

Guiding questions for the twelfth session of the General Assembly open-ended working group for the purpose of strengthening the protection of the human rights of older persons

Focus area 1: Contribution of older persons to sustainable development

The Scope:

Older persons have the right to contribute to sustainable development. The right to participate in, and contribute to, development is affirmed in the Declaration on the Right to Development. Article 25 of the International Covenant on Civil and Political Rights recognizes the right to participate in public affairs. Effective and meaningful participation enables the advancement of all human rights. On the other hand, when older persons are denied the ability or opportunity to contribute, or when their contribution is unrecognized or devalued, their dignity is denied. Understanding the contribution of older persons to sustainable development as a right enables States to identify steps that can be taken to uphold their dignity.

Substantive guiding questions:

National Legal and Policy Framework

1. What are the legal provisions, policy frameworks in your country that recognize older persons' right to participate in and contribute to sustainable development? This could include, but is not limited to:

- a) ensuring that relevant human rights (in particular the right to freedom of opinion and expression, the right of access to information, and the rights to freedom of peaceful assembly and of association) are protected and implemented;

Older people, retain their membership in unions, with the majority of privileges gained through them, even after retirement.

- b) protecting and enhancing civic space and collaboration with civil society that represents the voices of older persons in sustainable development;

- c) good practices to ensure older persons' participation in, and contribution to sustainable development.

Article 28.2 of the Constitution provides that every person shall enjoy all the rights and liberties provided for in this Constitution without any direct or indirect discrimination against any person on the ground of his community, race, religion, language, sex, political or other convictions, national or social descent, birth, colour, wealth, social class, or on any ground whatsoever, unless there is express provision to the contrary in this Constitution.

2. What are the challenges faced by older persons for the realization of their right to contribute to sustainable development at national and international levels?

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The main challenges faced by older persons for the realization of their right to contribute to sustainable development seem to concern three key policy areas: **life-long learning** and education, **volunteering** as well as **political participation and citizenship**.

3. What data, statistics and research are available regarding older persons' contribution to sustainable development?

N/A

Equality and non-discrimination

4. What measures are being taken to eliminate ageism, ageist stereotypes, prejudices and behaviors that devalue older persons' contribution to sustainable development?

N/A

Remedies and Redress

5. What mechanisms are necessary, or already in place, for older persons to lodge complaints and seek redress for denial of their right to participate in and contribute to sustainable development?

A horizontal legislation could be envisaged, that would extend the protection against age discrimination (that now stands only in respect to the workplace) and promote a rights-based approach to ageing: that means a shift in the perception of older people – from retired former workers or homogeneous vulnerable group into 'persons' with rights, who deserve equal treatment and recognition of their potential and that would try to combat the widespread stereotypes and perceptions about certain age cohorts that lead to exacerbation of age.

Focus area 2: Economic security

National legal and policy framework

1. What are the legal provisions and policy frameworks in your country that guarantees the minimum essential level of the enjoyment of economic, social and cultural rights, in particular the right to an adequate standard of living?

The Cyprus General Social Insurance Scheme (GSIS) is a compulsory earnings-related scheme which covers every person gainfully employed in Cyprus, both in the public and in the private sector, including the self-employed. The scheme provides for statutory pension at the age of 65 provided certain insurance conditions are met. Persons with low or no contribution records can benefit from minimum-income arrangements. Pensioners who only satisfy the minimum

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insurance conditions for a statutory pension from the GSIS receive a minimum pension from the GSIS. In addition persons who do not fulfil the insurance conditions for pension may be entitled to a social pension. The social pension scheme is a non-contributory scheme providing minimum pensions to residents of Cyprus, aged 65 and above, with no pension income from any other source or a pension income that is below the level of the social pension. The social pension is equivalent to 81% of the basic part of the pension of the GSIS.

The relevant Legislation is the following:

- The Guaranteed Minimum Income and Generally for Welfare Benefits Law of 2014 as it is amended or superseded.
- The Guaranteed Minimum Income and generally for Welfare Benefits Regulations and Decrees as they are amended or superseded, including the Guaranteed Minimum Income and in general the Social Benefits (Emergency Needs and Care Needs) Regulations and Decrees.
- The Scheme supporting pensioners' households with low income
- The State Aid Scheme, under the EU Regulation 360/2012 on the provision of Services of General Economic Interest (De Minimis), and the State Aid Scheme under the EU Decision 2012/21, for the provision of Services of General Economic Interest.

2. How is poverty defined in the national policy framework?

The benefits address, amongst others, pensioners' households whose total annual income is below the poverty threshold. The minimum resource is decided based on the annual poverty threshold as estimated in the EU SILC (European Union Statistics on Income and Living Conditions) survey conducted by Eurostat.

3. What are challenges faced by older persons living in poverty, including the impact of intersectional discrimination and inequality based on age, gender and other grounds?

4. What data, statistics and research are available regarding older persons living in poverty?

The Survey on Income and Living Conditions (EU-SILC) that is conducted in all Member States according to the Regulation (EU) 2019/1700 of the European Parliament and of the Council provides data on persons living in poverty. The indicators resulting from this survey are published at Eurostat's website, at Income and Living Conditions section at the link <https://ec.europa.eu/eurostat/web/income-and-living-conditions>. Indicators regarding older people are listed in "[Monetary poverty for elderly people](#)" under the theme "Income distribution and monetary poverty". Some of these indicators are listed below:

- At-risk-of-poverty rate of older people by sex and selected age groups - EU-SILC and ECHP surveys (ilc_pnp1)
https://ec.europa.eu/eurostat/databrowser/view/ilc_pnp1/default/table?lang=en

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- At-risk-of-poverty rate of older people by tenure status - EU-SILC and ECHP surveys (ilc_pns7)
https://ec.europa.eu/eurostat/databrowser/view/ilc_pns7/default/table?lang=en
- Dispersion around the at-risk-of-poverty threshold by sex and selected age groups - EU-SILC and ECHP surveys (ilc_pns8)
https://ec.europa.eu/eurostat/databrowser/view/ilc_pns8/default/table?lang=en
- At-risk-of-poverty rate of persons below-above 65 years by sex – EU-SILC survey (ilc_pnp9)
https://ec.europa.eu/eurostat/databrowser/view/ilc_pnp9/default/table?lang=en
- Relative median income ratio (65+) - EU-SILC and ECHP surveys (ilc_pnp2)
https://ec.europa.eu/eurostat/databrowser/view/ilc_pnp2/default/table?lang=en
- Relative median income ratio (60+) - EU-SILC survey (ilc_pns2)
https://ec.europa.eu/eurostat/databrowser/view/ilc_pns11/default/table?lang=en
- Gender differences in the relative median income ratio (65+) - EU-SILC survey (ilc_pnp10)
https://ec.europa.eu/eurostat/databrowser/view/ilc_pnp10/default/table?lang=en
- Gender differences in the relative median income ratio (60+) - EU-SILC survey (ilc_pns11)
https://ec.europa.eu/eurostat/databrowser/view/ilc_pns11/default/table?lang=en
- Gender differences in the at-risk-of-poverty rate by age - EU-SILC survey (ilc_pnp12)
https://ec.europa.eu/eurostat/databrowser/view/ilc_pnp12/default/table?lang=en
- Inequality of income distribution S80/S20 income quintile share ratio - EU-SILC and ECHP surveys (ilc_pns4)
https://ec.europa.eu/eurostat/databrowser/view/ilc_pns4/default/table?lang=en
- Relative median at-risk-of-poverty gap of elderly people - EU-SILC and ECHP surveys (ilc_pns5)
https://ec.europa.eu/eurostat/databrowser/view/ilc_pns5/default/table?lang=en

Moreover, information regarding older persons (age 65+) living in poverty can be also found in the predefined tables published in CYSTAT's website under the statistical theme "Living Conditions, Social Protection" at https://library.cystat.gov.cy/NEW/EUSILC-POVERTY-A2008_2020-EN-300821.xls.

Progressive realization and the use of maximum available resources

5. What steps have been taken to address economic insecurity and poverty in older age and to ensure the right to an adequate standard of living for older persons?

Guaranteed Minimum Income (GMI): It aims to ensure a socially acceptable minimum standard of living for persons (and families) legally residing in the Republic of Cyprus whose income and other economic resources are insufficient to meet their basic and special needs. The GMI is provided in the form of monetary support and/or services. It is granted on the basis of a

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subjective right. The entitlement to the benefit is guaranteed for the claimant if all the conditions laid down by law are satisfied. The nature of the benefit is differential in that it varies according to the applicant's income and family composition. The total amount varies according to the number of dependent persons, special needs (i.e. rent) and the applicant's income. The scheme is non-contributory. The minimum resource is decided based on the amount of the minimum living needs of the applicant and their family. It is organized nationally. The benefit is not tax-financed and is funded by the government budget. Specifically concerning the housing allowance, it is granted for renters and owners still paying mortgage interest. The housing allowance depends on the district of residence and it is adjusted for family size.

- Scheme supporting pensioners' households with low income: It is a cash benefit scheme addressed to pensioners' households whose total annual income is below the poverty threshold.

- Long-term care: In Cyprus, long-term care is not provided under the social security system. The long term social care needs of GMI recipients or applicants of GMI with low income are addressed through a specific scheme for the Subsidization of Care Services which is included in the relevant GMI Decrees. The provision of cash benefits for the social care needs of GMI recipients or recipients whose application has been terminated due to income is organized and provided by the Welfare Benefits Administration Service. The assessment of social care needs is carried out by the Social Welfare Services which are also responsible for monitoring the service provided through District and Local Welfare Offices throughout Cyprus. Entitlement to long-term social care is subject to conditions specified in the Guaranteed Minimum Income and generally for Welfare Benefits Law of 2014 as it is amended or superseded. Both, in-kind and/or cash benefits are provided for long-term social care according to the individual needs. The legislation covers also respite care which provides for short spells of rest for informal caregivers. Respite care can take the form of home, residential or day care.

- The state aid: It is provided to Non-Governmental Organizations and Local Authorities for the establishment, operation or expansion of social care programs that provide services to citizens covering their specific care needs, including the elderly: i.e. Homes for the elderly, Home Care Services for the elderly, programs for persons with disabilities, psychosocial support programs and other specialized programs for trafficking victims, victims of domestic violence, etc. Concerning social care services to elderly people and people with disabilities, in 2021, 107 programs (day care centers for the elderly, home care services for the elderly, Homes for persons with disabilities and day care centers for adults with disabilities) received state aid, with a total amount of 5.9 million euros.

- The European Recovery and Resilience Facility: Cyprus will use the European Recovery and Resilience Facility for actions on long-term care. In particular, the Deputy Ministry of Social Welfare through the "Cyprus Recovery and Resilience Plan 2021 – 2026" and the Investment "Establishment of home structures for children, adolescents with conduct disorders, persons with disabilities and people in need of Long-Term Care", aims, among others, to establish community-based care centers for people who are in need for long term care (such as the elderly) through state aid scheme targeted at local authorities and NGOs.

6. What is the impact of macroeconomic policies on economic insecurity and poverty among older persons and vice versa? What policy options are available and/or implemented in

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order to expand fiscal space and maximize available resources to ensure economic security and the right to an adequate standard of living for older persons?

From 2016 to 2020 an increase in the amount provided to the older persons has been given as well an increase in the amount of housing. This is done in order to balance the needs of older people in a society where there is an ever-increasing cost of living.

7. What good practices are available in terms of ensuring older persons' economic security, including through a life-course approach?

N/A

Equality and non-discrimination

8. What measures are 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?

The measures are stated in question (5) above.

Remedies and redress

9. What mechanisms 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?