Please cite as: EUAA, '4.10.4. New projects in the provision of legal aid' in *Asylum Report 2023*, Maggio 2023.

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new projects in legal aid

Various new initiatives by Member States contributed to building capacity for the provision of legal aid and the development of specialised legal aid services for international protection applicants. At the same time, civil society organisations contested some changes in the organisation of legal aid services and their funding. For example, when the AMIF-funded project on the provision of legal counselling in the asylum procedure ended in Czechia, the Ministry of the Interior launched a public tender for the provision of legal assistance in March 2022, inviting law firms and attorney offices to apply.855 OPU raised concern about this new approach, especially that the awarded lawyers were not specialised in asylum matters, risking to undermine the quality of services.856 The NGO mentioned that, although the Ministry of the Interior intends to reopen the call for the provision of legal aid to NGOs, the lack of funding in 2022 resulted in a shortage of experienced staff.

In Slovenia, the Legal-Informational Centre for NGOS (PIC) contested the way the new AMIF call was organised. The call invited individual refugee counsels to apply, and NGOs were not able to participate. The call was not public but was instead sent to a limited number of refugee counsellors who were selected by the Ministry of the Interior; six were selected to provide aid between April-November 2022. Under the scope of the call, vulnerable and detained asylum seekers would be provided with free legal aid and representation to lodge an application, while others could be provided with the services during the personal interview if they asked for representation. PIC also raised concern with the low share of applicants provided with free legal aid and representation under the scheme.857

The Legal Aid Board in Ireland established a specialised sub-panel of lawyers who will provide legal aid in the international protection procedures as of 3 January 2023.858 . Legal aid is provided to those who have been granted it by the board in connection with their application for international protection. The sub-panel is designed to be operational initially for 1 year with the possibility of an extension, aiming to facilitate the organisation of services. Applicants will continue to apply for legal aid in one of the three designated law centres (Smithfield in Dublin, Seville House in Galway and Popes Quay in Cork), which are authorised to check eligibility criteria and designate a lawyer from the sub-panel.859 This is with the aim to alleviate current

concerns raised by the Irish Refugee Council, which noted the general lack of capacity, leading to applicants being told to complete the questionnaire by themselves and many applicants waiting over 6 weeks to be assigned a representative by the Legal Aid Board.860

In Malta, aditus foundation welcomed the strengthened cooperation with the Migrant's Advice Unit in the Agency for the Welfare of Asylum Seekers (AWAS), which is staffed with welfare officers who provide information on employment, housing, education, health and assisting with integration into the community. Since June 2022, an informal referral system was put in place for any beneficiaries of services residing in reception centres or in the community, where MAU can call or send an email to aditus lawyers to inquire about a more complex issue and refer the person appropriately.861

Convive Fondation Cepaim informed that bar associations in Spain were piloting their own International Protection Legal Assistance Offices since 2022, in cooperation with UNHCR.862 The aim is to increase the knowledge and skills of legal practitioners providing assistance in the asylum procedure.

In Croatia, the Ministry of the Interior signed a new contract with the Croatian Law Centre on for the implementation of an AMIF-funded project, "Legal advice in the process of granting international protection".863 Information material on legal assistance in the international protection procedure was prepared in various languages and distributed to asylum applicants, including relevant versions for unaccompanied minors.864

In 2022, the Foundation for Access to Rights in Bulgaria continued to build its capacity to provide effective legal assistance through a new cross-border project on legal assistance for the family reunification procedure and the integration of beneficiaries of international protection.865 The project continued existing initiatives on legal aid provision at every step of the asylum procedure.866 In total, 80 applicants benefitted from legal aid through an AMIF-funded project which targeted third-country nationals with special needs.867 The project ended in October 2022.

In addition, the Bulgarian Helsinki Committee continued its legal aid project funded by UNHCR and offered advice to 2,383 applicants throughout 2022. The efforts were undertaken in the absence of state-provided legal aid for applicants in Bulgaria, apart from legal aid provided to asylum-seeking and refugee children.868

IOM Bulgaria implemented a project "Providing legal advice and interpretation for third-country nationals seeking protection" in 2022, targeting mainly vulnerable applicants. In total, about 400 third-country nationals seeking asylum benefitted from legal assistance at all stages of the procedure.

In Germany, a legislative proposal was drafted to include asylum procedure counselling independent from authorities that also allows special legal aid for the LGBTIQ community and applicants with special needs (it is part of the funding programme for independent counselling).

In Slovenia, the pilot project for the provision of free legal assistance to vulnerable asylum applicants ended in October 2022. Since then, with UNHCR funding, the civil society organisation PIC has been providing free legal assistance to asylum applicants.

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