

NORMATIVE ELEMENT ON SOCIAL SECURITY, SOCIAL PROTECTION

Definition

1.

The right to social security and social protection measures is the right which ensure an adequate standard of living, adequate income security, access to health care, medication and assistive devices, and access to care and support services for autonomous and independent living in older age.

Scope of the right

2.

Older persons have the right to social security and social protection without discrimination based on age or any other ground, so they can live with dignity and fully participate in society.

Older persons have the right to social security and social protection measures, whether in cash or kind, to ensure an adequate standard of living, adequate income security, access to health care, medication and assistive devices, and access to care and support services for autonomous and independent living in older age.

Older persons have the right to social security and social protection measures, whether in cash or kind, that are of a high enough value, quantity and quality, and for the full period of life, for an adequate standard of living and so that they can live autonomous, independent lives with dignity and can fully participate in society.

Older persons have the right to social assistance and in-kind social security that is appropriate and acceptable for their needs and preferences.

Older persons have the right to information on all aspects of social security and social protection schemes, including eligibility and qualification.

Older persons have the right to unconditional, autonomous use of income from social security and social protection schemes.

Older persons have the right to make complaints, appeal and seek redress for practices that deny their right to social security and social protection.

Existing standards : **Provisions in existing international human rights law and other sources**

International human rights law

Universal Declaration of Human Rights Article 22

International Covenant on Economic, Social and Cultural Rights, 1966

Article 9:

Convention on the Elimination of All Forms of Discrimination Against Women, 1979

Article 11

Convention on the Rights of Persons with Disabilities, 2006

Article 28

;Advisory documents

The Committee on Economic, Social and Cultural Rights General Comment 19 on the right to social security (2008)

The Committee on the Elimination of Discrimination Against Women's General Recommendation No. 27 (2010)

The Independent Expert on the enjoyment of all human rights by older persons' statement in favour of this

Regional human rights law on the rights of older persons

Inter-American Convention on Protecting the Human Rights of Older Persons, 2015

Article 17:

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa, 2016

Article 7: S

State obligations

3. States Parties shall take effective and appropriate measures

To ensure social security and social protection schemes are universally available and in place to ensure older persons are provided with social security and social protection for the relevant risks and contingencies they face, including in relation to care and support.

To ensure older persons have access to information on all aspects of social security and social protection schemes, including eligibility and qualification.

To ensure older persons have access to support in application processes for social security and social protection measures without delay, including older persons without identity documentation.

To ensure delivery mechanisms for social security and social protection measures are adapted so they are accessible and affordable for all older persons without discrimination.

To ensure older persons have access to effective complaint and appeal mechanisms to seek redress for practices that deny their right to social security and social protection.

Special consideration

4.

They must take into consideration accountability, accessibility, availability, non discrimination

5. Private companies must make sure to cover workers in terms of social protection and social security

Implementation

Older people who are retired from formal sector do have pension even if it is small in comparison with all their problems. Those from informal sector have nothing and they are the large part of older people. T

The situation is very challenging.