



**Council of Europe  
President of the Parliamentary Assembly  
Mr. Rik Daems  
General Secretary Marija Pejčinović Burić  
Commissioner for Human Rights Mrs.  
Dunja Mijatovic**

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Dear President of the Parliamentary Assembly, Dear Mr. Rik Daems  
Dear General Secretary, dear Mrs Marija Pejčinović Burić

The pandemic has caused havoc in Europe with many people infected and hospitalised. Mortality has been high and especially among the elderly as well as among those workers providing care. EPSU and FERPA, the European Federations representing workers in care and public services and people in retirement and the elderly respectively, request the Council of Europe to investigate the causes and possible solutions to this high mortality.

The Human Rights Commissioner of the Council of Europe, Mrs. Dunja Mijatović has urged the Member States of the Council to carry out such investigations. We see it as a task for the Council to compare the experience in different countries and explore if there are communalities. We agree with the Commissioner that violations of the human rights of the elderly took place whenever they were refused care. The lack of protection for workers caring for the elderly and other vulnerable groups exposed them but also those they care for to unnecessary risks and this needs to be urgently addressed. This will help prepare countries for a second wave of the pandemic and for any future pandemics.

As regards the European Union we are disappointed there is no recognition that in many countries austerity measures have lead to underfunding of long-term care facilities. Nor is there acknowledgement that the workers in elderly, residential and home care, mostly women, have been seriously affected by the pandemic and that their work has been undervalued and underpaid. There is a lack of both resources and staff. And whereas billions are pumped into the economy, no additional funding appears to be made available to assist long-term, residential and home care.

Mrs Dunja Mijatović suspects that human rights violations have occurred which could have been prevented. In her statement of 20 May she said: (...) "In many countries and individual institutions, management of the crisis appears to have been fragmented and chaotic, with care personnel often being left to their own devices. Some have made heroic efforts to save residents, sometimes confining themselves in the facilities and avoiding contact with their own families;

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some countries, like Romania, even made it mandatory for staff to isolate themselves in long-term care facilities or specially designated places. In other cases, residents were left in absolute neglect or abandoned despite having been infected, as it was reported in Spain, for example. (...)

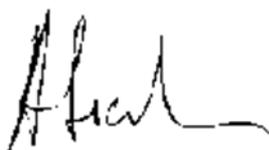
She went on: “ There is understandable outrage and frustration among family members who lost their loved ones under very opaque circumstances. Many have made criminal complaints about the management in care homes, for example in France. In Spain, prosecutors opened criminal investigations for a number of facilities for older persons, and similar investigations are also ongoing in Italy. In accordance with their obligations under Article 2 of the European Convention on Human Rights regarding the right to life, member states must shed light on all the deaths occurring in these institutions, without exception.” We want the Council to undertake these investigations.

The Human Rights Commissioner points out how Member States have probably violated various conventions and failed to guarantee the elderly, disabled and other vulnerable groups their right to health and right to care, including the right to long-term care (enshrined in the EU in the 2017 European Pillar of Social Rights (principles 16 and 18)). Human rights violations have occurred that need to be explored and addressed so they are not repeated. The investigation will assist in taking the appropriate measures to prevent such violations in a possible second wave or future pandemics.

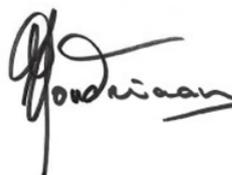
Dear President, Dear General Secretary

We remain available for further discussion on how best to prevent that elderly and others in care are not again the victims of underfunding and such inadequate and ill-devised policies.

Yours sincerely,



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FERPA is the European Federation of retirees and elderly people, part of ETUC

EPSU is the European Federation of Public Service Trade unions representing 8 million workers including in all professions and all forms of health and care. EPSU is a part of the ETUC

For the statement of the Human Rights Commissioner of the Council of Europe (20 May 2019)

<https://www.coe.int/en/web/commissioner/-/lessons-to-be-drawn-from-the-ravages-of-the-covid-19-pandemic-in-long-term-care-facilities>

cc. Council of Europe Human Rights Commissioner, Mrs. Dunja Mijatovic

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