
Le Président
The President

Ms Ana Birchall
Minister of Justice
Romania
E-mail: cabinet.ministru@just.ro

Brussels, 24 July 2019*

Re: Budgeting of legal aid in Romania

Your Excellency,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which represents the bars and law societies of 45 countries, and through them more than 1 million European lawyers.

The CCBE wishes to express its support of the concerns raised by one of our members, the “*Uniunea Națională a Barourilor din România*” (UNBR), regarding the 2019 budgeting of legal aid in Romania.

According to the information received by the CCBE, the planned budget allocation for 2019 foreseen by the Romanian Ministry of Finance for the category of legal services has been reduced compared to that of 2018. This lowering of the budget allocated to legal aid may have as a consequence the hinderance of the proper provision of legal aid in Romania which is a fundamental tool for ensuring access to justice.

In this context, we wish to draw your attention to the CCBE [Recommendations](#) on legal aid adopted in March 2018, particularly regarding the budgeting of legal aid on which the CCBE sets out the following main principles (which are explained in more detail on page 5 and 6 of the the Recommendations):

- *IV.1. Legal aid is a fundamental tool for ensuring access to justice and should be guaranteed by states through the allocation of sufficient funding to ensure that no person entitled to receive legal aid will be left without it.*
- *IV.2. Each state should, in the process of preparing the budget for legal aid, take into account pertinent indicators, such as the legal aid budget and the caseload of the previous year, together with an estimate of the expected number of cases.*
- *IV.3. Each state should ensure that [Legal Aid Providers], bar associations, legal aid boards or other entities providing legal aid are duly consulted in the preparation of the legal aid budget.*
- *IV.4. States should ensure that a supplementary budget line is provided for in the event that the regular budget is exhausted before the end of the budget period, in order to avoid delays in the payment of the lawyers' fees.*
- *IV.5. States should make all the information on the funds allocated to legal aid and on their usage publicly available.*
- *IV.6. Legal aid is a fundamental right to assure access to justice for all. Therefore, Member States must take appropriate measures to ensure funding for legal aid on a permanent basis.*

In view of the above, the CCBE respectfully urges Your Excellency to do everything in your power to ensure proper access to justice in Romania by allocating sufficient funding for the provision of legal aid.

Yours faithfully,



José de Freitas
CCBE President

**This letter was also sent to:*

*Ms Viorica Vasilica Dăncilă
Prime Minister of Romania
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*Mr Eugen Teodorovici
Minister of Public Finance
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