

## RIGHT TO HEALTH IN THE TIMES OF PANDEMIC (THE CASE OF SERBIA)

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**ABSTRACT :** *Health is the most beautiful gift that nature gives us, and viruses are the most serious threat to humanity. Since ancient times many infections have tormented the people in our area. It is believed that the first quarantine in history was introduced in the Balkans, in the 14th century during the fight against the black plague. During the Great War in 1914, Serbia faced an epidemic of typhus, and in 1972, the epidemic of smallpox in Serbia ended, and our anti-epidemic struggle was assessed by international institutions as successful. In the Republic of Serbia, amendments to the Law on Protection of the Population from Infectious Diseases were adopted in 2015. The Law on Health Care of Serbia, as the basic law in the legal system of Serbia, regulated the entire system of health care. The Institute for Public Health, established for the territory of the Republic of Serbia, coordinates the implementation of epidemiological monitoring on the territory of the Republic and issues expert instructions for epidemiological monitoring for infectious diseases and special health issues. The year is 2020, the viral epidemic is conquering Serbia as well. Along with the relevant national regulations, the paper presents the chronology of infectious diseases in the world and in our country until today's pandemic, which changed our lives. The race for development, production and application of the Covid 19 vaccine around the world continues with increasing of research in centers around the world.*

**KEY WORDS:** *epidemic; law; Serbia and the world; health, vaccination.*

**JEL Code:** K 32

### 1. INTRODUCTION

Health is the most beautiful gift that nature gives us, and viruses are the most serious threat to humanity, and the personality of a doctor<sup>1</sup> is best manifested in great temptations. The year is 2020, a new viral epidemic<sup>2</sup> is conquering Serbia as well.

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<sup>1</sup> In impoverished Serbia in the third decade of the 19th century, only three trained doctors worked (in Belgrade the Italian Dr Silvestro Kunibert, in Pozarevac the Russian Dr Gligorije Ribakov and in Jagodina Dr Djordje Novakovic). The first doctor of medicine in renewed Serbia was Dr Jovan Stejić (1802-1853), who received his doctorate in 1829 at the Medical-Surgical Academy in Vienna, with a dissertation on dysentery and is considered the founder of Serbian health care (Quarantine Department with medical care at the Department of Internal Affairs).

<sup>2</sup> The epidemic of an infectious disease is getting sick from an infectious disease unusual in number of cases, time, place and affected population or an unusual increase in the number of patients with complications or

Measures for protection of the population from infectious diseases are a set of all activities planned, organized and implemented by the authorities of the Republic of Serbia, autonomous province, local self-government units, economic entities and legal entities, institutes and departments of public health and other health institutions, health workers and health associates and natural persons in order to protect the population from infectious diseases.<sup>3</sup> The *Law on the Protection of the Population from Infectious Diseases* adopted in 2016 regulates the protection of the population from infectious diseases.

*The Law on Health Care of Serbia*, as the basic law in the legal system of Serbia, regulated the entire system of health care. The Institute for Public Health, established for the territory of the Republic of Serbia, coordinates the implementation of epidemiological monitoring on the territory of the Republic and issues expert instructions for epidemiological monitoring for infectious diseases and special health issues. The Institute for Public Health continuously monitors the implementation of the Program<sup>4</sup> on the territory of the Republic of Serbia in cooperation with the competent institutes, i.e. institutes for public health for the territory for which they were established.

## 2. CHRONOLOGY OF CONTAGIOUS DISEASES – ONCE AND TODAY

It is known that the quarantine is a measure that restricts freedom of movement and establishes mandatory medical examinations of healthy persons who were or are suspected of being in contact with persons suffering from infectious diseases or with a person suspected of getting sick of contagious disease during the period of contagiousness.<sup>5</sup> It is believed that the first quarantine in history was introduced in the Balkans, in the 14th century during the fight against the black plague. This disease is older than previously thought, and researchers from the Max Planck Institute for the Science of Human History have discovered that two inhabitants in the Bronze Age, from a distant steppe in today's Russia, died of the plague. These are till now the oldest patients<sup>6</sup>, and the genes of *Yersinia pestis* have been found in their teeth.

One of the deadliest epidemics in the history of mankind was the Athenian plague (430 BC), which killed about a hundred thousand people. During the Great War in 1914, Serbia faced an epidemic of typhus. Every year until the 18th century smallpox (*Variola vera*) killed hundreds of thousands of people. We also faced this disease in 1972, but

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death, as well as the occurrence of two or more interrelated cases of infectious disease that never or in many years did not occur in one area or the occurrence of a large number of diseases with unknown cause, followed by a febrile condition. (Article 2, paragraph 1, item 7. of the Law on Protection of the Population from Infectious Diseases, "Official Gazette of RS" No. 15/16, 68/20.)

<sup>3</sup> Article 14, paragraph 1. of the Law on Protection of the Population from Infectious Diseases, "Official Gazette of RS" No. 15/16, 68/20.

<sup>4</sup> The Decree on the Program of Health Protection of the Population from Infectious Diseases ("Official Gazette of the RS" No. 22/16) regulates the implementation of health protection of the population from infectious diseases and determines the program for the implementation of this protection.

<sup>5</sup> See: article 31, paragraph 1. of the Law on Protection of the Population from Infectious Diseases, "Official Gazette of RS" No. 15/16, 68/20.

<sup>6</sup> In North Ossetia in Dargavas, there are 99 stone houses on the hillsides and in front of each there is a well. According to legend, when the plague spread in Ossetia, the infected voluntarily went to these cottages. These monuments have remained like religious holy places, places for reflection and a road sign toward a tolerant society.

according to the announcement of the World Health Organization, smallpox were eradicated from the civilized world not until December 1979. In 1972, the epidemic of smallpox in Serbia ended, and our anti-epidemic struggle was assessed by international institutions as successful.

By the *Decision on declaration of the Covid-19 disease, caused by the SARS-CoV-2 virus, a contagious disease*<sup>7</sup> the Covid-19 disease caused by the SARS-CoV-2 virus was declared a contagious disease, whose prevention and control is of interest for the Republic of Serbia. In order to prevent the occurrence, spread and suppression of the infectious disease Covid-19 and to protect the population from that disease, the measures prescribed by the Law on the Protection of the Population from Infectious Diseases will be applied.

By the *Order on declaring the epidemic of infectious disease Covid-19*<sup>8</sup> from March 2020 the epidemic of infectious disease Covid-19, was declared as an epidemic of greater epidemiological significance - for the territory of the Republic of Serbia, and by the *Decree on measures to prevent and combat infectious disease Covid-19*<sup>9</sup> in effect from May 2020, the appropriate measures for the prevention and suppression of the infectious disease Covid-19 caused by the SARS-CoV-2 virus were determined, as well as the conditions, manner of implementation, performers and means for the implementation of these measures.

### **3. CONSIDERATIONS ON IMMUNIZATION AND VACCINE PRODUCTION**

The race for development, production and application of the Covid 19 vaccine around the world continues with increasing of research in centers around the world. The vaccine is being developed in China, India, Russia, Japan, Australia, a research institute in Seattle, Poland, Germany, and Geneva, Switzerland, as well as in Rome (in the hospital for infectious diseases "Lazaro Spalancani"). At the end of March 2020, testing of the first vaccine on humans, a product of the American pharmaceutical company "Moderna" from Massachusetts, began. In Russia, the first vaccines were already administered in September 2020, and so far, 26 possible variants of the vaccine have been developed in 17 research institutions in Russia. The race for the development, production and application of the vaccine continues, and in Serbia, 128 scientific teams with a large number (more precisely 1.194) of researchers competed for the Science Fund for the Covid 19 research program. In December 2020, a vaccine from the company "Pfizer" will arrive in Serbia.

Since ancient times many infections have tormented the people in our area, but with the measures of the state, they defended themselves as much as they could, and then they resorted to closing the borders of Serbia and strict sanitary control around state borders during epidemics. The Government of the Republic of Serbia made the Decision on closing all border crossings for entry into the Republic of Serbia ("Official Gazette of

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<sup>7</sup> "Official Gazette of RS" No. 23/20, 24/20, 27/20, 28/20, 30/20, 32/20, 35/20, 37/20, 38/20, 39/20, 43/20, 45/20, 48/20, 49/20, 59/20, 60/20, 66/20, 67/20, 72/20, 73/20, 75/20, 76/20.

<sup>8</sup> "Official Gazette of RS" no. 37/20.

<sup>9</sup> "Official Gazette of RS" no. 66/20.

RS" No. 37/2020) on March 19, 2020, by which border crossings were closed and the entry of passengers into the Republic of Serbia was temporarily suspended in order to prevent spreading infectious disease COVID-19. This decision is no longer in force.

We are not surprised by the report of the World Health Organization that in the 21st century, in November 2019 on the island of Samoa in the Pacific, a state of emergency was declared, after the deaths of children under 2 years, due to an outbreak of measles. In 2007, by the *Order on declaring an epidemic of a contagious disease of greater epidemiological significance and the measures that must be implemented*<sup>10</sup> an epidemic of a contagious disease of measles (Morbilli) was declared as an epidemic of greater epidemiological significance in the Republic of Serbia. Due to the determined danger of the spread of the measles epidemic: 1) obligatory emergency immunization was ordered.

The Institute of Public Health, established for the territory of the Republic of Serbia, coordinates the implementation of epidemiological supervision on the territory of the Republic of Serbia and issues expert instruction for epidemiological supervision for infectious diseases and special health issues. Epidemiological supervision is carried out on the basis of the programs of the Republic of Serbia, which are adopted by the Government, and on the basis of which the programs of the autonomous province and local self-government units and health institutions are adopted.<sup>11</sup>

In the Republic of Serbia, amendments to the Law on Protection of the Population from Infectious Diseases were adopted in 2015. At the end of April 2015, representatives of the Serbian Parliament adopted amendments of the Law on Protection of the Population from Infectious Diseases<sup>12</sup>, so vaccination of children will be mandatory for everyone in the future and will not require the written consent of the patient or legal representative of the child.

#### 4. CONCLUSION

Viruses, bacteria and parasites have taken millions of lives. Even today, viruses are the most serious threat to humanity. At the time of the current Covid-19 epidemic, we launched moral forces in order to affirm true values in all segments of life and work.

A new chapter on viruses is being written today. After the brief episodes of SARS and MERS about ten years ago, a new cause of today's pandemic has appeared. With the increasing number of studies in research centers around the world, it is necessary to monitor the genetic evolution of the virus. Gene therapy has been evolving for several years, and a clinical trial on humans has begun, and the goal of the research is to help fight against those diseases that have been resistant to vaccines for decades.

The only safe protection against infection and the development of the disease is the connection between congenital and adaptive immunity, i.e. vaccination.

Along with the relevant national regulations, the paper presents the chronology of infectious diseases in the world and in our country until today's pandemic, which changed our lives. The year 2020 was marked by the viral epidemic of Covid-19 with

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<sup>10</sup> "Official Gazette of RS" no. 18/07.

<sup>11</sup> Article 7, paragraph 3 and 5. of the Law on Protection of the Population from Infectious Diseases, "Official Gazette of RS" No. 15/16, 68/20.

<sup>12</sup> "Official Gazette of RS" no. 125/04, 36/15.

consequences on all aspects of life. Let's raise our spirits at this time, difficult for the whole Planet ... I remembered the words of Charles Bukowski, that no one's suffering is greater than the one determined by nature. Protecting the individual from the consequences of viremia, as well as the planet Earth from negative influences, is a constant obligation, and everything that is really great, stays away from the market and fame, Nietzsche wrote. We need new energy, as well as the same access to services for all users who need health care. And our people has always shown patience, unselfishness and courage in the most difficult temptations, that there were many.

At the of November 2020 many lives were lost all over the world. A culture of support and solidarity is a strong fulcrum in crisis situations. New stricter measures were adopted by the Government of Serbia, which we observe until further notice ....

## REFERENCES

- An Anquiry into the Cause and Effect of the Variolae Vaccinae, a Disease Discovered in Some of the Western Countries of England Particularly Gloucestershie, and Known by the Name of Cowpox*, London, Sampson Low, 1798.
- Borjanović S, Ristić S, *Vakcinacije zaraznih bolesti (Vaccinations of infectious diseases)*, Beograd, 1970.
- Đordani P, *Za srpsku vojsku, Jedna zaboravljena priča (For the Serbian army, One forgotten story)*, reprint of the edition from 1917, Odbrana, Beograd.
- Hanter V, *Epidemija pegavog tifusa i povratne groznice u Srbiji 1915 (The epidemic of typhus and relapsing fever in Serbia in 1915)*, ed. 1920.
- Henn W, Messe E, *Ljudska genetika (Humangenetic)*, 2007, Serbian edition 2011, Laguna.
- Ljudska prava i zaštita zdravlja pacijenata, priručnik (Human rights and the health protection of patients, handbook)*, Medicinski fakultet Univerziteta u Beogradu, Beograd, 2013.
- Milošević G, *Viteška vremena, etički i humani kodeksi ratovanja (The times of knights, ethical and humane codes of warfare)*, Vojno izdavački zavod, Beograd, 2007.
- Oszlak O, "COVID-19: Test de un Futuro Incierto en la Gestión Publica", *Video webinar 27.5.2020*.
- Radovanović Z, *Poslednja evropska epidemija velikih boginja (The last European smallpox epidemic)*, Beograd, June 2017.
- Savić A, *Influenca*, Štamparska radionica Ministarstva Vojnog, Solun, 1918.
- Tomić-Petrović N, "Moral Responsibility of healthcare personnel", *Vojno sanitetski pregled*, Beograd, January 2015, vol. 72 (no. 1).
- Vacić Z, „Srpske godine dr Ludvika Hiršfelda“ ("Serbian years of Dr. Ludwik Hirschfeld"), *Kulturni dodatak*, Sekcija za istoriju medicine Srpskog lekarskog društva, April 2020.
- Webinar: "Reflexiones sobre la Administracion Publica post Covid-19"*, June 2020.