

Guiding questions for the twelfth session of the General Assembly open-ended working group for the purpose of strengthening the protection of the human rights of older persons

Focus area 1: Contribution of older persons to sustainable development

The Scope:

Older persons have the right to contribute to sustainable development. The right to participate in, and contribute to, development is affirmed in the Declaration on the Right to Development. Article 25 of the International Covenant on Civil and Political Rights recognizes the right to participate in public affairs. Effective and meaningful participation enables the advancement of all human rights. On the other hand, when older persons are denied the ability or opportunity to contribute, or when their contribution is unrecognized or devalued, their dignity is denied. Understanding the contribution of older persons to sustainable development as a right enables States to identify steps that can be taken to uphold their dignity.

Substantive guiding questions:

National Legal and Policy Framework

1. What are the legal provisions, policy frameworks in your country that recognize older persons' right to participate in and contribute to sustainable development? This could include, but is not limited to:

- a) ensuring that relevant human rights (in particular the right to freedom of opinion and expression, the right of access to information, and the rights to freedom of peaceful assembly and of association) are protected and implemented;

The issue of ageing in the Italian legal system has its constitutional basis in the protection of the right to health, and more generally in the recognition and guarantee of inviolable human rights, as well as in the definition of the principle of formal and substantial equality, without distinction of personal and social conditions among citizens, such as, for example, their age.

- b) protecting and enhancing civic space and collaboration with civil society that represents the voices of older persons in sustainable development;
- c) good practices to ensure older persons' participation in, and contribution to sustainable development.

Even in the absence of a national reference framework, at present, about half of Italy's Regions have a overarching and organic regional laws on active ageing (as defined by WHO), and they have begun to promote policies to mainstream the contribution of older persons, also in relation to the roles they play in the development of community life. This is particularly true with regard to civil society projects, social innovation initiatives, and family support policies aimed at re-establishing a pact between generations based on coexistence and fostering diversity. At the national level, a public consultation process has been launched to develop a new plan for family policies: the consultation "Towards

Guiding questions for the twelfth session of the General Assembly open-ended working group for the purpose of strengthening the protection of the human rights of older persons

a new National Plan for the Family" involves the citizens in a discussion around four thematic areas: the demographic issue; the relationship between genders and generations; social inequality; and work in a gender equality perspective. In this context, the Project for Multi-Level Participatory National Coordination of Policies on Active Aging 2019-2022, launched in 2019 by the Presidency of the Council of Ministers in collaboration with IRCCS/INRCA, also involving the Ministry of Labour and the National Institute for Public Policy Analysis (INAPP), is particularly relevant. The Project, in addition to offering tools to national and regional policymakers for the adjustment of policies to be implemented in the field of aging, contributes to the achievement of international policy objectives. In fact, it identifies as policy dimensions to be analyzed the ten commitments of MIPAA/RIS and nine of the 17 SDGs of the 2030 Agenda for Sustainable Development, in line with the National Strategy for Sustainable Development. In 2020 a report was published on the State of the Art of policies for active ageing in Italy, which presents the results of a survey of measures/interventions carried out at national and regional level

<https://famiglia.governo.it/media/2132/le-politiche-per-l-invecchiamento-attivo-in-italia.pdf>

2. What are the challenges faced by older persons for the realization of their right to contribute to sustainable development at national and international levels?

After a long inter-agency consultations, and dialogues with civil society, in December 2017 Italy adopted a National Strategy for Sustainable Development (SNSvS), which transposes at national level the 2030 Agenda for Sustainable Development and adopts its four guiding principles: integration, universality, transformation, and inclusion. The SNSvS is structured into five areas corresponding to the so-called "five Ps" of the 2030 Agenda: People, Planet, Prosperity, Peace and Partnership. Each area corresponds to a system of Strategic Choices aimed at the pursuit of the National Strategic Objectives (NSOs), which are the adaptation of the 169 targets of the 2030 Agenda to the Italian reality. The SNSvS does not expressly identifies policies directed at the older population. The segments of the population most frequently mentioned are rather youth and women, while older persons are mostly referred to as recipients of measures aimed at relieving specific situations of fragility, non-self-sufficiency and disability. As part of the Sustainable Development Forum, in February 2021 the People Working Group drafted

	<i>a</i>	<i>Position</i>	<i>Paper</i>
			<i>https://www.mite.gov.it/sites/default/files/archivio/allegati/sviluppo_sostenibile/SNSvS_eventi/gdl_person_e_positi_on_paper.pdf</i>

in which it identified the main policy actions to be developed in the coming years. With a view to supporting active ageing, particular emphasis has been placed on: promoting equal opportunities at all levels with particular attention to gender and generational inequalities; overcoming gaps in access to inclusive and quality training, investing in life-long learning; ensuring essential levels of performance in access to public services; promoting the participation of citizens of all age groups in society and decision-making processes; overcoming poverty and the causes of inequality that force people into a condition of need, countering the intergenerational transmission of poverty and promoting social mobility;

Guiding questions for the twelfth session of the General Assembly open-ended working group for the purpose of strengthening the protection of the human rights of older persons

ensuring the right to work (quality and safety) and adequate pay to ensure a dignified existence; ensuring the right to physical and psychological health for all people.

3. What data, statistics and research are available regarding older persons' contribution to sustainable development?

Since 2017, 12 of the Equitable and Sustainable Well-being indicators (BES) used by the National Statistical Institute (ISTAT) to draw up its annual BES Report have been incorporated into the economic planning cycle. A BES annex to the Economic and Financial Document (DEF) prepared each year by the Ministry of the Economy illustrates the trend of these indicators over the last three years and in the year of reference. Since 2018, a BES Report is also presented annually to Parliament, which always presents the data broken down by age group, gender, and Region.

In 2020 a report was published on the State of the Art of policies for active ageing in Italy, which presents the results of a survey of measures/interventions carried out at national and regional level

<https://famiglia.governo.it/media/2132/le-politiche-per-l-invecchiamento-attivo-in-italia.pdf>

Equality and non-discrimination

4. What measures are being taken to eliminate ageism, ageist stereotypes, prejudices and behaviors that devalue older persons' contribution to sustainable development?

Remedies and Redress

5. What mechanisms are necessary, or already in place, for older persons to lodge complaints and seek redress for denial of their right to participate in and contribute to sustainable development?

Focus area 2: Economic security

National legal and policy framework

1. What are the legal provisions and policy frameworks in your country that guarantees the minimum essential level of the enjoyment of economic, social and cultural rights, in particular the right to an adequate standard of living?

Since the end of the 1990s, it has become clear that the persistent exclusion of large segments of the population, including those aged 50+, from job protection measures, required the adoption in Italy of a minimum income instrument, similar to that already in place in other European countries.

Guiding questions for the twelfth session of the General Assembly open-ended working group for the purpose of strengthening the protection of the human rights of older persons

The percentage of households in absolute poverty with a breadwinner aged between 45 and 55 has risen steadily from 2.4% in 2005, to nearly 10% in 2020. A similar increase was seen among 55- to 64-year-olds (from 1.9% to 6.6%). Similarly, the percentage of households with a breadwinner aged between 45 and 54 years and between 55 and 64 years in a condition of relative poverty has grown, rising from 7.7% in 2002 to almost 10% in 2020 and from 7.6% to 8.2%, respectively.

This situation led to the adoption of the Inclusion Income in 2018 (REI), replaced in 2019 by the Citizenship Income (RdC), or alternatively by the Citizenship Pension (for the over 65): it was the first time Italy had a structural minimum income measure with a nationwide scope. These measures were supplemented in May 2020 by the Emergency Income, which was temporarily established to support households in need due to the Covid-19 epidemic emergency. By the end of 2019, the Citizenship Income had reached nearly 916 thousand people over the age of 45, or 35% of the total number of beneficiaries of the measure. More than 86% of them belonged to the 45-64 age group, due to the eligibility requirement which established that beneficiaries must be willing to actively seek work with the support of Public Employment Services. On the other side, almost all of the approximately 145,000 Citizenship Pension recipients were over the age of 65.

Italy has progressively focused on a structure of territorial services for taking charge of the demand for health coming from the non-self-sufficient elderly and their families, within the perspective of social-healthcare integration, already prefigured by framework law n. 328/2000. With the National Plan of Social Interventions and Services 2021-2023 (approved in 2021) the path of integration between the offer of strictly health services, managed by the Ministry of Health, and the initiatives referring to social planning in the strict sense (social service, housing policies, fight against poverty, training and labor policies, as well as promotion of active citizenship), coordinated by the Ministry of Labor and Social Policies, and managed at the local level by Regions and Local Authorities (Municipalities, Mountain Communities, etc.) has been expanded and structured.

2. How is poverty defined in the national policy framework?

Based on the definition of relative poverty used by ISTAT (National Institute of Statistics), a family of two people is poor if it consumes less than the average per capita national consumption. According to the ISTAT definition, the absolute poverty threshold represents the monetary value, at current prices, of the basket of goods and services considered essential for each family, defined on the basis of the age of the components, the geographical distribution and the type of municipality of residence. A family is absolutely poor if it sustains a monthly expenditure for consumption equal to or less than this monetary value
<https://www.istat.it/it/dati-analisi-prodotti/content-interactive/poverty-threshold>

Guiding questions for the twelfth session of the General Assembly open-ended working group for the purpose of strengthening the protection of the human rights of older persons

3. What are challenges faced by older persons living in poverty, including the impact of intersectional discrimination and inequality based on age, gender and other grounds?
4. What data, statistics and research are available regarding older persons living in poverty?

The data are provided by Istat - National Institute of Statistics

Progressive realization and the use of maximum available resources

5. What steps have been taken to address economic insecurity and poverty in older age and to ensure the right to an adequate standard of living for older persons?

In regard to national anti-poverty measures, minimum income and retirement measures were introduced in 2017 and in 2019 (see above).

By the end of 2019, these measures have reached almost 916 thousand people over the age of 45, equal to 35% of the total number of beneficiaries of the measure. Almost all of the approximately 145 thousand beneficiaries of the Citizenship Pension were over the age of 65.

<https://www.lavoro.gov.it/redditodicittadinanza/mobile/Monitoraggio/Pagine/default.aspx>

6. What is the impact of macroeconomic policies on economic insecurity and poverty among older persons and vice versa? What policy options are available and/or implemented in order to expand fiscal space and maximize available resources to ensure economic security and the right to an adequate standard of living for older persons?

With the pensions reforms introduced over the past 20 years, the public pension pillar has not only contributed to extending the occupation period of male and female workers, but has also favored the containment of the risk of poverty in the 65+ age group. Between 2005 and 2020, the incidence of relative poverty for the 65+ age group remained more or less constant, fluctuating around 5%, while absolute poverty showed a marked decrease, from 15% in 2002 to 7.6% in 2020. In this scenario, the participation of older people in the job market has been further encouraged by the abolition, as of 2009, of the ban on the accumulation of income from work and pensions, as well as the possibility of choosing to continue to work beyond retirement age, up to 70.

The National Plan of Interventions and Social Services 2021-2023 (approved in 2021) deals with the development of essential levels of social services (LEPS) to be guaranteed throughout the national territory. Among the intervention measures dedicated more specifically to the elderly and families, the Plan gives priority to the strengthening of home care and the enhancement of the EU resources of reference for taking charge of non-self-sufficiency. The Plan proposes the development of territorial Unique Points of Access, as a reference point for multidimensional taking charge of situations of fragility (economic, work, social, health, housing); it also introduces Protected Discharges among the essential levels of service for

Guiding questions for the twelfth session of the General Assembly open-ended working group for the purpose of strengthening the protection of the human rights of older persons

continuity of care, articulating the relationship between social service measures and more strictly health measures already provided for the essential levels of care (LEA) within the National Health Service.

Given a generalized growth in demand for services, the National Plan for the Fight against Poverty 2018 - 2021 and later the National Plan for Social Interventions and Services 2021-2023 have identified social professions as an essential resource. Starting with the Budget Law 2021, measures have been provided for the strengthening and qualification of the social professions, providing resources specifically allocated to the recruitment on permanent contracts of social workers in publicly owned services, until the essential level of social worker per 4,000 inhabitants is reached.

In addition, the National Recovery and Resilience Plan, within the framework of Mission 5 "Inclusion and Cohesion", envisages measures to combat housing poverty, support for the non-self-sufficient elderly, overcoming territorial differences in the quality and access/use of public services, as well as investments aimed at supporting employment through the strengthening of training, the fight against undeclared work, and the strengthening of active policies for the labour market and employment centers.

7. What good practices are available in terms of ensuring older persons' economic security, including through a life-course approach?

Since 2019 a Protocol signed between the Ministry of the Interior and the Capital cities of Italy's Regions provides for collaborations and partnerships with organizations such as banks, volunteer and third-sector associations. The agreement provides for the funding of projects to prevent and combat fraud against older people, through the organization of information and education campaigns, as well as of support initiatives, including psychological aid, to avoid potential risk situations.

(See also the above-mentioned Project for Multi-Level Participatory National Coordination of Policies on Active Aging 2019-2022, launched in 2019 by the Presidency of the Council of Ministers in collaboration with IRCCS/INRCA

<https://famiglia.governo.it/media/2132/le-politiche-per-l-invecchiamento-attivo-in-italia.pdf>)

Equality and non-discrimination

8. What measures are being taken to eliminate ageism and discrimination based on age that prevent older persons to access economic and other productive resources, including financial services, land, adequate housing and the right to inheritance?

Remedies and redress

Guiding questions for the twelfth session of the General Assembly open-ended working group for the purpose of strengthening the protection of the human rights of older persons

9. What mechanisms are necessary, or already in place, for older persons to lodge complaints and seek redress for denial of their economic security and enjoyment of the right to an adequate standard of living?