

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;

In the Russian Federation, the right to one's own opinion and its expression, the right to assemble are reflected in Articles 29 and 31 of the Constitution. Realizing these rights, older people participated in demonstrations in 2018-2021. in connection with the increase in the retirement age (<https://www.vedomosti.ru/politics/articles/2018>). At the rallies of the democratic opposition in early 2021, up to 15% of the participants were older people (<https://thebell.io/malo-detej-mnogo-zhenshhin-sotsiologi-o-sostave-uchastnikov-aktsii-protesta-23-yanvarya>);

Significant activity was shown by older people at rallies in a number of regions of the country against the introduction of QR codes (<https://regnum.ru/news/society/3433337.html>,

The activity of older people in expressing their opinion about their social rights is much lower.

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

The Russian Party of Pensioners for Social Justice (since 1997), public organizations "Union of Pensioners of Russia", veterans of war and labor, and associations of the elderly operate in the country. Basically, mobile older people actively cooperate with local and regional NGOs, however, there are very few NGOs in the country that help older people (2-3% of the total number of all social NGOs - this is our own study); for this reason, a significant part of the elderly with limited mobility is not covered by public organizations and their voice is often not heard; there is not a single segment of civil society in the country that advocates for the rights of older people - there are separate politicians, separate civil organizations;

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

Perhaps, the development of the education of older people in the country on the basis of the Universities of the Third Age can be attributed to the best practice; there are currently several hundred of them in different regions of the country;

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?

According to a survey in Russia, the main problems of the elderly are identified:

- poverty (59%)
- poor health (45%)
- loneliness (25%)
- ageism (45%)
- digital divide (

(<https://www.rbc.ru/society/06/10/2017/59d71ba29a794779b25168e2>,
<https://trends.rbc.ru/trends/industry/6172591c9a79471433d3fd60>, <https://plus-one.rbc.ru/society/chto-meshaet-preodolet-cifrovoe-neravenstvo>).

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

- Voluntary national review of the achievement of the Sustainable Development Goals (SDGs) in Russia

(https://sustainabledevelopment.un.org/content/documents/26421VNR_2020_Russia_Report_Russian.pdf)

- Citizenship Review on the Implementation of the Sustainable Development Goals (SDGs) in Russia

(<file:///C:/Users/%D0%AD%D0%B4%D1%83%D0%B0%D1%80%D0%B4/Downloads/KURSeview2020.pdf>)

- National project "Demography", including the Federal project "Older Generation"

(<https://mintrud.gov.ru/ministry/programms/demography>)

- National project "Health"

(<https://minzdrav.gov.ru/poleznye-resursy/natsproektzdravoohranenie>)

- Federal project "Promotion of employment"

(<https://mintrud.gov.ru/ministry/programms/demography/2>)

- National project "Education", including the Federal project "Digital educational environment"

(<https://edu.gov.ru/national-project/>)

- National project "Culture", including the Federal project "Digital Culture"

(<https://culture.gov.ru/about/national-project/about-project/>,

<https://culture.gov.ru/about/national-project/digital-culture/>)

- National Project "Housing and Urban Environment"

(<https://minstroyrf.gov.ru/trades/natsionalnye-proekty/natsionalnyy-proekt-zhilye-i-gorodskaya-sreda/>)

- Strategy of actions in the interests of citizens of the older generation in the Russian Federation until 2025

(<https://mintrud.gov.ru/ministry/programms/37/2>)

- National Strategy for Action for Women 2017-2022

(<https://mintrud.gov.ru/ministry/programms/37/3>).

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?

Within the framework of the national project "Demography", pre-pensioners can receive additional professional education free of charge through this project; since 2020 - training and additional education 50+ (<https://akadem-centr.ru/news/obuchenie-dlya-grazhdan-predpensionnogo.news>). In the 2010s, the only fashion agency for older people with older models appeared and became popular (<https://www.lofficielrussia.ru/moda/oldushka-interview>); more public discussion about age; there are no scientific studies on ageism (<https://www.forbes.ru/forbeslife/443189-kruglyj-stol-cto-takoe-serebranaa-ekonomika-i-kak-pobedit-ejdzizm-v-rossii>, <https://www.the-village.ru/city/howto/eydzhizm>);

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Remedies and Redress

5. What mechanisms are needed or already in place for older people to complain and seek redress for denials of their right to participate in and contribute to sustainable development? Executive authorities and local self-government bodies, special bodies (courts, prosecutor's office, police) are engaged in the protection of human rights; mechanisms such as the Commissioner for Human Rights in the Russian Federation, the Commissioner for Children's Rights, the Commissioner for the Protection of the Rights of Entrepreneurs, the Commissioner for Finance, the Commissioners for Human Rights in the regions. There is no Commissioner for the Rights of the Elderly in the country - in response to numerous appeals from civil society, the government refuses to create such a mechanism;

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?

The Constitution (Chapter 2) guarantees the social, economic, cultural rights of citizens; labor rights of citizens are protected by the Labor Code of the Russian Federation. Article 3 states: "Everyone has an equal opportunity to exercise their labor rights."

(<http://www.constitution.ru/10003000/10003000-4.htm>, <http://duma.gov.ru/news/50241/>).

The policy of these legislative norms is based on national projects and federal programs, such as: labor productivity, development of small and medium-sized businesses, housing and communal services, roads, ecology, demography, healthcare, culture, education, tourism, digital economy and others (http://www.consultant.ru/document/cons_doc_LAW_310251/).

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

In November 2021, the Government determined a new "poverty line" indicator, indicators below the poverty line will be considered as the poverty level

(https://rosstat.gov.ru/storage/mediabank/218_03-12-2021.htm).

19.1 million people, or 13.1% of the population, are below the poverty line (Rosstat); by 2030, it is planned to halve the poverty rate, to 6.6%

(<https://www.vedomosti.ru/economics/news/2021/09/27/888429-putin-nazval-glavnimi-vragami-rossii>).

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?

Poor older people have a low material level, poor health, loneliness, a sense of uselessness, disrespect on the part of young people

(<https://www.rbc.ru/society/06/10/2017/59d71ba29a794779b25168e2>); the social service system does not fully meet the needs of older people

(<https://www.hrw.org/ru/news/2021/08/23/379710>).

In terms of equity, poor older people are characterized by a gender gap, the importance of employment, intergenerational gaps, and regional differences (inequalities are lower in less developed regions than in more developed ones).

(https://www.researchgate.net/publication/347248861_OCENKA_MASSTABOV_NERAVENS_TVA_POZILYH_LUDEJ_V_ROSSII). A third of the companies are not ready to hire pensioners; most older workers are discriminated against

(<https://iz.ru/1210313/dmitrii-alekseev/tolko-posle-vas-pochemu-rabotodateli-izbegaiut-pensionerov>, <https://www.kommersant.ru/doc/4299151>).

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

Progressive realization and the use of maximum available resources

In the structure of poverty in the country, women under 55 years of age (21.5%) and pensioners (15.6%) are in the lead; in general, there is an increase in poverty among the elderly up to 18%;

Poverty among older people varies by region from 47% to 0.5% (The Help Needed Foundation: A Study of Old Age in Russia (2021) includes regional poverty data

(<https://tochno.st/problems/ageing>); study "Regional Aspects of Poverty of Older People in Russia" (Tomsk, 2021,

https://www.researchgate.net/publication/348398298_REGIONALNYJ_ASPEKT_BEDNOSTI_POZILYH_LUDEJ_V_ROSSII). The phenomenon of gerontological poverty is not studied systematically.

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?

Government plan to support the elderly until 2025 (summer 2021): developing a mechanism for the payment of pensions, social benefits, monitoring the law on protecting the rights of pensioners and retirees, additional professional education for the elderly, launching free computer and financial literacy courses, improving living conditions in boarding schools, opening schools for the care of the elderly (<http://government.ru/news/42628/>).

In the fall of 2021 - a one-time cash payment to pensioners, from January 2022 - a simplified assignment of pensions (<http://www.kremlin.ru/events/president/news/66686>); from 2022, cash payments to war veterans and home front workers will be increased in the regions of the country.

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?

Experts (October 2021): the country's economic growth rates until 2024 do not allow reducing poverty and improving the quality of life of the population (the elderly are not separately mentioned); stabilization, according to experts, requires additional anti-crisis financial support for the population (including social payments)

(<https://www.vedomosti.ru/economics/articles/2021/10/12/890910-eksperti-nedostizhimoi>) ;

Against this background, the new budget plans to reduce "the share of spending on health care and social policy in GDP", which cannot but affect the quality of life of older people

(<https://www.raexpert.ru/releases/2021/jun01a/>).

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

The relative stability of pension provision in Russia for decades has ensured the economic security of the elderly and minimum standards of quality of life

((https://novoograd.ru/social_sphere/pension/id/4852, <https://pfr.gov.ru/about/history/>)).

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?

- In 2018, the category "pre-retirees" was introduced (this is 5 years before retirement), according to the law, the employer cannot dismiss / refuse to hire a pre-retiree; there are free training programs for them (<https://tass.ru/info/5503615>)

- The regional programs "Older generation" include vocational training programs for pensioners (file:///C:/Users/%D0%AD%D0%B4%D1%83%D0%B0%D1%80%D0%B4/Downloads/Person%20of%20Pre_Retirement%20Age%20in%20the%20Labour%20Market_%20%20Employment%20Problems%20and%20Support%20Measures.pdf)

- The Bank of Russia conducts remote financial literacy classes for citizens of retirement and pre-retirement age in all constituent entities of the Russian Federation

<https://pensionfg.ru/>

- Pensioners with suburban land plots have land and property tax benefits

(<https://www.eduklgd.ru/dogovor/nalog-na-zemlyu-dlya-pensionerov.html>)

- Loyal requirements of banks in relation to mortgages for retirees

(https://www.banki.ru/products/hypothec/catalogue/ipoteka_dlya_pensionerov/);

when relocating from emergency housing, pensioners are exempted from rent for social rent

(<https://www.eduklgd.ru/bankrotstvo/rasselenie-iz-avarijnogo-zhilya.html>)

- In 2021, the rules for registration and inheritance were simplified

(<https://ria.ru/20210826/nasledstvo-1747280320.html>).

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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?

The country has non-judicial and judicial mechanisms for dealing with complaints from older people; older people do not always turn to the authorities and not always can; there are very few NGOs helping older people who are intermediaries between older people and the authorities, they are not able to convey the voices of older people in need. The work of an ombudsman for the elderly would be extremely important - in recent years there have been many requests from civil society to create such a position, but the government refuses to create such a rule.