

## Guiding questions for the thirteenth session Focus area

### 2: Social Inclusion

#### The Scope:

Social inclusion is a precondition for the ability of older persons to exercise multiple human rights. Social inclusion is the process of improving the terms of participation in society for people who are disadvantaged on the basis of age, sex, disability, race, ethnicity, origin, religion, or economic or other status through (1) enhanced opportunities, (2) access to resources (3) voice and (4) respect for rights.<sup>1</sup> From a human rights perspective, achieving social inclusion requires addressing the discriminatory structures that have led to exclusion, deprivation of resources and lack of opportunities identified in multiple international human rights instruments.

On one hand, the full social inclusion of older persons lays upon removing existing barriers and, on the other hand, on the adoption of measures that actively promote their inclusion. As such, the achievement of social inclusion is realized through the exercise of human rights that have already been or will be analyzed by the Working Group. These guiding questions are therefore geared towards addressing exclusively those areas that have not been, nor will be, addressed in other sessions of the Working Work.

The following focus areas and their impact on the social inclusion and/or exclusion of older persons have already been covered by the Working Group:

- Equality and non-discrimination
- Neglect, violence and abuse
- Autonomy and independence
- Long-term care and palliative care
- Social protection and social security
- Education, training, lifelong learning and capacity building
- Access to justice
- Right to work and access to the labour market
- Economic security
- Contribution of older persons to sustainable development

The following focus areas and their impact on the social inclusion and/or exclusion of older persons may be covered by the Working Group in a forthcoming session:

- Participation in the public life and in decision-making processes
- Accessibility, infrastructure and habitat (transport, housing and access)

#### The guiding questions:

- What are the legal provisions, policy frameworks and/or measures in your country that explicitly focus on older persons who are marginalized on the grounds of their sex, disability, race, ethnicity, origin, religion, economic or other status? *(This may include addressing older populations on frameworks dedicated to other marginalized groups such as women, persons with disabilities,*

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<sup>1</sup> UN DESA (2016) Report of the World Social Situation 2016

*migrants, minorities, homeless people etc.; or addressing marginalized groups within frameworks devoted to older persons)*

In accordance with Article 24 of the Constitution, the Kyrgyz Republic provides all persons within its territory and under its jurisdiction with the protection of their rights and freedoms. No one may be discriminated against on the basis of sex, race, language, disability, ethnicity, religion, age, political or other opinion, education, origin, property or other status, or other circumstances.

According to Article 44 of the Constitution of the Kyrgyz Republic, in the manner and cases prescribed by law, social security is guaranteed at the expense of the state in old age, in case of illness, disability, disability, loss of a breadwinner. Pensions, social benefits and other social assistance provide a standard of living not lower than the subsistence minimum established by law.

The main law that defines the state policy in relation to older citizens, aimed at creating decent conditions for them to lead a full life, participate in the economic and political life of society, and also fulfill their civic obligations in accordance with the Constitution of the Kyrgyz Republic, generally accepted principles of international law and international treaties of the Kyrgyz Republic is the Law of the Kyrgyz Republic “On Senior Citizens in the Kyrgyz Republic”.

The Law of the Kyrgyz Republic “On Local State Administration and Bodies of Local Self-Government” in matters of local importance does not allocate a special status for older people, as it is done for children and youth: - organization and implementation of activities to work with children and youth; - implementation of a set of measures to protect and protect against domestic violence in the manner prescribed by law.

Social services for senior citizens provide informational, psychological, medical and other forms of social assistance, implement the necessary measures to prevent negative phenomena in relation to senior citizens (offenses, including abuse of senior citizens, etc.), carry out social guardianship of certain categories of senior citizens, are engaged in the prevention of drug addiction and alcoholism among senior citizens.

- What legal age limits exist in your country that prevent the full and equal participation of older persons in societies in areas such as employment, education, healthcare, financial goods and services, or others?

The Labor Code of the Kyrgyz Republic does not contain special provisions for older citizens, as is done for working children under the age of 18 or persons with disabilities. At the same time, the Law of the Kyrgyz Republic "On the State Civil Service and Municipal Service" defines the age limit for an employee in the state civil service and municipal service - 65 years.

In accordance with the Law of the Kyrgyz Republic “On State Pension Social Insurance”, men who have reached the age of 63, women - 58 years old, have the right to an old-age pension.

According to the National Statistical Committee of the Kyrgyz Republic, at the beginning of 2022, the number of pensioners in the republic was 758 thousand people (by age 8.4%, total pensioners 11.2%). There are 110.9 pensioners per 1,000 people. There are 3 people employed in the economy per one pensioner.

Elderly citizens through various public organizations (civil society) participate in the formation and implementation of state policy by sending proposals and initiatives to state bodies and local governments.

State bodies and LSGs assist older citizens in exercising their right to engage in labor and economic activities.

Access to cultural and entertainment institutions and events, sports and recreational facilities is provided, for example, days of free admission to museums, exhibitions for senior citizens.

- What measures are in place, if any, 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 system of the Ministry of Labour, Social Protection and Migration of the Kyrgyz Republic has 16 social hospital institutions (hereinafter referred to as SSUs), of which 5 SSUs are specialized for the elderly and disabled. There are 2,235 beneficiaries in the SBU, of which 251 are pensioners. Of the people staying in the SBU for the elderly and disabled, men make up 63%, women - 37%. Among the persons placed in the SBU due to the lack of a permanent place of residence (homeless), 59% are men. Based on this, it can be assumed that women are more involved in the family type of social activity, and this reflects the established traditions, when older women are mainly involved in raising grandchildren in the family. Currently, in addition to the wards living in the SBU, there are more than 6 thousand lonely elderly people and disabled people (of which more than 4 thousand lonely elderly people).

- States have an obligation to use maximum available resources to progressively achieve the full realization of economic, social and cultural rights. What is the share of national public expenditure budget targeted to older persons as a distinct group?

The current state policy of the Kyrgyz Republic regarding aging perceives “old age” as a status, and not as a result of a natural process. At the same time, policies are being implemented that are aimed at the impact of services within this status, and not at the empowerment of influencing people in relation to independent and occupied living.

Serious social changes that have recently taken place in the Kyrgyz Republic, the reform of the state power system, acts and economic structures, could not but affect the attitude towards the elderly. Despite the high assessment of the social sphere, it still remains a priority, the share of expenditures in the budget for social needs remains quite high.

The most significant trends in social policy continue to be stable systems of targeted social protection, medical and social services, as well as features in the features of the support system for people with modern technologies and social work using positive international experience and the successful experience of non-profit organizations of the Kyrgyz Republic dealing with quality improvement lives of sick people in Kyrgyzstan.