

**Responses by Armenia to the guiding questions on the focus areas of the
14th Session of the Open-Ended Working Group on Ageing**

Social Inclusion

Scope of the right

a) the right of older persons to take part in cultural life

On February 14, 2020 the RA Ministry of Labour and Social Affairs and RA Ministry of Education, Science, Culture and Sports adopted a joint order on "Giving free tickets to pensioners to participate in state-supported cultural events by theater and concert organizations under the RA Ministry of Education, Science, Culture and Sports, as well as to visit museums". This gives an opportunity not only to the elderly, but also to persons with disabilities entitled to a pension to attend cultural institutions for free. Regarding free entertainment, activities and therapy various events were organized in two large institutions operating in Yerevan:

- In 2023, a visit to the National Theater to participate in the filming of the play "Shakespeare's Sins". Here, the elderly took to the stage and performed as actors. In 2022, it was preceded by the performance of "Taxi-Taxi" in Paronyan's Satirical Theater, and in other years there were similar experiments and stagings as well;
- Listening to author's works of beneficiaries: songs, poems. It took place both within the organization and during ceremonies dedicated to the holiday of the elderly, including in Komitas Park in October 2022. Participation in the "Tshakhruk" international inclusive festival with own handmade works;
- Other types of entertainment: visiting the theater, cinema, football stadium, religious and cultural and recreational places.

c) ensuring that older persons can live independently and be included in the community

Significant changes have taken place in the field of social protection, the evidence of which is the expansion of services in the whole territory of the republic, in accordance with the 2021 RA Government Decision 1902-L. As of 2024, community services cover both the capital and the regions of the republic, 1,300 elderly or persons with disabilities are provided with home care services, another 1,300 persons are provided with day care and catering services, and another 1,340 elderly or persons with disabilities receive 24-Hour care in the cities of Yerevan, Vardenis, Gyumri and Vanadzor. The last two cities through delegated service. There are also small community homes for the elderly and people with disabilities in Yerevan, Syunik, Kotayk and Ararat, which are also co-financed by the State. The RA Ministry of Labour and Social Affairs aims to create three new homes in Armavir marz. The procedure, conditions and criteria for providing care are approved by the decision 1744-N of November 10, 2022 and other accompanying legal acts.

d) ensuring the social inclusion of older persons living in institutions

e) older persons' inclusion in intergenerational policies and programmes

The social services provided to the elderly are considered the most important component of the social protection system of the population, as well as the most important tool ensuring their social protection, in that context, the RA Government Decision 1744-N of November 10, 2022 improved the standards of care for the elderly, according to the RA Government program 2021-2026.

It should also be noted that in 2021, the Prime Minister of the Republic of Armenia adopted Decree 535-A, which refers to the interagency commission dealing with the issues of the elderly, its tasks and composition. Various agencies and non-governmental organizations are involved in it, which convene three times a year and discuss various issues related to the elderly. Remarkable among them are the

observations of non-governmental organizations providing 24-Hour, home and day care for the elderly, which were made on the basis of surveys conducted among their own beneficiaries. The RA Government is committed to the responsibilities undertaken in the field of protection of the rights of the elderly, their full participation in social life, promotion active and healthy aging in the direction of combating discrimination, and provision of access to long-term care and support for caregivers and families.

Taking into account the importance of ensuring a dignified, active and healthy aging for the elderly, the issues of the elderly are also discussed in the context of demography, as Armenia is among the aging countries. Currently, the draft of the 2023-2040 Demographic Strategy is in the final discussion stage, and work is underway to adopt it in the current quarter. The strategy also addresses the role of the elderly, opportunities to use their potential, active aging, provision of care services for the elderly and persons with disabilities, and a number of other important issues.

The issues of economic security and social inclusion of the elderly are also aimed at prolonging the working life of the elderly, providing them with effective, affordable health services, and creating the grounds for active aging, in which the Government is focused.

Participation in the public life and in decision-making processes

National and local legal and policy framework

1. What are the national and local legal provisions and policy frameworks in your country that guarantee a) and b)

First of all, the prohibition of discrimination is established by the Constitution of the Republic of Armenia. In particular, Article 29 (prohibition of discrimination) of the RA Constitution stipulates that discrimination based on gender, race, (...) age or other personal or social circumstances is prohibited.

At the same time, Article 3.1 of the RA Labor Code also defines regulations regarding the prohibition of discrimination.

As the main principles of labor legislation, the RA Labor Code defines:

- free choice of work, including the right to work (which everyone freely chooses or freely agrees to), the right to dispose of his or her working skills, to choose profession and type of activity (Paragraph 1 of Part 1 of Article 3);
- legal equality of parties to employment relations irrespective of their gender, race, skin color, national, language, origin, citizenship, social status, religion, marital and family status, age, beliefs or views, affiliation to parties, trade unions or non-governmental organizations, other circumstances not associated with the professional skills of an employee (Paragraph 3 of Part 1 of Article 3);
- equality of rights and opportunities of workers (Paragraph 5 of Part 1 of Article 3).

It should be noted that within the framework of extensive amendments made to the Labor Code of the Republic of Armenia in May 2023 (Law HO-160-N of May 3, 2023 "On Amendments and Additions to the Labor Code of the Republic of Armenia"), the Labor Code of the Republic of Armenia for persons of retirement age was also amended.

In particular, the regulation:

- 1) which enabled the employer to fire a person who has reached retirement age;
- 2) by which it was stipulated that persons of retirement age should be employed only with a fixed-term employment contract.

It should also be noted that the RA Labor Code also stipulates that age cannot be considered a legal reason for terminating an employment contract, except for the cases defined by law (Paragraph 5 of Part 4 of Article 114).

Accountability

5. What judicial and non-judicial mechanisms are in place for older persons to complain and seek redress when their right to participate in public life and in decision-making processes is violated?

The RA Labor Code stipulates that the protection of labor rights, in accordance with the subordination of cases defined by the Code of Civil Procedure of the Republic of Armenia, is carried out by the court (Part 1 of Article 38). At the same time, the RA Labor Code stipulates that the protection of labor rights is carried out by the workers' representatives (Part 2 of Article 38).

Therefore, in case of violation of labor legislation requirements by employers, every employee has the right to apply to the court or to implement the protection of labor rights through workers' representatives. The RA Labor Code also stipulates that state control over the fulfillment by employers of the requirements of labor legislation, other normative legal acts containing norms of labor law, collective and labor contracts is carried out by the authorized inspection body of the sector (Health and Labor Inspection Body), applying liability measures in cases provided by law (Article 33).

The Ministry of Health of the Republic of Armenia hereby presents its considerations on the main topics of the 14th session of the UN Open-Ended Working Group on Aging ("Social inclusion", "Right to health and access to health services", "Accessibility, infrastructure and habitat, transport, housing and access", "Participation in the public life and in decision-making processes"), which will be held from May 20 to 22 and May 24 of this year, in connection with which we are reporting in general the following:

In accordance with the laws "On Medical Care and Services of the Population" and "On Psychiatric Care and Services", medical care and services are provided to the population without any age discrimination.

For the population of the Republic of Armenia, ambulatory-polyclinic medical care and service is free of charge (including the implementation of laboratory-instrumental diagnostic studies and narrow professional services upon medical indication).

It should be noted that if an elderly person is included in the Government's list of socially disadvantaged and separate (special) groups of the population approved by Annex 1 of Decision No. 318-N dated 04.03.2004, then enjoys the privileges of receiving medical care and service under free and preferential conditions guaranteed by the state.

The draft law envisages that people aged 63 and older will be included in the comprehensive health insurance system from 2025 and their insurance premiums will be subsidized through the state budget.

One of the priority goal of the MoH is the well-being of senior population. Since 2022 several activities were done to meet this goal. The National Dementia Plan was developed and approved by the Minister of Health in June 23, 2023. According to this document opportunities should be developed in the country to improve living standards and well-being of people affected with dementia and their families.

In addition, big emphasis is given in the document to prevention of dementia, which considers creation of infrastructures enabling maintenance of cognitive health in old age. Towards this goal, in 2022 "Healthy Aging" campaign was conducted in the capital of the country, which advocated healthy aging. In 2023, 60 physical activity clubs were piloted in the country to promote physical activity in old age. The pilot program were successful. In 2024, it is followed by establishment of sustainable physical activity clubs in 9 venues of the capital. Moreover, in 2024 cognitive stimulation clubs will be piloted in 4 venues of the capital. This program tends to expansion in regions.