



People in Need (PIN)

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People in Need (PIN) from the Czech Republic, supports people in emergencies, both in crises of war as well as in areas affected by natural disasters, and in places where it is hard for people to break out of the vicious circle of poverty without support. PIN deal with longer-term problems overseas such as the shortage of safe water, restricted access to good-quality education and health services or environmental degradation. Development cooperation and humanitarian work comprises efforts to help people in their attempts to escape poverty and ensure further development. People in Need often follows up on its humanitarian activities with development projects in order to help prevent future crises and mitigate their negative impacts. In Western Balkans, PIN currently has offices in Pozarevac (Serbia), Prishtina (Kosovo) and Sarajevo (Bosnia and Herzegovina). In the Western Balkans region, PIN focuses mostly on social inclusion and economic empowerment of people with physical, intellectual and psychosocial disabilities; deinstitutionalization; and inclusive as well as human rights education. Within the effort of integration of persons with intellectual and psychosocial disabilities into society, People in Need has supported the transformation of the residential institutions in Veliki Popovac, Stamnica and Jabuka and establishment of the Independent Living services.



1 Although Serbia has ratified the United Nations Convention of Rights of People with Disabilities (UN CRPD), including the convention's Optional Protocols, in July 2009 and claimed the support of deinstitutionalization and transformation of the large residential institutions into the community based social services, **access to community based social services** for the most vulnerable groups including people with intellectual and psychosocial disabilities is still **limited** and the **quality** of provided service **remain insufficient**. Residential institutions (RIs) for adults with intellectual and psychosocial disabilities has been lacking concrete support from the Ministry of Labour, Employment, Veterans and Social Affairs (MLEVS) to proceed with the transformation towards community based services. This leads to the situation in which **more than 4000 people with intellectual and psychosocial disabilities remain placed in big residential institutions** where their **basic human rights stipulated in UN CRPD are seriously violated** on daily bases.

2 In 2014, the Ministry has appointed two RIs (Veliki Popovac and Curug) to be pilots in the transformation process and in 2015 requested all other RIs across Serbia to submit their transformation plans but **hasn't yet succeeded to implement concrete support measures** for implementation of the transformation plans **nor create a comprehensive strategy** to support DI process. Within the EC funded grant scheme *Support de-institutionalization and social inclusion of persons with mental disabilities and mental illness*, People in Need supported the partner RI in Veliki Popovac to establish 2 independent living (IL) service houses for 12 clients and 1 half-way house for 8 clients. Many other RIs in Serbia were involved in the grant scheme and established new independent living units. Unfortunately, after the end of the project implementations, there was no support from the MLEVS or any other state actor.

3 Even though the **IL service has been recognized by the MLEVS as a standard community-based social service** and the MLEVS has published a rulebook for provision of the service and also set the minimal technical standards for the buildings where the IL service can be provided, **quality standards** for this service **are still lacking** and the State bodies are providing no supervision or support to ensure quality of the service. Additionally, the MLEVS hasn't provided any additional funding for running of the service nor allowed the RIs to hire new workers to fulfil the roles of the clients' assistants nor assistants' coordinators. As a results of this situation, the IL service is often provided in a way which does **not secure fulfilment of basic human rights of people with intellectual and psychosocial disabilities** and is **conflicting with UN CPRD principles**. Clients of the IL services run by the residential institutions are either left without even basic assistance, provided only by food and accommodation or the are spending the day-time in the residential institution and make use of the IL unit only overnight. Both models as described above are strongly conflicting with essence of the independent living service and do **not ensure the full social inclusion** of the people with intellectual and psychosocial disabilities.

4 People in Need appreciate the changes which has been made by the State parties towards employment of people with disabilities, however would like to stress that **discrimination towards people with intellectual and psychosocial disabilities persist on the labour market**. Especially people with intellectual and psychosocial disabilities with the history of institutionalization are mainly deprived of the legal capacity and are excluded from the labour market completely. Even though some progress has been made and there has been an obligation to review the legal capacity status of every person maximum every 3 years, there has been a huge gap between the legislation and the practice. After conduction the revision, **absolute majority of the clients of residential institutions or IL services run by the residential institutions remains fully deprived of the legal capacity which prevent them from full social inclusion and inclusion to the labour market**.



5 Recommendations:

- To design and implement concrete measures to enable transformation of the residential institutions for adults with intellectual and psychosocial disabilities
- To ban new admissions to the residential institutions in order to significantly lower number of adults with intellectual and psychosocial disabilities placed in the residential institutions in upcoming 5 years' period
- To enforce compliance with basic human rights' principles in the residential institutions' settings
- To design and implement concrete measures to support development of the community based care services for people with intellectual and psychosocial disabilities with special focus on the Independent Living services and day-care centres
- To create quality standard for the Independent Living service and introduce concrete steps toward its implementation by the service providers and enforcement by the State parties
- Implement concrete measures to ensure more systematic enforcement of the relevant legislation related to deprivation of legal capacity and employment of people with intellectual and psychosocial disabilities

