

# EXPERIENCE OF LEGAL CLINIC IN SERBIA

NEW QUALITY IN EDUCATION FOR GENDER EQUALITY – LAWGEM WORKSHOP – MAY 2, 2022



**Legal Clinics**

# UNIVERSITIES IN SERBIA THAT OFFER CLINICAL LEGAL EDUCATION

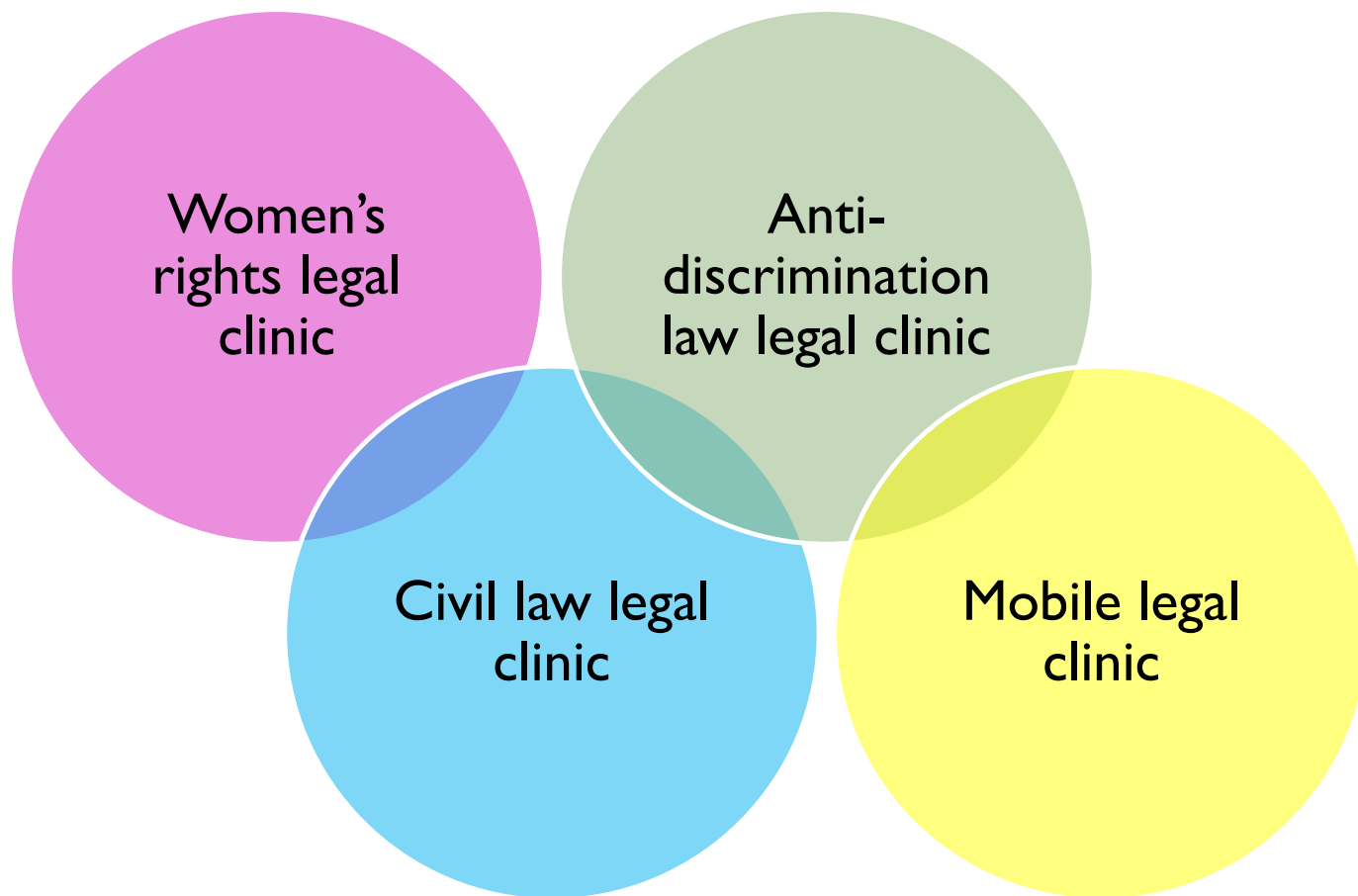


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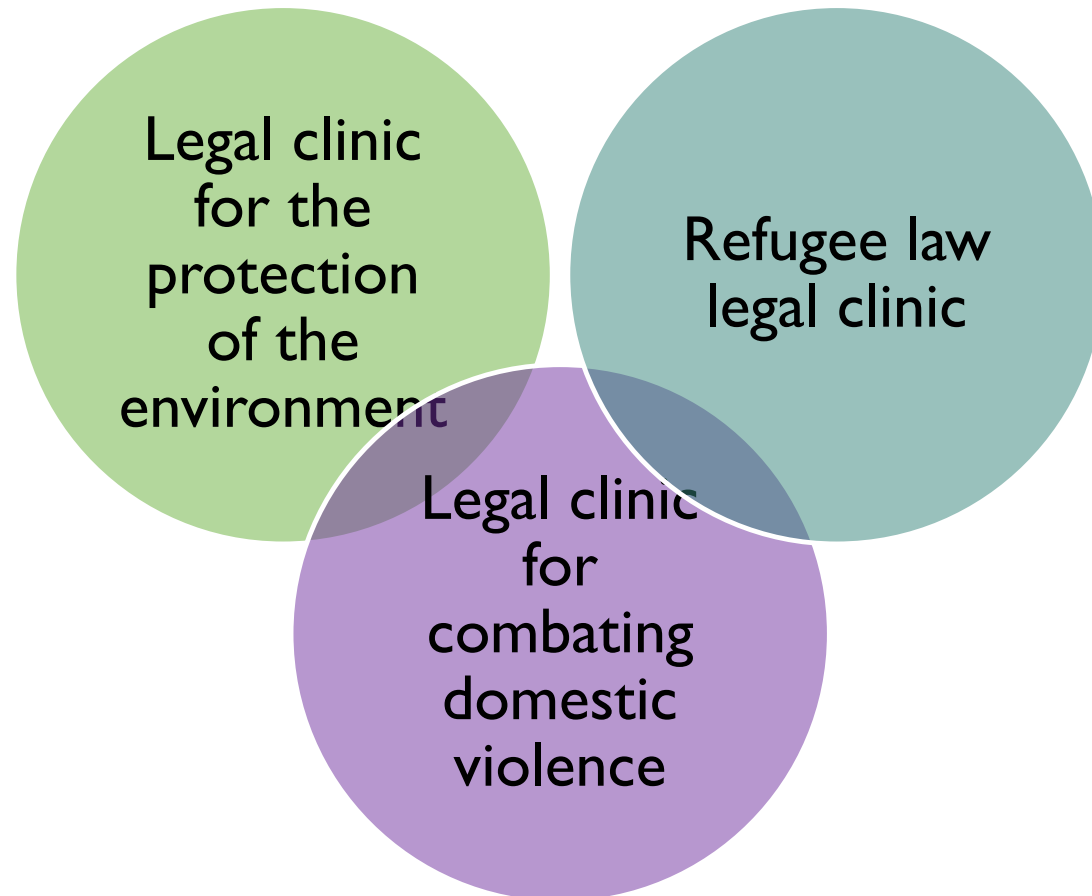
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# LEGAL CLINICS AT THE UNIVERSITY OF NIŠ FACULTY OF LAW



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# LEGAL CLINICS AT THE UNIVERSITY OF NOVI SAD FACULTY OF LAW



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# LEGAL CLINICS AT THE UNIVERSITY OF KRAGUJEVAC FACULTY OF LAW

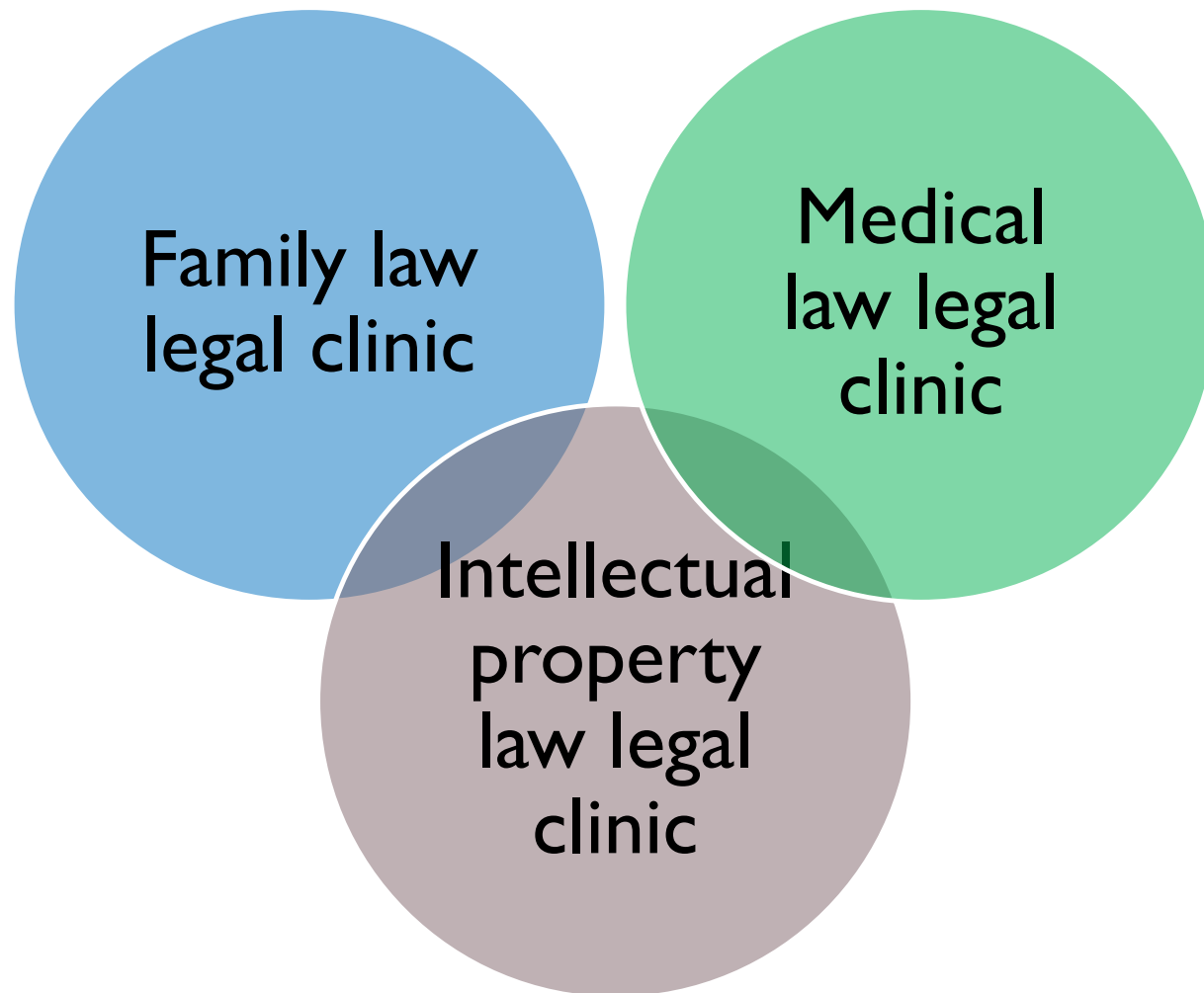
Labour, social  
and  
administrative  
law legal clinic

Legal clinic for  
protection  
from domestic  
violence



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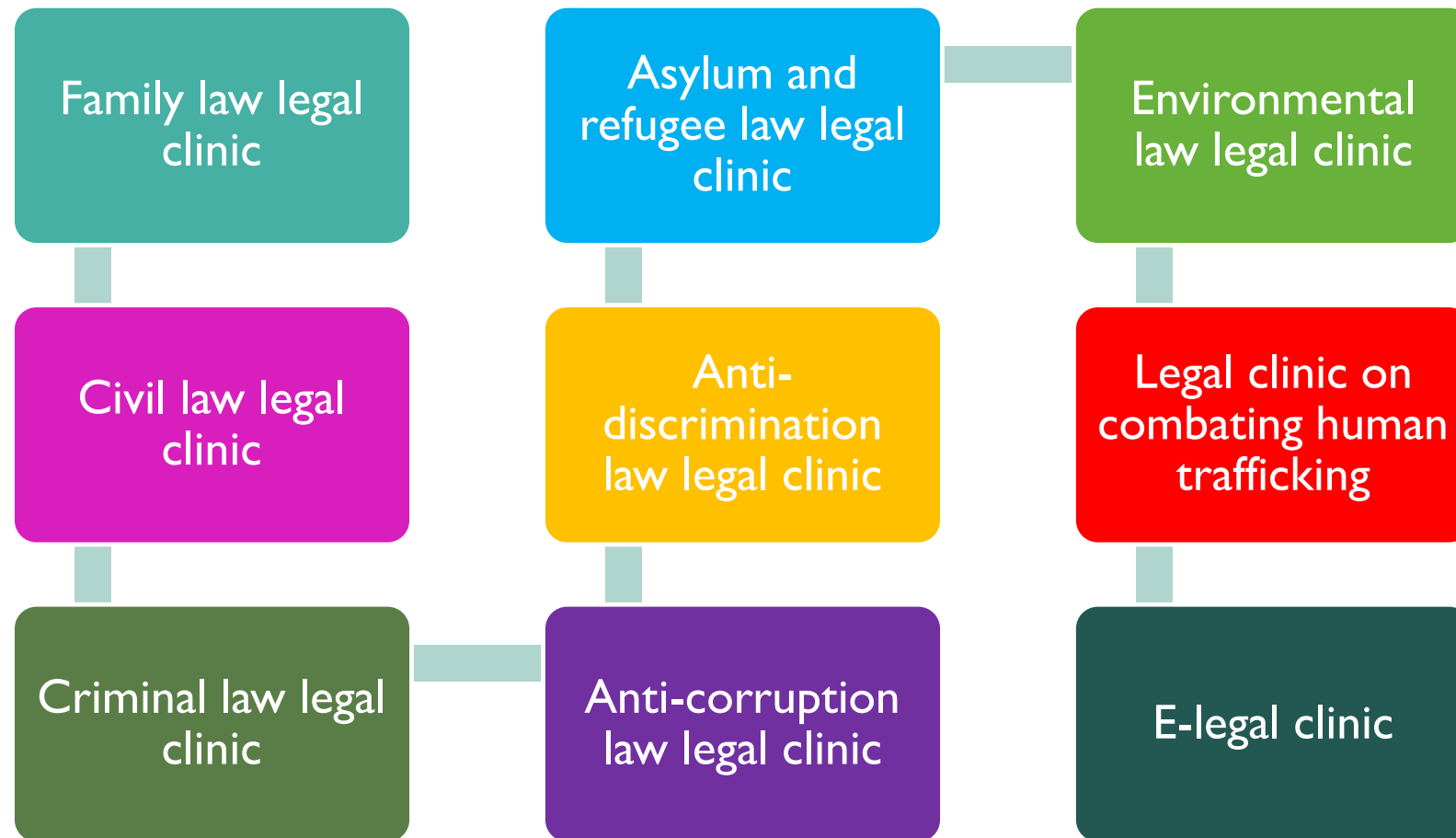
# LEGAL CLINICS AT UNIVERSITY UNION FACULTY OF LAW



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# LEGAL CLINICS AT THE UNIVERSITY OF BELGRADE FACULTY OF LAW



# MAIN GOALS OF LEGAL CLINICS IN SERBIA



## Relevance for the society in general

- Engaging universities in the life of the community
- Enhancing professionalism and professional ethics of future law graduates
- Educating students about the importance of *pro bono* work
- Sensitizing students for the needs and problems of marginalized and vulnerable groups

## Relevance for students

- Powerful pedagogical model
- Revision and upgrading of theoretical knowledge acquired within the subject to which the legal clinic program is related
- Additional training of students in terms of practical application of relevant substantive and procedural law of concern for the program of the legal clinic
- Improving students' practical and analytical skills
- Professional guidance of students in solving cases related to real life stories of fellow citizens
- Enabling students to establish quality contact with clients, to identify the legal problem and find a proper legal way to solve it



# HOW ARE THE MAIN GOALS OF LEGAL CLINICS IN SERBIA ACHIEVED



## Lectures

- Delivered by prominent theorists and practitioners
  - On legal ethics
  - On successful communication skills - conducting interviews and consulting with clients
- In-depth education of students in the field of law covered by the particular legal clinic



## Interactive teaching methods

- Legal case studies
- Writing of various submissions, legal acts and legal opinions
- Simulations of proceedings
- Moot courts



## Cooperation

- With relevant state bodies, IOs and NGOs
  - Internships
  - Organization of guided study visits
  - Field work
  - Practical work with experts at the faculty - judges, prosecutors, lawyers, public notaries, mediators

# CURRENT CHALLENGES IN RUNNING LEGAL CLINICS IN SERBIA



## In general

- Law on Free Legal Aid of the Republic of Serbia – in application since October 2019
- Law faculties (legal clinics) are recognized as 'providers of free legal support'
  - providing legal information and filling out forms
  - upon official registration
  - annual reporting to the Ministry of Justice
- Significant limitation for the functioning of legal clinics in terms of
  - opportunities for practical education of students
  - offering free legal aid to citizens

## Regarding gender equality

- Insufficient commitment to issues of gender-sensitive practice in the general education of law students
- Impossibility to work with real life clients
- Gender equality as a complex social and legal phenomena – various aspects (criminal law, criminal procedure, civil law, civil procedure, family law, labour law, international law, human rights law)

# GENDER ISSUES WITHIN EXISTING LEGAL CLINICS IN SERBIA



## Legal clinics that specialize in gender equality

- **Women's rights legal clinic** (Niš)
  - women's human rights – international and national standards
  - discrimination and gender based inequality
  - domestic violence
  - protecting women's personal integrity and property rights
- **Legal clinic for combating domestic violence** (Novi Sad, Kragujevac)
  - women as victims of domestic violence
  - women as victims of gender based violence
- **Anti-discrimination law legal clinic** (Belgrade)
  - legal status of transgender persons
  - hate crimes
  - discrimination and domestic violence
  - discrimination based on gender
    - international legal framework relating to gender discrimination and CEDAW case-law
    - violence against women
    - discrimination of women with regard to employment and labour law

## Legal clinics that deal with particular aspects of gender equality

- **Family law legal clinic** (Belgrade, Union)
  - issues involving implementation of the Law on Prevention of Domestic Violence
  - educating students to properly understand and treat cases of gender-based violence
- **Medical law legal clinic** (Union)
  - transgender and intersex people in different types of procedures (request for a decision on changing personal name, requesting reimbursement of costs for hormone therapy,...)
- **Refugee law legal clinic** (Belgrade, Novi Sad)
  - protection of women and girls refugees
  - female genital mutilation as a form of persecution
- **Legal clinic on combating human trafficking** (Belgrade)
  - workshop on risks of human trafficking and gender-based violence within the population of women and girls refugees in Serbia
  - webinar "New responses to trafficking and violence against women and girls in the context of global migration"

# THE MOST IMPORTANT GENDER ISSUE TO FOCUS ON AT THE LEGAL CLINIC IN SERBIA



- No single most important gender issue
- Instead → wide range of issues
- Proposed methods for future GELC:
  - drafting summaries and factsheets of international standards on various gender issues
  - conducting analysis of existing national legislative and judicial practices and their harmonization with international standards
  - drafting reports to be submitted to relevant international bodies
  - preparing briefs, legal analysis and opinions for different stakeholders
  - organizing debates on legal problems encountered by specific groups of women and other persons of concern for GELC (refugees, Roma, women with disabilities, women victims of domestic violence, women victims of human trafficking, migrant workers, transgender persons, ...)
  - providing 'know your rights' info sessions for specific categories of persons of concern for GELC

# HOW TO DEVELOP THE ROLE OF LEGAL CLINICS IN HIGHER EDUCATION IN SERBIA?



1. increase the number of legal clinics in all appropriate areas of law

2. offer students alternative practical teaching methods that would compensate for the normative obstacles introduced by the Law on Free Legal Aid

3. further enhance cooperation with relevant state bodies, IOs and NGOs

4. organize regular meetings of legal clinics' coordinators in order to share experiences, examples of good practices and discuss potential solutions for common problems

5. join the efforts of legal clinics operating in the particular field of law at different universities in order to achieve common goals