

## QUESTIONNAIRE

Human Rights Council resolution 24/20 requested the United Nations Independent Expert on the enjoyment of all human rights by older persons to **assess the human rights implications of the implementation of the Madrid International Plan of Action on Ageing (MIPAA)**.

MIPAA was adopted at the Second World Assembly on Ageing in 2002. It requires that States take measures to address ageing in order to achieve a society for all ages and calls for the mainstreaming of ageing into national and global development agendas. It also contains recommendations for action focused on three priority areas: (i) older persons and development; (ii) advancing health and well-being into old age; and (iii) ensuring enabling and supportive environments, which are divided into specific issues, objectives and actions.

The Independent Expert prepared the questionnaire below with the objective to collect information about whether the implementation of MIPAA has enhanced the enjoyment of all human rights by older persons or whether it has had a negative impact and which rights have been affected. It also seeks to identify good practices and challenges encountered by Member States regarding the promotion and protection of all human rights by older persons in the implementation of MIPAA.

All information collected is intended to help the Independent Expert on the enjoyment of all human rights by older persons to elaborate her comprehensive report that will be presented to the Human Rights Council in September 2016.

The questionnaire should preferably be completed in English, French or Spanish. Responses to the questionnaire should be addressed to the Independent Expert, Ms. Rosa Kornfeld-Matte and sent to [olderpersons@ohchr.org](mailto:olderpersons@ohchr.org), with copy to Mr. Khaled Hassine ([khassine@ohchr.org](mailto:khassine@ohchr.org)) by **31 July 2015**.

Kindly indicate whether you have any objection for the responses provided to be made available on the OHCHR website of the Independent Expert on the enjoyment of all human rights by older persons:

<http://www.ohchr.org/EN/Issues/OlderPersons/IE/Pages/MIPAA.aspx>

**Question 1:**

**What is the role of your organization? Do you participate in MIPAA implementation or monitoring thereof?**

Gulshan-e-John promotes awareness of rights, assist communities in articulating concerns, shape strategies, influence policy and laws, and press for accountability. Gulshan-e-John collects and channel views of communities so that decision-making on public policies can be informed more fully. Gulshan-e-John also fulfil services for those who are at risk and vulnerable on multiple fronts.

Not yet

**Question 2:**

**Has a human rights-based approach been integrated in the implementation framework of MIPAA in your country and if so, how did this translate into concrete policies and normative actions? Are there any mechanisms to monitor and assess the impact of MIPAA implementation on the enjoyment of all human rights by older persons?**

*Please include information on existing data, legislations, policies, programmes and institutional mechanisms and resources allocated to respect, protect and fulfill all human rights of older persons through the implementation of MIPAA. Please provide references and copies/ translation of relevant instruments<sup>1</sup>.*

Pakistan is also the signatory of Madrid International Plan of Action on Ageing (MIPPA),and its provides the detailed recommendations to member states to realise the rights of elder people in the areas of development, health and well being in the old age.

1 .The maximum deposit limit both in Pensioners Benefit Account (PBA) and Bahbood Savings Certificate (BSC) has been increased to Three million rupees and profit 10.56 %.(Rs 1056/- per month per hundred thousand) These certificates are available in the denominations of Rs.5,000/-, Rs.10,000/-, Rs.50,000/-, Rs.100,000/-, Rs.500,000 and 10,00000/-. Profit is paid on monthly basis reckoned from the date of purchase of the certificates. The withholding tax is not collected on the profit earned on

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<sup>1</sup> For instance regarding the right to health, including primary, long-term and palliative care services; the rights to work, to an adequate standard of living, including adequate food, clothing, housing, transportation; the right to social security and social protection, including poverty strategies; the right to education, training and life-long learning, including access to new technologies; the right to legal capacity and equal recognition before the law, care and support for caregivers, among others.

these certificates. The investment made in this scheme is also exempt from Zakat.

3. PIA has allowed 10% discount on domestic fare to senior citizens on production of NIC for travel within Pakistan. 10% Senior Citizen (65 Years and above) discount on International sectors in Economy (K/Class) and Business (C/Class) cabins, 65 year age or above

4. Pakistan Railways has granted 25% concession for Senior Citizens on Pakistan Railways with the exception of few fast trains. with immediate effect as per pressnote dated 17th June 2005. and 50 % reduction allowed to economy class travel in all trains from July 2006.

5. Decision has been made by Former PM for honoring and creating separate queue for seniors at Railway Stations, Airports, Banks, National Saving Centers, Post Offices and other places where Utility bills are paid. Free entry has also been allowed in Public Parks, museums and libraries etc. which is commendable but full implementation is still awaited / required soonest, By the Government of Pakistan.

Pakistan has announced a National policy for elderly and a National committee on ageing was set up both these measures could not contribute yet to bring any changes in the lives of older people. There has been no consultation on the national policy and there is no mechanism for the consultation of NGOs on the needs and interventions for older people. These policies, administrative measures and laws are often not reaching the most marginalized or the poorest in rural areas.

### **Question 3:**

**Have the needs of specific groups of older persons been taken into consideration in the process of implementation of MIPAA and if so, how?**

*Please provide information about existing data, legislations, policies, programmes and institutional mechanisms, and resources allocated regarding the protection and promotion of the rights of older women, persons with disabilities, persons of African descent, individuals belonging to indigenous peoples, persons belonging to national or ethnic, religious and linguistic minorities, rural persons, persons living on the streets and refugees, among other groups. Please provide references and copies/translation of relevant instruments.*

According to UNFPA and Help Age International report, there are 11.6 million people over 60 in Pakistan. This figure will rise to 43.3 million by 2050, making it 15.8% of the total population.

1. District Governments should establish Senior Citizens Cell and seek cooperation of the most talented/experienced section of the society for

(a) Family strengthening efforts, revival of values and fill up of generation gap.

(b) Form and mobilize group of senior citizens living in the area for Community Development Projects, Leadership Development, Career planning and development for the youth also poverty reduction. Sharing of life experiences of the seniors with young groups will be most useful.

2. The Ministry of Social Welfare of Provincial or Federal Government can also make use of the Talent of the Senior Citizens to solve Educational, Health, Environmental and Hygienic problems of the communities, of course, on voluntary basis.

3. Public and Private Road Transport: Make it obligatory to reserve seats for seniors. Display of signboards requesting younger persons to courteously vacate seats for their seniors, most important is reduction in Intercity – Bus fare.

4. International Travel by Air: 20% reduction is sought on PIA and other Airlines operating from Pakistan as is being practiced in most of the developing countries including our neighbor India.

5. Health Care: Priority may be provided for attendance/attention/Service to seniors in Public Hospitals. Private Hospitals and clinics may be persuaded to offer reduction in doctor's fees and other Hospital charges including clinical labs.

6. Social Welfare Hospitals: Can utilize the services of retired doctors who are willing to provide free medical advice, provided they are allowed to practice and offered space and respect which they deserve.

7. Health awareness: Special health awareness literature, relating to age-related health issues be developed and freely distributed to assist seniors for better maintenance of their health.

8. Justice and fair play: Cases involving Senior Citizens be expeditiously decided by day- to- day hearings to avoid their exploitation.

9. Useful Employment: .Enable appointment of Talented, Experienced, and Healthy seniors for suitable work as consultants or experts on Projects or Administrative work on voluntary basis or on payment of bare minimum living expenses

10. Allocation of Land for Graveyards: Seniors are facing severe problems for their burial space in DHA and other localities. District Government is requested to look into this problem and allocate more land for their existing graveyards. DHA administration is requested to purchase more land for burial of their residents-relatives who are although living in DHA are not entitled to be buried in DHA graveyard . DHA could levy a reasonable charge for such burials.

11. Education: Creating awareness for respect to elders through media, pamphlets and brochures. Approaching Education Department for including special chapters on social studies aimed at arresting the eroding values of youngsters. Help could be sought from our writers also in writing stories & T.V. dramas to help strengthen our social values especially in respect of elderly persons.

#### **Question 4:**

**Have older persons been informed about MIPAA and if so, how? How are older persons participating in the implementation of MIPAA including in decision-making about MIPAA implementation?**

*Please provide information about existing data, legislations, policies, programmes and institutional mechanisms and resources allocated that ensure the full and effective participation of older persons in decision-making regarding MIPAA implementation, assessment and follow-up. Please provide reference and copies/translation of adopted instruments.*

Though a national policy has been finalised, it remains pending with the Capital Administration and Development Division for the last one year. Only the K-P government has approved Senior Citizen Act 2014. The

Punjab government has finalised the bill but its cabinet has stalled progress while the Sindh government has presented it in its assembly.

1. Division/Department for seniors. Federal/Provincial Governments may create division / department for seniors on the pattern of Women's Division to enable institutional and permanent support of Government for seniors.

2. A National Senior Citizens Fund be established wherein, besides Govt. grants, Younger generation be persuaded to contribute for their Rainy Days, on a defined pattern and Federal Govt. be requested to merge the EOBI in it or the scope of EOBI be enlarged so that all able bodied Pakistanis may contribute according to their income towards his/her retirement.

EOB Act 1976 was enforced with effect from April 01, 1976, to achieve the objective of Article 38 (C) of the Constitution, by providing for compulsory social insurance. It extends Old-Age Benefits to insured persons or their survivors, Under EOB Scheme, Insured Persons are entitled to avail benefit like, Old-Age Pension (on the event of retirement), Invalidity Pension (In case of permanent disability), Old-Age Grant (an Insured Person attained superannuation age, but does not possess the minimum threshold for pension) Survivor's Pension (in case an Insured Person is expired)

Social Security Act, 1965

Pension for Government Employees and Government Employees Benevolent Fund

National Senior Citizens Task Force

Old People's Home

Senior Citizens Talent Pool

Social and Economic Security (around 700,000 older people are entitled to pension and gratuity schemes)

GoP is signatory to Madrid International Plan of Action on Ageing (MIPAA) 2002

National Policy for Elderly announced in 1999 to promote social and economic security of older people while enabling them to contribute to national development

National Committee on Ageing established under the Federal Ministry of Social Welfare and Special Education

Proposed Senior Citizens Welfare Act, 2007

**Question 5:**

**What impact has MIPAA implementation had on equality and non-discrimination of older persons?**

*Please provide information about existing data, legislations, policies, programmes and institutional mechanisms and resources allocated that ensure equality and non-discrimination. Please provide reference and copies/translation of adopted instruments.*

It is a universal fact that older People are not only care receivers but also care providers. In a society like Pakistan where parents are still held in esteem there is always a social bond between different generations. Unfortunately older people are invisible, excluded and discriminated at public level. Poverty Reduction Strategy Papers (PRSP) generally does not address the needs of older people.

According to the World Population Prospects: The 2010 Revision, the current youth bulge in the country is expected to last till 2025, after which, the growth rate of the elderly is likely to take over. It is imperative that the current needs of the youth and the emerging needs of the elderly are addressed simultaneously within the population of people of age 60 years and above would shoot by 360 per cent. The ratio of the dependent population to that of the working population is defined by the dependency ratio. Investment in the elderly population is no longer a question of choice.

By 2050, women over 60 years would exceed the number of elderly men by 18.4 million, which would result in a unique characteristic of feminisation of the elderly population in India as is being experienced in many provinces of China. In fact, the two most populous nations will together contribute to 38 per cent of the global elderly population. Diverse demographic fabric of the country in 2009, there were 88 million elderly people in India. By 2050, this figure is expected to soar over 320 million. Between 2000 and 2050 the overall population of the country is anticipated to grow by 60 per cent whereas

### **Ageing differently**

The predicament of elderly women is aggravated by a life time of gender-based discrimination. The gendered nature of ageing is such that universally, women tend to live longer than men. In the advanced age of 80 years and above, widowhood dominates the status of women with 71 per cent of women and only 29 per cent of men having lost their spouse. Social mores inhibit women from re-marrying, resulting in an increased likelihood of women ending up alone. The life of a widow is riddled with stringent moral codes, with integral rights relinquished and liberties circumvented. Social bias often results in unjust allocation of resources, neglect, abuse, and exploitation, and gender-based violence, lack of access to basic services and prevention of ownership of assets. Ageing women are more likely to get excluded from social security schemes due to lower literacy and awareness levels.

### **Angst of ageing**

Although the degree of isolation may vary, with urbanisation and nuclear families on the rise, elderly women living in metropolitan cities are more likely to feel socially alienated than their rural counterparts. Challenges of health security get aggravated by the fact that elderly women often tend to underplay their ailments. Pre-occupation with nursing an ailing spouse, lack of awareness, nutritional deficiencies or simply neglect are some of the reasons that often take an adverse toll on their health.

While investing for old age is important it is equally critical to safeguard ownership of assets. Religious dogmas on liberation serve to allay the brutal contours of existence. That explains why widowed destitute elderly women seek refuge at pilgrim spots. The promise of salvation after death helps them in embracing the hardship that dominates the last years of their lives.

### **Longevity dividend**

When people live longer, it offers society a chance to reap a 'longevity' dividend. This implies that the elderly continue to contribute significantly for an unprecedented period of time.

It has been a decade since the adoption of the Madrid International Plan of Action on Ageing (Mipaa). Its bold agenda focused on three priority areas: older persons and development; advancing health and well-being into old age; and ensuring enabling and supportive environments.

As a signatory to Mipaa, Pakistan has the responsibility to formulate and



implement public policy on population ageing. Issues of poverty, migration, urbanisation, ruralisation and feminisation compound the complexity of this emerging phenomenon. Public policy must respond to this burgeoning need and mainstream action into developmental planning. Gender and social concerns of elderly, particularly elderly women, must be integrated at the policy level. The elderly, especially women, should be represented in decision making. Benefits of social schemes must percolate to the grassroots. Increasing social/widow pension and it is critical for expanding the extent and reach of benefits. Renewed efforts should be made for raising widespread awareness and access to social security schemes such as workers welfare social security. Provisions in terms of special incentives for elderly women, disabled, widowed should also be considered.

**Question 6:**

**What impact has MIPAA implementation had on the fulfillment of the right of older persons to an adequate standard of living?**

*Please provide information about existing data, legislations, policies, programmes and institutional mechanisms and resources allocated that ensure the right of older persons to an adequate standard of living. Please provide reference and copies/translation of adopted instruments.*

**Draft Bill for providing facilities to Senior Citizens finalized**

The government has finalized a draft Bill to introduce Pakistan Senior Citizens Welfare Act-2007 with establishment of a 10-member Pakistan Senior Citizens Welfare Council and it will be placed before the National Assembly after obtaining formal approval from the Federal Cabinet aimed at making provisions for the welfare of senior citizens of the country.

Following is the complete text of the draft Bill:-

A Bill to make provisions for the welfare of senior citizens WHEREAS the principle of giving due reverence to elders as enshrined in Islam and respect of Senior Citizens being part of our culture, it is expedient to make provisions for the welfare of Senior Citizens and matter connected therewith or incidental thereto;

**It is hereby enacted as follows:-**

1. Short title, extent and commencement.-(1) This Act may be called the Pakistan Senior Citizens Welfare Act, 2007.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definition-In this Act, unless there is anything repugnant in the subject or context,-

(a) "Chairman" means the Chairman of the Council;

(b) "Council" means the Pakistan Senior Citizens Welfare Council established under section 3;

(c) "Prescribed" means prescribed by rules;

(d) "Rules" means rules made under this Act; and

(e) "Senior Citizens" means a citizen of Pakistan attaining the age of sixty years.

3. Establishment of the Council-(1) A Council to be called the Pakistan Senior Citizens Welfare Council shall be established under the administrative control of Ministry of Social Welfare and Special Education providing Secretariat assistance to the Council.

(2) The Council shall be a body corporate having perpetual succession and a common seal with power, subject to the provision of this Act, to enter into contracts, acquire, purchase, hold and dispose of both movable and immovable property and shall by its name sue or be sued.

4. Composition of the Council.-(1) The Council shall consists of:-

(a) Prime Minister of Pakistan.                      Patron-in-Chief

(b) Minister for Social Welfare and              Chairman

Special Education.

(C) Secretary Ministry of Social Welfare Vice Chairman  
and Special Education, Islamabad

(d) Chairperson, National Assembly Member

Standing Committee on Social Welfare and Special Education.

(e) Chairperson, Senate Standing Committee. Member

(f) Director-General, Ministry of Social Member/Secretary Welfare and  
Special Education, Islamabad

(g) Secretary, Social Welfare. Women Member  
Development and Bait-ul-Mall Department,  
Government of Punjab. Lahore.

(h) Secretary, Culture, Tourism, Sports, Youth Member  
Affairs and Social Welfare Department,  
Government of Sindh, Karachi.

(i) Secretary, Zakat Ushr, Member  
Social Welfare and Women Development  
Department, Government of NWFP. Peshawar.

(j) Secretary, Social Welfare, Member  
Women Development and Special Education Department,  
Balochistan, Quetta.

(2) The D.G, Ministry of Social Welfare and Special Education shall act  
as Secretary of the Council.

(3) The headquarters of the Council shall be at Islamabad.

(4) The Federal Government may, by notification in the

Official Gazette, increase or decrease the number of members of the Council from time to time in such manner as it may consider necessary.

5. Meetings of the Council.-(1) Save as hereinafter provided; the Council shall regulate the procedure for its meetings.

(2) Meetings of the Council shall be called by its Chairman on such date and at such time and place as he may deem fit.

(3) The Council shall meet at least twice a year with one meeting within six months.

(4) The quorum for a meeting of the Council shall be one-third of the total membership. The decision at the Council shall be taken by the majority of its members and in case of equality of votes; the Chairman shall have a casting vote.

6. Committees of the Council.- The Council may constitute from time to time, such number of Committees of the Council at Federal and Provincial level as it consider necessary or expedient to assist it in the performance of its functions under this Act, as may be prescribed.

7. Functions of the Council.-(1) The functions of the Council shall be to liaise with the Federal Government, Provincial Governments, Local Governments, and other Non-Governmental Organization whereby senior citizen shall be,-

(i) Ensured settlement of their all retirement benefits including pension before reaching the date of superannuation;

(ii) Provided facility of special counters at pension receiving places;

(iii) Having separate wards with free medical treatment at public hospitals;

(iv) Provided twenty-five per cent concession in road transport fare, fifty percent in train fare, twenty percent in air fare, twenty per cent in ship fare including such concessions in private sector and also fixing quota;

- (v) Having free entry in public parks, museums, zoos, cinemas, theaters, public libraries and other related places;
- (vi) Considered one time for Hajj by fixing quota without balloting with the provision of one attendant, if required:
- (vii) Provided ten per cent concession in telephone bill, electricity bill, sui-gas bill, water-supply bill where such bill does not exceed one thousand rupees per month;
- (viii) Provided recreational facilities by establishing senior citizens centers at Federal and Provincial level;
- (ix) Provided, in deserving case? as may be prescribed, monthly stipend amounting three thousand rupees per month;
- (x) Having special counters to be established in banks, post offices, PIA, Railways and other related places;
- (xi) Guided by special sign boards at public and private places containing instructions and concession;
- (xii) Given preference in resolving their matters related to the Government departments at all level;
- (xiii) Provided fifty percent concessions in the income tax where the limit of annual income, does not exceed four hundred thousand rupees;
- (xiv) Having talent pool available on website for utilizing, their services in the respective fields;
- (xv) Having separate cells in jails and police stations with all basic facilities including wash room;
- (xvi) Given priority in courts for redressal of their cases;
- (xvii) Represented not less than two in each local Zakat and Ushar Committee;
- (xviii) Provided twenty per cent concession in public sector rest houses and private sector guest houses including hotels;
- (xix) Provided twenty percent concessions in the rent of public and private

sector marriages halls including hotels for marriages of only their orphan children;

(xx) Granted multiple entry visa for five years for tourism by the Embassies or Foreign Missions in Pakistan, as the case may be, or the recommendation of Ministry of Foreign Affairs;

(xxi) Allowed to visit foreign countries under senior citizens tourists group to be arranged by the Pakistan Tourism Development Corporation;

(xxii) Granted, in case they are poor and deserving, financial assistance in connection with the marriages of their daughters;

(xxiii) Allowed medical treatment abroad in the most deserving cases on priority basis;

(xxiv) Granted scholarships abroad to their brilliant children for higher education;

(xxv) Allowed driving license and arms license who are mentally and physically alert;

(xxvi) Provided wheel chairs and stools in the mosques for their use in ablution and prayers;

(xxvii) Elevated to their societal image by introducing syllabus at primary and middle level including lunching distant learning courses by the Allama Iqbal Open University through electronic media with the following objectives, namely:- -

(i) To impart moral education to the society to respect and care the elders; and

(ii) To prepare the people for meeting the challenges of the old age problems; and

(xxviii) Ensured identification of their problems, hardships and needs.

(2) The Council may, with the prior approval of the Government and by notification in the official gazette, make changes in different packages for senior citizens from time to time.

8. Funds.-(I) A non-lapsable fund called the Senior Citizens Fund, for the purpose of this Act, will be established to be administered and controlled by the Council.

(2).The Fund shall consists of,-

(a) Initial amount of one billion rupees from the Federal Government Budget for the purpose of creating of endowment fund;

(b) Such sums as Federal Government may from time to lime grant through non-lapsable regular Budget:

(c) Grant of the Federal Government and Provincial Governments;

(d) Grants in aid from Foreign and Domestic public and private organizations: and

(e) Contribution and donations from individuals.

9. Budget.-(1) The Council shall, in respect of each financial year, prepare its budget and submit, not less than three months before the commencement of each financial year, for approval of the Federal Government subject to the recommendations of the Ministry of Social Welfare and Special Education.

(2) The Council shall cause to be carried out audit of its accounts by the Auditor-General of Pakistan.

10. Powers of the Federal Government to issue directions.-The Federal Government may, as and when necessary, issue directives to the Council on matters of policy and such directives shall be binding on the Council. If question arises as to whether any matter is a matter of policy, the decision of the Federal Government shall be final.

11. Power to make rules.-The Council may, with the approval of the Federal Government, by notification in the official Gazette, make rules for carrying out the purpose of this Act.

12. Act to override other laws.-The provisions of this Act shall have effect notwithstanding anything contained in any other law for the time being in force.

13. Removal of difficulties.-If any difficulty arises in giving effect to any provision of this Act, the Federal Government may make such orders, not inconsistent with the provisions of this Act, as may be necessary to remove such difficulty.

**Question 7:**

**Please provide examples of best practices from a human rights perspective in your country in the implementation, monitoring, review and appraisal of MIPAA.**

*Please explain why it is considered a best practice and provide concrete examples.*

Edhi old age home

Gill Shelter old Age home

1.Boarding and lodging, 3 Nutritious and healthy meals per day, Refreshment at regular intervals, Fruit and other supplements, 24 hours nursing care, All necessary medication.

2.Regular visits of doctors and reputed Psychiatrists, Physiotherapy, Recreational facilities.

3.Outings like Picnics, Special Celebration of events like birthdays and other festivals.

**Question 8:**

**Please provide information about the main challenges (such as institutional, structural and circumstantial obstacles) your country faces at the various levels of government (communal, provincial and national etc.) to fully respect, protect and fulfill the human rights of older persons in the implementation of MIPAA.**

*Please explain and provide concrete examples.*

1. They do not have dedicated health care centers or proper public transport facilities. They do not even shelter homes where they can live in respect and dignity after being deserted by family members. We can see many senior persons begging on the road as they do not have any source of income

2. Lack of infrastructural facilities for senior citizens. "People who use a wheelchair face difficulties in commuting. Moreover, builders should keep



in mind the difficulties that physically challenged or senior citizens may face and incorporate them in their infrastructure's blueprint.”

3. National Database and Registration Authority (Nadra) offices or the passport offices, where officials rarely go the extra mile for senior citizens, treating them with the same standards as they do other, younger and healthier citizens.

4. In Pakistan, the norm is to have senior citizens visit these offices in person regardless of their health or physical condition. No senior citizen counters exist at these offices, or if they do they are non-operational.

**No Objection:**

To available on the OHCHR website of the Independent Expert on the enjoyment of all human rights by older persons

Gulshan-e-John  
Pakistan