



31 July 2020

Her Excellency Ms. Ana Brnabić
Prime Minister of the Republic of Serbia

Dear Prime Minister Brnabić,

We, the undersigned organizations of persons with disabilities and human rights organizations, are writing to express our concern at the situation of thousands of women, men, and children with disabilities living in institutions across Serbia.

The Covid-19 pandemic has created a truly unprecedented situation affecting us all. Governments around the world are facing enormous social, political, and economic challenges in attempting to respond effectively to the pandemic. At this time, we are seeking more information about the Government of the Republic of Serbia's response to the situation, particularly with respect to steps it is taking to ensure the human rights of people with disabilities, including those living in residential institutions.

Similar to other infectious diseases, the virus causing Covid-19 spreads quicker in populations living in close proximity. This risk is particularly acute in places like residential institutions for children and adults with disabilities, where the virus can spread rapidly.

For these reasons, on April 14, Human Rights Watch sent a letter to the Ministry of Labour, Employment, Veteran and Social Policy ("Ministry of Labour"), requesting information on, among other issues, what steps the government has taken to prevent the spread of Covid-19 in residential institutions for both children and adults with disabilities.

Human Rights Watch followed up with additional requests for information, particularly on the total number of infections and deaths. We sent these requests to the Ministry of Labour on April 28, the Ministry of Health on April 29 and May 8, and to the Republic Institute for Public Health on May 8. At the time of writing, Human Rights Watch has not received the information sought.

Similarly, the Mental Disability Rights Initiative MDRI-S sent a request for information on July 2 to both the Ministry of Labour and the Republic Institute for Public Health asking for the figures of infected children and adults who live in institutions for people with disabilities, and the number of people with disabilities living in institutions who died from Covid-19. While the Ministry of Labour acknowledged receipt of the request, MDRI-S is still waiting for a reply from the Republic Institute for Public Health with the information requested.

Our organizations acknowledge and welcome the Ministry of Labour's daily publication of data on their website regarding the number of people living in social care institutions who had been infected with the virus, and look forward to more comprehensive data being made available.

An important component of developing policies to effectively address the Covid-19 pandemic is understanding the scale and circumstances of infections and deaths. Clear and comprehensive data on the total number of infections and deaths would help the wider public understand the impact of the outbreak on social care institutions. The commitment to transparency that releasing data demonstrates, would also provide more confidence to families and the public.

The release of such information would also be a measurable demonstration of Serbia's commitment to protecting the rights of people with disabilities, from the youngest to the oldest.

Therefore, we are writing once again to request clear information about the total number of infections and deaths inside institutions since the World Health Organization declared the Covid-19 outbreak a pandemic on March 11, 2020.

In particular:

- Since March 11, 2020, how many people living in all social care institutions in Serbia have died of suspected, probable, and confirmed cases of Covid-19? How many of them were people with disabilities? How many of them were under the age of 18?
- Since March 11, 2020, how many people living in social care institutions in Serbia have been confirmed as infected with Covid-19? How many of them were people with disabilities? Could you also please provide information on the protocol for testing for Covid-19 in social care institutions in Serbia?

We also note that people with disabilities living in social care institutions across Serbia are still deprived of the freedom to move and leave institutions or to have family members and others come and visit. Bans on visits have been in place since March 12, with the exception of June 9 to 29, when the Ministry of Labour allowed for some visitation under very strict circumstances.

In that regard, we urge you to ensure any restrictions on movement and visitor policies balance the protection of people with disabilities from risk of exposure to the coronavirus with their need for family, connection, and the right to liberty.

Finally, we urge you to take steps to reform all laws and policies to meet Serbia's obligations under the UN Convention on the Rights of People with Disabilities, including the right of all persons with disabilities to live in the community. In line with the convention and because of the greater risk of infections inside institutions, we urge you to:

- Implement a no-admissions policy to large or small-scale institutions for people with disabilities.
- Urgently develop a plan for prompt deinstitutionalisation of children and adults with disabilities implementable during this emergency to ensure every person with a disability can leave the institution and live in the community. Allocate adequate financial and human resources to support the transition from institutional care to independent living in the community.
- Actively involve persons with disabilities and their representative organisations in deinstitutionalisation plans and relevant Covid-19 response and recovery plans that specifically impact the rights of people with disabilities.
- With restrictions on movement and other social distancing measures in place, ensure accommodation is made to provide continuity of community-based services to people with disabilities, including services for independent living, personal assistance, in-home assistance, family outreach services, and access to therapy and rehabilitation.

We thank you for your attention and remain available for any further discussion with your excellency or a relevant government official on this important matter.

Sincerely,

Disability Rights International

European Network on Independent Living – ENIL

Human Rights Watch

Inclusion Europe

MDRI-S

Validity Foundation