



REPUBLIC OF SERBIA
PROTECTOR OF CITIZENS



Protector of Citizens
Ombudsman

SPECIAL REPORT ON THE ACTIVITIES OF THE PROTECTOR OF CITIZENS DURING THE COVID-19 STATE OF EMERGENCY

Belgrade, June 10th, 2020

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1. INTRODUCTION

1.1. FOREWORD

The World Health Organization proclaimed on March 11th, 2020 COVID-19 pandemics, and four days later the Government of Serbia has introduced emergency status throughout the whole territory of the Republic of Serbia, in order to prevent spread of this contagious and deadly disease, which lasted from March 15th to May 06th 2020.

In such extraordinary circumstances where the Constitution of the Republic of Serbia allows necessary deviations from human and minority rights, the Protector of Citizens, as an independent state authority for protection of human rights, has strengthened the supervision and extended its work to almost 24 hours all seven days a week, so that the citizens¹ of the Republic of Serbia could also in extraordinary circumstances achieve their rights.

Reacting to multiple claims and problems that the citizens of Serbia have presented to this institution during emergency status, and which were within the competence of the Protector of Citizens, as well as initiation of procedures on one's own initiative, serve as a confirmation of trust of the citizens of Serbia towards this institution.

Significantly increased number of claims by citizens during emergency status is a special witness of trust into the institution of the Protector of Citizens, out of which 3673 requested assistance using telephone, and 1029 of citizens appealed in writing. The calls pertaining to psychological assistance to citizens or which were of an advisory nature, were not recorded.

During the emergency status citizens addressed the Protector of Citizens, those who did not know which institution is competent for the problem they have, the citizens who could not, due to certain reasons implement certain right, many citizens of Serbia, even for issues which do not belong to the competence of this institution, but also citizens who have used up all of the possibilities known to them, in order to protect the rights.

During the emergency status, the Protector of Citizens has introduced five new telephone lines which the citizens can use for asking for assistance each and every day in the period from 8-22 o'clock. One of those lines served for rendering psychological assistance to citizens in crisis situations, while the support has been provided by Psychologist of the Sector for Rights of a Child and Gender Equality, and one of the lines was intended for National Torture Prevention Mechanism.

Work of the Protector of Citizens during emergency status was based on preventive-advisory activities, mediation between the Complainant and the Administrative body, sending initiatives for amending regulations to competent authorities, control procedures in the field and actions on citizens' complaints.

Preventive-advisory work meant giving advices to citizens and explanation of the procedures that can be used to implement their rights. Working in mediation between the Complainant and the Administrative Authority regarding some of the received appeals, the Protector of Citizens has, according to his legal powers, enabled implementation of numerous rights of citizens.

¹All of the terms expressed in the text in grammatical masculine gender, imply the natural masculine and feminine genders of person to whom it refers.

Primarily, in such crisis situation within which have been stopped all types of international traffick, the Protector of Citizens has, thanks to bilateral contacts it has established with the Ombudsmen of other states, given contribution to return of our citizens from abroad into Serbia. Quicker testing of patients in Temporary Hospital in Belgrade Fair has been implemented after the urgency of the Protector of Citizens.

During emergency status the Protector of Citizens has initiated change of regulations in the competent state authorities, after which that enabled unhindered movement of children and parents of children with autism during movement ban period, as well as maintaining personal relations between a child and a parent with whom the child does not live, regardless if the model of seeing has been regulated by a Final Court Decision or based on agreement of the former spouses.

Also, after the Protector of Citizens' initiative, it has been enabled that the persons taking care of the elderly, immobile and persons with disability during movement ban, movement of victims of violence during movement ban in order to protect them from the violence, as well as the change in the procedures used to inform the family about the health status of the patients ill from COVID-19, who were located in Clinical Center Niš.

Throughout emergency status duration the Protector of Citizens used control procedures „in the field“ to check the state of conditions in which citizens are, especially vulnerable groups, among whom are children, persons with disability, Roma, migrants, as well as persons deprived of their liberty.

Measures that the Republic of Serbia passed during the emergency status, in order to prevent spread of contagious disease COVID-19 have changed, and so, also changed the problems the citizens have faced. According to those changes, the Protector of Citizens reacted, advising the citizens and submitted initiatives for amendment of regulations.

Numerous appreciation e-mails witness the importance of the job and achieved results of the Protector of Citizens' work done during emergency status, which the citizens sent due to assistance given to them in implementing their rights, and some of them have been published also in this Report.

Special Report contains a survey of the most frequent problems the citizens have faced during emergency status, resulting from the introduced limiting measures in order to protect from spread of contagious disease COVID-19. It also contains the ways in which the Protector of Citizens assisted citizens to overcome them.

In the end of the Special Report the Protector of Citizens points out to the competent authorities in which way they can enhance their work in order to implement the citizens' rights, having in mind that according to global and domestic forecasts by health professionals, there is a danger from intensification of COVID-19 epidemic. Work enhancement which the Protector of Citizens appeals , could be more functional also if in the future similar situations happen, which require different work organization of the competent authorities, due to which more difficult implementation of human rights might happen.

THE PROTECTOR OF CITIZENS

Zoran Pašalić, MA

2. THANKSGIVING ACKNOWLEDGMENT OF CITIZENS

- „Thank You, You have helped us a lot. If there are more of such services and responsible workers, as You are, we would overcome everything in an easier way.“
- „Thanks to everyone, due to your engagement, offered assistance and enabling confirmation during the emergency status duration, in short term.“
- „On my behalf and on behalf of my wife I would like to thank You for Your engagement and intervention following our complaints.“
- „I am immensely grateful to all employees in the Protector of Citizens' office for their dedicated work.“
- „I would like to thank You for great effort regarding state authorities, who didn't consider important to reply to even one out of ten e-mails.“
- „Thank You for enabling me to be with my child, even during the emergency status, in the days I am entitled to use.“
- „Thank You to the Heavens, I talked to my child, and I'm going to see her!“
- „I would like to thank You in the best possible manner once again, movement licence has been issued to me, You have helped me a lot.“
- „Thank You on behalf of all parents, who love and who are fighting for their children, because You have pledged that even during curfew a licence should be issued to us, so we can see our children!“
- „I express my immense gratitude for professional engagement, quick reaction and efficiency in resolving requests for early retirements during the emergency status.“
- „Thank You for Your promptness. If I had not contacted You, this would have taken a long time. This is how I received movement licence thanks to Your reaction.“
- „Professional work of your institution achieves every praise!“
- „After reaction of the Emergency Department, I received the Decision on Retirement, that I waited for 18 months. Thank You very much!“
- „Only from You we have had support in receiving movement licences during the curfew, for autistic children and persons with developmental disabilities.“

3. WORK OF THE PROTECTOR OF CITIZENS IN THE FIELD

Visit to Places Where Homeless Persons Come

During the emergency status, the Protector of Citizens visited locations in Belgrade for which it has been known that persons come there during the day, who are considered to be homeless. After he became assured that homeless people can be found in the city streets, the Protector of Citizens sent letters to the Ministry of Labour, Employment, Veteran and Social Affairs and to the Belgrade City Social Work Center, used to underline very difficult position of this sensitive category during Corona virus pandemics. Therefore, it has been requested from the Ministry to issue instructions to all Social Work Centers in the territory of the Republic of Serbia, that they should undertake, within their competence, measures intended for taking care of the homeless. A plea has been sent to the City Social Work Center to issue instructions to all its departments, that under their competence they should undertake measures for taking care of the homeless. In its reply to the Protector of Citizens the Ministry has underlined that during the extraordinary status it shall carefully monitor the situation, and if necessary, shall undertake measures under their competence in order to render professional and other assistance to all social security institutions working in difficult circumstances, and shall order them to undertake certain measures to protect the personality, right and interest of the users. In the reply to the Protector of Citizens, the City Social Work Center stated that the introduction of the extraordinary status initiated a challenge for employees in Social Work Centers, and it considers that in the current situation the most relevant issue would be to place this category of persons in the quarantine settlements, for their protection.

It is important to mention that during visit of the places where homeless persons come, and later visits of Roma settlements, as well as of the migrant centers, the Protector of Citizens paid special attention to vulnerable categories, including women, children and persons with disabilities.

Visit to the Reception Center in Subotica

The Protector of Citizens has visited renovated Reception Center in Subotica, which has been envisaged for implementation of the quarantine measure, i.e. for accommodation, nutrition and medical care of our citizens returning from abroad, who do not have registered address or registered residence in our territory, as well as for those persons whom the physicians at the border consider that they represent medical, that is, sanitary risk. The objective of the visit was to determine whether the facilities and equipment in the Reception Center fulfil prescribed sanitary-hygienic and epidemiological conditions and quick communication conditions, as well as to see if the facilities for implementing quarantine measures contain the equipment and rooms envisaged in the Rulebook on Detailed Conditions and the Manner for Implementation of the Quarantine Measures and Conditions they would have to fulfil for that purpose². During the visit it has been determined that in the Reception Center most of the conditions envisaged by the quoted Rulebook have been fulfilled. Certain omissions have been observed, pointing out to the lack of several entrances to the facility, in order to evade crossing of clean/unclean paths and technical malfunction of certain lights in the rooms, which were presented to the representatives of the Serbian Army, who are in charge of the Center security and which were soon eliminated.

Visit to the Temporary Hospital in Belgrade Fair

²Available at: https://www.zdravlje.gov.rs/view_file.php?file_id=1160&cache=sr.

The Protector of Citizens has visited Temporary Hospital for treating patients ill from contagious disease COVID-19 in Belgrade Fair, in order to determine whether all accommodation and conditions for treatment of patients have been fulfilled. During that occasion, it has been determined that the boxes for patients' accommodation fulfill conditions and measures envisaged by regulations, that there are several entries and exits from the facility in order to avoid spreading the disease, as well that the patients have available rooms offering additional contents.

After the patients accommodated at Belgrade Fair have pointed out the problem of longer waiting for re-testing on Corona virus presence and announced that in relation to that they would arrange hunger strike, based on the Protector of Citizens' initiative and in agreement with the Ministry of Health, they have been tested on the presence of Corona virus that evening.

Visit to Clinical Center Niš and to Temporary Hospital in SC „Čair“ in Niš

The Protector of Citizens has visited facilities of Clinical Center Niš and Temporary Hospital in SC „Čair“ in Niš, in order to assure himself whether the rooms of the healthcare institutions in Niš, where patients who are ill of contagious disease COVID-19 fulfil prescribed conditions for accommodation and care of patients, that is, residence and work of the medical staff. In case of the Clinical Center Niš, the Protector of Citizens has determined that the general working conditions have been fulfilled, as prescribed by the Law on Protection of Population against Contagious Diseases³ and special ones, prescribed by the Rulebook on Detailed Conditions for Delivery of Healthcare Activities in Healthcare Institutions and Other Forms of Healthcare Service⁴. After the Protector of Citizens drew the attention of the Clinical Center Niš to citizens' claims where family members of persons accommodated in the healthcare institutions, due to suspicion that they are ill from new Corona virus appealed that they can not reach the information about their health status, the Clinical Center Niš has introduced a New Protocol on Informing Families About the Health Status of Their Members Hospitalized Due to Corona Virus.

During the visit to Temporary Hospital in SC „Čair“ it has been determined that all prescribed conditions for its work have been fulfilled, except for the condition that the healthcare institution must have one sanitary block per 10 beds, but in the conditions in which the organization of the Temporary Hospital started, it can be accepted that it was not possible to secure new sanitary blocks and toilets in the hall, but only to perform reorganization of the existing ones.

Visits to Roma Settlements

The Protector of Citizens has visited ten Roma settlements, in order to determine life conditions during COVID-19 pandemics duration and compiled Special Report of the Protector of Citizens based on findings, including recommendations – *Conditions in Roma Settlements in Emergency Status Situation and Implementation of Protective Measures due to Corona Virus Epidemic*⁵ and has sent it to local self-government units, in the territories of which Roma settlements are situated, for actions and statements.⁶

³https://www.rfzo.rs/download/zakoni/zakon_zastita_od_zaraznih_bolesti.pdf

⁴Available at:

https://www.paragraf.rs/propisi/pravilnik_o_blizim_uslovima_za_obavljanje_zdravstvene_delatnosti_u_zdravstvenim_ustanovama_i_drugim_oblicima_zdravstvene_sluzbe.html.

⁵Available at: <https://ombudsman.rs/index.php/2011-12-25-10-17-15/2011-12-26-10-05-05/6607-l-lni-s-upr-v-upuc-n-p-s-b-n-izv-sh-s-pr-p-ru-usl-vi-u-r-s-i-n-s-lji-u-si-u-ci-i-v-nr-dn-g-s-nj-i-pri-n-r-z-sh-i-usl-d-p-nd-i-r-n-virus>.

⁶More data in the Report part: The Rights of National Minorities.

NTPM Activities

During the emergency status National Torture Prevention Mechanism of the Republic of Serbia (NTPM) has intensified its work, in order to check in which way are in the detention places implemented measures of fight against spread of Corona virus, and how do we in such circumstances enable implementation of fundamental rights of persons deprived of liberty. The NTPM has, based on the quoted visits, compiled Thematic Report with recommendations: *Implementation of SRT Principle Regarding Persons Deprived of Liberty During Corona Virus Pandemics*^{7,8}

⁷Available at: <https://www.ombudsman.rs/index.php/2011-12-25-10-17-15/2011-12-26-10-05-05/6627-o-3>.

⁸More data in the Report part: National Torture Preventive Mechanism.

4. EXERCISING THE RIGHTS OF SPECIALLY VULNERABLE GROUPS

4.1. THE RIGHTS OF A CHILD

Caring for Children Younger than 12 Years

Already in the first week after proclaiming emergency status and passing of the Decision on Organizing the Work of Employers During Emergency Status⁹, and after that the Recommendation of the Ministry of State Administration and Local Self-Government for Organizing Work in Public Administrations and State Institutions¹⁰ recommending the employers that during planning of the work organization, they should keep in mind that particularly vulnerable are persons with determined chronic diseases and persons older than 60 years, and that a parent of a child up to 12 years of age should enjoy special protection, and especially if he is solely performing parental rights, or the other parent is subject to working obligation. Citizens turned to the Protector of Citizens, both state authorities and institutions' employees, as well as the employees working with private employers, asking questions regarding implementation of the right to work from home. It was difficult to fulfil the recommendation in situations where both parents are medical workers, i.e. working in police forces and army, who have had working obligation throughout the emergency status duration. Single mothers also called, who were under working obligation, and it was not possible that the employers would organize work from home. Another problem that was underlined by mothers of children younger than 12 years of age, who were simultaneously health workers, was the employer's order for work in the healthcare institution in another town, which additionally aggravated the organization and functioning of their families. Children keeping problem has been further deepened by the suspension of work of schools and kindergartens, because the parents under working obligation had no one to entrust them with childcare, especially in the circumstances of movement ban to persons older than 65 year, when the elderly cousins were not capable to assist parents and children in overcoming this problem.

Having in mind the circumstance that introduction of emergency status has conditioned the need for maximum engagement of employees in the healthcare system of the Republic of Serbia, as well as that it was impossible to enable health workers to work from home due to the nature of the job they perform, the Protector of Citizens pointed out to citizens and employers that they should invest maximum efforts during organization of the work process during the emergency status, and to take into consideration circumstances of each specific family, all in agreement with the employee and respecting possible work engagement of another parent.

Right of a Child to Maintain Personal Relationships With a Parent With Whom the Child Does Not Live

There was also address to the Protector of Citizens by parents who do not live with their children, and with whom they make contact according to final court decisions, emphasizing that the children are denied access to them in situations when the movement ban duration overlaps the time envisaged for seeing, that is, for taking and bringing children back, because the competent authorities do not issue movement licence to parents. In relation to that, the Protector of Citizens

⁹„Official Gazette of the RS“, number 31/20.

¹⁰Available at: https://www.media.srbija.gov.rs/medsrp/dokumenti/preporuka227_cyr.pdf.

addressed the Ministry of Labour, Employment, Veteran and Social Affairs and the Ministry of State Administration and Local Self-Government underlining the necessity to issue licences in short term. Besides that, the Protector of Citizens informed the citizens about the procedure of the competent authorities regarding issuing of the movement licences. The Protector of Citizens suggested to parents that they should submit a request, and in cases in which they see children without court decision, based on written or oral agreements with the other parent, having in mind that the rights of a child must not be limited during the emergency status.

After the citizens have stated that certain local self-government units still refuse to discuss movement claims during the movement ban for parents who maintain contact with children based on court decision, the Protector of Citizens reminded the local self-government units that it is not allowed to deviate from constitutionally and legally secured rights of a child to maintain personal relationships with the parent with whom the child does not live. This is when the Protector of Citizens came to knowledge that the local self-governments do not take into consideration parental claims, because the Ministry of Labour, Employment, Veteran and Social Affairs has issued Instruction to Local Self-Governments, envisaging that such claims shall not be considered and about the contents of which many local self-governments have informed citizens, using their Internet sites. Expert Service employees of the Protector of Citizens have in direct contact with the local self-government units' representatives asked that the claims should be sent to the competent Ministry of Labour, Employment, Veteran and Social Affairs with no exception, for approval, during the movement ban, the ones submitted by parents to whom the right to maintain personal relations has been acknowledged either by final court decision, or by written and oral agreements with another parent. And then, through the direct contact with the Ministry of Labour, Employment, Veteran and Social Affairs, they requested that such claims should be approved in the shortest possible term. Namely, the Protector of Citizens has suggested to employees in the local self-government units that in the case of existence of the written agreement between parents, the same should be enclosed to the claim, instead of final court decision, while in the case of oral agreement it would be necessary to deliver certified or only signed parents' statements on agreement to see the child. To the satisfaction of the Protector of Citizens such requests have been satisfied, thus enabling maintenance of personal relations between parents and children, even when there was no final court decision.

Freedom of Movement for Children With Autism

Due to difficulties in acquiring movement licences during movement ban to the citizens taking care of the persons with disabilities, elderly immobile persons, and especially children, and all these who need someone else's help, who addressed the Protector of Citizens, the Protector of Citizens turned to the Prime Minister of the Government of the Republic of Serbia, in order to overcome this problem in a timely manner¹¹. The address resulted in passing of the Regulation Amending Regulations During the Emergency Status Duration¹² enabling movement during movement ban, including the children with developmental disabilities and autism.

The Right to Education

During the emergency status, one of the problems to which the citizens pointed out in their claims was implementation of the education-training work by distance learning. The Protector of Citizens gave additional explanations to parents, regarding the manner of training

¹¹Available at: <https://ombudsman.rs/index.php?start=35>.

¹²„Official Gazette of the RS“, no.s 31/20, 36/20, 38/20, 39/20, 43/20, 47/20, 49/20, 53/20 and 56/20.

implementation during emergency status according to the Operational Plan of the Ministry of Education, Science and Technological Development¹³. The Protector of Citizens showed to the Complainants both the obligations of the school and teachers, as well as the role of the parent in mastering school materials and rendering support to pupils in the implementation of teaching. The citizens who expressed concern about the position of the eighth grade pupils' position and the obligations for passing the final exam have been informed that the Protector of Citizens shall monitor in which way the rights of a child have been respected, with special vigilance in conditions of the proclaimed emergency status. In the next period, special attention shall be paid especially to resolving potential problems that might appear regarding enrollment of pupils into secondary schools, due to new circumstances where the pupils of the final grade of the elementary school have found themselves. The Protector of Citizens also turned to the Ministry of Education, Science and Technological Development, in order to receive information in which way the education has been organized in situations in which the pupils can not monitor distance education, i.e. when these are children with disabilities.

¹³Available at: <http://www.mpn.gov.rs/operativni-plan-za-nastavak-rada-skola-u-otezanim-uslovima-uz-program-ucenja-na-daljinu-za-ucenike-osnovnih-i-srednjih-skola/>.

4.2. GENDER EQUALITY AND LGBTI PEOPLE RIGHTS

Protection of Victims of Family Violence

The Protector of Citizens sent an initiative to the Prime Minister of the Government of the Republic of Serbia for amendment of the Regulation on Measures During Emergency Status¹⁴ in order to enable legal security, so that the movement ban measures would not pertain to persons leaving apartments and homes in order to be protected from family violence. The Protector of Citizens has pointed out that it is necessary that the competent authorities should fully implement the Law on Prevention of Domestic Violence, and that the victims should have available safe houses or other forms of alternative accommodation, as well as the other measures of assistance and support during the emergency status.

The Protector of Citizens requested from the Ministry of Internal Affairs, Ministry of Justice and Ministry of Labour, Employment, Veteran and Social Affairs information about the implementation of the Law on Prevention of Domestic Violence during emergency status, a number of reported cases of domestic violence, implemented protection and support measures as well as about the services available to the victims of domestic violence. Based on received information, it can be observed that the number of reported cases, implemented protective and support measures to the victims of domestic violence does not deviate significantly from the previous period before the emergency status. Having in mind the information speaking about the increase of domestic violence, which the Protector of Citizens has received during the emergency status from civil society organizations dealing in the domestic violence problem and rendering support to victims, as well as in researches implemented in Serbia and in the world, this issue and phenomenon shall become a subject of special interest of the Protector of Citizens.

In its reply to the Protector of Citizens, Ministry of Labour, Employment, Veteran and Social Affairs pointed out that the centers for social work did not have greater difficulties in implementation of measures and activities from their competence in the protection of victims of violence. As one of the biggest problems, the Ministry states longer waiting for the results of testing against COVID-19 before the victims are placed in safe houses, which have had, according to the available information, rendered services of accommodation also during the emergency status. Based on that, the Protector of Citizens observes that during the emergency status there was a problem of lack of alternative accommodation services for domestic violence victims, while they are waiting for results of testing against COVID-19.

Residence Registration for an LGBTI Person Who Left the Family Home

After acknowledging that young LGBTI person had to leave the family home after parents have discovered the sexual orientation and gender identity of that person, as well as that person does not have any registered abode, due to which the Ministry of Internal Affairs was not in a position to issue that person a personal ID card, the Protector of Citizens requested the information from the competent authorities about whether persons who can not report residence based on other ground, can do that using the address of the institution in which they have been permanently located, or using the address of the social work center in the territory in which they are.

¹⁴„Official Gazette of the RS” , no.s 31/20, 36/20, 38/20, 39/20, 43/20, 47/20, 49/20, 53/20, 56/20, 57/20, 58/20 and 60/20.

4.3. RIGHTS OF PERSONS WITH DISABILITIES AND RIGHTS OF THE ELDERLY

Personal Assistance Service Functioning

National Organization of Persons with Disabilities has in turning to the Protector of Citizens presented several problems that persons with disabilities face during the emergency status, that is, movement limitation. In relation to that, the Protector of Citizens has joined the appeal of the National Organization of Persons with Disabilities sent to competent authorities, that during the emergency status they should secure unhindered functioning of support services within the community, like supported accommodation, service by personal assistants, personal companions of children and gerontology houswives. Besides that, the Protector of Citizens asked the Ministry of Labour, Employment, Veteran and Social Affairs to provide information about the measures implemented in order to resolve the above-mentioned problems. The Ministry replied in relation to that, that in cooperation with the other authorities it would control and perform issuing of movement licenses for all persons, providing social protection services, while undertaking adequate protective measures.

Protection of Users of Homes for Care of Elderlies

As soon as the news about the appearance of the contagious disease COVID-19 appeared in gerontology centers, in several Homes for Care of Elderly and Diseased Seniors, family accommodation facilities, and reception centers for children and youth, the Protector of Citizens has initiated procedures regarding relevant institutions formed by the Republic of Serbia, i.e. the local self-government units. The procedures have been initiated in order to determine which protective measures have been taken in order to prevent infection of the users and workers, what measures have been implemented after the presence of virus has been confirmed between the users and workers, when has the presence of the virus within users been determined, how many users have been infected, when and whether all competent institutions have been informed about the presence of the virus in that institution. The quoted procedures are still pending, and we expect the answers to be delivered, in order to undertake further measures and activities from the Protector of Citizens' competence.

After we learned from media about the presence of the contagious disease COVID-19 among management and users of the Homes for Care of Elderly „Doživeti stotu“ (Let's Live One Hundred) in Zemun and „Stara pruga“ (Old Railroad) in Umka, the Protector of Citizens asked, acting on his own initiative, the Ministry of Labour, Employment, Veteran and Social Affairs to provide information about implemented measures for preventing spread of disease and protection of users and workers. The competent Ministry has informed the Protector of Citizens that it has prohibited the work of the above-mentioned institutions, because they failed to observe the instructions of this institution regarding implementation of measures in epidemiological situation caused by appearance of contagious disease COVID-19.

Availability of Home Help Services

In a claim addressed to the Protector of Citizens, user of home help services pointed out that during the emergency status this service is not offered in full scope, that is, gerontological housewife does not come to his home in order to maintain hygiene. The City Social Work Center and Čukarica Department of the City Social Work Center informed the Protector of Citizens that the home help service has been reduced to procurement of food and medicine, in order to prevent

users from contracting new Corona virus. Having in mind that this information is opposite to the official attitude of the Ministry of Labour, Employment, Veteran and Social Affairs to provide continual offer of service during the emergency status, undertaking adequate protective measures, the Protector of Citizens asked the service provider to offer additional information – Gerontological Center in Belgrade, which confirmed that the service is offered in reduced scope, in order to protect the health of the users themselves. After addressing the Protector of Citizens, and after elimination of the emergency status, the user informed us that gerontological housewife started to come to his home in order to maintain the facility and hygiene.

Citizens contacted the Protector of Citizens, who wanted to underline the difficult condition in which immobile fellow lady citizen is, who has no one to take care of her, after declaration of the emergency status. Using that occasion, the Protector of Citizens turned to the City Social Work Center – Voždovac Department, after which the Protector received information that this authority was successful in finding the caregiver who shall take care of the old lady during the emergency status.

The Problem of Accommodation of Users in Residential Social Care Institutions

After we have learned from the media about poor health conditions in which one elderly person without family care is, to whom not even the Center for Social Work of the Novi Sad City nor Medical Emergency Department provided necessary care and protection, the Protector of Citizens asked those authorities as well as from the Provincial Secretariat for Social Policy, Demography and Gender Equality for a statement on the measures taken to support and protect the elderly lady fellow citizen. After series of consultations with the competent authorities, the Protector of Citizens was informed that in the shortest possible term, the expert teams of the Center for Social Work of the Novi Sad City and Gerontology Center shall assess the type and scope of assistance and support necessary for the lady fellow citizen, after which they shall implement measures from their competence.

This case showed that there is a systemic problem of accommodating users into social protection organizations during the time of pandemics, bearing in mind that we have effective movement ban, due to danger of spreading the disease by virus, and the types of alternative accommodation have not been envisaged.

Exercising the Right to Allowance for Assistance and Care of Another Person

Conclusion of the Government of the Republic of Serbia envisages that the users of the allowance for assistance and care of another person, the right of whom expired on March 15th, 2020 or later, and the competent authority did not decide about further use of that right, payment based on previously passed decisions shall be extended, maximally for three months, i.e. until the emergency status lasts. In this specific case, the Complainant's right stopped earlier, but the Protector of Citizens still intervened, wanting to present the problem of this vulnerable group of citizens having bodily harm of 100%.

Acting upon the complaint of the lady citizen, by which she pointed out that the Social Work Center did not act according to the conclusion of the Government of the Republic of Serbia and continued the payment of the right to increased allowance for assistance and care of another person to her, the Protector of Citizens asked the competent Social Work Center and the Ministry of Labour, Employment, Veteran and Social Affairs to deliver statements regarding quotes of the claim. Based on the delivered statement, the Protector of Citizens concluded that there are no grounds for further holding procedure against those authorities. However, having in mind that

control medical check was not scheduled to the Complainant lady after abolishing the emergency status, the Protector of Citizens turned to the Republic Pension and Disability Insurance Fund in order to receive necessary information.

The Protector of Citizens initiated a procedure against the Republic Pension and Disability Insurance Fund due to failure to act based on claim for exercising the right to some else's care and assistance for minor child diagnosed with autism.

Availability of Public Transport in Belgrade

After they learned from the media that after abolishment of the emergency status, Belgrade citizens could use public transport services only using A1 or A2 personalized public transport cards or cards for one, three or five days together with the work order issued by the employer, the Protector of Citizens asked the Public Transport Secretariat from the City Administration of the City of Belgrade to provide public transport service to all citizens with disability using the transport, without compensation and who own a certain category of valid transport cards, together with the work order issued by the employer. Public transport service has been finally enabled to all users, without any of the up-quoted limitations.

Appeals of Citizens That Do Not Have the Character of a Complaint

During the emergency status the Protector of Citizens has received a large number of appeals of citizens that do not have the character of a complaint. In all those cases the citizens have been informed about their rights, competencies of the Protector of Citizens and instructed to address the competent authorities. In some situations, employees in the Expert Service of the Protector of Citizens assisted citizens to contact the competent authorities. The citizens asked information in their appeals, about the rights of blind persons, pointed out to the lack of visiting and care of the immovable persons due to movement ban, also pointed out discrimination, because as for elderly persons, older than 65 years of age, their movement was prohibited.

4.4. RIGHTS OF NATIONAL MINORITIES

Informing and Teaching in the Languages of National Minorities

The Protector of Citizens during the emergency status period, introduced due to COVID-19 pandemics, did not receive any claims of the national minorities' members, that they have been declined the right to be informed in their mother tongue, or in relation to implementation of teaching in the languages of national minorities. But, the Protector of Citizens was in permanent contact with representatives of National Councils of National Minorities, in order to be informed about exercising individual and collective rights. The Protector of Citizens has, in relation to implementation of teaching in languages of national minorities, received information that the Ministry of Education, Science and Technological Development has in cooperation with the National Councils of National Minorities, Radio-Television of Vojvodina (RTV) and local and minority media started on March 30th, 2020 recording and broadcasting teaching in eight minority languages - Albanian, Bosnian, Bulgarian, Croatian, Hungarian, Romanian, Ruthenian and Slovak.

Poor Hygienic Conditions in Informal Roma Settlements

The Protector of Citizens stated during the emergency status situation and implementation of protective measures due to COVID-19 pandemics, that it is necessary to implement additional protective measures, especially when we are talking about members of very vulnerable groups, among whom are Roma settlements inhabitants. The fact is, that a large number of informal settlements' inhabitants, which in the Republic of Serbia are around six hundred, do not have access to water, electricity, nor Internet, and that they are not in a position to maintain basic hygiene, even less to enable their children to monitor school teaching.

The Protector of Citizens has, in order to make preventive action during the emergency status, organized meetings with the Chairman of the National Council of Roma National Minority, Ministry of Labour, Employment, Veteran and Social Affairs and asked them, that within their competencies and in the shortest possible term, they should undertake necessary activities in all settlements in which Roma population live, and to secure basic existential conditions for living, that is, primarily water for drinking and hygiene, food and hygiene packages. Also, the Protector of Citizens sent letters to all local self-government units, to undertake all measures without delay, in order to protect the informal Roma settlements' inhabitants.

The Protector of Citizens also received information about the status in Roma settlements from non-governmental organization Initiative for Economic and Social Rights A11, which has specially underlined problem regarding water access and poor hygienic conditions in Roma settlement Čukarička šuma (Čukarica forest) in the territory of City Municipality of Čukarica. Immediately after receiving these information, the Protector of Citizens has contacted the Chairman of City Municipality of Čukarica, presenting this problem, after that, a water tank has been secured for this settlement.

Expert Service representatives of the Protector of Citizens have organized visits to Roma settlements also during COVID-19 pandemics term, paying respect to all protection measures.¹⁵

¹⁵Visits have been organized in the period April-May 2020 in the following self-government units: Belgrade, City Municipality of Čukarica, Kovin, Pančevo, Požarevac and Kostolac. In these five towns and municipalities visit has been arranged covering ten Roma settlements (Čukarička šuma, Cigan mala, Mali rit 1, Mali rit 2, Sutjeska, Kanal, Stari Kostolac, Uzun Mirkova and Đurđeve rupe).

Objective of visits was primarily that based on the field work, it should be determined what are the hygienic conditions in settlements, especially during the pandemics, access to water and electricity supply, as well as needs of residents for securing additional assistance measures in the form of packages and social benefits. Based on data collected during the field work, Special Report of the Protector of Citizens has been compiled, including recommendations – *Conditions in Roma Settlements in the Emergency Status Situation and Implementation of Protective Measures Due to Corona Virus Epidemic*¹⁶. The Protector of Citizens delivered the Special Report with recommendations to all local self-government units, and they have a deadline of 60 days from receiving recommendations to inform the Protector of Citizens about implemented activities and plans for implementation of protective measures in case of renewed outbreak of contagious disease.

¹⁶Available at: <https://ombudsman.rs/index.php/2011-12-25-10-17-15/2011-12-26-10-05-05/6607-1-lni-s-upr-v-upuc-n-p-s-b-n-izv-sh-s-pr-p-ru-usl-vi-u-r-s-i-n-s-lji-u-si-u-ci-i-v-nr-dn-g-s-nj-i-pri-n-r-z-sh-i-usl-d-p-nd-i-r-n-virus>.

4.5. RIGHTS OF PERSONS DEPRIVED OF LIBERTY

During emergency status period as well as in regular circumstances, persons deprived of their liberty have in most of the cases presented their dissatisfaction regarding provision of healthcare. In instances where it has been estimated that there is a legal ground, procedures for control of regularity and legality of the work of Institute have been initiated, as well as of the Ministry of Internal Affairs (hereinafter: MIA), i.e. Commissariat for Refugees and Migrations of the Republic of Serbia (hereinafter: CRMRS) regarding police officers' actions towards arrested individuals and migrants in the reception centers and asylum centers.

Allegations from complaints of persons deprived of their liberty, served using telephone lines or in writing, have been checked also during visits to institutions during the emergency status, in interview of persons deprived of their liberty addressing the Protector of Citizens, as well as by insight into relevant documentation. Also, collection and check of data pertaining to places where persons deprived of their liberty are located have been increased, while third persons have been contacted (lawyers and family members of persons deprived of their liberty).

Based on knowledge received from the means of public information and video record presenting how a police officer is slapping an individual in the back seat of the car, based on decision that there has been an infringement of human rights, the Protector of Citizens has based on his own initiative started a procedure for controlling regularity and legality of MIA's work, which is pending.

The Protector of Citizens sent opinion to the Ministry of Justice regarding exercise of the right to a fair trial and invited this Ministry to undertake all measures from its competence, in order to enable access to alternative means and methods of communication (Skype) between the Defendant and Defense Council in a special room, without presence of third persons, performing supervision just by observing, and not by listening, without limit of the communication duration to 30 minutes, in order to create necessary conditions for conducting confidential conversation and preparation of Defendant's defense.

4.6. NATIONAL TORTURE PREVENTION MECHANISM

National Torture Prevention Mechanism (hereinafter, NTPM) pays visits to institutions in which there are, or can be located persons deprived of their liberty, in order to deter state authorities and officials from any kind of torture, or any other way of ill-treatment, as well as for directing the state authorities towards creation of accommodation and other living conditions in institutions where persons deprived of their liberty shall be located, according to the valid regulations and standards.

During the initial days of the emergency status NTPM turned to all administration authorities under whose competence are institutions in which there are or where persons deprived of their liberty can be located, and reminded them that the ban on torture and inhuman and degrading treatment or punishment is absolute, and that the protective measures the state undertakes to combat contagious disease COVID-19 must not ever result in any form of abuse of persons deprived of their liberty. The Protector of Citizens delivered to all quoted authorities a Statement of the European Committee for Prevention of Torturing and Inhuman and Degrading Treatment or Punishment (CPT) dated March 20th, 2020, stating the principles pertaining to treatment of persons deprived of their liberty during the time of Corona virus pandemics and all authorities have been invited to observe them. The CPT principles as well as advices of the Subcommittee for Prevention of Torture (SPT) towards the member states and national preventive mechanisms pertaining to Corona virus pandemics, which have been adopted on March 25th, 2020 have been published on the website of the National Torture Prevention Mechanism and are available in both English and Serbian languages.

Letter dated April 9th, 2020 asking from the Directorate for Execution of Criminal Sanctions the information, which were received in a very short time period, in which way and in what scope their actions respected CPT principles (especially regarding measures undertaken to decrease jail population since declaration of the emergency status; on healthcare measures for persons deprived of their liberty, specifically those who have a special risk of infection, like persons older than 65 years of age, who already have some chronic illness and others); how much has the opportunity been increased for other forms of contact with the foreign world (phone calls, electronic communication, etc.) and the like.

Letter dated March 20th, 2020 asked and received from the Commissariat for Refugees and Migrations information on measures that were, after declaration of the emergency status adopted, regarding reception and care of migrants and asylum seekers, and the current status in certain centers, as well as data on possible emergencies that have been recorded in certain centers, in order to collect all information relevant for further action.

Visits to Penitentiaries

In this period NTPM continued performing visits to penitentiaries, in order to check in which way the measures are implemented against spread of COVID-19 and how in these circumstances, it shall be secured to implement the fundamental rights of persons deprived of liberty. Visits have been made to County Jail in Belgrade, Penitentiary Belgrade, Penitentiary Belgrade-Padinska Skela and Penitentiary Sremska Mitrovica.

Visits have been made with full cooperation of the management and employees, all requested information have been given, insight into documentation, uncontrolled conversations with detainees and convicted persons. NTPM Team has been convinced that measures for healthcare

protection are observed, also for persons deprived of liberty and for employees, that supply of protective equipment is regular and that towards the persons undergoing special infection risk, special measures of healthcare protection are implemented. The institutes have been referred to direct cooperation with epidemiological services of the Institute for Health Protection in place of the institute, which are under the competence of the Ministry of Health, in order to receive equal health protection, in case of doubt of infection of persons deprived of their liberty as well as employees. Possibility to make a telephone call has been increased in Penitentiaries (bearing in mind that family visits have been prohibited) as well as stay in fresh air of persons deprived of their liberty (pending that benefits have been suspended, meaning leaving the Penitentiary). Supply of all penitentiaries with protective equipment was regular, continuous supply of masks, gloves, disinfectants and equipment has been done, and in some penitentiaries production of protective masks and suits took place. Directorate for Execution of Criminal Sanctions undertook all necessary activities regarding organization of work of the employees, securing safe functioning of all penitentiaries and implementation of protection measures for employees and persons deprived of their liberty from possible infection with Corona virus. Also, according to CPT principles, to which the Protector of Citizens drew attention, the number of persons deprived of liberty has been decreased by application of the institute of conditional release, early release, abolition of detention as well as by restrictive referral of new persons to serve prison sentence.

Based on quoted visits, the NTPM compiled Thematic Report: *Application of CPT Principles on Treatment of Persons Deprived of Liberty During Corona Virus Pandemics*¹⁷ which has been delivered to all visited institutions and to the line Ministry, and has been published on the websites of the Protector of Citizens and NTPM. In the Report on Paid Visits the NTPM sent a recommendation that all persons deprived of liberty, during family visits' ban, it should be permitted that they should keep contacts with family members and other close individuals using phone line, in a larger number than it is done in regular circumstances. Also, if the ban on visits last longer, it is necessary to secure also other alternative ways of communication, including Internet based one.

The Visit to Institutions Accommodating Migrants

NTPM has in this period also visited institutions accommodating migrants, refugees and asylum seekers, in order to check that status and conditions there, treatment of persons who are located in those centers and measures that the Commissariat for Refugees and Migrations took in order to protect them from spreading contagious disease COVID-19. The visit has been made to Reception Center in Obrenovac (three times), Reception Center in Adaševci, Asylum Center in Krnjača, and also to Shelter for Foreigners in Padinska Skela¹⁸.

NTPM Team has observed during the visits that the number of accommodated persons in some centers has increased, because the migrants who were outside the centers have been brought in and located there. The Commissariat undertook certain measures to relieve accommodation capacities, as well as to give the Center users all relevant information about COVID-19 pandemics and reasons for movement limitation, including the recommendations of the World Health Organization. Daily Bulletin has been initiated, which is translated into English, French, Faroese and Arabic languages, and is distributed to all centers accommodating migrants. Medical teams are present in all the centers. As far as hygienic and epidemiological surveillance is concerned, the control is performed by the territorially competent Public Health Institutes. Isolation rooms have

¹⁷Available at: <https://www.ombudsman.rs/index.php/2011-12-25-10-17-15/2011-12-26-10-05-05/6627-o-3>.

¹⁸Findings from visit to this Reception Center have been included in the Thematic Report of CPT Principles' Implementation, on treatment of the persons deprived of their liberty during Corona virus pandemics.

also been enabled in all centers. Additional means for personal and collective hygiene and disinfection have been procured, as well as masks and gloves for workers in centers, and among the migrants and asylum seekers a large number of volunteers appeared, who assisted the Commissariat workers to organize additional preventive measures.

During visits to Reception Center in Obrenovac and Reception Center in Adaševci the NTPM observed that the accommodation capacities have been overloaded, and the accommodation conditions were on unsatisfactory level. During the visits to Reception Center in Obrenovac NTPM Team had a chance to become assured that mutual conflicts and other incidents are happening frequently, that during conflict among migrants damage and demolition are made on property in the Center, that during the shift there is insufficient number of Commissariat for Refugees and Migrations' officials, that the quoted officials have not been trained, nor do they have the legal authority that they would implement in case of breach of order and peace in the Center, and that their work on reception and care of migrants in such circumstances and conditions is extremely difficult. Having the quoted in mind, in order to prevent undesired events, the NTPM sent a letter to the Police Directorate for the City of Belgrade, with suggestion that in this center constant presence of police officers should be secured, after that the police forces delivered the statement that they have took over Center security.

The NTPM has also in this period intensified international cooperation with European National Institutions for Human Rights (NHRI) and Working Group of the Network of European NHRIs (ENNHRI) for Asylum and Migrants, in order to exchange information about the status in this field, observing the actions of the institutions during COVID-19 pandemics, its influence on the rights of migrants, as well as in determining good practice.

In order to monitor actions towards persons deprived of their liberty during emergency status, the Protector of Citizens has introduced a special telephone line of the National Torture Prevention Mechanism, which has been available from 8 to 22 o'clock, all seven days a week.

5. OTHER ACTIVITIES IN THE FIELD OF WORK OF THE PROTECTOR OF CITIZENS

5.1. AREA OF CIVIL AND POLITICAL RIGHTS

During the emergency status citizens addressed the Protector of Citizens in the field of citizen and political rights, due to a problem in exercising the right to be treated and to have healthcare in full scope, because all interventions which are not urgent, during the declaration of emergency status were postponed. Besides that, the citizens also claimed on the problem in exercising the right to health insurance, as well as regarding availability of certain medicines. After movement prohibition has been introduced, citizens addressed the Protector of Citizens, especially those older than 65 years of age, considering that this prohibition deprives them their rights. The citizens also faced difficulties during acquisition of the movement licences during movement prohibition. Activities of the Protector of Citizens added to return of the citizens to the Republic of Serbia, who were „trapped“ in the airports and border crossings throughout Europe. In the field of justice and jurisdiction the citizens claimed in their claim to the Protector of Citizens about the work of the juridical authorities. Because the Protector of Citizens is not competent to control the work of courts and public prosecutor offices, the citizens have been directed to competent authorities. In the field of freedom of expression, the Protector of Citizens condemned the pressures and threats to which journalists have been exposed during the emergency status.

Health

Citizens' claims pertaining to the right derived from and based on health insurance, as well as the right to receive health protection, most often were about the work of the Ministry of Health – Sector for Inspection Operations, healthcare institutions of primary, secondary and tertiary healthcare level, military health institutions or medical service units, Republic Health Insurance Fund and pharmacy institutions.

At the very beginning of the emergency status, the citizens have in their claims to the Protector of Citizens, expressed concern regarding exercising their right to healthcare in full scope. For example, in their claims, the citizens expressed concern for the course of treatment of dialysis patients and cancer patients during the coronavirus pandemic. Citizens were directed to address specific health institutions, in order to receive complete information regarding exercising the right for timely, effective and efficient treatment and health care. They have been simultaneously informed that the Ministry of Health is using Health Inspector to perform supervision over the work of medical services.

During the term of emergency status the Protector of Citizens has received several claims from pregnant women regarding exercising the right to health care and rendering of adequate services in health institutions. In those situations, the Complainants were instructed to turn to competent authorities and institutions which are obliged to enable exercising the right of citizens. Also, parents of babies turned to the Protector of Citizens regarding vaccination, which has been postponed by declaration of the emergency status, stating concern for the health of their babies if the planned calendar of revaccination shall not be observed. As an example of good practice, the Protector of Citizens underlines actions of New Belgrade Medical Center, the employees of which have after simultaneous complaints of Complainant to the Medical Center and the Protector of Citizens, regarding performing mandatory immunization for her daughter, have contacted the

Complainant and resolved the problem that has been underlined by the claim, and informed the Protector of Citizens about it.

Members of specially vulnerable groups – persons older than 65 years of age addressed the Protector of Citizens personally or through relatives, pointing out the problems which have during the emergency status period additionally aggravated their position. More specifically, the Protector of Citizens has been addressed by a son of a woman older than 65 years of age, stating that Gerontological Institution in Jagodina conditioned her admission by her healthcare status certificate – specifically, that she is not infected by Corona virus – quoting that she has been already hospitalized for several months in the General Hospital. The Protector of Citizens informed the Complainant that they consider that Gerontological Institution has acted according to prescribed obligations and that this measure has been used as prevention, in order to prevent additional risk to the health of one of the most vulnerable and at risk groups – older than 65 years of age, in order to prevent further spread of the virus. Simultaneously, having in mind specific circumstances that the Complainant alleged – that his mother has been hospitalized since February 09th, 2020, with assumption of absolute correctness of those quotes – the Protector of Citizens considered it appropriate to point out to the Gerontological Center the possibility of direct cooperation with the health institution in which the woman has been hospitalized, in order to enhance the public authorities' work.

The Protector of Citizens received several claims pertaining to aggravated work conditions of health workers, because necessary means and equipment for personal protection at work were not secured for them, more specifically a dentist employed in one Medical Center and employees in Pharmacy „Belgrade“. In letters sent to Complainants, the Protector of Citizens replied that the employer is obliged to, in order to secure protection and health of work of the employees, those engaged in labour and parties, to secure all general, special and emergency measures regarding hygienical safety of facilities and individuals, according to the Law on Protection of the Population from Infectious Diseases¹⁹. An advice has been given to the Complainants that, if the employer potentially fails to undertake all the necessary measures, they should address the Occupational Safety and Health Directorate.

The Protector of Citizens also received some claims of citizens hospitalized in health institutions due to symptoms caused by Corona virus. Among else, these claims pertained to the length of waiting for results of test done regarding presence of Corona virus, as well as regarding the actions of the health workers. The Protector of Citizens instructed the Complainants that for resolving the problem, they should turn to the managers of health institutions or to Health Inspection of the Ministry of Health. Besides that, family of the patient infected with Corona virus addressed the Protector of Citizens, because it could no longer receive information about the health status of the family member from Clinical-Hospital Center of Zvezdara. In that occasion the Protector of Citizens turned to Clinical-Hospital Center of Zvezdara, with a request that they should in the shortest possible time inform the patient's family about his health status. After the address by the Protector of Citizens, the hospital contacted the family, in order to give information about the relative. Due to suspicion that the right of a citizen has been violated, the Protector of Citizens started a procedure which is still pending.

There were claims received by the Protector of Citizens, pertaining to exercising health insurance right. For example, lady Complainant stated that she had been on sick leave for over 30 days, but

¹⁹„Official Gazette of the RS“, no. 15/16 and 86/20.

that there was no information on whether the employer had submitted a calculation of compensation to the Republic Health Insurance Fund (hereinafter RHIF), and that she was not able to check it because the branch was not working. The Complainants have been advised that in order to receive information pertaining to exercising the right from health insurance, they should contact RHIF. Due to undertaking preventive measures against spread of Corona virus, RHIF published on its official Internet presentation, a statement, which recommends, among else, the insured individuals that they should inform themselves, using telephone line, about the possibility to exercise the health insurance right, because the work with clients at the counters at branches and outposts has been suspended²⁰.

Also, citizens used claims to point out the current lack of a certain medicine and inability to exercise the right of the insured to extended rehabilitation in specialized healthcare institutions. Specifically, speaking about availability of medicine, the Complainant has been informed that on the official RHIF ²¹ Internet page information could be found on medicines financed from the funds of mandatory health insurance, including the instructions to whom and how they can turn to, regarding possible difficulties is accessing medicines.

The citizens addressed the Protector of Citizens, asking questions regarding the manner in which they can exercise the right to medical rehabilitation in case of illness and injury. They have been informed that in order to receive information regarding exercising these rights they should address RHIF, as a competent authority. It is necessary to note, that due to declaration of the emergency status in the Republic of Serbia due to appearance of contagious disease COVID-19, health institutions for rehabilitation (spas) were not receiving individuals insured with RHIF to whom extended rehabilitation has been approved, burdening the funds of mandatory health insurance²². By elimination of emergency status in the Republic of Serbia, the conditions have appeared for sending the insured individuals to extended rehabilitation, starting from May 11th, 2020.²³

During the emergency status, the Protector of Citizens has been addressed by ladies Complainants - pregnant women with a claim for receiving information on the procedure for prolonging maternity leave. In one claim, the lady employed in health institution of tertiary level turned to the Protector of Citizens in order to receive advice on how to „prolong maternity leave“ quoting that in the moment of declaration of the emergency status she used absence from work for special care of a child, and that her determined right expires at the beginning of May. The lady Complainant has been informed that the Government of the Republic of Serbia has passed on March 24th, 2020 Conclusion²⁴ that the users whose right to be paid social benefits expires on March 15th, 2020 and later, and the competent authority has not decided on further use, the right shall be prolonged based on previously adopted decisions, for a maximum of three months, i.e. while the state of emergency lasts. The passed Conclusion also refers to salary compensation during absence from work due to special child care and to other benefits based on special child care.

²⁰Available at: <https://www.rfzo.rs/index.php/vesti/1056-obav2020>.

²¹Available at: <https://rfzo.rs/index.php/osiguranalica/lekovi-info>.

²²Available at: <https://www.rfzo.rs/index.php/vesti/1056-obav2020>.

²³Available at: <https://www.rfzo.rs/index.php/vesti/1060-oobb2020>.

²⁴Available at: <https://www.minrzs.gov.rs/sr/aktuelnosti/vesti/produzava-se-isplata-prava-na-socijalna-davanja-na-osnovu-ranije-donetih-resenja>.

Movement Prohibition

During the emergency status, citizens addressed the Protector of Citizens considering that by introduced movement prohibition measures, especially to citizens older than 65 years of age, their civil-political rights have been infringed. The Protector of Citizens gave to each individual who has contacted him timely, accurate and concrete answer regarding the questions asked, in order to protect the right of citizens, noting that they are obliged to observe measures stated by the competent authorities of the Republic of Serbia.

Citizens submitted their claims due to lack of decision per request to receive written certificates on isolation, as well as movement permits during the movement prohibition and other personal documents. The Protector of Citizens has directly addressed even the highest state authorities and undertook activities within his competencies, thus contributing to resolution of the stated problems. By direct contact of the Protector of Citizens with City Municipality of Mladenovac, owner of dog asylum has been approved a movement licence during the movement ban, in order to take care of animals.

Using the means of public information the Protector of Citizens has, especially using social networks (Twitter) found out that a certain group of citizens gathered during movement prohibition on roofs of the housing buildings, both in Belgrade, and in the other towns of Serbia, and at that time they used pyrotechnic devices (torches, firecrackers, etc.). Using the same sources, the Protector of Citizens learnt about quotes that there are no actions following the citizens' claims, i.e. measures are not implemented within the competence of the administrative authorities, in order to determine the identity of those individuals and check whether they have had necessary movement licences. Due to the quoted reasons, a control procedure has been initiated of the work of the Ministry of Internal Affairs and Communal Militias of the City of Belgrade. An answer has been received from MIA where requested information were not delivered to the Protector of Citizens, so a request has been sent to this institution to deliver additional information on the same date, as well as urgency. The Protector of Citizens received the requested additional answer from MIA enclosing copies of all requests for initiating misdemeanor proceedings on the basis of violation of the Ban on Movement prescribed by the Decree on Measures During Emergency Status and the provisions of the Law on Public Order and Peace for the period from April 27th, 2020 to May 4th, 2020 were submitted, as well as audio recordings of telephone conversations in which citizens reported violations of the quoted regulations. The Secretariat for Communal Militia Affairs sent an answer stating that in the Secretariat there are no recorded claims, or actions of Communal Militia Officers regarding the quoted activities. The statement quoted that all telephone calls for the Secretariat for Communal Militia Affairs are received using telephone numbers in Beokom Service – Belgrade Income Calls Center, which is an integral part of the Secretariat for Defense, Emergency Situations, Communication and Coordination of Relations with Citizens. Due to that reason, a request has been sent for delivering information about possible calls of citizens to this Secretariat.

Border Crossing

One of introduced measures for protection from introduction of contagious diseases into the territory of the Republic of Serbia was temporary temporary suspension of all commercial international flights, as well as the restriction of crossing the state border by road, rail and river traffic. These measures, together with similar measures of other states in the world, brought to the situation where a large number of citizens of Serbia stayed "captured" at airports and border crossings across Europe, due to what they addressed the Protector of Citizens. Using help of

bilateral contacts that the Protector of Citizens has established with Ombudsmans of other states and contacts with competent ministry and diplomatic-consular representative offices of Serbia abroad, the Protector of Citizens gave significant contribution to return of our citizens to Serbia.

The problems underlined by citizens who were during the declaration of the emergency status abroad, had to do with regulation of movement across the state borders and administrative border with Kosovo and Metohija, lack of uniform information on residence and quarantine by competent authorities at border crossings, issuance of residence and isolation certificates, as well as border crossing for Serbian citizens from border areas working in neighboring countries. Certain citizens expressed their will to be tested, so that they wouldn't have to be in self-isolation. The Protector of Citizens gave information to all of them, in which way they can exercise their rights.

Justice and Jurisdiction

During the term of emergency status citizens addressed the Protector of Citizens by claims of the work of judicial authorities. The biggest number of claims regarding the work of courts and public prosecution offices did not reflect their action during the emergency status, but were regarding the work and decisions from the previous period. The citizens also claimed asking for legal aid regarding procedures under way, or which they intend to bring before the judicial authorities.

A smaller number of claims on the work of the courts has been caused by emergency status. Specifically, the Complainant expressed his dissatisfaction with decision of the Misdemeanor Court which fined him, indicating that he suffers from epilepsy, that he went to the doctor due to the current worsening of the condition during curfew, when the police took him to the Misdemeanor Judge, who fined him because he did not have permission to move. Also, in certain statements have been presented and generalized attitudes regarding infringement of right to fair judgment, by holding main hearing using „Skype“, as well as views on the existence of abuses and legal uncertainty in relation to detention and first-instance verdicts imposing prison sentences for violations of epidemic regulations. The citizens directed attention to inadequate informing of citizens regarding introduced measures and their implementation, due to which we had violations of them and court procedures.

Bearing in mind the lack of competence of the Protector of Citizens to control the work of courts and public prosecution offices and to render the requested legal aid, the citizens have been directed to competent authorities and legal means. Also, citizens who have addressed the Protector of Citizens fearing that they shall bear consequences due to cancellation of previously scheduled hearings, were informed about the Conclusion of the High Judicial Council, of March 18th, 2020 stipulating that trials during emergency status will be adjourned, except for those trials that are not subject to adjournment and which are explicitly stated.

During the emergency status the citizens stated that Public Executors perform enforcements by suspending from pensions, despite the Recommendations of the Ministry of Justice²⁵ and the Instruction for the Work of Public Executors During Emergency Status²⁶, issued by the Chamber

²⁵Available at:

http://www.komoraizvrsitelja.rs/sites/default/files/Ministarstvo%20pravde_Preporuke%20za%20rad%20JI%20za%20vreme%20vanrednog%20stanja.pdf.

²⁶Available at:

http://www.komoraizvrsitelja.rs/sites/default/files/KJI_Uputstvo%20za%20rad%20JI%20kancelarija%20za%20vreme%20vanrednog%20stanja.pdf.

of Public Executors. Such claims were more frequent until April 10th, which can be related to the start of payment of pensions for the month of March. In order to clarify the disputed facts, the Complainants were referred directly to the Public Executors who in a specific situation carry out the execution, as well as to the competent bodies that supervise their work, i.e. the Chamber of Public Executors and the Ministry of Justice.

Freedom of Expression

During the emergency status in the state, the Government of the Republic of Serbia passed two decisions regarding the way of informing in relation to Corona virus, which have been criticized by journalistic profession and international organizations, and were soon abolished. As first, the Government of Serbia passed a Conclusion on Informing during emergency status, prescribing centralization of public information related to Corona virus and envisaged that those information can be stated to media only by members of the Crisis Staff. After the criticism of domestic journalists' associations and international organizations, among others the OSCE and the European Union, Conclusion has been withdrawn. According to the survey conducted by the Association of Journalists of Serbia (AJS) in the region among journalists' associations and associations, a similar practice as in Serbia existed in neighbouring countries. Only in Croatia and Bulgaria the journalists were allowed to ask live questions at COVID-19 conferences²⁷.

The Protector of Citizens appealed, at his live appearances during the emergency status, but also before its introduction, to authors of texts, comments and other statements in Internet communication, whether it was about social networks, portals and other ways of communicating in "on-line" sphere, to be responsible for the written word. He simultaneously pointed out that he is against that sanctioning and punishing should be the way of establishing responsibility for the written text. Having in mind Constitutionally guaranteed right of freedom of opinion and expression and the obligation of the state and of the society to enable and protect that right, as essentially the most important achievement of the democratic development of modern society, the Protector of Citizens insisted on the preservation of Internet communication as a space for free expression of views and opinions.

In the field of media freedom, the Protector of Citizens used a statement on the occasion of the World Press Freedom Day, he pointed out the difficult financial situation of journalists and condemned the pressures they were exposed to, whether verbal and physical attacks, discrimination and discrediting, threats or endangering their security. The Protector of Citizens reacted in case of detention of lady journalist Ana Lalić, and in interview with her and her attorney asked for information regarding conduct of the police during apprehension.

Right of Being Informed and Personal Data Protection

During the emergency status term, the Protector of Citizens pointed out the harmfulness of tabloid reporting and publication of the names and photos of the first patients ill of Corona virus due to the danger of endangering the dignity and rights of patients, as well as the danger of spreading panic and fear among the population. He appealed to all participants of the public life not to discover private data of the patient, and the decisions on health care of the patients should be given to those competent in the health care system.

²⁷Available at: <http://www.uns.org.rs/desk/UNS-news/98291/od-trampa-do-srbije--zemlje-na-udaru-virusa-novinari-na-udaru-vlasti.html>.

The branch union of administration, judiciary, defense and police "Nezavisnost" (Independence) addressed the work of the Republic Geodetic Authority (RGA) to the Protector of Citizens, after the data about the health status of the employees, i.e. on diseases from which they are being treated, became available to all employees in the RGA, which, as they say, violated their right to the dignity of the person, in addition to violating the right to protection of personal data which is within the competence of another independent authority. The Protector of Citizens has initiated a procedure based on delivered quotes.

Internal Affairs

The citizens expressed their worry due to issues of receiving or extending personal documents, or performing other administrative affairs prescribed by deadlines – receiving or extension of the passport, personal ID card, certificates of residence or vehicle registration, as well as applications for the residence of the newborn and the like, at a time when the competent services did not work with citizens. The Protector of Citizens offered requested clarification and explained to citizens that they will not suffer any harmful consequences, i.e. that all actions for which the regulations provide for deadlines, will be postponed for the period after emergency status, and that their documents are valid until then, even though the deadline has formally expired. Also, to citizens who needed Certificate from the Criminal Records of the Ministry of Internal Affairs (MIA), information has been given that it is possible to submit request for receiving the Certificate from the Criminal Records of MIA in electronic form, i.e. using line diplomatic-consular representative offices, if they are abroad.

The citizens expressed dissatisfaction also due to impossibility to register vehicle in certain municipalities, because the Technical Inspections did not work. The Protector of Citizens sent urgency in specific cases, based on which actions resulted in shortest possible time, in order to open up the Technical Inspections in municipalities, and the citizens could perform technical survey and pay the insurance policy, in order to regulate the vehicle registration.

They also claimed about actions of members of MIA regarding check of respect of self-isolation, which they have experienced as harassment as well as the work of individual police departments and police stations. Necessary clarifications have been given to citizens, as well as information about how and to whom they can report the cases of actions of MIA officers.

Certain citizens considered that individuals abuse movement licence during the movement prohibition, so the Protector of Citizens directed them that such abuses can be reported to MIA, i.e. that they can submit a claim according to valid regulations.

A certain number of citizens stated dissatisfaction because their personal data have become public, and they considered MIA police officers responsible for that. In those cases it has been replied to citizens that they can address the Commissioner for Information of Public Importance and Personal Data Protection, and that they can submit a complaint on the work of police officers according to the Law on Police.

5.2. AREA OF ECONOMIC AND PROPERTY RIGHTS

The biggest number of claims from this area during emergency status was related to local self-government units, local self-government, Republic Geodesic Agency and state administration authorities. Significant number of complaints from the field of local self-government pertained to insufficient efficiency of the work of authorities and services of cities and municipalities in the original and entrusted competencies. The quoted specifically becomes presented in actions of inspection authorities based on requests to perform inspection supervision over the implementation of local and republic regulations, as well as failure to implement executive decisions in the field of construction and communal inspection. Also, citizens complained about the duration of procedures in Real Estate Cadastral Services and difficulties in implementation of rights.

The Protector of Citizens received claims which referred to the disconnection and suspension of electricity supply and initiated control procedures according to certain branches of PE "Electric Power Industry of Serbia". So, the Protector of Citizens received claim showing problems faced by the family from village Goričani in Čačak Municipality, after their family house burned in fire. The claim states that the family members, age of 84 and 78 years of age, which are due to declared emergency status in the Republic of Serbia in self-isolation, one month without electricity, although the family undertook all measures in order to secure prescribed conditions for obtaining electricity and connecting electricity meters. After the control procedure has been initiated, the Protector of Citizens has been informed by Electricity Distribution of Čačak that connection has been done.

Also, claims of citizens were sent to the Protector of Citizens, claiming that the EPIS services do not reply to phone calls or that they do not reply on claims sent by e-mail, as well as claims of vulnerable categories of consumers and citizens who signed reprogram of debt before declaration of the emergency status.

Since the moment of passing the economic measures to assist workers, the Protector of Citizens has been addressed by citizens whom the employers conditioned that the minimum wages they would receive from the state as assistance they should refund, due to the reason that the employers paid their contributions during the emergency status.

Appeals of Citizens That Do Not Have the Character of a Complaint

In their statements, the citizens also pointed out to the problem with communal services, i.e. poor pressure in water supply, as well as work of the Public Communal Company „Parking Service“ Belgrade, which has during the emergency status regularly collected parking in the City of Belgrade, although in smaller towns parking was free during the emergency status.

The Protector of Citizens received claims of citizens regarding the decision of the National Bank of Serbia, prescribing delay in repayment of the debtor 's obligations (moratorium). It was not clear enough to citizens in which way moratorium shall be implemented in practice, and what are their rights and obligations regarding that. Most of the calls were whether they want to use this delay in repayment of their obligations, but they were not sure if it is necessary to report it, so they have been informed about the quoted regulations.

5.3. AREA OF SOCIAL AND CULTURAL RIGHTS

Corona virus pandemics lead to increased number of complaints in the field of exercising social and cultural rights. The citizens have primarily pointed out to endangering the rights in the field of labor relations, which was specifically expressed in private sector. Claims and questions of citizens predominantly referred to problems regarding exercising the right to work of temporary employees and those who were contractually engaged. Citizens also addressed the Protector of Citizens, who are in the procedure of exercising their pension right, as well as citizens in difficult financial-material positions, who wanted to exercise the right to assistance that state secured for the people who need it the most.

Labor Based Rights

Immediately after introduction of emergency status the Protector of Citizens has been addressed by citizens - health institutions' employees, but also those working with other employers - who are chronically ill, single parents and/ or parents of children under 12 years of age, requesting information on whether they can be released from work obligation on that basis. In such cases, the Protector of Citizens sent answers to Complainants that the recommendation of the Government of the Republic of Serbia is that the employees from the most vulnerable and groups undergoing the biggest risk, primarily to chronically ill, those older than 60 years of age, single parents and parents of children younger than 12 years of age, work from home should be secured, in order to decrease contact of employees, in order to prevent further spread of Corona virus. The Decree on Organization of Work of the Employer During Emergency Status²⁸ prescribes the obligation of the employer to enable employees to perform work outside the premises of the employer (remote work and work from home), at all workplaces where it is possible to organize such work according to general act and employment contract. If the general act and employment contract do not envisage this way of work, the employer could enable the employee to perform activities outside the premises of the employer, if the organizational conditions allow that. It was especially emphasized that the Decree prescribes the obligation of the employer to enable employees, if possible, to work from home or work remotely, but not to release them from work obligation.

One of the problems the citizens underlined, related to respect of the working obligation in the conditions of emergency status, and it concerned the inability of employees to be transported to their place of work in another city, bearing in mind that it was forbidden to perform public transport of passengers by road traffick. It was pointed out that the Ministry of Construction, Transport and Infrastructure and the Ministry of State Administration and Local Self-Government have issued a Mandatory Instruction on the Application of the Decree on Amendments to Measures During Emergency Status in the Field of Passenger Transport in Road Transport²⁹ in which it has been quoted that the ban introduced by the Decree does not cover taxi transport, limo service and transport for one's own needs. Having in mind everything quoted, it has been presented to citizens that it is necessary for them to turn to their employer in order to reach agreement, and to have secured transport for coming to and returning back from work.

²⁸„Official Gazette of the RS“, number 31/20.

²⁹Available at:

<https://www.mgsi.gov.rs/sites/default/files/OBAVEZNA%20INSTRUKCIJA%20O%20PRIMENI%20UREDBE.pdf>.

In the first days following introduction of the emergency status the Protector of Citizens has been addressed by a large number of citizens, who indicated that they received termination of employment contract. Those were mostly citizens who were employed for a certain time period, and who were not registered with the employer, i.e. they were working without the Labour Contract. In such situations the Protector of Citizens advised citizens not to sign Consensual Terminations of Employment Contracts in order to be able to exercise their rights in case of unemployment. Also, the citizens have been instructed to address the Labor Inspectorate, if there has been an illegal termination of employment.

The Protector of Citizens also received a claim regarding work of the Medical Center Lebane, due to failure to act according to Order from the Ministry of Health³⁰ instructing the healthcare institutions from the Plan of the Healthcare Institutions' Network to accept and employ health workers under the urgent procedure, in order to combat and prevent Corona virus. Based on these claims, the Protector of Citizens initiated a procedure against Medical Center Lebane, receiving the answer that they have initiated the employment relationship with the Lady Complainant for an indefinite period of time.

Occupational Safety and Health

A large number of citizens, specifically of cronicallly ill patients, pregnant ladies, older citizens who still haven't reached 60 years of age, and were not released from work obligation, in his statement the Protector of Citizens expressed concern for safety at work, specifically in companies with a large number of employees that did not provide adequate work conditions, i.e. protective equipment and the prescribed physical distance between employees. Having in mind the employer's obligation to secure working conditions in such situations, the citizens have been directed to address the Labour Inspectorate.

The Protector of Citizens has been addressed by the Complainant, stressing the lack of action by the Labour Inspectorate, which did not react to his allegations that the two companies did not provide adequate working conditions for their employees during the COVID-19 pandemic. After actions of the Protector of Citizens, the Labour Inspectorate stated that one business company has fully stopped it work, while the other business company has in the meantime procured protective equipment for employees, and sent a part of their workers home, which the Complainant has confirmed.

The Protector of Citizens found out from the means of public information that, despite the given recommendations of Epidemiologists regarding allowed number of workers in one place, and several times performed supervision by the Labour Inspectorate, in the company „JURA“ in Niš and Leskovac, they do not implement measures of health protection of employees. The workers of the company still work in conditions failing to respect the prescribed measures for spread of Corona virus, because they work only with protective masks, without protective gloves, in conditions where a larger number of people than allowed work in a certain area, and they travel in overloaded bus during coming to and returning back from work. According to the media quotes, the total number of people ill in this factory, from the start of epidemics was 64, and on May 12th, 2020 6 new cases have been additionally registered. After learning about newly infected employees in the quoted company, the Protector of Citizens initiated procedure of control of legality and correctness of work by the Labor Inspectorate of the Ministry of Labour, Employment,

³⁰Available at: <https://www.paragraf.rs/koronavirus/strucni-komentari/radni-odnos-na-neodredjeno-zdravstvenih-radnika-po-hitnom-postupku.html>.

Veteran and Social Affairs³¹. A statement has been sent to the Protector of Citizens stating that the Department of the Labor Inspectorate in Niš and the Department of the Labor Inspectorate in Leskovac have actually carried out several inspections according to the submitted statement, and in Jure and Leskovac branch as many as 12 inspections, and in the branch in Niš 5 inspections.

Social Protection

A large number of citizens addressed the Protector of Citizens, who are not covered by programmes of financial assistance and aid, because they were in the status of unemployed persons even before the declaration of the emergency status. That category included pregnant women and families with children where both parents are unemployed, and who mostly worked as undeclared (mostly in tourism and catering), and their existence was endangered due to the inability to obtain the right to material assistance.

Beneficiaries of social assistance who called due to concerns for their existence, the Protector of Citizens instructed to contact the competent center for social work to exercise the right to one-time social assistance. Citizens who are not users of social assistance and their existence was endangered, were also instructed to contact the competent center for social work, in order to become informed about exercising their rights.

The Protector of Citizens was also addressed by pensioners whose pension does not exceed the amount of 30,000.00 dinars and who have not received the promised aid package. They have been directed to contact the Local Self-Government Crisis Headquarters for receiving information on the expected delivery time for packages. The pensioners who asked information on whom to turn to in order to receive assistance for buying food, were directed to Volunteer Centers in the Local Self-Government Units.

Citizens have also claimed about untimely action of the Republic Pension and Disability Insurance Fund and organizational units of the Pension and Disability Insurance Fund in order to act on citizens' requests and act on orders from second instance decisions of the Pension and Disability Insurance Fund, as well as the Directorate of the Pension and Disability Insurance Fund to decide on appeals against first instance decisions. Besides that, citizens pointed out the impossibility to exercise the right to pension in full scope, because they lacked data about the years of service, salaries and wage compensations for certain periods, due to which their financial situation was especially difficult.

The Protector of Citizens received a claim showing difficult situation in which the family of lady Complainant is, to whom financial social assistance was not paid, although the decision was made on March 26th, 2020, and that in the competent Center for Social Work she could not get any specific information, and that she was sent to contact the Ministry of Labour, Employment, Veteran and Social Affairs. Acting upon the quotations of the claims, the Protector of Citizens asked the statement from the competent Center for Social Work in Niš.

Acting upon the claims of citizens, the Protector of Citizens has initiated procedures against the Republic Pension and Disability Insurance Fund due to the failure of this authority to act upon the request for old-age and survivor's pension. The procedures are under way.

³¹<https://www.ombudsman.rs/index.php/2011-12-25-10-17-15/2011-12-26-10-05-05/6601-d-lj-nj-z-hi-n-p-s-up-nj-p-r-nul-p-s-up-n-r-l-r-d-insp-r-z-r-d>

6. COOPERATION BY THE PROTECTOR OF CITIZENS

International Cooperation

During the emergency status, the Protector of Citizens continued regular practice of international cooperation with Ombudsmen from the countries of the region, Europe and Eurasian Alliances via video conferences.

In the period from April 10th to May 12th, 2020 four video conferences have been held, where participated the Protector of Citizens, Zoran Pašalić and his deputies, which in most cases were dedicated to the protection of human and minority rights, especially the rights of vulnerable groups (elderly people, children, migrants, persons with disabilities and persons deprived of their liberty) and the challenges and work that Ombudsman institutions face on a daily basis after declaration of COVID-19 pandemics. Separate video conferences have been held with High Commissioner for Human Rights of Russia, colleagues from the region - Ombudsman for Human Rights of Bosnia and Herzegovina and Commissioner for Human Rights and Freedoms of Montenegro, Eurasia Alliance of Ombudsmen on the occasion of marking 75 Years of Victory in the Second World War and the Ombudsmen of the European Union member states and member states that are in the process of European Union accession, organized by the EU Ombudswoman.

Media Visibility of the Protector of Citizens

In the emergency status period, the media have regularly published announcements and statements of the Protector of Citizens, Zoran Pašalić. 117 texts and articles in total have been published in print and electronic media with national coverage about the work of the Protector of Citizens. The printed media have published 45 texts, from articles in which the Protector of Citizens is only mentioned in a particular context to press releases, statements, appeals and interviews. The biggest number of texts have been published in newspapers Danas and Politika. 72 television reports were published, which include statements, announcements and information. The Protector of Citizens, Zoran Pašalić, was a guest for 12 times in television programmes, mostly at RTS. On the website and subsites Protector of Citizens published over 60 texts that followed the activities of Protector of Citizens in the state of emergency. Besides the quoted media, news about the activities of the Protector of Citizens' authority have also been published by the local media, as well as by portals.

7. CONCLUSIONS AND RECOMMENDATIONS

Limitation of exercising human rights has to be legal, to have legitimate objective, to be proportionate to the goal achieved and of a temporary nature. Stopping the spread of the infection is a legitimate objective, however as arguable can be asked a question of proportionality of limitation of human rights by measures prescribed by the member states of the Council of Europe and the goal achieved by them.

Having in mind statements of the professional public that the danger of spreading contagious disease COVID-19 has not passed, that there is a risk of re-spread of disease and endangering the health of the population, the risk of appearance of new types of infectious diseases, problems that the citizens faced during exercising their right in the emergency status and which have been underlined in this Report, the Protector of Citizens stresses the need for the competent authorities to take all necessary measures and actions to improve their work and exercise the rights of citizens in such and similar situations that may occur.

Towards that objective, the Protector of Citizens considers it necessary that the competent authorities of the public government should compile an Action Plan and the Manner of Rendering Services to Citizens in Emergency Status, to establish the method of unhindered and efficient cooperation and communication between competent authorities, as well as a Plan of Informing the Citizens About Measures and Method of Exercising their Rights and Services. In case of such or similar situations, it would be purposeful that the competent authorities of the public authority:

- Perform, before passing of the measures limiting the human rights, assessment of needs and peculiarities of vulnerable social groups, as well as analysis of influence of measures to exercising the right of those groups (children, children with developmental disabilities, chronically ill patients, older persons, persons with disability, inhabitants of informal Roma settlements, women, homeless people, victims of family violence, persons deprived of their liberty and migrants);
- When passing measures limiting the human rights, they should consult the Protector of Citizens and civil society organizations dealing in the rights of vulnerable social groups, in order to determine influence of urgent measures on those social groups;
- To introduce affirmative measures that would compensate limitations in exercising the rights of certain social groups;
- To secure that officials of the public authorities shall be timely informed about the regulations applied during the emergency status period and to act according to them, so that each citizen can exercise the same right, regardless with whom of the officers that person might be in contact and in what place;
- To secure strengthened inspection supervision in the field of labor relations and social protection;
- In the situation when in administrative proceedings deadlines for acting and decision making stop running, due to introduction of the emergency status, to provide for exemptions to that rule, for cases in which the interruption of the proceedings could endanger the life and/ or health of citizens, or cause them significant property damage;
- To secure better, quicker and more efficient communication and coordination within and between public authorities' bodies, especially during issuing of the movement licences

during movement prohibition, so that the citizens would timely and accurately receive the necessary information and services, including the nomination of the contact persons for communication and coordination with public authorities' bodies;

- To give to citizens, especially those from vulnerable social groups, complete and understandable information, both in direct addressing the citizens as well as by using the public information means, because that shall prevent spread of fear and panic with the citizens ;
- To continuously work on enhancing communication with citizens, primarily by introduction of sufficient number of telephone lines, regular communication using electronic mail and by undertaking other measures considered necessary;
- To regularly update the official Internet presentations, specifically stressing the most important information and contact data in order to timely inform the citizens, as well as by introducing special column in which they would timely provide answers to asked questions of citizens regarding exercising the rights in specific circumstances;
- Information about protection measures on Internet pages should be adopted to specifically vulnerable categories of citizens (persons with disability, national minorities).

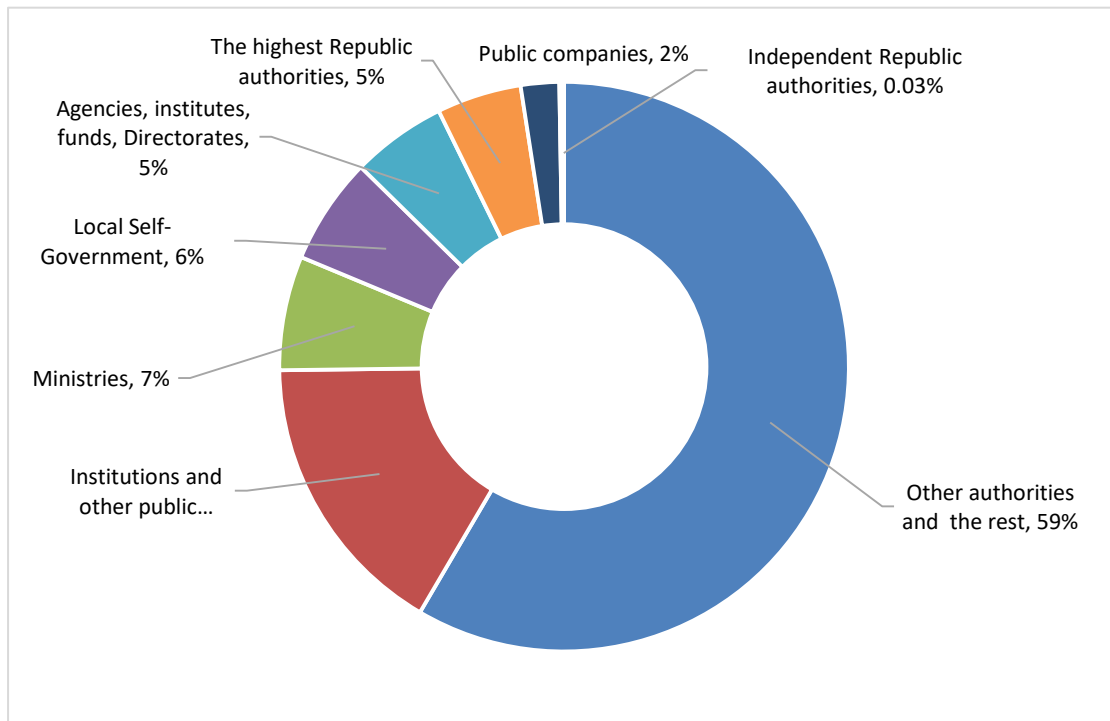
8. BASIC STATISTICAL SURVEY

Table 1 - Data on Appeals by Citizens

Types of appeals	Number
Number of telephone contacts with citizens	3673
Number of claims	806
Number of appeals of citizens which do not have a character of claims	223
Total number of appeals of citizens	4,702

CLASSIFICATION OF APPEALS ACCORDING TO THE AUTHORITIES THE WORK OF WHICH IS ADDRESSED

Graph 1- A Survey of Authorities and Organizations to the Work of Which the Citizens Claimed in Appeals to the Protector of Citizens ³²

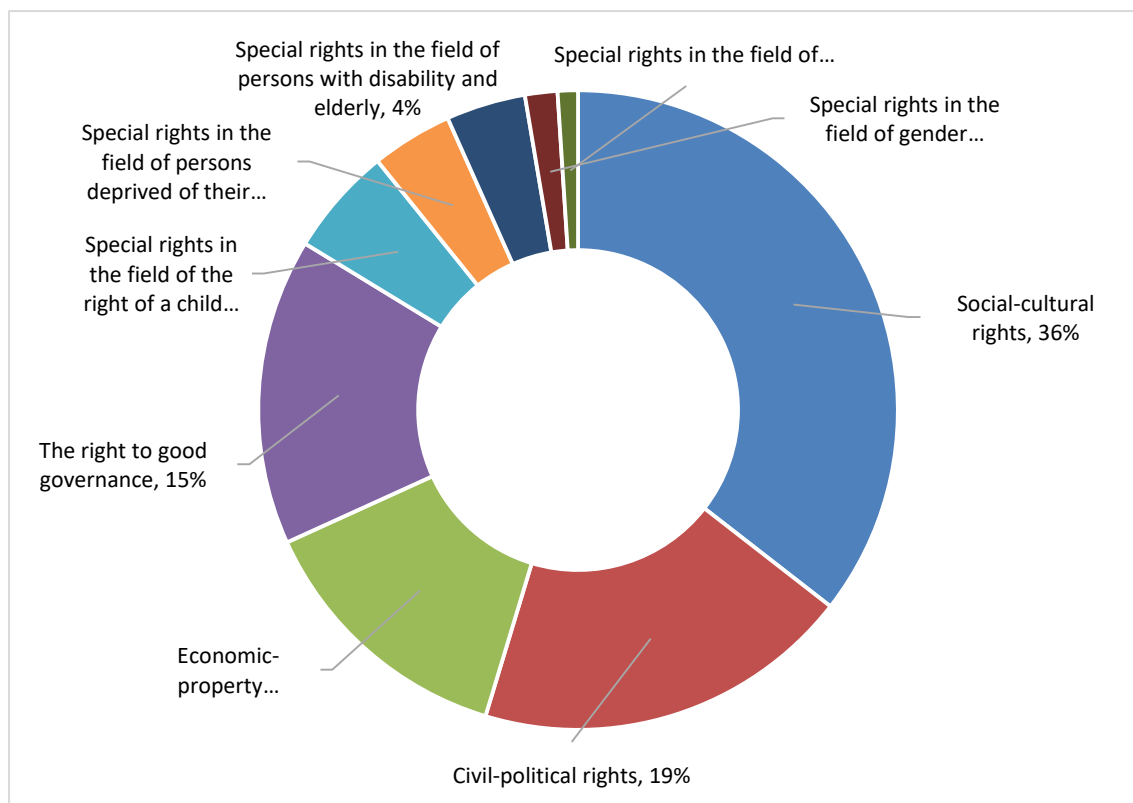


CLASSIFICATION OF APPEALS ACCORDING TO THE INFRINGED RIGHTS

Graph 2 -Classification of Appeals According to the Infringed Rights³³

³²Graph 1 pertains to the total number of addresses of the citizens to the Protector of Citizens.

³³Graph 2 pertains to the total number of addresses of the citizens to the Protector of Citizens.



CLASSIFICATION OF CLAIMS ACCORDING TO THE FIELDS AND DEPARTMENTS OF LABOUR

Table 2 - Number of Cases³⁴ Distributed According to the Field of Work With a Percentage in Relation to the Total Number of Cases

Field of work of the Protector of Citizens	Number	Percent
Area of Social and Cultural Rights	211	26.19%
Field of economic and property rights	187	23.20%
Area of civil and political rights	177	21.96%
The rights of a child	75	9.31%
Rights of persons with disability and of elderly	53	6.57%
Rights of persons deprived of liberty	48	5.96%
Gender equality and LGBTI people rights	19	2.36%
Rights of members of national minorities	6	0.74%
Other	30	3.72%
TOTAL DEPARTMENTS	806	100%

³⁴As a case shall be understood cases deriving from actions per claims and based on own initiatives in certain field/department.

Note: In Table 4 under „Other“ have been quoted cases pertaining to claims regarding work of independent state authorities, security services and fields which have not been registered according to the current division.

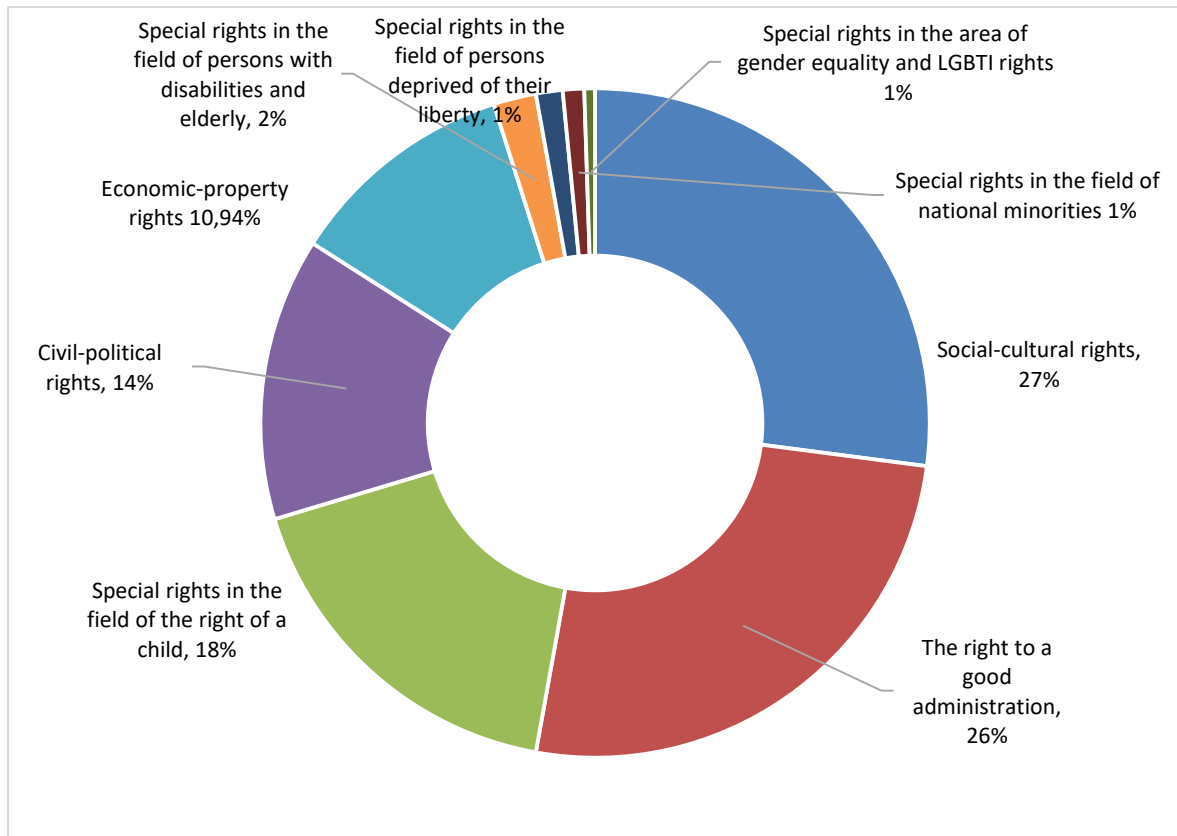
Table 3 - Number of Cases³⁵ Classified by Departments With Percentage and in Relation to the Total Number of Cases

Department of Labour of the Protector of Citizens	Number	Percent
Labour and labor relations	124	15.38%
The rights of a child	75	9.31%
Health	68	8.44%
Consumer protection	59	7.32%
Rights of persons deprived of liberty	48	5.95%
Pension and disability insurance	44	5.46%
Justice and judiciary	42	5.21%
Local Self-Government	36	4.47%
The rights of elderly	33	4.09%
MIA - Administrative Affairs	31	3.85%
Social protection	30	3.72%
Independent state authorities and bodies	29	3.60%
Energy and mining	24	2.98%
Real Estate Cadastre	20	2.48%
Rights of persons with disability	20	2.48%
Economy	17	2.11%
Gender equality	16	1.98%
MIA - Police Duties	15	1.86%
Finances	14	1.74%
State Administration	13	1.61%
Training, education and science	11	1.36%
Environmental Protection	7	0.87%
Rights of members of national minorities	6	0.74%
Agriculture	5	0.62%
Construction and infrastructure	4	0.50%
The rights of LGBTI persons	3	0.37%
MIA - Labour Relations	2	0.25%
Defence	2	0.25%
Foreign Affairs and Diaspora	2	0.25%
Serbian Language and Cyrillics	2	0.25%
New judicial professions	1	0.12%
Traffick and traffick infrastructure	1	0.12%
Natural disasters	1	0.12%
Security jobs	1	0.12%
TOTAL DEPARTMENTS	806	100%

³⁵As a case shall be understood cases deriving from actions per claims and based on own initiatives in certain field/department.

CLASSIFICATION OF CLAIMS ACCORDING TO THE INFRINGED RIGHTS

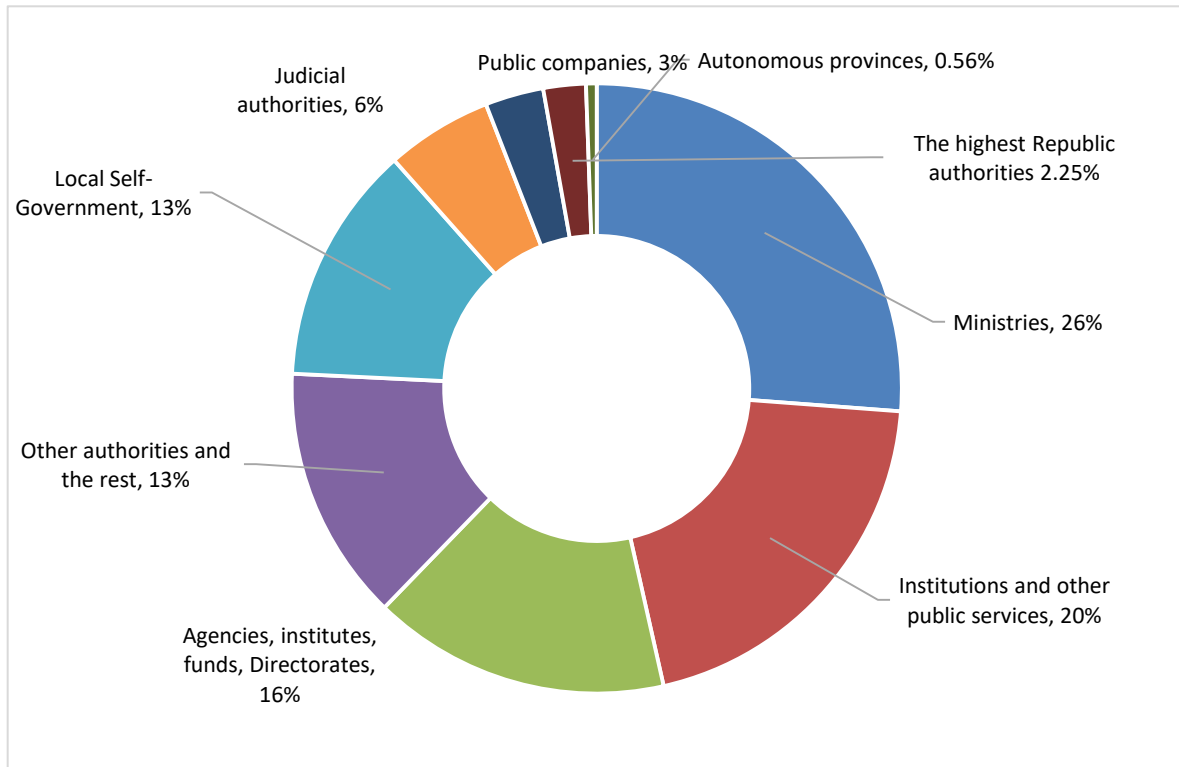
Graph 3- Classification of Claims According to the Infringed Rights³⁶



³⁶Graph 3 pertains to the number of claims sent to the Protector of Citizens.

CLASSIFICATION OF CLAIMS ACCORDING TO THE AUTHORITIES
TO THE WORK OF WHICH THEY PERTAIN

Graph 4 - Claims Against Different Authorities and Organizations to the Work of Which They Object³⁷



³⁷Graph 4 pertains to the number of claims sent to the Protector of Citizens.