The legislation of Ukraine does not contain a unified legal act on the rights of older persons with disabilities. The basic principles of state policy concerning with older persons are defined by the Law of Ukraine dated 16th of December, 1993   
No. 3721-XII «On Basic Principles of Social Protection of Labor Veterans and Other Elderly Citizens in Ukraine» and persons with disabilities Law of Ukraine dated 21st of March, 1991 No. 875-XII «On the basis of social protection of persons with disabilities in Ukraine».

The Prescription of the Cabinet of Ministers of Ukraine dated on 11th of January, 2018 No. 10-r and dated on 26 th of September, 2018 No. 688-r approved the Strategy of the state policy on healthy and active longevity of the population for the period up to 2022 and, accordingly, the Action Plan for its implementation, which provides for comprehensive measures to support elderly people, ensuring their active participation in social development, improving the quality of life.

Monitoring of the implementation of the specified Action Plan by the authorized bodies of state power and local self-government is defined as one of the priority areas of activity of the Ukrainian Parliament Commissioner for Human Rights for 2019.

The monitoring of the observance of human rights and freedoms carried out by the Secretariat of the Ukrainian Parliament Commissioner for Human Rights revealed a number of problematic issues faced by older persons with disabilities. In particular:

1. Aging population in the face of adverse socio-economic and environmental factors is accompanied by deterioration of health, increased disease, reduced life expectancy, increased mortality[[1]](#footnote-1).

Guaranteed to citizens free of charge qualified medical help is not supported by state funding and implemented within the financial possibilities of the budget without the actual needs of the elderly and the real cost of services.

Thus, due to under-funding from local budgets revealed:

untimely and / or non-exhaustive provision of stamped persons with disabilities by medical products, care and rehabilitation facilities (urine and feces receivers), as well a provision of citizens suffering from rare (orphan) illnesses by medicines and therapeutic feeding.

Detected cases of delays and refusals to conduct medical and social examination, establishment and review of the respective disability group, conducting an objective medical and social examination.

Issues of providing endoprosthesis and implantation sets are problematic too.

Especially suffers from lack of access to health care for the rural population due to the reduction in ambulance and first aid stations.

The existing network of facilities which providing palliative care does not allow the provision of such assistance to all those who need it, and as a result most of the palliative patients die at home.

There is no assessment of the necessity of palliative care for patients of different age groups according to their places of stay, as well as in medicinal products, especially for relief of pain, there are no national standards of palliative care.

2. Low level of pension and social security, which does not allow to provide basic living needs and to fully conduct a full-fledged life-style.

The legislation of Ukraine in the field of pensions is such that: the establishment of disability after reaching the retirement age does not affect the size of the pension; persons with disabilities after retirement age are generally not eligible to retire on the basis of age, since the length of their stay in the invalidity period is not counted as an insurance period; the persons with a disability, the length of service after the appointment of a pension does not ensure its increase. At the same time, the salary of such persons is paid by a single social contribution, which is aimed at forming the budget of the Pension Fund of Ukraine. That is, incentives to officially work after retirement age are absent.

3. The implementation of an individual rehabilitation program for persons with disabilities is not ensured due to insufficient financing of state programs for sanatorium and spa treatment, provision of technical and other means of rehabilitation. Sometimes people are forced to wait for appropriate remedies for more than one year. Some of the state programs are not funded at all (in particular, the purchase of cars for people with disabilities).

4. Despite the legislative prohibition of discrimination and harassment on the basis of age and disability, those who decide to continue to work after retirement is hard to find employment (especially for people with visual and hearing impairments).

Having a pension as the second source of income, they are more likely to agree to work illegally, with lower wages, are often less prone to the nature and working conditions, filling the most unattractive niche of jobs. At the same time they are subject to a primary reduction in case of release of employees.

For them in the labor market there are no jobs under flexible forms and modes of organization of work (distance, homeworking, etc.).

5. The elderly citizens can receive social services in inpatient group home facilities and institutions; rehabilitation facilities and institutions; in facilities and institutions of day-care, temporary or permanent residence; in the territorial centers of provision of social services, including at home. At the same time, the providers of social services (mainly municipal institutions) do not fully comply with the standards of their provision; the quality and scope of social services are mainly focused on financial capabilities, not on the necessity of individuals; proper assessment and forecasting of social service needs is not being carried out and monitoring of the quality assessment of their provision.

The problem is that quite often, native of elderly persons do not fulfill the obligations imposed on them by the legislation on the maintenance of the specified persons. At the same time, the presence of relatives deprives the right of the elderly on placement of social services on a royalty-free basis.

6. There is not providing unimpeded access for elderly people with disabilities to most objects of public and civilian use, improvement, transport infrastructure, road service, information and communication, etc.

In particular, due to the lack of special adaptations in homes where such people live, they are deprived of the opportunity to be outdoors, to communicate with people, and also to get free access to objects of social and domestic significance.

7. In order to ensure the participation of individuals in public life after retirement and the practical implementation of the principle of education throughout life for the elderly persons, there are third-generation universities whose activities are carried out within the framework of the provision of appropriate social and pedagogical services and, as a rule, provided by a structural unit territorial Center of social services (provision of social services).

1. According to the State Statistics Service, the population of Ukraine as of the 1st of December, 2018 amounted to   
   42 million 177.6 thousand people. During January-November 2018, the population decreased by 208.8 thousand people. [↑](#footnote-ref-1)