



General Assembly

Distr.: General
25 March 2022

Original: English

Open-ended Working Group on Ageing

Twelfth working session

11–14 April 2022

Item 6 of the provisional agenda

Follow-up to resolution 76/138: measures to enhance the promotion and protection of the human rights and dignity of older persons: best practices, lessons learned, possible content for a multilateral legal instrument and identification of areas and issues where further protection and action are needed

Substantive inputs on the focus area “Economic security”

Working document submitted by the Office of the High Commissioner for Human Rights*

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I. Introduction

1. The Open-ended Working Group on Ageing, established by the General Assembly through its resolution 65/182 with the purpose of strengthening the protection for the human rights of older persons, will hold its twelfth session at the United Nations Headquarters from 11 to 14 April 2022. The substantive discussion will focus on two areas: contribution of older persons to sustainable development; and economic security. To that end, the Chair of the Open-ended Working Group on Ageing called for inputs from Member States, national human rights institutions with A-status, non-governmental organizations and United Nations system agencies and bodies, following questionnaires prepared by the Secretariat.
2. The present document contains the analytical summary of contributions received on the focus area of economic security.

II. Analysis of submissions received

A. Challenges encountered by older persons living in poverty

1. Impact of multi-dimensional poverty

3. A number of factors increase the risk of falling into poverty for older persons, including weak social protection coverage, inadequate level of pension, limitations or lack of health and social services, lack of access to regular income and work, age discrimination in employment and lower labour capacity. Many older persons are not aware of government social protection programmes, and lack identity documents or information about their rights. Some may fear stigmatization in seeking government social assistance or other support. Several respondents noted that older persons living in poverty face problems in access to food and adequate housing.

4. Economic insecurity at old age is also caused by the negative socio-economic effects of the COVID-19 pandemic, difficulties in accessing financial services, disinheritance and limited access to justice. An NGO noted that old age limits access to bank loans and other financial services and that lack of capital limits older persons' financial autonomy. An NGO highlighted that increasing digitalization of societies creates barriers for older persons who lack digital literacy skills. They may experience difficulties with digital payments, access to services and access to information for example regarding financial benefits.

5. Respondents highlighted that poverty prevents older persons to be active members in society and leads to their social exclusion and loneliness. Those affected by intergenerational poverty have challenges in breaking the cycle of poverty at old age. Due to low mobility, low

income and limitations in accessing information, older persons have less access to cultural services, which impairs their quality of life.

2. Right to social security

6. According to the International Labour Organization (ILO), poverty in old age is a concern that most social protection systems around the world are facing. Low level of earnings during active age inevitably results in low level of pensions at old age. Often, reforms of pension systems carried out in the last 20 years have hardened the eligibility conditions and/or the formulas for the calculation of old age pensions, which have resulted in lower income security in old age. Another concern is the absence of statutory provisions of the periodic revision of the level of old age pensions when compared to the cost of living and the level of earnings in the country. The absence of proper such mechanisms results in the purchasing power of old age pensions being eroded over time, thus compromising the economic security of older persons.¹

7. Many submissions emphasized the issues of weak social protection coverage and inadequate amount of social benefits as pensions are often below the national poverty line. Similarly, inadequate or lack of health and social services contribute to economic insecurity of older persons. An NGO indicated that social protection systems can be complex, which makes it difficult for older persons to understand their entitlements. Availability of social services that increase the autonomy of older persons was considered essential in reducing old-age poverty. Respondents also identified a challenge regarding the financial, fiscal and economic unsustainability of pension funds.

8. In some countries the social protection system prohibits the simultaneous receipt of two or more social benefits. For example in Georgia, an older person with a disability is unable to receive financial assistance because of disability and age-related pension at the same time.

9. Those employed in the informal sector lack contributions to the pension system and receive therefore lower or no pensions. Other contribution gaps were noted by an NGO, for example, unemployment, precarious, part-time or fixed-term employment contracts and low wages have negative implications to pensions. Women work more often part-time compared to men. In addition, women, who have reduced or given up gainful employment entirely in order to care for their children, ageing parents, spouses and grandchildren, have lower pensions.

10. Older persons who do not have any source of income are often dependent on support from their families. Many older persons can be neglected and left without care even while living with their family members. Issues related to autonomy and independence were also raised

¹ https://www.ilo.org/global/publications/books/WCMS_817572/lang--en/index.htm

in the stakeholder inputs. Older persons suffer from different types of violence, regardless of their economic status. A Japanese NGO reported about killings of older persons by their family members due to the burden of long-term care.

11. Economic Commission for Western Asia (ESCWA) noted that non-inclusive and inadequate social protection systems across the region continue to leave large groups of older persons vulnerable to poverty, disease, and heightened dependency. The proportion of older persons (60 and above) receiving a pension in the region is the second lowest in the world standing at a mere 38 per cent and is less than half of the world average (78 per cent). This can largely be explained by widespread economic informality. Also many older persons continue to work beyond retirement age, are not covered by labour laws, and therefore more vulnerable to abuse or working in conditions that are not suitable. Moreover, the level of adequacy of many existing social protection schemes may be insufficient to guarantee the economic security of older persons.

12. Older women are more vulnerable to economic insecurity. The low female labour force participation rates across the region mean that few women are covered by formal social protection systems. Indeed, although the proportion of women among old-age pensioners is increasing, the gender gap remains considerable, with male pension coverage rates being five times higher than female coverage rates in some Arab countries.

13. Families, who traditionally are the primary care providers for older persons in the Arab region, are finding it increasingly challenging to fulfil this responsibility due to evolving socio-cultural norms and family structures, urbanisation and migration, among other factors as well as economic hardships that were accentuated by the pandemic. This in turn weakens the channels of intergenerational support and highlights the importance of the long-term care economy to offer alternative means of care for older persons.

3. Right to health

14. Many respondents affirmed that poverty and poor health are interrelated. It was noted in the submissions that the lack of support and care for older persons increases their vulnerability to poverty. Some countries underscored that there is a significant gap in the provision of specialized care services for older persons, such as nursing homes, day-care centres, home care services, specialized health care and palliative care. Many older persons cannot afford necessary medicines or medical services, especially in the case of privatization of services. The purchase of medicines can result in limiting the amount or quality of food bought. Furthermore, food insecurity can lead malnourishment and weaker immune systems, aggravating chronic conditions for older persons.

15. ESCWA noted that the COVID-19 pandemic put further strain on already high out of pocket health expenditures in Arab countries. Additionally, households that include older persons face a higher degree of catastrophic health expenditures. Despite the presence of health insurance schemes in many Arab countries, they sometimes require the covered population to pay high user-fees (co-payments). Additionally, some health services may be inaccessible for and/or unresponsive to older persons.

4. Right to adequate housing

16. Stakeholders reported that older persons living in poverty have challenges in meeting their basic needs such as adequate, affordable and accessible housing as well as access to water and electricity. An NGO noted that older persons lack support in improving the accessibility of their housing. Another NGO reported that, in Uganda, older persons have difficulties in accessing safe drinking water because they cannot walk long distance and therefore resort to contaminated water.

17. In the context of rising energy costs, one of the most pressing issues is energy poverty. Due to limited income, many older persons save excessively on the use of water and electricity, which results in lower quality of life. An NGO reported that older persons who live in poor housing conditions may suffer from extreme heat and heat-related illnesses as they cannot afford to buy cooling devices or support the cost of using such devices. Related to housing, respondents also noted that inaccessible public transportation causes challenges to older persons.

5. Right to work

18. Stakeholders reported that age discrimination in employment is pervasive. Inputs by NGOs highlighted that ageism hinders professional (re)training and work opportunities for older persons. Some stakeholders acknowledged that changes in technology and the production processes have made it harder for older persons to adapt to new labour market needs. Outdated knowledge and skills were noted as challenges for older persons. Even middle-aged persons can be considered as old by employers, and therefore, they experience more frequent layoffs, difficulties in employment and other forms of discrimination in the field of work. Many stakeholders also referred to the gender gap in employment rate and pay that disadvantages older women. An NGO noted that mandatory retirement age limits older persons' right to work.

19. Due to inadequate quantity of social protection, older persons may need to earn additional income, often by working in the informal sector or in lower paid jobs. Working in the informal sector usually results in an irregular income. A Ugandan NGO described that majority of older persons live in rural areas and work in the agricultural sector, which is

characterized by fluctuations in produce prices, thus providing an irregular income.

6. Impact of intersectional discrimination and inequality based on age, gender and other grounds

20. Intersectional age discrimination combined with gender, disability, national or ethnic origin and other status creates vulnerabilities that push older persons into poverty and social exclusion.

21. Older women, particularly widowed and divorced women and older lesbian, gay, bisexual, trans or intersex persons are among the groups most affected by poverty. Family caregivers, often women, reduce or give up paid work entirely in order to care for their children, ageing parents, spouses and grandchildren. As a result, older women have lower pensions. An NGO reported that older women may be excluded from household decisions, which limits their autonomy over resources and assets.

22. Older persons with disabilities are also at higher risk of poverty. Stakeholders reported that older persons with disabilities have lower incomes, are less likely to own a home and have poorer health ratings. Canada reported on a promising practice of an inclusive approach to its COVID-19 pandemic response and overall decision-making. The Government of Canada established the COVID-19 Disability Advisory Group (CDAG) in April 2020 to put a disability lens on the Government's emergency response and actively involve persons with disabilities. CDAG's mandate has been broadened to provide advice on disability inclusion within Government priorities and on implementation of government programs and policies.

23. In addition, older persons of immigrant or indigenous origin, older persons belonging to a minority such as the Roma, older persons who live in rural or remote areas and older persons with low educational background are more susceptible to poverty. Understanding the magnitude of intersectional discrimination requires more disaggregated and timely data regarding older persons.

B. National legal and policy framework

1. Legal provisions for economic, social and cultural rights, particularly the right to an adequate standard of living for older persons

24. Most States referred to the general non-discrimination provisions and economic, social and cultural rights guaranteed under their Constitution. In some States, such as Canada and Finland, the Constitution explicitly prohibits discrimination based on age. For example in Angola, Kenya and the Dominican Republic, the Constitutions include specific provisions concerning older persons.

25. In general, States reported to have legislation that prohibits discrimination on the ground of age. Furthermore, some States have specific laws protecting the rights of older persons, such as El Salvador's Special Law for the Protection of the Rights of Older Persons and the Dominican Republic's Law on the Protection of the Elderly. Chile referred to the Inter-American Convention on Protecting the Human Rights of Older Persons that the country has ratified and its specific provision on right to social security. Similarly, Ethiopia and Rwanda referred to the Protocol to the African Charter on Human and People's Rights on the Rights of Older persons that the countries have ratified.

26. Respondents identified various national policies related to the enjoyment of economic, social and cultural rights, including poverty reduction strategies, social protection strategies and national action plans and policies for older persons. National policies on health, housing and food security were also often noted in the stakeholder submissions.

27. Some respondents described key institutional mechanisms in ensuring the realization of economic, social and cultural rights for older persons. For example, in Austria, the most important instrument of economic security in old age is considered to be the Retirement Security Commission established in 2017 that regularly analyzes the long-term development and affordability of statutory pension insurance, with the involvement of pensioner organizations. In France, on the other hand, the Government sends an annual monitoring table to the Parliament, composed of indicators relating to eleven thematic objectives in the fight against poverty, including poverty of older persons.

28. ILO pointed out that the ILO social security standards provide a useful reference for securing income security in old age. They establish a minimum level of protection to be reached through the various types of social protection mechanisms, including "contributory" (financed by way of employer and workers contributions) or non-contributory (tax-financed). These minimum levels are determined by reference to the level of earnings in each national context – for example: social insurance mechanisms need to replace a certain percentage of older persons' previous earnings; public tax-financed schemes providing flat rate pensions need to have these established at least at a certain level by reference to a percentage of the standard wage prevailing for unskilled labour; and means tested social assistance schemes need to at least complement beneficiaries' resources to allow them to live in health and decency (ILO Convention No. 102) or dignity ILO Recommendation No. 202). As of 2012, the ILO Recommendation No. 202 on Social Protection Floors established income security in old age as one of the four basic social security guarantees that should be guaranteed to all.

2. Definition of poverty

29. Poverty is often defined in terms of income or consumption, although many States acknowledged that poverty is a multidimensional phenomenon that should be measured by taking into consideration social exclusion and deprivations in access to education, culture, health care and other basic services. An NGO noted that eligibility to social assistance can also be considered as an indicator of poverty.

30. Some countries, such as Kenya, Georgia, Germany and Finland, do not have an official or clear definition of poverty. Some European Union countries such as Austria and Czechia use the definition provided by Eurostat, that is, persons are at risk of poverty if their disposable income is below 60 per cent of the national median disposable income (after social transfers). In Italy, on the other hand, a family of two persons is considered poor if they consume less than the average per capita national consumption.

31. In Canada, the Poverty Reduction Act of 2019 established the official poverty line, which is based on the Market Basket Measure (MBM). The MBM establishes income thresholds based on the cost of a basket of food, clothing, shelter, transportation and other items for individuals and families representing a basic standard of living, across 53 regions. If a person's or a family's disposable income is below the MBM threshold for the region in which they live in a given year, they are considered to be living in poverty. The Dominican Republic also reported to use measurements of basic food basket, non-food basic basket and disposable income per household.

3. Data, statistics and research

32. Most countries indicated that their National Statistical Offices provide information regarding older persons living in poverty, for example through the general census, multidimensional poverty index and surveys on income, expenditure, living conditions, health, among others. Turkey noted that the country reports on older persons above sixty-five years in relation to Sustainable Development Goal 1 'End poverty in all its forms everywhere'. The Kenya National Bureau of Statistics (KNBS) assesses poverty levels in its National Housing and Population Census every ten years. In 2020, KNBS conducted a comprehensive detailed research on the level of poverty in Kenya.

33. In addition, some countries, such as Slovakia, produce annual reports on the situation of older persons. In 2021, the European Union published the Pension Adequacy Report and the Long-term Care Report which include data and comparable statistics across all European Union member states.

34. Some states and NGOs, on the other hand, indicated that the availability of data and statistics is inadequate and that poverty at old age is not studied systematically. For example in Georgia, the National

Statistical Office provides data on the amount of persons who receive a pension and social assistance but the country has no official statistics on the poverty rate of older persons.

35. Respondents also pointed out that age- and sex-disaggregated data remains limited, which hinders the ability to develop targeted policies and interventions that are age and gender sensitive. Economic Commission for Europe indicated that the Active Ageing Index includes indicators on the financial security of older persons.²

C. Progressive realization and the use of maximum available resources

1. Measures to address economic insecurity and poverty in older age

36. A number of States stressed the importance of social security systems, old age pensions and social transfers to ensure the right to an adequate standard of living for older persons. Canada, for instance, referred to its Old Age Security (OAS) programme that provides a minimum income guarantee to older persons. Social security agreements with other countries protect the income security and pension eligibility of individuals that have lived or worked in Canada. Cyprus indicated in its submission that it provides a Guaranteed Minimum Income (GMI) in the form of monetary support and/or services which is a non-contributory scheme. The Dominican Republic, through its National Council for the Aging Person (CONAPE), implements a number of programmes, such as cash transfers in the context of the Protection of Older Persons in Extreme Poverty (PROVEE), and solidarity pensions granted by the President of the Republic to older persons who did not contribute to social security. Submissions of national human rights institutions also highlighted the importance of contributory and non-contributory old-age pension schemes as well as veteran to ensure the right to an adequate standard of living for older persons.

37. Submissions from NGOs indicated that the comprehensive protection of the human rights of older persons was essential, and highlighted the importance of having a United Nations convention asserting the rights of older persons, including the right to lifelong learning. In terms of concrete measures, NGOs in their submissions also referred to social protection as a key element of the global response to tackle poverty, including in older age. Such systems should take a comprehensive, gender responsive and life cycle approach. Submissions of NGOs mentioned the need of adequacy of contributory and non-contributory schemes, including through pension indexation mechanisms. Specific mention was made of universal social pensions,

² The most recent 2020 release of the Active Ageing Index for European Union countries is available on the UNECE wiki: <https://statswiki.unece.org/display/AAI/II.+Results>.

including as a crucial means of reaching coverage for older women and informal workers.

38. Germany indicated that financial benefits for older persons include support for accommodation and heating expenses, costs for food and clothing, including furnishing the apartment. Some submissions of States and national human rights institutions pointed to the existence of subsidies for housing and communal services, housing allowances for older persons paying mortgage interest, and financial assistance for utilities, such as discounts, particularly to ensure affordable energy supply for older persons. One-time payouts to alleviate the negative socio-economic impact of COVID-19 pandemic on older persons were mentioned by some States and national human rights institutions.

39. Austria indicated that it was gradually bringing the de facto early retirement age closer to the statutory retirement age, without forcing people into unemployment in old age, while Canada sought to facilitate the work-to-retirement transition. Some States mentioned supplements for smaller pensions as another aspect to prevent old age poverty, government-assisted private pension saving plans, as well as the need to index pensions.

40. In addition to statutory pension insurances, NGOs in their submissions referred to other pillars of old-age provision, such as private and occupational pension provision, basic old-age security, the recognition of childcare periods and care periods in the insurance history of the pension insurance, as well as other social benefits, such as housing benefits, including heating allowances and social allowance.

41. Angola referred to income generating activities as an important means to prevent economic insecurity for older persons, including capacity building and training, technical, legal and material support for the creation, formalization and allocation of work kits to family cooperatives. Jordan indicated in this regard that it grants loans to retired older persons to empower them economically. Retraining and lifelong learning are measures to increase employment opportunities for older persons. Submissions of national human rights institutions also described measures to ensure advanced training and further education of older persons as a result of digital structural change or are otherwise affected by structural change.

42. Women of retirement age, especially those living alone are disproportionately affected by poverty and social exclusion due to incomplete employment and/or part-time employment. Austria referred to measures to increase women's labor market participation and projects to support and advise women and to combat poverty among women funded at federal level.

43. Submissions of NGOs also highlighted the importance of eliminating barriers to continuing employment of older persons such as a mandatory retirement age, and access to microcredit or other capital

through community schemes, which could enable older women's income security.

44. Some States noted the importance of a life course approach to prevent poverty in old age with a focus on ensuring equal opportunities and the promotion of social mobility from childhood.

45. Support to care was mentioned by a number of States as an important aspect of ensuring the right to an adequate standard of living for older persons. Long-term care in Cyprus is provided under a specific scheme for the 'Subsidization of Care Services'. The legislation covers also respite care providing for short spells of rest for informal caregivers, in the form of home, residential or day care, and day care centers and home care services received state aid. Turkey indicated that it has a home care allowance for a family member who provides care to an older person.

46. The Islamic Republic of Iran, through institutions such as the Imam Khomeini Relief Foundation, provides dignity cards (Manzelat Cards) for older persons to benefit from recreational and sports services. Day homes in the Dominican Republic also offer direct care services for older persons' food, health, education, recreation, training and other services.

47. Some States and national human rights institutions referred to the availability of programmes that provide assistance with healthcare and long-term care costs. This includes contribution fees for hospital services or medicine to older persons not covered by health insurance or to older adults who do not have health insurance. Other forms of assistance and critical services mentioned to ensure the autonomy of older persons included meal services, home cleaning, personal care, basic and essential needs of older persons, transportation as well as benefit counselling, legal services and caregiver support.

48. Specific normative actions, such the Older Persons' Rights Law of Mexico, were mentioned as measures to combat poverty and economic insecurity of older persons. Jordan's Social Security Law, for instance, allows older persons to continue working and being covered beyond old age.

49. ILO indicated that, over the last decades, guaranteeing the economic security of older persons has become a major concern for public policies. Where large parts of the national population are not eligible for a contributory old age pension, there has been a general trend to set up or expand the reach of tax-financed old age pensions open to all residents beyond a prescribed age (subject to but in many cases also without a means-test). While this trend is welcome as it allows to extend protection in old age to previously unprotected groups of persons and is aligned with the policy recommendations contained in ILO social security standards advocating for building comprehensive systems based on the most efficient combination of benefits and

schemes, the level of these tax-financed pensions has generally been insufficient to allow the beneficiaries to live a dignified life as required by the ILO Convention No. 102 and the ILO Recommendation No. 202.³

50. Economic Commission for Europe (ECE) indicated that its member States committed in the 2017 Lisbon Ministerial Declaration to the goal of ensuring ageing with dignity, among others by supporting the necessary infrastructure and assistance to prevent all types of abuse and violence against older persons, ensuring their economic, physical, and psychological safety. Countries also pledged to recognize the potential of older persons, including by developing and implementing socially responsible and future-oriented economic and financial strategies that encompass the needs, capacities and expectations of current and future generations, while valuing the potential of older persons, their life experience, their responsibility and support for all generations and for society

51. Economic Commission for Latin America and the Caribbean noted that regarding SDG 1, and its targets 1.2 and 1.3, the countries of the region have diverse realities, although low coverage in social protection is a reality particularly due to the wide informality in employment and the lack of protection of people in rural areas. However, some countries have implemented ambitious policies and programs to expand social protection coverage for older people, through the implementation of non-contributory pension programs (Argentina, Mexico, Bolivia, Chile), economic transfers for populations in extreme economic vulnerability (Dominican Republic, Chile) and expansion of benefits for existing social protection systems. It should be noted that, in the face of the pandemic caused by COVID-19, the countries of the region established programs to strengthen and expand the social protection of older people. In view of the insufficient amount of pensions, countries such as Cuba, the Dominican Republic, Costa Rica, Chile and Peru have established training programs for older people who want to continue working even on continuous training to carry out an economic activity. The challenges of ensuring economic security in old age are complex, but experience in the region shows that there is progress in improving the pensions of older people, training them in the event of seeking employment. to encourage that, in the face of the condition of a pensioner, work can continue and that some governments provide monetary transfers to achieve a better quality of life.

52. The International Fund for Agricultural Development (IFAD) emphasized that, given the important role of agriculture for older people's livelihoods, it is crucial that they have equal access to productive resources and training on innovative technologies. Yet older farmers are often excluded from such support, based on unfounded perceptions of them not being able to learn new skills. In addition, the

³ See https://www.ilo.org/global/publications/books/WCMS_817572/lang--en/index.htm.

economic role and activity of older people should be viewed in the social context of the household to which they belong, as their livelihood strategies will depend on the composition of the household.⁴ IFAD interventions are aimed at enhancing the productivity, profitability, resilience, and diversification of poor rural people's economic activities. IFAD has a variety of tools to ensure that the largest possible number of poor rural people benefit from emerging economic opportunities, and that those who cannot do so immediately are proactively supported in developing the skills and assets to do so in the near future.

53. The International Organization for Migration (IOM) noted that older migrants may struggle to recoup social security contributions post-retirement, and many more then struggle to move pensions with them if they choose to retire in their country of birth, or third country. Access to and portability of social security contributions is critical to avoid destitution and facilitate both mobility and well-being of older persons. The availability of integration and/or reintegration programmes and services that can address possible language barriers and physical and socio-economic constraints as well as ensure access to health and other services – whether for older migrants that choose to return home after many years or those who choose to retire abroad – should be considered an integral part of social inclusion programming.

2. Impact of macroeconomic policies on economic security

54. Some States mentioned the positive impact of poverty reduction strategies on combatting economic insecurity and poverty of older persons. In this context, the importance of a life course approach to combat poverty among older persons was mentioned. The Islamic Republic of Iran referred to the negative impact on the economic security of older persons of unilateral coercive measures, including economic sanctions. Measures to mitigate the negative impact caused by the COVID-19 pandemic were also mentioned by national human rights institutions in their submissions, such as stipends, cash transfers.

55. Another essential element that was highlighted were social protection floors. Cambodia, for instance, has a National Social Protection Policy Framework 2016-2025 consisting of two main pillars social assistance and social security, including for older persons.

56. A number of submissions from States mentioned the positive impact on economic security for older persons of cash transfer programmes and other benefits such as food and housing, the automatic indexation of pensions, pension increases as well as pension reforms. This included encouraging the retention of older persons in the labour market, such as in Italy by abolishing the ban on the accumulation of income from work and pensions, as well as the possibility of choosing

⁴ See HelpAge International, *The ageing of rural populations: evidence on older farmers in low and middle-income countries*, 2014.

to continue working beyond retirement age. El Salvador indicated that it had a Solidarity Pension for Old Age, through which quarterly cash transfers are made in the framework of the Poverty Eradication Strategy "Sustainable Families". A submission of a national human rights institution referred to regular analyses of the impact of macroeconomic policies on the economic situation of older persons as a basis for pension adjustments.

57. Universal coverage of health insurance, pensions and labour risks of the population, including older persons is guaranteed in the Dominican Republic by the 'Multi Annual Plan of the Public Sector 2021-2024'. Italy, in the context of its 'National Plan of Interventions and Social Services 2021-2023' seeks to guarantee essential levels of social services (LEPS). This includes the strengthening of home care. Austria introduced the option of care leave or part-time care for limited periods of time for caregiving relatives. It also introduced, under certain conditions, a legal entitlement to care leave, including family hospice leave. In Italy, the National Plan for Social Interventions and Services 2021-2023 identified social professions as an essential resource, which constituted the basis for the allocation of resources to the recruitment of additional social workers in publicly owned services. A submission of a national human rights institution referred to volunteer programmes to deliver medicines as well as legal services and psychological support, including to older persons, during the pandemic.

58. ILO pointed out that the ILO social security standards establish certain core principles which should govern the design and operation of social protection systems. Among those principles, the right to a predictable benefit prescribed by law provided until death occupies a central place (ILO Recommendation No. 202, para. 3). In cases where the national pension system has entirely shifted and replaced the solidarity-based schemes by privately managed ones based on the principle of capital accumulation through individual accounts, this core principle is impossible to be observed. Therefore, making sure that public policies regarding the basic national pension systems remain anchored in the internationally established architecture for social security helps guaranteeing both the human right of older persons to social security and that the social protection systems in sustainably financed with due regard to social justice and equity (ILO Recommendation No. 202 para. 3).

59. ILO emphasized that employment and labour market policies should be added as integral parts of macroeconomic policies, as currently many countries do not see older persons as a target group in macroeconomic policies. If macro-economic policies become employment-sensitive (and do not only focus on stabilizing inflation and exchange rates) as is recommended by the ILO (including in Convention No. 122, the ILO Centenary Declaration for the Future to Work and the Call to Global Call to Action for a Human-centred

Recovery from the COVID-19 Crisis that is Inclusive, Sustainable and Resilient), macroeconomic policies become directly relevant for the economic security of older persons.

D. Equality and non-discrimination

60. Respondents provided information on measures being taken to eliminate ageism and discrimination based on age that prevent older persons to access economic and other productive resources, including financial services, land, adequate housing and the right to inheritance. In Australia, the Age Discrimination Act 2004 protects individuals across Australia from discrimination on the basis of age in many areas of public life, including employment, education, accommodation and the provision of goods and services. Canada indicated that the Charter of Rights and Freedoms guarantees the right to equality before and under the law, the right to equal benefit and protection of the law without discrimination on the ground of age and also protects against discrimination based on an intersection of grounds, such as age and disability or age and sex. In El Salvador, the new Special Law for the Protection of the Rights of Older Persons provides guarantees for older persons to enjoy decent housing as well as equal access to bank loans and other forms of credit and insurance. In Germany, the General Equal Treatment Act prohibits discrimination based on age, including areas relevant to economic security of older persons such as housing, banks and insurance companies. In Serbia, the Law on Prohibition of Discrimination prescribes, among others, discrimination in the field of work and discrimination on the grounds of age as special cases of discrimination.

61. On the other hand, several other submissions noted the absence or inadequacy of legal framework that specifically prohibits discrimination based on age. AGE Platform Europe indicated that, at the level of the European Union, there is no legal framework prohibiting age discrimination in access to goods and services. Some European Union member States do have national laws protecting older persons against such discrimination, but often they are limited in coverage. The Office of the Commissioner for Human Rights of Poland acknowledged that Poland has no public policy on combatting ageism and that discrimination on the grounds of age is prohibited by law only in the field of employment.

62. Several submissions highlighted policy interventions and measures that address older persons' access economic and other productive resources, including employment, financial services and adequate housing. Some of those measures are not necessarily age-specific but addressing the most vulnerable groups. Canada indicated that the National Housing Strategy prioritizes the most vulnerable people and as such, a number of its programmes support older persons. For example,

the National Housing Co-Investment Fund, which will create at least 7,000 new affordable units for older persons, and support renovations to improve accessibility and allow older persons to age in place. Regarding access to financial services, Canadian banks have agreed to a Code of Conduct for the Delivery of Banking Services to older persons which requires banks to take into account the needs of older persons when proceeding with branch closures, facilitate communication with older persons, provide appropriate training to their employees who serve older persons, and publicly disclose the steps they have taken to support older persons.

63. In the Dominican Republic, the Happy Family National Housing Plan is being implemented with public and private institutions to provide housing solutions for the most vulnerable groups, including older persons. Finnish Human Rights Center reported that the Government Programme on Ageing 2030 aims to: develop preventive measures that improve functional ability of older persons; extend the functional ability and working careers of older working-age people, especially in social and health care; increase and enable voluntary work; to ensure the equality, more efficient coordination and economic sustainability of services for older persons; increase the age-friendliness of housing and residential environments; and highlight the development and utilization of Finnish technology for ageing.

64. Several submissions highlighted the need to increase awareness and research on ageism and actions taken in this regard. In Germany, the Federal Anti-Discrimination Agency recently commissioned a study on the subject of images of ageing and discrimination, the results of which are expected in the end of 2022 and will be important for the further development of policies and research. The Office of the Commissioner for Human Rights of Poland indicated that, according to the data from the Polish Institute of Economics which conducted a study on ageism in Poland in 2022, ageism is prevalent in society, for example in job recruitment procedures. APRe! (Portuguese Association of Retired and Pensioners) indicated that ageist stereotypes are often tolerated in society and in policy making, for example in the 2019 definition of the Informal Carer Statute, where retired people were excluded from eligibility for a carer's support allowance. In Mexico, National Institute for Older Persons (INAPAM) aims to promote a positive view of older persons, not only within the public sector, but in the private and social sectors by establishing agreements with these sectors to support older persons and by carrying out permanent campaigns to communicate the important contributions of older persons to society.

E. Remedies and redress

65. Respondents provided information on mechanisms that are necessary, or already in place, for older persons to lodge complaints and

seek redress for denial of their economic security and enjoyment of the right to an adequate standard of living. Submissions highlighted the important role played by national human rights institutions, anti-discrimination agencies and equality bodies established by constitutions and national laws to receive and address complaints by older persons.

66. Several submissions provided examples of using courts and judicial procedures. For example in Australia, a recent claim launched in the Federal Court looks at the intersection of age and indigenous status whereby Aboriginal and Torres Strait Islander persons who have a gap in life expectancy are disadvantaged by the Government's use of an age proxy to determine eligibility for age pension. However, those submissions also indicated that court proceedings often take long time and older persons face obstacles as highlighted at the discussion on access to justice at the eleventh session of the Open-ended Working Group on Ageing (see also A/AC.278/2020/CRP.4). For example, Ombudswoman of Croatia indicated that appeal proceedings regarding individual pension rights on average take 106 days and appeals within the welfare system can take from 6 months to a year and a half.

67. Other submissions indicated the availability of, or need for, other complementary measures, such as hotlines, counselling centres and support mechanisms for extra-judicial dispute resolutions. For example in Kenya, civil society organizations including older persons organizations provide mediation and alternative dispute resolution mechanisms.

F. Promising practices in ensuring older persons' economic security

68. Promising practices that were highlighted in State submissions towards ensuring older persons' economic security included specific aspects of the pension system. Mexico, for instance, indicated that its "Pension for the Welfare of Older Persons", which gradually became a federal programme, provides older persons with a non-contributory pension. In Germany, the old age security system has three pillars, i.e. the statutory, occupational and private schemes, which reflects a person's working life and aims to maintain the standard of living as far as possible in old age. Czechia referred to its supplementary pension insurance, thus noting that the Government is currently discussing the need for a pension reform. In Austria, the partial retirement allowance, permits employees to reduce their working hours for a maximum of five years, without any negative effects on their later pension level. In Canada, enrollment in some benefits for older persons is automatic, and the government has made efforts to increase coordination to ensure that no Canadian is left behind.

69. Promising practices in the area of pensions mentioned by NGOs in their submissions included universal old age social pensions or non-contributory pensions as effective, efficient and affordable policy to

achieve income security and reduce poverty and inequality in older age; adequate statutory minimum pensions regardless of previous employment status; indexation of pensions; and recognition of care work, including parental leave for pension credits particularly to close the gender pension gap. Informing older persons about their opportunities regarding work and pensions, volunteering and training also facilitates the preparation for the transition of older persons from the workforce into retirement.

70. In order to prevent economic insecurity in old age, submissions of NGOs and national human rights institutions stressed the importance of a life course approach. Investment in strong social and labour policies aimed specifically at the younger population can enable the building of more solid contributory careers, reducing vulnerability to poverty in old age. Creating a positive environment for financial planning from the younger age, can help ensuring income in old age.

71. Promising practices were also highlighted in the area of employment of older persons. Canada invests in skills training and employment supports in all parts of the country, in urban, rural and remote settings to individuals and employers, including for older workers. Recent amendments made to the Canada Labour Code introduced the right to request flexible work arrangements. Austria is also implementing innovative support approaches for older workers. With the "Impulse advice for companies", the labor market service supports companies, among other things, in coping with the requirements of an aging workforce and in making effective use of changing age structures, such as "productive aging", cross-generational work, and knowledge management.

72. In Turkey, under the "Vefa Project", project officers visit households on a weekly basis and meet the cleaning, food and personal care needs of beneficiaries, and ensure necessary referrals to other institutions in case of health issues. In Kenya, there are Older Persons Self Help Groups and Beneficiary Welfare Committees for income generation, Mediation and Alternative Dispute Resolution Services, and programmes to nominate or employ retired professionals or experts. Collaborations and partnerships with organizations such as banks, volunteer and third-sector associations in Italy allow for the funding of projects to prevent and combat fraud against older persons, through the organization of information and education campaigns, and of support initiatives, including psycho-social support.

73. NGOs submissions also indicated that access to various counselling and advisory services constitutes a promising practice to contribute to the safeguarding of older persons' economic security, including assistance with the application and requests for social benefits, as well as debt and energy counselling. The provision of financial, legal and psychological advice and counselling also constitutes a form of protection of older persons against their economic exploitation.

Moreover, the establishment of associations of older persons can help raising awareness among older persons of their right to social protection and to monitor the provision of social protection policies and schemes.

74. A national human rights institution in its submission also highlighted normative developments with the enactment of dedicated national legislations for older persons.

75. ILO emphasized that, as the public institution accompanying all member of society from the womb until after the grave, universal social protection represents the incarnation of a mechanism providing protection throughout our life-courses. By organizing the social and financing solidarity, which are two principles recognized by the ILO Recommendation No. 202 as at the core of social protection systems, social protection systems represent one of the most efficient and powerful means by which members of society are united in solidarity – the sick and the healthy, the young and the old, the poor and the rich, women and men, the rural and the urban, etc.

76. ESCWA shared several noteworthy initiatives in the region to address economic insecurity and poverty in older age. Some countries have created pension schemes for specific professional groups to increase social protection coverage rates among older persons. Several Arab countries have also implemented legal reforms to support older persons' economic security by lowering their out of pocket health costs, including extending subsidized health insurance coverage to all citizens aged 60 and above. Another promising practice seen in the region involved setting up social insurance schemes for self-employed workers. Certain countries in the region have revised the level of social protection benefits to be more responsive to evolving economic conditions.

III. Conclusions

77. This working document has focused on key challenges, gaps in legal and policy framework as well as promising practices in ensuring economic security of older persons, including their right to an adequate standard of living and other relevant economic, social and cultural rights. Deliberations under the Open-ended Working Group on Ageing at its twelfth session should lead to further discussion and identification of normative elements related to ensuring economic security and related human rights of older persons, which will be considered further in its thirteenth session in 2023.