

**Submission to the Committee on Economic, Social and Cultural Rights for the
consideration of the second and third reports of the Kyrgyz Republic
(E/C.12/KGZ/2-3)**

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Submitted by HelpAge International, November 2014

Key Words

Older women and men, older prisoners, social security, health

Introduction

1. This submission highlights a) the lack of adequate pension for the vast majority of older people in the Kyrgyz Republic, b) the denial of older prisoners' right to social security, and c) the barriers older women and men face in enjoyment of their right to health. It suggests questions for the Committee to include in its List of Issues to the Government.

Article 9: the right to social security

Inadequate pensions

2. In its second and third report to the Committee (E/C.12/KGZ/2-3) the Government states that, "*Pensions and social assistance are provided in accordance with the economic possibilities of the State to ensure a standard of living corresponding at least to the legally-established living wage*" (paragraph 119). However, for many older women and men who receive a pension, the amount is so low that it prevents them from enjoying an adequate standard of living and other rights including access to healthcare and the rights to housing, food, water. Despite the fact that the pension has reached the minimum subsistence level in Kyrgyzstan for the last year¹, pensioners do not feel secure in terms of income. According to the latest data, the average pension is 4600 Kyrgyz som (US \$83) and the minimum subsistence level (MSL) is estimated to 4408 Kyrgyz som (US \$80)². However, in discussions in 2013, members of a civil society network, AgeNet, calculated a more appropriate MSL, based on actual food, utility and other basic essential costs, would be 8000 Kyrgyz som (US \$145). Hence, current pension rates in Kyrgyzstan do not provide older people with an adequate standard of living.

3. As a result older people are unable to afford basic necessities. According to a HelpAge survey³ in 2012, 5% of older respondents reported lack of access to everyday essentials such

¹ <http://focus.kg/news/economic/4345.html>

² <http://news.namba.kg/read.php?id=1111101>

³ HelpAge International survey summary on older people's rights in Kyrgyzstan, 2012

as food, water, shelter, heating, fuel and clothing as a serious problem for them personally all of the time, with a further 27% per cent reporting such difficulties regularly and 47% per cent occasionally. When these respondents were asked if they felt this was because of their age, 8% reported this to be the case all of time or regularly, and 31 per cent occasionally.

4. According to the National Constitution, Article 53: *“Pensions and social security in accordance with the economic possibilities of the state provide a standard of living not lower than the level of minimum subsistence”*. But in reality 52% of pensioners receive a pension that is lower than the minimum subsistence level and have to continue working⁴.

Older prisoners and their access to social security

5. Older prisoners have limited access to social entitlements and benefits in Kyrgyzstan despite the Law on state pension social insurance (July 21st 1997) which says:

“All insured citizens of the Kyrgyz Republic who made contributions to the state pension social insurance have the right to receive pensions” (Article 1).

“Insurance and accumulative parts of pension are paid to older people staying in boarding houses and prisons.”(Article 31.1)

“Territorial bodies of Social Fund are obliged to provide consultations and assistance in applying necessary documents for pension.” (Article 25.1)

6. A study⁵ in 2011 showed that 100% of older prisoners surveyed were not aware of their rights to social security, specifically to a pension. Prison officials do not organize consultations for older prisoners with representatives of the Social Fund. The survey showed that 13% people of retirement age in the surveyed prisons were not receiving their pension and 18% did not know the whereabouts of their pensions that they got before. The survey found that 24% didn't have labour records and this prevented them from getting a pension. 32% were not aware about the whereabouts of their passports that had been taken from them by the investigator.

7. The study also found that when older people are released from prison they have to face additional challenges. Because of a lack of residence registration, many have little or no access to employment, health care, social services and other public goods. Moreover, they are unable to address the restoration of their documents, which prevents them from accessing health care, their pensions and other benefits they may be entitled to, employment and financial and other assistance.

Proposed Question:

- What plans does the Government have to ensure that social security measures provide all older women and men with an adequate standard of living?

⁴ <http://www.kginform.com/ru/news/20140926/21177.html>

⁵ Report on the situation with older prisoners rights in the Kyrgyz Republic, Resource Center for Elderly, Citizens against corruption, 2011

Article 12: the right to health

Age discrimination and unmet health needs

8. The Government does not report on older people's enjoyment of their right to health in its second and third report (E/C.12/KGZ/2-3). However, age discrimination in health care provision is widespread; older people note that ambulance services ask for the patient's age and routinely discriminate against people over 50: "We have to tell a lie when calling an ambulance" says a member of an older people's group in Bishkek.⁶

9. In its second and third report (E/C.12/KGZ/2-3), the Government states that in 2009, only 2.8% of the population had no access to health care services because they were too expensive or, especially in rural areas, too far away (paragraph 297). However, the HelpAge survey of older women and men in 2012 found that 14% of respondents indicated that there was no health facility within half an hour travel time of their home, including 8% of those living in urban areas and 21% in rural areas. Lack of access was higher among those older people who self-identified as experiencing a limiting longstanding illness or disability (LLID).⁷

10. Survey respondents also reported that they experienced age discrimination in accessing healthcare treatment. A small number of respondents (2%) indicated that they had been refused or denied medical treatment because of their age, and 5% said that they had been refused health insurance because of their age. However, a higher proportion, 16%, experienced worse treatment by health professionals because of their age and 12% said that their health and medical needs had been neglected because of their age. Age discrimination in accessing healthcare alongside inadequate income through pensions are major barriers to older people's enjoyment of their right to health.

Proposed question

- What plans does the Government have to ensure the realization of the right to health of older women and men?

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⁶ HelpAge International, *Programme framework for older people and non-communicable diseases (NCDs)*, Workshop Report, June 2009

⁷ HelpAge International survey summary on older people's rights in Kyrgyzstan, 2012