

Dženana Hrlović

PUBLIC LEGAL EDUCATION IN BOSNIA AND HERZEGOVINA

Overview of Needs, Opportunities, and Capacities



USAID
FROM THE AMERICAN PEOPLE



ANALITIKA
Center for Social Research



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Title: Public Legal Education in Bosnia and Herzegovina:
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Published by: Analitika – Center for Social Research

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Publisher Address: Kaptol 5, 71000 Sarajevo, Bosnia and Herzegovina
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www.analitika.ba

Design: Adla Isanović

DTP: Jasmin Leventić

This report was translated with the support of USAID JSDP II.

Disclaimer: Author's views and opinions expressed in this publication do not necessarily reflect the views and opinions of Analitika – Center for Social Research or the project donor.

This publication was created as a result of joint project by
Analitika – Center for Social Research and Foundation “Mediacentar” under the title
“Public Legal Education - Support to Judiciary in Bosnia and Herzegovina,”
which was supported by the USAID.

Credits

We would like to extend our gratitude to everyone who provided support for this research, reviewed it critically, and provided useful comments for improvements of the final report. In that regard we would like to extend special thanks to the reviewer, Sevima Sali-Terzić, Senior Legal Advisor in the Constitutional Court of BiH, for highly detailed comments and constructive suggestions. Also, we would like to thank our collocutors for reviews and useful comments, especially Maida Muminović, Project Coordinator at Foundation “Mediacentar,” Ahmed Pjano, Program Manager/Adviser CRG from Save the Children Norway, South East Europe Regional Office, Ivana Kešić, Program Manager at Civitas, Cvijan Jovanović, Head of Department for Secondary Education in the Ministry of Education and Culture of RS, Adisa Hadžić, Legal Associate for Criminal Procedure in the Cantonal Legal Aid Institution in Zenica, Adisa Zahiragić, President of the Association of Women Judges in BiH and Judge in the Cantonal Court in Sarajevo, Samir Mahmić, Project Coordinator at Youth Information Agency Bosnia-Herzegovina, representatives of OSCE Mission to Bosnia and Herzegovina, Emina Halilović, Assistant Ombudsman BiH and Head of the Department for Political and Civil Rights of the Institution of Human Rights Ombudsman of Bosnia and Herzegovina, and Niko Grubešić, BiH Assistant Minister of Justice for Strategic Planning, Aid Coordination, and European Integration. We also extend thanks to Elmerina Ahmetaj Hrelja, Dženan Trbić, and Alen Halilović from USAID Justice Sector Development Project II – Component 3, as well as Gordana Bulić from the Association “Klub potrošača” Tuzla, for useful suggestions and comments to the report.

Ultimately, we are also grateful to our partner Foundation “Mediacentar” for cooperation and support, as well as the donor USAID for their trust.

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Summary

A number of countries in the world have initiated various programs aimed at realization of *public legal education* (PLE), which may be defined as systemic and continuous dissemination of information about the legal system for purpose of better understanding thereof by the citizens, building confidence in justice institutions, and better coping by the citizens in the maze of legislation, rights, and responsibilities. Education of general public about the legal system offers potentially important contribution to addressing a number of societal problems, especially improvement of the status of various marginalized and vulnerable groups. Thus, for example, the report of the UN General Secretary for 2009 emphasizes the importance of legal education for the poor as one of the necessary conditions in order to create sustainable living and eradicate poverty.

This study, completed in the period September – December 2011, confirms that there is considerable need for such educational programs in Bosnia and Herzegovina. Some of the fundamental reasons why PLE is especially relevant for Bosnia and Herzegovina (hereinafter BiH) are the post-conflict, transitional, and reform contexts marked by a myriad of new legal institutes and regulations, as well as the complicated network of judicial and other institutions, and often unclear competences at different levels of organization of the government in Bosnia and Herzegovina. Creating relevant programs for public legal education is especially important for young people who are usually not aware of the legislation that relates to them, or available mechanisms of exercising their rights. Research in other countries demonstrates that it is exactly the young people who are most likely to face a legal problem. In addition, it is important to keep in mind that organizing such programs is especially fitting for a group of young people, given the fact that the formal education system, encompassing the great majority of the young people, may be used for the purpose.

The goal of this present research was to assess the nature and scope of current activities in public legal education, with special focus on the youth, as well as the needs and capacities for their development within the specific context of BiH. To that end, a comparative analysis of PLE programs was conducted, mainly based on secondary sources about the programs and activities in this field of public education in Bosnia and Herzegovina, countries of the region, Europe, and beyond. In that context, experiences from Canada, United States of America, and United Kingdom were especially important, for these are the countries where such programs are the most advanced. In addition, the data for assessment was collected through primary research, which included 14 interviews with the representatives of competent ministries and other governmental institutions, as well as international and domestic organizations dealing with these issues at least to a certain extent.

With respect to the current situation in the PLE domain, the first thing to highlight is that most of the past efforts in Bosnia and Herzegovina have been directed towards education about human

rights, with inconsequential engagement in awareness raising and providing information and knowledge on certain judicial institutions, their powers, and roles they play in the society, as well as the legal rights and responsibilities of citizens. The analysis shows that current efforts towards public legal education in BiH are also insufficient, and that Bosnia and Herzegovina is one of the countries where PLE programs are underdeveloped, though there are also substantial initiatives in this field. Some of the major problems in this domain are weak collaboration between key players, especially governmental and non-governmental sector, and the fact that projects in this area do not sufficiently encompass important aspects of the law and legal system, such as family law, employment and labor rights, social care rights, as well as available mechanisms for protection of rights. Another problem is presented by the lack of appropriate platforms for strategic partnerships between non-governmental sector and justice institutions and other governmental institutions in this area, as well as inadequate integration of PLE segments within the strategic documents of the justice sector and other sectors relevant to certain target groups (e.g. youth strategy at different levels of government). In addition to the above, another problem is presented by inadequate representation of the PLE in formal education, which lacks permanent institutional solution, continuity of education, and of educators in this field.

Most of our interlocutors think that a significant problem is presented by the lack of financing or human resources for organization and coordination, as well as for the very implementation of activities aimed at public legal education and information.

Implementation of such educational programs for general population is a complex task in any environment because it requires a larger number of participants and communication channels to encompass the broadest population possible. Nonetheless, according to relevant comparative experiences and available literature, in order to fulfill their purpose, PLE programs should reflect five key principles: accessibility (information should be written in plain language, and accessible to all, regardless of obstacles like cultural differences, life in isolated areas etc.), decentralization (forming of networks and partnerships among service providers in PLE at the level of the entire state improves efficiency and encompasses the majority of population), coordination, continuity, and sustainable financing.

Of course, different target groups also lend themselves to different options for implementation of PLE programs. In that regard, it is estimated that these educational programs are especially easy to organize for a group of young people given their accessibility through educational institutions, as well as due to the fact that, because of their inexperience, they are exposed to additional risk. Options for development and institutionalization of PLE programs for youth are primarily identified in expansion of the existing PLE elements within the educational system (i.e. primarily civil education subjects) aiming to include as many young people as possible, and education in this field would be implemented even before they start encountering specific legal problems. In that context, it is especially important to address introduction of curriculum contents that develop competences, as well as creating interesting educational programs to entice the interest of this population.

However, one should not neglect options for implementation of PLE programs for general population, such as the activities planned in various strategic documents of competent institutions, primarily those operating in the justice sector, or the potential in the domain of PLE offered by legal aid agencies, as well as the coordinated activities by non-governmental organizations. Some of the possible solutions include intensifying activities of relevant departments of various, primarily judicial institutions (e.g. public relations departments) in the domain of PLE or long-term PLE programs implemented through the media, as well as utilizing different educational mechanisms such as seminars, printed materials, free info lines etc.

Examples of the best practice in the world have served us as a framework for the analysis, as well as the source of inspiration in formulating proposals for possible future steps in the domain of PLE in Bosnia and Herzegovina. Within such comparative framework, and based on the analysis of accessible sources and practices, as well as the assessment of needs and capacities for enhancement and institutionalization of PLE programs in Bosnia and Herzegovina, the following recommendations were formulated:

1. It is necessary to create an appropriate framework, i.e. strategic documents, for implementation of PLE in Bosnia and Herzegovina. They should adhere to and reflect the five key PLE principles identified, and they are as follows: accessibility, decentralization, coordination, continuity, and sustainable financing.
2. It is necessary to create detailed and long-term PLE programs for the youth in Bosnia and Herzegovina, with a broad scope of topics, and explore options for their institutionalization. An integral part those programs should include continuous evaluation systems, which would ensure that the contents correspond to expressed needs, as well as to changes in the legal system.
3. Necessary steps should be taken towards establishment of a network or partnerships between organizations and institutions that would take active part in implementation of PLE programs.
4. It is necessary to establish an appropriate resource center, where legal professionals, as well as trainers from other professions would be able to obtain required information, training, materials, and whatever they need to conduct various activities and PLE programs.
5. Scarcity of human capacities and resources for implementation of PLE programs could be overcome by establishment of institutional mechanisms to create incentives for legal professionals to volunteer in this field. Another possible solution is to focus the education on future trainers in this field, such as teachers in elementary and secondary schools, activists in various non-governmental organizations, or to engage a number of unemployed lawyers or law students from BiH universities on a voluntary basis in realization of PLE programs.

1. Introduction

Understanding of the legal system is an important prerequisite for better handling of the different areas of law we are exposed to in everyday life. According to relevant research data,¹ lack of general understanding of legal system, as well as some of its segments, is one of the reasons for general trend of distrust in justice institutions in Bosnia and Herzegovina, which has been present in BiH society for years now, despite a whole decade of reform efforts in this sector.

Most of the past efforts in public legal education (PLE) focused on human rights education, with minor efforts in awareness raising and providing information and knowledge about certain justice institutions and functions, their jurisdictions and roles within the society, as well as the legal rights and responsibilities of citizens in Bosnia and Herzegovina.

In that regard, the goal of this research is to assess the nature and scope of current activities in public legal education, as well as the capacities for their development within the specific context of Bosnia and Herzegovina.

¹ See for example: OSCE Mission to BiH, "Odgovornost za ratne zločine" (Accountability for War Crimes), available at: <http://www.oscebih.org/Default.aspx?id=70&lang=HR> (accessed on November 10, 2011); also compare Division for Public Education, American Bar Association, "Educating the Public About the Law: Guide for Individual Lawyers" (2001): 1, available at: <http://www.americanbar.org/content/dam/aba/migrated/publiced/educatingpublicprint1.authcheckdam.pdf> (accessed on September 20, 2011).

2. Methodology and Structure of the Study

In order to achieve the fundamental goal of the research, qualitative comparative analysis of programs in the domain of PLE was conducted, mostly based on secondary sources of information, including reviews of available reports, analyses, and literature, as well as reviews of websites and other documents by different organizations dealing with public legal education in general, or one of its segments in Bosnia and Herzegovina, countries of the Region, Europe, and beyond. Especially important were the experiences from Canada, the United States of America, and the United Kingdom, as well as the countries where these programs are best developed. In absence of relevant secondary sources related to Bosnia and Herzegovina, data for assessment of situation and options for development of programs in this field has also been collected through primary research, which included the total of fourteen interviews with representatives of competent ministries and other governmental institutions, as well as international and domestic organizations that deal with these issues to some extent at least.²

It should be noted that due to extreme scarcity of secondary sources on this subject, language obstacles in the context of primary sources (laws, strategies, and policies) in many other countries, and limited time and resources available to us, we were unable to obtain a comprehensive insight into the matter that would make it possible for us to identify different models and approaches to the issue of PLE in various parts of the world, especially continental Europe. Still, we managed to identify examples of best practices which served us as the framework for analysis and source of inspiration to formulate the proposals for possible future steps in the domain of PLE in Bosnia and Herzegovina.

In addition, we are aware of the fact that, for better insight into the situation in our country, it would be necessary to conduct interviews with a broad group of actors from various sectors, which would certainly contribute to the whole picture of the PLE in Bosnia and Herzegovina at the moment. To that end, it would be important to determine the potential and actual role of the media in this domain, conduct in depth studies of the PLE projects in certain areas of the law (e.g. war crimes processing), examine current communication practices by different justice institutions and their potential for accomplishment of the PLE goals, or conduct a comprehensive review of initiatives and projects in Bosnia and Herzegovina in this domain, in order to find the best practices and lessons learned within Bosnia and Herzegovina in accordance with an array of defined criteria. However, such an ambitious project largely exceeds the rather moderate framework and objectives of our study.

² For more information about the completed interviews please see the addendum.

Specifically, given that the PLE concept as such is relatively unknown in Bosnia and Herzegovina, and that this analysis, according to available information, is the only one of its type in the B&H context, we have chosen an investigative, initial study, which included a broad scope of topics, illustrative projects, initiatives, and institutions, and it identified possible directions for the development of PLE in Bosnia and Herzegovina – both in general and within the context of youth as separate target group. Despite apparent limitations, we believe that the study is useful for mapping the situation in the field of PLE and for further consideration and discussion of this subject matter in Bosnia and Herzegovina.

The study is structured in the following manner: first of all, general settings were considered, important to understanding of the PLE concept, its development, significance, and goals. Then, the fundamental principles and PLE implementation mechanisms are addressed, on the basis of the best comparative experiences. This introductory presentation is supplemented by the detailed panorama of the best practice examples from relevant countries, aiming to provide at least a framework for identification and elaboration of basic models for implementation of programs in the field of PLE, and assess their importance and relevance for Bosnia and Herzegovina. In special focus of the study are PLE programs for school children and youth as a specific target group, for whom the educational system itself offers considerable possibilities for acquiring needed knowledge in this area. In the end, the final part of the study, based on available sources and interviews with relevant collocutors, offers basic conclusions and recommendations for future steps in development and institutionalization of PLE programs in Bosnia and Herzegovina, with special focus on the youth.

3. What is PLE?

3.1. Understanding the PLE in a Comparative Perspective

The concept of general public legal education is represented in different areas and exists, to lesser or greater extent, in all parts of the world. Nonetheless, the programs and activities in this domain are commonly limited to a short period of time or they focus on a small part of the population.³

In countries like the United States of America, United Kingdom, and Australia, general public education about laws, legislation, roles of judicial agencies and other players in a legal system, outside of the boundaries of formal legal education, has been implemented for many years now. Those programs are commonly encompassed by the concept of public legal education⁴ (hereinafter: PLE).

Many experts, however, feel that the concept of public legal education is difficult to define because it is impossible to “decide if PLE is an activity, discipline, field of work, network, or social movement”.⁵ Gander, for example, stresses that the efforts aimed at defining the PLE are unsuccessful because each of the elements comprising this concept (public, law, and education) “escapes” definition. This author says that, like other concepts, the PLE “can best be understood by observing what it is not – and it is not a legal advice, or legal representation, or continuation of formal legal training for lawyers”.⁶

³ Taslima Yasmin, “Legal Education: Legal Literacy for Defending Rights,” *The Daily Star Law & Our Rights*, edition no. 203 (January 29, 2011), available at: <http://www.thedailystar.net/law/2011/01/05/legal.htm> (accessed on August 25, 2011).

⁴ Public Legal Education. According to Loise E. Gander, “The changing face of Public Legal Education in Canada,” *News & Views on Civil Justice Reform*, no. 6 (summer 2003): 4, available at: <http://cfcj-fcjc.org/docs/2003/newsviews06-en.pdf> (accessed on August 25, 2011); terms also used are Public Legal Education and Information (in Canada), Community Legal Education (in Australia), Community Legal Information, and Law-Related Education, although the distinction between these terms has been caused by the efforts to fit the PLE into programs of different agencies, especially donors. It is also important to stress the concept of Legal Literacy, which is commonly mentioned in the PLE context, but it actually relates to the very goal of these educational programs. Given that they are all basically the same concept, the acronym PLE will be used hereinafter, notwithstanding that specific sources may include some of the other terms.

⁵ D. H. Access Research Associates Inc. 1986, *Access to Justice: Research Reports on Public Legal Education and Information: Report no. 5: Public Legal Education and Information, a Survey of Canadian P.L.E.I. Providers*, (1986): 112, according to Loise E. Gander, “The Radical promise of Public Legal Education in Canada,” Master’s Thesis, University of Alberta, (1999): 13, available at: <http://www.plecanada.org/RadPromise.pdf> (accessed on August 25, 2011).

⁶ Loise E. Gander, “The changing face of Public Legal Education in Canada,” p. 4, footnote 4, *supra*.

The United Kingdom Public Legal Education and Support Task Force⁷ (hereinafter the Task Force), in its 2007 report⁸, defines PLE through its key roles:

PLE provides people with awareness, knowledge and understanding of rights and legal issues, together with the confidence and skills they need to deal with disputes and gain access to justice. Equally important, it helps people recognize when they may need support, what sort of advice is available, and how to go about getting it. PLE has a further key role in helping citizens to better understand everyday life issues, making better decisions and anticipating and avoiding problems.⁹

On the other hand, some British non-governmental organizations, like information agency Advice now, provide much narrower definition of the public legal education, saying that the PLE entails awareness raising, dissemination of information, public education, as well as engagement in local community, all for purpose of fighting discrimination and human rights protection.¹⁰

Similar to the aforementioned Task Force, the Canadian Department of Justice defines PLE in more detail as

... an activity that seeks in a systematic way to provide people with the opportunity to obtain information about the law and the justice system in a form that is timely and appropriate to their needs, but does not include advocacy or representation on behalf of individuals, nor the provision of legal advice. PLEI improves access to justice by giving the public the information that is needed to understand the law, how to deal with the legal issues that affect their lives and how to use the opportunities and the protections offered by the legal system.¹¹

It is important to mention that, according to this definition, the PLE also includes the information segment, which relates to legal contents aimed at helping users understand legal context of a specific situation.¹² In this, however, one should keep in mind that high quality and organized public

⁷ PLEAS Task Force.

⁸ PLEAS Task Force, *Developing capable citizens: The role of public legal education: The report of the PLEAS Task Force*, (July 2007): 9, available at: <http://www.pleas.org.uk/uploads/PLEAS%20Task%20Force%20Report.pdf> (accessed on August 23, 2011).

⁹ *Ibid.*

¹⁰ Advice now, "Five minute masterclass," available at: <http://www.advicenow.org.uk/is-that-discrimination/itd-for-advisers/five-minute-masterclass,10258,FP.html> (accessed on October 17, 2011).

¹¹ Department of Justice Canada, "Public legal education and information (PLEI)," available at: <http://www.justice.gc.ca/eng/pi/pb-dgp/prog/plei-pvij.html> (accessed on August 25, 2011).

¹² Pat Pitsula, *Review of the Role of Public Legal Education in the Delivery of Justice Services* (November 4, 2002): 2, available at: <http://www.ag.gov.bc.ca/public/PLE-Review.pdf> (accessed on November 25, 2011).

information programs also include an educational component, which is more comprehensive and essentially implies any activity that makes it easier for an individual to understand and use the law.¹³ Therefore, Pitsula mentions domestic violence area as an example of legal information with an educational component, where service providers are not limited solely to legal consequences of spousal violence, and they also emphasize the broader context of women's equality, as well as that of legal counseling and dispute resolution, alimony, child support, and division of assets.¹⁴

In the United States of America, this term has been defined in the Law-Related Education Act back in 1978,¹⁵ and it means education to equip non-lawyers with knowledge and skills pertaining to the law, the legal process and the legal system, and the fundamental principles and values on which these are based.¹⁶ In other words, the PLE is "education about the rights and responsibilities of citizens in our constitution democracy; it is education about the role of law in the democratic adventure; and it is education about how the rule of law protects our freedoms".¹⁷

The European Partnership on Law-Related Education¹⁸ describes this concept as education that "aims to improve the ability of adult learners to understand and apply elements of law that affect everyday life as well as raising awareness about fundamental rights as core social and civic entitlements".¹⁹

Although the differences in the aforementioned approaches should not be neglected, especially the distinction between information and education, and between *ad hoc* and organized, coordinated approach in this field, it seems that varied approaches in the domain of definition are rather a result of varied ambition and level of institutionalization of specific programs than essential differences in understanding of the PLE as such.

¹³ *Ibid.*

¹⁴ *Ibid.*

¹⁵ Division for Public Education, American Bar Association, "Law-Related Education Network," available at: http://www.americanbar.org/groups/public_education/resources/law_related_education_network.html (accessed on November 27, 2011).

¹⁶ *Ibid.*

¹⁷ American Bar Association, "Law-Related Education History," available at: <http://www2.americanbar.org/calendar/2011-national-law-related-education-conference/Pages/GeneralInformation.aspx> (accessed on November 16, 2011).

¹⁸ European Partnership on Law-Related Education. The Partnership is actually a networking project within the Grundtvig Program of the European Union, aiming to spread legal literacy among adult population as essential societal and civil skills, and to improve the quality and accessibility of PLE. For more details see: Democracy and Human Rights Education in Europe (DARE) Network, "Launch of European Partnership on Law-Related Education," DARE Blog, published on September 21, 2011, available at: <http://dare-network.blogspot.com/2011/09/launch-of-european-network-on-law.html> (accessed on November 10, 2011).

¹⁹ *Ibid.*

Accordingly, a conclusion could be drawn that the PLE, in general, offers to broad public and/or certain target groups (e.g. youth) information and knowledge required for understanding of the legal system and individual rights within the system, with the ultimate goal of ensuring that the citizens are better prepared to handle different legal situations.

3.2. Youth and the PLE

The role of the PLE is especially recognized in the context of school children and youth. In that regard, promotion of democracy and exercising of civil freedoms and human rights through education are the fundamental values of the very citizenship concept. Full participation in the processes of decision making is one of the demands of active citizens, which requires that the citizens understand the governmental system and their role within, and that includes the workings of the legal system, and awareness of legal rights and responsibilities.²⁰ Some authors think that this could partially be accomplished through school programs, e.g. by introduction of a special subject course on citizenship,²¹ which will, among other things, include information about legal institutions, legal and human rights etc. These ideas also pervade the responsibilities anticipated by the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education,²² which focuses on training the students in exercising and defending their rights and responsibilities, as well as to contribute to the human rights culture within the society. Nevertheless, though understanding of human rights represents basic knowledge, one should keep in mind that the PLE is much broader concept, which, as already mentioned, enables an individual or a group to understand and use the law and legal system in daily life.

3.3. PLE in Bosnia and Herzegovina: Framework Definition of the Concept

In a complex legal system like Bosnia and Herzegovina, especially given the changes it underwent in the course of the past twenty years, citizens are often unaware of the role of different justice

²⁰ Nony Ardill, "The justice debate: Facing the future: Public legal education – unfinished business?" Legal Action Group Policy, (February 2002): 3, available at: http://www.lawcentres.org.uk/uploads/Unfinished_Business_Nony_Ardill_2002.pdf (accessed on September 21, 2011).

²¹ This subject in Bosnia and Herzegovina and countries of the region, i.e. in different regional languages, carries different titles, therefore somewhere it is called Introduction to Democracy and Human Rights, elsewhere it is Democratic Citizenship and Human Rights, and elsewhere again it is called Citizenship Education. In order to avoid confusion, hereinafter all of these terms will be consolidated into the common term 'citizenship education'.

²² Council of Europe, Charter on Education for Democratic Citizenship and Human Rights Education, Recommendation CM/Rec(2010)7, adopted by the Council of Ministers on May 11, 2010, the text available at: <http://www.coe.int/t/dg4/education/edc/Source/Pdf/Downloads/6898-6-ID10009-Recommendation%20on%20Charter%20EDC-HRE%20-%20assembl%C3%A9.pdf> (accessed on November 14, 2011).

institutions, or their rights and mechanisms for protection of those rights. This precludes accomplishment of their greater protection and more active role within the legal system. On the other hand, if members of the community understand their rights and responsibilities, that will lead to active citizenship and social cohesion, which in turn strengthen the civil society.²³

Taking into account key settings in the aforementioned definitions, specifics of the post war and transitional Bosnia and Herzegovina, legal problems faced by the BiH citizens, and past and current public legal education projects in our country (more details will follow), a general assertion can be made that the concept of public legal education in Bosnia and Herzegovina entails *systemic and continuous information about the legal system with the goal of allowing citizens better understanding thereof*. In this, the educational component refers to the mechanisms and programs for general public information, awareness raising, as well as formal and informal legal education. The legal system itself, as an education topic in this context primarily entails human and legal rights, obligations and responsibilities, different legal institutions, as well as their interrelations, and roles of different legal professionals within the justice system. And finally, the concept of PLE in Bosnia and Herzegovina is defined by its purpose, which entails achieving better understanding of the complex legal system by citizens, and enhancing their ability to understand, protect, and exercise their rights, and to strengthen their role in realization of the rule of law and in a democratic society in general.

All of the aforementioned elements of working, framework definition of the PLE for Bosnia and Herzegovina will be elaborated hereinafter.

²³ Advice Services Alliance, Citizenship Foundation and Legal Action Group, "Towards a National Strategy for Public Legal Education: a discussion paper," (September 2004): 2, available at: http://www.citizenshipfoundation.org.uk/lib_res_pdf/0234.pdf (accessed on September 26, 2011).

4. Why is PLE Important?

Although the law is an integral part of our lives, the research shows that, not only in Bosnia and Herzegovina but in countries with developed PLE programs as well, citizens are inadequately aware of both their legal rights and their legal obligations, of the ways to exercise their rights, as well as the roles of different justice institutions. In Bosnia and Herzegovina, it is notably reflected in surveys conducted with respect to the knowledge of the reform process in the judiciary, with results indicating insufficient knowledge of this process among the citizens.²⁴ In addition, there's an array of reasons why it would be important to introduce PLE programs in Bosnia and Herzegovina, such as the complexity of legal system, high level of poverty, difficulties in access to justice faced by marginalized groups, violations of human rights, lack of confidence and negative attitudes towards the judiciary, risks to mental health etc.

Majority of respondents in our survey agree that there is a need in Bosnia and Herzegovina for legal education of general public, as well as the youth, primarily because of the complexity of our legal system and structure of government as well. Among them is Niko Grubešić, BiH Assistant Minister of Justice,²⁵ who emphasizes that thus far there has not been a practice of involving general public in the work of institutions in Bosnia and Herzegovina, including justice institutions. In his words, this is not good, given that those institutions spend the money of that same public, or tax payers that is. Adisa Hadžić, Legal Associate for Criminal Procedure in the Cantonal Legal Aid Institution in Zenica,²⁶ also reflected upon the structure of institutions by saying that citizens have a hard time coping with the complex administration, and they often come to the Institute because they are unsure which institution is in charge of what affairs, who they should go to, or where to start exercising their rights. Many surveys support this claim, among which is the “Opinion of Court Service Users in Six Municipalities in BiH” from 2006, which shows that as many as one third of respondents are unaware of the possibility to file a complaint in case of discontent with court services, half of respondents do not think that information provided by the courts is adequate, and 70% of them don't even know about the

²⁴ For example, see: High Judicial and Prosecutorial Council (HJPC), “Kampanja za javno informisanje: Nezavisno i efikasno pravosuđe za BiH” (Public Information Campaign: Independent and Efficient Judiciary for BiH), available at: <http://www.hjpc.ba/pr/?cid=3034,2,1> (accessed on October 11, 2011); also compare: USAID, “Percepcija javnosti o pravosuđu u BiH” (Public Perception of the Judiciary in BiH), (March 2011), available at: http://www.usaidjscp.ba/files/project_doc/Percepcija%20javnosti%20o%20pravosudju%20u%20BiH.pdf (accessed on September 13, 2011).

²⁵ Interview with Niko Grubešić, Assistant Minister of Justice for Strategic Planning, Aid Coordination, and European Integration (Sarajevo, November 21, 2011). Audio recording in the author's archive.

²⁶ Telephone interview with Adisa Hadžić, Legal Associate for Criminal Procedure in the Cantonal Legal Aid Institution in Zenica (November 22, 2011). Audio recording in the author's archive.

informative brochures published by the courts.²⁷ In addition, citizens do not know what roles certain justice institutions play, such as the High Judicial and Prosecutorial Council (HJPC).²⁸

Of course, similar problems related to the lack of knowledge and understanding of legal system also occur in other countries. For example, the survey conducted by Buck and associates in Great Britain in 2007²⁹ showed that at the moment the respondents faced legal problems, they were unaware of their legal rights, and 69% of them were unaware what formal processes were utilized to solve such problems.

In addition to the argument talking about the complexity of legal system, our collocutors also said that awareness of the rights is the path to their protection. Therefore, the OSCE Mission to Bosnia and Herzegovina stresses that the citizens cannot fight for their rights if they neither understand their contents nor the ways, or mechanisms for their protection.³⁰ Ivana Kešić, Program Manager at the Civitas, the organization dealing with education for democracy and human rights, confirms that the PLE programs are a necessity not only for Bosnia and Herzegovina, but for any democratic society, and that in addition to education about the rights, citizens should also receive education on mechanisms for protection of those rights, which are rarely the topic of discussions.³¹

There are also various surveys in certain areas supporting the need for information and education of citizens in this domain. Thus, for example, the report on the status of rights in the field of social protection from 2010³² says that the citizens are generally ignorant of their rights, and that they seldom seek protection of their rights in courts and other competent institutions. On the other hand, such ignorance makes it possible for the institutions, as it is sometimes stated with harsh criticism, to “continue to violate the rights of a huge number of citizens unobstructed

²⁷ Prism Research and East West Management Institute for USAID, *Mišljenje korisnika sudskih usluga o sudovima u 6 općina u BiH* (Opinion of Court Service Users in Six Municipalities in BiH), USAID (May 2006): 23–24, available at: http://www.usaidjdp.ba/old_page/dokumenti/Komponente/Komponenta2/Misljenje%20korisnika%20sudskih%20usluga%20o%20sudovima.pdf (accessed on September 30, 2011).

²⁸ HJPC, “Public Information Campaign,” footnote 24, *supra*.

²⁹ Lisa Wintersteiger, “Young people’s experience of law-related events: The role of public legal education,” Public Legal Education Network, Advice Services Alliance (2008): 3, available at: http://www.lawcentres.org.uk/uploads/Young_Peoples_Experience_and_PLE.pdf (accessed on November 29, 2011).

³⁰ Interview with the OSCE Mission to BiH representatives (Sarajevo, November 29, 2011). Audio recording in the author’s archive.

³¹ Interview with Ivana Kešić, Program Manager at Civitas (Sarajevo, November 21, 2011). Audio recording in the author’s archive.

³² Prava za sve and Inicijativa i civilna akcija, *Zašto nismo jednaki u pravima iz socijalne zaštite? Analiza stanja i preporuke za djelovanje* (Why Don’t We Have Equal Rights in Social Protection? Situation Analysis and Recommendations for Action), (November 2010): 2, available at: http://www.rightsforall.ba/bos/dw/lzvjestaj_socijalna_zastita.doc (accessed on November 10, 2011).

and with impunity”. In other words, “the governmental institutions often deliberately omit to provide information about the citizens’ rights”.³³

Emina Halilović, the Assistant Ombudsman in BiH³⁴ also thinks that the more the public is informed about the rights the less likely it is that those rights will be violated. In other words, educational programs in this case may act as a deterrent. As indicated by our collocutor, “In Bosnia and Herzegovina, the citizens’ standard of living is at a very low level, and attorneys’ services are very expensive, which puts the retired, unemployed, and other persons with low income in a discriminated position, because they are unable to retain efficient legal counsel, whereas the government has not taken adequate measures to establish the legal aid system for the citizens categories in need of the assistance”.³⁵ Amra Jašarević, the Deputy Director of the HJPC Secretariat, emphasizes that the understanding of legal system is a guarantee of efficient access to justice for all citizens. However, in her words, the problem is that the public typically learns about these issues from the media reports, which are often “inaccurate, subjective, and skewed towards negative stories”.³⁶

Protection of rights is especially important to citizens who live on the margins of society, like the poor. According to the report of the UN Secretary-General from 2009, legal empowerment of the poor may be a necessary requirement for creation of encouraging environment that will provide sustainable livelihood to the people and lead to eradication of poverty.³⁷ In that context, it is especially important to highlight that the PLE as a concept has started out in Canada exactly as part of the movement against poverty in early 60s of the last century.³⁸ Specifically, the need for legal information emerged in ordinary people or those who were in some way threatened, and they realized that the law directly affected their lives, thus they demanded that it should be demystified and opened to ordinary people.³⁹ If we take into account the piece of data from the Survey on Household Spending in Bosnia and Herzegovina from 2007, according to which

³³ *Ibid.*

³⁴ Interview with Emina Halilović, Assistant Ombudsman of BiH and Head of the Department for Political and Civil Rights of the Institution of Human Rights Ombudsman of Bosnia and Herzegovina (Sarajevo, November 24, 2011). Audio recording in the author’s archive.

³⁵ *Ibid.*

³⁶ E-mail interview with Amra Jašarević, Deputy Director of the HJPC Secretariat (November 27, 2011). Written responses are in the author’s archive.

³⁷ United Nations General Assembly, *Legal Empowerment of the poor and eradication of poverty: Report of the Secretary General, A/64/133*, (July 2009): paragraph 3, available at: <http://www.un.org/esa/socdev/documents/reports/Legal%20empowerment%20of%20the%20poor.pdf> (accessed on December 27, 2011).

³⁸ Taslima Yasmin, “Legal Education,” footnote 3, *supra*.

³⁹ *Ibid.*

the total percentage of the poor, or those close to poverty, was 41.5%,⁴⁰ it is clear that in this context a large number of citizens need public legal education and information.

In addition, the research shows that the lack of information increases the citizens' distrust towards the legal system. Thus, for example, in 1999 the American Bar Association published the results of the public opinion survey regarding the legal system of the USA, and found that "the more people know about the law the more confidence they will have in the legal system and its officials".⁴¹ Conversely, the lack of information about the justice system of Bosnia and Herzegovina has led to erroneous perceptions by the public about the processing of war crimes and the ability of local judiciary to process these cases, which ultimately led to increased skepticism by citizens towards the justice system in this segment.⁴² In that regard, Maida Muminović, Project Coordinator at the Mediacentar Sarajevo also thinks that such programs are useful not just for citizens but for the judiciary as well, because they raise awareness among the leaders of judicial institutions about the importance of working with the community in order to reverse the negative public perception of this sector.⁴³

It is definitely symptomatic that research continuously reaffirms existence of negative attitudes and skepticism towards the law enforcement agencies and legal professionals, as well as to institutions and the legal system in general, which is not confined to Bosnia and Herzegovina. So, for example in Croatia, according to the Survey on Judiciary from 2001,⁴⁴ 52% of citizens do not have confidence in courts, while 57% do not believe that there is rule of law in Croatia, and in Serbia, only 15% of citizens express confidence in the judiciary⁴⁵. The research also shows that there are longtime trends of decline in confidence towards judiciaries in majority of

⁴⁰ Agency for Statistics of BiH, Federal Office of Statistics and Republika Srpska Institute of Statistics, *Anketa o potrošnji domaćinstava u BiH 2007: siromaštvo i uslovi života* (Survey on Household Spending in BiH 2007: Poverty and Living Conditions), (2007): 56, available at: http://www.bhas.ba/ankete/hbs_07_001-bh.pdf (accessed on December 12, 2011). According to survey data, out of this percentage there were 18.6% of poor people and 22.9% of persons under the risk of poverty.

⁴¹ Division for Public Education, American Bar Association, "Educating the Public About the Law," p. 1, footnote 1, *supra*.

⁴² OSCE Mission to BiH, "Accountability for War Crimes," footnote 1, *supra*.

⁴³ Interview with Maida Muminović, Project Coordinator at the Mediacentar Sarajevo (Sarajevo, November 22, 2011). Audio recording is in the author's archive.

⁴⁴ M. Jajčinović, "Anketa o pravosuđu" (Survey on the Judiciary), *Večernji List* (Newspaper), June 29, 2001, cited by: Josip Kregar, "Korupcija u pravosuđu" (Corruption in the Judiciary), (no date): 27, available at: http://www.pravo.unizg.hr/_download/repository/korupcijasudstvo.cg.doc (accessed on November 14, 2011).

⁴⁵ OSCE Mission to Serbia, Beogradski centar za ljudska prava (Belgrade Center for Human Rights) and Strategic Marketing Research, "Javno mnjenje u Srbiji: Stavovi prema domaćem pravosuđu za ratne zločine i Haškom tribunalu" (Public Opinion in Serbia: Attitudes towards Local Judiciary for War Crimes and Hague Tribunal), (December 2006), available at: <http://www.osce.org/sr/serbia/24242> (accessed on November 14, 2011).

European countries.⁴⁶ According to the second part of European Social Survey⁴⁷ from 2004, in Slovenia, Slovakia, Portugal, Russian Federation, Poland, Bulgaria, and Ukraine percentage of citizens that have confidence in the legal system is less than 30%, whereas in Hungary that percentage is only slightly higher than 30%. In France, Ireland, Estonia, United Kingdom, Spain and Belgium this number is a bit higher than 40%, which is still rather low, while the situation is the best by far in Scandinavian countries, where these percentages are considerably higher. It is indicative, in this respect, that the Scandinavian countries are often mentioned in the context of different initiatives related to public legal education.⁴⁸

Supporting the importance of the PLE, there is data on the number of persons who have encountered legal problems. According to the results of survey by British Legal Service Research Centre,⁴⁹ the citizens take no action in more than a million problems in the area of civil law that can be resolved in court, usually because of a belief that nothing can be done in a specific case. Certain commentators conclude that such context, along with poor choice of legal counsel, clearly points to the importance of continuous development of strategies related to education and information about different aspects of the law and legal system in promotion of social justice.⁵⁰

In addition, there are indicators according to which the lack of legal knowledge may lead not only to increased complexity of legal problems and inability to cope with the maze that is the legal system, but it can also create stress related health issues. Specifically, the research⁵¹ shows that 27% of legal problems in the area of civil law lead to stress related illnesses, and they also increase exposure to additional problems. Poor mental health is being linked to almost all types of problems in the area of civil law, especially problems related to discrimination, loss of home, mortgage or lease debt, as well as domestic violence and severed relationships.⁵²

⁴⁶ Steven Van de Walle, "Trust in the Justice System: A Comparative View across Europe," *Prison Service Journal*, issue 183 (no date): 23, available at: http://repub.eur.nl/res/pub/15893/1000465Etrust_in_the_justice_system.pdf (accessed on November 14, 2011).

⁴⁷ *Ibid*, p. 26.

⁴⁸ Center for Positive Integration in Denmark and Icelandic Center for Human Rights are among the members of the aforementioned European Partnership for PLE. In addition, among the countries that presented their work within the PLE on the page Advice Now (footnote 10, *supra*) is Finland, i.e. its Ministry of Interior, specifically the Legal Department thereof.

⁴⁹ Pascoe Pleasence et al., *Causes of Action: Civil Law and Social Justice*, Legal Services Commission, (2004): 107, available at: <http://www.justice.gov.uk/downloads/publications/research-and-analysis/lsrc/Causes%20of%20Action.pdf> (accessed on December 12, 2011).

⁵⁰ *Ibid*.

⁵¹ Pascoe Pleasence, "Civil Law, Social Problems and Mental Health: Fact Sheet," Legal Services Research Centre, 2009, available at: http://www.justice.gov.uk/downloads/publications/research-and-analysis/lsrc/FactSheet-MentalHealth_Jul2009.pdf (accessed on September 29, 2011).

⁵² *Ibid*.

In the end, one should keep in mind the specifics of the post-conflict and transitional legal framework in Bosnia and Herzegovina, which offer additional rationale for implementation of PLE programs. Specifically, one should keep in mind that, as highlighted by Waters, legal systems often find themselves in a chaotic state following armed conflicts⁵³ due to physical damage inflicted upon institutions and lack of personnel, as well as due to changes in the legal system that follow cessation of hostilities,⁵⁴ which requires special attention to legal education. Of course, Waters primarily refers to formal legal education, especially in universities, but one should also take into account the fact that “given that the laws are intended for people, the people should be aware of them”.⁵⁵

4.1. Importance of PLE for the Youth

The next question raised is why should PLE programs take a special focus on the youth? Already mentioned general reasons for initiation of PLE programs are applicable to young people. However, there are several specific reasons why this type of educational programs should be organized specifically for them.

First of all, lack of understanding of the legal system, as shown by relevant research, is being transferred to new generations. Specifically, the research among young people in the United Kingdom,⁵⁶ especially those in adverse environment and marginalized groups, showed that they had little knowledge about their fundamental rights and that they were unaware of legislation relevant to them. The data by Save the Children Norway Regional Office for South-East Europe also shows that children in general are aware of the existence of conventions protecting their rights, even what rights they include, but it is definitely a cause for concern that there is a lack of practical understanding, or recognition of these rights in practice, especially from the point of view of their violation, as well as the mechanisms for their protection.⁵⁷

⁵³ Christopher P. M. Waters, “Post-conflict Legal Education,” *Journal of Conflict & Security Law*, issue 10, no. 1(2005): 101.

⁵⁴ *Ibid*, p. 117.

⁵⁵ Taslima Yasmin, “Legal Education,” footnote 3, *supra*.

⁵⁶ L. J. Parle/Independent Academic Research Studies, *Measuring Young People’s Legal Capability*, IARS and Plenet (2009), cited by: Nigel J. Balmer et al., *Knowledge, capability and the experience of rights problems: Research report March 2010*, Plenet and LSRC (2010): 9, available at: <http://www.lawforlife.org.uk/data/files/knowledge-capability-and-the-experience-of-rights-problems-lsrc-may-2010-255.pdf> (accessed on August 24, 2011).

⁵⁷ Telephone interview with Ahmed Pjano, Program Manager/Adviser CRG at Save the Children Norway, South East Europe Regional Office (November 29, 2011). Audio recording is in the author’s archive.

Besides, young people represent one of the especially sensitive groups, which is more likely to experience some legal problems,⁵⁸ thus there is a considerable need for organization of PLE programs exactly for the youth. It is especially important given the fact that “legal proficiency is important in the context of availability of larger number of options when facing legal problems”.⁵⁹ In other words, the range of possible solutions to problems expands with the increase of knowledge about legal system. In case the PLE includes work aimed to increase legal competences of the youth, their ability to adapt can be increased regardless of risks and difficulties – such as alienation from family, school, and community, poor practices in family management, family conflicts, and financial and social deprivation – they face on daily basis, as well as the level of protection against those risks.⁶⁰

In addition, as shown by the study on educational implications, based on the English and Welsh surveys on civil and social justice, the youth deserve special attention for another reason, which is the fact that they rarely decide to seek legal advice, and because of the fact that, due to inexperience they often fail to obtain it.⁶¹

One should also take into account the fact that the transition young people go through from formal education and family home to employment and independence brings greater interaction with the legal system, as well as the difficulties in efforts to protect their rights adequately, which additionally enhance the complexity of legal rules and procedures.⁶² That is why they are more likely to experience the so called cascade effect, where one legal problem leads to another until they are utterly defeated by those problems.⁶³ Besides, if they lack the knowledge, skills, and confidence to face these problems, they become increasingly excluded socially, which prevents them from accessing even basic services they need in order to come out of such situations.⁶⁴

It is also important to stress that the general features of efficient programs in this field are also applicable to programs for prevention of juvenile delinquency, which is supported by several research and evaluation studies in the domain of PLE.⁶⁵ Given that juvenile delinquency is a

⁵⁸ Wintersteiger, “Young people’s experience of law-related events,” p. 3, footnote 29, *supra*.

⁵⁹ *Ibid*, p. 8.

⁶⁰ B. Benard, “Fostering Resilience in Children,” ERIC Digest (1995), cited by: Wintersteiger, “Young people’s experience of law-related events,” p. 9, footnote 29, *supra*.

⁶¹ A. Buck et al., “Education Implications from the English and Welsh Civil and Social Justice Survey,” (2007), cited by: Wintersteiger, “Young people’s experience of law-related events,” p. 5, footnote 29, *supra*.

⁶² Wintersteiger, “Young people’s experience of law-related events,” pp. 4–5, footnote 29, *supra*.

⁶³ *Ibid*.

⁶⁴ *Ibid*.

⁶⁵ Michelle Parrini, “Law-Related Education and Delinquency Prevention” (July 2002): 3, available at: <http://www.indiana.edu/~ssdc/lredelinqdig.htm> (accessed on November 4, 2011).

considerable problem in Bosnia and Herzegovina,⁶⁶ public legal education programs in schools may have a deterrent effect in this area, especially if they include elements that have been proven as deterrents to occurrence of delinquency - such as opportunity to make decisions, support, high expectations, rewarding certain behaviors etc.⁶⁷

One should not disregard the already mentioned Charter of the Council of Europe on education for democratic citizenship and on education about human rights, according to which there also exists an obligation to train students to be able to exercise and defend their rights and responsibilities. As highlighted in that document, “children and youth may not be old enough to vote in elections or sit on committees, but they have equal rights and responsibilities as adults and they have the right to express their opinions.”⁶⁸ The Charter is not exclusive to children and youth, and as one of its goals it includes providing opportunities for this type of education to every person within territory of member states of the Council of Europe. In addition, this type of learning is regarded as lifelong education process, which should be conducted through formal as well as informal education.⁶⁹

Special need for organization of such education among young people is highlighted by Samir Mahmić, Project Coordinator at the Youth Information Agency Bosnia-Herzegovina,⁷⁰ who thinks that, what is being offered to the youth through formal education is not enough, and thus any type of additional education represents a positive development. He notes that this is especially important given the fact that young people encounter different types of problems and difficulties, and benefits of such education, even if focused solely on the knowledge related to institutions in charge of certain legal issues, would be multifold.

Supporting these claims are the experiences of Maida Muminović from Mediacentar Sarajevo⁷¹ who took active part in the pilot project whose goals included education of youth in elementary and secondary schools about the legal system in Bosnia and Herzegovina through organization

⁶⁶ According to the data of Federal Police Administration in BiH, in the course of 2010 there were 1,177 cases of juvenile delinquency recorded. For detailed information see: Federal Police Administration in BiH, “Stanje kriminaliteta u FBiH u 2010. godini” (The State of Crimes in FBiH in 2010), available at: http://www.fup.gov.ba/index.php?option=com_content&task=view&id=13155&Itemid=69 (accessed on November 14, 2011).

⁶⁷ More details on these factors are given by Michelle Parrini, “Law-Related Education and Delinquency Prevention,” p. 3, footnote 65, *supra*.

⁶⁸ Division for Citizenship and Human Rights Education, Council of Europe, “Education for democratic citizenship and human rights (EDC/HRE): questions and answers,” available at: http://www.coe.int/t/dg4/education/edc/1_What_is_EDC_HRE/EDC_Q&A_en.asp (accessed on November 10, 2011).

⁶⁹ *Ibid.*

⁷⁰ Interview with Samir Mahmić, Project Coordinator at the Youth Information Agency Bosnia-Herzegovina (Sarajevo, November 21, 2011). Audio recording is in the author’s archive.

⁷¹ Interview with Maida Muminović, Project Coordinator at the Mediacentar Sarajevo (Sarajevo, November 22, 2011). Audio recording is in the author’s archive.

of guest lectures and mock trials, with judicial officials, i.e. judges and prosecutors as leaders in educational activities.⁷² In her opinion, these types of programs should be developed in the justice system as well, because, according to her, participation in education of students is a worthy initiative for enhancement of the image of judiciary in Bosnia and Herzegovina, and it contributes directly to involvement of the judiciary in local communities.⁷³ She thinks that judicial institutions could implement PLE programs in local communities, as well as in educational institutions. Specifically, the schools they worked with in the past hadn't had such encounters with the representatives of judiciary, and students' perceptions of the judiciary had been based on "movies", therefore the roles of certain legal professionals hadn't been clear enough to them.⁷⁴

Finally, young people are especially suitable for implementation of this type of educational programs, because they are easily accessible through the educational system. Ahmed Pjano from Save the Children Norway⁷⁵ points out that the major problem in education of adults is actually development of models and methods for their inclusion, as well as raising their interest. He thinks that legal education should start exactly with the youngest generations because in that case, due to existence of basic infrastructure, the investments are smaller, and the organization itself is simpler. In that respect, by focusing on school children and youth, with minimum investment in terms of funding and human resources, the most significant results may be achieved.

Having in mind the aforementioned reasons that make adequate PLE programs necessary, one can easily deduce that development of such educational programs is also important to the BiH context. Changes in the legal system, as well as its complexity, along with the lack of readily accessible information, and generally adverse public perception of the judiciary in Bosnia and Herzegovina are only some of the reasons to take more serious approach to the PLE programs and activities in Bosnia and Herzegovina.⁷⁶

⁷² The Project was implemented under the title "Support for the BiH Judiciary: Education of Pupils and Outreach to Local Communities" in the period December 2010 – June 2011. Detailed information about the project: Justice Network in BiH, "Support for the BiH Judiciary: Education of Pupils and Outreach to Local Communities," available at: <http://www.mrezapravde.ba/mpbh/latinica/txt.php?id=30> (accessed on August 25, 2011).

⁷³ Interview with Maida Muminović, Project Coordinator at the Mediacentar Sarajevo (Sarajevo, November 22, 2011). Audio recording is in the author's archive.

⁷⁴ *Ibid.*

⁷⁵ Telephone interview with Ahmed Pjano, Program Manager/Adviser CRG at Save the Children Norway, South East Europe Regional Office (November 29, 2011). Audio recording is in the author's archive.

⁷⁶ USAID, "Public Perception of the Judiciary in BiH," footnote 24, *supra*.

5. Principles and Mechanisms for Implementation of PLE Programs

5.1. Core Principles of PLE Based on the Best Practices

The systemic approach, which usually implies existence of official policies in the field of PLE, ensures continuous public education, thus increasing citizens' understanding of the legal system, their rights and responsibilities, and institutions where they can seek assistance in case they encounter some specific legal issue. Some of the countries with developed PLE programs have developed policies for this type of education, as well as specific strategies in order to ensure its continuity.

Existing PLE strategies and policies in Canada and the United Kingdom (of which more will be said in the next section), as examples of the best practices, provide useful framework for identification of core principles in organization of such programs. On the basis of these documents, as well as the existing activities within different PLE programs, target groups they are intended for, and institutions involved in the processes of public legal education, five core principles may be outlined, which are necessary for implementation of this type of programs:

1. **Accessibility** – represents one the fundamental ideas of the new Canadian PLE policy, according to which legal information should be presented in plain language and user friendly manner. Special emphasis of this policy is put on identifying and eliminating obstacles to access to information about the legal system, such as life in isolated areas, disability, and cultural or linguistic differences.⁷⁷
2. **Decentralization** – the organization of PLE programs in Canada itself supports decentralized approach. Specifically, the Justice Department of Canada, in collaboration with the provincial authorities, formed a network comprised of 13 organizations (one for each province and territory) with leading roles in coordination of PLE activities in respective provinces, or the status of main service providers. Furthermore, those organizations, collaborating with an array of other organizations in their territory, implement different activities in the field of PLE.⁷⁸ Specifically, majority of networks and partnerships between various organizations are formed for purpose of enhancing efficiency of PLE programs, or to encompass the largest possible part of population in the program. That is exactly

⁷⁷ Department of Justice Canada, "Public legal education and information (PLEI): Department of Justice Policy on Public Legal Education and Information – November 2009," available at: <http://www.justice.gc.ca/eng/pi/pb-dgp/prog/policy-politique.html> (accessed on August 25, 2011).

⁷⁸ *Ibid*, footnote 11, *supra*.

why the strategic PLE objectives, defined by the PLEAS Task Force in the United Kingdom, advocate development of inclusive partnerships among organizations dealing with this type of public education, all for purpose of promoting the PLE locally and on state level.⁷⁹

3. **Coordination** – work of various partnerships and networks requires coordination, especially to avoid overlapping and unplanned expenditure of funds and human resources, ensure efficiency of program activities and access to different parts of populations. This is most evident in the example of Canada, as described in the previous principle. It is important to note that the Department of Justice of Canada itself coordinates the activities of provincial organizations, as well as the activities of other organizations within other programs financed by this Department, which, to lesser or greater extent, include elements of PLE.⁸⁰ In a similar way, the document of the PLEAS Task Force in the United Kingdom defines strategic goals that include creation of a network of legal practitioners and development of online database, which include both donors and PLE service providers at local level in order to maximize networking and coordination.
4. **Continuity** – represents one of the principles ensuring that the majority of population is ultimately encompassed by the PLE programs. The programs organized *ad hoc* do not yield the best results because they do not provide actual acquisition of knowledge and skills most people need to be able to resolve a specific legal problem they may encounter in the future. In other words, *ad hoc* programs, for example, may encompass one generation of persons that encounter certain legal problem, whereas education for earlier or future generations is omitted. Still, if we go back to the definition by the Canadian Department of Justice, according to which the PLE enables people to obtain information at the time of need and in the manner consistent with their needs,⁸¹ *ad hoc* approach should not be discarded. Most people probably will not show special interest in matters presently not related to them, and certain legal information, such as details from war crime trials are relevant only in a certain context. In that regard, *ad hoc* programs may have significant place in situations where systemic approach already exists, but there is need for special public education in a specific area of the law.
5. **Sustainable financing** – represents one of the strategic goals defined by the PLEAS Task Force in the United Kingdom. Specifically, in order to ensure continued implementation of activities, it is necessary to ensure continued financing as well. As indicated, financing of different projects in the area of PLE is often short term and inadequate, which consequently leads to their lack of sustainability, emergence and disappearance, depending on available sources of financing, which ultimately leads to minimum long

⁷⁹ PLEAS Task Force, *Developing capable citizens*, p. 23, footnote 8, *supra*.

⁸⁰ Department of Justice Canada, "PLEI," footnote 11, *supra*.

⁸¹ *Ibid.*

term effects of such projects.⁸² For those reasons, as one of its strategic goals, the Task Force is set to identify sources of long term financing for PLE, such as the state lottery fund, as well as charity organizations and private sector.⁸³

5.2. Communication Mechanisms and Channels in the Domain of PLE

The thing that should keep in mind, in defining specific activities, is that the key feature of a good PLE program is transferability of knowledge, skills, and confidences.⁸⁴ Specifically, to cope with a concrete problem, many people need to improve their skills, and sometime develop new ones. To that end, the knowledge, skills, and confidence they acquire through some PLE program may be useful not just in a specific situation, but also in the context of prevention and facing other problems, having one positive experience lead to expectation of positive outcomes in other situations as well.⁸⁵

To achieve the principles mentioned in the previous section, various organizations and institutions implement series of specific activities in different areas of the law. Some of the mechanisms that have been proven successful in public legal education, according to information by the Bar Association Alberta affiliate⁸⁶ include: use of written materials, lectures, direct telephone lines, presentations, indirect trainings, different programs of mass media, mock trials, availability of literature, as well as the services offered through websites.

Of course, different organizations use different activities, depending on PLE target groups, as well as the available resources. Some focus only on certain parts of population, such as women, immigrants or minorities, while others include different programs for different groups of beneficiaries. Customizing education to target groups is necessary given that different people take and interpret information in different ways, depending on their cultural heritage, tradition, and education as well.⁸⁷

⁸² PLEAS Task Force, *Developing capable citizens*, p. 19, footnote 8, *supra*.

⁸³ *Ibid*, p. 23.

⁸⁴ *Ibid*, p. 9.

⁸⁵ *Ibid*.

⁸⁶ Canadian Forum on Civil Justice, "Cross Country Snapshot of Public Legal Education," *News & Views on Civil Justice Reform*, no. 6 (summer 2003): 11, available at: <http://cfcj-fcjc.org/docs/2003/newsviews06-en.pdf> (accessed on August 25, 2011).

⁸⁷ Advice Services Alliance, Citizenship Foundation and Legal Action Group, "Towards a National Strategy for Public Legal Education," pp. 3–4, footnote 23, *supra*.

Public legal education may include a series of activities with direct or indirect contact, such as contacts via telephone or Internet, leaflets and other types of printed materials.⁸⁸ The important thing to note is that the media, especially television, are very often used as the mechanism for implementation of PLE programs, which is typical of Bosnia and Herzegovina as well.⁸⁹ Such choice of activity is especially fitting having in mind the results of the public perception survey on the judiciary, conducted by the USAID in 2011, which showed that citizens use the media – such as daily newspapers and television – as the second most important source of relevant information.⁹⁰ In this respect, one should keep in mind that specific PLE activities should include production of video materials on specific legal issues. This is also highlighted by our collocutor Ivana Kešić,⁹¹ saying that the media programs, especially public broadcasters' programs should include educational contents on mechanisms for protection of rights, because information, as well as education on such contents is presently the responsibility of the education system. She stresses that it is important that such action is not reduced to a mere promotional video "which is financed by a foreign donor, but rather it should be systemic action by a single public broadcaster", which is presently missing.⁹²

In addition to the aforementioned ones, certain organizations such as the Canadian Bar Association (Alberta Affiliate) conduct other activities aimed at public legal education and information. They include the Law Day,⁹³ which is celebrated every year in April, Speaker's Bureau,⁹⁴ which engages attorneys and judges as volunteers to give lectures in schools, and educational video materials and interactive materials for online learning, which present different scenarios and ask provocative questions, and they are intended for secondary school students.⁹⁵

⁸⁸ *Ibid.*

⁸⁹ This is one of the activities implemented by the Institution of Human Rights Ombudsman of BiH in order to inform the public about human rights, mechanisms for their protection, as well as the role of this institution. Data obtained in Interview with Emina Halilović, Assistant Ombudsman of BiH and Head of the Department for Political and Civil Rights of the Institution of Human Rights Ombudsman of Bosnia and Herzegovina (November 24, 2011). Audio recording is in the author's archive.

⁹⁰ The first and foremost source of information in this context is conversation with friends and family. USAID, "Public Perception of the Judiciary in BiH," footnote 24, *supra*.

⁹¹ Interview with Ivana Kešić, Program Manager in Civitas (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

⁹² *Ibid.*

⁹³ Walter Pavlic, "Report: Public Legal Education-What Is It And Why Should We Care About It?" *Law Matters*, Canadian Bar Association Alberta, issue 30, no. 2 (April 2005): 2, available at: <http://www.cba.org/Alberta/PDF/Newsletter-Apr2005.pdf> (accessed on September 27, 2011).

⁹⁴ *Ibid.*

⁹⁵ *Ibid.*

Broad scope of PLE activities in the United States of America includes lectures for students as well as participation in the program “Ask the Lawyer” and writing of articles for local newspapers.⁹⁶ In addition, in order for education to reach as many people as possible and to raise their interest, there are interesting activities being undertaken, which provide potential users with an opportunity to become informed and educated within the confines of their homes, using the Internet. Thus, the Canadian CLEO Net offers its users an opportunity to watch webinars on different legal topics, and the resources are available in approximately 40 different languages. In addition, there is an option of following different events related to the PLE, and a map of services was also offered where legal assistance may be sought.⁹⁷

Activities are very often tailored for target groups, as well as the specific legal framework which is being presented to the program participants. Accordingly, PLE programs often focus on specific legal problems. For example, the PLE Agency in New Brunswick presents on its website⁹⁸ programs designed for young people, families, as well as the programs for prevention of abuse and violence. Publications designed for certain target groups are also grouped by types of legal issues,⁹⁹ such as abuse and violence, consumer and non-profit law, criminal and family law, housing and property law, rights of youth, as well as guide to courts, and within each of these programs or legal sections, different topics are addressed. Majority of the aforementioned organizations dealing with the PLE, especially those from Canada and the United Kingdom, offer electronic versions of educational materials to their online users, as well as links to relevant legal documents.

5.3. Profile of Educators in PLE Programs

Educators who implement PLE activities differ greatly. In Bosnia and Herzegovina, for example, in addition to school teachers delivering civil education, these processes include legal professionals, not just within regular operations and activities of various judicial institutions, but through engagements in different projects as well, such as the Mediacentar Sarajevo Project that focuses on schools in Bosnia and Herzegovina, which included active participation of judges and prosecutors.¹⁰⁰

⁹⁶ Division for Public Education, ABA, “Educating the Public about the Law,” p. 1, footnote 1, *supra*.

⁹⁷ CLEO Net, “Home,” available at: <http://cleonet.ca/> (accessed on September 29, 2011).

⁹⁸ Public Legal Education and Information Service of New Brunswick, “Home,” available at: <http://www.legal-info-legale.nb.ca/en/> (accessed on September 29, 2011).

⁹⁹ *Ibid.*

¹⁰⁰ Interview with Maida Muminović, Project Coordinator at the Mediacentar Sarajevo (Sarajevo, November 22, 2011). Audio recording is in the author’s archive.

The situation in other countries is similar. According to available sources, majority of educational activity implementers in this area is comprised of legal professionals. In the countries with developed PLE programs, such as Canada and USA, lawyers rallying around professional associations or as independent activists represent the largest group of volunteers giving lectures in schools and for general public. As frequently highlighted, the volunteers play a critical role in the success of organizations dealing with PLE.¹⁰¹ In addition to attorneys and judges, there are other professionals and members of the community who invest time and expertise in order to promote the goals of organizations dealing with the PLE. Presence of such support is often critical to survival of those organizations.¹⁰²

It is important to mention that lawyers are not the only ones playing the role of educators in implementation of PLE programs. Actually, the institutions that implement PLE programs often organize special train the trainers programs in order to enhance the efficiency and the size of population included. Therefore, for example in Canada, organizations dealing with PLE programs have been providing trainings and resources for 40 years to intermediaries such as teachers, librarians, and other professionals and organizations that work directly with citizens, all for purpose of having the services reach as many people as possible.¹⁰³

Overview of institutions and organizations dealing with PLE programs show that public legal education requires relatively complex models of collaboration with clearly defined coordination of individual and joint activities and presence of volunteer activism, in order to ensure long term work on this segment of public education. In other words, existence of coordinated, systemic approach is the key to accomplishment of long term programs in this field.

5.4. Target Groups / Program Beneficiaries

As highlighted by Gander, “one of the first lessons of PLE is that the general public is not an homogenous body but a conglomeration of publics”, and that “PLE audiences are defined by their own particular needs – needs that include their specific legal issues, the way in which they will use the knowledge they are seeking, their learning styles, and their ability to access particular kinds of resources”.¹⁰⁴

That is exactly why PLE programs can be intended for different types of audiences, depending on what aspects of the legal system they find interesting, whether we’re dealing with mere curiosity

¹⁰¹ Gander, “The changing face of Public Legal Education in Canada,” p. 5, footnote 4, *supra*.

¹⁰² *Ibid.*

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*

or the interest being the consequence of an encounter with a legal problem. In addition, factors such as age, origins (e.g. immigrants), social status, and other characteristics may influence the level of their knowledge, as well as the need for better understanding of the law and legal system. Also, as already mentioned, PLE programs can be specifically designed when intended for intermediaries in the transfer of knowledge, such as teachers and professors in school and universities, facilitators of various workshops, employees in organizations that deal with the issues of PLE etc.

Organizations that focus on development and implementation of PLE programs often concentrate only on certain groups of beneficiaries. Department of Justice Canada, for example, finances different organizations that implement specific programs in the area of PLE. Among them, there are organizations and safe houses for women, immigration agency services, schools and school boards, municipal authorities etc. On the other hand, legal education component has been included in different projects and initiatives within the Department, which include the following: Revised Youth Justice Strategy, Family Law Strategy focusing on children, Initiative against Domestic Violence, as well as the Initiative for Victims of Violence.¹⁰⁵

The situation is similar in other countries with PLE programs, regardless of the level of sophistication in this area. In Australia, for example, there are special programs dedicated to women in rural environments, young people, children, and activists in the domain of environment protection,¹⁰⁶ while the European Partnership of PLE focuses on topics for education of adults.¹⁰⁷ Given that specific programs more frequently focus on human rights education, most organizations that implement activities in the field of PLE endeavor to encompass the largest possible part of population. This is definitely the case with organizations whose fundamental principles do not target any certain group. Such organizations often resort to highly creative communication mechanisms, which encompass broad population – thus, for example, the Icelandic Human Rights Center implements some of its activities in shopping malls, whereas the Hungarian Ministry of Social Affairs and Labor strives to include as many citizens as possible through direct financing of various projects implemented by non-governmental organizations, as well as the traditional and new media.¹⁰⁸

¹⁰⁵ Canadian Forum on Civil Justice, “Cross Country Snapshot of Public Legal Education,” p. 10, footnote 86, *supra*.

¹⁰⁶ For more details see: Australian Government Attorney-General’s Department, “Community Legal Services Program,” available at: http://www.ag.gov.au/www/agd/agd.nsf/Page/Legalaid_CommunityLegalServicesProgram_TheCommunityLegalServicesProgram (accessed on November 26, 2011).

¹⁰⁷ DARE Network, “Launch of European Partnership on Law-Related Education,” footnote 18, *supra*.

¹⁰⁸ Advice now, “Five minute masterclass,” footnote 10, *supra*.

5.5. The Youth as Target Group

Since our research also focuses on assessment of needs and capacities for development of PLE programs for the youth, in this section we shall focus on the youth as specific target group.

First of all, it is necessary to define who is encompassed by the term “youth”. The Law on Youth in Federation of Bosnia and Herzegovina, for example, under this term includes persons between 15 and 30 years of age.¹⁰⁹ Republika Srpska is similar, where the youth includes “persons between 16 and 30 years of age”.¹¹⁰ On the other hand, in Canada for example, the youth includes persons over 12 years of age, but not beyond 18, unless it’s defined differently.¹¹¹ However, the term “youth”, in the context of PLE should certainly be broader in definition given the necessity of timely education. In that regard, this term should encompass elementary school children, and depending on selected activities, various types of education in this area may be implemented starting with the third grade.¹¹²

Children and young people are most frequently the target groups for different public legal education programs. Special reasons why this type of education should be provided to the youth are indicated in the previous sections. However, we should also add to this the fact that young people are part of the population which is readily accessible through educational institutions. This is best depicted by the fact that different types of collaboration between governmental and non-governmental organizations and institutions are achieved exactly through development of civil education programs in schools, which is the case in Serbia¹¹³ as well as in our country¹¹⁴. Of course, such collaboration does not have to be restricted to formal education, which has been shown in the example of the Center for Peace Studies in Croatia, which organized a

¹⁰⁹ Parliament of FBiH, Zakon o mladima (Youth Law), Article 4, paragraph 1, *Official Gazette of FBiH*, no. 36/10, available at: <http://www.mladicentar.org/files/Zakon%20o%20mladima,%20SI%20novine%20FBiH%2036-10.pdf> (accessed on October 28, 2011).

¹¹⁰ National Assembly of Republika Srpska, Zakon o omladinskom organizovanju Republike Srpske (Law on Youth Organizing in Republika Srpska), Article 2, paragraph 1, *Official Gazette RS*, no. 98/04, available at: http://www.civilnodrustvo.ba/files/docs/zakoni/Zakoni%20i%20pravilnici%20u%20RS/ZAKON_O_OMALDINSKOM_ORGANIZOVANJU.pdf (accessed on October 28, 2011).

¹¹¹ Department of Justice Canada, Youth Criminal Justice Act (S.C. 2002, c. 1), *Interpretation: young person*, available at: <http://laws.justice.gc.ca/PDF/Y-1.5.pdf> (accessed on October 28, 2011).

¹¹² Washington State Bar Association, for example, offers on its website complete school curriculum for grade 3 through 12. More details on: Washington State Bar Association, “PLE Middle and High School Lesson Plans,” available at: <http://www.wsba.org/Resources-and-Services/PLE/PLE-Middle-and-High-School-Lesson-Plans> (accessed on October 27, 2011).

¹¹³ Civic Initiatives, “Program građanskog obrazovanja” (Specialized Program for Civic Education), available at: <http://www.gradjanske.org/page/civicEducationProgram/sr.html> (accessed on November 16, 2011).

¹¹⁴ Non-governmental organization Civitas has initiated development of the program and textbook for civil education, and authorized ministries are accepting this program and introducing it into curricula. Interview with Ivana Kešić, Program Manager at Civitas (Sarajevo, November 21, 2011). Audio recording is in the author’s archive.

series of campaigns aimed at awareness raising on the issues such as discrimination and violence among young people, training designed for young people and young leaders etc.¹¹⁵ In addition, the necessity of providing information to young people in the field of law, human rights, judicial institutions, even legal literature has also been recognized in some strategic documents related to the youth in our country, such as the Youth Strategy of the “Novi Grad Sarajevo” Municipality till 2012.¹¹⁶

In addition, one should keep in mind that programs intended for children and youth may be used as the foundation for organization of general public education. Civitas, for example, within its regular activities in BiH schools, also organizes education for teachers, and there are additional trainings organized for parents and members of school administrations.¹¹⁷

¹¹⁵ Advice now, “Five Minute Masterclass,” footnote 10, *supra*.

¹¹⁶ “Novi Grad Sarajevo”, *Strategija za mlade Općine Novi Grad Sarajevo do 2012. godine* (Youth Strategy of the “Novi Grad Sarajevo” Municipality by 2012, (2008): 57, available at: <http://mladi.info/files/pdf/strategija.pdf> (accessed on December 26, 2011).

¹¹⁷ Interview with Ivana Kešić, Program Manager at Civitas (Sarajevo, November 21, 2011). Audio recording is in the author’s archive.

6. Institutional Framework of PLE

6.1. Preliminary Considerations

In the context of mapping of actors and creators of initiatives in different countries, the most noteworthy thing is the existence and operations of international networks, which have been undertaking important activities in this area lately. The most prominent and probably the largest among them is the Street Law,¹¹⁸ a non-profit organization that develops school curricula and local community programs intended for education of people around the world about the law, democracy, and human rights. This network operates throughout the USA and in over 40 countries of Central and South America, Africa, Asia, and Europe, including Croatia, Macedonia, and Serbia.¹¹⁹ Another network that deals with these issues is the already mentioned European Partnership for PLE,¹²⁰ which is comprised of non-governmental organizations from seven European countries: Denmark, Germany, Greece, Hungary, Iceland, Poland, and the United Kingdom. Given that this network has just been formed and that the first meeting was held in mid November 2011, it is still early to discuss their activities and achievements. However, it is important to mention that during 2012 and in 2013 they plan to conduct a series of meetings between professionals on the topic of PLE programs for adults.¹²¹ It is important to note the international Civitas programs implemented by the Center for Civic Education California,¹²² which coordinates civic education programs in more than 70 countries around the world, partially encompassing legal education as well. Also a part of this international program is the Civitas in Bosnia and Herzegovina, which has been implementing civic education projects since 1996 in cooperation with entity and cantonal ministries.¹²³

It has already been mentioned that some types of legal education for general public exist in all parts of the world, but they are usually limited to a short period of time or they focus on a small part of population.¹²⁴ It is exactly this span in terms of project duration and size of population being educated that makes a useful framework to determine the level of development and ambition of PLE programs. Generally speaking, it is to be expected that models where there

¹¹⁸ Street Law, "Home," available at: <http://www.streetlaw.org/en/home> (accessed on November 26, 2011).

¹¹⁹ *Ibid.*

¹²⁰ For more details see: DARE Network, "Launch of European Partnership on Law-Related Education," footnote 18, *supra*.

¹²¹ *Ibid.*

¹²² Center for Civic Education California, "About Us," available at: <http://new.civiced.org/about/about-us> (accessed on November 26, 2011).

¹²³ Interview with Ivana Kešić, Program Manager at Civitas (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

¹²⁴ Taslima Yasmin, "Legal Education," footnote 3, *supra*.

is international collaboration between various players from various sectors will ensure that the program encompasses larger part of population and broader range of topics as well. Additionally, existence of strategic documents and plans at the state level, with coordination of all relevant players may ensure more permanent sources of financing for such projects and more rational expenditure of necessary funds, which would allow for longer duration of programs in this field.

Overview of available sources at first glance shows that almost every country has its unique PLE model, which includes various players taking different roles. However, many programs in this area have certain common characteristics. Still, it is important to note that the goal of our study is not to create a list of all possible models, mechanisms, and players in the public legal education processes. Our efforts in this domain primarily strive to identify the best practices in delivering this type of education.

Having in mind the aforementioned criteria for duration of projects, range of population and topics, collaboration between the government and non-governmental sector, existence of a strategic or other document which serves as the basis for PLE in a specific country, and given the degree to which they personify the aforementioned five core principles, we can talk about poorly or well organized PLE systems.

In poorly organized systems, collaboration between the government and the non-governmental sector is not common, and also there is rarely collaboration between non-governmental organizations themselves or between governmental institutions in PLE projects. In situations when such collaboration does exist, it does not encompass broad range of topics or significant portion of population, and/or it is not for long term. Poorly organized systems do not have strategic documents, policies and/or plans for this type of education at state level, but various governmental institutions and non-governmental organizations undertake different initiatives in public education, at least in certain elements of the legal system. According to our preliminary analysis, such approach is typical in most countries in the world.

Educational activities in poorly organized systems are chiefly focused on information and education for citizens in fundamental human rights and different ways to battle discrimination. In Hungary, for example, the Ministry of Social Affairs and Labor implements a series of activities in awareness raising on human rights issues, preparation of publications, conferences, and similar initiatives, which largely relate to the PLE as well.¹²⁵ In addition, the Ministry also supports the activities of non-governmental organizations, and special emphasis is put on education for marginalized groups.¹²⁶ Non-governmental organizations in Hungary also undertake various activities that incorporate the information, i.e. education component relevant to legal system.

¹²⁵ Advice now, "Five Minute Masterclass," footnote 10, *supra*.

¹²⁶ *Ibid.*

Among them is the NANE Women's Rights Association, one of the members of the already mentioned European Partnership of PLE,¹²⁷ which provides information and assistance to women and children victims of domestic violence.

It is important to note that in many European countries, there are programs for human rights education, which, in many cases, constitute a part of regular school curricula for civic education.¹²⁸ These programs strive to develop the awareness of students regarding human rights and liberties, as well as the mechanisms for protections of those rights available in a democratic society.¹²⁹ It is important to stress that present day civic education throughout Europe is being implemented not just through formal types of education, but informal as well.¹³⁰

Although understanding of human rights is exceptionally important for any citizen individually, and as such it permeates different PLE programs, one should keep in mind that, in addition to basic information, such human rights education usually does not provide detailed insight into legal system, other rights guaranteed by the law, or insight into roles of different legal professionals. That is exactly why civic education, as part of formal education, should be viewed as just a beginning, i.e. an important element for further development and institutionalization of public legal education programs.

6.2. Examples of the Best Practices in the Field of PLE

Well organized PLE systems may be observed in several countries. Historically, in the beginning of PLE development in Canada, in early 60s of the last century, the activities in this field were implemented by non-governmental organizations.¹³¹ It took more than 10 years of their work and activism to get the governmental organizations involved in the entire process. Today in this country, PLE programs are coordinated and administered by the Department of Justice Canada.¹³² As already mentioned, in each of the 13 Canadian Provinces and Territories there is

¹²⁷ For more details see: DARE Network, "Launch of European Partnership on Law-Related Education," footnote 18, *supra*.

¹²⁸ Karlheinz Durr, Vedrana Spajić-Vrkaš, and Isabel Ferreira Martins, *Učenje za demokratsko građanstvo u Europi* (Learning for Democratic Citizenship in Europe), (Zagreb: Research and Training Centre for Human Rights & Democratic Citizenship, University of Zagreb, Department of Philosophy, 2002): 26.

¹²⁹ *Ibid.*

¹³⁰ *Ibid.*, p. 50–51.

¹³¹ Taslima Yasmin, "Legal Education," footnote 3, *supra*.

¹³² Department of Justice Canada, "PLEI," footnote 11, *supra*.

one organization¹³³ responsible for implementation of PLE activities. All of these organizations are financed by the Department in one part, and in other part through a series of foundations whose revenues are collected from interests on lawyers' trust accounts.¹³⁴ In some cases, such as the case of the Legal Services Board of the Northwest Territories, these organizations also provide legal aid.

In addition, PLE activities are also being developed and implemented by the Department of Justice itself, as well as "a wide variety of partnering or intermediary organizations supported by various funding programs of the Department to develop and provide PLEI activities and tools to communities".¹³⁵ These organizations are also supported by the provincial departments of justice, provincial legal foundations, and other organizations.¹³⁶ In addition, the Department of Justice Canada works independently on development of educational and informative materials on the legal system and rights of citizens, and it assists other organizations whose projects and programs focus to some extent on the PLE.¹³⁷ The entire system includes a number of players, such as educational and justice institutions, and various social groups, which usually collaborate with larger organizations like the aforementioned provincial ones, in order to enhance the efficiency of PLE programs.¹³⁸ In addition to all of the above, it is important to note that two years ago, a new PLE policy was adopted in order to align current activities of this Department related to PLE with its current goal of "ensuring that the legal system of Canada is accessible, efficient and fair," and in order to channel further development of public legal education and information through the Department.¹³⁹ Policies like these personify some of the core principles of PLE programs, such as providing legal information in plain language and format that focuses on the user, acknowledging the needs of different target groups and vulnerable categories and importance of the role of lower level government in implementation of programs and projects in this area.

¹³³ Although these are mostly non-governmental organizations, in some Canadian Provinces, such as Ontario, this role has been taken over by legal clinics or Legal Services Board attached to the Department of Justice, as in the case of Northwest Territories. More details on the aforementioned organizations' websites: Community Legal Education Ontario, "Home," available at: <http://www.cleo.on.ca/english/index.htm> (accessed on September 29, 2011); Department of Justice Northwest Territories, "Legal Aid," available at: <http://www.justice.gov.nt.ca/legalaid/index.shtml> (accessed on December 12, 2011).

¹³⁴ It is a special system where lawyers transfer the clients' deposits to special interest bearing accounts, and interest revenues are used to finance various programs. More details on: The Free Dictionary by Farlex, "Interest on Lawyers Trust Account," available at: <http://legal-dictionary.thefreedictionary.com/Interest+on+Lawyers+Trust+Account> (accessed on December 22, 2011).

¹³⁵ Department of Justice Canada, "PLEI," footnote 11, *supra*.

¹³⁶ Loise E. Gander, "The changing face of Public Legal Education in Canada," p. 5, footnote 4, *supra*.

¹³⁷ Department of Justice Canada, "PLEI," footnote 11, *supra*.

¹³⁸ A. McChesney, *PLEI Provided by Intermediaries: Does Widespread Access Mean "Equal Access"?*, Department of Justice Canada (1997); cited by: Loise E. Gander, "The changing face of Public Legal Education in Canada", p. 5, footnote 4, *supra*.

¹³⁹ Department of Justice Canada, "PLEI," footnote 11, *supra*.

Public legal education in the United States of America started somewhat later, in late 70s of the last century, when the interest in the reform of social science studies and civic education intensified.¹⁴⁰ This PLE development process culminated in enactment of the 1978 Law-Related Education Act, whose fundamental principles are today reflected in various regulations of the US Government Education Department.¹⁴¹ Presently, in this country, there is an array of different organization and governmental initiatives implementing these types of programs. For example, the Office of Juvenile Justice and Delinquency Prevention had a PLE program¹⁴² whose main intention was to teach young people about laws, legal system, and fundamental values of constitutional democracy,¹⁴³ and today, its funds are used to finance various organizations dealing with the PLE.¹⁴⁴ In addition, the American Bar Association has a special Division for Public Legal Education, which collaborates with other organizations at national level aiming to educate as many citizens as possible, especially the youth, through lectures in educational institutions.¹⁴⁵

In addition to the aforementioned examples of states which have more or less established the institutional foundations for education in this domain, it is worth mentioning the example of a country where joint initiatives of the government and non-governmental sector have led to creation of a very interesting PLE model. Specifically, the Department for Constitutional Affairs of the United Kingdom, in January 2006,¹⁴⁶ established a Task Force for Public Legal Education and Support whose members, in addition to representatives of various non-governmental organizations, included representatives from governmental institutions and agencies, experts in the field of counseling and education, civil and other volunteering groups and organizations for equality.¹⁴⁷ Key recommendation in the report of the Task Force is that it is necessary to establish an independent agency or center tasked with implementation of the strategy defined therein, because PLE is too broad a field and the existing organizations (governmental or non-governmental) could not cover it on their own.¹⁴⁸ The Task Force stated in the report that

¹⁴⁰ American Bar Association, "Law-Related Education History," footnote 17, *supra*.

¹⁴¹ Division for Public Education, American Bar Association, "Law-Related Education Network," footnote 15, *supra*.

¹⁴² The document uses the term Law-related education. More details in: The Audit Division, *Semiannual Report to Congress April 1, 1997 - September 30, 1997, USDOJ/OIG*, (1997): 20, available at: <http://www.justice.gov/oig/semiannual/9709/sa972p3.htm#Significant%20Audit%20Products> (accessed on October 20, 2011).

¹⁴³ *Ibid*.

¹⁴⁴ For example, the organization Youth for Justice represents the consortium of five national organizations that implement activities for education of youth about the legal system. For more details see: Youth for Justice, "About YFJ," available at: <http://www.youthforjustice.org/> (accessed on November 16, 2011).

¹⁴⁵ PLE Department of the American Bar Association is one of the five organizations making up the consortium Youth for Justice. For more details see: *Ibid*.

¹⁴⁶ PLEAS Task Force, *Developing capable citizens*, p. 4, footnote 8, *supra*.

¹⁴⁷ *Ibid*.

¹⁴⁸ *Ibid*, p. 25.

time was required for establishment of such PLE center with appropriate competences, and proposed as a transitional solution establishment of a non-profit organization which would start the activities in the field of PLE. Such center or agency has not been established thus far, but as soon as the following year Plenet¹⁴⁹ was formed, the network of organizations and individuals dealing with the PLE issues. They were initially financed by the UK Ministry of Justice, and they also received donor support.¹⁵⁰ In the course of 2011, activities of this network resulted in establishment of an independent foundation called Law for Life: The Foundation for Public Legal Education, which is financed by individuals and other donors.¹⁵¹ The work of the foundation is primarily consisted in promotion of good practices in public legal education, as well as providing space for practitioners and researchers to exchange information and ideas, and awareness raising about the need for the PLE and its value. In addition, committees of this foundation work on the research and providing support to pilot projects in this area, and currently there are activities being undertaken for development of an active network of practitioners in the field of PLE, which will ensure their mutual support and encourage cooperation and development of new initiatives.¹⁵² The United Kingdom example highlights the importance of cooperation between governmental institutions and non-governmental organizations in development of efficient and long term PLE programs.

Finally, the example of Australia shows that it is possible to organize an efficient PLE system in complex federal states, with maximum use of combined public funds and private donations. Specifically, the Attorney-General's Department¹⁵³ administers the legal services program in local community provided by legal centers as key components in the legal assistance system. In addition to legal assistance, the centers provide information and education about a wide range of legal topics. Through this program, they are financed by the Australian Government, and they are partially financed by donors.¹⁵⁴ Although the majority of these centers cover a wide range of legal topics, in accordance with the needs of their clients, the Australian Government also finances certain centers which are specialized for certain legal issues or target groups.¹⁵⁵ In addition, certain agencies at the level of federal department also have special strategic documents identifying needs, mechanisms, and activities in public legal education. For example, Legal

¹⁴⁹ Public Legal Education Network.

¹⁵⁰ Plenet, "About Us," available at: <http://www.plenet.org.uk/about-us/> (accessed on October 27, 2011).

¹⁵¹ *Ibid.*

¹⁵² *Ibid.*

¹⁵³ Australian Government Attorney-General's Department.

¹⁵⁴ See, for example, HIV/AIDS Legal Centre, "Donations," available at: <http://www.halc.org.au/volunteers.html> (accessed on November 26, 2011).

¹⁵⁵ Australian Government Attorney-General's Department, "Community Legal Services Program," footnote 106, *supra*.

Aid Queensland (government agency) has its own Strategy for Community Legal Education,¹⁵⁶ whose main purpose is to ensure that the programs encompass priority target groups and legal issues. As noted in the Strategy, PLE represents the foundation for commitment to National Partnership Agreement on Legal Assistance Services,¹⁵⁷ and the agency itself plays a leading role in the system of collaboration with a series of other agencies, the purpose of which is to avoid duplication of efforts and services in this sector which has limited resources.¹⁵⁸

6.3. PLE Initiatives and Potentials in the Countries of the Region

The countries in the region, like Croatia and Serbia may be included in the group of countries whose public legal education models are insufficiently organized and coordinated. They are primarily implemented through civic education courses, or subjects that promote and enhance citizenship and human rights, although one should not overlook different initiatives and activities of governmental institutions, which, however, appear to be mostly focused on information and education about human rights.

The Ministry of Science, Education and Sports of the Republic of Croatia has announced introduction of civic education in the curriculum for 2011/2012 academic year. In addition, the aforementioned Ministry finances the operations of various associations that implement informal education programs, which include the Center for Healthy Development “*Idem i ja*” (I go too) and DIM – Association for Civic Education and Social Development,¹⁵⁹ which implement different educational activities in the field of human rights and civic education. There is also room for

¹⁵⁶ Community Legal Education.

¹⁵⁷ The Already mentioned National Agreement was signed by the Australian Commonwealth and states and territories in order to facilitate reforms in the legal assistance sector and allow access to justice for vulnerable categories of Australians through legal assistance services. General principles of this agreement include referring authorized agencies to preventive action, early intervention and dispute resolution services, and providing all preventive services as well as the legal education services, counseling, assistance, and advocacy. See: Council of Australian Governments, National Partnership Agreement on Legal Assistance Services, 2010, p. A–13, available at: http://www.federalfinancialrelations.gov.au/content/national_partnership_agreements/Other/Legal_Assistance_Services_NP.pdf (accessed on October 4, 2011).

¹⁵⁸ Legal Aid Queensland, “Community Legal Education Strategy: National Partnership Agreement on Legal Assistance Services Initiative,” (2011): 1, available at: <http://www.legalaid.qld.gov.au/Documents/cle-strategy-2011.pdf> (accessed on November 14, 2011).

¹⁵⁹ The Ministry of Science, Education and Sports of Croatia, *Odluka o izmjeni i dopuni Odluke o financijskoj potpori projektima udruga u području izvaninstitucionalnoga odgoja i obrazovanja djece i mladih u školskoj godini 2010/2011* (Decision on Amendment of the Decision on Financial Support for Projects by Associations in the Field of Non-institutional Education of Children and Youth in the Academic Year of 2010/2011), protocol number: 533-12-10-0003, class: 007-02/10-04/00003, December 8, 2010, available at: <http://public.mzos.hr/fgs.axd?id=17347> (accessed on November 16, 2011).

action in the field of PLE within legal aid programs. Specifically, the Free Legal Aid Act in Croatia says that providing general legal information is the primary form of legal aid.¹⁶⁰

In Croatia, certain activities are undertaken related to public legal education and information by the Institution of the Ombudsman, as the state institution responsible for promotion and protection of human rights.¹⁶¹ Given that this Institution represents a central body responsible for suppression of discrimination, education in this area is especially pronounced within its activities. In that context, the Institution conducts activities in training of key players in the area of discrimination suppression, informing the public about the contents of the new Law and mechanisms for protection against discrimination, awareness raising among the youth about the need for suppression of discrimination etc.¹⁶² Certain activities in promotion of human rights, as one of the PLE segments, are also conducted by the Office for Human Rights of Government of the Republic of Croatia, which undertakes different activities in this domain, such as promotional campaigns for suppression of human trafficking, and it provides information about the institutions in Croatia responsible for these issues.

In addition, certain elements of public legal information and education are present, for example, in general information about the judicial branch of the government in Croatia, which has been well laid out on the page of the Supreme Court of the Republic of Croatia, along with the key information about roles and jurisdictions of different courts, as well as the links to different legal documents.¹⁶³ Still, one should keep in mind that these are typically general information that allows citizens to acquire better understanding of certain laws or court proceedings themselves.

In Serbia, civic education was introduced to first grades of secondary and elementary schools¹⁶⁴ as far back as 2001/2002, and it was introduced to all grades of elementary and secondary

¹⁶⁰ Croatian Parliament, Zakon o besplatnoj pravnoj pomoći (Free Legal Aid Act), protocol number: 71-05-03/1-08-2, class: 011-01/08-01/45, enacted on May 16, 2008, General Provisions, Article 4, paragraph 2, available at: http://narodne-novine.nn.hr/clanci/sluzbeni/2008_05_62_2098.html (accessed on November 16, 2011).

¹⁶¹ Institution of the Ombudsman (Croatia), “O pučkom pravobranitelju” (About the Institution of the Ombudsman), available at: <http://www.ombudsman.hr/hr/o-puckom-pravobranitelju.html> (accessed on December 13, 2011).

¹⁶² For more details see: Institution of the Ombudsman, “Aktivnosti pučkog pravobranitelja kao središnjeg tijela nadležnog za suzbijanje diskriminacije” (Activities of Ombudsman as Central Body for Combating Discrimination), available at: <http://www.ombudsman.hr/hr/aktivnosti.html> (accessed on December 13, 2011).

¹⁶³ For more details see: Supreme Court of the Republic of Croatia, “Sudbena vlast” (The Judiciary), available at: <http://www.vsrh.hr/EasyWeb.asp?pcpid=30> (accessed on December 13, 2011).

¹⁶⁴ Civic Initiatives, “Specialized Program for Civic Education,” footnote 113, *supra*.

schools as an elective course¹⁶⁵ in 2006/2007,¹⁶⁶ when the Ministry of Education of the Republic of Serbia engaged non-governmental organization in the entire process, including the organization Civic Initiatives which participated in development of the curriculum and conducted various trainings for teachers.¹⁶⁷

In addition, the Ministry of Justice of the Republic of Serbia on its website offers certain information intended for general public education, such as the publication “Preparing for a Trial”.¹⁶⁸ At the same time, the Serbia Ombudsman’s competences include education of citizens, as well as the employees in administration agencies in human rights and protection mechanisms.¹⁶⁹ Among the activities of this institution in that respect, there is especially outstanding work on promotion of children’s rights, which included a special website designed for children and youth. This highly useful resource offers information about children’s rights in different situations such as the right to health protection, rights in schools, in parental homes, as well as the links to websites of various governmental institutions and non-governmental organizations dealing with these issues. In addition, the website offers the option of asking questions about specific issues related to children’s rights and their violation.¹⁷⁰

Activities of judicial institutions in Serbia, as in Croatia, are mostly limited to providing general information about courts’ jurisdictions, as well as the contact information, so for example, website of the Supreme Court of Cassation in Serbia offers links to websites of local and international judicial institutions, as well as other informative information about the Court’s operations.¹⁷¹

¹⁶⁵ Since then, civic education has had the status of so called mandatory elective subject, which implies that students have to select one of two subjects, those being civic and religious education. Tamara Džamonja-Ignjatović, Aleksandar Baucal, and Radmila Radić-Dudić, “Građansko vaspitanje u osnovnim i srednjim školama u Srbiji – evaluativna studija” (Civic Education in Elementary and Secondary Schools in Serbia – Evaluation Study), FPN Annual 2009, V Section of the Research, (2009): footnote 27, p. 712, available at: <http://www.fpn.bg.ac.rs/wp-content/uploads/2010/05/42-dr-Tamara-D%C5%BEamonja-Ignjatovi%C4%87-dr-Aleksandar-Baucal-Radmila-Radi%C4%87-Dudi%C4%87-Gra%C4%91ansko-vaspitanje-u-osnovnim-i-srednjim-%C5%A1kolama-u-Srbiji-evaluativna-studija.pdf> (accessed on December 13, 2011).

¹⁶⁶ Civic Initiative, “Specialized Program for Civic Education,” footnote 113, *supra*.

¹⁶⁷ *Ibid.*

¹⁶⁸ For more details see: Basic Court in Vršac, “Kako se pripremiti za suđenje” (Preparing for a Trial), available at: <http://www.mpravde.gov.rs/images/kako%20se%20pripremiti%20za%20sudjenje.pdf> (accessed on November 16, 2011).

¹⁶⁹ Protector of Citizens of the Republic of Serbia, “O zaštitniku građana” (About the Protector of Citizens), available at: <http://www.ombudsman.rs/index.php/lang-sr/zastitnik-i-gradjani/o-zastitniku-gradjana> (accessed on December 13, 2011).

¹⁷⁰ Protector of Citizens of the Republic of Serbia, “Prava deteta: Početna stranica” (Children’s Rights: Home Page), available at: <http://www.pravadeteta.rs/sr.html> (accessed on December 13, 2011).

¹⁷¹ Supreme Court of Cassation of the Republic of Serbia, “Početna stranica” (Home Page), available at: <http://www.vk.sud.rs/pocetna.html> (accessed on December 13, 2011).

6.4. PLE Initiatives and Potentials in Bosnia and Herzegovina

This type of education has not been implemented on systemic basis in our country either, thus different institutions and organizations undertake different, mostly uncoordinated activities in public information and education in this area. It is important to note that majority of these activities represent individual initiatives organized on an *ad hoc* basis, but there are also projects that include mutual cooperation between governmental and non-governmental sectors. Such is, for example, the project of Mediacentar Sarajevo, whose goal is, among others, to improve students' understanding and knowledge of judicial institutions in Bosnia and Herzegovina through direct engagement of the judiciary representatives – judges and prosecutors – in educational activities in elementary and secondary schools.¹⁷² Organizations and institutions that deal with some form of public legal education in Bosnia and Herzegovina are many. In the following section of the study we offer illustrative overview of PLE initiatives and activities in Bosnia and Herzegovina, implemented by various groups of players.

Governmental institutions – Different governmental institutions work on various aspects of public legal education. One of the examples of their work is the collaboration of BiH Ministry of Justice, BiH Ministry for Human Rights and Refugees, and Agency for gender equality in BiH in development of a publication titled “Are You Aware of Your Rights?”¹⁷³ Ministries of justice and associations of judges on state and entity levels, along with the High Judicial and Prosecutorial Council, USAID JSDP Project, and with the support of the UK Department for International Development (DFID) have drafted the Strategy for Care of Court Users in Bosnia and Herzegovina whose goals include improvement of access to justice through responsiveness of courts and public information, as well as creating and maintaining the sense of confidence in courts of Bosnia and Herzegovina. The Strategy includes information programs before, during, and after court proceedings, providing internal and external court signage, creating mechanisms for communication with citizens and the media etc.¹⁷⁴

¹⁷² The project was implemented under the title “Support for the BiH Judiciary: Education of Pupils and Communication with Local Communities,” in the period December 2010 – June 2011. More details about the project at: Justice Network in BiH, “Support for the BiH Judiciary,” footnote 72, *supra*.

¹⁷³ BiH Ministry of Justice, BiH Ministry for Human Rights and Refugees, and Agency for gender equality in BiH, “Da li ste upoznati sa vašim pravima?” (Are You Aware of Your Rights), (2008), available at: <http://www.mpr.gov.ba/userfiles/file/Publikacije/Da%20li%20ste%20upoznati%20sa%20vasim%20pravima.pdf> (accessed on October 17, 2011).

¹⁷⁴ Working Group for Drafting of the Care Strategy for Care of Court Users in BiH, *Strategija za brigu o korisnicima sudova u BiH (Strategy for Care of Court Users in BiH)*, (2006): 32, available at: <http://www.hjpc.ba/pr/preleases/pdf/Strategija%20za%20brigu%20o%20korisnicima%20sudova%20u%20BiH%20%28BOS%29.pdf> (accessed on October 20, 2011); and e-mail interview with Amra Jašarević, Deputy Director of the HJPC Secretariat (November 27, 2011). Written answers are in the author's archive.

Although key words mentioned in the Strategy for Care of Court Users in Bosnia and Herzegovina are not directly linked to public education, the aforementioned strategic goal and programs provide space for incorporation of education segments, especially having in mind that securing implementation of this Strategy is one of the strategic programs in the Justice Sector Reform Strategy in Bosnia and Herzegovina, whose implementation is currently taking place.¹⁷⁵ Justice Sector Reform Strategy in Bosnia and Herzegovina includes raised level of accessibility of information about organization and operations of courts and prosecutors' offices in Bosnia and Herzegovina for general public as one of the long term activities.¹⁷⁶ Although the focus defined in such manner may seem limited from the perspective of general goals of the PLE, Niko Grubešić, BiH Assistant Minister of Justice thinks that these strategies, along with the Communications Strategy of the Ministry of Justice of BiH may provide the foundation for systemic introduction of PLE programs in Bosnia and Herzegovina¹⁷⁷.

Individual initiatives by governmental agencies, which to a certain extent entail public education about some part of the legal system, are truly numerous and fragmented, so we will also mention the fact that current legislation in the field of legal aid allows certain, though limited engagement in the domain of PLE.¹⁷⁸ Adisa Hadžić from the Cantonal Legal Aid Institution in Zenica¹⁷⁹ and Mirsada Hasečić, Assistant to Mayor in the Office for General Administration in Ilidža Municipality¹⁸⁰ pointed out that through legal aid their institutions also provided information services for citizens, of course within their capacities both in terms of human and financial capacities.¹⁸¹ Specifically, in accordance with citizens' needs, these agencies provide legal information and counsel relevant

¹⁷⁵ BiH Ministry of Justice, *Strategija za reformu sektora pravde u BiH za period 2008-2012* (Justice Sector Reform Strategy in BiH for the period 2008– 2012), (June 2006): 34, available at: http://www.mpr.gov.ba/userfiles/file/Projekti/SRSP_u_BiH_-_BJ.pdf (accessed on October 17, 2011).

¹⁷⁶ *Ibid.*

¹⁷⁷ Interview with Niko Grubešić, Assistant Minister of Justice for Strategic Planning, Aid Coordination, and European Integration (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

¹⁷⁸ Laws that regulate these issues have been enacted in Brčko District, Republika Srpska (Law on Free Legal Aid of RS), and in five cantons of the Federation of BiH (Tuzla, Zenica-Doboj, West Herzegovina, Posavina, and Sarajevo). For more details see Nurko Pobrić and Rebeka Kotlo (eds.), "Pristup pravdi u Bosni i Hercegovini: besplatna pravna pomoć, poseban osvrt na Hercegovačko-neretvanski kanton" (Access to Justice in Bosnia and Herzegovina: Free Legal Aid, Focus on Herzegovina-Neretva Canton), Human Rights Center Mostar(2011): 37, available at: http://www.mrezapravde.ba/mpbh/mpbh_files/file/Besplatna%20pravna%20pomocHRC.pdf (accessed on February 2, 2012), and the Assembly of Sarajevo Canton, "Nacrt Zakona o pružanju besplatne pravne pomoći" (Draft Law on Free Legal Aid), available on: <http://skupstina.ks.gov.ba/node/3009> (accessed on February 2, 2012).

¹⁷⁹ Telephone interview with Adisa Hadžić, Legal Associate for Criminal Procedure in the Cantonal Legal Aid Institution in Zenica (November 22, 2011). Audio recording is in the author's archive.

¹⁸⁰ Telephone interview with Mirsada Hasečić, Assistant to Mayor in the Office for General Administration in Ilidža Municipality, who is responsible for legal aid (November 22, 2011). Audio recording is in the author's archive.

¹⁸¹ Adisa Hadžić pointed out that increase in human capacities cannot be expected without an increase in financing. Telephone interview with Adisa Hadžić, Legal Associate for Criminal Procedure in the Cantonal Legal Aid Institution in Zenica (November 22, 2011). Audio recording is in the author's archive.

to the issues of a person seeking legal assistance,¹⁸² as well as the information as to where they should start in pursuing their rights, i.e. what institutions are competent for the issues and whom they should address.¹⁸³ Both of our collocutors agree that the needs for such engagements are far greater. It is important to mention that this aspect of legal assistance is also included in current proposals for new legislation in this area. Specifically, the October 2011 Draft Law on Free Legal Aid in Bosnia and Herzegovina¹⁸⁴ stipulates, among other things, that legal aid is exercised as the right to general information about rights and responsibilities given to all persons “regardless of requirements prescribed by this law”. Such formulation opens up space for activities in the domain of awareness raising, information, and education of citizens, or general public that is. Still, judging by the past experiences, much more effort is required in order to fully utilize the potential of this PLE mechanism in Bosnia and Herzegovina.

It is worth mentioning, in the same context, the Institution of Human Rights Ombudsmen of Bosnia and Herzegovina, which, in accordance with their obligation of promoting human rights, endeavors, mostly through the media, to inform the public on different legislative solutions and international standards in this field, as well as the roles of this institution in protection of human rights. Additionally, in cooperation with international organizations, the BiH Ombudsman employees also implement specific programs, such as the “Ombudsman in Your School” project, which has been implemented for two years in cooperation with the organization Save the Children Norway.¹⁸⁵

Judicial institutions – Within their regular activities, judicial institutions, to lesser or greater extent, incorporate PLE segments as well, so, for example, the BiH High Judicial and Prosecutorial Council started an information campaign in 2006,¹⁸⁶ for purpose of providing information to general public about the role of this judicial institution, as well as the processes of judicial reform. One should definitely not overlook the website www.pravosudje.ba, which offers useful information, such as the index of legal terms with explanations or the address book of judicial institutions in Bosnia and Herzegovina. On the other hand, with respect to individual courts, their past activities have mostly focused on providing general information. Therefore, for example,

¹⁸² Telephone interview with Mirsada Hasečić, Assistant to Mayor in the Office for General Administration in Ilidža Municipality (November 22, 2011). Audio recording is in the author’s archive.

¹⁸³ Telephone interview with Adisa Hadžić, Legal Associate for Criminal Procedure in the Cantonal Legal Aid Institution in Zenica (November 22, 2011). Audio recording is in the author’s archive.

¹⁸⁴ BiH Ministry of Justice, “Nacrt zakona o besplatnoj pravnoj pomoći” (Draft Law on Free Legal Aid), Article 5, paragraphs 1 and 2 (October 2011), available at: <http://www.mpr.gov.ba/userfiles/file/Javne%20konsultacije/Zakoni%20u%20procesu/2011/BPP%20finalna-%20bez%20obrazlozenja.pdf> (accessed on February 9, 2011).

¹⁸⁵ Interview with Emina Halilović, Assistant Ombudsman of BiH and Head of the Department for Political and Civil Rights of the Institution of Human Rights Ombudsman of Bosnia and Herzegovina (Sarajevo, November 24, 2011). Audio recording is in the author’s archive.

¹⁸⁶ Title of the campaign was “Nezavisno i efikasno pravosuđe” (Independent and Efficient Judiciary). For more details see: HJPC, “Public Information Campaign,” footnote 24, *supra*.

on Municipal Court in Sarajevo website, there is information about the Court itself, jurisdiction and organization, as well as relevant legislation¹⁸⁷. As is the case with neighboring countries, the courts in Bosnia and Herzegovina do not offer additional explanations that would help users understand certain laws better or cope with different legal issues they encounter in daily life.

Educational institutions – PLE relevant topics are typically presented to pupils through civic education subject, although certain types of education have been included in other parts of the curricula, such as class community sessions,¹⁸⁸ and extracurricular activities, such as the “projekt građanin” (Citizen Project).¹⁸⁹ According to the recently published paper on knowledge and attitudes regarding this subject in Croatia, Serbia, and Bosnia and Herzegovina,¹⁹⁰ the greatest satisfaction with the subject, teachers, and the textbook, as well as the best knowledge in this area were displayed by students in Bosnia and Herzegovina. Of course, these results should be taken with caution given the fact that this subject has yet to be introduced in Croatia, while in Serbia children are allowed to choose whether they wish to take civic education or not.¹⁹¹ The subject civic education in Bosnia and Herzegovina is taught for one academic year in elementary and secondary schools, but there are certain differences depending on the specific syllabus being implemented.¹⁹² As explained by Ivana Kešić from Civitas, the organization that started the initiative for development of civic education program in Bosnia and Herzegovina,¹⁹³ in elementary and secondary schools with curricula in Bosnian and Serbian languages, civic education is taught as a separate subject. In elementary schools, a separate subject was introduced with common core, and by introduction of nine-year curriculum for elementary schools, such status of the subject was affirmed in Republika Srpska, Brčko District, Zenica-Doboj Canton, Sarajevo Canton, and Una-Sana Canton. Elementary schools that operate

¹⁸⁷ For more details see: Municipal Court in Sarajevo, “Početna stranica” (Home Page), available at: <http://www.oss.ba/?jezik=bos> (accessed on December 13, 2011).

¹⁸⁸ Within the class community sessions in elementary schools in RS, grades 4 through 9, pupils are scheduled to learn about children and human rights for one class per year. For more details see: E-education, Portal za obrazovanje Republike Srpske, “Nastavni plan i program” (Syllabus), available at: <http://www.eobrazovanje.com/Osnovno/Pages/NastavniPlanIProgramOsnovnoObrazovanje.aspx> (accessed on November 11, 2011).

¹⁸⁹ Citizen Project is one of the activities implemented by Civitas. For more details see: Civitas, “Projekt građanin” (Citizen Project), available at: <http://civitas.ba/projekt-gradjanin/> (accessed on November 27, 2011).

¹⁹⁰ Vedrana Spajić-Vrkaš, “Znanja, stavovi o obrazovanju za građanstvo i politička kultura srednjoškolaca u BiH, Hrvatskoj i Srbiji” (Knowledge, Attitudes towards Civic Education, and Political Culture of Secondary Schools Students in BiH, Croatia, and Serbia), IOC for Human Rights and Democratic Citizenship, Department of Philosophy, Zagreb University (2011), available at: http://www.human-rights.hr/attachments/588_CLJP-regionalna%20konferencija%20June11F.ppt (accessed on November 16, 2011).

¹⁹¹ For more details see section PLE Initiatives and Potentials in the Countries of the Region of this report.

¹⁹² Interview with Ivana Kešić, Program Manager at Civitas (Sarajevo, November 21, 2011). Audio recording is in the author’s archive.

¹⁹³ Existing syllabuses have been developed by local experts in the fields dealt with by this subject, upon the initiative by Civitas. Interview with Ivana Kešić, Program Manager at Civitas (Sarajevo, November 21, 2011). Audio recording is in the author’s archive.

in accordance with the curriculum in Croatian language teach the civic education contents during class community sessions or through interdisciplinary sessions, while a separate one semester course is planned for secondary schools.¹⁹⁴

International organizations – Numerous international organizations, within their programs and activities, also provided substantial contribution to public education about some segments of the legal system. Illustrative examples include projects and activities of UNDP BiH, such as the publications/guides on relevant institutions on entity level and on state level in Bosnia and Herzegovina, which include information about judicial institutions, as well as the recently published Guide to Non-contentious Procedure, which was produced in cooperation with the HJPC.¹⁹⁵ There are also numerous projects by the OSCE Mission to BiH,¹⁹⁶ most of which include public information and awareness-raising about certain legal issues, such as the Law on the Prohibition of Discrimination, hate crimes, and many issues in the area of human rights. In addition, OSCE also undertakes activities of informing councils of parents and students about the Laws on Education and other legislation regulating their rights and responsibilities, and it conducts numerous awareness raising campaigns related to rights of certain groups within the general population. Also worth mentioning is the work of UNICEF, which conduct an information campaign titled “Pravda za svako dijete” (Justice for Every Child), as well as many other activities such as education and training of young returnees for the labor market, and various activities for promotion of children’s rights in collaboration with other international and domestic organizations, as well as competent governmental institutions and agencies in Bosnia and Herzegovina.¹⁹⁷

Non-governmental organizations in Bosnia and Herzegovina – The number of these institutions that implements some type of public legal education is also high. Vaša prava, for example, include user information and education about legislation, rights, and responsibilities as their goals.¹⁹⁸ An example of their work – informative sessions with “the most diverse categories of users who are given information in a simplified manner, and sometimes in presence of municipal officials or other relevant guests, as to how they may exercise their rights in specific cases”.¹⁹⁹

¹⁹⁴ *Ibid.*

¹⁹⁵ UNDP, “Vodič za građane kroz institucije vlasti Federacije BiH” (Citizens’ Guide to the Governmental Institutions of the Federation of BiH), second edition, (2003), available at: <http://www.undp.ba/upload/publications/F%20BiH%20bos.pdf> (accessed on November 17, 2011).

¹⁹⁶ Interview with the OSCE Mission to BiH representatives (Sarajevo, November 29, 2011). Audio recording is in the author’s archive.

¹⁹⁷ UNICEF BiH, “U sklopu projekta ‘Kultura za razvoj’ održane radionice u školama BiH: Kampanja protiv predrasuda” (As part of the project ‘Culture for Development’, workshops held in BiH schools: Campaign against Prejudices), available at: http://www.unicef.org/bih/ba/media_18058.html (accessed on November 27, 2011).

¹⁹⁸ Organization Vaša prava provides legal aid throughout Bosnia and Herzegovina.

¹⁹⁹ Vaša prava BiH, “Vaša prava BiH: Kancelarije za besplatnu pravnu pomoć”, (Vaša prava BiH: Free Legal Aid Offices), (June 2006): 6, available at: http://www.vasaprava.org/old/Documents/Magazin/Bilten_juni_2006_L.pdf (accessed on November 17, 2011).

Important role in public legal education, especially on human rights, is also played by the Helsinki Committee for Human Rights in Bosnia and Herzegovina, which, according to words of Živica Abadžić, General Secretary of the Committee, incorporates educational component in all of its projects.²⁰⁰ Activities of the Helsinki Committee in BiH include numerous publications intended for general public, Human Rights School for Young People, work of youth coordinators and Youth Groups.²⁰¹ Also worth mentioning is the Pravo ljudski initiative whose activities focus on promotion of human rights through screening of various documentaries dealing with human rights issues, both as part of the annual festival and through different programs and workshops around Bosnia and Herzegovina, including collaboration with schools in Bosnia and Herzegovina.²⁰² Special initiatives for youth are also a part of regular activities of the Omladinska informativna agencija (Youth Information Agency), which, among other things, strives to promote the specter of young people's rights, such as the right to vote, with a special informative campaign conducted ahead of elections in 2010.²⁰³ In the end, it is important to mention the activities of the Anti-Discrimination Program, coordinated and supported by the Open Society Fund Bosnia & Herzegovina", which includes partnership cooperation of nine non-governmental organizations.²⁰⁴ This program, among other things, aims to contribute to better understanding of discrimination and its forms, as well as the existing mechanisms for protection against discrimination among the citizens of Bosnia and Herzegovina.²⁰⁵ Planned activities of the program include educational and informative campaign which aims to raise the public awareness of discrimination issues, i.e. to inform the citizens about the existence of the Law on the Prohibition of Discrimination of BiH.²⁰⁶

²⁰⁰ Interview with Živica Abadžić, Secretary General of the Helsinki Committee for Human Rights in BiH (Sarajevo, November 24, 2011). Audio recording is in the author's archive.

²⁰¹ Helsinki Committee for Human Rights in Bosnia and Herzegovina, *Izveštaj o aktivnostima Helsinškog komiteta za ljudska prava u BiH (period januar – decembar 2009. godine)*, [Report on the Activities of the Helsinki Committee for Human Rights in BiH (period January – December, 2009)], (2010): 3, available at: <http://www.bh-hchr.org/Izvjestaji/IZVJESTAJ%20o%20aktivnostima%20HK%20BiH%20u%202009.%20godini.doc> (accessed on October 10, 2011).

²⁰² For more details see: Pravo ljudski, "O nama" (About Us), available at: http://www.pravoljudski.org/index.php?option=com_content&task=view&id=126&Itemid=44 (accessed on January 27, 2012).

²⁰³ Interview with Samir Mahmić, Project Coordinator at the Youth Information Agency Bosnia-Herzegovina (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

²⁰⁴ Anti-Discrimination Program, "10 decembar – zvanična promocija AD programa" (December 10 – official promotion of AD Program), available at: <http://www.diskriminacija.ba/node/62> (accessed on December 22, 2011).

²⁰⁵ Anti-Discrimination program, "O AD programu" (About AD Program), available at: <http://www.diskriminacija.ba/node/41> (accessed on December 22, 2011).

²⁰⁶ Anti-Discrimination Program, "Edukativna i informativna kampanja" (Educational and Informative Campaign), available at: <http://www.diskriminacija.ba/node/34> (accessed on December 22, 2011).

6.5. Some Specific Features of PLE Programs for Youth

The youth as especially sensitive group which is more likely to experience legal problems²⁰⁷ should be given special attention in development of PLE programs, especially because they have their lives ahead of them, during which they will encounter the law on daily basis. Given that these are persons who typically have not made the full transition to the world of adults, especially in our conditions, nor have they fully left the safety of family environment, PLE activities intended for them need to be aligned with their interest and needs, and access to information about the legal system should be facilitated through integration of this type of education in their daily lives. Our collocutor Adisa Zahiragić,²⁰⁸ one of the participants in the pilot project of Mediacentar shares this opinion, and points out that it is necessary to organize education for the youth that they would find relevant, such as mock trials in certain case types. According to her, similar activities have also been organized within the project Mediacentar, and they were found interesting by the youth, often funny, thus they were glad to get involved and assume the roles assigned to them. In this manner, through activities they found interesting, the participants received certain information about the legal system in Bosnia and Herzegovina.

Some of the possible activities and mechanisms for bringing the legal system closer to young people include various printed materials and electronic ones, lectures in schools, colleges, and universities, as well as visits to judicial institutions, web seminars, mock trials, popular theatre and many others. Actually, most of the activities in this area may also be used for development of PLE programs for youth. However, the interests of young people, especially new generations, reach other areas as well. Therefore, the PLEI Service of New Brunswick created on its website²⁰⁹ a special resource for young people, where through interesting contents like quiz and video games they can learn about specific legal topics relevant to them. In addition, the website includes many posters, leaflets, and brochures with specific topics related to legal rights and responsibilities of the youth. Also, websites of various organizations dealing with the PLE often include options to share information on different social networks. In a similar manner, Washington State Bar Association offers on its website plans for PLE lessons to be taught by teachers in elementary and secondary schools.²¹⁰

²⁰⁷ Lisa Wintersteiger, “Young people’s experience of law-related events,” p. 3, footnote 29, *supra*.

²⁰⁸ Telephone interview with Adisa Zahiragić, President of the Association of Women Judges in BiH and Judge of the Cantonal Court in Sarajevo (November 24, 2001). Audio recording is in the author’s archive.

²⁰⁹ Public Legal Education and Information Service of New Brunswick, “Home,” footnote 98, *supra*.

²¹⁰ For more details see: Washington State Bar Association, “PLE Middle and High School Lesson Plans,” footnote 112, *supra*.

The thing the educators should definitely keep in mind is the importance of securing active participation of the youth in the process of learning.²¹¹ In order to select effective methods for improvement of the youth education, which would allow them to deal with legal issues and understand their rights and responsibilities etc., it is necessary to perform needs assessments continually, and create and direct services in accordance with the recognized needs, with evaluation at every stage of the process.²¹² Importance of program evaluation is also stressed by Ahmed Pjano from Save the Children Norway²¹³ who thinks that this type of educational program should be planned for long term, minimum three year period, after which there would be in depth evaluation of achieved impacts conducted, followed by adjustments of programs according to the results, in order to respond to the actual needs and situation in field. In addition, out respondents have also mentioned the following factors of significance for success of programs designed to provide information, raise awareness, and educate about the legal system: clear goals, clear target group and self-sustainability,²¹⁴ institutional solution and comprehensive approach,²¹⁵ as well as continuity of education²¹⁶.

²¹¹ American Bar Association, "How and where should LRE be taught? A Guide for Practitioners and Policy makers: Essentials of Law-Related Education," (2003): 4, available at: http://www.americanbar.org/content/dam/aba/publishing/insights_law_society/lre_essentials.authcheckdam.pdf (accessed on October 4, 2011).

²¹² Lisa Wintersteiger, "Young people's experience of law-related events," p. 11, footnote 29, *supra*.

²¹³ Telephone interview with Ahmed Pjano, Program Manager/Adviser CRG at Save the Children Norway, South East Europe Regional Office (November 29, 2011). Audio recording is in the author's archive.

²¹⁴ Interviews with the OSCE Mission to BiH representatives (Sarajevo, November 29, 2011). Audio recording is in the author's archive.

²¹⁵ Interview with Ivana Kešić, Program Manager at Civitas (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

²¹⁶ Telephone interview with Cvijan Jovanović, Head of Department for Secondary Education in the Ministry of Education and Culture of RS (November 22, 2011). Audio recording is in the author's archive.

7. Deficiencies of the Existing PLE Programs and Activities in Bosnia and Herzegovina

Organizations and institutions in our country working on the issues of public education about some of the segments of legal system are truly numerous. However, despite of genuine cacophony of project activities in this field, a conclusion can be drawn that the PLE in Bosnia and Herzegovina is not sufficiently developed yet. Specifically, it fails to encompass adequately many important aspects of the law and legal system in general, such as family law, labor law, social protection etc. In this respect, one should take into account the fact that majority of current PLE activities in Bosnia and Herzegovina focus on education in human rights, although they too have been assessed as insufficient. In addition, there is an impression that these activities are not mutually aligned or coordinated. Such assessment is generally corroborated by our collocutors.

7.1. PLE and School System

The above statement is especially relevant to civic education in elementary and secondary schools. Although school children and youth are natural target groups, which are perhaps the easiest to encompass by these programs through the education system, past experiences in this domain are not promising. Civitas noted that, although the legal system is one of the topics handled within this subject,²¹⁷ the existing activities are not sufficient due to the lack of enduring institutional solution, mutual cooperation of competent institutions and organizations, and consistency in implementation of activities in the domain of providing information about the legal system.²¹⁸ Daria Duilović, Head of the Department for Coordination of Education Policy in the Ministry of Civil Affairs of BiH²¹⁹ also thinks it would be desirable to enrich some of the contents of this subject with PLE topics, especially when it comes to application of acquired knowledge in daily life, which is, in her words, in accordance with the reform efforts in education aimed at achieving a shift in the educational paradigm – from contents towards competences. Still, she takes an issue in the fact that present plans and programs are overwhelming both teachers and students, thus they oppose introduction of special, additional subjects.

²¹⁷ It is important to note that the curricula and textbooks for this subject have been aligned at the level of Bosnia and Herzegovina. Interview with Ivana Kešić, Program Manager at Civitas (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

²¹⁸ *Ibid.*

²¹⁹ Interview with Daria Duilović, Head of Department for Coordination of Education Policy in the Ministry of Civil Affairs of BiH (Sarajevo, November 28, 2011). Interview notes are in the author's archive.

Cvijan Jovanović from the Ministry of Education and Culture of RS²²⁰ thinks that one of the problems related to the subject of civic education is lack of continuity, given the fact that students take this course for one academic year in elementary education and one academic year in secondary education. As a possible reason for lack of educational contents and activities in the domain of legal knowledge, he noted the tradition in education, which had not included the practice of educating students on these issues. Supporting this claim is the fact that the existing programs have not been upgraded to then end, with the exception of the civic education subject, to a certain extent, and technical subjects within certain schools' curricula.²²¹ In addition, our collocutors noted that there were also deficiencies in training of teaching personnel, whose education has not been changed significantly in the last 20 years,²²² and that continuous professional development was necessary for teachers, who teach classes in civic education subjects, as well as other teachers and members of school administrations, which is currently not the case.²²³ Jovanović also estimates that present training programs for teachers are not sufficient and he mentioned that in Republika Srpska graduate philosophers and sociologists are hired as teachers for this subject, who learned about this subject in the course of their studies.²²⁴

Živica Abadžić from the Helsinki Committee for Human Rights in BiH²²⁵ said that civic education in schools is only one of the possible "tools" to educate the youth about the legal system, but, as most of the subjects, this subject is based solely on theoretical considerations and principles. In this manner, pupils do not have much contact with the practice, i.e. they do not know how to apply what they learn to other subjects as well, and there's the issue of how much do the teachers themselves know about their human rights and how capable are they to incorporate their knowledge of human rights in daily educational activities.

²²⁰ Telephone interview with Cvijan Jovanović, Head of Department for Secondary Education in the Ministry of Education and Culture of RS (November 22, 2011). Audio recording is in the author's archive.

²²¹ Jovanović makes a special reference to formal secondary education for legal technicians. Telephone interview with Cvijan Jovanović, Head of Department for Secondary Education in the Ministry of Education and Culture of RS (November 22, 2011). Audio recording is in the author's archive.

²²² Interview with Daria Duilović, Head of Department for Coordination of Education Policy in the Ministry of Civil Affairs of BiH (Sarajevo, November 28, 2011). Interview notes are in the author's archive.

²²³ Civitas currently works on certification of elementary school teachers in Republika Srpska and Brčko District, and certification of elementary school teachers will be also conducted in three cantons of Federation of BiH in 2012. Interview with Ivana Kešić, Program Manager with Civitas (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

²²⁴ Telephone interview with Cvijan Jovanović, Head of Department for Secondary Education in the Ministry of Education and Culture of RS (November 22, 2011). Audio recording is in the author's archive.

²²⁵ Interview with Živica Abadžić, Secretary General of the Helsinki Committee for Human Rights in BiH (Sarajevo, November 24, 2011). Audio recording is in the author's archive.

7.2. Other PLE Programs and Initiatives

Deficiencies of formal PLE education in Bosnia and Herzegovina are not addressed adequately by various informal programs, organized and implemented by different governmental institutions and non-governmental organizations. As also noted by Niko Grubešić, Assistant Minister of Justice of BiH,²²⁶ some non-governmental organizations implement individual projects, but the practice in this type of public education has yet to be fully entrenched, though the situation has improved compared to the time couple of years ago. As one of the positive developments, he mentioned launching of the portal www.pravosudje.ba, where citizens may get information about some aspects of the legal system, as well as the fairly well designed and informative websites of individual courts. Adisa Hadžić from the Cantonal Legal Aid Institution in Zenica²²⁷ shares this opinion and says that the situation today is far better because citizens may get information through flyers or the Internet, although this is not sufficient given the fact that many of them do not have access to these information sources.

Problems in implementation of projects and initiatives in the domain of PLE and within the existing institutional and legal framework are often presented by lack of compliance on part of different players with the requirement of cooperation in this field, i.e. absence of systemic platforms for such partnerships. Maida Muminović from the Mediacentar Sarajevo, for example, says that one of the fundamental problems they encountered in implementation of PLE pilot projects in elementary and secondary schools during 2010 and 2011 was actually lack of time on part of legal professionals to take significant involvement in this area. This was especially pronounced with prosecutors who had to be constantly accessible to their colleagues in prosecutors' offices in case there was a need for their intervention. In addition, the problem also emerged in educational institutions, where teachers were often uncertain within which subject to incorporate legal education, thus in some situations a special class is organized at the level of school for these activities. Adisa Zahiragić, one of the lecturers within the PLE pilot project in schools said that it was always difficult to organize individual activities in educational institutions, primarily due to technical and administrative difficulties, which include arrangements in finding free time for pupils, as well as to attract sufficient number of pupils who would be interested in these activities.²²⁸

A special problem is presented by lack of continuity in implementation of programs and activities which include certain elements of PLE, such as awareness raising about existence and manner of

²²⁶ Interview with Niko Grubešić, Assistant Minister of Justice for Strategic Planning, Aid Coordination, and European Integration (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

²²⁷ Telephone interview with Adisa Hadžić, Legal Associate for Criminal Procedure in the Cantonal Legal Aid Institution in Zenica (November 22, 2011). Audio recording is in the author's archive.

²²⁸ Telephone interview with Adisa Zahiragić, President of the Association of Women Judges in BiH and Judge of the Cantonal Court in Sarajevo (November 24, 2011). Audio recording is in the author's archive.

resolution of certain legal problem or public information about the role of certain legal institutions, contents of legal documents, or goals of reform processes. The already mentioned public information campaign started by the High Judicial and Prosecutorial Council of BiH in 2006, in addition to informing the public about existence, operations, and role of this institution, aimed to develop citizens' awareness of the judicial reform, its achievements and future goals, but the campaign was limited to mere three months.²²⁹ On the other hand, activities in promotion of human rights conducted by different governmental institutions, such as the Institution of Human Rights Ombudsman of BiH, are restricted by lack of financing²³⁰ or human resources, like in the case of justice sector institutions which typically possess limited public relations capacities.²³¹ The problem is insofar more significant as there is a wide spread perception that very public relations departments and officers in judicial institutions are one of the most important potential implementers of educational activities in the field of PLE.²³²

The existing problems in organization of comprehensive and continuous activities in the field of PLE are additionally exacerbated by the fact that legal documents themselves are not readily accessible to general public. Specifically, official gazettes, whether they are in electronic or printed format, are only available for general public through subscription.²³³ Gordana Bulić from "Klub potrošača" thinks that "in a legal system such as ours, absence of option to access official announcements electronically (BiH, Federation of BiH, Republika Srpska, cantons, and municipalities) hinders any kind of public legal education".²³⁴

²²⁹ HJPC, "Public Information Campaign," footnote 24, *supra*.

²³⁰ Interview with Emina Halilović, Assistant Ombudsman of BiH and Head of the Department for Political and Civil Rights of the Institution of Human Rights Ombudsman of Bosnia and Herzegovina (Sarajevo, November 24, 2011). Audio recording is in the author's archive.

²³¹ Interview with Niko Grubešić, Assistant Minister of Justice for Strategic Planning, Aid Coordination, and European Integration (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

²³² E-mail interview with Amra Jašarević, Deputy Director of the HJPC Secretariat (November 27, 2011). Written responses are in the author's archive.

²³³ E-mail correspondence with Gordana Bulić, Association of Consumers "Klub potrošača" Tuzla, dated December 22, 2011.

²³⁴ *Ibid.*

8. Assessment of Needs for Expansion of PLE Activities in Bosnia and Herzegovina

Citizens of Bosnia and Herzegovina, as well as other countries in the world, encounter various legal problems on daily basis. Some of those are universal like the problems related to employment, property, or family law, as well as specific such as the problems that emerge in post-conflict environments, as mentioned.

Given the present degree of development of PLE programs in our country, one can say that activities aimed at general public education in Bosnia and Herzegovina are diverse. However, as already mentioned in previous sections, they are not sufficient. If we reflect upon some of the core principles of efficient PLE, listed in the beginning of this report, it is clear that each one requires intensive work in order to come true in Bosnia and Herzegovina.

Taking into account the specific context of Bosnia and Herzegovina as post-conflict, transitional environment, legal education (both formal and informal) should be expanded in order to ensure that lawyers are educated, and citizens get basic information in proper and timely fashion about specific area of the law, such as the transitional justice, for example, especially the issues of reparations, i.e. indemnities for tangible and intangible war damages.²³⁵ Also, special attention should be given to education about individual and collective rights in accordance with international instruments for fundamental human rights,²³⁶ and about alternative dispute resolution.²³⁷ Similar opinion was expressed by Daria Duilović from the Ministry of Civil Affairs of BiH, who stresses the importance of human rights education and protection of human rights, especially in the context of “recent past and present of Bosnia and Herzegovina”.²³⁸ The importance of human rights education is also emphasized by Živica Abadžić, Secretary General of the Helsinki Committee for Human Rights in BiH,²³⁹ who said that citizens needed education, as well as the information about all laws related to human rights, such as, for example, the Law on Gender Equality in Bosnia and Herzegovina, Law on the Prohibition of Discrimination, legal provisions on free legal aid, on restitution of property for refugees and displaced persons etc. Officials at the OSCE

²³⁵ See Waters 2005, p. 117, footnote 53, *supra*.

²³⁶ *Ibid.*

²³⁷ *Ibid.* Waters note that there is a trend of including this subject in law schools, especially in stable societies.

²³⁸ Interview with Daria Duilović, Head of Department for Coordination of Education Policy in the Ministry of Civil Affairs of BiH (Sarajevo, November 28, 2011). Interview notes are in the author’s archive.

²³⁹ Interview with Živica Abadžić, Secretary General of the Helsinki Committee for Human Rights in BiH (Sarajevo, November 24, 2011). Audio recording is in the author’s archive.

Mission also noted that citizens need to be educated about human rights and responsibilities, general principles of the rule of law, mechanisms for protection of rights, as well as the ways in which institutions of a democratic state ought to operate.²⁴⁰ Ahmed Pjano from Save the Children Norway also said that legal education should start with children, i.e. children's rights as the fundament, and further down the road, activities in this field may be expanded to other areas, such as international conventions on human rights.²⁴¹

In addition to human rights, there are numerous areas of legal system in which general public should be educated, especially young people, and there were different responses on the issue by the respondents depending on the types of problems they had already encountered in daily work. Scope of legal issues on which the public ought to be educated in detail reflects the perception of complexity of legal system in Bosnia and Herzegovina. Therefore, for example, some of the areas in which citizens request assistance of appropriate agencies for legal aid are as follows:²⁴² labor, social protection, especially social vulnerability, and combatant-disability support. At the HJPC, in addition to human rights, the civil law, property law, and obligations are recognized as priority areas requiring public education.²⁴³ In addition, the general public should be offered education on topics such as the constitution, corruption, rights of witnesses and their protection,²⁴⁴ as well as the access to protection of rights, timeframes for case processing, the most important criminal proceedings, war crimes, corruption, battling organized crime, and sexual violence.²⁴⁵

With respect to the youth, Mirsada Hasečić, Assistant to Mayor in the Office for General Administration in Ilidža Municipality,²⁴⁶ emphasizes the rights in the domain of employment and labor as the especially important topic area. Experiences of Mediacentar, on the other hand, show that the youth is most interested in learning about the roles of certain legal experts, justice

²⁴⁰ Interviews with the OSCE Mission to BiH representatives (Sarajevo, November 29, 2011). Audio recording is in the author's archive.

²⁴¹ Telephone interview with Ahmed Pjano, Program Manager/Adviser CRG at Save the Children Norway, South East Europe Regional Office (November 29, 2011). Audio recording is in the author's archive.

²⁴² Telephone interview with Mirsada Hasečić, Assistant to Mayor in the Office for General Administration in Ilidža Municipality, who is responsible for legal aid (November 22, 2011). Audio recording is in the author's archive.

²⁴³ E-mail interview with Amra Jašarević, Deputy Director of the HJPC Secretariat (November 27, 2011). Written responses are in the author's archive.

²⁴⁴ Interview with Samir Mahmić, Project Coordinator at the Youth Information Agency Bosnia-Herzegovina (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

²⁴⁵ Interview with Niko Grubešić, Assistant Minister of Justice for Strategic Planning, Aid Coordination, and European Integration (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

²⁴⁶ Telephone interview with Mirsada Hasečić, Assistant to Mayor in the Office for General Administration in Ilidža Municipality, who is responsible for legal aid (November 22, 2011). Audio recording is in the author's archive.

institutions, and ways in which they themselves may become legal professional one day.²⁴⁷ Similar observations were expressed by Adisa Zahiragić, who participated in the activities of Mediacentar's pilot project. In her estimate, the youth, as well as the general public require basic information about the operations of legal system, as well as the basic information about the laws currently in effect.²⁴⁸ The importance of learning about operations of different institutions responsible for protection of human rights, such as the Institution of Ombudsman of BiH is also highlighted by Civitas,²⁴⁹ saying that such education should also be conducted through the media, as well as the judicial institutions themselves. Though certain information is also available on the Internet, Samir Mahmić from the Youth Information Agency thinks that such information is accessed only by those who show special interest in it, while the young people with somewhat more passive attitude find it slightly more difficult to access the information. Legal topics also recognized as important in the context of legal education of the youth include: juvenile delinquency, hooliganism, alcohol consumption issues, as well as the traffic offenses.²⁵⁰

²⁴⁷ Interview with Maida Muminović, Project Coordinator at the Mediacentar Sarajevo (Sarajevo, November 22, 2011). Audio recording is in the author's archive.

²⁴⁸ Telephone interview with Adisa Zahiragić, President of the Association of Women Judges in BiH and Judge of the Cantonal Court in Sarajevo (November 24, 2011). Audio recording is in the author's archive.

²⁴⁹ Interview with Ivana Kešić, Program Manager at Civitas (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

²⁵⁰ Interview with Samir Mahmić, Project Coordinator at the Youth Information Agency (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

9. Possible Directions of PLE Programs Development in Bosnia and Herzegovina

The very fact that legal problems of citizens in every country are of similar nature opens the possibility in our country, with certain modifications in accordance with local specifics, to implement practices that have been applied for many years in the countries with developed PLE programs. Undoubtedly, the need for it exists.

The existing fragments of the public legal education system in Bosnia and Herzegovina mentioned in previous sections provide certain information about the needs, opportunities and capacities for further development of educational programs of this type. Through interviews with the representatives of the indicated group of institutions and organizations dealing with these types of education, as well as through comparative analysis of the best practices, we tried to identify the best possible ways in which such programs could be further developed, coordinated and institutionalized.

Current activities in the field of general public legal education in Bosnia and Herzegovina open a number of opportunities for certain type of institutionalization of programs of this type. On the basis of data obtained through interviews and other available sources, the following general directions may be identified for strengthening, and possible institutionalization of these programs:

- a. **Through school system**, using the civic education subject, by way of customized expansion and adjustment of the existing topics related to the judiciary and rights. Obvious benefit of this approach is reflected in the fact that the mentioned subject has already been introduced into educational institutions of Bosnia and Herzegovina.²⁵¹ In addition to this subject, our collocutors said that these topics should also be taught in interdisciplinary manner,²⁵² i.e. within other subject such as history and geography,²⁵³ and

²⁵¹ It is important to mention that this subject was a part of curricula in elementary and secondary schools in Republika Srpska, Brčko District, and Federation of Bosnia and Herzegovina, but it has been canceled in the Federation and its reinstatement was left to cantonal ministries of education. By the end of this research, three of ten cantons have reinstated the subject, and they are as follows: Sarajevo Canton, Zenica-Doboj Canton, and Una-Sana Canton. Data was obtained through Interview with Ivana Kešić, Program Manager at Civitas (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

²⁵² Interview with Daria Duilović, Head of Department for Coordination of Education Policy in the Ministry of Civil Affairs of BiH (Sarajevo, November 28, 2011). Interview notes are in the author's archive.

²⁵³ Interview with Ivana Kešić, Program Manager at Civitas (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

certain topics could be addressed through class community sessions, or through special lectures at school level.²⁵⁴ In organization of those additional topics and curricula, of course, the master subject (civic education) would also serve as the basis for stimulation and induction of students to such contents outside of regular school activities, e.g. through mock trials and meetings with legal professionals. It is important to emphasize that with respect to this type of institutionalization of PLE programs, none of our collocutors mentioned the need to organize separate, additional school subjects to encompass these topics, and the Ministry of Civil Affairs of BiH was clearly opposed to any efforts for this purpose, the reason being current heavy workload of both pupils and teachers²⁵⁵.

- b. **Through legal aid agencies at different levels** (municipal, cantonal), which already endeavor to educate the citizens about the legal system, within their competences and daily activities, though with evidently limited capacities in that domain. Their efforts are especially focused on providing information about the institutions authorized to deal with specific legal issues and about the available legal aid.²⁵⁶ Expanded powers, resources, programs, and capacities of these agencies in the domain of PLE could be incorporated in the new Draft Law on Free Legal Aid in BiH, which is currently in the process of adoption.
- c. **Using the existing strategic documents of judicial institutions and competent ministries in Bosnia and Herzegovina**, such as the Communication Strategy of the Ministry of Justice of BiH, as well as the Justice Sector Reform Strategy of BiH, could incorporate PLE strategic programs and activities, which could then be integrated in the work plans of different judicial institutions.²⁵⁷ Officials at the HJPC think that there is room to include these educational programs in the Strategy for Care of Court Users in BiH as well, i.e. various activities related to achievement of the strategic goal which is to establish confidence in courts of Bosnia and Herzegovina.²⁵⁸ Alternatively, a separate PLE strategy could be created at the level of Bosnia and Herzegovina, which would be complementary to all other strategic documents in the domain of judicial reform in Bosnia and Herzegovina, offering basic guidelines for integration of the PLE in all activities of

²⁵⁴ Interview with Daria Duilović, Head of Department for Coordination of Education Policy in the Ministry of Civil Affairs of BiH (Sarajevo, November 28, 2011). Interview notes are in the author's archive.

²⁵⁵ *Ibid.*

²⁵⁶ Telephone interview with Mirsada Hasečić, Assistant to Mayor in the Office for General Administration in Ilidža Municipality, who is responsible for legal aid (November 22, 2011). Audio recording is in the author's archive; and telephone interview with Adisa Hadžić, Legal Associate for Criminal Procedure in the Cantonal Legal Aid Institution in Zenica (November 22, 2011). Audio recording is in the author's archive.

²⁵⁷ Interview with Niko Grubešić, Assistant Minister of Justice for Strategic Planning, Aid Coordination, and European Integration (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

²⁵⁸ E-mail interview with Amra Jašarević, Deputy Director of the HJPC Secretariat (November 27, 2011). Written responses are in the author's archive.

the judiciary in Bosnia and Herzegovina. This would largely facilitate integration of the PLE in the process of continuous judicial reform as an important component of different judicial strategies at all levels.

However, one should keep in mind that all of our collocutors stressed the lack of capacities for institutionalization of PLE programs, primarily in terms of human resources, as well as financing, which is especially stressed by most representatives of governmental institutions.²⁵⁹ With respect to human capacities, most respondents think that the solution lays in partnership between the government and non-governmental sector, with the non-governmental sector taking over the responsibility for development of PLE programs, as well as for implementation of various activities.²⁶⁰

Importance of such partnerships is also recognized by the international organization like the OSCE Mission²⁶¹ and Save the Children Norway,²⁶² which stated that in their work, through various activities, they endeavored to unite the two sectors, and they expressed readiness to engage in implementation of such educational activities. It is important to mention that almost all of our collocutors expressed readiness for partnership forming in this domain, while some said that such partnership was necessary for accomplishment of full results.²⁶³ Interesting thing to mention here is that the subject of civic education itself has found its way to institutionalization exactly through such partnership. Specifically, according to Ivana Kešić, the Civitas, as a non-governmental organization, has developed the curriculum for this subject and in collaboration with local experts prepared textbooks and other learning tools for this subject for all educational levels, and they have been accepted by competent ministries of education and pedagogical institutions.

In the opinion of most of our respondents, some of the governmental or justice institutions, such as the High Judicial and Prosecutorial Council, Ministry of Justice of BiH, Ministry of Civil Affairs of BiH, or Ministry for Human Rights and Refugees of BiH should assume the role of PLE programs coordinator at the state level.

²⁵⁹ In interviews with the already mentioned representatives of ministries, Institution of Ombudsman, as well as the agencies that provide legal aid, the respondents put special emphasis on the fact that potential for expansion of present activities did exist, but the existing capacities were only sufficient for the current functions in their authority.

²⁶⁰ Telephone interview with Adisa Hadžić, Legal Associate for Criminal Procedure in the Cantonal Legal Aid Institution in Zenica (November 22, 2011). Audio recording is in the author's archive.

²⁶¹ Interviews with the OSCE Mission to BiH representatives (Sarajevo, November 29, 2011). Audio recording is in the author's archive.

²⁶² Telephone interview with Ahmed Pjano, Program Manager/Adviser CRG at Save the Children Norway, South East Europe Regional Office (November 29, 2011). Audio recording is in the author's archive.

²⁶³ *Ibid.*

Niko Grubešić²⁶⁴ from the Ministry of Justice of BiH said that such programs could be incorporated into some of the existing strategies in the area of judiciary, but cooperation was required with the ministries of justice at lower levels of government, as well as the financial support, given the limited financial and human capacities available to this Ministry, which is why they find the solution in collaboration with the non-governmental organizations. In addition, Grubešić expressed readiness to put forth the effort in order to incorporate such programs into the existing strategic documents, which requires development of a special strategic program and activities thereof. However, such initiative requires assistance from some of the international organizations.²⁶⁵

Representatives of the High Judicial and Prosecutorial Council also do not rule out the possibility of assuming the role of coordinator for educational programs of this type, given the legal authority vested in this institution with respect to quality control and implementation of projects in the judiciary.²⁶⁶ According to Amra Jašarević, the HJPC possesses the capacities for implementation of complex projects, including coordination of different actors. In that regard, through promotion of activities already being undertaken in this field, collaboration with educational institutions, and adequate approach to the public, officers of this institution may contribute to general public legal education in Bosnia and Herzegovina. Maida Muminović from the Mediacentar Sarajevo²⁶⁷ thinks that it would be ideal if the HJPC would assume the role of coordinator, and if there was a kind of a resource center established within the Council for legal professionals involved in this type of education, providing them with materials, trainings, and even ideas for education.

Different target groups and promotion channels introduce other players into the equation of better coordination and organization of PLE in Bosnia and Herzegovina. Officials at the Civitas, for example, think that the coordination role in one part could be assumed by the Ministry of Civil Affairs, whose Sector for Education has the coordinating role with respect to educational institutions in Bosnia and Herzegovina, though they do not rule out the possibility of surrendering these activities to some of the government agencies, such as the Agency for Preschool, Elementary and Secondary Education.²⁶⁸ Officials at the Helsinki Committee put special emphasis on the importance of involvement of educational institutes in these activities.²⁶⁹

²⁶⁴ Interview with Niko Grubešić, Assistant Minister of Justice for Strategic Planning, Aid Coordination, and European Integration (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

²⁶⁵ *Ibid.*

²⁶⁶ E-mail interview with Amra Jašarević, Deputy Director of the HJPC Secretariat (November 27, 2011). Written responses are in the author's archive.

²⁶⁷ Interview with Maida Muminović, Project Coordinator at the Mediacentar Sarajevo (Sarajevo, November 22, 2011). Audio recording is in the author's archive.

²⁶⁸ Interview with Ivana Kešić, Program Manager at Civitas (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

²⁶⁹ Interview with Živica Abadžić, Secretary General of the Helsinki Committee for Human Rights in BiH (Sarajevo, November 24, 2011). Audio recording is in the author's archive.

On the other hand, the Ministry of Civil Affairs of BiH²⁷⁰ stresses that this Ministry does not have authority to coordinate activities, only policies, and the decision on options and methods for introduction of any educational programs is in exclusive competence of education government authorities in Republika Srpska, cantons, and Brčko District. The experience of Mediacentar in the pilot phase of PLE project also showed that collaboration with competent ministries of education was necessary for implementation of activities in schools. Besides, in the context of continuation of project activities, as well as the future of PLE programs in our country, the representative of Mediacentar put special emphasis on the importance of support from authorized education authorities, which would primarily be reflected in providing recommendations and informing the schools about the existence of such programs.²⁷¹

Respondents' opinions are divided regarding financing, which is insufficient in all potential segments for institutionalization of these educational programs. Some think that such projects could invoke donors' interest, while others, like the representatives of Youth Information Agency²⁷² note that generally speaking, the donors' interest in financing of various projects declines in time, and that the donor funding would be sufficient for up to three years, but not for long term financing of these types of projects. Ivana Kešić from Civitas thinks that the authorities must also engage in financing of such projects, because educated and active citizens informed about the legal system are in the interest of the country and democratic society. In that sense, the programs that contribute to this idea should not be allowed to be financed by donors, because that would be a sign that the government has failed to recognize the importance of this type of education.²⁷³ On the other hand, representatives of competent governmental institutions, such as the BiH Ministry of Justice, think that it is exactly donor funding that could ensure initial capacities for institutionalization of these programs. Our collocutor from Save the Children Norway²⁷⁴ said that current interest of donors was focused on relevant fields and professionals in those fields, rather than the general public, though he optimistically said that a well planned and organized long term program in the domain of PLE, with well thought-out mechanism for monitoring of implementation could invoke the interest of some donors.

²⁷⁰ Interview with Daria Duilović, Head of Department for Coordination of Education Policy in the Ministry of Civil Affairs of BiH (Sarajevo, November 28, 2011). Interview notes are in the author's archive.

²⁷¹ Interview with Maida Muminović, Project Coordinator at the Mediacentar Sarajevo (Sarajevo, November 22, 2011). Audio recording is in the author's archive.

²⁷² Interview with Samir Mahmić, Project Coordinator at the Youth Information Agency (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

²⁷³ Interview with Ivana Kešić, Program Manager at Civitas (Sarajevo, November 21, 2011). Audio recording is in the author's archive.

²⁷⁴ Telephone interview with Ahmed Pjano, Program Manager/Adviser CRG at Save the Children Norway, South East Europe Regional Office (November 29, 2011). Audio recording is in the author's archive.

10. Final Considerations

Though in Bosnia and Herzegovina there is a significant number of initiatives related to different aspects of public legal education, the comparative analysis, as well as the representatives of interviewed organizations point out that current efforts are inadequate and inconsistent with the best practices. That statement is especially pronounced when taking into consideration the assessments of needs for implementation of such educational programs. Complex legal system, post conflict context, and myriad of new legal institutes and regulations, combined with the complicated network of judicial institutions and jurisdictions, create a legal maze which is sometimes difficult to manage even for those who have undergone formal legal education. One should not disregard the factors such as high poverty rate, which is the reason why many countries with well organized PLE systems originally initiated such programs, or the issue of juvenile delinquency for which the PLE programs, according to available research, may play a deterrent role. The overall situation is additionally exacerbated by the lack of electronic access to official gazettes, except with a paid subscription fee which is also required for printed issues thereof.

Implementation of legal education programs for general population is a highly complex task, given that it requires involvement of a number of players and communication channels in order to encompass the largest possible part of the population. That is exactly the thing, in addition to easy accessibility through educational institutions, as well as the additional risks the young people are exposed to due to their age and inexperience, which makes them an especially suitable group for these types of education.

With respect to the options for development of PLE programs for the youth in Bosnia and Herzegovina, they are primarily reflected in expansion of the existing segments within the educational system, which would allow for inclusion of the largest possible portion of the youth in this type of education, and for implementation of the education before the young people start encountering specific legal problems. In that context, it is especially important to pay attention to introduction of contents aimed at development of competences, i.e. capabilities for practical application of the knowledge acquired, as well as to development of interesting educational contents to invoke the interest of this population. This direction of development of PLE programs targeting the youth in Bosnia and Herzegovina would require interdisciplinary approach in order to ensure the continuity of education, as well as active participation of external players – given the teachers' excessive workload and the lack of adequately trained personnel. Organization of PLE programs for the youth through the existing education system apparently presents the easiest avenue for institutionalization of this type of education, because it would basically require the least investments, and it would facilitate accomplishment of substantial results.

However, one should not neglect the other options such as the activities included in different strategic documents of competent institutions, primarily those in the area of the judiciary, or the potential offered in the domain PLE by legal aid agencies. These options may facilitate active role of judicial and governmental institutions in the PLE domain, and the contents and communication channels could be adjusted to the youth (which is corroborated by the aforementioned examples of good practice in Canada). In this manner, the group of young people who have completed formal education could be encompassed, primarily those who have already experienced the need for information about certain aspects of legal system or rights protection due to a specific problem in life, and the topics could be more specific, in accordance with the expressed needs.

Given that, in the opinion of majority of our respondents, none of the institutions or organizations have either human or financial capacities to undertake independently the work on public legal education, one possible solution is to form a partnership between non-governmental and governmental organizations and educational and judicial institutions. Coordination of this partnership could be undertaken by some of the indicated governmental institution, though it doesn't necessarily have to be only one institution. Still, having in mind the authorizations and the need for professional and trained personnel, it is necessary to include in these programs competent ministries and education agencies (in RS, cantons, and Brčko District), and authorized ministries of justice, as well the HJPC as central coordinating justice agency.

Such partnership could result in a short term pilot project particularly focusing on development of competences of young people in fields recognized as especially important, such as functions of institutions or human rights protection mechanisms, which could, according to indicated assessments, invoke the interest of donors. With respect to human capacities, experiences of the pilot project by Mediacentar Sarajevo showed that options for engagement of judges and prosecutors were limited.

11. Recommendations

On the basis of the analysis of available sources and practices in Bosnia and Herzegovina, as well as the published interviews, the following recommendations can be made:

1. It is necessary to create an appropriate framework, i.e. strategic documents for implementation of the PLE in Bosnia and Herzegovina. They should adhere to and reflect the identified five core principles of PLE: accessibility, decentralization, coordination, continuity, and sustainable financing.
2. It is necessary to create detailed and long term PLE programs for the youth in Bosnia and Herzegovina, with a broad scope of topics, which would be directed towards development of competences, and to explore options for their institutionalization through the existing system of formal education, as well as through use of strategic documents of the justice sector in this domain in order to achieve maximum coordination and synergy. Continuous evaluation system should be an integral part of these programs, ensuring that the contents are consistent with the expressed needs, as well as with changes in the legal system. Non-governmental organizations or the HJPC could be implementers of these activities, in cooperation with authorized ministries of education and educational-pedagogical institutes.
3. It is necessary to take required steps towards establishment of a network or partnership of organizations and institutions that would actively engage in implementation of PLE programs. That would facilitate efficient utilization of limited funding available to various institutions or organizations for this purpose, and available professional capacities for implementation of specific programs would be expanded. Taking into consideration the experiences in development of PLE in other countries, initial responsibility for establishment of this network would primarily rest with the authorities, with possible assistance from international organizations and donors, but the non-governmental organizations, which already conduct certain activities in the field of PLE, should be implementers of activities in the phase of implementation.
4. It is necessary to establish a relevant resource center for legal professionals, as well as for educators from other professions, providing them with necessary information, trainings, materials, and anything they need for implementation of different PLE activities and programs. In addition to personal contacts, the resource center materials should also be made available through a website, which would allow access for larger number of educators. In this respect, the resource center staff would play extremely important

role in providing support to educators. The resource center could be established within the HJPC or in relevant partnership with the non-governmental sector.

5. Lack of human capacities and resources for implementation of PLE programs could be addressed through establishment of institutional mechanisms (such as days off etc.), creating incentives for legal professionals to volunteer in public legal education. In addition, education in this domain could be specifically directed towards potential educators in this field, such as elementary and secondary school teachers and activists in different non-governmental organizations. Also, it is possible to resort to creative solutions like engaging unemployed lawyers or law school students in Bosnia and Herzegovina on a volunteer basis.

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About the Author

Dženana Hrlović is currently completing an MA in Psychology, Department of Psychology, University of Sarajevo, where she also completed her BA degree. From 2004 to 2011, she worked as a journalist for a number of media outlets in BiH and participated in two projects aimed at supporting gifted children, one implemented by SOS Kinderdorf and the Novi Grad Municipality and one by NGO Eureka. She worked as an intern for “ProMENTE social research” on a research project on psychosocial consequences of the war in BiH. Her research experience to date also includes two research papers in the field of psychology, presented at an academic congress in Sarajevo and a conference in Zagreb, of which one was published in the congress proceedings. Dženana is currently working as research assistant in Analitika.

Addendum: Interviews

In selection of collocutors for interviews, we tried to include representatives of various governmental institutions and agencies and non-governmental organizations which have already undertaken certain activities that may be considered public legal education. Representatives of 14 institutions in total were interviewed. They are as follows:

1. Samir Mahmić, Project Coordinator at the Youth Information Agency Bosnia-Herzegovina (Sarajevo, November 21, 2011)
2. Ivana Kešić, Program Manager at the Civitas (Sarajevo, November 21, 2011)
3. Niko Grubešić, Assistant Minister of Justice Responsible for Strategic Planning, Aid Coordination, and European Integration (Sarajevo, November 21, 2011)
4. Cvijan Jovanović, Head of Department for Secondary Education in the Ministry of Education and Culture of RS (November 22, 2011)
5. Adisa Hadžić, Legal Associate for Criminal Procedure in the Cantonal Legal Aid Institution in Zenica (November 22, 2011)
6. Mirsada Hasečić, Assistant to Mayor in the Office for General Administration in Ilidža Municipality (November 22, 2011)
7. Maida Muminović, Project Coordinator in the Mediacentar Sarajevo (Sarajevo, November 22, 2011)
8. Adisa Zahiragić, President of the Association of Women Judges in BiH and Judge of the Cantonal Court in Sarajevo (November 24, 2011)
9. Emina Halilović, Assistant Ombudsman of BiH and Head of the Department for Political and Civil Rights of the Institution of Human Rights Ombudsman of Bosnia and Herzegovina (Sarajevo, November 24, 2011)
10. Živica Abadžić, Secretary General of the Helsinki Committee for Human Rights in BiH (Sarajevo, November 24, 2011)
11. Daria Duilović, Head of Department for Coordination of Education Policy in the Ministry of Civil Affairs of BiH (Sarajevo, November 28, 2011)
12. Ahmed Pjano, Program Manager/Adviser CRG at Save the Children Norway, South East Europe Regional Office (November 29, 2011)
13. Amra Jašarević, Deputy Director of the HJPC Secretariat (November 27, 2011)
14. Representatives of the OSCE Mission to BiH (Sarajevo, November 29, 2011)

Following the selection of collocutors, a semi structured interview guide was prepared, therefore the questions asked were largely alike, if not identical. However for certain groups of collocutors, separate questions were prepared in accordance with their specific activities.

A portion of interviews (total of eight) was conducted in person, while the remaining interviews were conducted over the phone, with the exception of the HJPC representative who was interviewed via e-mail.

This publication is made possible by the support of the American People through the United States Agency for International Development (USAID). The contents of this report are the sole responsibility of Author and do not necessarily reflect the views of USAID or the United States Government.

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