

## The right to healthcare of Bosniak community in Zhupa/Župa region, Prizren

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### Introduction

In 2018, **ERAC paralegal** identified a case where the right to access and receive healthcare was violated. The region of Zhupa/Župa, located in the Municipality of Prizren, inhabited by a majority of Bosniak community. The region suffered from lack of public healthcare services. In the region there are 9 Ambulance Emergency Centers (AMC's), 1 Family Medical Center (FMC) and 1 Medical Laboratory. ERAC paralegal investigated the case and visited the villages in Zhupa/Župa region in order to gain more information and see what measures have been taken by the local authorities.

### Process of the case

During his visit, ERAC paralegal, found out that the medical centers were only partially functional and were lacking employees, resulting into irregular healthcare services. There are approximately 11,000 people living in the Zhupa/Župa region in 15 villages: Sredska, Pousko, Jablanica, Lokvica, Rečane, Živinjane, Planjane, Nebregošte, Manastirica, Struže, Donje Ljubinje, Gornje Ljubinje, Drajčići, Mušnikovo, Gornje Selo. The inhabitants of these villages imply that some villages are visited by a doctor only once, at times twice, a week and three times a week by a medical technician who does not come as scheduled, but with random working hours. In the less populated villages, there is no AMC's nor there are ambulance vehicles to bring the patients to the FMC, which is located in the village of Rečan/Rečane, making it difficult for those that do not own personal vehicles to visit the FMC.

Nevertheless, ERAC paralegal reported that there are 5 doctors and 8 medical technicians living in the region, but not employed. The workforce is available; however, the problem was with financial resources allocated to the region by the municipal administration.

The Directorate of Health Department in the Municipality of Prizren was contacted via email and several questions were sent to obtain more information with regards to this case. Moreover, ERAC paralegal met with the Health Directorate and the issue was also raised in the Municipality Assembly of Prizren. A team from the municipality health directorate visited the region to evaluate the conditions. Based on the urgent needs, the situation was eased when the Ministry

of Health of Kosovo donated an ambulance vehicle to the Family Medicine Center in Zhupa/Župa.<sup>1</sup>

### **Legal framework and other considerations**

The distribution of the medical healthcare facilities in Kosovo is carried out through legal framework adopted by the Ministry of Health of Kosovo.<sup>2</sup> The centerpiece of this framework is the Law on Health No. 04/L-125<sup>3</sup> and the Administrative Instruction (health) No. 08/2017<sup>4</sup>. Where according to both, what is stipulated in the law and the administrative instruction, the case in Zhupa/Župa region was in violation with fundamental right to health and social protection.<sup>5</sup>

### **Outcome**

The paralegal has been monitoring this case and as a result of his efforts together with the representatives of Bosniak community, the Directorate of Health in Municipality of Prizren has hired a doctor that works three times a week, nurses and a technicians that work during every weekday in the FMC. Also a medical laboratory was reopened in November 2018 since it had been closed in 2014.

### **Recommendations**

More frequent monitoring of the healthcare services is required to be made by the Ministry of Health. Furthermore, people should seek for their rights to access health care in case they feel that they are being deprived of:

- by filing a complaint, referring to constitutional rights and relevant laws
- send to respective municipalities; to the Directorate of Health
- raise the issue among your representatives at the municipality assembly
- if needed, bring the case in front of the Ministry of Health
- to gain support for your case, we recommend to contact your regional Ombudsperson Office

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<sup>1</sup> <https://kallxo.com/ministria-e-shendetesise-dhuron-dy-autoambulanca/>

<sup>2</sup> <https://msh.rks-gov.net/>

<sup>3</sup> <https://www.kuvendikosoves.org/common/docs/ligjet/Law%20on%20Health.pdf>

<sup>4</sup> <https://msh.rks-gov.net/wp-content/uploads/2017/01/Udhezim-Administrativ-08-2017.pdf>

<sup>5</sup> <http://www.kryeministri-ks.net/repository/docs/Constitution1Kosovo.pdf>