287,845.00	284,263.99	98.75%

Statement of the implementation of the budget for the period from January to December 2012



Graphic presentation of Budget Implementation 2012



5.1.8. Procurement

At the beginning of the reporting year, AFLA Procurement Office has delivered procurement planning to the Public Procurement Agency. This office has conducted a number of public procurement procedures. Procurement of AFLA has initiated 10 procurement activities. The total value of contracts signed by the Agency for Free Legal Aid is 16.086.07 €.

- **Price quotation procedure.**

4 (four) contracts were signed

1. Supply of IT Equipment,
2. Supply of office stationery
3. IT maintenance,
4. Staff Professional Training

- **Minimal Value procedures.**

5 (five) contracts were signed

1. Car-washing
2. Painting of ROFLA in Prizren
3. Supply of a Lap-top
4. Staff Training
5. Purchase of Telephones

During this reporting year, 12 different contracts were continued (on lease, translation services, service vehicles, fuel supply, facility physical security, etc.) and a reversal of the procedure due to incomplete dossier.

Description	Value of Contracts
Price Quotation	13,783.00€
Minimal Value	2,303.07€
Total	16,086.07 €

5.1.9. Information Technology

Information technology service is maintained by the IT Officer in cooperation with the competent services of the MPA. Information Technology Service is maintaining the AFLA website, which is continuously updated with required information on AFLA activities.

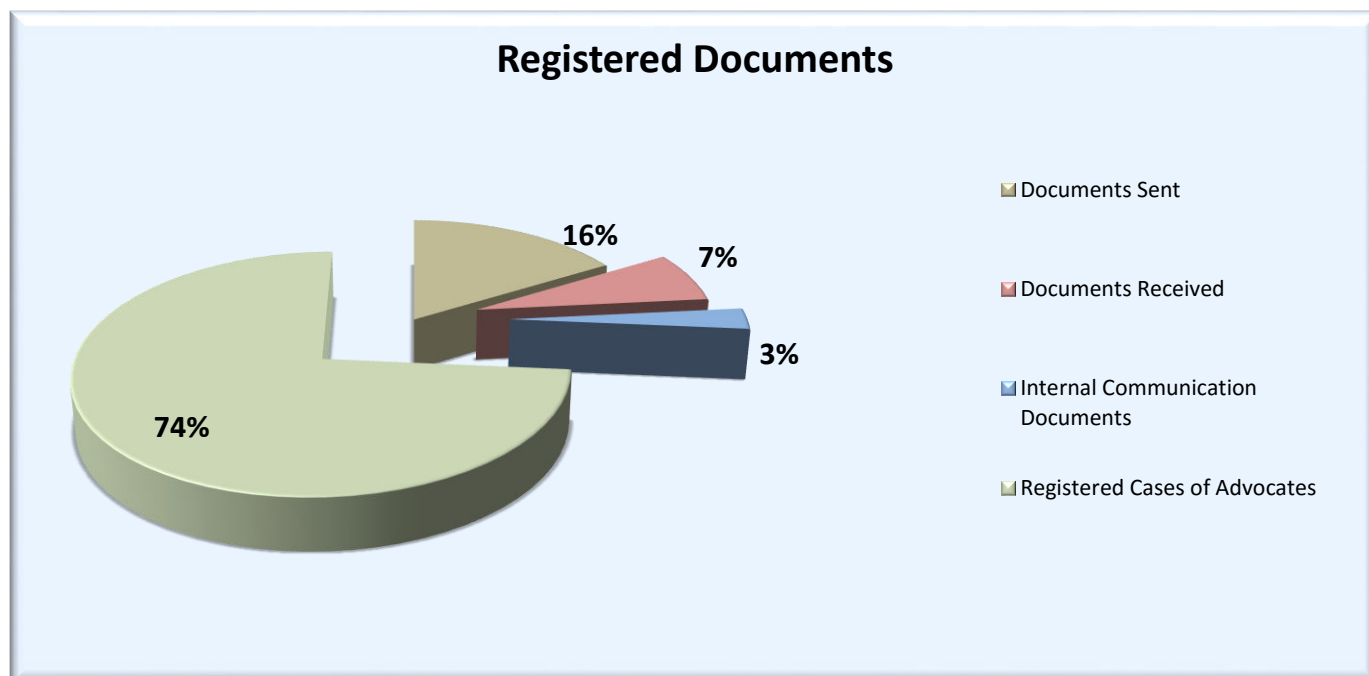
5.1.10. Archive

During the year 2011 in AFLA were received, recorded, protocolled and archived many documents on internal and external communication, as well as cases advocates as follows:

- Documents sent 150
- Documents received 65

- Internal communication documents 27
- Registered cases of advocates 676

In addition to these other documents are also registered, thus in AFLA are archived a total of 1303 documents.



5.1.11. Audit

Agency for Free Legal Aid independently manages its budget; it is subject to internal audit and the external audit by Auditor General of the Republic of Kosovo.

5.1.12. External Audit

In this reporting year the Office of the Auditor General (OAG) has audited the regularity of the Agency for Free Legal Aid, for nine months. After the audit, within the legal term, OAG has sent to AFLA the audit report.

5.2. Regional Offices for Free Legal Aid

Currently the provision of legal aid extends to the entire territory of the Republic of Kosovo, through regional free legal aid offices in 5 (five) regions: Prishtina, Prizren, Peja, Mitrovica, Gjilan, and 8 legal aid offices supported by the project "Advancing Gender Justice" - UNDP, in: Gracanica, Ferizaj, Dragash, Gjakova, northern Kosovo - Mitrovica, Klllokot, Skenderaj and Klina.

In Free Legal Aid Offices, directly is provided legal aid in civil, administrative, penal and misdemeanour area to any citizen in material distress who meet the criteria set out in the Law on Free Legal Aid.

5.2.1. Competencies and Responsibilities of ROFLA

1. They decide on applications for legal aid, as provided by the Law on Free Legal Aid;
2. They provide legal aid by:
 - a) Assisting the applicants to fill in the application
 - b) Completing paperwork necessary for filling in the application
 - c) Verifying information on documents provided
3. Decide on the right of the applicant to obtain legal aid;
4. Based on the financial condition of applicants, they decide on the provision of primary or secondary legal aid;
5. Decide on the validity of the case;
6. Decide whether the aid requested is within the scope of legal aid services;
7. Receive complaints against decision to refuse legal aid, reporting to Office of Executive Director for Legal;
8. Hire attorneys from the list provided by the Kosovo Chamber of Advocates;
9. During the engagement of lawyers from the list of lawyers, they ensure equal engagement in the provision of legal aid, observing their field and experience.

5.2.2. Regional Office for Free Legal Aid (ROFLA) - P r i s h t i n a

Prishtina region counts 12 municipalities: Prishtina, Ferizaj, Podujeva, Lipjan, Drenas, Kaçanik, Hani i Elezit, Fushë Kosova, Shtime, Kastriot (Obiliq), Shtrpce and Graçanica.

In Prishtina region there are three offices providing free legal aid: A ROFLA in Prishtina, which is financed from the budget of the Republic of Kosovo, and two legal aid offices (LAO), in Graçanica and Ferizaj, which are financed by UNDP, the Project "Advancing Gender Justice".

The table below reflects the number of cases as per type, gender structure and ethnicity of beneficiaries of free legal aid, in the Pristina region, which includes Regional Office for Free Legal Aid (ROFLA) in Prishtina and Legal Aid Offices (LAO) in Ferizaj and in Graçanica.

Prishtina Municipality covers 49 settlements

ROFLA Prishtina	Type			Gender		Ethnicity								Nr. of Cases
	Civ.	Adm	Pen	F	M	Alb	Serb	Bos	Tur	Rom	Ashk	Eg	Etc	458
	290	121	47	166	292	442	1	1	1	4	8	0	1	

Period January - December 2012

Ferizaj Municipality covers 63 settlements

LAO Ferizaj UNDP	Type			Gender		Ethnicity								Nr. of Cases
	Civ.	Adm.	Pen	F	M	Alb	Serb	Bos	Tur	Rom	Ashk	Eg	Etc	628
	230	327	71	209	419	593	0	0	0	6	25	0	4	

Period January - December 2012

Gracanica Municipality

LAO Gracanica UNDP	Type			Gender		Ethnicity								Nr. of Cases
	Civ.	Adm.	Pen	F	M	Alb	Serb	Bos	Tur	Rom	Ashk	Eg	Etc	
	69	63	9	30	111	21	109	1	1	8	1	0	0	

Period January - December 2012

5.2.3. Regional Office for Free Legal Aid (ROFLA) - P r i z r e n

Prizren region numbers 6 municipalities: Prizren, Theranda (Suhareka), Rahovec, Malisheva, Dragash and Mamusha.

In Prizren region there are two offices for the provision of free legal aid: A ROFLA in Prizren, which is funded from the Kosovo Budget, and a LAO in Dragash, which is funded by UNDP, the project "Advancing Gender Justice".

The table below reflects the number of cases subject to type, gender and ethnic structure of the beneficiaries of free legal aid in the Prizren region, which includes: ROFLA Prizren, and LAO Dragash

Prizren Municipality covers 76 settlements

ROFLA Prizren	Type			Gender		Ethnicity								Nr. of Cases
	Civ.	Adm.	Pen	F	M	Alb	Serb	Bos	Tur	Rom	Ashk	Eg	Etc	
	291	230	22	246	297	407	2	29	37	66	0	0	2	

Period January - December 2012

Dragash Municipality covers 36 settlements

LAO Dragash UNDP	Type			Gender		Ethnicity								Nr. of Cases
	Civ.	Adm.	Pen	F	M	Alb	Serb	Bos	Tur	Rom	Ashk	Eg	Goran	
	84	76	12	46	126	124	0	0	0	0	0	0	48	172

Period January - December 2012

5.2.4. Regional Office for Free Legal Aid (ROFLA) - P e j ë

Peja region numbers 6 municipalities: Peja, Gjakova, Klina, Deçan, Istog and Junik.

In the region of Peja there are 2 offices providing free legal aid: A ROFLA in Peja, which is funded from the Kosovo Budget, and a LAO in Gjakova and a LAO in Klina which are funded by UNDP, the project "Advancing Gender Justice".

The table below reflects the number of cases subject to type, gender and ethnic structure of the beneficiaries of free legal aid in the Peja region, which includes: ROFLA Peja and LAO Gjakova.

Peja Municipality covers 79 settlements.

ROFLA Peja	Type			Gender		Ethnicity								Nr. of Cases
	Civ.	Adm.	Pen	F	M	Alb	Serb	Bos	Tur	Rom	Ashk	Eg	Etc	
	86	174	10	78	192	207	0	10	0	22	0	31	0	270

Period January - December 2012

Gjakova Municipality covers 88 settlements

LAO Gjakova UNDP	Type			Gender		Ethnicity								Nr. of Cases
	Civ.	Adm.	Pen	F	M	Alb	Serb	Bos	Tur	Rom	Ashk	Eg	Etc	
	101	288	51	145	295	369	0	2	0	11	19	39	0	

Period January - December 2012

5.2.5. Regional Office for Free Legal Aid (ROFLA) – Mitrovicë

Mitrovica Region counts 6 municipalities: Mitrovica, Vushtrri, Skenderaj, Leposaviq, Zvecan and Zubin Potok

In Mitrovica region there are two offices for the provision of free legal aid: A ROFLA in Mitrovica, which is funded from the Kosovo Budget, and a LAO in northern part of Mitrovica and a LAO in Skenderaj, which are funded by UNDP, the project "Advancing Gender Justice".

Mitrovica Municipality covers 47 settlements

ROFLA Mitrovica	Type			Gender		Ethnicity								Nr. of Cases
	Civ.	Adm.	Pen	F	M	Alb	Serb	Bos	Tur	Rom	Ashk	Eg	Etc	
	86	481	0	119	448	536	0	5	4	3	19	0	0	

Period January - December 2012

Office in the north of Kosovo - UNDP

N.P. LAO Mitrovica	Type			Gender		Ethnicity								Nr. of Cases
	Civ.	Adm.	Pen	F	M	Alb	Serb	Bos	Tur	Rom	Ashk	Eg	Etc	
	31	81	0	56	56	4	87	1	0	20	0	0	0	

Period January - December 2012

5.2.6. Regional Office for Free Legal Aid (ROFLA) – G j i l a n

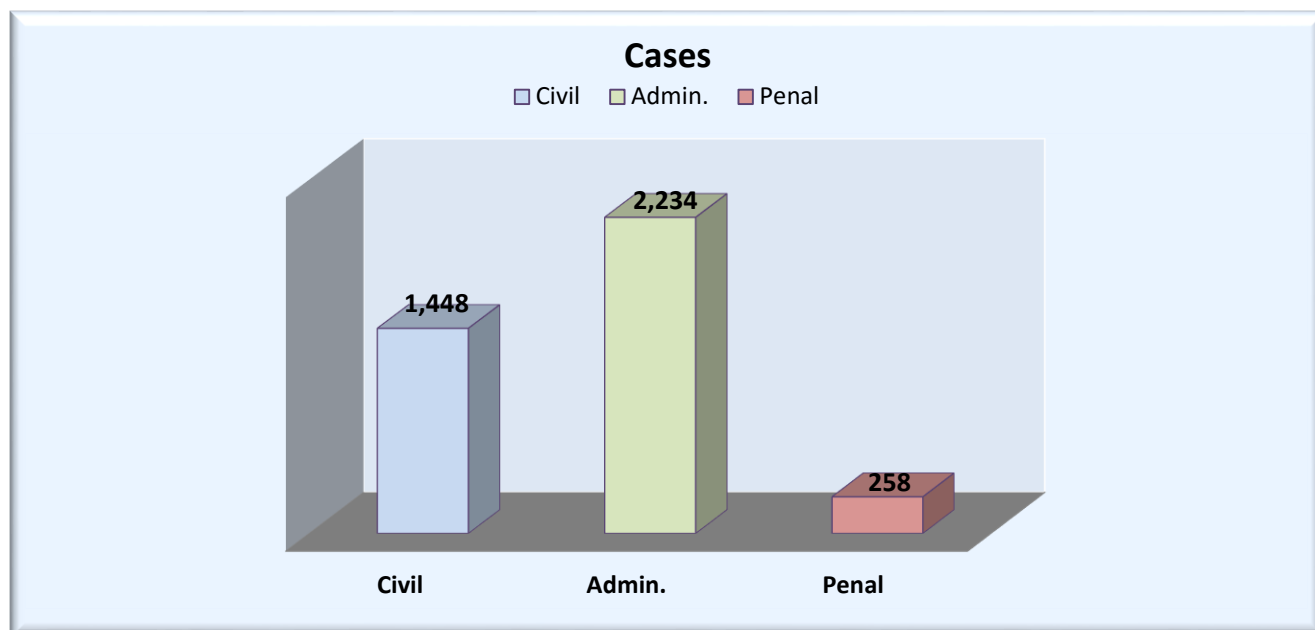
Gjilan region numbers 8 municipalities: Gjilan, Dardana (Kamenica), Viti, Artana (Novobërdë), Klllokot, Ranillug and Partesh.

In the region of Gjilan there is one office for the provision of free legal aid: A ROFLA in Gjilan, which is funded from the Kosovo Budget and a LAO in Klllokot which is funded by UNDP, the project "Advancing Gender Justice".

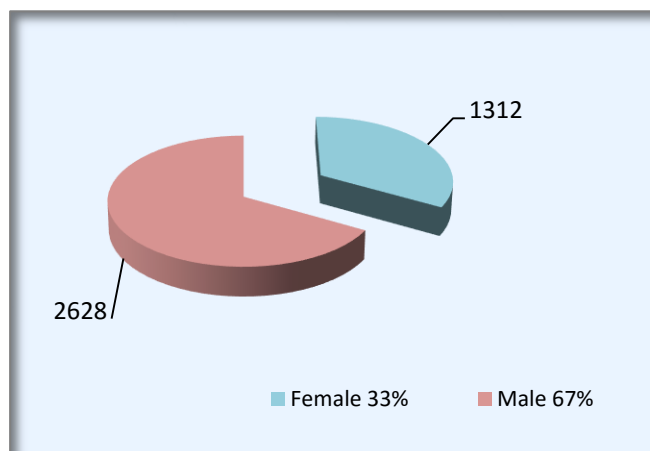
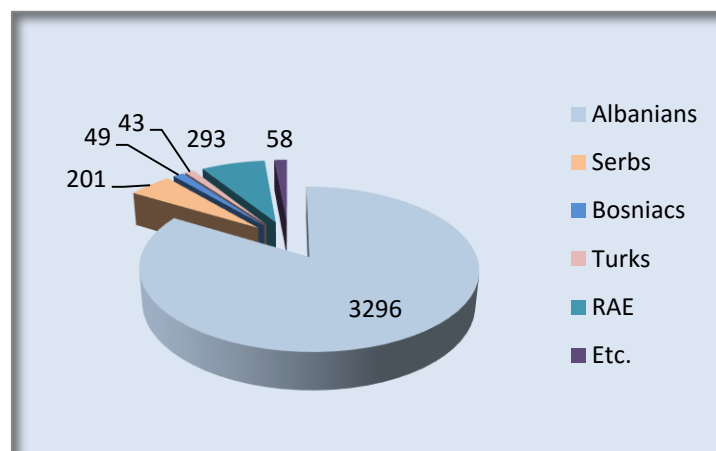
Gjilan Municipality covers 63 settlements

ROFLA Gjilan	Type			Gender		Ethnicity								Nr. of Cases
	Civ.	Adm.	Pen	F	M	Alb	Serb	Bos	Tur	Rom	Ashk	Eg	Etc	609
	180	393	36	217	392	593	2	0	0	10	1	0	3	

Period January - December 2012



Graphical presentation of number of cases as per type for period January - December 2012



Presentation of legal aid recipients by ethnicity and gender in 2012

5.3. International Cooperation

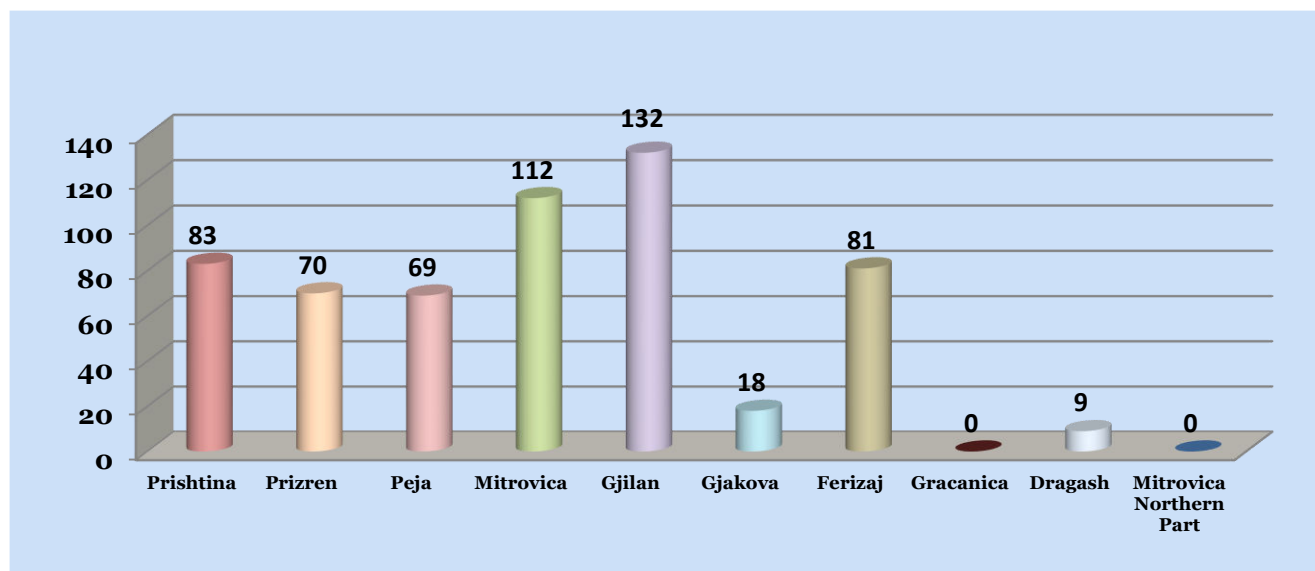
During this reporting year the Agency for Free Legal Aid has had international cooperation with participation, various meetings and implementation of some projects supported by UNDP, OSCE. As activities on international cooperation can be mentioned:

- Signing of the memorandum of understanding between the AFLA and the State Commission for Legal Aid of Albania,
- Visit to the Ministry of Justice in Albania,
- UNDP - Project Implementation,
- OSCE - support for AFLA staff trainings.

5.4. Cooperation of the Agency for Free Legal Aid with the Kosovo Chamber of Advocates (KCA)

AFLA continues to cooperate with the Kosovo Chamber of Advocates in determining positive measures to ensure fair representation of beneficiaries as well as legal aid providers.

In the reporting period for 2012, 518 (five hundred and eighteen) advocates have been hired.



5.5. Donors

Agency for Free Legal Aid has had considerable assistance especially from UNDP with the implementation of the project "Advancing Gender Justice" which has supported the Agency for Free Legal Aid in certain components throughout 2012, and still continues. AFLA has had support from OSCE in professional capacity building for the staff of AFLA, in the organization of trainings.

5.6. Deficiencies and Challenges in the Legal Aid System

By analysing the activities in terms of providing free legal aid, which is provided to people who do not have sufficient financial means, satisfactory results have been achieved. Despite this fact, the legal aid system since its establishment until today has had some deficiencies and different challenges.

5.7. Deficiencies in the Legal Aid System

Among main deficiencies of the Legal Aid System is the lack of financial means in the AFLA budget, resulting in:

- Limited engagement of advocates,
- Necessary sensibility of the public,
- Insufficient number of professional personnel,
- Low salaries on personal income,
- Insufficient training of staff in capacity building.

5.8. Challenges in the Legal Aid System

Agency for Free Legal Aid, as a new institution, has had a series of hindrances, deficiencies and various types of challenges.

Since its establishment until today, main challenges for the functioning of a qualitative system of Legal Aid in Republic of Kosovo are:

1. Establishment and ensuring a stable and sustainable budget to meet the needs of the parties and institutions of the overall system of Legal Aid in the Republic of Kosovo.
2. Fair and comprehensive implementation of primary and secondary legislation which as scope of activity and implementation has the Legal Aid system in the Republic of Kosovo.
3. Building professional and administrative capacities in the institutions of the Legal Aid system.
4. Sensibility and awareness of public, particularly groups of interest, whose interest relates to Legal Aid.
5. Advancing institutional cooperation between the institution of Legal Aid and central level institutions in the Republic of Kosovo, especially with institutions of justice in our country.
6. Researching and finding of financial resources from various donors.
7. Recruitment of new professional staff in the Legal Aid System, in accordance with the rules and standards of the Civil Service of the Republic of Kosovo.
8. Fair and equal presence of the general system of Legal Aid, in all geographic areas, respectively in all municipalities of Republic Kosovo.
9. Education and continued qualitative qualification of personnel within Legal Aid in the Republic of Kosovo.

In order to meet the challenges, avoid and eliminate hindrances and deficiencies of various nature, the Agency for Free Legal Aid, aiming to have a proper and legal system of Legal Aid proposes the following:

6. RECOMMENDATIONS

1. Budget Increase for the Agency for Free Legal Aid, in accordance with the requirements of the people who seek free legal aid in the Republic of Kosovo.
2. Incorporation of 8 (eight) offices for legal aid in Project “Advancing Gender Justice”, in Agency for Free Legal Aid, as regular offices for provision of legal aid.
3. Continuous awareness of institutions and bodies of the Republic of Kosovo on the importance that should be given to this institution.
4. Education and promotion of citizens’ awareness on the role and opportunities provided by AFLA.
5. Continued professional capacity building of the staff of this institution on usage of all existing legal mechanism for legal aid.