**Inputs from the Afghanistan Independent Human Rights Commission to the Public Consultation on the Human Rights of Older Persons pertaining to the Human Rights Council Resolution 21/23**

1. Information on the main challenges related to promotion and protection of the human rights of older persons at the country level

* Afghanistan lacks an updated and comprehensive data on disability and older persons. Handicap International carried out a National Disability Survey in 2005 which remains the most updated source of information. Accurate data would help in prioritizing service delivery, gap analysis and fund-raising activities, to name just a few critical activities.  Data would also assist in designing appropriate employment and educational interventions, including vocational training, as well as making provisions for a governmental allowance or pension scheme for those unable to work. In accordance with the official statistic released by the Central Statistic Organization (CSO) of Afghanistan, around 1,374,186 older persons live in Afghanistan that out of it, 58 % are men and 48 % are women. The life expectancy in Afghanistan, declared by WHO, is 49 years.
* The result of the 2012 study survey on the status of older persons in Afghanistan conducted by the Afghanistan Independent Human Rights Commission (AIHRC), out of 238 older interviewees, 31.5 % of them were on the age of 66-75 years and 11.3 % were over 67 years old. Since the life expectancy is very low in Afghanistan, older persons over 65 have different problems.
* Although, according to Islamic culture, older persons are cared by their children, but high rate of unemployment caused that children become unable to care their parents. The CSO estimate about 9-10,5 million people who are at working age in Afghanistan, but due to deteriorating economic situation, 40% of them are unemployed, and this figure increases annually. 36 % of Afghan population, around 10 Million people, live under severe poverty condition, who earn only 1 $ a day. Therefore, this situation directly affects the older persons, making them very sensitive/vulnerable to poverty related problems. Poor older persons cannot afford to meet their daily needs, such as access to proper housing, suitable food stuff, fuel and access to health promotion and treatment.
* The President of Afghanistan had committed to allocate 1.5% of the national income to disability and destitute older persons, though this has not yet led to a decree to the Ministry of Finance and so far, the funds have not been made available. Currently, almost all disability services in Afghanistan are being delivered by aid agencies, both national and international, and are clearly  
   dependent on donor support. As a slowing of aid to Afghanistan is predicted, the importance of national funds being allocated to disability programming becomes greater.
* Current capacity for the provision of quality services is low. Although disability stakeholders provide various types of support, capacity building is a long-term commitment and requires sustained funding and unified efforts.
* While there are worthwhile initiatives – and good projects being run – there has not been a concerted effort to monitor implementation. The capacity in the area of monitoring and evaluation is insufficient and government bodies have not been able to monitor the delivery and effectiveness of the services are provided to protect older persons and persons with disabilities throughout the country.
* Most of the projects for disabilities and destitute older persons are temporary and short-term, which clearly limits the benefits they can deliver. Uninterrupted and long-term commitment is needed for programme sustainability and capacity  
   development.
* Housing is crucial problem of destitute older persons in Afghanistan. Although, according to traditions, older persons live with their children, but there are very few homeless older persons who have no children or their children are not available to care of them. These poor older persons, mostly men, live in abundant construction or live with slum community in tents or poor mud-made rooms. The Ministry of Works, Social Affairs, Martyred and Disabled Person of Afghanistan planned to establish a care center for destitute older persons, but it was not approved by the Parliament. The Parliament justified that caring of older persons, according to Islamic principles, is the responsibility of, first their children, second their relatives, and third, of related community.
* At present, coverage by disability programmes is uneven, and programmes are not provided throughout the country. An additional problem of accessibility is faced by those with mobility handicaps, as the great majority of buildings have not been made accessible to them. As a result, they have trouble benefitting from education, health services and other services without the necessary adaptations of the infrastructure. High story buildings and other public infrastructures are not easily accessible for older persons and persons with disabilities because these buildings have no elevator or have unusable elevator.
* According to the Afghanistan’s Constitution, providing social insurance and pension to Afghan citizens is the obligation of the Government, but the government, due to very poor economy, provides only the Governmental retired employees with pension not others.
* Those older persons, whose their children cannot afford to care of them, have to work, regardless of age limitation as vendors, house keepers, cleaners in shops, restaurants, mosques and shrines, or otherwise to depend on begging on the streets for surviving.

1. Information on constitutions or legislation explicitly forbidding discrimination on the basis of old age, and on the existence of specific bodies which protect against age discrimination or are mandated to protect and promote the rights of older persons.

* The bill of rights in the Afghanistan’s national constitution has covered most of the fundamental rights and freedoms enshrined in the international human rights treaties. There is discriminating element to undermine the rights of older persons. The Article 53 of the Afghan Constitution obliged the government to provide necessary assistance to older persons, person with disabilities, destitute widows and orphaned children.
* Prisoners over 65 are automatically released against providing the Government with acceptable guarantee.
* The Ministry of Urbanization has adopted construction norms and standard which provides older person and persons with disability with easy access to public building, parks and street.
* No special measure has been adopted so far by the Ministry of Health for provision of special health/medical care for older persons. However, older persons can benefit of free medical services in the Governmental hospital as other.
* Culturally older persons are respected by relative and public, they are helped at public places including in transportation means. During distribution of emergency relief items, older man and older women are given priority by all.

3. Information on specific national legislation, national policies, strategies and plans of action adopted to ensure the equal enjoyment of rights by older persons, particularly in the areas of prevention and protection against violence and abuse, social protection, food and housing, employment, legal capacity, access to justice, health support, long-term and palliative care.

* Unfortunately no legislation, policy and measure has been adopted so far to address special needs of older persons. Most of older persons are provided with family/relative-based support and care. In many cases people on the basis of their ethic responsibility help or given priority to older persons in enjoying their rights. Older persons in Afghanistan always receive ethic-based protection against abuse and rights deprivation.