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Older People Access to Social Security and Social Protection

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Definition

Social protection is usually defined in one of two ways. In its broadest sense, it describes a set of public actions that provide direct support to people to help address risk, vulnerability and poverty. The problem with this definition, however, is that it could be argued that a wide range of development intervention could fall within it.

More usefully, social protection can be employed in a narrower sense as an alternative term to social security and refer to the system of cash transfers- usually provided by the state – that offer income security in the vent of, for example, poverty, unemployment, sickness, disability, old age and loss of bread winner.

Typical social protection programmes under the more narrow definition, provide regular and predictable cash transfers and pensions, child benefits, disability benefits, unemployment benefits, housing benefits and unemployment guarantee schemes. Social protection transfers can be funded through either by contributory social insurance schemes or general taxation (in other forms of social assistance). However, contributory schemes are only able to reach poor people when countries are relatively rich and a high proportion of population works in the formal sector. Even then, however, they need to be underpinned by non-contributory schemes financed through general government revenues. In Tanzania high level of informal employment – often over 96 percent of the work force, and poverty mean that, for social protection schemes to be viable, they will have to be financed from the general government revenues.

Social protection floors are nationally different set of basic social security guarantees that should ensure as a minimum that, over the life cycle, all in need have access to essential health care and basic income security which together ensure effective access to good and services defined as necessity at the national level.

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

Scope of the right, autonomy and independence:

Older Persons have the right to unconditional and autonomous use of income and in kind entitlement from social protection and social security schemes for all older persons in the country.

Availability

In Tanzania we have social security and social protection available to only 4 percent of older persons who were employed in a formal sector before their retirement at the age of 60 years. The rest 96 percent who are self employed never retire until they drop, or they no longer physically functional. The available traditional social protection based on family and community structures is now no longer able to cope with the changes in climate that affects production agricultural produce. Poverty and rapidly social and economic change have negative impact on the traditional mechanisms.

Older people have the right to social protection and social security systems, which provide universal coverage whether in cash or in kind, contributory or no-contributory to ensure an adequate stand of living, adequate income security, access to health care , mediation and assistive devices and access to support and care services for autonomous and independent living in old age.

Adequacy

Older people have the right to social protection and social security measures whether in cash or in-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 and independent lives with dignity and can fully participate in the society.

Accessibility

Older persons have the right to information in all aspects of social protection and social security schemes including eligibility and qualifications.

Older persons have the right to social protection and social security measures, provided in a timely manner which are accessible in whatever setting.

Non – discrimination

Older persons have the right to social protection and social security measures on an equal basis with other without discrimination on the basis of age, disability or other ground .

Older persons who have been forcefully displaced, older refugees, and asylum seekers have the right to access social protection and security measures available to general population.

Participation

Older persons have the right to participate in the decision making process regarding the shape and content of the social protection and social security measures for older persons ‘

Older persons have the right to participate in the management and administration of social protection and social security measures for older persons.

Acceptability

Older persons have the right cash or in-kind social protection and social security including support and care services that is appropriate and acceptable for their needs and preferences.

Remedies and redress

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

State Obligations

State Parties shall take effective and appropriate measures

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

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

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

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

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

Summary

The right to social security is well established in the international human right law, for example in the Universal Declaration of Human Right Article 22, the international Covenant on Economic Social and Cultural Rights Article 9, the Convention on the Elimination of all Forms of Discrimination Against Women Article 11, and in Article 28 of the Convention on the Rights of Persons with Disabilities on the right to an adequate standard of living and social protection .

The African Union Policy Framework and Plan of Action on Ageing (The African Union Policy Framework) 2002 where States Parties recognized the fundamental rights of older persons and committed themselves to abolishing all forms of discrimination based on age it also ensures rights of older persons are protected by appropriate legislation

Protocol to the African Charter on Human and Peoples' Rights on the rights older persons 2012 introduces state obligation and government measures to be instituted aiming to address the need of older persons such as regular incomes, employment opportunities, access to appropriate and basic social services and good care and support.

The African Union Social Policy Framework, 2009. It sets out a vision for African societies based on social solidarity, equity of choice, and freedom from discrimination and poverty. It recommends African countries to ensure social protection like through income transfers to support the poorest families in their efforts to mitigate the economic and social impacts on the most vulnerable to include the elderly.

As population grow older, it is more important than ever that Governments design innovative policies and public services specifically targeted to older persons, including policies addressing housing, employment, health care, infrastructure and social protection, among others.

The Tanzania Government has recognized older persons in its various policies and strategies, even though there is still no national systems for these strategies at national, or district levels and programmes to effectively deliver consistent and good quality services for all older persons in the country.

Affirmation

State Parties shall ensure that Older Persons have the right to social protection and social security systems, which provide universal coverage whether in cash or in-kind, contributory or non-contributory to ensure an adequate standard of living, adequate income security, access to health care, medication and assistive devices to support and care services for autonomous and independent living in old age.

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

State Parties shall ensure that Older Persons have the right to access to information on all aspects of social protection and social security measures provided in a timely manner which are accessible in whatever setting, including eligibility and qualification.

State Parties shall ensure that older persons have the right to social protection and social security measures on an equal basis with others without discrimination on the basis of age, disability or any other ground.

Older persons who have been forcefully displaced, older refugees, and asylum seekers have the right to access social protection and social security measures, available to the general populations.

State Parties shall ensure that older persons have the right to participate in the decision making process regarding the shape and content of social protection and social security measures for older persons.

State Parties shall ensure that Older Persons have the right to participate in the management of social protection and social security measures for older persons.

State Parties shall ensure that older persons have the right to cash and or in kind for social protection and social security including support and care services, that are is appropriate and acceptable for their needs and preferences.