**HelpAge Deutschland:**

**Answers to the questionnaire "Protecting human rights during and after the COVID-19"**

**Accountability and justice**

A few residential institutions with high infection rates have been criticised for not taking adequate preventive action against infections. In some cases, legal action has been taken against the managers of these institutions.

Regarding accountability in Germany, there is a pronounced awareness among the public regarding the situation of older persons in residential care.

**Questions by the independent expert on the human rights of older persons**

**Question 1** (situation and measures taken)

Financial situation

By and large, older persons are not among those groups that have been affected by financial risks due to the corona crisis. The level and payment of public pensions is unchanged, even with a substantial increase from 1 July 2020 according to the general rules of the statutory old-age pension insurance. Considering that many persons of working age have suffered unemployment or short working hours with reduced wages, the relative position of pensioners in the income distribution has improved.

The financial situation of older persons receiving social assistance (means-tested basic income security according to the Social Code, section 12) has not changed either. These persons only make up 3.1% of older persons, and the programme is among the best in European countries. Some claimants of social assistance, however, additionally get food from food banks that are organised by civil society initiatives. Under COVID-19, the operation of food banks has been restricted, but they have recently taken action to improve access for their clients. Some critics claim that food prices have risen under the corona crisis, which would imply, that the material situation of older persons (and others) is deteriorating in real terms. Although inflation in the Eurozone is close to nil, prices of food have gone up during the COVID-19 months. However, the reduction of VAT by the government for half a year from 19% to 16% (and from 7% to 5% for some items) is counteracting the price rise.

Health

Similarly, access to healthcare and medical provisions is unchanged, with one major exception: hospitals have reserved wards for persons infected with the Corona virus, which has led to postponing non-urgent surgery and other medical treatment. There is an increasing debate about the diseases and deaths that are likely to ensue and action has been taken to promote treatment of non-COVID-19 patients.

Moreover, persons have sought medical treatment less frequently than before the Corona crisis, possibly due to the fear of catching the virus in a doctor’s practice or in hospital. This pertains to all age groups, but might particularly apply to older persons.

Residential care

Due to the general lock-down, older persons living in residential care have been subject to isolation, because no personal contacts to relatives and other persons were allowed. On the one hand, this was meant to protect older persons from being affected by others. On the other hand, the isolation has tended to put psychological stress on older persons and lead to loneliness. Recent political measures have released the isolation, so that older persons in residential care can have limited personal contact to persons from outside.

The funding of residential care by the Statutory Long-Term Care Insurance and, for some, by social assistance (means-tested services according to the Social Code, section 12) is unchanged.

Psychological effects

Older persons living outside residential institutions are less affected by isolation than those in residential care, since the lock-down policy in Germany generally allowed persons to leave their homes. But grandparents were not allowed to meet their children and grandchildren, unless they live in the same household.

Ageism and age discrimination

The majority of the German population has supported the lock-down measures by government. But a broad debate about balancing the right to life and civil liberties has unfolded. In this discussion only few voices, like the one by the Mayor of Tübingen, showed signs of ageism, e.g. when stating that many of the older persons who die of COVID-19 would have died soon after anyway. There is a minoritarian protest movement which generally rejects the measures taken by government, viewing COVID-19 as a media hype or as invented by politics or foreign actors like Bill Gates. Protests do not primarily seem to be directed against older persons, although releasing the lock-down and other measures by government would particularly affect older persons who are more likely to die of COVID-19.

Statistical information

Primary source for statistics is the Robert Koch Institut, based in Berlin. <https://www.rki.de/EN/Home/homepage_node.html>

They provide most relevant data updated on a daily basis and are the main reference for the German administration. Further sources are the German Federal Statistical Office and Regional /State Statistical Offices. <https://www.statistikportal.de/de/corona>

**Question 2** (how many older persons called for assistance, help or made official complaints)

The exact number of older people in Germany who have asked for support cannot be quantified. No general data is collected for this purpose by the state statistical offices or local authorities. Only the police collects data here, which is only used for internal use to take and manage preventive measures. According to a query to the State Criminal Police Office of Lower Saxony, the number of reported crimes against older people increased only in the low single-digit range.

*Since the beginning of the corona pandemic, the figures for these phenomena have been collected weekly and additionally filtered according to a few keywords such as corona, quarantine and pandemic. This is intended to identify a possible connection to the corona pandemic in good time.*

*The result is that the number of cases in Lower Saxony is in the single-digit range both for the phenomenon "grandchild trick" and for the area "false police officers". An increased incidence of criminal offences to the detriment of older people is therefore not to be recorded in these offence areas for the time being.*

*Source: LKA Hannover; 12.06.2020 / Press office*

No reliable figures are yet available on sexualised violence against older people. These will be published in 2021 with the annual report of the respective national police force.

**Question 3** (information on reports, speeches and measures)

At the beginning of the pandemic, the vulnerability of older people in Germany, as in most other countries, was not explicitly considered. This may be due to the fact that older people are relatively well provided for by the social security system compared to many other countries. It was not until the cases in France, Canada, Spain and Italy became known that the care of older people during the pandemic became a matter of public concern.

In their public speeches, Chancellor Merkel and President Steinmeier also called for the improvement of medical and social care for the elderly.

Bundespräsident Steinmeier / 12.05.2020 <https://www.bundespraesident.de/SharedDocs/Pressemitteilungen/DE/2020/05/200512-Videobotschaft-7-Tag-der-Pflege.html>

Bundeskanzlerin Merkel / 12.03.2020

<https://www.bundesregierung.de/breg-de/themen/coronavirus/merkel-zu-corona-1729780>

In response to the statement by UN Secretary General Guterres “The Impact of COVID-19 on older persons”[[1]](#footnote-1), Germany was one of 146 countries to sign the declaration [[2]](#footnote-2), thus setting an example for the protection of older people and their rights. This is seen as a strong signal, as it is the first time that the Federal Government has taken such a clear position in favour of strengthening the rights of older people. To this end, we have written a letter to the Federal Government through Minister Braun and asked for support in the examination of the adoption of a convention on the rights of the older people (CROP) and to instruct the ministries involved, to do the same. A reply from the Chancellery is still pending.

The Catholic Church and the Protestant national churches have also called for solidarity and support for older people. Verbally in their so-called Easter and Pentecost messages, and in real terms through the intensive work with the social associations and volunteers recruited in the churches.

**Question 4** (Have older people participated in decision-making processes during the pandemic?)

Older people were involved in the active work of caring for older people in these challenging times through the senior citizens' organisations at local and municipal level. At the national level, no laws were enacted that explicitly referred to older people. Therefore, there was no participation here. However, initial studies show that the quarantine regulations and the lock-down have placed a disproportionate burden on the elderly compared to the rest of the population, especially in the case of dementia patients. However, these figures are not yet reliable. Nevertheless, the German senior citizens' organisations HelpAge Germany and the umbrella organization BAGSO, among others, are working to ensure that this is taken into account appropriately in the event of future pandemics or epidemics. HelpAge Germany is also engaged in spreading information on the needs of older persons in the global South in the context of COVID-19 and in fundraising for related support measures in several world regions.

1. https://www.un.org/development/desa/ageing/news/2020/05/covid-19-older-persons/ [↑](#footnote-ref-1)
2. https://www.un.org/development/desa/ageing/uncategorized/2020/05/140-member-states-support-the-sg-policy-brief-on-covid19-and-older-persons/ [↑](#footnote-ref-2)