(Translated from Russian)

**Information on measures undertaken to implement the provisions of the United Nations Human Rights Council resolution 24/20 on the rights of older persons**

**Question 1:**

*Please provide information as to how your 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 translated into concrete policies and normative actions? How does your Government monitor and evaluate the impact of MIPAA implementation on the enjoyment of all human rights by older persons?*

MIPAA was adopted in April 2002 at the Second World Assembly on Ageing by the representatives of 159 United Nations member countries, including Kyrgyzstan.

In 2002, Kyrgyzstan became a participant of MIPAA, pursuant to which it committed to “ensur[ing] that persons everywhere are able to age with security and dignity and to continue to participate in their societies as citizens with full rights”.

MIPAA provides for new measures to employ older persons and to increase their income and improve their medical care, education and social security. It specifies three priority areas: older persons and development; advancing health and well-being into old age; and ensuring enabling and supportive environments.

In Kyrgyzstan, improving the quality of health care and social support services is the priority for State policy in respect of older persons.

Older persons in Kyrgyzstan are full members of society and enjoy all of the rights and freedoms guaranteed by and enshrined in the Constitution and in the international legal documents ratified and recognized by Kyrgyzstan. All older persons must have the opportunity to live with dignity and security and not to be subjected to exploitation or psychological or physical violence.

Article 53 of the Constitution stipulates that citizens of Kyrgyzstan are guaranteed social security in old age in the event of illness, loss of working capacity and loss of a breadwinner, in accordance with procedures prescribed by law. Pensions and social assistance must ensure a standard of living no lower than the legal minimum subsistence level.

The following laws and regulations have been introduced in order to ensure an adequate standard of living for older persons:

* The State Pension Social Insurance Act, Act No. 57, of 21 July 1997;
* Presidential Decree No. 193 of 5 June 2008 on compensation for pensioners following an increase in electricity rates;
* Presidential Decree No. 41 of 28 January 2003 on increasing pension supplements;
* Presidential Decree No. 222 of 24 August 2000 on raising employment pensions;
* Presidential Decree No. 252 of 26 May 2009 on basic pensions;
* Presidential Decree No. 339 of 24 September 2008 on the introduction of a cumulative component in the national pension system;
* Presidential Decree No. 564 of 1 October 2014 on increasing the insurance components of pensions from 1 October 2014 onwards;
* Government Decision No. 670 of 24 November 2014 adopting the Pensions Development System Framework.

**Question 2:**

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

A course of action for implementing MIPAA was developed and discussed during public hearings that took place in the provinces of Kyrgyzstan between 10 and 22 September 2005.

The course of action consists of 75 items. The Ministry of Social Development is implementing 5 and is participating in the implementation of 16.

In accordance with the course of action, the Ministry of Social Development has undertaken the following measures:

* The Senior Citizens Act was adopted in 2011;
* Events are held annually in conjunction with the International Day of Older Persons, following the Government’s decision to adopt an action plan for a month-long campaign in support of older persons entitled “Attention and care for older persons”;
* The Government Social-Sector Procurement Act was adopted in 2008;
* The Minimum State Standards Act was adopted in 2009, pursuant to which the National Statistics Committee calculates the subsistence minimum on a quarterly basis;
* Government Decision No. 365 of 5 July 2011 was adopted, approving model regulations for home-care social services; these define the procedure for arranging home-care social services for older persons and for persons with special health needs;
* In partnership with AgeNet International — Central Asia without Borders, the Ministry holds fairs to sell goods produced by older persons;
* The Ministry’s website publishes information on amendments to existing legislation, recently adopted legal and regulatory acts and support measures, including those pertaining to the rights of older persons;
* Government Decision No. 273 of 17 May 2013 was adopted, approving the minimum State standards for social services provided to persons at the residential facilities of the relevant social development authorities. It thus established the scope, conditions and procedure for the provision of social services at residential facilities designed as permanent or temporary inpatient facilities dispensing round-the-clock care for older persons;
* Government Decision No. 635 of 11 November 2014 was adopted, thus approving the minimum State standards for social services provided to senior citizens receiving daily care in semi-residential and social welfare establishments.

The Social Protection Development Programme for the period 2015-2017, Programme No. 85 of 27 February 2015, places priority on State support for older persons as one of the four key areas of social protection.

The aim of this key area is to ensure that all senior citizens receive an adequate level of social benefits and have access to high-quality social services based on their specific needs, by:

* Increasing access by older persons to high-quality social services;
* Improving the rating policy for State social insurance of persons employed in the informal sector;
* Improving the health and well-being of older persons and enhancing their active participation in the development of the country;
* Creating the conditions for older persons to receive further training, retraining, education and placement in employment.

During the development of this Programme, one of the fundamental principles of sustainable development was placed at its core: that of ensuring a better quality of life. The priority population groups are the same as those established in the National Strategy for Sustainable Development and the Plan for the Transition to Sustainable Development: families and children in difficult situations, persons with special health needs and older persons.

We are also including below information pertaining to the legal status of refugees.

In 1996 Kyrgyzstan acceded to the 1951 United Nations Convention relating to the Status of Refugees and the Protocol thereto. Since then, Kyrgyzstan has firmly and consistently met its international obligations pertaining to refugees, as is evidenced by the protection afforded to more than 20,000 refugees, including older persons; the adoption of effective measures to improve legislation and procedures; the implementation of long-term solutions to the problems faced by refugees; and the fruitful cooperation it has had with the Office of the United Nations High Commissioner for Refugees (UNHCR).

The Refugees Act has been in place since 2002. It guarantees the rights of refugees, including older persons.

On 17 March 2012, an act was adopted amending the Refugees Act. Its aim was to bring the Act into line with the provisions of the 1951 Convention relating to the Status of Refugees and with international law and standards. For example, the preamble of the Act is now worded as follows: “Kyrgyzstan provides all refugees with equal legal status, without any discrimination on the grounds of sex, race, language, ethnicity, religion, **age**, political or other beliefs, education, country of origin, property or other status, or any other circumstances”. Moreover, the definition of the term “refugee” was brought into line with article 1 of the 1951 Convention, provisions were removed under which persons arriving in the country illegally were restricted from accessing refugee status application procedures, and foreigners must now be issued with documents while their appeals against the decisions of the relevant authorities are under review. These amendments are aimed at improving the legislation pertaining to refugees. They strengthen the rights of refugees and asylum seekers, including older persons.

In addition, refugees, including older persons, are given priority for naturalization. Article 13, paragraph 2 (4), of the Citizenship Act reduces the application qualifying period for persons recognized as refugees to three years.

More than 9,000 refugees, including older persons, have obtained Kyrgyz citizenship since 2002.

With regard to medical care for refugees, a Cooperation Agreement between the Office of the United Nations High Commissioner for Refugees in Kyrgyzstan and the Ministry of Health has been in place since August 2002. It entitles refugees and asylum seekers, including older persons, to receive medical assistance on an equal footing with Kyrgyz citizens.

Statistics: As at 1 April 2015, there were 174 refugees in Kyrgyzstan, 3 of whom were over 60 years of age. The number of asylum seekers was 192, with no older persons among them.

**Question 3:**

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

Under the Senior Citizens Act, men aged 63 and over and women aged 58 and over who have reached retirement age in accordance with the law are considered to be older persons.

The section on social protection of older persons within the Social Protection Development Strategy for 2012-2014 and the Social Protection Development Programme for 2015-2017 was drafted with the active participation of non-profit organizations working for the protection of older persons, including NGOs such as the Union of Forces for Good, the international ageing research network AgeNet International, the international organization HelpAge International, the Resource Centre for Older Persons and the L. Fomovaya Social Protection Organization.

These organizations are also involved in the various interdepartmental groups and commissions responsible for drafting legal and regulatory acts on issues of concern to older persons.

**Question 4:**

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

In accordance with the Constitution, no one may be subjected to discrimination on the basis of sex, race, language, disability, ethnicity, religion, age, political or other beliefs, education, origin, property or other status, or any other circumstances. Special measures prescribed by law to ensure equal opportunities for different social groups in accordance with international obligations are not deemed to be discriminatory.

Government Decision No. 273 of 17 May 2013 approved the minimum State standards of social services provided to persons in residential facilities run by the relevant authorities and the minimum State standards for social services provided to senior citizens receiving daily care in semi-residential and social welfare establishments.

Under the Government Social-Sector Procurement Act, the Ministry of Social Development holds an annual call for tenders for social projects and programmes. Between 2013 and 2015, the tenders board approved and funded the following:

* Seven projects to support NGOs of persons with special health needs and older persons;
* Five projects to develop social services at day centres for older persons.

In 2014, a day-centre for persons with special health needs and older persons was established in the Kara-Suu district of Osh Province.

In 2015, a call for tenders was announced for social projects to construct day centres for older persons at the local level.

**Question 5:**

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

In accordance with the Senior Citizens Act, the State provides older persons with the following forms of social protection:

* *Payment of benefits and financial assistance in lieu of allowances:*

Under the State Benefits Act, when older persons have no pension entitlement, they receive a monthly social benefit. As at 1 April 2015, 1,960 older persons were receiving such benefits.

At present, the average social benefit paid to older persons (1,000 soms) amounts to 66.6 per cent of the base pension (1,500 soms).

* *Home care:*

As at 1 April 2015, **918** social workers provided home care to **more than 9,100** older persons and persons with special health needs living on their own.

Social protection is provided to older persons through the following:

* Pensions;
* Social benefits for persons with no employment qualifying period;
* Financial assistance in lieu of allowances for specific categories of persons;
* Social services in residential facilities and at home for older persons and persons with special health needs living alone;
* Health-care assistance and various types of rehabilitation services;
* Provision of individual mobility aids on medical grounds, including wheelchairs and prosthetic and orthopaedic services.
* *Medical services provided under the Programme of State Guarantees for the Provision of Health-Care Assistance:*

The following forms of health care are provided under the Programme of State Guarantees for the Provision of Health-Care Assistance:

* Primary health care;
* Emergency medical care;
* Specialized outpatient health care;
* Inpatient care;
* Medication and vaccinations.
* These services are provided free of charge to:
* Persons receiving monthly social benefits;
* Pensioners aged 70 and under.

The Ministry of Health is responsible for the implementation of this Programme.

In accordance with Government Decision No. 237 of 10 April 2012 on the annual celebration of the international days for protection of children, older persons and persons with disabilities, it has become a yearly tradition to mark the period from 15 September to 15 October as the **Month for Attention and Care for Older Persons**, in conjunction with the International Day of Older Persons, held on 1 October.

As part of this commemorative month, government and local authorities make special efforts to provide older persons with additional social support and material assistance to specifically meet their needs.

**Question 6:**

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

State policy regarding older persons is carried out in accordance with national legislation. The rights of older persons are enshrined in the Constitution, pension legislation, laws on veterans of wars, military service and homefront mobilization, social service legislation and other legal and regulatory acts.

Under the Social Protection Development Strategy for 2012-2014 approved by Government Decision No. 755 of 13 December 2011, legal and regulatory acts have been adopted for the development of non-State pension funds, the investment of resources to fund a cumulative component of pensions in the State social insurance system and the establishment of the right to inherit pension savings. A plan of measures to develop a notional defined contribution pension scheme was also approved.

The age threshold for senior citizens lacking the employment qualifying period for social benefits has been raised by two years in comparison with the one for persons who have made insurance contributions in accordance with the pension legislation.

The United Nations Department of Economic and Social Affairs (DESA) offers active support and technical assistance to the countries of the former Soviet Union in applying such instruments and in developing comprehensive policies covering all aspects of ageing. The Ministry of Social Development has sent a letter to DESA requesting technical assistance in conducting national research into ageing. Such research will serve as a foundation for correcting and monitoring national policies on ageing and specific programmes in this field. DESA sent a technical team to Kyrgyzstan in December 2013. The team came to the conclusion that a lack of reliable information is one of the main obstacles to preparing and monitoring national fact-based documentation on ageing. Such documentation would take into account structural changes in the country’s demography and also the interests of older persons.

The Government is planning to conduct research at the national level into ageing and to collect data on older persons in Kyrgyzstan. The non-governmental sector has experience and certain good practices in collecting and compiling information on older persons. For this purpose, and also in order to enhance national capabilities, DESA has considered the possibility of involving NGOs in this review on ageing.

An analysis first has to be carried out of the information and data on ageing and older persons currently available to the Government and civil society.

Two Kyrgyz experts have been chosen to carry out the research:

1. Nazgul Asanovna Anangozhoeva — director of HelpAge International and national expert;

2. Cholpon Muratbekovna Koshova — candidate of sociological sciences and national expert.

Their main task is to conduct an initial analysis of and then to systematize the available information and statistics on the ageing of older persons.

The most important information and data to be collected is as follows:

* Identification of geographic and demographic ageing trends;
* Information to help assess the human, social and economic consequences of ageing;
* Information on the capabilities of the government and non-governmental sectors to address issues linked to ageing;
* Information and data on the link between ageing and other socioeconomic issues;
* Information required for decision-making on ageing issues within the context of the present national socioeconomic development strategy;
* Information that can assist in broadening awareness of ageing issues and that is required for such activities.

The information and data gathered will help spot gaps in the statistics and identify the information that is missing and that must be collected through field work conducted as part of the national research into ageing.

The main objective of the national review into ageing is to collect quantitative and qualitative information on ageing in Kyrgyzstan. The results will help the Ministry of Social Development identify how to correct and monitor national policies and programmes on ageing.

An international conference was held on 9-10 April 2015, entitled “Social Protection of Older Persons: Development, enabling environment, well-being and health care”.

The **goal** of this conference was to discuss new trends and develop a future joint action strategy based on an analysis of information on the activities of the various stakeholders represented by government, civil society and international bodies working for the social protection of older persons. The task involved a discussion of how to integrate or adapt international experience in the field of social policy and health care for older persons to national conditions.

Those invited to participate in the conference included international and regional experts, representatives from the Government, from a number of ministries and from international organizations, and members of the international ageing research network AgeNet International from Kyrgyzstan, the Russian Federation, Kazakhstan, Tajikistan, Uzbekistan, Turkmenistan, Azerbaijan, Georgia, Armenia and Belarus.

The conference was also attended by international experts from Spain, Italy and Serbia, who shared the experiences of their countries in providing for the social protection of older persons and assistance in the process of ageing. The Spanish film director Angelo de la Cruz presented his film, “Crow’s feet”, on the life of older persons in residential homes. As part of this session, a panel discussion was held with the participation of established and emerging film directors. The recommendations and proposals drafted in the outcome documents of the conference were consolidated into a resolution which will serve as a key document in the drafting of policies on ageing.

The conference was organized by the international ageing research network AgeNet International, the international organization HelpNet International and the Resource Centre for Older Persons, with the active support of the Ministry of Social Development.

**Question 7:**

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

The insufficient level of pensions and benefits for older persons.

Resolving this issue will require the establishment of a uniform base pension. Pensions are calculated in direct proportion to the number of years of qualifying service. Under the concept for the development of the country’s pensions, the role of the base pension component is to be reassessed and that component is to be established independently of a qualifying period. However, a minimum period of insurance will be introduced as a requirement for qualification for pension entitlements.

It is also necessary to introduce mechanisms for the security of social services provided to older persons (accreditation).

Another topical issue is that of increasing the responsibility of local State administrations and the local authorities for the development of social services in the regions.

The lack of research on ageing which takes into consideration the demographic situation and current trends complicates the task of forecasting in this field.