

«PROVISION OF LEGAL SERVICES IN UKRAINE AND OPPORTUNITIES FOR THEIR DIGITALIZATION»

RESEARCH RESULTS



The study was conducted within the Digital Solutions for Improved Access to Justice in Ukraine initiative, which is part of the UNDP Human Rights for Ukraine Project with the financial support of the Global Programme on Strengthening the Rule of Law and Human Rights for Sustaining Peace and Fostering Development, and the expert contribution of the Coordination Centre for Legal Aid Provision in Ukraine.

The [Human Rights for Ukraine](#) project is implemented with the support of the Ministry of Foreign Affairs of Denmark and is aimed at strengthening the inclusiveness and sustainable human development in Ukraine and further promoting democratic changes in the country, focusing on human rights and access to justice for all.

The views, comments, conclusions or recommendations expressed in this document are those of their authors and do not necessarily reflect the views of the United Nations Development Programme, the Global Programme on Strengthening the Rule of Law and Human Rights for Sustaining Peace and Fostering Development, or the Ministry of Foreign Affairs of Denmark.



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INTRODUCTION. METHODOLOGY

The study was conducted within the Digital Solutions for Improved Access to Justice in Ukraine initiative, which is part of the UNDP Human Rights for Ukraine Project with the financial support of the Global Programme on Strengthening the Rule of Law and Human Rights for Sustaining Peace and Fostering Development, and the expert contribution of the Coordination Centre for Legal Aid Provision in Ukraine. It was aimed at analysing the situation with the provision of legal services in Ukraine in order to define the potential to improve their accessibility to the people through digitalization.

The [‘Sustainable Development Goals: Ukraine’ National Report](#) presents a vision of benchmarks for achievement by the state of the Sustainable Development Goals, approved at the UN Sustainable Development Summit 2015. For example, under Goal 16: Peace, Justice and Strong Institutions, among the main obstacles to development are the low level of legal culture in communities and the traditions of addressing legal issues through non-legal ways, which contributes to aggravation of corruption.

Those findings have been confirmed by the [survey](#) “What Ukrainians know and think about human rights”, which showed that less than half of Ukrainians tried to defend their rights, and those who did so, often mentioned using social connections, for instance, friends and relatives (22%). Moreover, answering the question about the reasons why they decided not to defend their rights, respondents often said they did not believe that such defence would be successful (almost 40% said they regarded it as futile effort), as well as noted lack of funds (20%). At the same time, the people are not very well aware about the opportunities to receive legal aid from the state: half of the respondents (47%) do not know that such opportunity exists, despite the fact that, compared to 2016, the number of people who had received free legal aid from the state doubled (from 5% to 10%). These data, on the one hand, indicate a crisis of public confidence in the Government, while at the same time, show the low awareness of the existing mechanisms for the protection of rights¹, since the free legal aid system, launched in 2011, was quite extensive already in 2018, having covered the entire Ukraine.

In view of these challenges, as well as with the account to the state’s focus on automation of public services, digitalization – in particular, of legal services – is yet another solution that is expected to 1) make services more available, 2) optimise procedural issues to have access to the services, and therefore, improve accessibility for people, regardless of the level of their legal awareness, 3) reduce corruption risks and increase credibility of such services.

One of the objectives in the [Action Programme of the Cabinet of Ministers of Ukraine](#), approved in June 2020, is to “improve the effectiveness and accessibility of the free legal aid system for all who are unable to protect their rights and interests themselves, promote legal culture and legal awareness, build an effective system of access to legal information, in particular, through the digitalization of relevant services”.

Unlike many administrative or social services that can be provided electronically in accordance with clearly regulated procedures and algorithms, including all necessary documents signed online, legal services often are quite complicated, varied and complex, and, to a great extent, personalized. Therefore, their conversion to an electronic format seems to be a rather difficult task, and not all services are suitable for automated provision.

Therefore, this study was aimed at:

- **assessing the demand for services** to understand what legal services are the most relevant

¹ The insufficient level of citizens’ legal education was also noted by the participants of focus groups and in-depth interviews on the provision of legal services to socially vulnerable groups in Ukraine. The findings of the qualitative sociological survey, conducted in June 2020 by the Ilko Kucheriv Democratic Initiatives Foundation and commissioned by the UN Development Programme, were used to assess life situations that encourage members of the three selected socially vulnerable groups to seek legal aid; as well as to prepare recommendations for improvement of the legal services provision by applying information and communication technologies.

at the moment, with a special focus on socially vulnerable men and women, as well as corresponding life situations;

- **analyzing the current system of, and the situation with the provision of legal services,** regarding this aspect, it was important to study both the service providers, and the level of coverage, conditions and specifics of the provision of relevant legal services;
- **finding the best practices of digital solutions that are currently available,** the task was not to identify and analyse all solutions, but rather to identify current areas and trends in their use, etc.

Research methods. Given the variety of tasks of the study, a combination of different methods was applied to collect and analyse information:

- review and analysis of the legal framework and international standards for legal aid provision;
- analysis of information, including statistics, on the performance of the free legal aid system and of other legal aid providers;
- analysis of open sources regarding the availability of digital solutions for legal aid provision and the effectiveness/use of such solutions;
- focus group discussions and in-depth interviews (Annex 1) of:
 - residents of remote rural areas;
 - persons affected by the annexation of Crimea and the conflict in the Donbas;
 - representatives of organizations that defend the rights of persons with disabilities, and individual activists.

Considering that different methods may be applied to convert legal services into an electronic format, it is important, first of all, to determine the array of services and/or approaches to service provision that can be automated in the future. Accordingly, based on the findings of the study, a list of legal services that meet the criteria below is proposed for the establishment of new e-services:

- **demand:** services reflect the most frequently requested services or correspond to the most frequently mentioned life situations, with a special focus on vulnerable populations;
- **digital adaptability:** services or life situations can meet the criteria of depersonalisation, standardization of procedures and therefore, can be digitalized in the future;
- **sustainability:** possibilities to support the digital solutions in the future, the ramified structure of service providers and the absence of a need for additional financial donor support for further implementation;
- **regulated nature of digitalization:** the existence of a legal framework for the implementation of respective digital solutions.

The possibilities for expansion or improvement of the current digital solutions or approaches in the provision of digital services were analysed as collateral criteria.

Finally, the proposed digital solutions were considered through the lens of the tasks (timeframes and budget) of the Digital Solutions for Improved Access to Justice in Ukraine Project.

List of Acronyms

Coordination Centre	Coordination Centre for Legal Aid Provision
FLA	Free Legal Aid
FLA System	Coordination Centre and its territorial branches (Regional and Local Centres, including Legal Aid Bureaus)
FPLA	Free Primary Legal Aid
FSLA	Free Secondary Legal Aid
IDP	Internally Displaced Person
QES	Qualified Electronic Signature
Regional (Local) Centre	Free Secondary Legal Aid Regional (Local) Centre (collectively referred to as “the Centres”)

SECTION 1. GENERAL DESCRIPTION OF LEGAL SERVICES IN UKRAINE

1.1. LEGAL AID: THE GENERAL CONCEPT

For the purposes of this study, legal services are considered in the context of the right to legal aid.

The Constitution of Ukraine guarantees the right to professional legal aid for everyone. That right is one of the constitutional, inalienable human rights and is of a generic nature. Pursuant to **Article 59 of the Constitution of Ukraine**, “Everyone has the right to assistance from a professional lawyer. Such assistance is provided free of charge in cases envisaged by law. Everyone is free to choose the defender of his or her rights”².

The Constitution of Ukraine outlines the general principles for provision of free legal aid and one of the missions of the bar in Ukraine, namely to safeguard the right to defense against charges and provide legal aid in cases heard in courts and other government agencies without prejudice to the ability to use the services of another defender to defend his/her rights or do so him/herself.

According to the Law of Ukraine on Free Legal Aid, the right to free legal aid is a constitutionally-guaranteed opportunity for citizens of Ukraine, foreign nationals, and stateless persons, including refugees or persons in need of subsidiary protection, to receive the full scope of free primary legal aid services, as well as an opportunity for certain vulnerable groups to receive free secondary legal aid in cases specified by the Law.

The guaranteed right to legal aid ensures respect for other human rights and fundamental freedoms, including the right to protection, the right to be brought to trial without unreasonable delay, the prohibition of torture or other inhuman or degrading treatment.

In other words, that right is exercised by way of receiving relevant legal services. Thus, the Law of Ukraine on Free Legal Aid defines the following types of legal services:

- provision of legal information;
- provision of advice and clarifications on legal issues;
- preparation of appeals, complaints, procedural and other legal documents;
- representation of a person before courts, other government agencies, local governments, and other persons;
- ensuring the protection of the person from prosecution;
- facilitating a person's access to secondary legal aid and mediation.

Overall, the provision of legal assistance may be described as a professional activity of the lawyer community (lawyers, attorneys, legal professionals), aimed at assisting individuals and/or legal entities in addressing the issues connected with ensuring and implementing legal provisions enshrined in legislation, carried out primarily through the provision of one or more types of legal services to such persons.

² It should be noted that, pursuant to the amendments introduced to the Constitution of Ukraine in June 2016, Articles 29 and 59 now use the term ‘assistance from a lawyer’ instead of the term ‘legal assistance’ that was used previously.

In addition, the Constitutional Court of Ukraine provided two explanations to Article 59: “Everyone has the right to legal aid’ shall be construed as an opportunity for any person, regardless of the nature of their legal relations with the state authorities, local governments, citizens’ associations, legal entities and individuals, to receive assistance in legal issues in the amount and format as may be needed, freely and without undue restrictions (<https://zakon.rada.gov.ua/laws/show/v023p710-09#Text>);

“Everyone is free to choose the defender of his or her rights” shall be construed as the constitutional right of a suspect, an accused person and a defendant, in their defence against prosecution, and the person brought to administrative responsibility, in order to receive legal aid, to choose a person who is an expert in law and by law has the right to provide legal assistance, either in person or on behalf of a legal entity, to be the defender of their rights (<https://zakon.rada.gov.ua/laws/show/v013p710-00#n54>).

There are numerous criteria to classify legal aid and legal services, namely fee-based and free legal aid; primary and secondary; judicial and extrajudicial; they may be divided by branches (criminal, civil, family, administrative and other proceedings), by stages (inquiry, pre-trial investigation, court proceedings); by the provider (lawyer/other legal professional/legal representative/state authority, etc.); by the subject matter of the right to legal aid, etc.



1.2. FREE LEGAL AID

As mentioned above, peoples' right to receive free legal aid is guaranteed by the Constitution of Ukraine. After the Law of Ukraine on Free Legal Aid was adopted, the legal framework for the provision of free legal aid was established, and the principal concepts were formed and relevant mechanisms introduced.

Free legal aid (FLA) may be defined as a type of state guarantee for the exercise and protection of human rights and legitimate interests through the provision of legal aid to certain populations in the manner and on grounds stipulated by law, funded from the budget. The free legal aid institute is an integral part of the legal system in every democratic law-governed state. The establishment of such institute in Ukraine has been primarily necessitated by the provisions of the Constitution of Ukraine and the international law. According to experts, access to free legal aid is one of the most important issues in the area of human rights³.

Pursuant to the Law of Ukraine on Free Legal Aid, there is primary legal aid and secondary legal aid. Free primary legal aid (FPLA) envisages provision of legal information, advice, clarifications on legal issues, preparation of appeals, complaints, and other legal documents (except procedural documents). An important characteristic of this type of aid is that **all persons under the jurisdiction of Ukraine are eligible to receiving it. Also, the list of providers is extensive** and includes central executive bodies, local governments, individuals and private law legal entities, specialised institutions and centres for free secondary legal aid provision.

In contrast to the primary legal aid, only certain population groups, defined by law, are eligible for free secondary legal aid (FSLA). Those are mostly socially vulnerable persons who, due to their special status, are unable to pay for a lawyer: persons with low income, persons with disabilities, children, ex-combatants, internally displaced persons, victims of domestic violence and human trafficking, and other populations. Citizens of the states, with which Ukraine concluded relevant international agreements on legal aid, ratified by the Verkhovna Rada of Ukraine, and foreign nationals and stateless persons also are eligible to receive free secondary legal aid services on the basis of international agreements to which Ukraine is a party.

The full list of persons eligible for free secondary legal aid funded by the state is defined in Article 14 of the Law of Ukraine on Free Legal Aid. The FSLA providers are the FSLA Centres and lawyers registered as FSLA providers.

³ [The Right of a Person to Free Legal Aid, multi-author book](#); Danyilevska, Yu.O., Pavlyk, L.V., Petrovych, Z.Z., Tsmots U.O. 2018.

Key characteristics of free primary and secondary legal aid in Ukraine⁴

	FREE PRIMARY LEGAL AID	FREE SECONDARY LEGAL AID
Legal services	<ul style="list-style-type: none"> provision of legal information; advice and clarifications on legal issues; assistance in preparing appeals, complaints and other legal documents (except procedural documents); facilitating a person's access to secondary legal aid and mediation. 	<ul style="list-style-type: none"> defense; representation of a person before courts, other government agencies, local governments, and other persons; preparing procedural documents.
FLA Providers	<ul style="list-style-type: none"> executive agencies; local governments; individuals and legal entities under private law (in accordance with Article 12 of the Law on Free Legal Aid); specialised institutions; free secondary legal aid centres, legal aid bureaus. 	<ul style="list-style-type: none"> Free Secondary Legal Aid Centres (FSLAs); lawyers registered as FSLA providers.

1.3. LEGAL FRAMEWORK FOR LEGAL AID PROVISION IN UKRAINE

1.3.1. International standards. International legal standards for the right to legal aid are enshrined in the **International Covenant on Civil and Political Rights**⁵. Article 14 (3) (b) and (d) of the Covenant guarantees that, in the determination of any criminal charge against them, everyone shall be entitled to: have adequate time and facilities for the preparation of his/her defence and to communicate with counsel of his/her own choosing; be tried in his/her presence, and to defend himself/herself in person or through legal assistance of his/her own choosing; to be informed, if he/she does not have legal assistance, of this right; and to have legal assistance assigned to him/her, in any case where the interests of justice so require, and without payment by him/her in any such case if he/she does not have sufficient means to pay for it.

In 2012, the General Assembly approved the **Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems**⁶ (the Guidelines). According to the Guidelines, legal aid is an integral part of a fair, humane and effective criminal justice system based on the rule of law. Legal aid is the basis for the exercise of other rights, including the right to a fair trial. The document states that countries must regard the provision of legal aid as their duty and responsibility.

The Guidelines state that legal aid includes legal advice, legal defense and representation of persons detained, arrested or held in custody; persons suspected, accused or convicted of criminal offenses, as well as for victims and witnesses, that are provided free of charge to persons who do not have sufficient funds or if required in the interests of justice. Besides, legal aid must include legal education, access to legal information and other services provided to individuals with the use of alternative dispute resolution arrangements.

The Convention for the Protection of Human Rights and Fundamental Freedoms⁷ guarantees

⁴ Coordination Centre for Legal Aid Provision, *The Free Legal Aid System in Ukraine: an overview*, 2014.

⁵ https://zakon.rada.gov.ua/laws/show/995_043#Text

⁶ <https://minjust.gov.ua/files/general/2013/01/09/201301090000006605.pdf>

⁷ https://zakon.rada.gov.ua/laws/show/995_004#Text

everyone accused of committing a criminal offense the right to defend himself/herself in person or through legal assistance of his/her own choosing or, if he/she has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require (Article 6, paragraph 3 (c)).

In addition, the case law of the European Court of Human Rights defines access to legal aid as the most important component of the right to a fair trial and interprets the criteria for obtaining legal aid from the state. Thus, the Court takes into account whether Article 6 of the Convention envisages provision of legal aid depending on various factors, including: (a) the importance of the dispute subject matter for the complainant (*Steel and Morris v. The United Kingdom*, §61); (b) the complexity of the respective law or process (*Airey v. Ireland*, §26); (c) the applicant's ability to present himself effectively in court (*McVicar v. the United Kingdom*, 48-62; *Steel and Morris v. the United Kingdom*, §61; *P., C. and S. v. the United Kingdom*, §100); (d) presence of the mandatory requirement to have a representative in court (*Airey v. Ireland*, §26) (*Gnahoré v. France*, §41).

Besides, the Court considered whether there is a right to legal aid in civil cases connected with human rights protection in the context of §1, Article 6, of the Convention. For example, Article 6 §1 does not state that the State must provide free legal aid in any dispute concerning "civil rights" (*Airey v. Ireland*, §26). There is a clear distinction between Article 6 §3 (c), which guarantees the right to free legal aid in criminal proceedings in certain circumstances, and Article 6 §1, which does not explicate the matter of legal aid (*Essaadi v. France*, §30). The purpose of the Convention, however, is to protect practical and effective rights, in particular the right of access to court. Respectively, Article 6 §1 may sometimes obligate the state to provide legal aid where such aid is necessary for effective access to court (*Airey v. Ireland*, §26)⁸.

1.2.2. Provisions of national legislation. The international standards and constitutional guarantees, mentioned above, cannot be properly implemented without adequate integration into the provisions of national legislation. This factor is also important for the purposes of the review, in the context of the presence/absence of legal restrictions on the digitalization of the relevant services, standards to be taken into account, etc.

Thus, national standards for ensuring person's constitutional right to legal aid are enshrined in the Constitution of Ukraine, the 2012 Criminal Procedure Code of Ukraine, the 2004 Civil Procedure Code of Ukraine, the 2005 Code of Administrative Justice of Ukraine, the 1991 Commercial Procedure Code of Ukraine, the 2011 Law of Ukraine on Free Legal Aid, the 2012 Law of Ukraine on the Bar and the Practice of Law, and other statutory instruments.

The Criminal Procedure Code of Ukraine stipulates that in cases envisaged by the Code and/or the law governing the provision of free legal aid, the suspected or accused person shall be provided with free legal aid funded by the state (Article 20). Article 52 of the CPC defines the cases of mandatory engagement of a defence counsel in criminal proceedings, in particular in criminal proceedings regarding particularly serious crimes; if the accused person is a minor; if the accused person does not speak the language of the criminal proceedings, etc.

According to the **Civil Procedure Code of Ukraine**, parties to civil proceedings have the right to free representation of interests, while the **Code of Administrative Justice of Ukraine** similarly states that persons whose administrative cases are considered in court have the right to free representation in accordance with the procedures stipulated by law.

The Law of Ukraine on the Bar and the Practice of Law⁹ is another key legislative act on the provision of legal aid that legally establishes the organizational and operating principles of the bar and the practice of law in Ukraine, particularly the requirements for becoming a lawyer, the responsibility of

⁸ In *Airey v. Ireland*, the applicant requested a court order to separate from her husband, who had physically abused her, but she could not have it granted as she did not have the means to pay for a lawyer. The European Court ruled that it violated her rights under Article 6, which envisaged the protection of civil rights and freedoms by the court. The remedies must be effective rather than illusory. Many civil and political rights have social and economic consequences with positive obligations. The right to legal aid exists if it is necessary for ensuring effective access to court. The court relied on its arguments in the *Airey* case in a number of subsequent cases.

⁹ <https://zakon.rada.gov.ua/laws/show/5076-17#Text>

lawyers, types of practice of law, the system of lawyers' self-governance, etc.

On 9 July 2011, **the Law of Ukraine on Free Legal Aid**¹⁰ entered into force, defining the content of the right to free legal aid; the procedure for exercising that right; the grounds and procedure for the provision of free legal aid; the state guarantees for the provision of free legal aid. This legislative instrument sets out the institutional framework for further exercise of the right to legal aid and, essentially, the implementation of the constitutional guarantee that earlier had a rather declarative nature.

Therefore, **the adoption of the Law of Ukraine on Free Legal Aid enabled Ukraine to create a legal framework and institutional mechanisms for the implementation of both, everyone's right to professional legal aid enshrined in Article 59 of the Constitution of Ukraine, in particular in cases where it must be provided for free, in accordance with the law, and obligations under a number of international treaties that contain provisions on guarantees for legal aid provision.**

¹⁰ <https://zakon.rada.gov.ua/laws/show/3460-17#Text>

SECTION 2. PROVIDERS OF LEGAL SERVICES IN UKRAINE



2.1. GENERAL OVERVIEW OF LEGAL AID PROVIDERS

In accordance with the provisions of national legislation, legal aid may be provided by public entities, private law individuals and legal entities.

As noted above, the main state free legal aid provider is the **system of free legal aid (FLA System)**, since, in accordance with the Law of Ukraine on Free Legal Aid, it is this system that is intended to implement the state guarantees regarding the provision of legal aid. The FLA System is an extensive network of centres and lawyers registered as providers of free secondary legal aid. The legal aid provided by the FLA System covers the largest geographical area and, consequently, provides for access to the largest number of potential clients¹¹. These characteristics make the FLA System a unique provider of legal services, so we believe that it should be considered separately.

Concurrently with the FLA System, **all executive bodies, local governments**, within their mandate, ensure the organization and holding of reception of persons, consideration of appeals, complaints, public inquiries, other documents, mostly non-procedural, and, within the scope of their competence, provide respective assistance that falls within the primary legal aid. Analyzing these services, it should be kept in mind that each relevant body/institution is restricted by its mandate or a specific area of authority, and even with the nation-wide mandate, not all of them have a broad regional coverage, and therefore, the access to services is not as wide. However, in view of the specifics of the mandate, we regard it as necessary to single out the following public legal aid providers:

- The Commissioner for Human Rights of the Verkhovna Rada of Ukraine, who is an official entrusted with the exercise of parliamentary oversight over the observance of constitutional rights and freedoms and the protection of the rights of everyone on the territory of Ukraine, within its jurisdiction and on a permanent basis¹². Any person may, without restrictions and obstacles, appeal to the Commissioner, who accepts and considers such appeals and may initiate her own proceedings, explain the measures that the complainant must take, or redirect the appeal as appropriate.
- The National Police of Ukraine is the central executive body that serves the society by ensuring the protection of human rights and freedoms, combating crime, maintaining public safety and order. In the entire territory of Ukraine, a police officer, regardless of official post, location and time of day, if contacted by any person with a statement or report of events that threat personal or public safety, or in case of direct detection of such events, is to take the necessary measures aimed at saving people, providing assistance, including legal aid, to those who need it, and informing the nearest police authority accordingly.
- Public notaries also provide legal and technical services, which, by their content, are legal aid and services of technical issuance of documents, and are not intended to generate profit¹³. Legal aid is provided by public notaries through clarification of issues concerning effective legislation, legal advice, oral and written excerpts from the legislation, preparation of appeals, draft deeds and other documents.

Legal services provided by **private law entities** encompass legal services provided by lawyers (preparation of procedural documents, pre-trial representation, representation in court, etc.); private notaries (certification of civil law agreements, wills and testaments, powers of attorney, etc.); private law firms (oral, written, online advice, licensing services, consulting services, etc.); lawyers

¹¹ The FLA services are provided to a wide range of entities. Depending on the type of aid, its scope may cover all persons under the jurisdiction of Ukraine, or be limited to the most vulnerable categories, but it is necessary to note that the scope constantly expands.

¹² [The Law of Ukraine on the Human Rights Commissioner of the Verkhovna Rada of Ukraine](#) of December 23, 1997, № 776/97. [Provisions on the Verkhovna Rada Commissioner for Human Rights](#), Order of the Verkhovna Rada Commissioner for Human Rights No. 4/8-12 of June 20, 2012.

¹³ <https://zakon.rada.gov.ua/laws/show/z0055-98#Text>

at enterprises, institutions and organizations (contractual and claim activities, etc.); human rights organizations (legal advice, clarifications, protection of the rights of people seeking assistance, etc.); legal clinics (provision of legal information, advice, clarifications on legal issues, drafting non-procedural documents, etc.). Legal services by these entities are subject to regulation by the [Laws of Ukraine on Notaries, on the Bar and the Practice of Law, on Civic Associations](#), as well as with account to the requirements of procedural legislation of Ukraine, Charters of relevant non-governmental organizations (civic associations)¹⁴ and Regulations on their activities. Those are predominantly services that are provided for a fee and cannot be regarded as the implementation of the constitutional guarantee for legal aid.

Human rights non-governmental organizations, or organizations active in the area of law, are a special type of non-governmental non-profit organizations, whose activities are aimed at promoting and protecting human rights and fundamental freedoms, and effective supervision over their observance by government agencies and officials. Among such organizations are [the Ukrainian Helsinki Human Rights Union](#), [the Legal Development Network Public Union](#), [the Ukrainian Legal Aid Foundation](#), [the Association of Legal Clinics of Ukraine](#), [the Right to Protection Charitable Foundation](#), and other civic associations that carry out their activities based on Charter documents approved by the governing bodies of those organizations. The objective of human rights organizations is to provide complainants with basic information on legal issues; identify the legal needs of the population; actively cooperate with authorities in order to address individual issues and protect public interests; implement legal conflict resolution methods (conciliation, mediation), as well as develop communities and leadership. Those organizations' clients are often vulnerable populations, and they provide the aid free of charge, since their goal is not to generate profit but to promote respect for human rights.



2.2. ORGANIZATIONAL STRUCTURE OF THE FLA SYSTEM AND THE IMPLEMENTED TOOLS FOR PROVISION OF FREE LEGAL AID

According to the Law on Free Legal Aid, the system of free legal aid encompasses:

- 1) Coordination Centre for Legal Aid Provision;
- 2) free primary legal aid providers;
- 3) free secondary legal aid providers.

At present, the FLA System in Ukraine consists of **23** regional, **84** local centres for free secondary legal aid provision, **431** legal aid bureaus located in all regions of the country; more than **7,500** lawyers registered as FSLA providers, and about **1,500** full-time legal counsels¹⁵.

The **Coordination Centre** for Legal Aid Provision performs general management in this area, oversees and ensures strategic development of the FLA System in Ukraine¹⁶. It was established as a state body subordinate to the Ministry of Justice of Ukraine.

Regional Centres for Free Secondary Legal Aid Provision¹⁷, located in oblast administrative centres, enter into agreements with lawyers to provide free secondary legal aid in criminal proceedings, and coordinate the activities of local centres in those oblasts.

Local Centres for Free Secondary Legal Aid Provision, located in the administrative centres of

¹⁴ [Law of Ukraine on Civic Associations](#) No. 4572-VI adopted on March 22, 2012. A civic association is a voluntary association of individuals and/or private law legal entities with the purpose of exercising and protecting rights and freedoms, and satisfying public interests, including economic, social, cultural, environmental, etc. By its organizational and legal form, a civic association may be formed as a non-governmental organization or public union. A non-governmental organization is a civic association, the founders and members of which are individuals. A public union is a civic association, the founders of which are private law legal entities, and the members (participants) may be both private law legal entities and individuals.

¹⁵ [Official website of the Coordination Centre for Legal Aid Provision](#).

¹⁶ [Provisions on the Coordination Centre for Legal Aid Provision](#), approved by the Resolution of the Cabinet of Ministers of Ukraine No. 504 of June 6, 2012.

¹⁷ [Provisions on Free Secondary Legal Aid Centres](#).

regions, enter into agreements with lawyers to provide primary and secondary legal aid in those areas. **Legal Aid Bureaus** are structural subdivisions of local centres and are located in small and remote localities.

Also, five PRAVOKATOR legal clubs have been established and they operate within the FLA System. They are located in Dnipro, Kyiv, Lviv, Odesa and Kharkiv. They were the first communication platforms among government agencies to have been established for ensuring the training and development of the FLA staff, lawyers, the lawyer community and other stakeholders; sharing experience, generation and implementation of innovations in the field of justice.

In order to ensure the independent management of the FLA System, the transparency of its activities and the effective implementation of the state policy in the area of free legal aid, the Supervisory Board of the Coordination Centre for Legal Aid Provision was recently established. It operates on the basis of the Regulation on the Supervisory Board of the Coordination Centre for Legal Aid Provision, approved by the Decree of the Ministry of Justice of Ukraine No. 2551/5 of 14.08.2019, and consists of nine members elected through competition.

In addition to the activities of regional and local centres, legal advice and information are provided via telephone through the **FLA Contact Centre**.

In order to create favourable conditions for the provision of free legal aid (legal information, advice and clarifications) to people residing in remote localities that are difficult to access, since 2016, a network of **remote and mobile units** providing such aid has been operational across Ukraine¹⁸. Remote units are established and operate, in particular, at territorial centres of social services (provision of social services); healthcare facilities and education institutions; military units; boarding homes, including those for the elderly and single persons; non-governmental and volunteer organizations engaged in the protection of the rights of persons with disabilities. Another tool to ensure access to free legal aid is **field consultations** that are provided to people through mobile counselling units. Single persons, the elderly, persons with disabilities are visited at their actual place of residence or stay in order to provide specific legal services.

This practice is quite interesting and promising in terms of the introduction of digital technology and online formats, because it concerns access to remote areas and people who have the worst access to legal services. Besides, according to the FLA System, remote units already practice provision of online advice, use telephone and other information technology. In 2019, the total of **59,738** persons received legal aid through the FLA remote units, and **30,868** people received aid during visits by mobile units¹⁹.

Therefore, the FLA System, headed by the Coordination Centre for Legal Aid Provision, is sustainable, extensive, general and state-guaranteed, which are key characteristics for a legal aid provider in terms of implementing systemic digital solutions.



2.3. INTERACTION BETWEEN THE FLA SYSTEM AND NON-GOVERNMENTAL ORGANIZATIONS

Analyzing the existing FLA System, it is necessary to focus on the coordination of activities on legal aid provision.

An important component of ensuring people's access to legal services they need is the **proper organization of interaction between legal aid providers** – government agencies (institutions) and non-governmental organizations. In practice, this is done in the following manner. A client is referred by a partner organization to a local centre if the partner organization, to which the person appealed earlier, is unable, for objective reasons, to provide primary or secondary legal aid (lack of

¹⁸ Such units operate, in particular, on the basis of [Regulation](#), approved by the respective Order of the Coordination Centre for Legal Aid Provision.

¹⁹ [FLA system report for 2019](#).

qualified experts, the partner organization does not provide the necessary legal services, etc.)²⁰. And vice versa, if any person applies to the local free secondary legal aid centre, but cannot confirm his/her eligibility for such aid according to the categories of persons defined by Law, an employee of the Centre refers such person to the respective civic partner organization that can provide aid. At present, the FLA System collaborates with 914 partner organizations, of which 814 focus on providing legal aid²¹. Such organizations are represented in each oblast and operate in their specific areas.

The system of legal aid providers in Ukraine is quite extensive. Since the FLA System has the widest geographical coverage and ensures non-discriminatory access to vulnerable populations, a conclusion may be made that digital solutions in the provision of legal services should be developed and implemented in close collaboration with the FLA System. Besides, the provision of legal services by the FLA System is subject to mandatory regulation and quality control.

Also, it should be noted that, while human rights organizations cannot be regarded as permanent legal aid providers in the country (rather, they are partners of the state system), such organizations also have information on client needs, because, apart from providing the aid, they advocate the national- and local-level decision-making and policies aimed at addressing the issues in the field of human rights, representing the interests of a particular category of people. Therefore, the experience and position of non-governmental human rights organizations is important for the purposes of the analysis and will be taken into account.

²⁰ On July 19, 2019, the Coordination Centre issued an Order No. 61 [Certain aspects of interaction between local free secondary legal aid centres and partner organizations for referral of persons in need of free legal aid](#), which approved the Procedure for interaction between local free secondary legal aid centres and partner organizations for referral of persons in need of free legal aid, and defined the mechanisms for its implementation.

²¹ <https://www.legalaid.gov.ua/pro-systemu-bpd/memorandumy-ta-ugody/partnery-systemy-bpd/>

SECTION 3. ANALYSIS OF POPULATION'S NEEDS FOR LEGAL SERVICES

With account to the provided overview of national legal aid providers, as well as the Project's focus on improving access to legal services for the most vulnerable populations, the analysis of demand for services took into account 1) reports/information of (both public and private) free legal aid providers with a regional network of offices, and 2) findings of a qualitative sociological survey (focus group discussions and in-depth interviews with representatives of certain vulnerable populations/NGOs that provide legal aid to vulnerable populations).



3.1. OVERVIEW OF LEGAL SERVICE PROVIDERS' REPORTS

Analyzing legal services provided by line ministries/state institutions and organizations/local governments, etc., it should be pointed out that those are predominantly advisory services, limited by the mandate/functions of the relevant agency or institution. Accordingly, in our opinion, their inclusion in the analysis will not provide a complete picture either by the region or subject matter. As an exception, for the purposes of this study, information on appeals and complaints to the VRU Commissioner for Human Rights was taken into account, since the institution has a broad human rights protection mandate as well as a network of regional offices in each oblast.

3.1.1. Characteristics of services provided by the FLA System. In 2019²², the FLA System recorded more than **700,000** instances of legal aid provision, with **88%** of aid provided at the level of local Centres, which are primarily responsible for primary legal aid provision: advice, clarifications, assistance in preparation of non-procedural documents. The largest share (**89%**) of aid provided local Centres was, again, primary legal aid.

The services provided by local and regional Centres differ. Thus, local Centres mostly provide primary legal aid, as well as secondary legal aid to persons eligible for such aid in civil and administrative cases, to witnesses and victims in criminal proceedings, and represent the interests of the convicted. Regional Centres focus on ensuring the participation of the defence counsel in the pre-trial investigations and court proceedings in cases envisaged by the criminal procedure legislation, for the purpose of dock brief or conducting a separate procedural action.

The analysis of appeals to the FLA System Contact Centre provides a similar picture. Thus, according to the 2019 outcomes, the Contact Centre received **245,265** calls, with their majority (**52%**) being about legal advice, another **13%** – requests for the address and contact information of the nearest FSLA Centre to apply for clarification, and only **5%** – reports of detention of persons and requests for referral to a relevant regional Centre.

The distribution of appeals to local FSLA Centres and the Contact Centre by subject matter is different to a certain extent. Thus, the majority (17%) of appeals to the Contact Centre concerned administrative issues (which also include referrals, clarification of administrative procedures). This may be explained by the fact that men and women apply to the Contact Centre not to actually obtain a legal service, but rather due to a lack of understanding where to apply to address an issue or receive an administrative service.

The distribution of inquiries of local Centres' clients regarding legal advice and clarifications by subject matter is as follows:

- **17%** – civil law;
- **17%** – family law;

²² 2019 report of the FLA provision system (<https://www.legalaid.gov.ua/wp-content/uploads/2020/04/zvitbpd-2019.pdf>)

- **10%** – housing law;
- **9%** – inheritance law;
- **6%** – land law;
- **4%** – pension law.

Interestingly enough, 62% of inquiries to local Centres were from women, and notably – women over the age of 60 (34%), which correlates with recommendations of international institutions²³ and with findings of other studies on the access to justice as well as sociological research data showing that women more often need professional legal aid and seek clarifications (not only from the FLA System but also from other government agencies)²⁴. It can be assumed that women need legal advice more than men; they more frequently find themselves in life situations where they need to seek qualified legal assistance or do not have the opportunity or sufficient level of legal awareness to address the issue that prompted them to apply to the FLA Centre.

The subject matter of women's and men's inquiries differs, with family issues being central to those of women (**20%**), while only **12%** of men apply to Centres to address family law issues. However, women and men seek resolution of civil law issues with equal frequency (17% and 18%, respectively).

Evidence suggests that legal advice in addressing certain issues is most often required by socially vulnerable populations, such as persons with disabilities (**14%**), internally displaced persons (**12%**), ex-combatants (**10%**)²⁵. Most frequently, persons with disabilities sought free secondary legal aid in family law (22%), civil law (22%) and housing law (12%); the most relevant subject matter for persons affected by the military conflict includes protection of property rights, access to habitable housing, renewal of documents to confirm Ukrainian citizenship, establish identity or special status, etc.

It should also be noted that the geographical remoteness also affects the frequency of appeals to the FLA System. Thus, in 2019, **67%** of people that applied to Legal Aid Bureaus were residents of remote rural areas. Accordingly, only a third of appeals were from residents of big cities. The majority of appeals from residents of remote communities were related to real estate registration and agricultural land use, according to analytics posted on the official website of the Coordination Centre.

3.1.2. Analysis of services provided by human rights organizations. In view of the fact that as of late 2018, more than 84,000 non-governmental organizations were registered in Ukraine²⁶ and it is almost impossible to single out those providing legal aid, for the purposes of this analysis several NGOs that had been operational for more than five years and had certain regional offices/units/branches/partnerships for provision of legal aid, and also submitted performance reports, were selected. The same applies to NGOs that do not have clear specialization or represent interests of only a certain category of men and women.

The Ukrainian Helsinki Human Rights Union (UHHRU). As of 2018²⁷, the UHHRU network of public reception offices consisted of 19 representative offices throughout Ukraine. They are mainly engaged in the provision of free legal aid in case of human rights violations in the regions. In 2018, the UHHRU public reception offices provided aid to 11,866 persons. It should be highlighted that 22% of appeals were from IDPs. The UHHRU's report emphasizes that this is an unusually large number of appeals from members of a particular group, which evidences its vulnerability.

²³ See [General Recommendation No.33](#) of the UN Committee on the Elimination of Discrimination against Women of 23 July 2015, CEDAW/C/GC/33, [Council of Europe Gender Equality Strategy for 2018-2023](#), Strategic Objective 3: Ensuring equal access to justice for women.

²⁴ In particular, this is mentioned in the Gender Analysis Report on the Results of the All-Ukrainian Survey on the Observance of IDP Rights <https://www.vplyv.org.ua/archives/1350>.

²⁵ Mentioned in the [analysis papers](#) of the Coordination Centre for Legal Aid Provision.

²⁶ https://ukrstat.org/uk/operativ/menu/menu_u/susp_d.htm

²⁷ https://helsinki.org.ua/wp-content/uploads/2019/06/YearReport_UGSPL2018_Ukr-1.pdf

A quote from the report: “Behind that number are stories of people who were forced to leave their homes due to military operations. They lost their homes, jobs, property, and social ties. That is why they face numerous issues in the new place: securing and termination of social benefits, labour disputes, registration of births and deaths in the non-government-controlled areas, collection of loans and other debts”.

In this context, it should be noted that since January 2017, all internally displaced persons, as well as persons who applied for IDP status, have been found eligible for free secondary legal aid. According to the Ministry of Justice²⁸, starting from that time and until December 31, 2019, local FSLA Centres made more than 18.8 thousand decisions on the provision of free secondary legal aid upon written requests from internally displaced persons.

Another large group of people who applied to the UHHRU public reception offices are the elderly, which correlates with the FLA System data, since 4% of FLA concerns pension law.

Public Union “Legal Development Network”. According to the Union’s 2019 Report²⁹, its network of offices consists of 23 organizations in 15 regions of Ukraine. These organizations provide the population with basic information on legal issues, actively cooperate with local governments to address individual issues and to protect the public interest, and implement alternative ways of conflict resolution.

In 2019, the staff of the Network offices provided almost 35,700 services, of which 97% were primary legal advice, which also correlates with the FLA System data in terms of the demand for legal advice and clarifications.

The “client’s profile” is also similar to the stated above, since the majority of appeals for aid were from women (57%) rather than men (43%); one third of those women and men were persons aged 30 to 45 (36%) and pensioners (27%). The only difference worth mentioning is the fact that organizations were mostly approached by men and women from cities (73%) rather than from rural areas (27%). But this can be explained by the fact that most organizations are located in cities and do not have an extensive network of offices and do not practice field visits, etc., as the FLA System.

The use of digital technology for the provision of services is also important in the Union’s activities; in 2019, according to the report, 3,415 appeals for legal aid were received by the Network offices and processed remotely, through legal advice online chat.

Association of Legal Clinics of Ukraine. In 2019, almost 17,000 services (ranging from provision of advice to the preparation of procedural documents and representation in court) were provided.

Today, the Association covers more than 50 legal clinics³⁰, as of 2019³¹, the network of clinics provided almost 7,500 consultations, approx. 6,500 responses and prepared about 1,000 legal documents. In addition, nearly 1,800 procedural documents were prepared. The average number of consultations (provision of information and advice) per one legal clinic almost doubled, reaching 296 in 2019, compared to 155.5 in 2018.



3.2. DEFINING NEEDS OF VULNERABLE POPULATIONS FOR LEGAL SERVICES: FINDINGS OF THE SOCIOLOGICAL SURVEY

In June 2020, the Ilko Kucheriv Democratic Initiatives Foundation, upon request of the UN Development Programme, carried out a qualitative sociological survey to identify the most relevant legal services for three socially vulnerable groups – persons with disabilities; persons living in remote

²⁸ <https://minjust.gov.ua/news/ministry/valeriya-kolomiets-programa-help-dopomagae-yuristam-ta-advokatam-bpd-zahischaty-pravovnutrishno-peremischenih-osib>

²⁹ <https://ldn.org.ua/event/richnyy-zvit-hs-merezha-pravovoho-rozvytku-za-2019-rik/>

³⁰ <https://legalclinics.in.ua/>

³¹ https://legalclinics.in.ua/wp-content/uploads/Web_Zvit_AKSU.pdf

areas; persons affected by military operations in the Donbas and by the annexation of Crimea. In the course of the survey, three focus group discussions (FGDs) and three in-depth interviews were conducted. The findings of the survey are presented in Annex 1.

Summarizing the data gathered, it should be noted that the three selected target groups had different experiences of accessing legal services and of life situations, for the addressing of which those were provided. Thus, for **residents of remote rural areas**, the issues were mainly related to land use, good neighbourliness and limited access to legal services. For the **people affected by the conflict in the Donbas and the annexation of Crimea**, the main legal issues concerned the (re) issuance of documents, confirmation of their status as IDPs or ATO combatants, as well as arrangement of social allowances and benefits that they are entitled to in accordance with the legislation. For **representatives of organizations of persons with disabilities**, the main issues were the complicated access to legal aid and justice in general, as well as a number of issues related to social security, rehabilitation and discrimination. The generalised list of life situations/areas/issues that most often prompted the respondents to seek legal aid is as follows:

Participants of focus group discussions	Life situations that most frequently compelled one to seek legal aid
Group 1. Residents of remote rural areas	<ul style="list-style-type: none"> Privatisation and registration of land plots; Legal aspects of utility services; Registration of inheritance; Receiving social benefits; Payment of alimony.
Group 2. Persons affected by the conflict in the Donbas and the annexation of Crimea	<ul style="list-style-type: none"> Registration of documents and loss of information from registers and databases; Issuance of IDP and ATO combatant certificates, and benefits related to those; Registration of place of residence and general housing issues.
Group 3. Representatives of organizations of persons with disabilities	<ul style="list-style-type: none"> Procedure for establishing disability and determining the respective legal status; Accessibility of social infrastructure, including courts; Failure of the state to fulfil its social obligations; Various forms of discrimination; Protection against domestic violence.

Residents of remote and rural areas

According to the discussion results, respondents in the group of residents of remote rural areas most frequently faced life situations where they needed legal aid to address a number of land issues connected with privatisation and land registration; certain aspects of utilities provision; registration of inheritance; receiving social benefits; alimony payments, etc.

A respondent who is a practicing lawyer pointed out that due to the lack of basic legal knowledge, certain life situations are not addressed for years, although the actual addressing would have taken a much shorter time. Also, residents of remote rural areas traditionally mentioned difficulties in obtaining any legal services that are only provided in the district of oblast centres.

Example

W.: "Our village is located almost 40 kilometres away from the district centre. To get there, a pensioner would have to pay UAH 42. This is one way; and another UAH 42, to come back. Most of the villagers, you know, are people with poor health. It takes efforts and money to go there. And it takes more than one trip. Most residents, as far as I understand, do not know about free legal aid at all...". (FGD-2)

M.: "We also live 45 kilometres away from the oblast centre and 20 kilometres – from the district centre. And we seem to have registrars at the Village Council, who, for some reason, do not perform certain basic actions, and refer people to the district... <authorities>". (FGD-2)

Persons affected by the conflict in the Donbas and the annexation of Crimea

The legal issues facing the persons affected by the conflict in the Donbas and the annexation of Crimea significantly differed from those of other populations, and were to a large extent connected with the consequences of the conflict; for that reason, their main issues were related to registration and reissuance of documents, difficulties in confirming their status as IDPs and ATO combatants, as well as arrangement of social assistance and benefits that they are entitled to in accordance with the legislation. Besides, in case of IDPs, even ordinary life situations and events had their own specifics that the agencies and institutions that people applied to were not always prepared to handle.

Example

Participant of FGD-3, IDP:

W. "They talked about the register, which is difficult. I encountered this when I wanted to get a passport to travel abroad. It was just a bunch of documents. And I was told that if I go through this procedure, then next time I would not need to repeat it all. But I received an ID card, and everything was the same again.... And in order to do this in Kyiv, a certificate of resettlement was required. And because the deadline expired to paste a photo, they could not issue this certificate. And without this certificate we could not get a passport." (FGD-3)

W. "For example, when you apply to the Kyiv City Council, you take a coupon, and you are referred to an available official, and you come to someone who is allocated to you. Usually people there say: "This is not a matter for us", they say: "Come here, go there" and send us to various authorities. There used to be an ATO call centre. Then, I realized that it was closed or something. But I believe that issues concerning migrants and anti-terrorist operation should be addressed separately.

Persons with disabilities

Some focus group respondents emphasized that regarding the issues facing persons with disabilities, most life situations that required legal aid had been typical and did not greatly differ from those faced by the majority of the population. However, such issues are usually more acute, since persons with disabilities have limited capacity to address them. Also, there are issues specific to this group, namely the complex procedure for establishing disability status and the relevant legal status; accessibility of social infrastructure; failure by the state to fulfil a number of social obligations to protect the rights of persons with disabilities, etc.

In the course of focus group discussions, representatives of organizations engaged in the protection of the rights of persons with disabilities most frequently raised the issue of accessibility of both the legal services and justice in general. It covered the accessibility of the legal system facilities, and

other obstacles to obtaining legal services by persons with disabilities.

Example

Participant in FGD-1, a person with a disability

M.: "The issues that persons with disabilities face are often no different from those of ordinary people... I tried to recall what appeals have been made over the last 5 years regarding protection of persons with disabilities. The most serious issues, perhaps, were domestic violence, when a person was actually in a situation of total dependence on others that the person lived with, and felt certain torture on their part. Then there were issues related to the provision of rehabilitation equipment, when, due to gaps in domestic law, certain groups of persons with disabilities, with cerebral palsy in particular, could not get an electric wheelchair. Then there were appeals regarding accessibility of various facilities, stores, cafes and schools. There were issues regarding the person being denied employment due to disability, and employers' reluctance to create jobs for persons with disabilities, even when it was possible to provide a remote workplace. At present, I happen to have several clients who encountered discrimination in the provision of financial services, when, due to their disability, they were denied certain financial services available for other people. And it was their disability that was grounds for the discrimination. These seem to be the highest profile cases. I still remember an interesting case, although it happened a little earlier, when a couple from a boarding home had a child, and their baby was taken away and they were denied the opportunity to raise their child. That was an egregious case, which was also connected with gaps in the domestic law" (FGD-1)

W.: "Those were most diverse legal issues, ranging from the very procedure of establishing a disability status and preparing an individual rehabilitation plan, to everything that is connected with the ordinary life of a citizen, including a citizen with a disability. Those are issues related to property; housing accessibility; payment of utility bills; training; and employment. There are nuances in appeals, for example, regarding receiving financial assistance or domestic violence caused by the lockdown. Persons with disabilities suffer from domestic violence as well."

Gender differences in the required legal services for the target groups under study

The format of focus group discussions did not provide an opportunity for clear gender disaggregation of specific needs and issues facing the studied populations. If the need for certain services was expressed by a woman or a man, it did not mean that they were gender conditioned, since the format of the study was qualitative rather than quantitative. The materials gathered, however, provide for identification of only certain needs that are gender-specific or significantly differ in the frequency of occurrence.

Thus, for women with disabilities, issues of prejudice and unethical behaviour of doctors are more common and are almost never confronted. This is especially true of reproductive health. Participants of the focus group #1 emphasized that the given issue primarily affected women.

Similarly, the issue of prejudice in the provision of healthcare services, as well as registration of the legal status of an ex-combatant or disability, concerns female veterans too. Women's participation in the armed forces and volunteer battalions is often not tolerated, which results in discriminatory phenomena in terms of rehabilitation and return to peaceful life.

At the same time, the issue of legal protection against domestic violence for persons with disabilities is more complex than for the general population, since both women and men with disabilities greatly suffer from domestic violence, because they are dependent on caregivers and are often unable to complain about abusive treatment.

Residents of remote rural areas raised the issue of alimony, which often remains unaddressed. In case of a divorce, children are most often raised by women who, due to difficulties in accessing legal aid

and low level of legal knowledge, are unable to influence the process. The main issue is the lack of legal enforcement of such payments.

Low level of awareness of one's rights and of the right to legal aid in particular. It should be noted that the participants of all three focus groups mentioned a **rather low level of legal awareness** in their communities, even among civic activists. As for the majority of persons with disabilities, the respondents rated their level of knowledge as very low. Sometimes it results in situations where a person is either unaware of his/her rights being violated, and does not protect them, and sometimes the situation is reverse – a person may think that his/her rights are violated, although the actual legal perspective indicates otherwise.

At the same time, some respondents regard achievement of a high level of legal awareness as unrealistic but pointed out that it is necessary to improve the access to legal services – an ordinary person does not have to be a professional in law, **but should know who to apply to once that need arises.**

Summing up, the analysis of service providers' reports and sociological survey results points to the fact that the issues faced by the respondents have common features and subject matter:

- The overwhelming majority of men and women participating in sociological surveys mentioned situations that **required primary legal aid, and more often shared experiences of obtaining advice.** Similarly, in all the reports analysed, a significant share of aid was the provision of advice and legal information.
- The subject matter mostly concerned life situations and issues related to **social and economic rights, and family law.** The subject matter somewhat differed depending on the region, type of locality, category, but the areas of issues were identical.
- The majority of the respondents in the focus groups found it difficult to understand the procedural details, and lacked relevant knowledge and understanding of what institution to contact. Similar trends have been indicated by the reports of the FLA System and non-governmental organizations, since a significant part of their activities is **education and awareness raising**, at least in terms of the actual possibility to obtain legal aid.

The common features do not rule out certain differences, which were more clearly identified in the sociological surveys, because each group of respondents had special needs to be taken into account in consideration of the provision of legal services:

- The importance of accessibility: both persons with disabilities and residents of remote areas indicated the issue of access to legal services. The specifics may be different (inaccessibility, lack of relevant specialists in some cases and geographical remoteness in others), but both situations point to the potential of digital technology and IT solutions for addressing accessibility issues.
- Lack of understanding of specifics of issues facing IDPs, because, in fact, any ordinary life situation that happens to a man or woman in that group may have its own specifics and, accordingly, require special professional knowledge. The issue, inter alia, can also be addressed by integrating certain filters, at least in order to refer the person to a specialist who has the relevant knowledge and understanding of the situation.
- There are gender differences in the demand for legal aid, which are largely related to the stereotypization of gender roles in the society; placement of household and childcare responsibilities on women; gender-based violence, etc. In this sense, the digital solutions for addressing legal issues (online consultations, electronic queues, etc.) can be regarded as effective tools to increase access to justice for women.

SECTION 4. DIGITAL TECHNOLOGY IN THE PROVISION OF LEGAL SERVICES IN UKRAINE

4.1. PREREQUISITES FOR DIGITALIZATION OF LEGAL SERVICES IN UKRAINE

Among the long-term priorities of the Government's activities, defined in the [Action Programme of the Cabinet of Ministers of Ukraine, approved by the Decree of the Cabinet of Ministers of Ukraine No. 471 on 12 June 2020](#), are priorities related to the development of public services and their digitalization, informatization of the society, promotion of IT business and Ukrainians' digital literacy.

In particular, the digital transformation of public service delivery envisages ensured access of people and businesses to high-quality and convenient services, free of corruption risks; optimization of service delivery procedures; development of public electronic registers; and ensuring interoperability (electronic interaction). This goal is expressed in the 'A State in a Smartphone' concept, which has become fundamental for the digital transformation of public service delivery in Ukraine.

However, in order to interact with a government agency or a local government online people need to use the relevant technology, at least – have access to the Internet, adequate electronic device and level of digital literacy. According to a survey initiated by the Ministry of Digital Transformation with the support of partner organizations in 2019, digital skills of 53% of Ukrainians are below the basic level; while almost 15% of respondents do not have any digital skills at all³². Therefore, concurrently with training in the basics of digital literacy, it is very important to develop human-centred and inclusive electronic public services. This is especially important in ensuring the access to electronic services for vulnerable groups that are in the foreground of our study – people living in remote rural areas; persons with disabilities; people affected by the conflict in the Donbas and the annexation of Crimea. The vulnerable populations should be able to use the relevant state support tools. Thus, a key activity of public authorities in the target scenario is the implementation of national digitalization projects and finding relevant models of public-private partnership for their implementation.

In contrast to many administrative and social services that are offered online, conversion of legal services into an electronic format appears to be too difficult, due to their variability and the need to use individual approach in each case. However, it is common practice for clients to seek legal aid through hotlines, the Contact Centre, and consultation with specialists through an online chat on the website of an institution/organization, or in messengers. Such options are currently offered by both the FLA System in Ukraine and some human rights non-governmental and commercial organizations. Therefore, at least such legal services as provision of legal advice and clarifications can be obtained in both offline and online formats.

4.2. DIGITAL SOLUTIONS AVAILABLE FOR LEGAL AID PROVISION

Ukraine also implemented other digital solutions related to the provision of legal aid, in particular, electronic appeals, web platforms, mobile applications, chatbots, electronic registers and certificates, electronic court petitions, etc. Below are some examples of such solutions.

✓ **Electronic appeals**

This is the most common electronic service that enables residents of Ukraine to submit an appeal (or a complaint) to the state authorities. For example, on the official **Government Portal** there is an [electronic form for citizens' appeals](#) and providing responses to them.

Electronic appeal is a kind of a written appeal, therefore it is subject to requirements of Article 5 of the

³² Ministry of Digital Transformation of Ukraine, [Study of digital skills of Ukrainians](#)

Law of Ukraine on Citizens' Appeals. The electronic appeal should contain the full name (surname, given name, patronymic); place of residence of the person; the essence of the issue raised; the applicant's signature (in the majority of electronic forms for appeals, also a consent to the processing of personal data); e-mail address for feedback. Unsigned electronic appeals, as well as those with unknown authorship, are considered anonymous and not subject to consideration. It should be noted that a qualified electronic signature (QES) of the applicant is not required.

According to the information posted on the Government portal, from January to March 2020, **3,367** electronic appeals from individuals were received. The most pressing issues raised in people's appeals were the activities of central executive bodies – 37.7% of all appeals; ensuring observance of law and protection of law and order, exercise of people's rights and freedoms – 14.1%; social protection – 11.4%; utilities – 6.9%; transport and communication – 5.9%.

Besides, from January to March 2020, the [IT service Electronic Petitions on the Government portal](#) received 254 petitions, of which 134 were published, and 120 – declined with the relevant explanations to their authors.

The official website of the VRU Commissioner for Human Rights also contains an electronic form for submission of electronic appeals. In addition to filling out the form online, it is also possible to send an electronic appeal in the form of a scanned copy or photocopy (to be addressed to hotline@ombudsman.gov.ua). The [statistics](#) on the official website of the VRU Commissioner for Human Rights show that using e-appeals is an important and convenient option. In particular, in 2019, 68% of all appeals were sent in writing, 27% – received via telephone and only 5% – during a personal reception.

Some central authorities only provide an option to download an application form to be filled out. For example, the single portal of the Ministry of Internal Affairs contains links to the appeal electronic template, but the template is in the text format, and its submission does not envisage an automatic process, but instead requires the user to fill it out and send to a specific email address of the MIA of Ukraine (example 1):

Template for submission of electronic appeals to the Ministry of Internal Affairs of Ukraine		Example 1 ³³
Electronic appeal*		
Postal address of the Ministry of Internal Affairs of Ukraine	Ministry of Internal Affairs of Ukraine, 10, Academician Bogomolets St., Kyiv, 01601	
E-mail address of the Ministry of Internal Affairs of Ukraine	pgmia@mvs.gov.ua	
Type of appeal: proposal (comments), statement (petition), complaint**		
Personal data of the appellant		
Full name		
Address, postal code	(Enter mailing address)	
E-mail address	(Enter e-mail)	
Contact phone	(Enter phone number)	

³³ Ministry of Internal Affairs of Ukraine, [Electronic appeals of citizens](#)

The content of the appeal	<i>(The essence of the issue raised, comment, proposal, appeal or complaint, request or demand)</i>
Date	
E-mail address to send the response, or information about other means of communication	

✓ WikiLegalAid Platform for provision of legal advice

Answers to legal questions can be found independently through the [WikiLegalAid Reference and Information Platform of Legal Advice](#), aimed at raising legal awareness and knowledge of the population. The platform contains both references to regulations and samples of procedural documents and references to court decisions:

Example 2³⁴

✓ Legal aid web platforms

In addition to the FLA System website, there are also comprehensive IT resources that provide legal advice and clarifications. In particular, these are online platforms 'Prosto Prav', 'PRO-BONO', created on the initiative of the [Ukrainian Legal Aid Foundation](#).

[The 'Prosto Prav' IT resource](#) was created to enable each person (client) to post information about his/her problem and receive professional legal aid or directly contact a lawyer registered on the website. Registered lawyers can provide legal services either free of charge, as noted in their portfolio on the website, or for a fee. In the latter case, the lawyer informs the client about the price of services immediately after receiving the request and all the necessary information on the case from the client through the chat window. Clients can also evaluate the lawyer's professional level (rating the specialists) and provide their feedback.

[The 'PRO-BONO' Space](#) is an online platform that brings together representatives of the civic sector and the legal business. Working with law firms, bureaus and associations, the PRO-BONO Space helps

³⁴ [Categories of WikiLegalAid](#)

the legal business to show its social responsibility and the civic sector to receive professional legal support to work more effectively for the benefit of society.

✓ Mobile apps

- [*Mobile app for free legal aid clients*](#)

The mobile app for the FLA System's clients is a joint product of the Coordination Centre for Legal Aid Provision, the Ministry of Justice of Ukraine, and the Ukrainian Legal Aid Foundation, created with the support of the International Renaissance Foundation to simplify and improve FLA clients' access to public services.

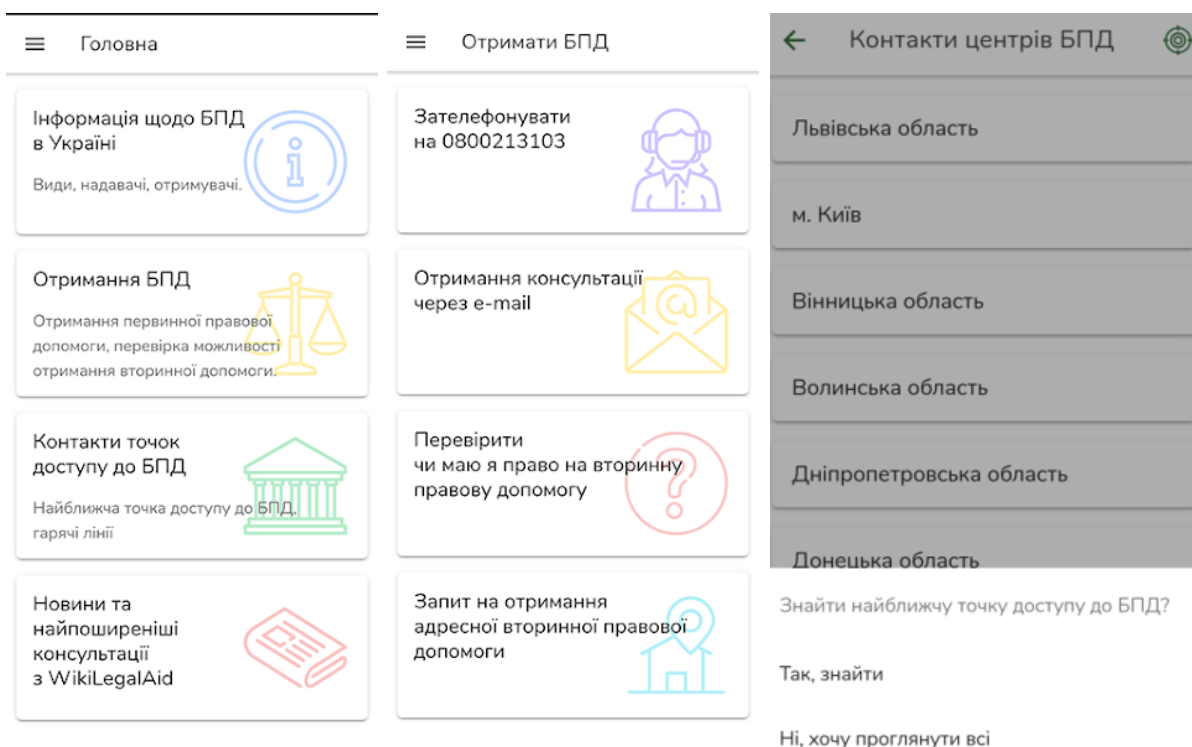
The mobile app enables users to:

- learn about FLA services;
- check the possibility of obtaining primary legal aid;
- check the possibility of obtaining secondary legal aid;
- find the nearest FLA Centre and obtain all necessary contact information;
- send a request for legal aid;
- read the news and the latest advice at WikiLegalAid.

One of the main functions of the mobile app is to inform about all the nearest legal aid Centres. From now on, information about all FLA offices or local human rights organizations can be obtained faster and more conveniently. Besides, the app provides for calling 0 800 213 103 to receive legal advice, request a written legal advice, apply for defense and representation in court, send a request for specific legal aid.

Example 3

Interface of the Free Legal Aid mobile app



- [*'Your Rights' mobile app*](#)

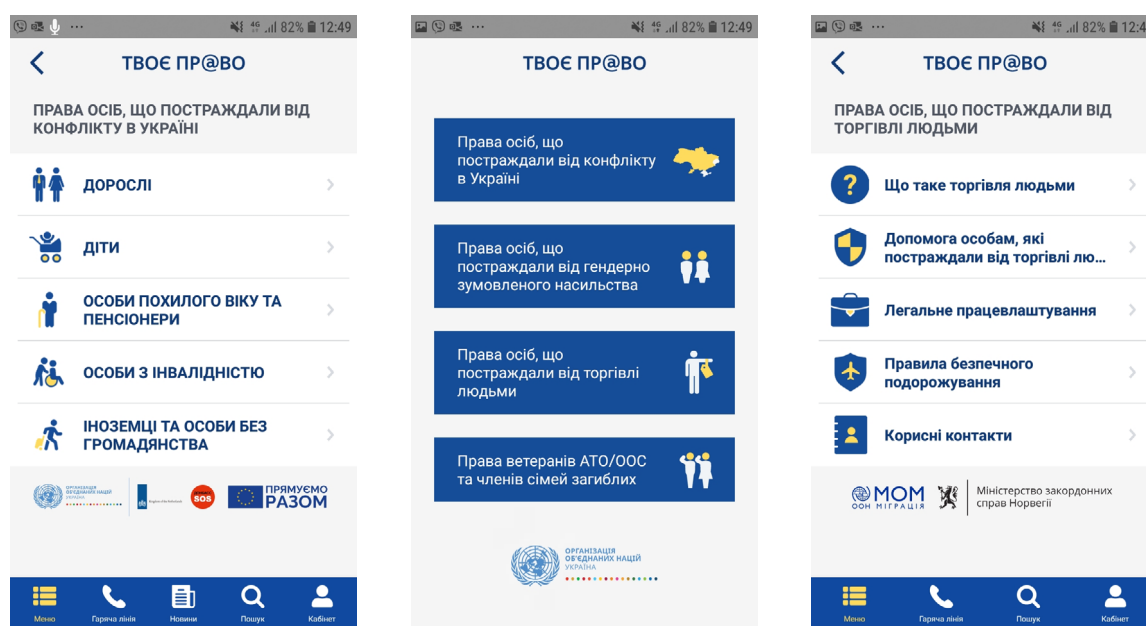
In 2018, jointly with a network of partners, the UNDP's Recovery and Peacebuilding Programme initiated the launch of the 'Your Rights' mobile app, which contains both the necessary reference information and algorithm of actions for persons who need adequate legal aid for the protection and restoration of their rights. In October 2020, the administration of the mobile app was transferred to the FLA System for further development and improvement, in cooperation with partners. The app currently contains four sections for the protection of:

- persons affected by the conflict in Ukraine;
- victims of gender-based violence;
- victims human trafficking;
- ATO/UFO combatants and family members of those killed in action.

Additional options of the 'Your Rights' mobile app include advanced search, contact information of FSLA Centres and the hotline call button (separate in each of the four sections). In the future, the functionality of the app can be expanded by adding new sections with a set of legal issues most frequently faced by various populations. For example, they may include categories about the rights of persons with disabilities or residents of remote rural areas.

Example 4

Interface of the 'Your Rights' mobile app

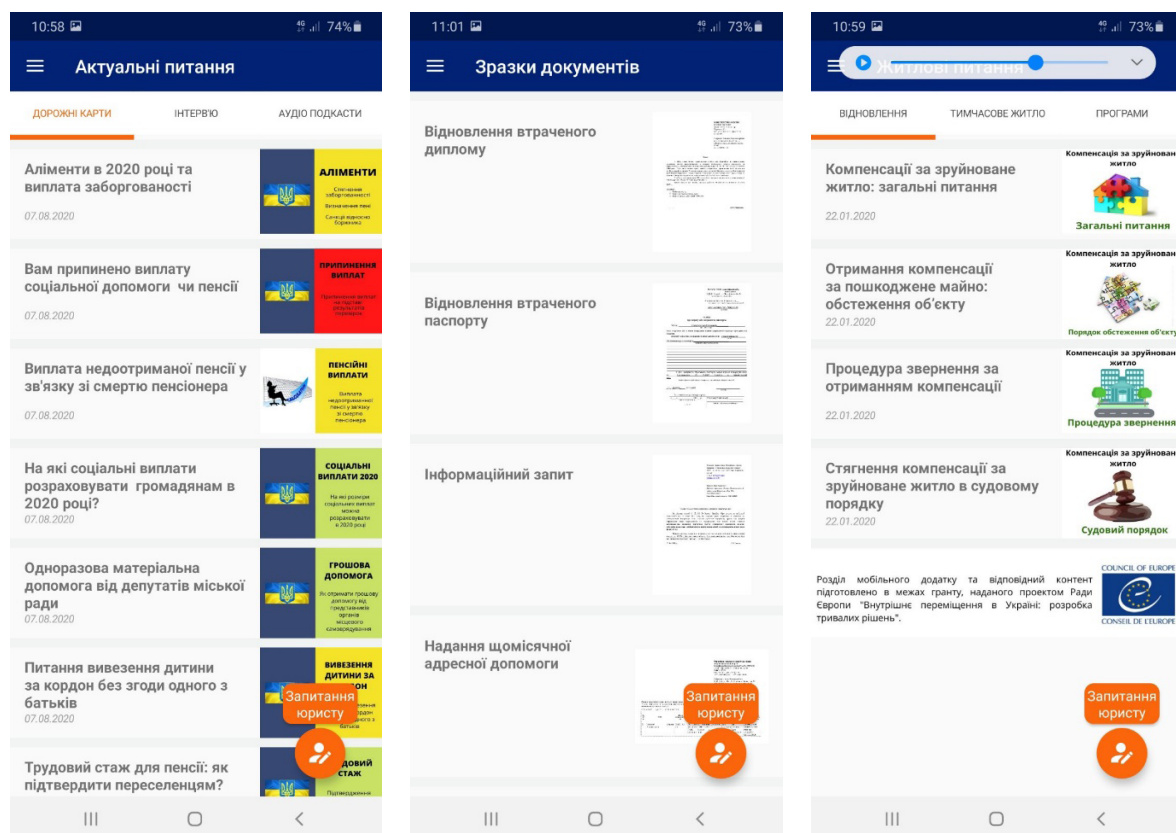


- [*IDPRIGHTS – IDP RIGHTS PROTECTION mobile app*](#)

This mobile app was created by the Charity Foundation Gorenje in 2018. With the support of the Council of Europe, the functionality of the app was expanded with new sections. It currently contains 'News', 'Housing issues', 'Topical issues', 'Legislation', 'Profile' (contacts of organizations engaged in the protection of IDPs' rights), 'Document templates' with explanations on how to fill them out and use, as well as 'Forum' (beta version) sections.

The app also has a 'Questions to a lawyer' function, which enables users to ask a text question and get a written advice via e-mail.

Example 5

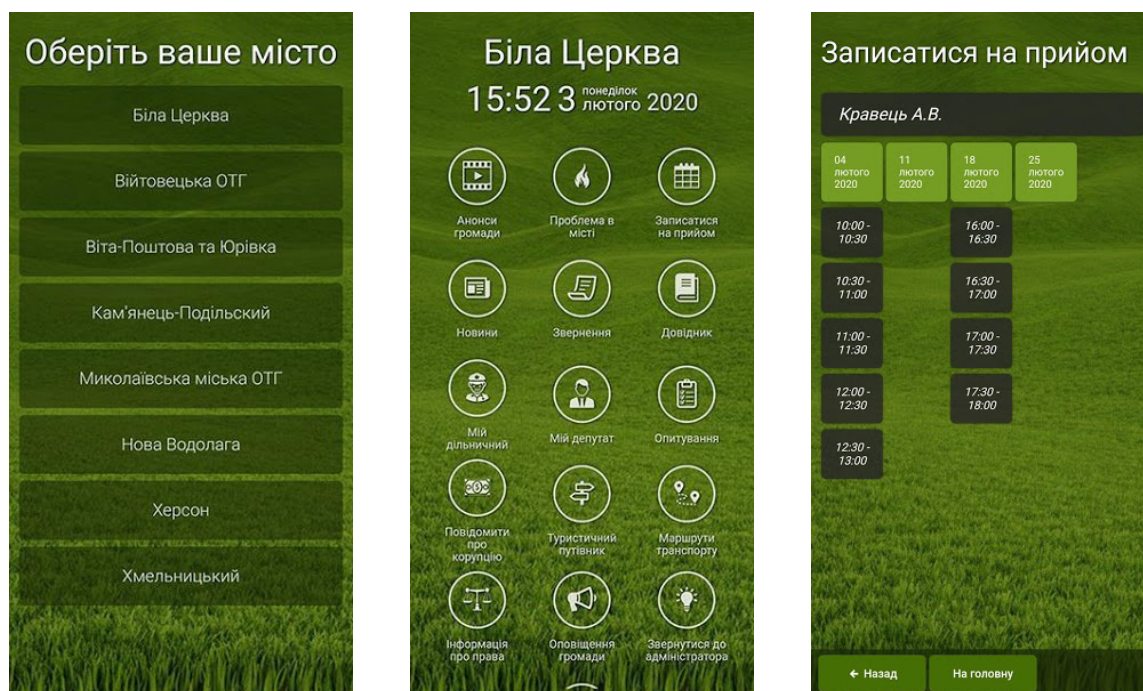
Interface of the IDPRIGHTS – IDP RIGHTS PROTECTION mobile app

- ['My Community' mobile app](#)

This is another mobile app created by the Ukrainian Legal Aid Foundation, aimed at facilitating people's access to local government services. The app software includes basic modules that are adapted to the needs of each community. The app performs advisory and informational functions and makes it possible to directly address government officials with issues, questions or proposals. A separate section of the app is the 'Information about Rights', which can be used to obtain relevant clarifications and legal advice.

Example 6

Interface of 'My Community' mobile app



✓ Online chats and chatbots

Typically, online chats are used as an additional IT solution to existing websites and platforms. Through the chat, users directly ask the consultant without having to search for the necessary information on the relevant IT resource. This form of communication is much more convenient than sending inquiries via e-mail and it is becoming increasingly popular both with commercial organizations and also within the authorities and non-governmental organizations' services. It is necessary to differentiate regular online chats, where users communicate with a consultant in real time, and chatbots – special programmes in messengers, aimed at answering the most frequently asked questions, as well as clarifying information from the user and, if needed, provide further referral to a consultant. Chatbots are mostly used in messengers such as Telegram, Instagram, Viber and Facebook Messenger.

Online chats for provision of legal advice are used on the official website of the FLA System, on the websites of the Ukrainian Helsinki Human Rights Union, the Legal Development Network. To receive an online consultation, a user should provide personal data, consent to personal data processing, and briefly describe an issue, then wait for the consultant to answer.

Legal advice and clarifications may be provided by free chatbots of the FLA System (Facebook, Viber, Telegram) and some human rights organizations.

Also, there are special chats aimed at addressing specific life situations. For example:

- o Telegram-chat of the FLA System '[Legal assistance in combating violence](#)';
- o Telegram-chat of the MIA aimed at combating domestic violence – [#ActAgainstViolence](#) (@police_helpbot);
- o [Cyberdog](#) Telegram-chat of the FLA System to fight online bullying;
- o Telegram channel on [IDPs rights protection](#) of the Gorenje CF (@idprights);
- o Chatbot to protect the rights of refugees and asylum seekers [Refugee Helper](#) of the Right to Protection CF in Facebook Messenger;
- o Chatbot of the UHHRU in Facebook Messenger, which helps to [file a lawsuit to recover](#)

alimony;

- o Chatbot of the UHHRU for improving the response to legal inquiries from people living with HIV/AIDS, persons susceptible to HIV infection and to TB patients. The chatbot is located on the portals of the UHHRU, '100% Life' CO and on Facebook, Instagram and Viber.

The main functions of specialized chatbots are:

- Provision of legal advice and clarifications;
- Calling emergency services – police or ambulance (chatbots designed to combat domestic or gender-based violence);
- Provision of contacts of other assistance services;
- Referral to specialists for provision of qualified legal aid online.

✓ **Electronic public services and registers**

Legal services in Ukraine have not yet been fully digitalized, unlike administrative and social ones, as pointed out above. At the same time, projects have been implemented to automate the provision of legal advice and a number of ancillary electronic services. In particular, this applies to electronic public registers, such as the Unified State Register of Court Decisions, the Unified Register of Lawyers of Ukraine, the Unified Register of Notaries, the Unified Register of Court-Appointed Administrators, etc.

Particular attention should be paid to the [Online House of Justice](#) – a web platform for provision of services related to registration, access to registers and other services of the Ministry of Justice of Ukraine. This electronic service enables individuals to obtain re-issued documents on state registration of civil status, such as birth, marriage, divorce, death, change of name certificates, as well as relevant extracts from the State Civil Status Acts Register; to register a non-governmental organization with a legal entity status.

Following the results of the preliminary legal analysis, the applicant is sent a notification to the e-mail address specified when registering a personal account. The service portal contains instructions on how to receive each service offered, as well as leave feedback regarding their improvement. To do that, it is simply necessary to go to the service website at <http://online.minjust.gov.ua>.

Besides, the Ministry of Justice of Ukraine uses the [Office of Electronic Services](#). The general section of the Office provides for obtaining documents from the state registers of the Ministry of Justice of Ukraine online; making entries in the state registers of Ukraine electronically; finding information in the state registers of Ukraine; using electronic reporting systems for those carrying out specialized professional activities; references to various information sources; searching legislative documents, templates of legal documents, etc.: <https://kap.minjust.gov.ua/about>.

The official website of the Ministry of Justice of Ukraine also contains explanations regarding useful information resources. For example, such a resource is a public register of debtors with alimony arrears – <https://erb.minjust.gov.ua/>.

The Unified Portal of the MIA system, mentioned earlier, contains links to services provided by the bodies of the system of internal affairs of Ukraine. In particular, services for issuing ID-cards; online service for the first registration of motor vehicles; obtaining a driver's license; obtaining a foreign travel passport, etc. Some of the services offered are automated and available online, and others only contain advice and description of a step-by-step procedure to obtain them. For example, the 'Electronic Driver's Office' is an online service that provides all relevant information on motor vehicles, as well as an opportunity to use some online services offered by the MIA service centres.

The following services are available through the [Main Online Service Centre of the MIA of Ukraine](#): issuance of a non-conviction certificate, an extract from the Unified State Register of Motor Vehicles,

etc.

It is worth mentioning the '[Diia](#)' (Action) Unified State Web Portal of Electronic Services, maintained by the Ministry of Digital Transformation of Ukraine. The web portal is designed for ensuring everyone's right to access electronic services and information on administrative and other public services; appeal to executive bodies and other state authorities, local governments, enterprises, institutions and organizations; obtain information from the national electronic information resources, which is necessary for the service provision. The portal also provides for submission of complaints and petitions; e-mail communication with authorities; conducting surveys, etc.; use of personal accounts and accessing information from registers; creating a modern register of administrative services.

Services available through the 'Diia' portal:

- change the information about individual entrepreneurs filed in the Unified State Register. In particular, make changes to citizenship, types of economic activity, contact information of an individual entrepreneur (free of charge);
- register an individual as an entrepreneur, choose a general or simplified taxation system and submit an application for registration as a value added tax (VAT) payer (free of charge);
- submit an application for obtaining or renewal of the status of an unemployed person and an application for obtaining or renewal of unemployment benefit (free of charge);
- for individual entrepreneurs – to receive allowance for children under 10 in connection with the lockdown caused by the COVID-19 pandemic (free of charge);
- close an individual entrepreneurship (free of charge);
- obtain a non-conviction certificate (free of charge);
- check the effective license of the respective type for passenger transportation, contact details and a list of other motor vehicles used by the carrier (free of charge), etc.

✓ **Electronic Court**

The [Electronic Court](#) allows parties to a litigation to submit documents to the court in an electronic format, as well as to send procedural documents to such parties in an electronic format, along with documents in hard copy, in accordance with procedural law.

Using the electronic format, users can send to the court any documents and materials required by procedural law. The right of access to electronic documents received by the court is granted to judges in charge of the respective litigations. After procedural document have been prepared and signed, the court e-mails electronic copies of the procedural document, signed by the judge's QES, to the mailbox of the litigation participant, if such participant is registered with the system.

- **How can a service be received?**
By submitting an electronic application through personal account
- **Cost of services**
Free of charge
- **Service result**
Filing a lawsuit
- **Responsible body**
State Judicial Administration
- **Regulatory framework for the Electronic Court**
Temporary regulation for the exchange of electronic documents between the court and litigation participants

Having received the electronic confirmation of e-mail delivery to the user's mailbox, the responsible court officer prints the relevant message and attaches it to the case file. The method of electronic identification is a Qualified Electronic Signature (QES).

Particular attention should be paid to the [Court in Hand](#), an analytical service for the search, study and visualisation of court decisions, designed for the legal professionals' community. Based on the Unified State Register of Court Decisions and other open registers, the Court in Hand provides for finding the necessary court cases and decisions much faster, through the use of various filters and cleared data. For example, it is possible to review only the operative part of ruling, or the parties to a case, without opening the ruling. The service contains all court decisions that have been published since early 2018; in total, 15 registers have been integrated.

[ZakonOnline](#) is another analytical and legal system based on open data, which helps lawyers to quickly find the necessary information – court decisions, regulations, legal opinions, etc. This online service provides for selection and saving all the necessary documents in the user's personal account, for the convenience of document processing it is possible to mark the fragments of copied texts and leave comments.

In addition, the DEJURE Foundation that, since 2016, monitors and analyses the cleansing and renewing of the judiciary; establishment of new courts; competitions for judicial positions and establishment of proper judicial governance, has developed an interactive guide – the [Judiciary Map](#), which provides for quick familiarization with the judicial system of Ukraine, as well as the structure, functions and composition of each judicial authority.

✓ **Electronic templates for appeals**

The correct preparation and submission of documents plays an important role in obtaining any public services. Since there are many similar complaints and appeals, for users' convenience it is advisable to distribute standard templates of documents to be filled out online. For example, during the lockdown, the [Legal Development Network Public Union](#) launched a *special category of topical legal issues (without limitation to those)* related to countering the spread of the COVID-19 pandemic. The 'Legal Aid' section on the website of the public association contains templates of the most relevant legal appeals.

Example 7³⁵

Typical cases for digitalization of the most frequently requested types of legal services:

Typical situation	Possible digital solution
1. K. fell ill, but since his body temperature was not higher than 38o, he was denied a home visit by a physician and advised to attend hospital when he feels better. He decided to file a complaint on account of being denied medical aid.	Create a template for a typical patient's complaint against the actions of a health care provider in case of improper provision of emergency medical care and integrate that template into the existing automated services (resources).
2. S. applied to the local State Administration seeking clarification regarding a permit for construction works and formal registration of a land plot. She was denied the permit and a clarification of where to apply further. Therefore, a need arose to complain against the actions of the State Administration officer and to find a template of the relevant document.	Develop a template for a typical client's complaint against actions of local authorities and integrate it into existing automated services (resources).

³⁵ Legal Development Network, [Templates of useful 'lockdown' appeals](#).

<p>3. In the course of distance learning, a teacher did not provide B's son with explanations and references to the relevant information resources, thus he received a low grade in maths in his school diploma. The father decided to file a complaint against the inappropriate, in his opinion, actions of the teacher and infliction of emotional distress on his son.</p>	<p>Develop a template for a typical complaint against teacher's actions and integrate it into existing automated services (resources).</p>
<p>4. After his father's sudden death, K. needed to register the inheritance and transfer part of his land to another person. The heir that applies to a notary should have the following documents:</p> <ul style="list-style-type: none"> - death certificate of the testator; - confirmation of the last place of residence of the deceased (a certificate issued by a housing maintenance organization); - certificate issued by the Board of the housing cooperative on domicile registration (permanent residence) of the testator; - entry in the house register on registration (permanent residence) of the testator; - certificate from the address bureau, certificate from the district military registration and enlistment office stating that the testator resided at the respective address before being called up for military service). 	<p>Develop a template for a standard application for the transfer of land ownership and integrate it into the existing automated services (resources). Besides, it is necessary to automate the collection of documents for the registration of inheritance and create a relevant electronic template;</p> <p>Online calculation of the cost of notary services and taxes for the registration of inheritance and donation agreement.</p>
<p>5. S. relocated to Kyiv from the Luhansk Oblast. To obtain a certificate confirming the status of an internally displaced person, she should personally apply to the social protection unit at the place of her actual residence. The electronic format for submitting such an application is not available.</p>	<p>Automate the application forms for obtaining the status of an IDP and ex-combatant, and integrate them into the respective electronic resources.</p>

✓ Integrated Information and Analytical System (IIAS) of the Coordination Centre for Legal Aid Provision

The Integrated Information and Analytical System (IIAS) for the provision of free legal aid is a tool that facilitates the operation and management of the FLA System, serving as a framework for all key processes and procedures, in particular for sending authorised bodies' requests for the FSLA; human resource management (including, contracting with lawyers); monitoring and distribution of cases and workload among lawyers, and reimbursement of their expenses, etc. The proper functioning of IIAS provides for ensuring transparent and accountable operation of the FSLA Centres; control over the quality of aid and general supervision by the Coordination Centre, as well as timely and comprehensive public reporting; high analytical capacity of the FLA System for prompt response to clients' needs, issues and disproportions in the System development.

The need to create and develop the IIAS was first mentioned in the [State Target Programme for the Formation of a Free Legal Aid System for 2013 to 2017](#), which envisaged that the IIAS would provide for arrangement of FSLA Centres into a unified network and automation of free legal aid provision. Besides, the IIAS is aimed at supporting the development and maintenance of personalized databases of FSLA users; registers of the Centre staff and lawyers providing FSLA; and the development of databases to provide legal aid in administrative and civil cases, and in criminal proceedings.

A fully developed IIAS will enable the automation of the majority of the FLA processes and procedures;

ensure effective cooperation of stakeholders engaged in legal aid provision, and serve as a key tool to facilitate the efficient and sustainable management and operation of the FLA System.

One of the areas of the IAS improvement in the future is the development of the 'lawyer's office' module that will ensure the functioning in the special IAS software of business processes connected with the provision of secondary legal aid. The module will enable lawyers to quickly obtain information about their assignments issued by the Centre, information about the clients, as well as to create, coordinate and review acts, submit them to the FSLA Centre, review contracts, etc. Particular attention should be paid to the development of an *algorithm for the distribution of cases among lawyers*, that is, that process is to be automated as well, allowing to remove extra workload from the FSLA Centres and facilitate the elimination of human factor in the distribution of cases.

✓ **Additional electronic services within the FLA System**

Remote people's appeals for primary legal aid (legal information, advice, clarifications) are received by the FLA System in Ukraine through various communication channels – e-mail, Viber, Telegram, Facebook, mobile app. In order to improve and accelerate their processing, the Coordination Centre currently works on the creation of a relevant electronic tool (**Helpdesk**), which will provide for processing all appeals in a centralised manner, and sending responses through the respective communication channels as soon as possible.

In addition, the Coordination Centre plans to further expand the opportunities for receiving people's appeals through the use of information and communication technology. In particular, it is planned to develop **users' personal accounts** on the FLA System's website, with the following functions:

- Submission of new appeals for free primary legal aid;
- Submission of new appeals for free secondary legal aid;
- Downloading supporting documents;
- Downloading documents confirming the eligibility for secondary legal aid;
- Review of the history of submitted personal cases and their status;
- Submission of acknowledgments and complaints, feedback and assessment of actions of the legal aid system staff;
- Downloading submitted appeals and responses to them;
- Taking part in surveys (for example, about the quality of services provided).

Thus, the analysis of existing digital solutions for the automation of access to legal services showed that state and non-state legal aid providers use different services to provide legal aid. At the same time, solutions that are focused on human needs – clear and user-friendly – should be the most popular.

For example, the majority of the government agencies' websites, offering the option to submit electronic appeals, have fully automated the process. At the same time, some public service providers only offer a link to an appeal template in MS WORD, which is to be downloaded, filled out manually and sent to the e-mail address indicated in that template, which creates unnecessary difficulties for users.

Also, most respondents of the focus group discussions, described above, gave positive feedback regarding the possible digitalization of legal services, but they still prefer *personalized* counselling. In particular, people from remote rural areas repeatedly stressed that obtaining legal aid is difficult because they have to come to the district or oblast centres. At the same time, the possibility to arrange a video (online) consultation with a Legal Aid Centre specialist could eliminate that issue. The use of other digital solutions, such as chatbots or online chats, is less relevant to survey participants because they do not provide any tangible "feedback".

In view of that, the development of IT services in the provision of legal aid, in contrast to administrative and other public services, should be mainly based on facilitating the access to legal advice and other legal services, rather than on minimising the human factor in their provision.

CONCLUSIONS AND RECOMMENDATIONS

Despite the fact that the implementation of the constitutional guarantee for legal aid, which had existed since 1996, only began with the adoption of the Law of Ukraine on Free Legal Aid in 2011, the network of legal aid providers in Ukraine is quite extensive.

The analysis conducted shows that the FLA System has the largest territorial coverage and non-discriminatory access to vulnerable populations; operates in accordance with clear regulations, and ensures legal services quality control. In particular, within the FLA System it is possible to contact regional offices; use the services of field and mobile units; call the Contact Centre, and lately, to request a written legal service through the mobile app. **Accordingly, the development and implementation of digital solutions in the provision of legal services within the FLA System will have the most sustainable outcome and provide for the maximum outreach to vulnerable men and women, as well as the widest geographical coverage.**

The analysis of the demand for legal services shows that the majority of men and women seek legal aid to receive **counselling services and certain legal information**. Regarding the subject matter, there is a noticeable predominance of life situations and legal issues related to the observance of **social and economic rights in family law**.

The analysis of the situation with the legal services provision took into account the fact that not all legal services can be digitalized, because their specific characteristics make them significantly different from administrative services, where the majority of regulations and situations are standardized. Nevertheless, most public and private legal service providers found additional opportunities to adapt the existing electronic services, or develop new ones in order to meet the clients' needs and to convert legal services into digital format, adapting established practices and methods. In particular, in Ukraine there are many web platforms, mobile apps, general and specific chatbots for provision of legal advice. It is possible to submit electronic appeals to government agencies; use public electronic registers, online chats for obtaining legal advice and clarifications, etc.

However, the full digitalization of legal services is a rather complex process, as approaches and possible related issues to be considered in each individual case are extremely variable. It is not uncommon when a need for legal aid is closely intertwined with the need for other public services, including social or healthcare ones. These issues – and consequently, their addressing – are interrelated. In view of the fact that legal services are more directly related to a particular person, his/her life situation, relevant legal facts, their provision often involves additional work with the client, examination of the case file, submission of numerous inquiries to other bodies and institutions, and so on.

Therefore, standard solutions may only be developed for individual, simple appeals for legal aid, for example:

- Provision of advice and clarifications on specific issues (analysis of the most common issues, etc.);
- Preparation of sets of materials for standardized queries;
- Digitalization of *methods* to provide services without a connection to a specific type of services.

Another feature of legal services, which complicates their conversion into the electronic format, is the need to preserve the personalization of the services themselves. That is, while direct communication with the administrator is not important in the provision of administrative services to clients, because such services are provided in a clearly defined manner, legal services are much more complicated – a lawyer providing advice or clarification may need more time to identify all aspects of the issue in the client's appeal. Therefore, communication plays a very important role in the provision of legal services. Thus, according to the results of a qualitative sociological survey, FLA clients find it much

more comfortable to receive legal advice or clarification from a specialist than through software (digital) solution. That is, there is a need to personalize the service, to provide details to one's request immediately, and to receive a comprehensive answer to all questions.

This feature is important to consider when developing electronic services for legal aid provision, **because such services can become popular, simplify access to legal services for potential clients, and increase the level of legal awareness only on condition of implementation of the inclusive approach and ensuring feedback.**

However, in the context of the latter statement it should be noted that, in view of the results of focus group discussions and interviews with representatives of the three socially vulnerable groups, the people's overall level of legal education is quite low. People do not always know how, and in what manner they can exercise or protect their rights, and what provider (public or private) to address for legal aid. **Accordingly, it is necessary to develop a separate plan for informing the public on FLA System activities, which should include a number of measures aimed to raise public awareness and ensure systematic provision of information on new functions, coverage, procedures and access to the FLA System,** as well as a mechanism for detailed description of all available legal service providers in Ukraine.

★ RECOMMENDATIONS

In view of the above, the results of the focus group discussions and interviews, as well as the existing digital solutions in the provision of legal aid in Ukraine, the following recommendations for further steps towards digital transformation of legal services in Ukraine may be identified:

- To automate the exchange of information between FSLA Centres and government agencies (e.g. Pension Fund bodies) regarding the online issuance of certificates and other documents, required for submission along with application to confirm the eligibility for free secondary legal aid³⁶ (for example, documents certifying the status of an ex-combatant, an ATO participant, an internally displaced person, a victim of domestic violence, a refugee, etc.).
- To create electronic templates of documents (appeals, complaints) for typical legal issues brought to free legal aid providers. Templates can be used both on a separate state web resource and by importing them into WIKILEGALAID, thus significantly expanding the database of existing templates on that platform.
- To expand the functionality of the 'Your Rights' mobile app, recently transferred to the FLA System for further development, in particular, by creating new sections (categories of individual clients); integration of news resources, chatbots, the base of legal advice of the WIKILEGALAID legal aid system; creating opportunities for provision of online consultations and feedback, etc.
- Based on the data of the mobile app for free legal aid clients, to develop an interactive map of all FLA Centres with current contact data.
- To provide for the possibility of making online appointments at FLA Centres (public online reception room).
- To develop an algorithm for automatic distribution of cases among lawyers providing free legal aid.
- For state and non-state legal aid providers – to provide for the possibility to provide video legal consultations, i.e. remote personalized consultations.

³⁶ Part 4 of Article 18 of the Law of Ukraine on Free Legal Aid stipulates that, together with an appeal for free secondary legal aid, a person or legal representative of that person should submit the documents confirming that the person(s) with regard to whom the legal representative applies belongs to vulnerable populations pursuant to Part one of Article 14 of the Law.



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IDENTIFICATION OF THE MOST RELEVANT LEGAL SERVICES FOR SOCIALLY VULNERABLE GROUPS: RESULTS AND RECOMMENDATIONS

CONTENTS

- RESEARCH METHODOLOGY
- SUBSTANTIVE REPORT
- CONCLUSION AND RECOMMENDATIONS
- ANNEXES

RESEARCH METHODOLOGY

This study involved preparing for and conducting three focus group discussions and three interviews in accordance with standard rules and methods for conducting qualitative research. The field stage of the study was carried out by analysts from the Democratic Initiatives Foundation. The study was commissioned by the United Nations Development Programme.

The focus groups were conducted in accordance with the guide for focus group research (Annex 1), provided by the client as amended by the contractor. The focus group research guide was supplemented and approved by the client. This guide was designed for 100 minutes of conversation, though in reality the focus groups lasted a little longer (about 120 minutes each). In-depth interviews were conducted in accordance with questionnaires that were adapted from the focus group guide (Annexes 2 and 3).

During the focus group research and interviews, audio recordings were made of the discussions; these were subsequently transcribed into text format.

The first focus group took place on Friday 19 June 2020. It was attended by 12 participants (seven men and five women), including representatives of organizations protecting the rights of people with disabilities and individual activists. More than half of the participants were persons with disabilities. The focus group took place online, using the Zoom video conferencing service. The online format of the conference enabled the inclusion of mobility-impaired participants, including some who use wheelchairs. Some focus group participants also were from cities other than Kyiv, including Chernivtsi and Vinnytsia, and this provided regional representation.

The second focus group, for residents of remote rural areas, took place on Wednesday 17 June. It was attended by representatives of three regions (Chernihiv, Ivano-Frankivsk and Kherson) and six different settlements. In total, nine respondents (three men and six women) took part in the discussion. The discussion took place online using the Skype video service, as it turned out to be the most commonly used among most of the respondents.

The third focus group, for victims of the annexation of Crimea and the conflict in Donbas, took place on Friday 19 June. This focus group took place in person, with the observance of sanitary and epidemiological regulations (keeping distance, ventilation in the room, use of personal protective equipment). Nine respondents (four men and five women) took part in the discussion.

Three in-depth interviews were conducted between 17 and 19 June. Those interviewed included the chief expert of the National Assembly of Persons with Disabilities of Ukraine (Interview 1); a public figure and journalist living in the remote village of Stanislavska United Territorial Community, Kherson region (Interview 2); as well as a participant in hostilities and a migrant from Crimea (Interview 3).

All the requirements of the United Nations Development Programme were met, regarding the gender balance in groups and during interviews as well as regional representation in the second focus group.

All abbreviations are deciphered in the text of the study. Quotes from focus groups and interviews are marked with FGD (focus group discussion), indicating the discussion number according to the terms of reference. Quotes from in-depth interviews are marked with "I", indicating the interview number.

All the recommendations are based on data collected during the study and do not necessarily reflect the views of the research.

SUBSTANTIVE REPORT



1) PERSONAL EXPERIENCE IN OBTAINING LEGAL SERVICES

Different target groups have **different experiences in obtaining legal services related to particular life situations**. Among representatives from remote rural areas, most problems relate to land issues, amenities and access to legal services. Among the victims of the conflict in Donbas and the annexation of Crimea, the main legal issues concerned the issuing of documents and their restoration, confirmation of the status as internally displaced persons and participants in the anti-terrorist operation (ATO), as well as registration for social assistance and benefits to which they are entitled under law. For representatives of organizations of persons with disabilities, the main problems related to accessing the legal aid system and justice in general, as well as social security, rehabilitation and discrimination.

In addition, attention needs to be paid to the problem of **lack of trust in the legal system** in Ukraine as a whole. Corruption among civil servants, and sabotage by public officials and other state structures was mentioned in all focus group discussions. A significant proportion of the participants in the discussions also assessed the work of government authorities as inefficient, and the services (including legal ones) that they provide as poor quality.

M. "In general, persons with disabilities are very poorly informed about their own rights. And in general, from our observations, they are characterized by total despair. This is common among people in Ukraine in general, but in persons with disabilities I often see how they are completely desperate even in appeals just lawyers. Even if it is about free help, a person does not take this step. Therefore, this is where the non-resolution of all other issues begins." (FGD-1)

M. "Self-improvement did not help, and we had to apply for free legal aid and lawyers. At the local authorities level, to be honest, if they are studying the issue in general, but when it comes to whom it concerns or what structure it concerns. Then, accordingly, somewhere they start to backtrack. So it seems to me that this is all one circle ... Some people solve their own problems. And when it comes to their interests, they certainly do not want to go against the police, the prosecutor's office or the local self-government bodies to which they belong." (FGD-2)

Persons with disabilities

Some focus group respondents noted that a significant proportion of the life situations that require legal assistance for persons with disabilities do not differ from those faced by the majority of the population. However, even **such issues are usually more acute** due to the limited capacity of people with disabilities to address them. We can also identify some problems that are specific to this group.

These include:

- The procedure for establishing disability and determining the relevant legal status;
- Physical accessibility of social infrastructure, including courts;
- Failures of the state to fulfil social obligations;
- Various forms of discrimination;
- Protection from domestic violence.

M.: "The issues that persons with disabilities face are often no different from those of ordinary people... I tried to recall what appeals have been made over the last 5 years regarding protection of persons with disabilities. The most serious issues, perhaps, were domestic violence, when a person was actually in a situation of total dependence on others that the person lived with, and felt certain torture on their part. Then there were issues related to the provision of rehabilitation equipment, when, due to gaps in domestic law, certain groups of persons with disabilities, with

cerebral palsy in particular, could not get an electric wheelchair. Then there were appeals regarding accessibility of various facilities, stores, cafes and schools. There were issues regarding the person being denied employment due to disability, and employers' reluctance to create jobs for persons with disabilities, even when it was possible to provide a remote workplace. At present, I happen to have several clients who encountered discrimination in the provision of financial services, when, due to their disability, they were denied certain financial services available for other people. And it was their disability that was grounds for the discrimination. These seem to be the highest profile cases. I still remember an interesting case, although it happened a little earlier, when a couple from a boarding home had a child, and their baby was taken away and they were denied the opportunity to raise their child. That was an egregious case, which was also connected with gaps in the domestic law" (FGD-1)

W.: "Those were most diverse legal issues, ranging from the very procedure of establishing a disability status and preparing an individual rehabilitation plan, to everything that is connected with the ordinary life of a citizen, including a citizen with a disability. Those are issues related to property; housing accessibility; payment of utility bills; training; and employment. There are nuances in appeals, for example, regarding receiving financial assistance or domestic violence caused by the lockdown. Persons with disabilities suffer from domestic violence as well."

Thus, among representatives of organizations dealing with the protection of the rights of people with disabilities, the **issue of accessibility** of both legal services and justice in general was **the most frequently raised**. At the same time, they also discussed the physical accessibility of legal system premises, as well as other obstacles to obtaining legal services.

M. "If we talk about the justice system, including the premises where the courts are located, I want to say that there are problems, starting at the entrance to the premises, and then, when you get there, there are also many problems... And the second question is that in many premises where accessibility is taken into account, many address accessibility incorrectly. They install ramps incorrectly install signs inside premises incorrectly. I have friends who see absolutely nothing, they are blind, but in some courts there is no system that specifically assists with cases so that they can get acquainted." (FGD-1)

W. "Free legal aid centres are also not ready to accommodate such people. For example, a few years ago the director of such a centre boasted to me that they have a ramp. When I started questioning her, it turned out that it was not a ramp, but two rails on which a wheelchair could not go. Thus free legal aid, the right to which is provided by law, is in practice not accessible." (FGD-1)

The issue of **establishing the legal status of disability** was repeatedly discussed in FGD-1. There are **complaints about the Medical and Social Expert Commission** (MSEC), as well as in general about the complexity and inaccessibility of this procedure, or even about illegal or discriminatory personal actions by employees of these bodies. In general, the **work of this institution was assessed very negatively** by a significant number of respondents who came into direct contact with it or defended the interests of people with disabilities. Its unsatisfactory work causes a significant proportion of the legal problems that persons with disabilities later face.

M. "There are many complaints about incorrect actions in establishing disability or violation of the rights by the Medical and Social Expert Commission, including they are totally inaccessible, a person cannot visit them on their own and receive this service. And there either the wrong definitions begin, or the person gives up on registering the disability altogether because of significant obstacles in their way." (FGD-1)

W. "Most of the issues are complaints that the MSEC commissions have treated the person wrongly. Lots of complaints about non-accessibility.... Parents have complained that professionals working in the inclusive resource centre do not treat their children properly, and they do not want to take their children there, and so they go to the city, to a region where there are professionals they trust." (FGD-1)

M. "Having the medical and social examination and appealing against its decisions; drawing up an individual rehabilitation programme, where there are also nuances, because even some MSEC employees themselves do not have information about the severity of the disability. Which severity: first or third degree, it is significant or insignificant? And there is confusion. Again, provision of technical means of rehabilitation and medical devices. This is not always mentioned in an individual programme and, if mentioned, it does not indicate which body should provide it." (FGD-1)

W. "I have the most cases where this happens, it's really with the assignment of Subgroup-A disability, because very often both adults and children have this problem. Very often MSEC doctors literally deceive both parents and adult patients by telling them that if you are in the First-A disability group, you will not have the right to work, study, etc. However, they only have the right to make a record of incapacity for work with the permission of the person with a disability." (FGD-1)

There is also the problem of a low level of legal awareness, even among activists involved in public activities. And the FGD respondents assess the level of knowledge of most people with disabilities as very low. Sometimes this leads to situations in which a person either does not know about a violation of his or her rights and does not defend them, and sometimes vice versa: people think that their rights have been violated though in fact this is not the case from a legal point of view.

W. "As a woman wheelchair user and a leader of an organization, I would like to say that I am not a lawyer or a human rights activist. There is a problem on my part that I do not know whom to apply to, for example, in our Chernivtsi region, when I need help with an issue that I am not competent to address. Because I am not a lawyer or a human rights activist. I went through human rights school... and something remained in my head, and I know how to write some applications, how to defend myself there. But I can't know everything." (FGD-1)

W. "Issues in education and health care. That is, there really are problems with the general lack of awareness of parents about their rights, about the rights of their children, about what help they can get, what is free and what they can get just by default." (FGD-1)

... "there are many nuances, and it is difficult for people to be aware of legal innovations on their own, especially if they are from rural areas and are still used to working physically, so it is usually legal services. In the second place is legal advice. Because before contacting a lawyer, a person still needs to be guided, about the prospects of resolving this case, whether there is a need to spend resources and money to deal with this issue. Because there are misconceptions. A person thinks that his or her rights have been violated, and when we start to understand, it turns out that there are few prospects for a finding in that person's favour." (I1)

At the same time, some respondents consider it unrealistic for them to attain a high level of legal knowledge, but point out that **access to legal services should be improved**: lay persons do not need to be legal specialists - but **they should know whom to apply to if necessary**:

M. "The issue of access to legal aid for persons with disabilities in general has been raised several times. And I think that's one of the most important issues, because you don't have to be a lawyer or knowledgeable about everything, but you always have to know whom to ask for help. That is, this aid should seek you, rather than you seek it." (FGD-1)

Residents of remote rural areas

Respondents from remote rural areas most often needed legal assistance with regard to the following situations:

- Privatization and registration of land plots;
- Legal aspects of utility services;
- Registration of inheritance;

- Receiving social assistance;
- Payment of alimony.

Thus, among the participants of FGD-2 the most frequently raised issues related to the **registration of land ownership**. At the same time, they related to both difficulties in the registration process and possible illegal activities of local self-government bodies with regard to land ownership. In addition, legal advice provided by local self-government can be biased.

"...basically, a common problem is land. In our country, people often face implicit legal assistance, in fact, through land. They sign some lease agreements, someone does not have it at all, someone buys and receives. And this is where the legal aid problems come from. Why? Because in our country not only private persons deceive, but local self-government bodies deceive as well. According to my own experience, my son was given land in a two-kilometre coastal zone, which is forbidden. They were given it as an ATO participants, and now a question has been raised: someone can't register, people have planted on the land, but officially they can't use it themselves. Here we have violations. And if the lawyer's consultation was clear enough, then this kind of professional help is useful enough for the general population. But not a biased lawyer who works for the benefit of local self-government bodies." (I2)

As in the case of FGD-1, the FGD-2 participants state a **low level of legal literacy** among residents of their communities, which creates many problems even in simple situations.

"You remember that pear tree from the "Kaidash Family" play? ... This is probably an age issue, and there are many such cases. Somebody has an area of land, somebody has pigs chasing, there is something else. And if I turn to people who provide professional help for a fee, then I get such a simple answer to these questions. And people have been dragging out these legal issues for years and can't find a way out. And here, it turns out, everything is much simpler." (I2)

People do not receive this free legal aid enough. Because there are problems, the land comes first. Divorce, alimony - people find out where to get legal help. Land and good neighbourhood relations are problems I face all the time. (I2)

The respondent, who is a practising lawyer, pointed out that due to a lack of basic legal knowledge, some situations are not solved for years, although in reality they should be resolved in much less time.

W. "Recently, I was approached concerning family issues and inheritance registration. More often than not people just don't know where to start. Although, for example, divorce is not such a difficult procedure, especially if everyone agrees and there are no questions. That is, people just do not always know how to prepare that document, although it is simple, at least for me. As for inheritance, it's a bit more complicated because, again, of ignorance. Because everyone thinks that you have to wait six months and only then go to a notary. But on the contrary, you only have these six months. They miss deadlines." (FGD-2)

The **topic of legal regulation** of relations between neighbours was raised several times during the discussion and interview.

"This story was about relations among neighbours, when people could not get rid of the stench of pigs for four years, because a man had pigs in the middle of the village and did not clean up after them. And this stench of ammonia was in the air. And when it got hot, we already have such heat in May, it is really impossible to endure. ... And I turned for help to a lawyer who practises here in Kherson. He is such a public figure in our country. He literally poked his finger at me like this and said - ask the village council for a detailed plan of the area, I'll give you a tooth, it's not there. I didn't even think about it. Do you understand? And it turns out - the bicycle had already been invented. And when I applied to the village council for a detailed plan of the village, it turned out that there was none. And I already dug into the laws myself, and it turns out that if there was no detailed

plan of the territory, then this man could not be allocated 62 acres of land from the communal property as private property. Everything is very simple. Since then, with the help of this lawyer, I have collected a package of documents to submit to the administrative court. A statement to overturn the decision of the village council. And it turned out that this was not needed. The man took all the pigs out. You see, it's so simple." (I2)

Respondents from FGD-2 assess differently the **possibility of communication** with government agencies and local self-government bodies **through electronic means of communication**. This, in different settlements **the situation can appear the complete opposite**: in some, a significant part of the services can be obtained remotely, and in others only in person.

"No, it is not necessary to appear there. I say this precisely because I also have experience of obtaining certificates. For example, in court. There is such a service, and some law firms have provided such services. And it's all done remotely. You can then go and just pick up a particular certificate or get a service by transferring funds remotely, receiving a consultation remotely. And then if there is a question about receiving one reference, one piece of paper, it can be received now in electronic form. And if you need to have that piece of paper in the original, you can, of course, go and pick it up later. But in general it is possible to issue documents remotely." (I2)

W. "It is impossible to communicate with our directorate at all: either in person or through a social worker at the village council. They do not accept emails. They don't even accept mail. When I resigned and tried to get child care assistance, having had this unpleasant experience I no longer wanted to go there in person, I sent everything by registered mail But they wrote back to say that I had to submit the original documents." (FGD-2)

Residents of remote rural areas have traditionally spoken of **difficulties obtaining any legal services** that can only be obtained in the district or regional centre.

W.: "Our village is located almost 40 kilometres away from the district centre. To get there, a pensioner would have to pay UAH 42. This is one way; and another UAH 42, to come back. Most of the villagers, you know, are people with poor health. It takes efforts and money to go there. And it takes more than one trip. Most residents, as far as I understand, do not know about free legal aid at all..." (FGD-2)

M.: "We also live 45 kilometres away from the oblast centre and 20 kilometres – from the district centre. And we seem to have registrars at the Village Council, who, for some reason, do not perform certain basic actions, and refer people to the district... <authorities>". (FGD-2)

Despite the difficulties in accessing free legal aid, FGD-2 participants are **mostly positive or at least neutral about the free legal aid system**.

W. "Legal free assistance... It is provided to our people in a straightforward way normally. The only thing is that it is, of course, far away. We can't complain about these specialists." (FGD-2)

M. It is more convenient for me to always apply for free assistance. They will consult without asking for money. I never apply to private experts. (FGD-2)

However, **there were also critical views** on the provision of free legal aid, on its dependence on state bodies, in cases where the rights of the individual are violated by the state.

M. "I had to apply for free legal aid and lawyers. At local level, to be honest, if in general they are studying the issue. But when it comes to who it concerns or what structure it concerns, then, accordingly, somewhere they start to backtrack. So, it seems to me that this is all one endless circle." (FGD-2)

However, **complaints about low quality** of the involvement of legal professionals **were also made about paid lawyers and attorneys**.

W. "I applied to a lawyer by pulling strings. These, of course, were paid services. There was another situation in which I was a witness in a case about beekeepers. There is a large landowner in our settlement. When he was cultivating the fields, the bees were poisoned. And this is the situation I was a witness there, and there was a lawyer who was supposed to be protecting the beekeepers, then, apparently, these owners had employed him and he did not understand whom he was defending. The lawyer has to protect victims. But he was being paid to assist the land owner." (FGD-2)

Persons affected by the conflict in Donbas and the annexation of Crimea

Respondents to FGD-3 most often encountered the following situations that they needed legal assistance to resolve:

- Registration of documents and loss of information from registers and databases;
- Production of certificates of internal displacement and ATO participation, and related benefits;
- Registration of place of residence and general housing problems.

At the same time, for many respondents **it is impossible resolve certain situations** in court **due to the high cost of the process**.

Thus, the **issue of documents and the impossibility of processing them** without significant difficulties is one of the main reasons for seeking legal assistance. The situation is similar with some public services or services provided by local self-government bodies; the mechanism for providing them is confusing, and respondents cannot understand it.

W. "They talked about the register, which is difficult. I encountered this when I wanted to get a passport to travel abroad. It was just a bunch of documents. And I was told that if I go through this procedure, then next time I would not need to repeat it all. But I received an ID card, and everything was the same again.... And in order to do this in Kyiv, a certificate of resettlement was required. And because the deadline expired to paste a photo, they could not issue this certificate. And without this certificate we could not get a passport." (FGD-3)

W. "For example, when you apply to the Kyiv City Council, you take a coupon, and you are referred to an available official, and you come to someone who is allocated to you. Usually people there say: "This is not a matter for us", they say: "Come here, go there" and send us to various authorities. There used to be an ATO call centre. Then, I realized that it was closed or something. But I believe that issues concerning migrants and anti-terrorist operation should be addressed separately. Yes, like a family doctor who knows everything, and not some narrow-focus specialist doctor there - ENT or someone else who knows only this issue. If employees sitting there could provide sufficient information and did not just repeat some general information from the internet, as we can all have it from there. That is, you come and do not really get a consultation, but only receive information about where to go. And when you get there, they start telling you: do this, do that. And in Kyiv City Council, where you are sent in some instances, they don't even tell the basics about what you should take there. And that would make some appointments easier. Because you come for the first time with nothing, and there you are told again, you go home again, you take it and you go there again. The same with the Ministry of Social Policy" (FGD-3)

However, at times, it was **not legal mechanisms that helped** to resolve the issue, but some **political interference** or common **trick**, such as the use of journalist status and a hint of media coverage.

W.1 "... Here is a telephone number for you. This is the current member of parliament ... So and so, write him an official request by e-mail. Contact the press service and so on ... " Desperate, I had no other choice; I described everything in detail and forgot about it. Only two or three weeks passed, and I started to receive calls. "Good afternoon. The social service is calling. Come to us, please. "

W.2 "He made an appeal as a member of parliament."

W.1 "Yes, yes. He appealed through his mandate. My mother received a letter. "Dear Halyna Valeriivna, the Pension Fund is waiting for you .." The archive was suddenly found. They found my benefit. " (FGD-3)

W.3 "You just have to write from recollection there. When you fill everything in and she cannot complete it correctly. We are coming. Go to some passport office. There are only four of them. Come, oh, you have this and that situation. Wait for the boss. We are waiting for about two hours. He comes, closes the passport and says: "I will not paste a photo in this passport." We say: "Why?" He says: "I will not, that's it." I don't remember what exactly he didn't like there. I say: "So what should we do then?" He told us to go to another passport office. But before that he told us to get another certificate there in Mariupol. We went to some centre there, took another certificate. Then went to some central passport office. We come, and we are told: there is a long queue. Five days is the minimum. For these days we shall only issue you a certificate to go home while the passport is being made. I had a train to Kyiv in the evening, my mother had to go to Donetsk. Five days is a matter of living somewhere, paying for everything. People who live in Donetsk now are simply not capable of it now. But there was such a good woman in that passport office. She says: "Go to another passport office." That is, it was already the third of four. It was the farthest from everyone, but maybe they will do something for you there. We get there. I'm already angry. We come in. And I understand that I have two hours left before the train. And we play an all-or-nothing game. I start with trumps: this is my mother, she is from Donetsk. She needs a passport. And I am a journalist from Kyiv. I'm writing an article about something. Everything was done for me in an hour. The documents were ready in an hour. We accepted the certificate in an hour. Mum went home quietly. And I went to Kyiv and came again a month later to pick up the passport. That was the story. (FGD-3)

There is also the problem of registration of the place of residence, to which a significant number of public services are tied. Some respondents also faced the problem in the place of residence and the impossibility of a legal solution to this issue.

M. "Basically, these are some legal conflicts. With certificates of migrants. With the fact that you are constantly moving from one apartment to another. And registered in one place, and you need to receive mail there. Someone transfers it to you, and what if you no longer have contact with the former landlord of the apartment, for example. It is quite inconvenient to re-register. These moments are very inconvenient." (FGD-3)

"The first big problem is housing. Unfortunately, we could not register in time because I was deployed. When we came from the Crimea, the Armed Forces of Ukraine instead of helping us... I understand that it was not the time, but they did nothing. When we started queuing, we were in the queue for 2015, because I was deployed in 2014. And my husband had very serious health problems at that time. And they said that only through the court they can renew his place in the queue. But we could not sue because there was a problem with money. At that time, the salary of a serviceman and an officer was small. And we dropped it until better times." (I3)

Respondents who faced serious issues that needed substantial and often complex legal support noted that it sometimes **took a long time to resolve their issues**:

W. "We had consultations with about ten lawyers, they advised us on the situation with the bank. Because my girlfriend is, first of all, a lawyer. I started with her. Then she went to the "Legal Hundred" [A group of lawyers helping veterans]. Then there was a hub, in general, talked to a huge number of lawyers, attorneys. Fortunately, it was free. But it ended with one consultation, and when they talked about hiring, it cost money. And the man has just returned, he has a condition where he needs to change a joint in his legs, the necrosis of the bone, and therefore he did not have the funds to sue." (FGD-3)

W. "Years. Not my story, which we solved with the bank. Yes, we applied to different lawyers, to different public organizations. And found through the public organization, through "Legal

Hundred" a lawyer who helped to resolve this question with the bank. But wherever we went, we were basically told that this was the only chance. But we still have to pay the bank. All you can do is go to make an amicable settlement with this bank. And agree on more or less favourable terms. Which, in fact, we did." (FGD-3)

Most respondents are **positive about free legal services** provided by the free legal aid system or public organizations. However, when it comes to more **complex matters**, the **help of paid lawyers** is needed, which is often beyond the means of these individuals.

M. "Look, if we just want to get legal advice on certain issues, it's easy to get. There are many institutions and agencies that can provide this advice. But the best advice, you can probably get yourself by reading a little in the laws and regulations on the issue that worries you. And it will be the same, even much better than going to someone for advice. And if we are talking about real legal support on the issue you addressed, then it should be understood that this is real professional work by a specialist, and it should be well paid." (FGD-3)

"Yes. I have a lawyer. But I pay for this. Every consultation should be paid for... I understand, but he is a private lawyer and has a private practice. When I went to ask for a free lawyer, I stopped by... There is a central office for combat veterans. This is a central social security office. Where we all are registered in Kyiv. This is Kyivskiy district. Not the region, but Kyiv. For example, we are registered in Pechersk. And there is the most central. It's located... You should go by tram ... Well, I'll remember. And I went there to ask for a lawyer. I just don't have the money, because this lawyer said it would cost about 30,000, you know? I have no pension, no children. Where do I get the money?" (I3)

2) EXISTING NEEDS FOR LEGAL SERVICES

Persons with disabilities

In FGD-2, respondents noted that there is a **problem with providing legal services for persons with de facto disabilities, which are not officially registered**. These individuals (usually the elderly) cannot claim benefits for court fees and often do not use the internet and cannot find information on both the legal aspects and the help and support of public organizations.

See, there are, for example, benefits for paying court fees when filing lawsuits. And people with disabilities, if they are between 20 and 40 years, they are quite active already. And for the most part, they have higher education. They work, study, play sports, have benefits. That is, these people are more socialized. And they know how to access the internet. They find contacts and public associations, and answers, including to legal questions. And so they can implement them. The problem is that there are many people with disabilities who do not yet have their disability legally established. And because of their age, because they are lonely, because they are in difficult life circumstances, they do not quite know whom to turn to. And even their rights are violated as they are not always given the right size of pensions in a timely manner, or provided with the means of rehabilitation that they need. And until they are in this state for some time, find people who have already gone along this path, or turn to the public associations that guide them. They are, of course, in a very difficult situation. And psychologically, they are even ashamed to make contact. Their rights are violated more often. (I1)

A significant proportion of situations, including property issues, are not simply resolved by people with disabilities due to the **lack of effective state action to defend the rights of these persons**.

M. "That is not only support, but also control by the state over observance of rights, especially of persons under guardianship. Because, in my opinion, both the state and society are interested in persons under guardianship being protected by an independent person, a representative of the state, because there are many cases when we are approached by persons who must protect the rights of and carry out this guardianship, seize property illegally. During the registration of inheritance. And then these people find themselves in residential homes. And here the state loses

materially, morally. And if – in the event of a conflict between an incapacitated person and his or her relatives – there was an independent representative of such a person from the state, this, in my opinion, would protect these rights.” (FGD-1)

Respondents to FGD-1 indicate that **persons with disabilities do not often apply for social benefits** due to the complexity of the procedure.

M. “Very often, when we are approached by persons with disabilities and we advise them to apply for a subsidy, they are reluctant to apply for this subsidy, because this process is involved in terms of both time and nerves. Especially if there is an additional plot there and a person can cope, they do not apply for a subsidy. Although we advise them to do that. And it is not always difficult to establish it, there is just such a psychological warning.” (FGD-1)

There are also problems of **prejudice** and **unethical behaviour by doctors**, which is almost never challenged by people with disabilities.

W. “I wanted to ask about medical care. I had a case when my client told me. She has cerebral palsy. She walks, but with the help of a walker and we got her an electric wheelchair. So she told how when she came to the doctor, to the gynaecologist, she just heard in the waiting room: and why do you need a gynaecologist? Are you disabled? And because of this, patients with disabilities never apply. They never challenge the unethical behaviour of doctors.” (FGD-1)

Some respondents also noted the **ineffectiveness of the early intervention system** and the problems in accessing it.

W. “A subject that hurts me is the topic of early intervention. Everyone talks about it. But, in fact, it does not work for us, unfortunately. Everyone understands that it is needed, but how to use it in practice is a very big question.” (FGD-1)

At the same time, some practising lawyers from FGD-1 say that there are often unresolved **problems that are psychological, rather than legal**:

M. “We have an agreement that in case of any legal issues with members of the organization or other persons with disabilities, even those who are not members of this organization, they can call me and I will help. And at first it seemed that there would be many such people, but practice has shown that there are not so many appeals. If people did call, it was not because legal issues. Just to complain, hear words of support. And there are few actual legal cases.” (FGD-1)

Residents of remote rural areas

Despite the fact that the primary experience of receiving legal services by the respondents of FGD-2 concerned the resolution of **land issues**, this issue often remains one that the respondents **do not even try to solve**:

W. “We received the session’s decision of the allocation of 1,500 square metres for development, a land parcel. And another question, these are the same ATO lands. ... As for my personal opinion, honestly, I think I will have to contact all these structures. And my husband has not even written about this ATO land, about these plots. And for 1,500 square meters, we already have the decision, but we didn’t register it yet. Because, it turns out that everything is not so simple: everything is expensive there, everything is very complicated. And the cost of paying a lawyer, well, so far we can not afford it. ... I see others suffering, and I don’t want to get involved. This is it.” (FGD-2)

W. “We want to privatize the land near the house where we live. But we have not started. Why? Because our house was privatized for three people. So, we want to register the house for one person, and then decide how to deal with the land.” (FGD-2)

In addition to land issues, other life situations related to property ownership were also frequently mentioned.

W. "My uncle bought an apartment and asked us to help him: he is already too old to resolve this issue. The apartment had been seized. And he didn't know it. Bought an apartment. And only after the purchase he learned that this apartment had been seized. And he also has access to the apartment. He has the keys, he has everything, but he can't prove that this is his apartment." (FGD-2)

Persons affected by the conflict in Donbas and the annexation of Crimea

Situations that require legal assistance **often duplicate those that have been addressed before**. They relate to the registration of documents, work with government databases and registers.

M. "I have a work book left in the occupied territories. That is, I am still listed there as a worker in Luhansk. I did not succeed in registering with the employment centre; they refused me there because I was already officially employed. This company officially exists, but in fact it does not exist." (FGD-3)

W. "I know how to resolve it, but I'm afraid to resolve it, because I know how much time it takes. For example, my father has been officially alive in Ukraine for three years, according to the documents, but in fact he is not there, he has died. In fact, there are some papers in the non-government-controlled area, but here there are none. I am not ready to go to Mariupol now to spend an unknown amount of time chasing around to get a certificate. So far it does not seem to be needed anywhere, so I'm not doing it." (FGD-3)



3) USE OF INFORMATION AND COMMUNICATION TECHNOLOGIES

All FGD participants make **substantial use of the internet and ICT** in their lives. At the same time, it is unhelpful **to make sweeping generalizations** about this, as the two FGDs were conducted online, which created an artificial filter for people who do not use the internet at all. In addition, use of ICT is often reduced to the following components:

- Searching for information and surfing information and entertainment sites, as well as online forums (to a lesser extent);
- Visiting and communicating on social networks (mostly Facebook);
- Communicating using messenger software (mostly Viber, villagers also have Skype. Less used are Telegram and WhatsApp).

The use of other mobile applications, as well as integrated services such as chatbots **is low**. For some respondents, bots on social networks were confused with bots in the context of internet trolls, which indicates the low use of such resources.

To communicate with specialists and get advice for a large number of respondents, **visual contact is important**. For the most part, getting certain services online is desirable, but many need to see the other person in order to establish better contact and understanding. Alternative opinions were also expressed, but were less common.

Persons with disabilities

According to FGD-1 participants, **persons with disabilities, especially young people, use the internet actively**. They are also ready to address many situations online. At the same time, there are often situations in which **certain services are supposedly available online, but their actual design requires a personal presence**, which makes it very difficult to provide them to people with disabilities.

"It all depends on how advanced a person with a disability is, as young people say, in these matters. As a rule, young people aged 20-35 years make a lot of use and pay for some online services, and buy online, and receive legal services, for example from the government and administration. But older people, for example, ask their children or acquaintances to help. We are often approached:

for example I am a neighbour of a person with a disability, I have a question for you; or, for example, I am the daughter, and my father or uncle is a person with a disability, and he has such questions. All the same, these services, for example, issuing passports, obtaining certificates that can be issued online without waiting in queues, although people with disabilities have special benefits, but in reality, if you go to a water supply office, where there are very long queues, these electronic means, of course, make life much easier. Because persons with disabilities very often cannot even leave their homes. And if these are severe disabilities, then this is a problem in general." (I1)

For many persons with disabilities, the **internet is perhaps the only place where they can receive support and important information**, including legal information. Some respondents generally say that the **right to access the internet should be recognized at the state level as an element of rehabilitation** as well as access to information in general.

W. "This is a very big opportunity. When I conducted child rehabilitation training, and thanks to social networks, I achieved a lot. I met various people who now have supported us for more than a year. Nevertheless, this is a great opportunity for people with disabilities, not only in terms of charity, but also education and information. Legal. These are joint groups when people ... for example, when the parents of children with disabilities communicate, and it's great to share experiences and receive information. Therefore, this is a big plus. And I consider this to be the future – there is a great opportunity to use these resources to obtain information. Of course, there is a lot of false information. But, nevertheless, we get a lot at this stage from social networks and about charitable organizations that also disseminate information on the network." (FGD-1)

M. "I believe that access to the internet and modern communications should be recognized at the state level as an element of rehabilitation, along with access to information in general. Because, for example, landline phones will disappear soon from flats. Many people do not use them. And the internet is a powerful source of information. The next issue is that probably 85-90 per cent of the questions asked by people with disabilities or their families, are similar. That is, general information should be posted on the sites. Maybe even on the websites of the Ministry of Social Policy, maybe on the website of the Ministry of Justice, because there is no updated information, unfortunately. Just maintain it and keep it up to date." (FGD-1)

M. "The fact that they are actually confined to their homes limits their ability to enter into the same legal relationships as other people. Therefore, of course, exchange of services online is possible, as is clearly shown by the example of the recent quarantine, when many businesses that had refused to move online for decades, finally found the opportunity and began to find some employment options. And this applies not exclusively to judges. We can talk about appealing to any of the authorities. It is not necessary to hold zoom conferences; it can be a normal video call over the phone using the same WhatsApp set-up, or another video call. And that would remove the transport barrier, at least for the most egregious problems. Of course, we can't say that if we allow online accessibility, we need to give up other actions." (FGD-1)

Remote provision of certain services, however, does not solve all the problems. To work with a certain group of persons with disabilities, you need to involve qualified professionals who know how to work with such people.

M. "Plus there is a communication problem, because even in Dnipro I have a few friends with very severe forms of cerebral palsy. And they head public organizations. And you actually have to be patient to listen to them talk. And an unadapted person, if he calls an ordinary lawyer, he just won't even understand that a person with speech problems is calling him and won't be able to work with him." (FGD-1)

Some respondents are **critical of attempts to provide legal assistance by telephone**, instead arguing that social networks and messengers are more important for obtaining legal aid. Critical views on the work of call centres were also voiced by representatives of other target groups.

W. "I have been running my own law page for several years, since 2016. And what do you think? I have more readers than this company in a year and a half. I have both readers and appeals. And someone asks online. Someone needs free legal aid. I even offer different promotions for those who apply through my page. People use it." (FGD-1)

In addition, there are **reasonable doubts about the possibility of building a legal services exclusively through social networks**. While they can be used to disseminate information about certain services, they cannot replace a separate portal.

M. "Facebook reflects the author's own opinion of the social network. I fully support social networks, they should exist. As I see it, the most important thing to start with is information. It seems to me that this should be some kind of universal platform in the form of a hub. Those who have or provide, or communicate, or just are in a partnership, it's not a service, it's communication. In my opinion, it should be one big platform of centres for administrative services provision, courts, lawyers and so on... as one such big platform. And it should be talked about it not only on the site itself. But also in the media so we can learn more about it." (FGD-1)

Public and communal services have good opportunities to promote remote legal services.

M. "In most cases, the communities themselves, the executive authorities, the social protection department and the legal departments of local self-government bodies do not promote, and in general there is very little information about free legal aid. People are entitled to free legal aid, but in most cases this is at district level. Organizing online public access, to make a schedule or mailing list among recipients of social services, rehabilitation services, people who have appropriate disability benefits, it is quite easy to do this through the CNAP. Moreover, they have the right to access and send information, because they have the right to draw up documents for administrative services or social services of an administrative nature." (FGD-1)

Residents from remote rural areas

FGD-2 was conducted online; however **some respondents complained about the lack of quality internet access** in their localities. This problem is demonstrated by the communication problems that were recorded by some of the respondents during the FGD.

Compared to other study groups, residents of remote rural areas placed **more emphasis on the need for eye contact** when providing legal services.

"In general, look, we are now communicating with you on Skype. You may not necessarily see the video, but the online platform should exist. I want to see your expression when you help me here. This is my request. Or maybe I'll see you have a stupid uncle who squeezes money from me and doesn't understand anything. This is my demand. An online platform is a must-have. There must be access to such legal aid." (I2)

M. "Well, first of all, it has to be direct, face-to-face. I guess so. Because when you see the interlocutor and see that person's reaction to your question, to your problem, you can somehow orient yourself. I am saying it in terms of demand. I want to see how a lawyer responds to my need, to my problem. This is the first thing. Secondly, do not mislead people and do not give them vain hopes. Here we will help you. The approach should be constructive, but not in a way that draws this service for the person long enough to tie the client to yourself, and then make that person a paid client. Because they do so. They consult for free, and then just make a person a paid client." (FGD-2)

"I, for example, would be satisfied with Skype. You look at the person, show the documents, send. The person looks at you. And sends help immediately. Well, if it's free. On a paid basis, you probably need to come. In general, it's possible. They could make some kind of a call centre, put some people there. And they would appoint a person there, for example: 23 April at 12 o'clock. We call up. Prepare such and such documents.. And the person will help you" (FGD-2)

The most popular use of the internet among FGD-2 participants is **seeking out information on search networks, as well as in thematic groups on Facebook**.

M. "I always have all the information on Google. I practically took all the information from there. I didn't just look anywhere. Just write a question in a search engine that interests you. And a lot of similar sites. And Google can help. You can enable Yandex through VPN. And go to Yahoo. Everywhere is different. Basically, everything is on the forums" (FGD-2)

W. "Yes, there are various legal aid groups on Facebook. And people ask there some elementary questions. Not very difficult, but to clarify which law or something like that, we asked." (FGD-2)

I: And was it useful to you?

W. "Yes. It was useful. It provided a useful answer. Some people used private messages to make contact. They did not answer there at all, but came to private channels and provided some help." (FGD-2)

Persons affected by the conflict in Donbas and the annexation of Crimea

The problem of accessing and finding **information** is often **less serious** than the fact that **legal mechanisms sometimes do not work** as described.

M. "The problem is not getting information. The problem is whether this information works. That it worked as is written. But when you come to the passport office, where you have to get a passport, and you are simply told by the director or the boss that they will not process a passport, do not explain why and do not accept your documents, it is another conversation." (FGD-3)

Respondents are **very willing to receive certain services online** without the decisive influence of the human factor.

W. "Yes, I am interested in the state communicating with me digitally. I don't want to see these faces anymore, these people who are incompetent. On the contrary, I want them to fight the computer, not for me to fight them, but for them to fight the computer. And for all this to be resolved within the law - 14 days, a week, and all - the issue is closed." (FGD-3)

At the same time, such services should solve people's problems, and not create additional psychological pressure.

"Today I go to the internet and look for what I need. But how does this happen? I have an education and I understand how to find it. I also ask people, I don't give up, I go forward. But you know, the guys tell me: "Tell me where to find it on the internet?" And I can't specifically provide them a link. If you create a portal for war veterans today, and this portal is specific for legal services, moreover, it will indicate the first action that needs to be done. There will be one, two, three, four, five lawyers who will not say: "Now, wait," and they'll pick up the phone and say: "Let's solve this problem with you now." And then everything will be fine. You see, the first thing that needs to be done is psychological relief. Because the veteran will know that he is protected, and for the state it will be a big plus." (I3)

Gender differences in legal services for the target groups

The format of the focus groups does not enable a clear gender analysis of specific needs and problems among the groups. If the need for certain services is articulated by a woman or a man, it does not mean that they are gender conditioned, as the study had a qualitative rather than a quantitative format. Accordingly, any assumptions should be tested in quantitative representative studies.

The materials only enable the identification of certain needs which have gender specificity, or essential differences in frequency. This list cannot be exhaustive and needs further refinement.

For persons with disabilities, **problems of prejudice and unethical behaviour by doctors** are

more common and are almost never challenged. This is particularly true for reproductive health. Participants in FGD 1 emphasized that this problem mainly affects women.

Similarly, the **problem of prejudice** in the provision of medical care, as well as the registration of the legal status of a participant in hostilities or disability concerns female veterans. The participation of women in the armed forces and volunteer battalions is often not accepted, resulting in discrimination in terms of rehabilitation and return to peaceful life.

At the same time, the **issue of legal protection against domestic violence** among persons with disabilities **is more complex** than among the general population, as both women and men with disabilities suffer significantly from domestic violence due to their dependence on their guardians, and often they cannot challenge any action taken against them.

Residents of remote rural areas raised the issue of alimony, which is often unresolved. In cases of divorce, as children are most often raised by women who, due to lack of access to legal aid and a low level of legal knowledge, cannot influence the process. The main problem is the lack of legal enforcement of such payments.

CONCLUSION AND RECOMMENDATIONS

Among the various social groups whose situations have been studied, there are situations that require legal assistance. Among those most often mentioned, the following can be identified.

For people with disabilities:

1. The procedure for establishing disability and determining the relevant legal status
2. The physical accessibility of social infrastructure facilities, including courts
3. Failure of the state to fulfil its social obligations
4. Various forms of discrimination
5. Protection from domestic violence

For residents of remote rural areas:

1. Privatization and registration of land plots
2. Legal aspects of utility services
3. Registration of inheritance
4. Receiving social assistance
5. Payment of alimony

For people affected by the conflict in Donbas and the annexation of Crimea

1. Registration of documents and loss of information from registers and databases
2. Execution of certificates of internal displacement and ATO participation, and related benefits
3. Registration of the place of residence and general housing problems.

For each of the studied groups there are additional obstacles to obtaining quality legal aid. For persons with disabilities, additional issues include architectural accessibility and limited capacity among some people. There is also a problem of accessibility for persons living in remote rural areas, which is related to the difficulties and the lack of quality communication. For some internally displaced persons, as well as members of volunteer battalions, such additional difficulties are caused by the loss of registers and official documents.

Respondents from all study groups pointed to limitations in resolving certain situations in court. For many, this method is too expensive, and for some persons with disabilities (mobility impaired people and people with mental health problems) it is not yet available.

In general, respondents are positive about the free legal aid system, as well as the work of public organizations to provide free legal services. However, this assessment applies to simple legal cases rather than legal support in complex situations.

People with disabilities have typical situations that they rarely resolve in a legal way. First of all is the question of registration of disability, when a person actually has a disability, but it is not legally registered. This also applies to inefficient or improper activities by MSEC, individual social donations (subsidies), and so on.

For the most part, the legal issues that respondents have addressed before and the issues that still need to be addressed are the same issues, just for different people. The situation is somewhat different among persons with disabilities, who, according to FGD-1 participants, often do not even try to legalize their disability, and rarely apply for a subsidy or complain about unethical or biased behaviour from government officials or doctors. Difficulties in access to justice also exacerbate potential problems of domestic violence, which are also often unresolved.

Some respondents from all FGDs are critical of the work of call centres. The reasons for this vary, and include lack of eye contact; assigning a certain specialist to a person, and inability to consider non-straightforward cases.

Almost all respondents are prepared to receive legal services online. At the same time, for a significant number of respondents it is important to have visual contact with the specialist who is providing legal services and the opportunity to exchange documents in real time.

Social networks are an important source of legal information for respondents. Accordingly, it is important to disseminate information about the possibility of receiving legal aid online through these social services.

Public and municipal authorities (e.g. CNAPs) have many opportunities to disseminate both legal information and advertisements about the possibility of obtaining legal services online. These opportunities are currently underused, as CNAPs and other bodies have a large contact base of the target groups under study and the right to disseminate such information.

Most FGD participants search for the necessary documents on the internet on their own. Instead, legal advice is needed to personally explain the situation and to ask personal questions.

The use of new means of providing legal information or advice (such as chat bots or mobile applications) can only be an ancillary method that is suitable for a limited number of respondents from the study groups. Even experienced internet users rarely use such features.

Annex 1 to the report on results of the sociological research



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GUIDE FOR FOCUS GROUP INTERVIEWS ON

Legal services for socially vulnerable groups (2 hours)

STUDY TOPIC:

Identification of the most sought-after legal services for socially vulnerable groups

UNIT No. 0: INTRODUCTION TO THE TOPIC, ACQUAINTANCE, EXPLANATION OF WORKING PRINCIPLES 15 min.

- **Presentation by the moderator**
- Explanation of the topic of discussion (assessment of the most sought after legal services for different social groups).
- Explanation of the reasons for audio recording (in the case of an online focus group - video recording), guarantee of confidentiality.
- Announcement of general rules: sincerity, openness, expression of one's own opinion, there are no right and wrong answers. Inadmissibility of "capture" of language space, tolerance for the views of other participants in the discussion.
- **Presentation of participants: age, work, interests and hobbies**
- **Topic and three** parts of the discussion: 1) Direct experience of obtaining legal services; 2) Identification of needs in the field of legal services; 3) Online provision of legal services

UNIT 1: PERSONAL EXPERIENCE OF OBTAINING LEGAL SERVICES, 30 min.

- 1) Please tell us what legal problems you have encountered during the last three to five years? How did you resolve them? (*QUESTIONS ASKED TO EVERYONE, IN ROTATION*)

Clarifying questions:

- Please describe in detail what this situation was?
 - Did you seek outside help to resolve the situation and, if so, from whom?
 - How long did it take to resolve the situation? (duration in months, number of visits/expert consultations)
 - How many visits were made to different institutions, and how many documents were collected to resolve the issue? Were all these visits in person or did you also use electronic means of communication (e-mail; messengers, specify which ones - Viber, WhatsApp, Telegram, etc.)
 - Did you manage to resolve the situation? Are you satisfied with the solution?
- 2) Please tell us about the experience of receiving legal advice from specialists (*QUESTIONS ASKED*

TO EVERYONE, IN ROTATION)

Clarifying questions:

- Whom exactly did you get advice from?
- How did you choose this specialist?
- Where (or how) do you usually look for information about services?
- Were these services paid or free of charge?
- Was the information provided clear to you?
- What do you think could be done to improve consultations/support in your case?
- Were you interested in the general description of the process (sequence of actions), or did you do everything step by step?

CONCLUSIONS, UNDERSTAND: WHAT ARE THE SITUATIONS IN LIFE THAT LED TO THE NEED TO OBTAIN LEGAL SERVICES (AND WHAT SERVICES)? ASSESS THE INTERFACE BETWEEN THE SITUATION AND LEGAL SERVICES; THE PROCESS OF APPLYING FOR LEGAL AID AND THE PROBABLE DIFFICULTIES IN RECEIVING IT.

UNIT 2: IDENTIFICATION OF NEEDS: 30 minutes

- 1) Do you have legal issues/problems that need to be resolved but have not yet been resolved? (up to 15 minutes)

Clarifying questions:

- Please describe the problem/situation
 - Please indicate why you are not starting to resolve the situation
- 2) Do you know where to seek aid in various cases? Is it more convenient for you to have the information explained to you in person or to be provided with documents for self-review? Would it be convenient for you to receive the summary information independently through a data portal? (If not, why not?)

CONCLUSIONS, UNDERSTAND: WHICH LEGAL PROBLEMS TAKE A LOT OF PEOPLE'S TIME, WHY DOES IT HAPPEN? ASSESSMENT OF PEOPLE'S KNOWLEDGE ABOUT HOW TO RESOLVE LEGAL PROBLEMS

UNIT 3: USE OF INFORMATION AND COMMUNICATION TECHNOLOGIES 30 minutes

- 1) Do you have internet access? If so, do you use the internet? (up to 5 minutes)

If "YES":

- 1.1) For what purpose? Which gadgets: phone, PC, tablet? (*RAPID QUESTIONS, WITHOUT DETAILED ANSWERS*)
- 1.2) Do you use mobile applications, chat bots, online forums, social networks? (which of these technologies are unfamiliar at all?) (*NOTE THE NUMBER OF PARTICIPANTS USING EACH SERVICE*)
- 1.3) Are you/have you been looking for information online on how to solve a legal problem? Describe your experience (up to 10 minutes)
- 1.4) Would you be interested in using legal services or advice online? What should online legal services/consultations look like and how should they be organized for you to use them? (up to 15 minutes)

If "NOT":

2.1) Please tell us the reasons

CONCLUSIONS, UNDERSTAND: DO THEY HAVE EXPERIENCE OF USING MOBILE APPLICATIONS, ONLINE CHATS, CHAT BOTS, SOCIAL NETWORKS AND OTHER INTERNET TECHNOLOGIES; DID THEY SEEK SOLUTIONS TO LEGAL PROBLEMS ON THE INTERNET AND HOW. WHAT LEGAL SERVICES ON THE INTERNET SHOULD LOOK LIKE?

THANK THE PARTICIPANTS AND GIVE REMUNERATION

Annex 2 to the report on results of the sociological research



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Study: Identification of the most sought-after legal services for socially vulnerable groups

Structure of interviews with representatives of organizations protecting the rights of people with disabilities.

1) Please tell us what legal issues do the people you represent most often face?

Clarifying questions:

- Does your organization contribute to their resolution? And your colleagues in the sector?
- Have there been any situations where you needed to seek outside help to resolve the issue of the people you represent? What were these situations?
- Which legal situations of the people you represent need the most time to resolve? (duration in months, number of visits/expert consultations)
- What is the general situation concerning resolving the legal problems of persons with disabilities? Do they need to make personal visits or can they use electronic means of communication? (e-mail; messengers, if yes, specify: Viber, WhatsApp, Telegram, etc.)
- Generally speaking, how effectively can persons with disabilities resolve their legal issues?

2) If the people you represent need help from legal professionals, then on what issues most often?

Clarifying questions:

- What exactly is the consultation sought for?
- How do you choose a specific specialist?
- Are most of the services provided for a fee or free of charge?
- What do you think could be done to improve consultations/support in the case of the people you represent?
- Do you know how the people you represent seek information about services?

3) Can you single out any typical legal issues/problems among the people you represent that need to be resolved but have not yet been resolved?

Clarifying questions:

- What are these problems/situations?
- Why did they not start resolving the situation?

4) How do you assess the effectiveness of internet use by the people you represent? Which technologies are used more actively and which less? (Mobile applications, chatbots, online forums, social networks?)

5) How relevant is the use of online legal services/consultations for the people you represent? How should they look and be organized?

Annex 3 to the report on results of the sociological research



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Study: Identification of the most sought-after legal services for socially vulnerable groups

Structure of interviews with people living on remote rural territories and people affected by the conflict in the Donbas and annexation of Crimea

- 1) Please tell us what legal problems you have encountered during the last three to five years? How did you resolve them?

Clarifying questions:

- Please describe in detail what this situation was?
- Did you seek outside help to resolve the situation and, if so, from whom?
- How long did it take to resolve the situation? (duration in months, number of visits/expert consultations)
- How many visits were made to different institutions, and how many documents were collected to resolve the issue? Were all these visits in person or did you also use electronic means of communication (e-mail; messengers, specify which ones - Viber, WhatsApp, Telegram, etc.)
- Did you manage to resolve the situation? Are you satisfied with the solution?

- 2) Please tell us about the experience of receiving legal advice from specialists.

Clarifying questions:

- Whom exactly did you get advice from?
- How did you choose this specialist?
- Where (or how) do you usually look for information about services?
- Were these services paid or free of charge?
- Was the information provided clear to you?
- What do you think could be done to improve consultations/support in your case?
- Were you interested in the general description of the process (sequence of actions), or did you do everything step by step?

- 3) Do you have legal issues/problems that need to be resolved but have not yet been resolved?

Clarifying questions:

- Please describe the problem/situation
- Please indicate why you are not starting to resolve the situation.

- 4) Do you know where to seek aid in various cases? Is it more convenient for you to have the information explained to you in person or to be provided with documents for self-review? Would it be convenient for you to receive the summary information independently through a data portal? (If not, why not?)

- 5) Do you have internet access? If so, do you use the internet? *If "YES"*: For what purpose? Which gadgets: phone, PC, tablet? Do you use mobile applications, chat bots, online forums, social networks? (which of these technologies are unfamiliar at all?)
- 6) Are you/have you been looking for information online on how to solve a legal problem?
 - Describe your experience.
 - Would you be interested in using legal services or advice online? What should online legal services/consultations look like and how should they be organized for you to use them?