1. **Please provide information on the legislative and policy framework in place in your country to ensure the realization of the rights of older persons with disabilities, including both persons with disabilities who are ageing and older persons who acquire a disability.**

In the Republic of Armenia the main legal acts regulating the issues related to older people and persons with disabilities, the provisions of which are also fully applicable to older persons with disabilities, are as follows:

**1) The Constitution of the Republic of Armenia (2015)**

Article 29 of the RA Constitution relates to prohibition of discrimination. It states: “Any discrimination based on sex, race, skin colour, ethnic or social origin, genetic features, language, religion, worldview, political or any other views, belonging to national minority, property status, birth, disability, age or other personal or social circumstances shall be prohibited.”.

Article 84 of the RA Constitution states: “Every person in need and the elderly shall, in accordance with law, have the right to a decent living.”.

**2) The RA Law on Social Assistance (2014)**

Article 2 of the Law on Social Assistance defines the concept of “difficult life situation”, which also includes “age-related loss of self-care ability” as a factor that leads to a difficult life situation. Article 13 of the same Law establishes the care services provided to older people and/or persons with disability, their types and provision order.

**3) The RA Law on Social Protection of Persons with Disabilities in the Republic of Armenia (1993)**

The Law defines the legal, economic and organisational fundamentals for the social protection of persons with disabilities (including older persons) in the Republic of Armenia, basic provisions of state policy on providing more favourable conditions and privileges for exercising the rights and abilities of persons with disabilities aimed at ensuring for them opportunities equal to those of other citizens of the country. At present, the draft Law of the Republic of Armenia «On the Protection of the Rights of Persons with Disabilities» is under development, which is based on the provisions of the UN Convention on the Rights of Persons with Disabilities. In order to ensure the rights of persons with disabilities in all spheres of public life (urban development, transport, culture, sport, social protection, health, information, etc.), the draft Law prescribes norms and requirements ensuring social inclusion of persons with disabilities. A very important fact is that in the draft the disability is considered in the context of the interaction of individuals with health disorders and the social and physical environment.

**4) The RA Law on State Pensions (2011)**

The Law, among others, regulates the relationships regarding conditions of realization of the labour or military pension right of persons who are recognized as persons with disability. The right to a labour pension is interconnected with the length of service of a person who is recognized as a person with disability, which is defined by the scale according to the age, and for the persons with disability of the 1st and 2nd groups accordingly 40% and 20% supplement to the rate of the basic pension is provided.

A person, who reached the age of 63 and has working experience of at least 10 calendar years, is entitled to old age labour pension.

According to the RA legislation a person with disability is entitled either to a disability pension (if the required length of service is available) or a disability benefit (if the required length of service is not available).

**5) The RA Law on State Benefits (2014)**

The Law regulates relationships regarding the conditions of realization of the right of persons recognized as persons with disability, who are not entitled to receive pensions. A person, who reached the age of 65 and who does not have a working experience of at least 10 calendar years, is entitled to old age benefit.

**6) Decree 1035-N (of September 10, 2015) and Decree 1151-N (of September 7, 2017) of the Government of the Republic of Armenia**

According to these Decrees, persons with disabilities have the right to receive supportive means through state budget funds. Since 2019, these means are being provided on the basis of state certification, and thus, the beneficiary has a wide range of choices: the type of devices and the list of organizations providing these devices have been expanded.

**7) Protocol Decree N 39 of the Government of the Republic of Armenia of September 18, 2014 “On Approval of the Concept of Delivery of Social Services to Elderly People in the Republic of Armenia and the Program-Timeframe of Implementation of the Concept for 2015-2019”.**

The aim of the Concept is to introduce a new system of social service delivery to the older people in the Republic of Armenia, which is based on full and comprehensive assessment of the actual needs of older citizens and ensuring healthy and active ageing processes.

**8) Decree N 1078-N by the Government of the Republic of Armenia of 10 September, 2015 on "Approving the Cases and Procedure of Activities on Certification of Social Services Provision"**

The Resolution establishes the cases of activities on certification of social services provision, documentation and conditions required for certification, regulates other relationships related to the activities on certification of social services provision and issuance of a certificate of activity on provision of social services.

**9) Decree N 1112-N by the Government of the Republic of Armenia of 25 September, 2015**

The Resolution regulates the relationships on the provision of care for elderly people and/or persons with disabilities at home, in general type and special (specialized) institutions of population social security and social protection day-care centers.

**10) Protocol Decree N 20 by the Government of the Republic of Armenia on “Approving the Strategy for Overcoming the Consequences of Ageing and Social Protection of the Elderly and the 2017-2021 Plan of Action for Implementation of the Strategy”**

The main purpose of the Strategy is to create a favorable and healthy environment for the elderly people and to ensure a dignified ageing process.

The defined strategic priorities are as follows:

* Perfection of the current system of care and social service provision and introduction of a system for provision of alternative services;
* Ensuring healthy and active ageing and maintaining health, independence and dignity at an older age;
* Creation of the necessary foundations and mechanisms for delegation by the state of the elderly care services to non-state organizations on a competitive basis;
* Ensuring the social inclusion, independent life in the community and participation of the elderly in the community life and decision-making;
* Preparation and retraining of specialists providing care services to the elderly;
* Creation of sufficient and satisfactory foundations for ensuring a longer working life of the elderly.

Although presently in the legislation there are no separate provisions on elderly people with disabilities, the policy and legal acts being developed are aimed at social protection of either older persons or persons with disabilities, and for all cases services are provided on the basis of person’s individual needs assessment.

1. **Please provide information on discrimination against older persons with disabilities in law and practice.**

In Armenia non-discrimination is a Constitutional norm (see point 1.1). At present, the draft law reaffirming the rights of persons with disabilities is being developed. The draft law on anti-discrimination is under preparation as well. By the latter, the refusal to provide reasonable accommodation is recognized as discrimination based on disability.

1. **Please provide information and statistical data (including surveys, censuses, administrative data, literature, reports, and studies) related to the realization of the rights of older persons with disabilities in general, as well as with particular focus in the following areas:**

* **Exercise of legal capacity;**
* **Admission procedures to social or healthcare services, including involuntary admissions;**
* **Older persons with disabilities living in institutions;**
* **Access to support to live independently in the community;**
* **Access to free or affordable healthcare:**
* **Access to free or affordable rehabilitation goods and services;**
* **Access to social protection schemes; and**
* **End of life and palliative care.**

**Statistical Data**

The number of elderly people in the total number of RA resident population makes up around 13.3%, and the number of persons with disabilities is 6.3%. The number of persons with disabilities in the total number of elderly population makes up 19%. In the total number of persons with disabilities the elderly make up 40%.

In the total number of residents of the round-the-clock care institutions, 70% are persons with disabilities above the age of 18, and elderly people with disabilities make up about 20% of the total number of residents.

35% of the total number of people receiving home-based care services are persons with disabilities above the age of 18, and elderly people with disabilities make up around 23% of the total number of homecare recipients.

In the RA current legislation, there are no particular privileges envisaged for elderly people with disabilities, however, when/during registering, placing and providing services to beneficiaries of the round-the-clock care institutions, their physical and mental conditions, as well as self-service and mobility abilities, including the status of disability and so on, are taken into account (the assessment is carried out in accordance with the procedure stipulated by the Order of the Minister of Labour and Social Affairs of the Republic of Armenia N81-A/1 of 25 May 2015).

Fully recognizing and remaining faithful to the obligations assumed under the UN Convention on the Rights of Persons with Disabilities and to our commitment to guarantee non-discrimination and equality of rights, ensuring the rights of persons with disabilities (including elderly people) is being addressed during drafting the RA Law "On the Rights of Persons with Disabilities".

In 2018, about 6500 people were provided with 11500 assistive devices (wheelchairs, hearing aids, canes, soundcard, prosthesis, orthotics, walkers, crutches, etc.) through the state budget resources, of which 2380 were elderly people who received 3700 assistive devices.

The provisions on the protection of the rights of elderly people, including persons with disabilities, and on access and availability of health and social services, are established in the following legal acts:

1) The RA Law “On Making Amendments and Supplements in the RA Law “On Education” (2014) stipulates that additional educational programmes are implemented to meet the professional and individual educational needs of a person throughout his/her life, which is considered as means of ensuring non-formal education and provides an opportunity for the elderly person to obtain additional education, with no age restriction.

2) The RA Government Decree No. 952-N "On Approval of the List of Medical, Dental, Pharmaceutical and Public Health Specialties in the Healthcare Sphere of the Republic of Armenia" of September 4, 2014, according to which the specialty of geriatric has been added in the list of medical specialties.

3) The RA Law “On Social Assistance” also contains provisions on accessibility and availability of social services, defines rights and responsibilities of social workers in the process of service provision. According to Article 42 of the Law, a community social worker must also identify persons, families and other social groups in need of social assistance to assist them in identifying and utilizing their capacities to overcome difficulties. With that purpose, Article 48 of the RA Law on “Local Self-Government” envisages setting up a community social worker position in a community with more than 5,000 members.

4) The RA Government Decree N 318-N of March 4, 2014 defines the procedure for provision of free and privileged medical care and services guaranteed by the State. According to the Decree, persons with disabilities are included in the list of persons entitled to free medical care. People with disabilities also enjoy the privilege of receiving free or discounted medicines.

5) The aim of the Regulation approved by the RA government Decree No. 1044-N "On the determination of Regulation on the Interagency Social Partnership" dated September 24, 2015 is the identification of persons (families) in need of social assistance (including older people and persons with disabilities), preparation and implementation of individual social programmes and ensuring of continuous control.

6) The RA Law “On Making Amendments and Supplements in RA Labour Code”, also promotes maintaining elderly people longer at their workplace by stipulating, that the indefinite term employment contract concluded upon the initiative of the employer can be terminated if the employee, entitled to receive an old age pension, has reached the age of 63, or the employee not entitled to an old age pension has reached the age of 65, in case if the corresponding grounds are stipulated by the employment contract.

7) With the aim of ensuring accessible conditions for persons with disabilities regardless of age, supporting their rehabilitation and socialization, the RA Government Decrees N 1151-N dated September 7, 2017 and N 1035-N dated September 10, 2015, regulate the process of issuing them certificates to obtain prosthetic-orthopedic, rehabilitation supplies and for the acquisition of other rehabilitative technical facilities. Persons in need of rehabilitation or assistive devices obtain them free of charge by a means of certificate, the cost of which is reimbursed by the state.

1. **Please provide information on the existence of long-term care services in your country and describe to what extent they promote the autonomy and independence of older persons with disabilities.**

The State guarantees the provision of free care services (including 24-hour care (general and specialized types) and home care) to elderly and persons with disabilities in a difficult life situation who are in need of long-term care according to their assessed social needs. In the Republic of Armenia, around 1,400 people are taken care of in the round-the-clock

care institutions (1210 are in the state institutions), and about 4,000 people receive home-based care services, to 1,350 of which the care is provided by state institution.

Provision of long-term care services to elderly and persons with disabilities includes delivery of housing, socio-psychological, rehabilitative, medical assistance, cultural and other social services.

The involvement of volunteers in the field of service delivery to elderly and persons with disabilities is also large, especially in the case of services provided by non-governmental organizations. Thus, the “Armenian Red Gross” and “Swiss Red Cross” Organizations provide home care services to single elderly and persons with disabilities in Shirak and Lori provinces of Armenia, and for each of the 6 employee unit there are in average 10-15 volunteers. The same is the case also for the services provided by “Armenian Caritas” Charitable Organization.

1. **Please describe how is access to justice guaranteed for older persons with disabilities. Please provide information on jurisprudence, complaints or investigations in relation to violence, abuse and neglect against older persons with disabilities.**
2. **Please describe to what extent and how are older persons with disabilities involved in the design, planning, implementation and evaluation of policies related to ageing and/or disability.**

On the initiative of the Ministry of Labour and Social Affairs of the Republic of Armenia and respective partner organizations, the Network of state, non-governmental and private organizations dealing with the issues of social protection of and the provision of care to elderly people in the Republic of Armenia was established in December 2015 (hereinafter referred to as the Elderly Social Protection Network). More than 10 non-governmental organizations dealing with the elderly issues are members of the Elderly Social Protection Network, which have signed a Memorandum of Understanding. This can be viewed as an example of best practice of close cooperation between state and non-governmental organizations.

Any draft legal act related to the field of elderly and the persons with disabilities, the submitted proposal and the planned or elaborated program is subject to mandatory discussion with representatives of the Elderly Social Protection Network's international and non-governmental organizations, everyone's opinions and suggestions are taken into account, after which the project is implemented or the draft is submitted to the Government for approval.

In 2008, the National Commission on Issues of Persons with Disabilities was set up, which includes representatives of nine state institutions and eight non-governmental organizations dealing with the issues of persons with disabilities.

The Commission discusses the process of the fulfillment of the international obligations assumed by the Republic of Armenia in the field of protection of rights and interests of persons with disabilities and submits proposals on their effective implementation. The Commission also discusses the drafts of normative legal acts regulating the relationships aimed at ensuring equal rights and equal opportunities for persons with disabilities and gives conclusions on them, etc.

In the meantime, a unified website for publication of drafts of legal acts (e-draft.am) has been operating since 2017, which is an online platform that provides the institutions with the opportunity to submit draft legal acts to the public, organize online public discussions, and as a result of it, ensures the active participation of civil society in the law-making process.

1. **Please provide information on any innovative initiatives that have been taken at the local, regional or national level to promote and ensure the rights of older persons with disabilities and identify lessons learned from these.**

Since 2018, aimed at raising the social and economic activity of the elderly in the communities, with the efforts of the “Armenian Red Cross” and “Swiss Red Cross” Organizations and with active participation of elderly people maintaining active lifestyle, including persons with disabilities, community groups in 10 communities of two provinces of the country have been set up, where more than 150 people are involved. Persons involved in these groups, with the help of relevant professionals, provide voluntary support to their peers, participate in decision-making concerning the community issues, organize various events, etc.