

**From:** [REDACTED]  
**Sent:** 31 March 2021 14:45  
**To:** MARCOS FIGUERUELO Angela; MOUSTAKALI Maria  
**Cc:** Juris Jansons  
**Subject:** Atb.: Strategic inquiry OI/2/2021/MMO into how the European Commission monitors EU funds used to promote the right of persons with disabilities and older persons to independent living

Dear colleagues,

On behalf of the Ombudsman of Latvia, Mr Juris Jansons, I forward you information regarding situation on the right of persons with disabilities and older persons to independent living and deinstitutionalisation process.

It has been five years since Ministry of Welfare of the Republic of Latvia in collaboration with planning regions and local governments (municipalities) have been implementing deinstitutionalisation (DI) project, co-funded by the EU Structural and Investment funds.

Ombudsman has been continuously drawing attention of the competent authorities to the fact that the existing provision of social services was not appropriate to the needs of persons with mental impairments, the scope of community-based alternative services was inadequate, and consequently persons with mental impairments often have no choice as to be accommodated at residential care institutions. Many clients of residential care centres would be able to live in community if the required support was available at their place of residence.

Observations of representatives of the Ombudsman's Office during regular visits to residential care institutions show that most of the state social care centres have been expanded and voluminous funds are invested there from the state budget thus strengthening institutional care in contradiction to the purpose and essence of deinstitutionalisation.

It should be noted that between 2015 and 2020 Ministry of Welfare has closed four regional residential care institutions (branches) and decided to transfer clients from smaller institutions to other institutions. These transfers were considered in several sessions of Parliamentary Committees (Social and Employment Matters Committee and Human Rights and Public Affairs Committee). Members of Committees indicated to the human rights aspect that transfer of older people is emotionally traumatizing and it is important for clients of residential care institutions to live closer to their former place of residence and their relatives. Ombudsman is concerned that people with mental impairments living in residential care institutions are being transferred from one institution to another, when they should be supported to live independently and receive community-based services. This situation not only contradicts the main purpose of DI, but also recommendations of international organisations.

Ombudsman hosted a press conference on 13 October 2020 to draw attention to the gravity of the situation and to promote the provision of the rights of persons with disabilities. At the same time. Ombudsman sent a letter to the Prime Minister "Regarding the implementation of deinstitutionalization project and the situation at state social care centres" calling to ensure a wide range of community-based services across the state, including services of support persons with funding allocated from the state budget. The Ombudsman also proposed that placement of new clients at residential care centres should be discontinued by 1 January

2024 and that appropriate community-based social services are made available for all persons with disabilities.

European Commission (EC) on 28 May 2020 proposed to introduce a Recovery Plan for Europe to prevent negative impact to economic and social areas caused by the Covid-19 pandemic, stimulate Europe's recovery and protect and create workplaces. A significant part of European recovery funding will be directed towards the Recovery and Resilience Facility – a new budget programme administered by the EC. The aim of the facility is to support reforms and investments related to transition to green and digital economy, as well as decrease social and economic impact of the crisis.

Having acquainted with the Recovery and Resilience Facility Plans project for Latvia developed by the Ministry of Finance, Ombudsman has concluded that significant part of allocated funding is planned to be redirected towards improvements of institutional environment. Ombudsman has drawn the attention of the Ministry of Finance to that it is not acceptable that the financing of the state budget or European Union projects is directed to strengthening of institutional care and not to the development of community-based social services.

Please do not hesitate to let me know if additional information would be of further use and help.

Best regards

**Mrs. Evita Berke**

Head of Information Centre

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**No:** MARCOS FIGUERUELO Angel [REDACTED]

**Nosūtīts:** piektdiena, 2021. gada 12. februāris 15:27

**Kopija:** STOEVA Valentina [REDACTED] GADESMANN Gundi

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**Tēma:** Strategic inquiry OI/2/2021/MMO into how the European Commission monitors EU funds used to promote the right of persons with disabilities and older persons to independent living

Dear ENO colleagues,

The European Ombudsman has recently launched an [inquiry](#) into the role of the Commission in ensuring that member state governments use EU funds with a view to promoting independent living for persons with disabilities and older persons, and transitioning away from residential care institutions. The inquiry takes place against the background of the COVID-19 pandemic, which had devastating consequences for people in these institutions.

Given that the management of ESI funds is also the responsibility of national and regional authorities, and national and regional ombudsmen can also deal with complaints about conditions in residential institutions, the European Ombudsman would like to invite members of the ENO network to join this parallel inquiry. To this effect, please find attached the invitation addressed to ENO members (both EN and FR versions) and the letter addressed to the President of the European Commission. Should you require a translation of the invitation into any other official EU language, please let us know.

As indicated in the invitation, we would be grateful to receive your contributions by 31 March 2021. If you need any further information or clarification concerning this inquiry, please do not hesitate to contact the case handler responsible for this inquiry, Ms Maria Moustakali (in copy), who can be reached at [REDACTED]

With best regards,



**European Ombudsman**

**Angela Marcos Figueruelo**

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