

Free for the Poor

Sat, 22/11/08**VIJESTI, Society****pag. 10**

JUSTICE FOR THOSE WHO CAN NOT AFFORD IT SOON

Podgorica (MINA) – Free legal assistance system which will be regulated through special law starting from the upcoming year will make justice attainable to those who do not have sufficient funds for mere existence – Mr. Miras Radovic, Minister of Justice, announced yesterday.

Ministry of Justice, Organization for Safety and Cooperation in Europe (OSCE) and United Nations Development Program (UNDP) organized yesterday round table discussing this theme where the Analysis of Necessity for Introduction of Free Legal Assistance in Montenegro was assessed.

According to Mr. Radovic, this Analysis will show which the best model for establishing of free legal assistance system is.

It will be verified through the Law on Free Legal Assistance which we will prepare and adopt in course of the forthcoming year – Mr. Radulovic said to the journalists.

He said that free legal assistance was an international standard, given that socially challenged individuals should not be deprived of the legal assistance.

As for the criminal law procedures, as he informed, Montenegrin legislation is familiar with means of free legal assistance, especially when it comes to obligatory defense in course of criminal law procedure and that instrument has been used far more frequently in the criminal procedures than in course of civil law procedures.

As he stated this right is one of the segments of right to justice availability which also is an international legal standard.

Mr. Radovic was not in position to reveal how many citizens of Montenegro would be able to use the right to free legal assistance. He said that legal assistance service functions within local governance of Podgorica, and 1300 individuals asked for its help in course of the past year.

As he stated, free legal assistance services exist in some other local governances, but they are not organized as the one functioning in Podgorica, but they act as departments of local governance thus they could not provide data of how many people sought help.

Over the last five years, over 700 individuals came to the Association of the Blind, the non-governmental organization which is involved in protection against domestic violence was sought by several dozens of individuals, while cca 150 of Roma also asked that type of help from certain non-governmental organization – Mr. Radulovic said.

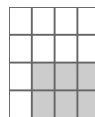
OSCE and UNDP supported the introduction of free legal assistance system while the donors are the Dutch and the Norwegian governments.

As he said, the state will pay for the legal assistance provided to the socially challenged categories.

Ms. Paraskeva Badesku, Head of OSCE Mission in Montenegro, said this segment of judicial system reform was important for Montenegro since its Constitution foresees free legal help.

This is in accordance with the European acquis and OSCE will support the model which best suits Montenegro - she said.

Mr. Francisco Roquette, UNDP Deputy Resident Representative to Montenegro assessed that availability of justice was one of the basic human rights.



USKORO OSTVARIVANJE PRAVDE I ZA ONE NEMAJU DOVOLJNO NOVCA

Besplatno za siromašne

Podgorica (MINA) – Sistem besplatne pravne pomoći, koji će od naredne godine biti regulisan posebnim zakonom, omogućiće ostvarivanje pravde i osobama koje nemaju dovoljno egzistencijalnih sredstava – saopštio je juče ministar pravde **Miraš Radović**.

Ministarstvo pravde, Evropska organizacija za bezbjednost i saradnju (OEBS) i Program ujedinjenih nacija za razvoj (UNDP) organizovali su juče u Podgorici okrugli sto o toj temi, na kojoj je razmatrana Analiza stanja za potrebe uvođenja besplatne pravne pomoći u Crnoj Gori.

Prema Radovićevim riječima, ta Analiza pokazaće koji je najbolji model za uspostavljanje sistema besplatne pravne pomoći.

– Ona će biti verifikovana kroz zakon o besplatnoj pravnoj pomoći koji ćemo pripremiti i donijeti u toku sljedeće godine – rekao je Radović novinarima.

On je kazao da pravo na besplatnu pravnu pomoć predstavlja međunarodni standard, s obzirom na to da osobe koje nemaju dovoljno novca ne treba da budu limitirane u ostvarivanju prav-



Poseban zakon za besplatnu pomoć: sa okruglog stola

de.

Što se tiče krivične procedure, naveo je on, crnogorski pravni sistem već poznaje instrument besplatne pravne pomoći, naročito kada je u pitanju obavezna odbrana u krivičnom postupku, i taj institut se u krivičnim postupcima intenzivnije koristi za razliku od parničnih.

To pravo, kako je naveo, predstavlja jedan od segmenta prava na pristup pravdi, koje je takođe međunarodni pravni standard.

Radović nije mogao da pre-

cizira koliko bi građana u Crnoj Gori moglo ostvariti pravo na besplatnu pravnu pomoć. On je kazao da u okviru lokalne uprave u Podgorici postoji služba pravne pomoći, kojoj se prošle godine obratilo više od 1.300 osoba.

I u nekim drugim lokalnim samoupravama, kako je naveo, postoje službe za pružanje besplatne pravne pomoći, ali one nijesu organizovane kao podgorička, nego kao dio organa lokalne uprave, i nijesu imale podatke koliko im se osoba obratilo za

pomoć.

– Savezu slijepih se u posljednjih pet godina obratilo više od 700 ljudi, nevladinoj organizaciji koja se bavi zaštitom od nasilja u porodici prošle godine se obratilo nekoliko desetina osoba, dok se oko 150 pripadnika romske populacije obratilo takođe jednoj NVO za tu vrstu pomoći – kazao je Radović.

Uvođenje sistema besplatne pravne pomoći podržali su OEBS i UNDP, a donatori su holandska i norveška vlada.

Besplatnu pravnu pomoć će, kako je kazao, plaćati država.

Šef Misije OEBS-a u Crnoj Gori **Paraskiva Badesku** smatra da je taj segment reforme pravosuđa značajan za Crnu Goru, jer i njen Ustav predviđa besplatnu pravnu pomoć.

– To je u skladu sa evropskim standardima, a OEBS će podržati model koji bude najbolji za Crnu Goru – kazala je ona.

Zamjenik stalnog predstavnika UNDP-a u Crnoj Gori **Francisko Rokat** ocijenio je da je pravo na pristup pravdi jedno od temeljnih ljudskih prava.