

Regional Public Foundation Assistance for the Elderly "Dobroe Delo"
Submission to the Open-ended Working Group on Ageing
Neglect, violence and abuse

Dobroe Delo is an NGO accredited to the Open-ended Working Group on Ageing.

1. In your country, are there specific studies or surveys (from governmental, non-governmental or academic sources) on violence, abuse and neglect experienced by older persons?

A few scientific and nongovernmental studies were found in which theoretical descriptions of the problems of violence prevail with a small statistical database of their own. Among our findings:

- <http://dobroedelo.org/pravo/nasilie-v-otnoshenii-pozhilyx/>
- file: ///C:/Users/Jessie/Downloads/2_00636.pdf
- http://knowledge.allbest.ru/sociology/3c0b65635a2bc78a4d43a89421216d27_0.html
- <https://books.google.com/books?id=sTCeCgAAQBAJ&pg=PA88&lpg=PA88&dq>
- <http://www.womenhealth-spb.ru/book2/gl2.php>

Experts: In Russia there is practically no experience of conducting a representative national research devoted to prevention of gerontological violence among institutions

<http://jour.isras.ru/upload/journals/1/articles/4/submission/original/4-6-1-SM.pdf>

We have not elicited any government sources of interviews.

2. (a) What forms of violence, abuse and neglect (e.g. physical, psychological, sexual, financial, or other) are registered? What is the setting in which they occur (i.e. residential and non-residential)? Is there information about the type of perpetrators?

Almost all forms of violence are registered, predominantly physical and psychological violence: 57% of the physical violence in the country occurs among elderly over age 66;

Psychological violence at home is more common among older women than men, among older people living with their children and/or relatives, and among widows/widowers (file: ///C:/Users/Jessie/Downloads/spio_3_2014_gorfan.pdf)

Economic violence - up to 15% of respondents;

Lack of care - up to 10% of the investigated group (file: /// C : / Users / Jessie / Downloads / 2_00636% 20 (1) .pdf).

Sexual violence ranges within 4-10% (<http://www.srji.org/resources/search/otchet-pravovoy-initsiativy-po-teme-nasilie-v-otnoshenii-zhenshchin-v-rossiyskoy-federatsii/>).

Financial violence against the elderly, according to experts, is increasing - for example, in one of the regions of Russia (Altai Territory) "the number of frauds against pensioners in 2016 increased by 22%"

(<http://www.aksp.ru/news/News/20918/>), growth was noted in Moscow (<http://petrovka-38.com/arkhiv/item/kto-stuchitsya-v-dver-ko-mne>): many fraudulent schemes appeared, when getting

into which older people are forced to submit their own funds and savings; criminals, as a rule, impersonate representatives of social, communal services, employees of the Pension Fund and even the police, employees of banks, relatives. A detailed review of "criminal gerontology" in Russia-http:

<http://cyberleninka.ru/article/n/zhertvy-rossiyskoy-prestupnosti-gerontologicheskij-aspekt-kriminologicheskij-analiz-viktimologicheskoy-statistikiza-2014-2015-gg>. Russian radio stations advertise

biologically active substances widely, which involves the elderly in spending very large amounts of money for their acquisition. Single, sick elderly people in different cities of the country are terrorized by gangs of "black realtors" due to whom they lose their homes (<https://pravo.ru/review/view/129751/>).

Fraud: about 80% of fraudulent actions involve the elderly, according to State Duma deputy Daniil Bessarabov (<http://www.aksp.ru/news/news/20918/>).

Another form of violence is identified on the roads and transport: the main group of fatalities is in the 70-74 age group (<http://demoscope.ru/weekly/2013/0573/analit02.php>).

What is the setting in which they occur (i.e. residential and non-residential)

Psychological violence prevails in apartments where elderly people live, in nursing homes (<http://www.garant.ru/news/729322/>, <http://www.ombudsman.samara.ru/events/view/1578>), in public transportation (<http://www.the-village.ru/village/people/ethics/223561-old>); in hospitals, in residential areas (streets, shops), on roads; in the local/municipal administration, in the pension fund and social welfare offices, police agencies, registration and other institutions, during visits to notaries. Along with the growing number of private nursing homes for the elderly, illegal nursing homes appear with poor sanitation, poor nutrition and inadequate care. - (<http://178.ru/text/russia/66211153170432.html>) arise.

Is there information about the type of perpetrators?

According to a few studies, the offenders are children, family members, neighbours, strangers, medical workers, policemen.

2(b) Does violence, abuse and neglect particularly affect specific groups of older persons? If so, which groups and how?

Experts report that "the older generation overall is one of the groups most vulnerable to fraud, especially at risk are single elderly people" (<http://www.aksp.ru/news/news/20918/>)

3. Does your country's legislation explicitly address issues of violence, abuse and neglect against older persons? If not, what legislation applies to such issues in the context of older persons? Does this legislation sufficiently address the full range of violence against older persons?

There is no explicit legislation to protect older people from violence in the country:

The draft of the Federal Law "On Prevention of Domestic Violence" has not been adopted by the Parliament <http://www.srji.org/resources/search/otchet-pravovoy-initsiativy-po-teme-nasilie-v-otnoshenii-zhenshchin-v-rossiyskoy-federatsii/>

The Criminal Code provides for penalties for bodily harm, property theft from elderly people, but there are no penalties for neglect, lack of care, ill treatment, telemarketing <http://www.dissercat.com/content/starcheskaya-prestupnost-i-prestupleniya-protiv-lits-pozhilogo-vozrasta-kriminologicheskie-i>

Currently, a number of Parliament deputies are discussing the possibility of special legislation to aggravate punishment for crimes against older people <https://ria.ru/society/20170417/1492395113.html>

4. What legislation exists to protect older persons specifically against financial abuse, including inheritance abuse?

For protection, the Criminal Code of the Russian Federation is applied (Article 159 - "Fraud") - sanctions for the theft of another person's property by fraud; the article is implemented on general grounds <http://www.uk-prioritet.ru/presscenter/lawnews/otvetstvennost-za-moshennichestvo-v-otnoshenii-pojilyh-lyudey-mogut-ujestochit/>

Protection of inheritance rights: Article 35 of the Constitution: "Everyone has the right to own property, to own, use and dispose of it alone as well as jointly with other persons"; The RF Civil Code (articles 1, 10, 169). [Http://pravosoznanie.org/33045](http://pravosoznanie.org/33045)