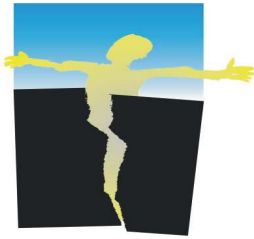


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Helsinki Committee for Human Rights in Serbia

Rige od Fere str. #20, 11000 Belgrade, Serbia
tel./fax +381 11 30 32 408; e-mail office@helsinki.org.rs ;
www.helsinki.org.rs

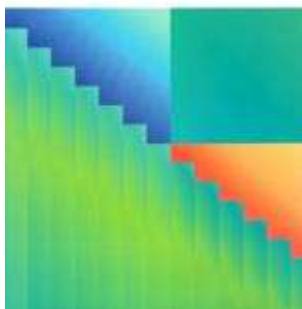
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Serbia: Institutional Social Care and Human Security

New Concept of Human Security

The UNDP Human Development Report 1994 underlines that the concept of human security is being constantly developed at both theoretical and operational levels. The modified security challenges, which in mid-1990s called for a new approach under new historical circumstances, changed the focus from the once state (national) security to individual human beings. Despite the existing differences, the concept is growingly implemented in domestic and foreign policies.

HUMAN
DEVELOPMENT
REPORT 1994



Human security, as a part of the new doctrine, does not dominate yet Serbia's public discourse. However, it gradually takes root in the actions by institutional, corporative and individual actors. Orientation towards Euro-Atlantic integrations unavoidably leads to the change of the

deeply rooted though obsolete concept of security, based on protection of a state and its territory. Though still strongly present, the so-called societal security that mostly relates to identities of social groups (national and ethnic in the first place) also heads for a downslide confronted on daily basis with the highest value – human life.

Inappropriate security levels in each of the aforementioned aspects are still characteristic of Serbia. The reasons why things stand as they do are mostly well-known. It should be noted, however, that one security phenomenon often jeopardizes another in the society. Such security conflicts are known in theory and present in practices of many countries. However, one cannot but be troubled with threats to individual security stemming from the state. Namely, though the state should be above all concerned with security of its citizens (in the broadest sense), all researches conducted so far indicate that citizens of Serbia do not feel safe and such feelings are the strongest when it comes to the domains that are – from the angle of human security – defined as the vital core. The vital core includes political and civil freedoms, as well as economic, social and cultural rights the guarantor of which is the state. It is obvious, therefore, why is it that citizens are distrustful and even anxious. The state's efficiency is so low and inconsistent that it cannot ensure a stable environment for meeting individual interests.

Though the state has put an end to direct violence (to which it resorted in 1990s) it can hardly boast that it has made any major progress in elimination of structural violence, which can also result in human losses and great suffering. The state-generated structural violence jeopardizes human security by the means of non-violent but structured threats: violation or inadequate protection of human rights, inappropriate treatment of one social group by another or unequal living conditions for citizens in different parts of the state. In this context, the domains of education, healthcare and social care are most indicative since they should provide services that secure protection of and respect for the rights and freedoms of most vulnerable groups or individuals.

Social Care as a Priority

Under the circumstances, social care has imposed itself as an issue of highest priority calling for well-thought-out, long-term solution. Scores of socially endangered citizens were faced with an outdated system no longer capable of meeting their needs and guaranteeing them minimal existential security. Therefore, the social care reform was launched in the aftermath of the change of the regime (2000). Some results have been attained but many major decisions still have to be made and many changes of strategic course to be still have to be considered and put into practice.

Institutionalization of various categories of socially endangered persons is certainly the biggest problem of all. The concept of closed protection in institutions that fully cater for beneficiaries was abandoned by developed countries long ago. Serbia has launched the process of transformation only recently. The basic goal is to reduce institutionalized protection to a minimum and replace it by the so-called open protection. No doubt that such orientation is both necessary and welcome not only because it coincides with the modern approach but also because it provides more

guarantees for quality living of every individual and fostering of individual potentials.

The present situation of social care institutions catering for beneficiaries differs from institution to institution, depending on their specificities (number and type of beneficiaries, available staff, spatial and financial capacities, etc.). The common trait of all these institutions, regardless of their mutual differences, stems from system flaws, i.e. the state's incapacity to guarantee human security. Only some major flaws that still make the present situation intolerable from the angle of human rights are quoted below.



Introduction of human rights into public discourse raised the awareness about the significance of the entire social domain. The responsibility in treatment of vulnerable groups and for improvement of the position of social care beneficiaries and personnel was thus also raised. Unfortunately, this progress is not always followed by personnel's interest in professional training, mastering of new knowledge and skills, and practices leading to improvement of the position of social care beneficiaries. Resistance to new trends is notable among the personnel, particularly among professional with longer careers. Many of them manifest no readiness to improve their professional capacities and no understanding for new approaches to beneficiaries. On the other hand, the process of deinstitutionalization has obviously fueled their fears of losing their jobs, the fear that becomes even stronger when combined with the sense of insecurity vis-à-vis new and different professional challenges. Such sense of double threat affects their ability for rational consideration of the overall

situation and constructive solutions and thus indirectly produces negative impact on the quality of their work with beneficiaries.

At the same time, managements of institutions have been forced to adopt businesslike approaches for which many are either incapable or incapable to set proper priorities. Namely, while trying their best to ensure salaries for their employees and expand their activities, many managements have placed complete care for beneficiaries in the back seat. Given the vulnerability of the population in need of social protection, the state should start developing a comprehensive, multisectorial approach to the reform of social care institutions. This implies mutually compatible and well-thought-out activities by all sectors of governance – the activities that would relieve the burden of everyday existence from employees and ensure adequate and modern social protection of beneficiaries.

Institutions Catering for Children without Parental Care

The above-mentioned problems notably plague the institutions catering for children and youth without parental care, and young persons with social behavior disorders. Due to huge discrepancies in the work and even total absence of communication between ministries dealing with various aspects of care about children and the youth, the primary objective – continued protection and ensuring best interest of the child – is often neglected and lost in the labyrinth of administrative tasks, unregulated relations, personal and professional grudges, etc. In all that, everyone is blaming the other for all shortcomings – and this only testifies that the state is not ready and capable enough to clearly define responsibilities of all the actors. All governmental agencies and institutions are responsible for taking the best possible care of a child without parental care and/or social behavior disorder, and ensure all necessary conditions for the child's

healthy and unimpeded development, and respect for its rights and needs.

The present practice, unfortunately, often blatantly ignores these children's interests. They are not getting appropriate psychosocial and educational treatments, remain deprived of proper education and professional training, face poor prospects for future, whereas the society as a whole supports them just sporadically. Their chances for equal participation in social life are thus very much limited, and even more limited when it comes to social rehabilitation.

Community-based treatment they could get either in foster families or by adoptive parents, or though the system of alternative sanctions in the case of juvenile delinquents is for sure the best solution for this group of social care beneficiaries. However, the state has not yet established an adequately comprehensive, reliable and quality system of fostering, whereas the very process of adoption is challenged by too complicated and demanding procedures that exclude in advance a number of potential foster parents.



The governmental policy of speedy deinstitutionalization – notably in the case of institutions catering for children without parental care – pressed up, in a way, social care centers to find foster families for children at any cost. In such attempts, social care centers often bypass the prescribed procedure – they fail to make sure whether potential foster families are competent enough to take care of children, look into their financial statuses and explore the conditions they could offer for children's development and education. Against the backdrop of economic crisis and unemployment many families opt for fostering as a source of income. This is why foster

children are often running away from their foster families just to end up again in institutions. Such endings additionally frustrate and stigmatize them. The situation is even more complex when it comes to juvenile offenders. The Ministry of Justice has adopted the so-called law on juvenile offenders that provides several alternative measures. However, implementation of these measures is rather blocked in everyday practice given that courts of law, social care institutions and schools are still not ready to provide adequate support. Bad socioeconomic conditions in the Serbian society additionally make the entire approach to the problematic not only inefficient but also unsustainable. No doubt, therefore, that children's rights as laid down in UN Convention and other UN documents dealing with juvenile delinquents (Beijing Rules, Riyadh Guidelines, Tokyo Rules) are being violated.

Institutions catering for children with mental disabilities

The overall situation in the institutions catering for children and adults with mental disabilities, and for adults with mental disorders is far from being any better. A number of these people have been institutionalized because the state failed to ensure an appropriate community-based system of care and protection. Isolated from their natural environments and without prospects for proper schooling, employment and participation in community life, they are actually deprived of fundamental human rights. The treatment they are getting in institutions is also inadequate. Understaffed institutions – with many employees that are not professionally capacitated enough – can hardly provide them proper care, let alone help them develop their abilities and learn skills. Stigmatized the same as beneficiaries they cater for, these institutions either communicate not with the outside world or their communication boils down to occasional contacts only. Beneficiaries themselves are isolated and marginalized, discriminated at all

levels and neglected and often exposed to degrading treatment and living conditions and even to ill-treatment by the society and by institutions.

Medical treatment they are getting is notably problematic. They are generally under pharmacotherapies, whereas other forms of therapeutic treatments are either insufficient or non-existent. To make things worse, the entire healthcare system and medical officers treat these beneficiaries in morally and professionally unacceptable way. This is why the domain of social care as such is discriminated, in a way, by other governmental institutions. It goes without saying that other rights, such those related to judiciary, security, education, culture, sports, information, employment are inaccessible to these beneficiaries. All the said systems practically do not recognize the rights of persons with mental disabilities. No doubt that the state is responsible for such situation – by doing nothing it has provided a frame for “structured” violence.

Institutions catering for elderly persons and persons with disabilities

Elderly persons and persons with disabilities institutionalized within the social care system share the same fate. Those among them, who are physically and psychologically capable enough to live independently with some support, do not get it in the outside community. The state's inability to provide them appropriate medical care and support in their own homes and within their communities is being “solved” through institutionalization – which is not only more costly but also not in the best interests of institutionalized beneficiaries.



On the other hand, persons who need continued medical care and treatment are not getting them in institutions for the afore-mentioned reasons (institutions are professionally understaffed and short of funds, living conditions in them are inadequate, etc.). The discrepancies manifest at several levels (between institutions located in different parts of the country, between different categories of beneficiaries in one institution, etc.) indicate that the Serbian society is deeply divided and that equal opportunities for all citizens are not in sight in foreseeable future.

Institutionalization as such that removes people from their natural environments is actually a restrictive and inhuman measure that may scar their personal integrity, self-respect and human dignity. Accommodation of persons in institutions distanced from their hometowns stands in the way of their more frequent contacts with their families and friends. On the other hand, old or disabled persons placed in institutions by their own families cannot but feel neglected, sad and depressed. In addition, local communities are mostly disinterested in the fate of elderly persons and persons with disabilities, who are often, overtly or covertly, discriminated and marginalized.

Guarantees for the rights and freedoms of beneficiaries are mostly insufficient. Despite the fact that social care institutions are open, the majority of their beneficiaries cannot really freely choose the lifestyles that suit them best. On the other hand, most regulations and the practice of institutionalization stem from an obsolete approach to and treatment of social care beneficiaries, whereas the entire system is highly bureaucratized. Inadequate legal system and other major problems challenging reforms in transitional countries such as Serbia are permanent sources of inconsequent practices, legal loops and inappropriate protection mechanisms. The same as in other domains, an appropriate system of supervision and independent control agencies that could more efficiently protect the rights of socially endangered

categories of population are not in place in the social care system.

For several years now, the social care system has been undergoing reforms and transformation towards more quality and sustainable models adopted by developed countries. However, if such efforts are to produce desirable results, the state needs to be fully aware that strategies and plans of actions can only be developed and adopted once all the problems have been taken into consideration.

Respective contributions from all segments of the society that – directly or indirectly – influence implementation are the only guarantees of success and more appropriate human security. It goes without saying that the process needs to be guided by modern-day standards laid down in numerous international documents, conventions and recommendations.

This is how UN Secretary General Kofi Annan referred to human security in his annual report for the year 2000: “Human security, in the largest sense, implies by far more than just absence of violent conflicts. It implies human rights, good governance, access to education and healthcare, as well as guarantees that each individual has the opportunity and choice to develop his or her potential. Every step in this direction is also a step towards decrease of poverty, attainment of economic growth and prevention of conflicts. Freedom from deprivation, freedom from fear and freedom for future generations to inherit healthy environment – these are interconnected blocks of human and thus national security.” If Serbia wants to become an equal member of global democratic community, it should have no dilemma about its course of action.

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