



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;

Human rights and freedoms in Slovenia are guaranteed by the Constitution of the Republic of Slovenia and are elaborated in more detail in its 20 articles. In addition to the general provision on the protection of rights and freedoms and their judicial protection, it guarantees the right in equality before the law and with other rights important for the rule of law, such as: protection in proceedings before courts and state bodies at all levels, the right to personal liberty, the right to appeal or legal remedies, the right to compensation, ensuring personal security and dignity, protecting the right to freedom of expression, performance, information, access to information, the right to gather and associate, ensuring participation in the management of public affairs and the right to petition and public initiative.

Under social rights, the protection of freedom of work, social security, health care, of the rights of persons with disabilities, the right to education and its public funding, the right to enjoy public goods and natural resources, the right to drinking water and of the right to a healthy living environment are guaranteed.



Adopted laws regulating individual areas must be harmonized with the aforementioned provisions of the Constitution of the Republic of Slovenia.

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The Slovenian Protection against Discrimination Act provides for the protection of everyone against discrimination regardless of gender, nationality, race or ethnic origin, language, religion or belief, disability, age, sexual orientation, sexual identity and sexual expression, social status, financial status, education or any other personal circumstance.

In December 2017, the Government of the Republic of Slovenia adopted its Development Strategy 2030, an umbrella development document that focuses on the quality of life for all. It contains five strategic directions and twelve interrelated development goals.

The state's strategic orientations for improving quality of life are an inclusive, healthy, safe and responsible society, learning for and throughout life, a highly productive, value-added economy for all, a preserved healthy natural environment and high level of cooperation, and management skills and efficiency.

Policies, activities and measures formed on this basis must contribute to achieving the goals of the Development Strategy of Slovenia 2030, and these form the basis for formulating priorities and measures of the Government of the Republic of Slovenia, local communities and other stakeholders.

- b) protecting and enhancing civic space and collaboration with civil society that represents the voices of older persons in sustainable development;

Slovenian citizens receive active and passive suffrage (voting right) at the age of 18 and exercise it throughout their lives. This is a value that is particularly pronounced in the population of older persons, as polls and research show that the share of older persons in elections is usually higher than the share of younger age groups.

By the Government of the Republic of Slovenia a Council for Active Ageing and Intergenerational Cooperation is established to deal with the implementing the Active Ageing Strategy adopted by the Government in 2017. Related to this document an Action Plan with numerous measures was prepared affecting all generations.

In some Slovenian municipalities, the Councils of Seniors are organized as an advisory body to the municipal administration. Even where there are no such councils, organisations of older persons and various civil society organizations have the opportunity to actively contribute to local policy-making and implementation, through public debates on spatial and other development plans, programs and financial plans (participatory budgets), and in designing individual or special social groups.



- c) good practices to ensure older persons' participation in, and contribution to sustainable development.

Representatives of ZDUS, the largest pensioners' organization in the Republic of Slovenia, are members of administrative councils and supervisory bodies of various institutions and organizations, for example the Health Insurance Institute, Pension and Disability Insurance Council, Real Estate Housing Supervisory Board, Social Chamber Assembly, etc.

Pensioners' associations and other associations are also regular proposers of amendments to the laws on sustainable development, which are in the deliberation process before the National Assembly. However, according to the legislation in force in Slovenia, amendments can be proposed by deputies in parliament, for which they need to be convinced.

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?

Slovenia is active in various international organisations that deal with sustainable development and older persons. Let us mention the UNECE Standing Working Group on Aging and the UN Open Ended Working Group on Aging in New York.

Senior organizations, non-governmental organizations, which also carry out activities for older people, have established associations at the national level – CNVOS, SLOGA, Srebrna Nit, etc. They amplify the voice of older persons in proposing measures for sustainable solutions in programming and legislative documents, areas of poverty eradication, health and well-being, long-term care, education, gender equality, clean water and sanitation, decent work, reducing inequalities, and sustainable cities and communities.

ZDUS is a member of AGE platforms Europe, EURAG and Eurocarers, they cooperate with Help AGE International, and indirectly contribute to discussions in OEWGA, specialized UN organizations and the Council of Europe.

Non-governmental organizations in Slovenia were also involved in the consultative discussions of the Baselines for the Implementation of European Cohesion Policy Programs in the Period 2021 to 2027.



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

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?

During Slovenia's presidency of the Council of the European Union, Ministry, of Labour, Family, Social Affairs and Equal Opportunities together with ZDUS (pensioners organization) and Age Platform Europe organized international conference entitled "Human Rights for All Ages: Promoting Life Course Perspectives and Intergenerational Cooperation to Combat Aging". The conclusions of the conference include a message that policies governing aging at both national and EU level should include a lifelong perspective and a rights-based approach to aging, which can help to reduce ageism. Concrete intergenerational activities are also an efficient way to overcome ageism.

A number of programs take place in different associations of older persons and other age groups at different levels (local, regional, national). These are mainly cultural events, sports and recreational meetings, handicraft workshops, reading culture, and learning digital and other skills. These are joint activities that lead to the exchange and transfer of knowledge, where prejudices and stereotypes are broken down.

There are 15 multigenerational centres in Slovenia, where different generations meet, cooperate through concrete activities, and contribute to reducing ageism.

Intergenerational centres sponsored by municipalities or city administrations are already opened all over Slovenia. They are an important core of cooperation, socializing and various forms of joint action of people regardless of age.

For more than 20 years, the traditional Festival for the Third Age has been organized. This is the biggest event dedicated to older persons Slovenia. An important component of this festival are also intergenerational events.

The intergenerational coalition MeKoS is organized at ZDUS, which in addition to ZDUS (pensioner organization) also includes the Student Organization of Slovenia, the Youth Council of Slovenia and the Youth Organization of Slovenia. The goals and program of the coalition are the formulation and joint representation of positions and proposals before decision-makers in various fields, common to older and young people. Most of these are focused on the challenges of 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?

In the social security system, individuals who do not have sufficient means of subsistence can exercise their right to financial social assistance or income support. Financial social assistance and income support are social protection benefits intended for those individuals who cannot ensure their financial security due to circumstances beyond their control. By means of financial social assistance, entitled persons are provided resources for meeting minimum life needs in an amount enabling survival.

By means of such income support, entitled persons are provided resources for covering the costs of life occurring during a longer period of time (housing maintenance costs, substitution of permanent consumable goods and similar).

The Ministry of Labour, Family, Social Affairs and Equal Opportunities implements the Operational Programme for food and/or basic material assistance provided from the European Aid Fund to the most deprived persons. Older persons are one of the target groups of the Programme. The aim of the Programme is to alleviate the worst forms of poverty by providing non-financial assistance to the most materially and socially disadvantaged people in Slovenia in the form of food packages.

Programmes for older persons ensure the integration into society of as many older people as possible. The programmes are implemented in local communities as day care centres, self-help groups, workshops, education and counselling, and are intended to resolve the social hardships of older people and their integration into the community.

Some programmes also carry out fieldwork, thereby reaching seniors who are unable to attend programmes at the organisation's premises. Volunteers in the field organise the help individuals receive and, in this manner, come into direct contact with the appropriate organisation. Other organisations working in the field of older persons also liaise with other institutions working in the field of social care, such as Social Work Centres, homes for the elderly, health centres, municipalities, the Red Cross, and Caritas, considering the needs of the individuals or their relatives.

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

Poverty is a multidimensional phenomenon; it is defined in different ways, therefore the definition is not unambiguous. Poverty can be understood as absolute or relative, it can be long-term or temporary, it is



often associated with vulnerabilities and social exclusion. To reduce temporary and long-term poverty, we are developing two different sets of policies and programmes, along with two different sets of indicators to baseline and monitor progress. It is also important whether poverty is measured on the basis of an income concept or a concept that takes into account human capabilities in addition to income potential. In the context of absolute poverty, a distinction must be made between the poverty of those who do not have access to basic subsistence necessities and those who have been unable to reach this threshold. As part of efforts to reduce absolute poverty, we are developing policies and programmes related to meeting minimum living needs. These are primarily policies and programmes that work curatively. These include cash benefits (cash social assistance, childcare allowance), services in kind (food distribution), social care services, and a programme to address personal distress (mental health problems, addiction, social activation, and the like). Poverty is also not only a state of impoverishment in which a person actually lives, but also a lack of real opportunities, which may be due to social constraints or personal circumstances. In this regard, the vulnerability of certain social groups should also be considered (certain social groups may be at risk of poverty due to their own vulnerabilities, such as different types of discrimination based on class, gender, ethnicity or factors such as disability, lifestyle, family type and similar) and social exclusion (the issue of participation, empowerment and social rights).

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?

It is important to start activities to reduce and prevent poverty among older persons as soon as possible in a person's life. There are many activities in different life stages that can prevent or reduce the poverty of older persons.

Comprehensive support for companies promoting the active ageing of employees. The intention of the programme is to encourage delayed retirement and increase the employability of older workers. It aims at: providing support to employers for more efficient management of the ageing workforce, improving motivation as well as upgrading the skills of older employees and raising awareness of the challenges of the ageing workforce, providing financial support for upskilling and increasing the motivation of older workers, etc.

In the field of pension and disability insurance, the recent reform introduced a system of rewards for extending labour activity. The Pension and Disability Insurance Act provides for a bonus for each 6 months of work after a person has met the necessary conditions in the amount of 1,5%. An insured person who meets the conditions for old-age pension and remains insured with full time work or insurance is entitled to a monthly payment of 40% of old-age pension to which a person is entitled on the day of meeting the conditions, for max 3 years, and then can have 20% of old-age pension until such insurance is terminated or a partial pension is claimed. In order to improve the situation of older people on the labour market, further adjustments to the pension insurance system are planned. One of the foreseen measures is to upgrade the existing possibilities to combine a pension with income from work.

Income security: The social protection system in Slovenia is complex and consists of rights and services deriving from various compulsory social insurance systems (old age, disability, health, unemployment,



occupational illness) and a system of rights (benefits and services) that are tax-financed and categorical or mostly means-tested (the protection of persons with disabilities, social assistance, child and family care). In Slovenia, in 2022 the Act on long-term care was adopted, which will be implemented in the coming years. This system is more user-friendly for persons in need of care, as there is a range of free services for users (home care, ICT, social and health care in nursing homes, etc.).

4. What data, statistics and research are available regarding older persons living in poverty?

The Statistical Office of the Republic of Slovenia provides data on people at risk of poverty and social exclusion by age group and gender. Please see this link: <https://pxweb.stat.si/SiStatData/pxweb/en/Data/-/0867206S.px/>

Eurostat has comprehensive and detailed data on older persons living in poverty. Please see this link: https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=ilc_li02&lang=en

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?

The response is included in previous answers.

Recent steps include the following:

1. The adoption of an active ageing strategy
https://www.umar.gov.si/fileadmin/user_upload/publikacije/kratke_analize/Strategija_dolgozive_druzbe/UMAR_SDD_ang.pdf
2. The adoption of the Act on long-term care;
3. During the COVID pandemic, one-off types of transfers were granted to older citizens;
4. An increase in the guaranteed pension in 2021.

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?

The macroeconomic policies are geared to ensuring sustained economic growth and social cohesion by means of the social security, social transfer and tax systems. Automatic stabilisers are also used to mitigate business cycle fluctuations. During the COVID pandemic, the fiscal space was also used to



mitigate the impact thereof on the income of pensioners. The exceptional indexation of pensions was granted during the pandemic. Slovenia has a well-developed social security system. It includes the provision of universal health care and pensions. Recently, a new law on long-term care was enacted that covers the needs of vulnerable individuals. Social transfers, such as social assistance, a supplementary allowance (*varstveni dodatek*) and the provision of financial social assistance in exceptional circumstances to cover exceptional subsistence costs can be provided to older persons in need. The contributory pension scheme also contains some features for reducing financial vulnerability in old age, notably the minimum pension and guaranteed pension. The guaranteed pension was increased by 9%, from EUR 566.88 to EUR 620 per month. Guaranteed pensions are indexed to inflation (60% wages and 40% prices), thus contributing to an adequate standard of living for older persons.

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

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?

During its Presidency of the Council of the European Union, Slovenia organised the international conference Human Rights for All Ages: Promoting a life course perspective and intergenerational cooperation to combat **ageism**. In searching for solutions to combat ageism, emphasis was placed on the life course perspective on ageing and intergenerational cooperation. Ageing does not affect only older persons, and every investment in the course of a person's lifetime affects one's life in older age. Enhancing intergenerational cooperation and solidarity in society will help to promote mutual understanding between people of different ages and backgrounds. Adapting legislation and policies to fight ageism, changing our views of ageing through education, and implementing various intergenerational activities were also underlined as ways of effectively combating ageism.

Remedies and redress

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?

Good cooperation between the government and the civil sphere is extremely important for detecting open issues and finding solutions. It is desirable to establish a special government council for intergenerational cooperation and active aging, which would be a space for constructive cooperation. In Slovenia, the Council of the Government of the Republic of



Slovenia for Active Aging and Intergenerational Cooperation has been established for these purposes.

Otherwise, there is a system of legal protection. Complaints are resolved in administrative proceedings, and older people can also seek judicial protection.