**Our Ref. 4.3.09/5**

**Human Rights Council Resolution 21/23 – “Human Rights of Older Persons”**

1. **Please provide information on the main challenges related to promotion and protection of the human rights of older persons that your country is facing.**

Older people are considered as belonging to a vulnerable group of the population and therefore, Cyprus in its 10 year action plan (please refer to question 3 for more details) recognizes 9 pillars of action as regards full enjoyment of their rights.

In addition, the Department of Labour, of the Ministry of Labour and Social Insurance deals with issues of non-discrimination in the workplace, including non-discrimination on the ground of age. The Department puts a great amount of effort into awareness raising activities such as publications, seminars etc, with the aim of informing the public in relation to their rights for non-discrimination at work. However, it is apparent that not a lot of complaints relating to such issues are submitted with the competent authorities. Therefore, an important challenge is actually getting the people affected to submit complaints in order to rectify the situation. As a second challenge, stereotypes and prejudices in relation to the characteristics and competences of older persons also work against achieving true equality in the workplace, since employers are more reluctant to hire an older person, rather than someone younger, for work.

1. **Please indicate whether your country’s constitution or legislation explicitly forbids discrimination on the basis of old age. Please indicate information on the existence of specific bodies which protect against age discrimination or are mandated to protect and promote the rights of older persons.**

Article 28 of the Constitution of the Republic of Cyprus states that everyone is equal in law, administration and justice and is entitled to equal protection and treatment.

The Equal Treatment in Employment and Occupation Law (L.58(I)/2004), which harmonises European Directive 2000/78/EC, ensures protection from discrimination in the workplace for a number of grounds, including age. It covers all stages of employee-employer relationship, such as access to employment, promotions, benefits of the position of work, working conditions, including pay, and dismissals. Article 8 of said law provides that it is not considered age discrimination when the differential treatment is objectively and reasonably justified by a legitimate aim and the means to achieve that aim are appropriate and necessary. Such differences of treatment may include special conditions for access in employment and vocational training for younger people and older workers in order to promote their vocational integration or ensure their protection. In a sense this is a positive measure for young or older people as they serve under more favourable conditions at work. Similarly, the law allows for the fixing of minimum conditions of age, professional conditions or seniority in service for access to employment or to certain advantages linked to employment.

Competent bodies for the enforcement of the above mentioned legislation are the Department of Labour and the Cyprus Equal Treatment Authority (under the Ombudsman’s Office).

Also, according to the Law 42(I)/2004 on combating racism and other discrimination, the Ombudsman is responsible for the promotion of equal opportunities irrespective of race or ethnicity, community, language, colour, religion, political or other beliefs, special needs, age sexual orientation in any matter referred to in article 6 paragraph 2 of the above Law. Article 6 (2) refers to:

1. The terms of access, recruitment, promotion and selection criteria in employment, self-employment and work,
2. Access to professional guidance, vocational training and education and acquirement of practical work experience,
3. Employment conditions and terms of employment, dismissal and remuneration,
4. Membership and participation in employees, employers, professional associations or any other activities or advantages derived from them,
5. Social protection, social insurance and health care,
6. Education,
7. Access to goods and services and housing.

1. **Please provide information on specific legislation, national policies, strategies and plans of actions adopted by your country 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.**

Cyprus, within the competences of the Social Welfare Services of the Ministry of Labour and Social Insurance (SWS) drafted a 10 year action plan for older people 2005-2015 and established a monitoring committee who follows up its implementation. The action plan has 9 pillars and covers (1) social protection system for ensuring an adequate standard of living, (2) productive use of pensioners’ time, (3) affordable and supportive environment (4) access to knowledge, education and lifelong learning (5) health, (6) solidarity between generations, (7) accessibility and mobility, (8) neglect, violence and abuse to the people of the third age (9) senior protection in the event of an emergency or disaster.

In addition to the legislation mentioned above in question 2, the following are provided in Cyprus as regards,

**Employment:**

Plans of action that are in effect and from which older persons can benefit are as follows:

* A scheme promoting flexible forms of employment targeting groups at risk, such as persons over the age of 50 and long-term unemployed persons, implemented by the Cyprus Productivity Centre, in the programming period of 2007-2013.
* A scheme for advancing vulnerable groups in employment is also in effect at the Department of Labour. The aim of this scheme is the full time employment of disadvantaged individuals in the private sector and local authorities, by providing incentives. For the purpose of this scheme, disadvantaged individuals include, among others, those whoare aged 50 and over. The Scheme was implemented between 19 March 2010 and June 2011. Out of 1419 employees participating, 339 (28.11%) are over the age of 50.
* An information campaign, in 2008, entitled “Gray hair, experienced hands” seeking to encourage the employment of over 55 and lifelong learning. The campaign was in line with the EU Lisbon Strategy and included various actions, such as seminars that were carried out in cooperation with public partners and other interested bodies, the publication of informative leaflets, as well as an international conference on active ageing.

**Prevention and combating of violence and abuse**

Cases of abuse against elderly people from a person outside their family are handled according to the provisions of the Penal Code. Priority is given to ensure the protection, safety and support of the victim.

Cases of abuse against elderly people from a member of their family are handled according to the provisions of the Violence in the Family (Prevention and Protection of Victims) Laws of 2000 and 2004. For cases of abuse within the family, the domestic violence government agencies, as well as NGOs, cooperate on the basis of the Manual of Interdepartmental Cooperation on Domestic Violence, approved by the Council of Ministers in 2002, which is now in the process of being revised. A recent development is the adoption by the Ministerial Council of a National Action Plan on Prevention and Combating Violence in the Family (2010-2013). The aim of this National Plan is to monitor violence in the family in Cyprus to promote services dealing with all aspects of the problem and specifically for support and protection of victims and monitor the effectiveness of services and the enforcement of the relevant legislation.

**Social Protection and Long term care**

Article 9 of the Constitution of the Republic of Cyprus states that everyone has the right to decent standard of living and social insurance, including financial assistance to poor and a social insurance system.

Within this framework, the SWS, in order to safeguard the well-being of the elderly people, provide services and implement action plans in order to cover the needs of elderly people in a more holistic way. The Social Welfare Services through the Public Assistance and Services Law 95(I)/2006 and (L.67(I)/2012), provide public assistance to elderly people, in order to ensure a decent standard of living.

Also, the Social Insurance Services (SIS) of the Ministry of Labour and Social Insurance are responsible for the implementation of the Social Insurance Scheme (Social Insurance Law 59(I) of 2010 as amended) which provides for old age pension at the age of 65 and under certain conditions at the age of 63 (with an actuarial reduction). In addition, the SIS implement the Social Pension Law (Law 25(I) of 1995-2005) which aims to provide for a pension to individuals, who reach the age of 65 and do not have the right to pension or other similar payment from any other source.

Furthermore, in order to improve the adequacy of pensions the Cyprus government has also implemented targeted measures in respect of low pensions in an effort to gradually reduce the number of pensioners living below the poverty threshold. The Income Support Scheme for Low Income Pensioners and the Easter Grant which are administered by the Benefits and Grants Service of the Ministry of Finance.

The SWS provide services such as, Home Care Services, Day Care Services and Institutional Care Services. The Social Welfare Services give emphasis to the mobilisation of NGOs concerning the provision of care services to elderly people. Through Subsidization Schemes, financial support is provided to Local Authorities and NGOs for the provision of such services. Also, the Social Welfare Services have the responsibility of implementing the Homes for the Elderly and People with Disabilities Law of 1991, which includes provisions for the minimum standards of operation of private and community homes which provide services and care to the elderly people. Also, the SWS monitor the provision of services provided to the elderly.

**Housing:**

The Ministry of Interior is responsible for housing planning and housing schemes, based on criteria set. Two schemes are implemented which are of particular assistance to old people who are depended on public assistance: the schemes for the improvement of their housing conditions and improvement of housing conditions of their relatives who can take care of their elderly. These schemes facilitate older people to stay in their home as long as they wish and especially if they are not in need of care in specialised homes.

**Legal capacity and access to justice**

Free legal aid such as advise, assistance and representation may be provided through the Legal Aid Law (N.165 (I)/2002). Free legal aid may be authorised by the Court according to specific socio-economic conditions or if due to the severity of the case or other circumstances deems it necessary. Article 5 of the Law refers to defined human rights violations according to Section II of the Constitution of the Republic of Cyprus and from international conventions ratified by the Republic of Cyprus (which are annexed to the Law).

**Health support and palliative care**

Regarding health care, senior citizens have access to all medical and public health services and receive palliative care services for free. A network of doctors, nurses and other health professionals offer community and home care services to older people with mobility problems.

In Cyprus, the various acute or chronic care geriatric cases are hospitalized in private or public hospitals. The state does not provide intermediate care on an organized basis. Nevertheless, intermediate care is offered to all eligible by the relevant law, citizens of the country. Moreover, public sector cooperates with the private sector to fulfill the needs of the elderly.

Cyprus Community care for the elderly is provided through primary care services both in urban and rural health centers as well as with interventions of Community Nursing Services (Homecare and Community Nursing Mental Health) at home, which are organized in a different context from the personal and home care. Homecare interventions include pain relief, wound changes, counseling, health education and other complex nursing interventions. Where the individual's needs are multidimensional, community nurses have the role of manager (care manager) for the coordination of care (coordination of the activities of doctors, social workers, carers etc).

The Community Mental Health Nursing is provided by registered nurses specializing in Mental Health Nursing and are networked nationwide. Among other services, it provides assistance to elderly people with psychiatric problems or other psychological problems that often accompany old age such as depression, various dementias etc. The interventions are made through a comprehensive range of services with home visits, through the Community Mental Health Centers, Counselling Centres, Centres for primary health care etc.

Within the context of the services provided, a partnership between Community Welfare Councils Urban Health Centers has been developed, which focuses on visits of medical and nursing staff in Elderly Homes and Adult Centers to provide supportive services of Primary Health Care to elderly and / or disabled.