

HelpAge International España, February 2023

HelpAge International España Submission on the Normative Content of Economic Security

13th Working Session of the Open-ended Working Group on Ageing, 2023

Definition

It should be noted that there is no definition of economic security as such, but the Spanish Constitution guarantees it in article 50, that says: "*The public authorities shall guarantee, by means of adequate and periodically updated pensions, the economic sufficiency of citizens during old age*". The right to social security is also recognized in Article 41 of the Spanish Constitution.

The Red Cross Committee defines economic security as "*the ability of individuals, households, or communities to meet their basic needs in a sustainable manner and with dignity. This definition may vary depending on the physical needs of each individual, the environment and prevailing cultural norms. Food, basic shelter, clothing and hygiene are considered basic needs, as are the expenses related to these items. Basic needs also include the goods necessary for earning a living and expenses related to health care and education*".

Scope of the rights

Social Security in Spain generally makes a distinction between different types of benefits: unemployment, sickness, etc. It is especially relevant that from the age of 65 onwards, it is understood that a series of specific benefits are accessed, and the best known are the pension benefits. retirement pensions are intended to provide an economic safety net for people when they reach a certain age (previously 65 and now 67).

There are mainly two types of pensions: contributory and non-contributory.

- **Contributory pensions** are intended to alleviate the loss of income that a person suffers when he/she stops working because he/she has reached a certain age, and within this system there are several assumptions, these are required and are given based on what has been previously contributed to the Social Security.
- There are also **non-contributory pensions**, which are those that exist to alleviate poverty and have a series of requirements of their own.

One aspect to be underlined is the importance of the management of social security, for which it is true that it is within the competences of the general state administration, but its management can be transferred to the autonomous communities, as stated in article 149 of the Spanish Constitution. In fact, there are a series of benefits that are managed by the autonomous communities, such as the minimum insertion income.

In 2020, in the context of the pandemic, the Spanish Government approved the Minimum Vital Income, which is a Social Security benefit for people who are in economic need regardless of whether they have worked or not, if they are between 23 and 65 years of age, since from 65 years of age they would be included in the pension system.

Regarding housing, the state should ensure adequate housing, but it is true that the Spanish state is currently the one that has more complaints before the Committee on Economic, Cultural and Social Rights for evictions. The right to housing is currently being debated and a housing law is being drafted that will hopefully take into account the current failures of the system and also the report of the Independent Expert on the rights of older persons and housing.

State obligations

The State should consider the following measures:

- make a multichannel administration adapted to the different realities found among the elderly in Spain, reviewing issues such as digitization or mandatory appointment;
- the adequacy of pensions, especially in times of inflation, with periodic updates of pensions so that people who are economically dependent on them do not find their purchasing power drastically reduced.
- consider the contributions made by the independent expert on the rights of older persons in relation to housing, data collection from older persons, among others.
- to create real participation processes where people can participate in the administration's decision making process.

Implementation

In relation to the implementation, it has been observed that there is a problem of access to rights with the obligation to request a prior appointment to make consultations in relation to social security, so many elderly people are encountering this barrier to access their rights. It is also true that the implementation mechanisms are not being as efficient as they should be, causing delays in payments, in management and leaving people in a legal limbo. Finally, another problem is that pensions are not being updated and prices are rising, causing people to lose purchasing power and making it more difficult to maintain their standard of living.