



REPUBLIC OF
SERBIA



COMMISSIONER
FOR PROTECTION
OF EQUALITY

Special Report on Discrimination against Older Persons



Belgrade, April 2021

Older age is the only certain future for all of us, and intergenerational solidarity is the fundamental contract between all members of the society.

*** The cover illustration was made by Nikola Krasavac, 6th grade student from a primary school in Kraljevo, who participated in the 2017 competition organised by the Commissioner for the Protection of Equality entitled “The Bridge of Understanding – Intergenerational Solidarity”. The report uses photos, artworks and short essays from the competitions organised in 2017, 2018, and 2019.

All terms used in the masculine grammatical gender include the masculine and feminine genders of the persons to whom they refer

*It was raining, it was cold,
I was walking to the school.
On my side of the street
Everyone was carrying umbrellas.*

*Everyone was rushing,
paying no attention to others,
when I saw before me a slowly moving
frail and white-haired older man.*

*One step at a time, with head bent down,
he stops often, as if falling asleep.
His tired face, wet from rain
seems to be saying: "I give up!"*

*I approach him and take his hand
to help his tired soul,
and he gives me a gentle glance
and I see that he is glad.*

*He finally arrived at his doorstep,
raised his tired eyes to the sky.
His heavy, trembling hand
took out a candy from his pocket.*

*He gives it to me and says: "Thank you!"
for being so helpful.
My heart was filled with joy
and I know I have grown.*

Competition "THE BRIDGE OF UNDERSTANDING –
INTERGENERATIONAL SOLIDARITY – 2018", Andrijana Milosavljević,
8/2, Primary School "Branko Radičević", Popovac, Buljane department,

THE SUMMARY OF THE SPECIAL REPORT ON DISCRIMINATION AGAINST OLDER PERSONS BY THE COMMISSIONER FOR THE PROTECTION OF EQUALITY

Discrimination is a complex and socially dangerous phenomenon, unlawful behaviour, unwarranted discrimination or unequal treatment, and/or omission, exclusion, limitation or preferential treatment in relation to individuals or groups or persons close to them on the grounds of any real or presumed personal characteristics. Discrimination may be aimed against different categories of persons or groups of persons, having in mind their personal characteristics, and may occur in all areas of social life. If discrimination is not adequately and timely prevented, it may seriously impact the development of the society as a whole. The right to equality, as a basic human right, enjoys special protection because of the magnitude of the social danger and the importance of the good which is being protected.

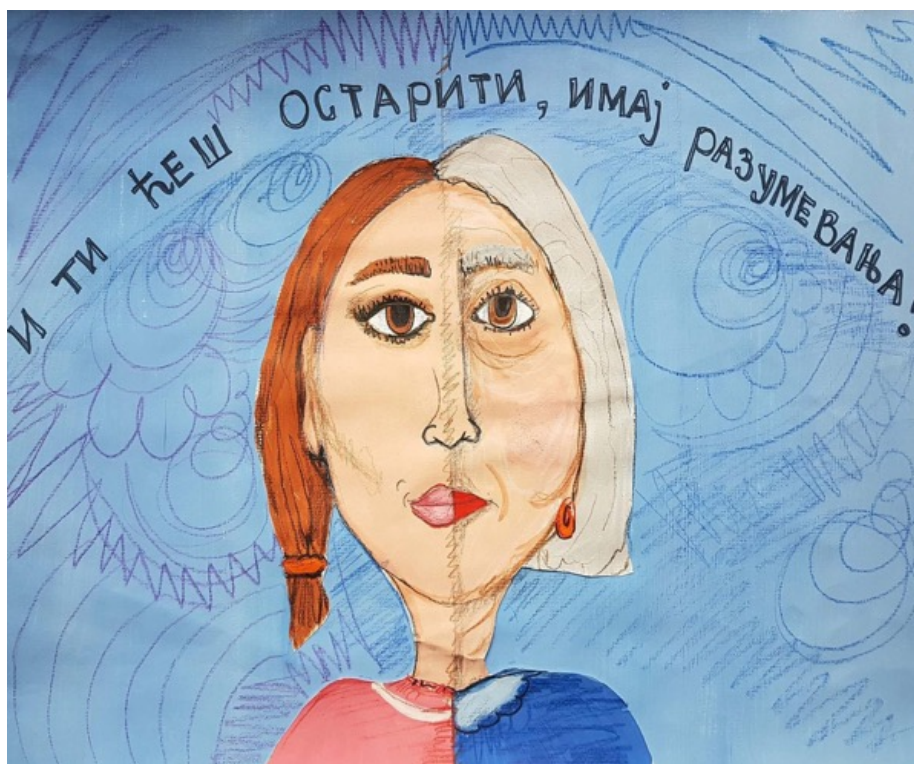
Realising the importance of the respect for human rights and the respect for the principle of equality, the Republic of Serbia has in the recent years developed an adequate anti-discrimination framework and ratified the most important universal and regional agreements in the areas of human rights and prohibition of discrimination.

The Law on the Prohibition of Discrimination proscribes that it is forbidden to discriminate against individuals on the grounds of age, and that older persons shall have the right to dignified living conditions without discrimination, especially the right to equal access and protection from neglect and harassment in the course of receiving health services and other public services.

In analysing the practice of the Commissioner through filed complaints and other actions, and considering the situation regarding the enforcement of equality of older persons through numerous reports and studies by domestic and international bodies and organisations, it may be concluded that discrimination against older persons is present in today's society and that it is caused by many factors which need to be brought to light in order to find efficient ways to improve the situation and upgrade the position of older persons. These are also the basic reasons for the drafting of this report which was implemented along with the study *Position of Older Persons in Serbia – Social Context, Data Overview and Research Results* by the Commissioner for the Protection of Equality with support from the UNFPA.

This report gives an overview of the position of older persons mostly through the practice and actions of the Commissioner, considering all activities taken to improve and protect the equality of older persons, with the aim of providing a comprehensive insight into the situation in this area. The Commissioner's practice includes acting on filed complaints, based on which it is possible to analyse the degree of identified discrimination, its characteristics and forms, usual victims and perpetrators of discrimination, enforcement and protection of equality. The report also gives examples of recommended measures for the implementation of equality, initiatives, announcements, and lists other activities implemented in order to point to the position of the older persons and improve of their position, such as the competition for

the best essay, artwork and photograph for students of the final grades of primary schools entitled *The Bridge of Understanding – Intergenerational Solidarity*. Photographs, drawings and short essays presented in this report were made by the participants in this competition.



The cover was made

illustration by Nikola

Krasavac, 6th grade student from a primary school in Kraljevo, who participated in the 2017 competition organised by the Commissioner for the Protection of Equality entitled "The Bridge of Understanding – Intergenerational Solidarity"

The overview of the situation is given in the report mostly through the overview of demographic situation and population projections, which demonstrate the trend of demographic ageing in Serbia which is projected to continue. The report then presents the international and domestic normative frameworks concerning the exercising of different rights relevant for the position of older persons. This part is followed by the overview of individual reports, analyses and studies made by international and domestic bodies, authorities and organisations concerning the position of older persons, with the aim of pointing out particular issues and the methods to overcome them in contemporary conditions and in light of demographic changes. A special overview of the COVID-19 crisis period is also given, from the point of view of both international and domestic bodies and organisations. The overview of reports and studies is followed by a more detailed overview of the Commissioner's practice by year, ever since the institution was founded. The studies conducted by the Commissioner, including the most important findings, conclusions and recommendations, are covered in a separate part of this report. These studies are very important since they provide insight into the overall position of older persons and the frequency of discrimination based on age. The study *Position of Older Persons in Serbia – Social Context, Data Overview and Research Results* is given integrally (considering it was implemented in late 2020 and seeing that it contains the latest data). Based on this

situational analysis, the key problems were identified as well as the recommendations for the improvement of the situation, which are given instead of a conclusion at the end of the report.

It is a fact that the trend of demographic ageing in the Republic of Serbia is heavily pronounced, and the population of older persons will continue to grow according to the relevant data-based projections. The process of demographic ageing of the population is manifested by a low and constantly decreasing share of young people and the constantly growing share of older persons in the total population. The share of persons aged 65 and over in 2019 amounted to 20.7%, and the share of those younger than 15 was 14.3%.

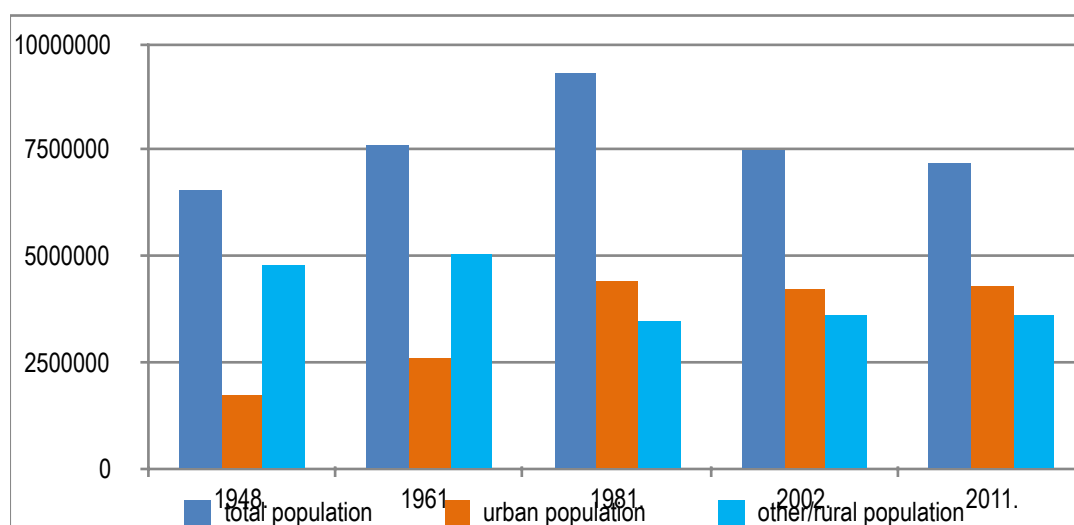


Chart: Comparative overview of the population¹

Some of the demographic characteristics of Serbia include low birth rate, high mortality, negative population growth, negative migration balance, low fertility, depopulation and intensive ageing of the population. The projections of population movements, regardless of their type, demonstrate the further impacts of the demographic ageing process, i.e. the further increase of the number of older persons and the decrease in the share of the young, with a depopulation of villages and the increase of the number of persons older than 80. Number of women in this age group has almost doubled. This situation inevitably results in a multiplication of challenges to the economy and systems of health and social protection, and of pension and disability insurance. In order to ensure an adequate response of all systems to the needs changed by the ageing of the population, the given demographical data should be considered.

Many UN-level sources also point out that the demographic changes across the world are resulting in a sudden increase of the number of older persons who may be directly affected by discrimination based on age and ageism, thus increasing the pressure on societies to respond to these changes. For the position of older persons, many universal conventions and UN declarations on human rights are especially important, as well as documents such

¹Comparative overview of the population, Statistical Office of the Republic of Serbia, available at: <https://www.stat.gov.rs/sr-Latn/oblasti/popis/popis-2011/popisni-podaci-eksel-tabele>

as the *Political Declaration Madrid International Action Plan on Ageing* and the *UN Principles for Older Persons*. At the level of the UN, there has long been a debate, particularly in recent years, within the specifically formed Open-Ended Working Group on Ageing, on the need to adopt a new instrument for the protection of older persons exclusively and on the combat against discrimination on the grounds of age. Also significant are the *Sustainable Development Goals 2030*, which concern the future social and economic development in accordance with the sustainability principles, which are almost equally important to members of all generations. Through the Sustainable Development Goals, older persons have been recognised as a particularly important group when it comes to the ending of poverty, good health and well-being for all generations, enabling lifelong learning, gender equality, creating inclusive, safe, resilient and sustainable cities and other settlements. The ageing of the population affects all aspects of societies that should adapt to the social and economic implications of the process, in order to use their opportunities and mitigate the challenges including fiscal pressures on the social protection systems, changes to the labour market dynamics, and the family and intergenerational relations. These are also the reasons why the importance of the introduction of ageing into public policies is highlighted.

At the European level, in addition to universal documents such as the *Charter of Fundamental Rights* and the *European Social Charter (Revised)* of the Council of Europe, the EU directives on equal treatment and anti-discrimination are also relevant. The European Commission has paid significant attention to demographic changes and the resulting challenges. That is how in the *EU Green Book on Demographic Change*, the ageing of the population in combination with the declining number of working age persons is described as a challenge that needs to be solved since it will impact the economic and social future of the entire society. In the European Commission's document, *The Report on Impact of Demographic Change*, the initiation of a consultation process for the development of two documents was announced - *Green Paper on Ageing and Rural development – long-term vision for rural areas Roadmap*, which should, based on available data, closely define the necessary strategic framework and necessary activities to utilise the abilities and capacities of older persons, particularly regarding the silver economy. In January this year, the *Green Paper on Ageing* was adopted, wherein two concepts are given which may allow for the success of policies in older societies, i.e. healthy and active ageing and lifelong learning. On the other hand, in the European Commission's report which analyses the implementation of the European Convention on Human Rights, it was concluded that it is necessary to adopt the previously proposed Directive on Equal Treatment based on age in the areas of social protection, education, housing, health protection, and access to goods and services.

When it comes to the national legal framework, in addition to regulations in the area of prohibition of discrimination, significant regulations include also those that govern certain areas of social relations which directly affect this population, such as pension and disability insurance, health and social protection. Also, the amendments to certain regulations and the adoption of new legislation was announced, such as the amendments to the Law on Social Protection and Family Law, adoption of the Law on Gender Equality, etc. In Serbia, the existing anti-discrimination legislation does lay the foundations for the improvement of equality and prevention of discrimination, but this legal framework needs to be improved and harmonised with the EU acquis and international standards. That is how the need to amend the Law on Prohibition of Discrimination was identified, which would include the establishing of a unified system for the monitoring of discrimination occurrences and methods of functioning of the legal protection system, which should contribute to the understanding of the situation in our society and promote the fight for equality, particularly having in mind that

the Commissioner’s practice in acting on complaints shows that older persons rarely turn to the competent authorities. Equally important is the permanent education about the notion and forms of discrimination and protection mechanisms aimed at all social actors (staff in the centres for social work, healthcare institutions, local self-governments, police, etc.) and at the older persons themselves, in cooperation with civil society organisations that bring together older persons or the organisations are trying to improve the position of older persons. Media promotion is also important, as is the encouragement of tolerance and understanding, while highlighting examples of good practice. In order for these principles and intergenerational respect to be accepted as general, universal values, and in order to improve the position of all generations, they ought to be included in the curricula during schooling and education at the earliest age.

Until 2015, the National Strategy on Ageing was in force, which was a guideline for all actors in the system regarding the direction for the development of different areas, highlighting the methods to improve the social, economic, political and cultural positions and roles of older persons. However, five years after the expiration of this strategy, no new document was adopted that would fully realise these activities. The Commissioner has for years, in regular annual reports, pointed out the need to adopt strategic documents that had expired, such as the National Strategy on Ageing. The need for the adoption of a new strategic document concerning older persons should not be observed only from the point of view of the demographic ageing of the population, but particularly from the point of view of general acceptance of the passive role of older persons in our society. This document would, in addition to covering all issues important for the improvement of the position of older persons, contribute to the change of attitudes about their passive roles, encourage active ageing and the utilisation of this generation’s capacities, along with the promotion of intergenerational understanding and tolerance.

The pension and disability insurance in the Republic of Serbia is based on intergenerational solidarity and the system of covering expenses for pensions by the current income from the contribution for pension and disability insurance, according to which the employed are financing with their contributions the payment of pensions to the existing beneficiaries, thus acquiring the same right themselves. However, in the light of demographic changes, such a model of pension insurance is becoming unsustainable in the existing format, and that is why the pension amounts are decreasing compared to the period when such a system was established, when three or four insured persons paid the insurance amount for one pensioner, which largely impacts the financial security of older persons and “pushes” them into poverty.

According to the data of the National Pension and Disability Fund from January 2021, the average pension amount is 29,378 dinars, whereas the average amount of pensions for agricultural workers is 11,896 dinars.

Pension amount	Number of users	Percentage of users
Up to 10,000 dinars	103,598	6.1
10-15,000 dinars	223,055	13.2
15-20,000 dinars	321,047	19
20-25,000 dinars	238,504	14.1

35-40,000 dinars	128,447	7.6
Highest pensions (100,000 and more)	4,194	0.2

Table: Pension amounts, National Pension and Disability Fund data, November 2020

When the available data is compared, it can be concluded that more than 75% of pension beneficiaries receive a monthly pension lower than the value of the minimum consumer basket (in September 2020 – 37,741.06 dinars). Such income does not allow for economic security in old age, and it reproduces poverty and dependence on other family members and the society as a whole. Also, according to available information from the *Progress report on the implementation of Sustainable Development Goals by 2030 in the Republic of Serbia*, the at-risk-of-poverty rate in 2018 was 24.3%, i.e. there was a decreasing trend, demonstrating a slight progress among all age categories except for the oldest population (65+) wherein a moderate drop was recorded. At the same time, according to the relevant information, more than one half of beneficiaries on the records of centres for social work belong to the group of economically vulnerable users (the percentage of this group of users in 2019 grew by 33.5% since 2011), whereas those older than 65 make up for 10.9% of the total number of recipients of monetary social assistance. Having in mind that many persons cannot exercise the right to monetary social assistance or they are experiencing difficulties in the exercising of this right even though they require the assistance, the Commissioner proposed the initiative to loosen the requirements for the older persons to exercise the right to material support, through amendments to the Law on Social Protection.

Persons living in poverty are among the groups which are at the highest risk and which are faced with the most discrimination. The fight against poverty is key in the areas of economic and social rights and implies the provision of economic and social security and the quality of life in all ages, especially taking care of the poverty of older persons. The Commissioner's recommendations in the several previous regular annual reports have highlighted the need to envisage the implementation of measures and activities in order to reduce poverty across all levels, in order to attain a full equality of persons, particularly those from vulnerable and marginalised social groups. In this sense, it is necessary to pay close attention to the poverty indicators among older persons and improve the existing programmes and activities that enable a dignified life in older age.

The Commissioner's practice shows that age as the basis for discrimination has been among the most commonly listed personal characteristics during the entire period of the institution's existence. This basis for discrimination was among the top five reasons for complaints according to the frequency of submitted complaints, with the number of complaints growing year by year or remaining stagnant. That is how age as the source of discrimination was the second most frequently cited source according to the number of complaints in 2016, 2017, and 2018. In 2019, this source was the fourth highest, and was listed in approximately 10% of the total number of complaints, the most of which related to the discrimination against persons over 65 years of age. In 2020, the discrimination based on age was the second most frequent basis for complaints, with 14.8% of the total number of filed complaints. When it comes to social relations, discrimination against older persons is reflected in almost all relevant areas, such as: proceedings before public authorities, the provision of public services, the area of social and health protection, pension and disability

insurance, labour and employment, property rights, housing, education, culture and sports, and the areas of public information and the media.

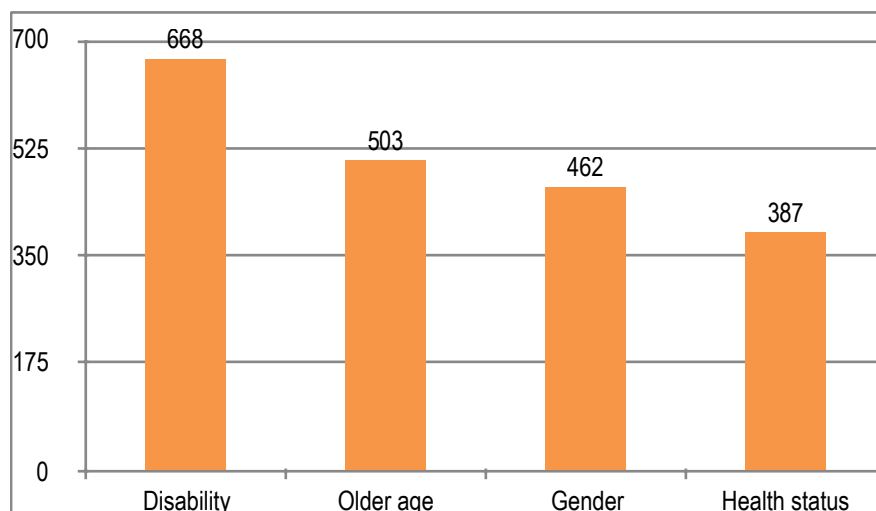


Chart: overview of the number of complaints filed to the Commissioner according to reason, 2016-2020

This basis for discrimination often occurs in combination with other personal characteristics – disability, health status, gender, etc., and this is especially true in cases of discrimination against older persons with disabilities in the areas of provision of services and/or use of public surfaces. It should be noted that the number of filed complaints does not paint a realistic picture of discrimination against older people in our society, since most cases of discrimination are left unreported. Older persons often fail to recognise discrimination and do not report it because of insufficient information, unfamiliarity with the notion of discrimination and protection mechanisms, and also because of the fact that due to their vulnerable position, they are often forced to put up with certain behaviours or consider them a family embarrassment.

Discrimination against older persons is also caused by the position of certain population categories regardless of age. It is a fact that in the Republic of Serbia women are still in an unfavourable position compared to men in all areas of social life, not only based on gender but also based on their marital and family status. The discrimination against women is particularly noticeable in the labour market, in the economic sphere and education, in participation in decision making, and gender-based violence against women is ever present. Such a position of women during their lifetime inevitably leads to an unfavourable position and discrimination at an older age.

In addition to gender differences between men and women reflected from the earlier part of life, there are also other differences between older persons. Older persons are not a homogenous group with the same needs and capacities – there are differences between those living in urban and rural communities, between the “older” older persons, i.e. those over 80 years of age and the younger ones, those in institutional accommodation and those living alone, etc. That is why the improvement of the position of older persons requires a multi-sectoral, comprehensive approach, with a prior analysis and a deeper understanding of all available reports and studies, with the implementation of a broad process of consultations with all relevant stakeholders, taking into account the needs of different groups of older persons. The goals and activities should be defined realistically and the sources of financing

During the emergency state caused by the COVID-19 pandemic, the Commissioner made **312 measure recommendations and 12 initiatives** to the public authorities, in order to review the situation and act to improve the position of certain population groups which are particularly vulnerable during a pandemic. The text gives individual examples of such acts.

At the meeting of the European Network of Equality Bodies that concerned the actions of equality bodies during the crisis caused by the COVID-19 pandemic, the measures proposed by the Commissioner for the Protection of Equality of the Republic of Serbia were cited as an example of good practice, particularly those measures given at the beginning of the pandemic with the aim of protecting human rights and mitigating the negative effects of the pandemic on the particularly vulnerable groups.

should be ensured. It is necessary to actively include older persons and organisations dealing in protection or improvement of the position of older people in these activities and in the implementation of concrete measures especially at the local level.

The existing situation caused by the COVID-19 global pandemic in 2020 particularly accentuated the need to establish a balance between the protection of the health of the population, respect for human rights and the mitigation of various consequences caused by the health crisis. The numerous bodies and organisations around the world have paid special attention to the position of vulnerable groups of population in emergency situations early on during the health crisis. Older persons have been recognised as one of the most vulnerable groups of population in emergency situations, and their movement was limited or prohibited due to their vulnerability and susceptibility to infection in most countries of the world. During the emergency situation, the Commissioner intensified the monitoring of the situation in the protection of equality, and pointed out different problems that the most vulnerable groups of persons were facing by recommending measures and forwarding initiatives to the Government and the competent ministries, and proposed concrete solutions to practically overcome these problems. That is how, for example, the recommendations of measures highlighted the need to reconsider the measure of movement prohibition for older persons, particularly regarding the duration, appropriateness of the periods set for their movement and their frequency, considering also the risks for the health of older persons as a vulnerable social group. The Commissioner also pointed at the difficult communication opportunities for older persons, having in mind that not everyone has electronic methods of communication at their disposal, also highlighting the importance of the functioning of established telephone lines aiding older persons in local self-government units, and the importance of ensuring continuity in the provision of social protection services.

Seeing that older persons are disproportionately affected by crisis situations, particular attention should be paid to the heterogeneity of this population and the many factors that contribute to the specific and heightened vulnerability of its members, and the removal of the existing gaps in the protection of older persons. The meeting of increased needs for support, challenges and obstacles that older persons are facing in the exercising of rights in emergency situations have not been timely recognised in practice, which has been the experience of many countries, and that is why it is important to substantially include older persons in all emergency situation management stages, while ensuring the responses to emergencies are made from a perspective based on human rights. In order to create an adequate response to crisis situations, it is necessary to have as precise as possible segregated data on the population beforehand, in order to avoid excluding some groups of persons from certain measures. It is also necessary to have close cooperation and to include as many representatives of vulnerable groups as possible in the creation of adequate responses to crisis situations, and to encourage volunteering and social responsibility across all levels.

During the previous year, the necessity of providing all necessary services in an adequate scope was particularly obvious. Namely, the exercising of the right to health protection should not be a problem to any citizen, regardless of their place of residence, diagnosis, age and other characteristics. As a consequence of depopulation and migrations, certain health institutions, particularly of primary health protection (health stations and outpatient departments) in rural areas of Serbia have been closed down which results in difficulty of access to these services among the rural, mostly older population. Home care and assistance services in these areas are also rarely formed because of the low number of people and the fragmentation of the area. Integrated services at the local level, which include the assistance of gerontocarers, palliative care and care for patients in the terminal stages of the disease, have not been developed to the required extent, there are not enough geriatric beds and possibilities for institutional care for these people. Over the years, the Commissioner submitted several measure recommendations to enforce equality and initiatives concerning the usage of healthcare services. In this sense, it is necessary to ensure a continuous, comprehensive approach to health services for all persons, in accordance with their needs, on the entire territory of the country. A special group of beneficiaries of services includes those who, due to their specific social and health status, have the need for both social care and permanent healthcare, i.e. palliative care. For the patients facing the terminal stage of their life, palliative care is very important.

There are certain issues also concerning the exercising of right to social protection services, whose continuity is important, particularly in crisis situations. According to available data, of all the social protection services, the accommodation service is the most common and has recorded an increase in the number of users in the institutions for accommodation of adults and older persons by 62.6% in 2019 compared to 2015. The dominant users in these institutions are over 80 years of age, mostly women (more than 65%), whereas more than one half of users used to live in single households before being placed in a home. However, the total coverage of older persons with residential care is below 0.8%, which is far below

the average for European countries. As regards the daily community services, between 2015 and 2018, the number of beneficiaries of the home assistance for adults and older persons has almost doubled. However, the coverage of older persons with this service is 1.24% within the total population over 65 years of age, which is low especially compared to developed countries. In 2018, the service of home assistance for adults and older persons was provided throughout the 12 months in less than 50% of local self-government units, whereas in 19 local self-government units this service was provided during 6 months or less.

The capacities for the provision of support services to older persons, home assistance and care, etc. and accommodation services need to be provided within the required scope in each municipality and settlement, while aiming to provide the usage of these services to as many persons as possible even in small or remote communities where these services are much less developed, even though there is an obvious need. A significant number of older persons, due to the present trend of transformation of families, which in older age are frequently reduced to just one person, and due to the reduction of living capacities, disease and disability, have been directed to use of appropriate social protection services. The current situation in our country shows that older family members are usually cared for by informal caregivers, i.e. other family members and relatives, and the issue of capacity and opportunities for the performance of such tasks is still open. The improvement of the position and preservation of the capacity and health of informal caregivers with the improvement of the system of formal support to those in need are some of the ways how the identified problems can be solved.

The stereotypes and prejudice about the inability of older persons to make rational decisions and the failure to respect their autonomy are a cause of discrimination, and several procedures conducted by the Commissioner over the past years regarded persons who were placed in homes for older persons against their will. There is also other prejudice about the capacities and abilities of older persons. Older persons, in the general culture that promotes youth, beauty and physical fitness, are seen as obsolete and unable to adapt to change. The negative stereotypes about ageing, including the media image, show older persons as ill, dependent, and expensive for the society. It is because of these stereotypes that the society is often deprived of a very constructive image of intergenerational solidarity which enables positive change and creates social innovations.

The complaints filed to the Commissioner are certainly an indicator of the presence of discrimination and the level of respect for the principle of equality in a society, which has been continuously highlighted in regular annual reports. The situation concerning discrimination is also affected by other factors, including the social and cultural contexts, relation of the society towards discrimination, civil awareness on the necessity and importance of following regulations, readiness to report their violation, level of tolerance towards differences, trust in the work of institutions, familiarity with the basics and types of discrimination, and the activities of the civil society in the protection of human rights, etc.

In order to successfully prevent discrimination and achieve equality, it is necessary for all mechanisms for the prevention of discrimination to function efficiently, mostly the institutions of the Commissioner and courts, while also having the full implementation of the anti-discriminatory legal framework by all public authorities, keeping a unified record on procedures for the protection from discrimination in all areas of social life, having insight into all relevant studies, possessing information on the prevalence of this phenomenon, and following international and domestic anti-discrimination practices and policies. A high level of

information and awareness of persons on the prevention of discrimination is also extremely important, as is the awareness on the importance of achieving the equality principle for social and economic development and the improvement of the quality of life of all persons. It is also equally important to create such a cultural environment wherein discrimination is judged and equality is respected and supported.

In the Republic of Serbia, there is no unified database or a single system for the monitoring of discrimination occurrences, which would encompass all discrimination cases, including court actions. The Commissioner has been pointing this out for years, and the amendments to the Law on Prohibition of Discrimination envisage such records.

The studies on the position of older persons implemented by the Commissioner in the previous years (which have been covered in detail in this report such as *Ageing in Cities – Challenges of Modern Society*, *Position of Older Persons in Rural Areas*, *A Well-Kept Family Secret: Elder Abuse* and *Position of Older Women in Serbia*), and the study which is provided integrally in this report *The Position of Older Persons in Serbia – Social Context, Data Overview and Research Results* (considering that this research was conducted in late 2020 and seeing that it contains the latest data) are remarkably important since they provide an insight into the overall position of older persons and the frequency of discrimination on these grounds.



Studies conducted by the Commissioner in previous years

The conducted studies give us a broad context of the position of older persons in Serbia since they cover different aspects of their lives, thus allowing for better enforcement and creation of public policies that aim to remove the causes of discrimination and create measures to achieve equality of older persons. Such studies give us a deeper insight into the problems of older persons and their perception of their own position. Older persons often feel as an unproductive burden to the society, and face poverty, poor health, have difficulties in functioning independently and experience loneliness which is partially the result of the intergenerational gap. Study results have shown that one in ten respondents receives income which is below the absolute poverty line, and almost as many older persons are on the border of absolute poverty in urban communities. Older persons mostly feel discriminated against by the young and state institutions, and believe that they are seen as a burden and as persons that are no longer worthy of attention and care. The manner in which a society predominantly perceives older persons is remarkably important, since it defines how older persons will be treated – as a surplus or burden or as a valuable and equal part of

the society. Studies confirm that older persons usually do not turn to competent authorities in cases of discrimination, even though a relatively large number of them believes that discrimination based on age is common and that they experienced it themselves.

Another obstacle to the equal inclusion of older persons and persons with reduced mobility is the inaccessibility of public facilities and surfaces, and of services, information and communications. Accessibility is connected to the area of human rights and various legal mechanisms of their protection, since the inability of physical access or a lack of information prevents the exercising of a series of rights provided by law. The position of older persons is made easier and societies are made more inclusive by adapting the environment accessible to all ages, having comfortable, safe and integrated residential areas where older persons can be active and autonomous, where they can participate in social and cultural life. In order to ensure accessibility, the Commissioner adopted several opinions in which cases of discrimination were identified due to the existence of physical barriers preventing autonomous access to facilities and services, information and communications, and examples are given in the report.

On the other hand, rapid development of technology, mostly digitalization and robotics which are a major civilisation breakthrough since new findings are facilitating everyday life and work to a large extent, also poses challenges for the equal inclusion of all generations, mostly older persons, in the usage of new technologies for the benefit of all. Older persons often do not have access to new communication channels, which leaves them without timely and complete information on all social trends. This lack of access implies also a lack of skills for advanced use of information technologies – e.g. e-banking, e-government, e-appointments, etc. Therefore, the principle of lifelong learning, with adapted programmes, particularly concerning digital skills, is the pathway to a higher social inclusion of older persons, and the intergenerational knowledge transfer is of key importance for the mental and emotional stability of individuals, having in mind that the exchange of knowledge and experience encourages mutual understanding and strengthens a sense of togetherness. The respect for human rights of older persons means they will be truly included in the community at all levels and in all areas, and the state should provide continuous support and, when necessary, assistance in the enforcement of rights and use of services. Digital inclusion of older persons has a major potential for the transgenerational use of knowledge and experiences of all generations and therefore an impact on the development of the economy. We often witness the use of old crafts which are exhibited and sold on various digital platforms in a very creative manner, which is a major potential for the development of the economy (some examples include healthy food, old recipes, old crafts, villages that offer accommodation in a healthy environment, etc.).

The healthy environment is of key importance for the development and stability of every society and individuals of all generations, which of course also applies to older persons. Older persons could have the role of protectors and innovators together with the young in the protection and improvement of the healthy environment, since they have the “old” knowledge which could be used to modify the existing situation in accordance with the contemporary needs. The need to preserve the healthy environment and develop ecology as a particularly important social area today seems like an



imperative for progress. In this sense, it is encouraging that older persons have the awareness of the importance of preservation of an environment in which all of us would like to live, and the activism of older persons connected to this issue is beneficial and motivating for all generations.

Inhabitants of Topli Do defending the rivers of Stara Planina

Older persons often face violence, abuse and neglect, and it is loneliness, their health condition or dependence on assistance from others, that make them particularly susceptible to these risks. Violence occurs also within families because of the prejudice that older persons are a burden, that they do not contribute to the community and/or that their contribution is not valuable enough. One of the most common forms is financial violence against older persons, since they often do not have a say about how the funds at their disposal will be spent or they have to support other household members. The violence against older persons is a serious issue in the society and is a topic which is rarely discussed and which is often hidden because of shame and is not reported. This is a major obstacle for the resolution of the issue of violence against older persons. The strengthening of the support system to victims and strengthening of institutions in charge of support, with constant prevention of gender stereotypes and sexism, empowering of women, prevention of violence by promoting equality, prevention of violence in crisis situations and other measures, needs to be implemented in order to reduce the number of such cases as much as possible.

Based on the insight into the relevant available data on the situation concerning the enforcement of equality of older persons, analysing the key issues present over the years in the practical work of the Commissioner, and considering the results of conducted studies, the following recommendations are given:



RECOMMENDATIONS:

Social security of older persons:

Form a special committee/sub-committee in the National Assembly for the issues regarding the improvement of the position of older persons or delegate these issues to existing committees.

All authorities at the level of the state, provinces and local self-governments, when creating and implementing different measures and activities concerning the reduction of poverty, should pay special attention to statistical indicators and data from relevant studies, and to the analysis of measures that had already been taken, with a review of long-term effects of the implementation of all measures in practice on older persons, particularly those belonging to groups that have more than one vulnerability, such as the "older" older persons, older women, persons in unfavourable material circumstances, older persons from rural areas, etc.

Local self-government units should develop systems of support to older persons in local communities.

The Ministry of Labour, Employment, Veteran and Social Affairs should propose measures to provide support to financial security in older age through a reform of the pension system and the social protection system in order to improve efficiency and quality of financial support with the aim of overcoming social and living difficulties (e.g. by expanding the existing programmes of financial social assistance for the most vulnerable older persons, by loosening property conditions for the exercising of these rights, by introducing “social pensions” for those who are ineligible for pensions based on age or other pensions).

The Ministry of Labour, Employment, Veteran and Social Affairs and the Ministry of Finance should propose measures to stimulate flexible working arrangements which allow higher participation on the labour market and encourage engagement of older persons in accordance with their capacities.

Strategic documents:

Competent ministries, most of all the Ministry of Demography and Population Policy, in cooperation with the ministries competent for health and social protection and human and minority rights, should develop a comprehensive strategic document on the matters of ageing and improving the quality of life of older persons, based on all relevant data and analyses, considering the heterogeneity of this social group and the inclusion of all relevant stakeholders in the development process.

The Government should adopt new strategic documents and action plans that have expired in the previous period, while respecting the existing demographic situation and its perspectives, encompassing the matters related to ageing and older persons (such as the strategy for prevention and protection from discrimination, development of social protection, healthcare and palliative care, lifelong learning, mental health, development of infrastructure and transport, etc.).

The representatives of older persons and organisations engaging in human rights of older persons should be included in developing strategic documents, action plans and other acts that envisage measures and activities relevant for older persons, and in the implementation of these measures and activities, particularly at the level of local self-governments. Regularly evaluate the implementation of proposed measures and activities in order to understand their effect on different groups of older persons and identify any needs for their amendment.

Amendment to regulations:

The competent ministries should start to amend the existing or adopt new regulations in relevant areas, which are harmonised with international standards, keeping track of the improvement of the position and attaining of equality of all social groups, particularly older persons (such as amendments of regulations concerning the capacity to work, social protection, prevention of domestic violence, and adopting new regulations on gender equality, etc.).

The Ministry of Human and Minority Rights and Social Dialogue should, through amendments to the Law on Prohibition of Discrimination, and in order to achieve

harmonisation with the EU acquis and overcome issues identified in the previous enforcement, envisage solutions to establish and operationalise a unified, centralised and standardised system for the collection and analysis of relevant data used to monitor discrimination and efficiency of the discrimination protection systems.

Crisis situations:

The Government should adopt a regulation that establishes clear, precise and applicable procedures for action in all stages of crisis events, based on high-quality disaggregated data on the population, following the analysis of responses of competent authorities to the crisis caused by the coronavirus. The process of development of these procedures should include experts from different areas and the representatives of vulnerable social groups, mostly older persons, i.e. their organisations and institutions for the protection of human rights.

All competent authorities and organisations should review the methods and work on the provision of access to adequate, comprehensive and timely information in crisis events, as well as ways to overcome the crisis events.

All authorities at the level of the state, provinces and local self-governments should act to promote volunteering and encourage volunteering among all generations, while facilitating the procedures for the organisation of volunteering services and encouraging social responsibility not only in crisis situations, but in regular day-to-day activities.

Health protection system:

The Ministry of Health should act to improve the social protection system and intensify work on increasing availability and developing mobile and innovative services for older persons such as home treatment and care, home visiting services for older persons, telephone counselling, etc. particularly in rural and inaccessible areas.

The National Health Insurance Fund should continue working on providing efficient treatment, medications, materials and latest aids at the expense of the Fund.

Healthcare institutions should intensify activities concerning prevention, screenings, and the raising of awareness and information on health risks among the older persons.

The Ministry of Health should take measures to ensure a higher availability of psychological support and mental health protection to the entire population, particularly older persons, taking into account the crisis situations.

The Ministry of Health should work to ensure equal access to palliative care within the right to health protection, without discrimination, with the simplification of procedures for the implementation of palliative care and the improvement of the use of information technologies for assistance.

Social protection system:

Strengthen quantitative and qualitative capacities of centres for social work and other social protection institutions, in order to comprehensively ensure high-quality mapping of needs, recognise social exclusion and timely activate all forms of support and assistance to older persons.

The Ministry of Labour, Employment, Veteran and Social Affairs should propose ways to better connect monetary compensation with social protection services, ensure the strengthening of control mechanisms and the monitoring and evaluation of the quality of social protection services.

Local self-government units in cooperation with the ministry competent for social protection should actively work on equal increase of coverage and continuity in the provision of relevant services/support to older persons, particularly focusing on rural and remote areas and particularly vulnerable groups (e.g. dementia patients, poor persons at risk of violence, etc.).

Encourage further development and creation of services through the use of innovative technologies (teleassistance) and other innovative services such as occasional and temporary accommodation, etc.

Loosen conditions for the licensing of social protection service providers, ensure adequate reliefs and incentives to service providers in order to stimulate the development of capacities and improve the formal support system.

Take concrete activities to improve the position and strengthen the capacities of informal caregivers, by understanding their needs, introducing support services, providing training for the performance of tasks, networking, etc.

Ensure adequate capacity and quality of institutional accommodation services applying an approach based on human rights, encourage the development of alternative accommodation forms (such as economically sustainable living communities).

Prevention of discrimination and violence:

The Ministry of Human and Minority Rights and Social Dialogue should intensify works on the Draft Law on Gender Equality, which will include measures to remove stereotypical roles of genders and achieve full gender equality of women in all areas.

The Government should take measures to improve coordinated and efficient activities of all institutions of the system in the provision of protection from violence with the development of services to support victims.

The violence protection system should include the obligation to keep gender sensitive statistics according to age, which concerns the reports of violence and cases that went to court, with the implementation of continuous activities to raise the awareness on the recognition of violence and the obligation to report violence by all actors.

Actively and continuously remove prejudice and stereotypes on the role and contribution of older persons to the community, pay particular attention to responsible media reporting without discrimination and control of publication of prohibited media content.

In the media, including social networks, encourage integration of topics that develop a culture of tolerance, understanding and respect for diversity, intergenerational solidarity, mutual respect, gender equality and non-discrimination, and the existence of mechanisms for protection from discrimination.

Continuously conduct adequate training for recognising and reacting in discrimination cases.

Social inclusion:

All authorities at the level of the state, provinces and the local self-government should intensify their work on improving the architectural and informational accessibility, and the implementation of universal design in all areas.

Local self-government unites should work on providing the infrastructure and public transportation without barriers in urban and particularly rural areas, access to services for emergency interventions, information services, helplines, etc. Use different measures at the level of the local community to promote and encourage intergenerational dialogue and the exchange of knowledge and experiences between members of different generations, implement activities to prevent loneliness.

Promote lifelong learning and the inclusion of as many older persons as possible into different, tailor-made programmes, in accordance with the capacities and desires of older persons.

The Ministry of Trade, Tourism and Telecommunications should commence the development of the Action Plan for the Implementation of the Strategy for the Development of Digital Skills in the Republic of Serbia, which will elaborate in detail the manner of training of older persons for the use of contemporary information and communication technologies, with particular focus on online safety.

All authorities at the level of the state, provinces and local self-governments should encourage activities and projects that are dedicated to the equal and methodical inclusion of older persons in different areas of social life, cultural, sports and other activities. Ensure active cooperation with civil society organisations, and the active participation of older persons in preventing the risk from social exclusion, encourage different forms of self-organisation and self-help of older persons, while raising awareness on personal responsibility for dignified, active and healthy ageing.