



Republic of Zambia

MINISTRY OF JUSTICE

Human Rights Implications on the Implimentation of
the Madrid International Plan of Action on Ageing

FILE REFERENCE: MOJ/6/7/31

QUESTION ONE

Please provide information as to how the Government has incorporated a human rights-based approach in the implementation framework of the Madrid International Plan of Action on Ageing (MIPAA) and how this has translated into concrete policies and normative actions? How does the government monitor and evaluate the impact of MIPAA implementation on enjoyment of all human rights by older persons?

RESPONSE

The government of the Republic of Zambia (GRZ) through the Ministry of Community Development Mother and Child Health (MCDMCH) developed a National Policy on Ageing (NPA) in 2012 including the implementation plan as well as the National Social Protection Policy (NSPP). The National Social Protection Policy is an all-encompassing policy on all social protection issues including ageing. The aforementioned interventions were developed with the full involvement of the older persons as critical stakeholders. The policies developed therefore reflect the needs and aspirations of older persons.

However, it is worth mentioning that there is no explicit incorporation of human rights based approach in the implementation framework of the Madrid Plan of Action on Ageing (MIPAA). As aforementioned, social protection programmes in Zambia are being implemented by several line Ministries and civil society organisations. Apart from the Ministry of Community Development Mother and Child Health (MCDMCH), other Ministries such as the Ministry of Labour and Social Security, the Ministry of Education Science Vocational Training and Early Education, Ministry of Agriculture and livestock, Ministry of Health and the Ministry of Gender and Child Development are taking part in some way to improve the welfare of the ageing population.

The Ministry of Community Development Mother and Child Health are running old people's homes such as Maramba Old People's Home in Southern Province and Matero Old People's Homes in Lusaka.

Maramba Old People's homes is a home for reception, care and support of older persons aged 60years and above, who are destitute and whose circumstances warrant being accommodated in this home.

Monitoring and evaluation of the various interventions on the issue of ageing are done at the national, provincial and district levels. In addition, the Sixth National Development Plan (SNPD) as well as specific programmes affecting older persons have indicators and monitoring mechanisms.

QUESTION TWO

How has the government taken into consideration the needs of specific groups of older persons in the process of implementation of the MIPAA?

RESPONSE

The government has specific social protection programmes that target vulnerable and potentially destitute older persons. For example, the Social Cash Transfer (SCT) in some cases specifically target older persons. The government also provides grants to organisations of older persons as well as Care Homes. The government is also in the process of developing guidelines for establishing and operating of Care Homes for older persons to safeguard the welfare of older persons under the care of such homes.

Additionally, the government has taken into consideration the needs of specific groups in the implementation of MIPAA. As aforementioned, Zambia has been implementing a number of social protection programmes and interventions

targeted at the most vulnerable older persons in order to improve their welfare and livelihoods. The current social protection initiatives are based on social assistance, social security, livelihood improvement and programmes aimed at empowerment.

A number of immediate observations were made by the Human Rights Commission of Zambia with regard to the effectiveness of the current overall package of social protection programmes. It was observed that the Public Welfare Assistance Programme (PWAP), Social Cash Transfer Programme (SCTP), Farmer Inputs Support Programme (FISP), Food Security Pack (FSP), Women Empowerment Fund (WEP), National Pension Scheme Authority (NAPSA), Public Service Pension Fund (PSPF), Medical Schemes, functional literacy and skills training and so on, all aim at improving the welfare of all vulnerable groups including the aged.

It is also worth mentioning that the government has recently revised the retirement age from 55 to 65 to allow more of the ageing population to take part in the economic affairs of the country. According to the National Pension Scheme Amendment Act No. 7 of 2015, a person who has reached a retirement age of 55yrs has an option to retire at 55yrs old or they may choose to continue to retire at 60yrs. There is an option to further choose to retire at 65yrs old.

QUESTION THREE

How has the government informed older persons about MIPAA and how are older persons participating in the implementation of MIPAA including decision-making about MIPAA implementation?

RESPONSE

As has been stated above, older persons were closely engaged in the development of the National Policy on Ageing (NPA) in 2012. In addition, organisations for older persons are engaged on issues that affect older persons including issues to do with social protection. Among the notable organisations which are engaged by the government on issues of ageing are the Senior Citizens Association of Zambia, The Retirees Bureau as well as other community structures which include older persons.

It is worth intimating further that line Ministries such as the Ministry of Community Development Mother and Child Health (MCDMCH), the Ministry of Labour and Social Security, the Ministry of Education Science Vocational Training and Early Education, Ministry of Agriculture and livestock, Ministry of Health and the Ministry of Gender and Child Development carry out sensitization programmes on television, radio and other available media platforms regarding the services older persons may enjoy or benefit from which addresses the fundamental principles that are espoused by MIPAA.

QUESTION FOUR

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

RESPONSE

The MIPAA implementation has had an impact on the equality and non-discrimination of older persons by creating a level of awareness on the rights and interests of older persons. The government through the Ministry of Community Development Mother and Child Health (MCDMCH) has been active in ensuring that the International Day of Older persons is observed and publicized.

QUESTION FIVE

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

RESPONSE

The impact of the MIPAA implementation in Zambia on the fulfillment of the right of older persons to adequate standard of living has been such that all social protection programmes are being tailored to include needs and aspirations of the ageing population.

On the whole, MIPAA has had a minimal impact on the equality and non-discrimination of older persons. One of the reasons for the lack of impact of the MIPAA initiative is that there is very little publicity specifically talking to the issues surrounding MIPAA. Older persons are still facing challenges in accessing most of the social amenities due to lack of adequate spaces I Old Peoples' Homes.

QUESTION SIX

Please give examples of best practices from the human rights perspective identifies by the government in the implementation, monitoring, review and appraisal of MIPAA?

Among the notable examples of best practices from the human rights perspective include the following:

- i. Full and active participation by older persons on issues which affect them;
- ii. Respect and upholding of rights of older persons;

- iii. Provision of social protection through the Social Cash Transfer to older persons;
- iv. Provision of a robust regulatory framework for Older Persons' Care Homes and
- v. Provision of support and funding to Care homes for older persons.
- vi. Since 2002, Zambia's Farmer Input Support Programme has provided fertilizers and seeds at subsidized prices to farmers. This has contributed to poverty reduction among the aged.
- vii. Zambia has embarked on a programme to build more old people's homes and thereby providing security and safety to older persons.
- viii. There is a deliberate government policy to provide free medical services to older persons.
- ix. The government through the Ministry of Local Government and Housing and in collaboration with the Office of the Vice President have embarked on a Resettlement Programme to ensure that old persons do not become destitute.

QUESTION SEVEN

Please provide information about the main challenges (such as institutional, structural and circumstantial) faced by the government to fully respect and fulfill the human rights of older persons in the implementation of MIPAA.

The Government of the Republic of Zambia has adequate structures to respond to the needs of older persons. In addition, there is in place a good and robust implementation plan which if operationalised could yield good results in terms of

improving the plight of older persons. However, there are challenges in respect of fully responding to the needs of older persons. Some of the challenges include the following:

- i. Lack of comprehensive Legislative Framework and Policy to address the issues affecting the old people.
- ii. Most old people in Zambia live in fear or are threatened because a large segment of society wrongly believes that older people are the ones that practice witchcraft. This endangers the old people's right to life. This problem is most prevalent in rural areas.
- iii. The Republic of Zambia has not yet domesticated the economic, social and cultural rights into legislation and therefore such rights are not justiciable.
- iv. There is lack of accurate data on the numbers of old people in the country. According to the Central Statistics Office (CSO), about 500,000 people are aged 65yrs or older, but independent analysts claim that this may be a conservative estimate.
- v. Lack of universal pensions for older persons;
- vi. Lack of a clear Social Services legislation for older persons;
- vii. Lack of infrastructure such as ramps for easy accessibility to places by older persons;
- viii. Limited financial resources to implement programmes targeted at older persons and
- ix. Negative perceptions by some sections of the population towards older persons.

- x. Older persons in Zambia face a precarious existence. In a country where most people are poor, old age comes with additional risks such as ill-health which make it harder for older persons to engage in gainful employment or other income generating activities. This precarious situation is even more pronounced in families which are headed by older persons.

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