

## **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?

Leaving no one behind and for ensuring that the Sustainable Development Goals (SDGs) are met for all segments of society, at all ages, with a particular focus on the most vulnerable—including older person. Older persons' inclusion in the SDGs is essential to leave no one behind entailing in ensuring that every individual, including every older person. The Constitution of Nepal guarantees inclusive socio-political and economic development and a wide range of basic and fundamental rights including rights to justice employment and social security among others. Fifteenth Plan (2019/20-2023/24), Social Protection System, Provincial and Local Levels authority to plan and implement development programs, partnership with stakeholders, enactment of Laws and relevant Regulations like the Social Security Act 2018, Intergovernmental Fiscal Transfers whereby the federal system of financial governance, federal grants such as fiscal equalization, conditional, matching and special grants, Targeted Programs with focus on Equity related to senior citizens.

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?
  - Lack of pensions and social protection support
  - Lack of access to age appropriate health services, particularly in relation to HIV/Aids
  - Age discrimination
  - Lack of consideration of older people in humanitarian response during times of emergency and/or conflict
3. What data, statistics and research are available regarding older persons' contribution to sustainable development?
  - No such specific record except the Senior Citizen Allowance beneficiary above Seventy Years old

### **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?
  - Implementation of the SDGs recognise different forms of violence and abuse, from financial and economic to sexual and physical, or neglect; a range of perpetrators (including family members); and the victimization of both older women and men.
  - Violence against women has been addressed for all women throughout their lives, recognizing particularly the prevalence of domestic violence.
  - Laws, policies or practices that discriminate on the basis of age, retirement ages or upper age limits to healthcare treatment) must be abolished.

- Data collection, prevention and support services, and justice systems must address all forms of violence which targets older women and men.
- Accountability mechanisms accessible for all, and marginalised older citizens being heard.
- Duty bearers and decision-makers are being aware of older people's rights and exclusions they face so as to be proactive in enabling their voices to be heard and their meaningful participation in decision-making and public debate.

## **Remedies and Redress**

### **Focus area 2: Economic security**

#### **National legal and policy framework**

legal provisions and policy frameworks in in Nepal to enjoy economic, social and cultural rights

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?
  - Economic, social and cultural rights as fundamental rights in Nepal's constitution
  - The right to food sovereignty enshrined in the constitution, and right to housing and shelter by putting emphasis to the notion of 'housing for all'
  - Decentralized approach to governance and adequate resources for bringing about changes at the local level
  - The constitutional provisions on economic, social and cultural rights; new voting systems; and affirmative action for marginalized groups.
  - The establishment of several national institutions which have implications for the guarantee of human rights is envisioned under the Constitution
2. How is poverty defined in the national policy framework?
 

"Poor" means a person or a group remained below the national or regional poverty line prescribed by Nepal Government as per necessity from time to time under the set standard; remained backward on the basis of human development indicators such as education and health etc; and excluded from the national development process on the grounds of particular gender or social group, divided into three broad dimensions, namely, income-based poverty, human poverty, and social exclusion.
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?
  - Challenges in in access to service
  - Access to health service specially for non-communicable disease
  - Access to justice
  - Age Discrimination in its multiple forms
  - Income, to social security, and to access to resource
  - Violence and abuse
  - Autonomy and Independence
  - Access to information
  - Right to social security
  - Palliative care

4. What data, statistics and research are available regarding older persons living in poverty?  
**We haven't found yet any research, data, statistics .**
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?
  - Increase the Senior Citizen allowance by mapping the poverty and economic insecurity
  - Improving the supplemental security income generation programme by mapping their skill and knowledge
  - Strengthening the existing safety net, and Medicare and Medicaid
  - Increase the availability of programs that provide assistance with healthcare and long-term care costs
  - Push for federal and local level support for the long-term care safety net
  - Providing critical services that seniors rely on to remain independent and healthy which includes meals, benefit counseling, caregiver support, transportation, health promotion, legal services, and more
  - Offering support and resources to address physical, psychological, social and economic concerns.
  - Making philanthropic investment
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 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?

Older Persons face a daily struggle to pay for out-of-pocket medical expenses, utility bills, food, housing, and transportation costs. Even for those seniors who live above the poverty level, one major adverse life event—such as a job loss, health crisis, or foreclosure—can plunge them into poverty. The major the impact of macroeconomic policies on economic insecurity and poverty among older persons and vice versa are:

- Positive impacts of the extension of social protection on sustainable development
- Disease and disability in older represent a substantial loss to national production
- Older persons place a large burden on health and long-term care systems, reduced to their support
- Impact in chronic condition among economic insured older persons
- Brings policy challenges
- Consumption accounts for a higher proportion of income in older adults than for those at the prime working ages
- Increases in life expectancy as medical advances and better health care
- Shrinking populations
- Effect on Pensions
- Effect on health care systems

Available policy options includes:

- Behavioral and public policy responses,
- Adopting a more accommodative macroeconomic framework
- The Initiative for Human Rights Principles
- The realization of human rights as a fundamental objective of fiscal policy

7. What good practices are available in terms of ensuring older persons' economic security, including through a life-course approach?
- Endorsement Sustainable Development Goals, an integrated, indivisible set of global priorities for sustainable development.
  - Constitutional provision and legal frameworks
  - Advancement existing strategies and plans
  - Five years plan with evidence-based action to maximize functional ability that reaches every person in ensuring older persons' economic security

### **Equality and non-discrimination**

- What measures are being taken to eliminate ageism and taken to eliminate 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?
  - Update in discriminatory laws
  - National Senior Citizen Federation (NASCIF), Intergenerational programmes
  - Social security fund and allowance to senior citizen
  - the Government of Nepal provides free health checkups through public hospitals and health facilities and treatment subsidies for severe health conditions such as cancer, heart disease, uterus prolapse, and kidney disease
  - Senior Citizens Act 2063 (2006) make provisions immediately on the protection and social security of senior citizens and enhancement of trust, respect and good faith towards them by utilizing knowledge, skills, capability and experiences inherent in them
  - National human right commission (NHRC) act states that respects for elders and protection for weaker are the two basic human values that all societies have been promoting since the beginning of human civilization
8. 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?
- Local Self Governance Act 2018 has set out the mechanism to complain the grievances in Local bodies
  - State policy and legal mechanism
  - Mechanism for protection against forced evictions from their own home by family members Safeguards policy and complaint handling mechanism in the case of force evictions from their own home
  - State policy to ensure the right to be free from arbitrary interference with owns's home, privacy and family; and
  - State and non -state actors engagement to ensure the right to choose own's residence, to determine where to live and to freedom of movement.

## **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?

- Legal and policy framework guaranteed by the Constitution as fundamental rights
- Implementation of the recommendations of the NHRIs and UN Human Rights Mechanisms
- Rapid response mechanism
- Supervision and monitoring from state and non-state actors
- Senior Citizens Act, 2006, in Nepal
- Hello Sarkar provision to redress grievances in Nepal