**Social protection and social security (including social protection floors)**

**National legal framework**

1. What are the legal provisions in your country that recognizes the right to social security

and social protection, including non-contributory and contributory old-age benefits? Do

they have a constitutional, legislative or executive foundation?“Everyone is guaranteed social security by age ..., state pensions and social benefits ..., voluntary social insurance is encouraged" (Article 39 of the Constitution of the Russian Federation).The right to social security and social protection is guaranteed by the Constitution of the Russian Federation (Chapter 2, Article 39), a set of legislation, the activities of executive bodies (federal and regional governments, ministries, departments, departments). There are problems with the implementation of laws: high paternalistic function of the state, weakness of public institutions, lack of access to social and medical services, poverty of the population and the elderly, and slow rates of reforming the pension system.

**Availability**

2. What steps have been taken to guarantee universal coverage, ensuring hate very older

Person has access to social security and social protection schemes including noncontributory, contributory and survivor old-age pensions, to ensure an adequate,

standard of living in older age?

There are laws on state pensions, on social services for the elderly, on veterans, on social services for the population, on social protection of persons with disabilities, and on medicines. The pension system covered all older people. According to the Ministry of Labor in 2017, 20 million elderly people from 40.2 million people over working age received social support (<https://rosmintrud.ru/docs/1294>).

3. What steps have been taken to ensure that every older person has access to social

security and social protection schemes which guarantee them access to adequate and

affordable health and care and support services for independent living in older age?

In recent years, the Ministry of Labor has introduced various forms of care for the elderly: adoptive family for single elderly, hospice at home, sanatorium at home, nursing home nursing, hot meals at home, urgent social assistance, mobile services for going to rural areas; built new care homes to reduce the queue in them. Among the problems of accessibility, experts point out: financial, transportation, geographical, structural, quality of care, sometimes rude and disrespectful attitude of staff towards elderly patients, lack of personnel (<https://cyberleninka.ru/article/n/sootvetstvie-organizatsii-sistemy-zdravoohraneniya-i-okazaniya-meditsinskoy-pomoschi-potrebnostyam-grazhdan-pozhilogo-i-starcheskogo>).

Another development that would limit access is is a bill of the Ministry of Finance on the reduction of budget spending in 2018 for social security, including pensions (<https://dislife.ru/materials/1523>).

**Adequacy**

**4**. What steps have been taken to ensure the levels of social security and social protection

payments are adequate for older persons to have access to an adequate standard of

living, including adequate access to health care and social assistance?

For poor elderly beneficiaries, there is a state-guaranteed list of free types of medical and social services, as well as a list of services for which payment is needed (in home care, in medical research, for example). The share of paid services is small, but the cost of services is constantly growing (<https://www.pencioner.ru/news/sotsialnye-programmy/platnye-sotsialnye-uslugi-v-moskve-podorozhali-na-15/>;<https://moluch.ru/archive/120/33263/>). In Moscow lately the elderly (this status is determined by the regional offi*ce* of the Pension Fund*)* are issued at the municipal level money certificates for the purchase of food or medicine, but only for one month per year; In general, the state support since 2018 is not provided to the poor. According to experts, the freezing of real pensions will continue for 20 years (<http://center-yf.ru/data/economy/bednost-2018.php>), according to media reports, the number of poor pensioners who are unable to pay for medical services has risen. Medicine and preferring to save on drugs for the sake of drugs (<https://rg.ru/2013/06/21/bednost.html>). Pensioners' funds are barely enough to pay for utilities, food and medicine (<http://www.1sn.ru/208515.html>).

**Accessibility**

5. What steps have been taken to ensure older persons have adequate and accessible

information on available social security and social protection schemes and how to claim

their entitlements?

Low level of awareness about the types and forms of social assistance is recognized everywhere by experts and the elderly themselves: for example, just over half of the elderly respondents are informed about the types of social assistance from friends and relatives (56%), one third from social workers (34%), the rest from the media, municipalities, health care institutions (<https://applied-research.ru/ru/article/view?id=8575>). Steps to be taken: regional/municipal Forums for the Elderly, a network of public universities, media campaigns, publication of city booklets describing the sphere of social services for the elderly, “social telephone” (only in some regions of the country); improve PC skills which remain low, especially in regions - 11–15%.

6. The design and implementation of normative and political framework related to social

security and social protection benefits included an effective and meaningful participation of older persons.

The National Action Strategy on Older Persons declares procedures for the participation of older people in the development of issues related to their social policies. But in practice, such a culture has not yet taken shape and practically elderly people are barred from making decisions that concern them.

**Equality and non-discrimination**

7. Which are the measures adopted to ensure equitable access by older persons to social

security and social protection, paying special attention to groups in vulnerable situation?

More than half of the elderly in one of the country's regions belong to vulnerable groups (<https://cyberleninka.ru/article/n/sotsialnoe-samochuvstvie-pozhilyh-lyudey-kak-pokazatel-otsenki-deyatelnosti-sotsialnoy-zaschity-opyt-sotsiologicheskogo>),experts (and own experience confirms this) include in these groups: single pensioners over 65, women over 65, including widows and rural elderly women, elderly disabled people, elderly homeless people, elderly migrants;a number of experts are among the most marginal groups of non-working pensioners who consume alcohol (the level of its consumption is 3 times higher than that of workers) - <https://www.newsru.com/russia/06jul2018/alcopens.html>, for the same category of pensioners is characteristic depression and here experts talk about "social orphanhood" (<https://www.rbc.ru/rbcfreenews/5b3f56e09a79474af23a8cb1>); up to 20% of homeless people are more likely to be older people who have lost their homes as a result of housing transactions (<http://philanthropy.ru/intervyu/2018/08/10/65994/>); experts talk about the feminization of aging in Russia, about the increase in the number of widows and single elderly women, whose number is increasing in each older age group, while their pensions are lower, they work less often, are less often included in the public sphere, while single elderly women in 30% of cases speak of poor health(<https://cyberleninka.ru/article/v/traektorii-stareniya-zhenschin-v-sovremennoy-rossii>, <https://www.bbc.com/russian/features-43064720>).

There is a Federal Law on the Fundamentals of Social Services (2013), there are regional programs of medical and social support for the elderly (road maps, 2013-2018). To reduce the waiting lists at social hospitals, new nursing homes are being built, old buildings are being renovated, incl. psycho-neurological, private care homes are being created; new forms of social services are being introduced - foster families for single elderly people (only in half of the country's regions), and nursing services - only in 32 out of 87 regions; mobile service brigades in rural areas, incl. "Health trains". In rural social departments, single elderly people can spend the winter months on state support. At the federal level, there is a waiting list for places in nursing homes - approx. 12. thousand people (<https://rosmintrud.ru/docs/1294>); a long-term care system is being created but so far there are only pilot projects in 6 regions.

**Accountability**

8. What mechanisms are in place to ensure social security and social protection schemes are

effective and accountable?

In 2013, the National Standard of the Russian Federation on social services and the quality of social services was established, within which there are standards on social services for the elderly in all types of support (<http://docs.cntd.ru/document/1200107240>); since the same period, a system of independent quality control of social services has been formed by social institutions themselves with the help of public councils, but according to experts, this mechanism is not independent. Data on independent quality control are posted on the websites of social institutions (available in this area in 87% of organizations), on the websites of public authorities, so that consumers of services have the opportunity to express an opinion about the service on sites in 61 out of 87 regions (<https://www.eg.ru/society/415113/>). Standards are grossly violated in public and private institutions of the social sphere, sometimes resulting in the death of clients or violations of the quality of everyday life.

9. What judicial and non-judicial mechanisms are in place for older persons to complain and

seek redress for denial of their right to social security and social protection?

Judicial protection of the Russian Federation (civil, administrative, arbitration), Constitutional Court of the Russian Federation, Supreme Court of the Russian Federation and subjects of the Russian Federation, courts of cities and regions (<https://lawbook.online/kniga-grajdanskoe-pravo-rossii/sudebnaya-sistema-zaschityi-prav-cheloveka-18484.html>). According to experts, reluctance, fear of applying to the courts for defending their rights, and disbelief in judicial justice are common among the elderly.

  Non-judicial mechanisms in the Russian Federation include legislative assemblies (deputies), executive authorities (ministries and departments), the Commissioner for Human Rights in the Russian Federation and in the subjects of the Russian Federation, the Prosecutor’s Office of the Russian Federation, the Commission on Human Rights under the President of the Russian Federation (<https://lawbook.online/kniga-grajdanskoe-pravo-rossii/gosudarstvennyie-institutyi-nesudebnoy-18485.html>).

According to the testimony of the National Ombudsman, in 2017, the number of pensioners' complaints about retirement (pension accrual and their size) and social security increased, as well as poor maintenance in nursing homes (<https://dislife.ru/materials/1362>); thus, in 2017, in the Orenburg region, the regional ombudsman received 193 complaints about the size of pensions and inspections of the ombudsman showed that their charges were correct, but in courts the decisions were in favor of complaining pensioners (claims were satisfied in almost 97% of cases), but only 3% of elderly took their complaint to the courts (<https://regnum.ru/news/2405804.html>).

Complaints of 30 pensioners in the Krasnodar Territory to the pension fund were checked by the Pension Fund of Russia, system problems were identified and proposals were sent to the national parliament ([https://kubnews.ru/obshchestvo/2018/10/01/deyatelnost-otdeleniya-pensionnogo-fonda-po-krasnodarskomu-krayu-proverit-komissiya-iz-moskvy](https://kubnews.ru/obshchestvo/2018/10/01/deyatelnost-otdeleniya-pensionnogo-fonda-po-krasnodarskomu-krayu-proverit-komissiya-iz-moskvy/)).

Another example is that in the course of an independent audit of the rural Social Services Center, 6 complaints of elderly clients were revealed about the quality of services provided to social workers at home, the complaints were found to be justified and eliminated together with the inspected institution.

The prosecutor's office supported complaints from clients of a number of care houses for the care of illegal administration fees (<https://www.miloserdie.ru/news/zhiteli-internatov-prosyat-zashhity-ot-nezakonnyh-poborov-aresta-schetov/>), the prosecutor’s office of Yakutia checked the performance of social standards in the nursing home after the clients addressed the president of the country (<https://www.miloserdie.ru/news/prokurory-proveryayut-dom-prestarelyh-posle-zhaloby-starikov-na-nedoedanie-i-holod/>).

Among the barriers that prevent the elderly from using pre-trial settlement, experts include: insufficient elderly knowledge of their rights, while the state does not strive for such knowledge, legal information (including electronic forms for appeals) on government portals is difficult to find, far not all seniors have access to the Internet and use computers (<https://www.sovsekretno.ru/articles/id/4938/>).