

Substantive Inputs

Focus area 1: Right to health and access to health services

National legal and policy framework

Nepal government has formulated Geriatric Health Service Strategy, 2021-2030, that guarantees the right of older persons to the enjoyment of the highest attainable standard of physical and mental health. It has 6 main strategies with sub-strategies. The 6 main strategies are (1) Motivate senior citizens for healthy living and enhance awareness at family and community levels to reinforce health promoting actions; (2) Strengthen and expand the health protection system for senior citizens; (3) Increase access to, and the affordability and utilization of quality health services and assistive devices by senior citizens; (4) Develop a senior citizen-inclusive health system to address the health needs of senior citizens in an appropriate manner; (5) Motivate and enhance the professional and technical competence of health personnel to provide quality geriatric health services effectively and efficiently; (6) Expand and strengthen innovative and implementable social health insurance reform measures to respond to the needs of senior citizens and their family members; (7) Mainstream and institutionalize the health concerns of senior citizens into the health system at all levels; and (8) Strengthen coordination and harmonization across spheres of government and across sectors for the effective delivery of geriatric health services.

Similarly, the constitution of Nepal has made provision for equal access to health service for all citizens and provides senior citizens the right to special protection and social security from the state. National Health Policy also reflected the equitable and inclusive health system but that has not explicitly addressed the health issue of older persons. Nepal government has prepared Geriatric Health Service Strategy from 2021-2020 to enable senior citizens to lead active and quality lives on the basis of optimum health protection and effective health service delivery. However, such policies and programmes are not effectively implemented.

Nepal government has promulgated some guidelines to implement the formulated policy on senior citizens like: Geriatric Care Center Implementation Guideline, 2020; Standard treatment protocol (STP) for basic health services (BHS) package. But these guidelines do not specifically ensure that every older person has access to affordable and good quality health care and services in older age without discrimination.

There is no data available regarding older persons' right to health and access to health care and services. No national level research has been conducted so far on the health status of older persons. But as per the information provided by Nursing and Social Security Division, Government of Nepal, they are planning to conduct the research this year.

Nepal government has started to provide training for health and care personnel on the right to health of older persons. Some are:

- a) Geriatric training to medical officers
- b) Home based care training to community volunteers, health assistants and community nurses.
- c) Training of Trainers on Geriatric Care to medical officers and primary health care professionals.

But training is not provided to legislators and policy makers so far.

The Nepal government is working with WHO, the country office in Nepal. But monitoring and evaluation reports of the cooperation (WHO and Nepal government) on the issues raised above are not available.

In Nepal, the challenges of older people vary on the basis of their socio-economic characteristics and geographical backgrounds. We cannot assume the particular challenges of a particular group as there is no national data on it. However some of the major challenges are:

- a) Older people of the rural area are not aware about their right to health and entitlements.
- b) There is a lack of trained health personnel in health posts, clinics and even in hospitals. So, it's hard to get good quality services for older people.
- c) Many social stigma on health issues of older persons like: symptoms of sickness often taken as normal sign of ageing
- d) Older people of rural areas prefer traditional treatment methods.
- e) There is not even a Geriatric Hospital in Nepal
- f) The Public Service Commission of Nepal does not have the provision to hire Geriatricians and other geriatric health people.

Lastly, the Nepal government has policy provision to provide free medicines and free treatment for many diseases of older people but such medicines and services are not available at the grass roots level as well as federal or national level health units.

There are not any particular measures taken to eliminate ageism and discrimination based on age, including discriminatory laws, policies, practices, social norms and stereotypes that perpetuate health inequalities among older persons and prevent older persons from enjoying their right to health.

There are no measures to ensure that older persons are able to exercise their legal capacity on an equal basis with others. But the Nepal government has provided some incentives to poor and vulnerable older persons for their better health. Like: free treatment to the 75 and above older persons who are suffering from heart and kidney disease; provides treatment expenses up to Rupees one hundred thousand to the 70 and above older persons who are suffering from 5 disease i.e., Kidney disease, Cancer, Alzheimer's disease, Parkinson and Heart; provides Nrs. 2000 to 5000 health expenses to vulnerable, poor and marginalized older persons and so on. (1 USD=Nepali Rupees 132)

Accountability

There are no specific judicial and non-judicial mechanisms for older persons to complain and seek redress for the denial of their right to health.

The concerned ministry, Ministry of Health and Population conducts consultations with stakeholders and representatives of concerned organizations while planning and formulating the health laws, policies, programmes and services particularly at national level. But such consultations do not directly involve the older persons at any level.

Focus area 2: Social Inclusion

There are no specific legal provisions, policy frameworks in Nepal that explicitly focus on older persons who are marginalized on the grounds of their sex, disability, race, ethnicity, origin, religion, economic or other status.

The constitution of Nepal has provided senior citizens the right to special protection and social security from the state particularly for the helpless. This has also been mentioned in the Senior Citizen Act. According to the act, the homeless senior citizens will be protected by the local government. Similarly, there is also prohibition on engaging in begging. According to the provision, no person shall cause a senior citizen to rely on begging and no person shall make a senior citizen as hermit (Sanyashi), monk or fakir against his or her will. Similarly, there is concession on public vehicles for all senior citizens and discounts for poor older people while receiving health services in government hospitals. The government also provides free legal aid to the senior citizens to ensure the right to justice. These are some legal provisions for marginalized older persons but such provisions are not very effectively implemented.

In Nepal, the age limitation that prevents the full and equal participation of older persons in societies is different according to the organisations' rules. The retirement age of government civil service is 60, for academic institutions and the Judiciary system is 63 years of age. If the person is engaged in a private organization then, the retirement age depends on the organization's rule and there is no retirement age for the people involved in informal sectors.

Similarly, there is no age limit for a person to join an academic institution as a student.

There are no such measures to ensure that older persons in institutions segregated from their communities -such as institutional care systems or prisons- can continue participating in their society.

The budget made available for the older persons changes frequently which is less than around 001 % of the national budget. The national budget is NRs 1.793 trillion for 2022-23.