

Questionnaire to assess the human rights implications of the implementation of the Madrid International Plan of Action on Ageing (MIPAA)

Question 1:

What is the role of your organization? Do you participate in MIPAA implementation or monitoring thereof?

The role of the Ministry of Labour, Health and Social Affairs (MoLHSA) of Georgia is to develop healthcare, social protection and labour policies, related programmes and laws.

within the MoLHSA, the following departments deal with the topic of ageing:

- Health Care Department
- Labour and Employment Policy Department
- Social Protection Department
- State Fund for the Protection and Assistance of (statutory) Victims of Human Trafficking
- National Centre for Disease Control and Public Health
- Social Service Agency

Question 2:

Has a human rights-based approach been integrated in the implementation framework of MIPAA in your country and if so, how did this translate into concrete policies and normative actions? Are there any mechanisms to monitor and assess the impact of MIPAA implementation on the enjoyment of all human rights by older persons?

The main priority of the Government of Georgia is to improve the social economic condition of population and formation of fair social protection system in order to ensure decent standard of living for the elderly.

Nowadays, the basis for receiving pension for old age is an achievement of pension age which is 60 for women and age of 65 for men.

It should be mentioned that in recent years, Georgia has made significant steps in this regards. The growth of pension rates was fulfilled gradually within the frame of existed capacity.

In particular, from September 1st, 2012 the retirement package for women of 60- 67 age and men of 65-67, was determined by 125 GEL with cash component of 110 GEL and retirement package for those of 67 or more - 140 GEL with 125 GEL cash component. This approach has been modified and since September 1st, 2012 the retirement package (pension) for women of 60- 67 age and men of 65-67, was determined by 125 GEL with cash component 110 GEL and retirement package for those of 67 or more - 140 GEL with 125 GEL cash component. This approach has been modified and since April 2013 pension amount (in cash) for all aged pensioners (women from 60 and men from 65) and for the persons with severe disabilities became 125 GEL. Besides, Government provided state program - special package for medical insurance for this group of people, which gradually was merged in the Universal Healthcare Program (please find below). From September 1st, 2013 pension was increased up to 150 GEL.

In addition to the above-mentioned, within the framework of pension system reform, there is planned introduction of accumulative pension system, which implicates the usage of citizen`s accumulated funds rather than receiving a pension. Transition to accumulative system will be based on compulsory pension insurance. In order to maintain the stability for the system and ensure the citizens with incomplete work experience and insurance contributions with adequate social pension, the Government will have the regulatory role.

Before a full transition to accumulative pension system, pensioners who will reach the initial stage of the reform or who will have already reached the retirement age will receive the pension from the Government not less than substantial minimum.

Another priority of the Georgian government is increasing accessibility for Georgian population to medical services, and improvement of quality of these services, which was expressed in non-precedent increase of the volume of state funds approved for healthcare sector.

In view of that, the Ministry of Labour, Health and Social Affairs of Georgia (MoLHSA) introduced several programs for combating communicable and non-communicable diseases, promoting the health of population, revised state policy documents and adopted the national action plans in compliance with WHO standards.

One of the leading healthcare reforms – the Universal Health Care Program (UHC), launched in February 2013, was recognized as a roadmap of the country’s health system development. It is worth mentioning that after introducing UHC, number of aging population in Georgia has increased - in 2014 persons receiving pension because of age has been increased by 9522, which is caused by increase of average lifetime and reduction of mortality in this category of population. The basis of the above mentioned is the improved accessibility of this part of population to the medical services and ability to make a free choice when looking for medical service provider.

The State Fund for Protection and Assistance of (statutory) Victims of Human Trafficking (*hereinafter* - State Fund) is a legal entity of public law under the state control of the Ministry of Labour, Health and Social Affairs of Georgia. It was founded in 2006, on the basis of the law of Georgia on Combating Trafficking in Persons.

One of the aims of the State Fund is: creating decent living conditions for the elderly people.

As of today, 2 boarding houses for the elderly – in Tbilisi and Kutaisi (territorial units), operate under the State Fund. There are 78 beneficiaries living in Tbilisi Boarding House for the Elderly and 85 beneficiaries – in Kutaisi Boarding House for the Elderly.

The aims and functions of Tbilisi and Kutaisi Boarding Houses for the Elderly are:

- Creating home-like conditions for promoting beneficiaries’ mental, emotional and physical development and social rehabilitation;

- Keeping beneficiaries in contact with their biological families and other relatives.
- Promoting beneficiaries' health and social protection, supporting medical rehabilitation and their integration into society;
- Protecting beneficiaries' rights and interests;
- Creating adequate environment encouraging beneficiaries' talents, abilities and potential.
- Social rehabilitation of beneficiaries;
- Providing beneficiaries with 24-hour service, as well as first aid medical assistance and if necessary, organizing ambulatory and stationary medical services;
- Supporting beneficiaries' integration into society;
- Creating adequate environment for beneficiaries to entertain and relax.

The boarding houses provide beneficiaries with 24-hour service, which includes:

- a) Feeding minimum four times a day, one of which should be a three course meal.
- b) Protection of personal hygiene;
- c) Developing creative skills;
- d) Teaching healthy lifestyle and developing living skills;
- e) Involvement in cultural-sport activities;
- f) Providing first aid medical service and medical-rehabilitative procedures;
- g) Organizing ambulatory and stationary medical services, if necessary;
- h) Providing psychological assistance;
- i) All the other activities that promote beneficiaries' complete development.

Community organizations subprogram is approved by the Decree N138 (March 30, 2015) of the Government of Georgia on "Approval of State Programs of Social Rehabilitation and Childcare for 2015". The beneficiaries of this subprogram are persons with disabilities and elderly people (women – from age 60, men – from age 65). One of the important activities is the implementation of the measures supporting the integration of the elderly and persons with disabilities into society.

Question 3:

Have the needs of specific groups of older persons been taken into consideration in the process of implementation of MIPAA and if so, how?

The services in the institutions of the State Fund are tailored to the needs of beneficiaries. Pursuant to the Order of the Minister of Labour, Health and Social Affairs of Georgia N01-54/n of July 23, 2014 “On Approving Minimum Service Standards for the Elderly and Persons with Disabilities in 24-hour Specialized Institutions”, territorial units of the State Fund, on the basis of the assessment of social worker of the LEPL Social Service Agency, are taking into consideration beneficiary’s needs, within 30 days after beneficiary’s enrolment in an appropriate institution. Individual service plan(s), made within this program include:

- The type of service (support) beneficiary will receive;
- Schedule of services established by the plan;
- Expected outcomes of the provided services;
- The list of persons with their obligations assigned to carry out the plan created by the service provider (institution).

An Individual Service Plan of beneficiary is reviewed/evaluated on a regular basis (no later than once in 6 months).

Question 4:

Have older persons been informed about MIPAA and if so, how? How are older persons participating in the implementation of MIPAA including in decision-making about MIPAA implementation?

The Order of the Minister of Labour, Health and Social Affairs of Georgia N 01-54/n of July 23, 2014 “On Approving Minimum Service Standards for the Elderly and Persons with Disabilities in 24-hour Specialized Institutions” is obliging service providers (institution) to provide beneficiaries with the information regarding to the service content and feedback/complaint procedures. Aforementioned is also reflected in the orders of the Director of the State Fund. The beneficiaries of the State Fund have

possibility to give a feedback on the received services through telephone, complaint book and anonymous complaint box. Moreover, the beneficiaries are provided with the contact telephone numbers of the Public Defender Office of Georgia, LEPL Social Service Agency and Emergency Services.

According to the abovementioned order, the service provider is required to develop an individual service plan. Services are tailored to the special needs of beneficiary in the specialized institutions (for elderly and persons with disabilities). The individual approach to the service, increases beneficiary`s motivation to participate in the service planning process. Furthermore, beneficiaries participate in cultural, entertainment and other activities, which help them to maintain physical, social, intellectual and creative activities.

Question 5:

What impact has MIPAA implementation had on equality and non-discrimination of older persons?

The Non-discrimination Law adopted in April 2014, clearly states unacceptability of discrimination on the basis of one's gender identity and sexual orientation along with race, colour, language, national, ethnic or social belonging, sex, pregnancy or maternity, marital or health status, disability, age, nationality, origin, place of birth, place of residence, internal displacement, material or social status, religion or belief, political or any other ground (Article 1).

The provisions of law provide for the elimination of all forms of discrimination, being it direct, indirect or multiple, as well as protection of every person, irrespective of any ground, in order to ensure equal enjoyment of rights. Discrimination shall be prohibited in all spheres, both public and private, including, but not limited to: labour relations; social security and health care; pre-school education, education, access to education and learning process; culture and creative art; science; elections; civil and political activities; justice; state services; use of goods and services; housing; entrepreneurship and banking; usage of natural resources; etc.

Internal regulations (N01-54/n of July 23, 2014 “On Approving Minimum Service Standards for the Elderly and Persons with Disabilities in 24-hour Specialized Institutions”) provided by the State Fund institutions present non-discriminatory approach towards beneficiaries and include special protection scheme from violence, discrimination and negligence. Besides, later amendments in the internal regulations of the State Fund, ensure equal opportunities for enjoying the rights recognized by the Georgian legislation as well as by an above-mentioned internal regulation, regardless of beneficiary’s race, colour, language, sex, age, citizenship, place of birth or residence, property or social conditions, religion or faith, national, ethnic or social origin, profession, marital status, health condition, impairment, sexual orientation, gender identity, political or other opinion, or any other reason.

Moreover, within the framework of Labour Market Formation Strategy Ministry of Labour, Health and Social affairs of Georgia elaborated the State Program on Vocational Training and Qualification Raising of Job Seekers. The aim of the program is to increase competitiveness of job seekers and promote their employment through vocational training in demanded professions and internships. One of the challenging and important features of the program is that there is no age limitation for job seekers.

Apart from that, since December the 25th 2013, Employment Programs Department of the Social Service Agency under the Ministry of Labour, Health and Social affairs of Georgia has launched a state employment program. The program includes recording and registering jobs seekers through the web-site www.worknet.gov.ge. The web-site is free of charge and with no age limitation for job seekers.

Question 6:

What impact has MIPAA implementation had on the fulfillment of the right of older persons to an adequate standard of living?

In 2013 and 2014 the new government prioritized social expenditures over other objectives and increased its social obligations. We have already increased public spending on healthcare, education, and pensions.

With support of UNICEF, new assessment methodology of socio-economic conditions of socially vulnerable families has been elaborated and adopted on December 31 2014 by Decree №758 of the Government of Georgia. According to the new methodology, subsistence allowance may be given to the family, which has no income or any source of it. Social agent's subjective evaluation will not alter while defining ranking scores of long term household items, moreover the methodology considers the family needs, the family members special status (person with disabilities, person with chronic diseases, minors, pensioners etc.).

Since September 2013 retirement package for old aged pensioners (women over 60 and men over 65) and for the persons with severe disabilities was increased up to 150 GEL.

Question 7:

Please provide examples of best practices from a human rights perspective in your country in the implementation, monitoring, review and appraisal of MIPAA.

Question 8:

Please provide information about the main challenges (such as institutional, structural and circumstantial obstacles) your country faces at the various levels of government (communal, provincial and national etc.) to fully respect, protect and fulfill the human rights of older persons in the implementation of MIPAA.

“Midterm action plan for 2016-2019 of the Ministry of Labour, Health and Social Affairs of Georgia” is approved by the order N 01-203/o, of July 1st, 2015 of the Minister of Labour, Health and Social Affairs of Georgia.

According to the midterm action plan for 2016-2019 - the elimination of the worst forms of poverty in the country, social risks and older citizens remains a challenge for a decent standard of living for the elderly. Therefore, the social protection and retirement benefit program aims at developing an efficient and financially sustainable pension,

social welfare system and social services and monetary benefits to vulnerable groups. At present, the retirement package for old aged pensioners (women from 60 and men from 65) and state compensation are distributed within the above-mentioned program, which is equal to the existing rate of the subsistence minimum.