

SOCIO-ECONOMIC AND LEGAL PROBLEMS OF THE ELDERLY PEOPLE

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სამშობლოში სოციალური განვითარების
და მთავრობის ჩართულობის პროექტი
ADVANCING CSO CAPACITIES AND ENGAGING SOCIETY
FOR SUSTAINABILITY (ACCESS)



AUTHOR: TEA TEDLIASHVILI

EDITED BY: ALEKO TSKITISHVILI, NINO TLASHADZE

Non-governmental organization the **HUMAN RIGHTS CENTER (HRC)** was founded on December 10, 1996 in Tbilisi, Georgia. The HRIDC aims to increase respect for human rights, fundamental freedoms and facilitate the peace-building process in Georgia.

THE HUMAN RIGHTS CENTER IS A MEMBER OF THE FOLLOWING INTERNATIONAL NETWORKS:

- International Federation of Human Rights (FIDH); www.fidh.org
- World Organization against Torture (SOS-Torture – OMCT Network); www.omct.org
- Human Rights House Network; www.humanrightshouse.org
- Coalition for International Criminal Court; www.coalitionfortheicc.org

EMAIL: hrc@hrc.ge

WEBSITE: hrc.ge

ONLINE EDITION: <http://www.humanrights.ge>

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INTRODUCTION

From January 20, 2021 to August 20, 2021, Human Rights Center implemented the project “Supporting Elderly during the COVID-19 Pandemic in Shida Kartli Region.” The project was implemented in the framework of the East-West Management Institute's (EWMI) ACCESS project, funded by United States Agency for International Development (USAID).

The project aimed to promote legal solutions to the problems of the elderly people who live alone, to study their needs, to present the issues revealed as a result of the research to various institutions and advocate for the solutions.

In the first stage of the project, the HRC project team composed of eight helping hands studied the social, economic and legal problems of the elderly people in the four municipalities in Shida Kartli region. In total, through direct interviews, the helping hands interviewed 283 elderly people living alone in the region; among them 207 were women and 76 men.

INTERVIEWED ELDERLY PEOPLE ACCORDING TO MUNICIPALITIES IN SHIDA KARTLI	
Gori	87
Khashuri	66
Kaspi	56
Kareli	74

NUMBER OF INTERVIEWED ELDERLY PEOPLE ACCORDING TO GENDER	
Women	207
Men	76

The volunteers paid 32 field visits to 70 villages in the municipalities of Gori, Kareli, Kaspi and Khashuri.

NUMBER OF FIELD VISITS ACCORDING TO MUNICIPALITIES	
Gori	10
Khashuri	8
Kareli	8
Kaspi	6

NUMBER OF VILLAGES ACCORDING TO THE MUNICIPALITIES, WHERE FIELD VISITS WERE ORGANIZED	
Gori municipality	23 villages
Khashuri municipality	20 villages
Kaspi municipality	11 villages
Kareli municipality	16 villages

The project lawyer gave 115 legal consultations to 94 women and 21 men. To advocate the identified issues, HRC disseminated public statements addressing concrete socio-economic and legal issues of the elderly people in them. The statements delivered concrete recommendations to respective state institutions.

FREE LEGAL CONSULTATIONS		
Women	Men	Total
94	21	115

The project team had active communication with the village population, who provided the helping hands of the project with the information about the elderly people living alone.

A social group “Standing Side-By-Side” was created in Facebook, which aims to mobilize human and financial resources, to plan various campaigns and initiative for the support of the elderly people living in Shida Kartli region, to raise public awareness about the needs and daily lives of the elderly people.

STUDYING THE PROBLEMS OF THE ELDERLY PEOPLE METHODOLOGY AND IDENTIFIED NEEDS

In the frame of the project:

- ✓ 8 helping hands organized 32 field visits to 70 villages in the four municipalities of Shida Kartli region (Gori, Khashuri, Kareli and Kaspi municipalities). They conducted direct interviews with the elderly people who live alone. The interviews were conducted based on the special questionnaire. During the visits, the helping hands asked the elderly people questions about their socio-economic and legal problems and offered them free legal aid by the HRC project lawyer, both the consultation and advocacy.
- ✓ The database of the elderly people who needed legal aid was created. In the frame of the project, 115 elderly persons received free legal consultations (both over the phone and in person).

As the elderly people described, following were their main problems:

- Limited access to medicines and healthcare services;
- Obstacles in the registration process of the land;
- Social and economic problems.

In the course of the project implementation the helping hands and the lawyer actively cooperated with the local self-government bodies. The potential beneficiaries of the project were identified based on the lists provided by the representatives of local self-government bodies and subsequently the volunteers planned visits to concrete families. The volunteers collected information about the lonely elderly people from the village population also.

ACCESS TO MEDICINES

Within the framework of the project, volunteers interviewed elderly people who live alone in all four municipalities (Gori, Khashuri, Kareli, Kaspi). According to the statements by vast majority of the elderly, they do not benefit from the State Program for the provision of medicines for the treatment of chronic diseases, even

though the program envisages provision of medicines for chronic cardiovascular disease, chronic lung disease, diabetes (type II), thyroid disease, epilepsy and Parkinson's disease¹.

The medicines included in the new list do not meet the real needs of the elderly. Although, in general, this initiative of the Government can be positively assessed, unfortunately, the Program is ineffective. All the elderly who have applied to HRC state that it is very important to use this program, however, they are deprived of the possibility to purchase the medicines which they have been consuming systematically for years at a reduced price.

Given the difficult socio-economic background in the country, access to medicines is very important for the elderly, both physically (considering that it is often a big problem for the elderly to travel) and financially, as the vast majority buy medicines on pensions which is the sole means of minimum living income.

Human Rights Center called on to the Government of Georgia:

- As part of the State Health Program, change the list of medicines with the ones actually required to make the program effective in reality.
- For patients with chronic diseases, in order to have access to medicines, the State should purchase the medicines prescribed by the patients' physicians at a reduced price and the patient will not be forced to buy the medicines offered by the State.
- On supplier pharmaceutical companies: PSP, GPC, Pharmadepo, Aversi - in addition to the pharmacies in the municipal centers, provide mobile pharmacies to support the elderly at regular intervals so that the elderly can purchase medicines provided by the State Health Program without having to travel long distances.

The efforts made to advocate on the issue:

To advocate the problem, Human Rights Center, in April 2021, elaborated the advocacy plan, in the frame of which, the organization started active communication with the Ministry of Labor, Health and Social Protection of Georgia

¹ See the "Appeal of Human Rights Center with regard to Medicines financed by the State Program of Universal Health Care" at <http://www.hrc.ge/155/eng/>

for the eradication of the flaws existing in the state program. The HRC offered the pharmaceutical companies (Aversi, Pharmadepo, PSP, GPC), who are involved in the implementation of the state program, to participate in the working meetings. Unfortunately, only Aversi Pharmacy expressed readiness to participate in the working meetings with the Ministry representatives.

- Soon after the HRC published the statement about the limited access to medicines for vulnerable groups, the organization working on the rights of the people with disabilities Changes for Equal Rights expressed readiness to discuss the problems in the healthcare system together. During the working meeting, the representatives of the HRC and the Changes for Equal Rights discussed the ways to resolve the problem; they agreed on future cooperation particularly in relation with the elderly people with mental problems.
- Human Rights Center and representatives of the pharmaceutical company Aversi organized working meeting to discuss the issue of limited access to medicines in the frame of the state program. The HRC team members shared the information about the problems which the elderly people living alone in Shida Kartli region face when they want to purchase the medicines – they cannot effectively enjoy the benefits of the state funded Universal Healthcare Program; they have problems in getting services of village/family doctors and cannot purchase the medicines because of limited access to public transportation, particularly during the pandemic.

In relation with the establishment of the mobile pharmaceutical service for the inhabitants of the remote villages, the representatives of the Aversi Pharmacy underlined various obstacles, among them was the permission from the Ministry of Healthcare and the Government of Georgia and close coordination with them. Therefore, pre-condition for the establishment of the mobile pharmacies is a joint agreement between the Government and private companies.

Meeting with the Ministry of Healthcare

On June 21, HRC project team met the representatives of the Ministry of Healthcare. During the meeting, HRC informed the representatives of the Ministry about the problems which the elderly people with chronic diseases encounter when

purchasing the medicines in the frame of the state program. The Ministry's representative presented the work carried out by the Ministry to create the program, to reform it and ensure its effective implementation. When speaking about the problems, he also mentioned alleged corruptive scheme, in which the pharmaceutical companies and family/village doctors may also be involved. The Ministry representatives stated that the list of free medicines fully satisfies the requirements of the medical treatment and prevention of chronic diseases. However, the doctors, based on their corruptive deals with the pharmaceutical companies, selfishly prescribe those medicines for the state program beneficiaries, which are not on the list of the state funded program. The Ministry representatives and Human Rights Center agreed on the future cooperation to identify and eradicate the problems.

THE PROBLEM OF THE LAND REGISTRATION

The elderly people interviewed by the helping hands through direct visits named the issues related to the registration of the land and property as one of the most unresolved problems. As the registration of property is one of the most significant forms of support and enhancing the right to property for citizens, HRC prepared and published the statement with regard to the problems of the land registration for the elderly people².

For years population owns property, but issue of registering legal titles on them is still not resolved. Often, the owners do not have documents evidencing the ownership, casting doubts on the property rights. Therefore, citizens have frequent litigations to ascertain which particular plot of land they own. This in turn is linked not only with the financial burdens for the citizens, but also with state expenditures (court costs, administrative and human resources).

The National Agency of Public Registry implements the pilot project of systemic registration of plots of land since 2016, entailing free registration of title for the citizens: producing drawings, archival certificates, identifying documents

² See the full statement at <http://www.hrc.ge/173/eng/>

evidencing the title, application to the recognition commission. When using the services, the potential owners do not have to pay fees from their pocket. However, this very important project for the citizens of Georgia has been stretched in time.

The majority of the elderly persons questioned by HRC admit that they have not registered their plots of land and request assistance in this regard from the State. Besides, one has to take into account that the registration of plots of land is especially problematic for the elderly of 70-90 years of age. The gaps appear frequently during the registration process and for remedying the defects individuals have to pay additional visits to the Houses of Justice and agencies of public registry (for the reasons of overlapping with forests, with wind break belt, necessity to submit documents to the recognition commission, etc.). This processes is not accessible for the elderly who due to the physical and financial reasons find it difficult to approach the agencies.

Senior citizens often are not able to use the services offered by the State within the land reform project, as the National Agency of Public Registry identifies the defects electronically. In case the defect is not remedied, the Agency terminates the proceedings. Taking into account the economic situation in the country, as well as the unavailability of full internetization and limited access to the Internet, it is impossible for elderly persons to freely and completely enjoy the services offered by the land registration reform.

HRC called on Georgian authorities in its statement:

- To exercise more coordination to carry out land reform including the involvement of local government bodies to inform individuals in the cases of defects.
- In case the gaps are identified, ensure the communication via phone, not only via SMS and Internet, as the majority of elderly cannot read SMS and do not use Internet.
- To expedite and implement the reforms promptly, that would strengthen the property rights among the citizens of Georgia and would result in fewer litigations.

- To take into account the special needs of the elderly, scarce human and financial resources and make the program more flexible, accessible and adaptable.

To advocate on the issue, Human Rights Center carried out the following activities:

- In July 2021 Human Rights Center organized a meeting with the representatives of the Kaspi municipality city hall and municipal assembly, with the representatives of the municipality mayor in the villages. They said there are vast number of problems in relation with the registration of land that is caused by limited human resources and technical-material base. They are ready to get involved in the problem solution process if the Public Registry will provide them with the information about those elderly people who failed to get their plots registered.



The representatives of the local self-government bodies also named the issue of ascertainment of identity of the plot as one of the obstacles in the registration process. They believe that the plots, which families received as an inheritance from their ancestors shall not need ascertainment of identity and the Public Registration Agency shall rely on the measurements made by the USAID, which will be

compared with the new measurement results that will ease the land registration process and will not require additional resources.

Besides, the registration of the plots sold out in 1990s is problematic because the land, owned by several people in the form of co-ownership, was sold by one person, without officially documenting it. Now, in the process of initial registration, the land is still registered as a property of the previous owners who owned the land in the form of co-ownership. In this line, the co-owners start dispute over the property rights.

The attorneys of the municipality mayor in the villages stated that one of the ways to solve the problem is to register the lands owned by the elderly people in the municipality through sporadic registration rule and they will help the people in this process.

- In July, HRC project team met the representatives of the Public Registration Agency to discuss the problem which the elderlies face when registering their land. The representatives of the PRA stated that the systemic registration of land is actively ongoing process in the country and will last three years. At the same time, the systemic registration process needs extensive financial and human resources. Therefore, the registration process is conducted step-by-step.

The PRA representatives studied the individual cases of the beneficiaries of the HRC, who had problems of the land registration. HRC lawyer informed the project beneficiaries about the work done by the PRA for the solution of the problems in their individual cases.

THE FLAWS IN THE REGISTRATION OF THE SOCIALLY VULNERABLE FAMILIES

The socio-economic conditions of the elderly people, particularly of those living alone in the village, especially worsened due to the Covid-19 pandemic. The situation was further aggravated by the restriction of public transportation.

One of the main problems for the elderly people who live alone is a physical movement. In order to receive the social aid (social allowance) defined by the authorities, the elderly has to apply to the territorial body of the Social Service Agency.

The majority of the beneficiaries interviewed note that it is difficult for them to apply to the Social Service Agency. They practically do not have the proof of guardianship or the power of attorney. Therefore, they cannot apply to the Agency through another person and do not have access to monetary social assistance. With insufficient human resources of the Agency (social agents), it is not possible to locally check those beneficiaries who are really in need of care from the State.

On May 17, Human Rights Center petitioned the director of the LEPL Social Service Agency of Georgia to resolve the identified problems. However, the HRC received a short answer from the Agency that they constantly work on the improvement of the services.

Since the HRC petition to the Agency was left without effective response, the organization disseminated the public statement³ with regard to the identified problems and called on the Agency:

- To increase coordination and mobilization of the social agents and enhance the comprehensive implementation of social work, so as the persons with real needs can benefit from the State social programs;
- To introduce a mechanism of online application in Social Service Agency, allowing the elderly people who live alone to apply to Social Service Agency through supporters (supporters approved by the notary, without the power of attorney), without physically approaching the Agency and given opportunity to fill in the application form at home, during the visit of the authorized person from the agency.
- To take into account the special needs of the elderly, human and scarce financial resources and make the program more flexible, accessible and adaptable.

³ See the Appeal of Human Rights Center to Social Service Agency on the Needs of Lonely Elderly at <http://www.hrc.ge/219/eng/>

This statement of Human Rights Center was met with significant feedback in media – nationwide and local media outlets prepared reportages and publications about the social problems of the elderly. In response to the HRC statement, the Ministry of Healthcare clarified in their interviews with the journalists that the elderly people can apply to the Agency for the repeated examination of their families via hotline without visiting the offices of the Agency.

VIOLENCE AGAINST THE ELDERLY

Interviews with the elderly people revealed the facts of violence against them. The victims of alleged violence do not apply to the law enforcement bodies for help because: 1. The elderly people hide the alleged crimes to protect their family members from the possible imprisonment; 2. The elderly people do not want to leave their houses and go to shelter as it is extremely difficult for them to adapt to the new environment that may cause grave psychological problems.

We have to take into account that the transfer of a victim to the shelter is based upon his/her decision. The rehabilitation of the victim is crucial so as he/she does not blame himself/herself. However, most of the elderly people prefer to continue to live in their own homes.

In this light, it is important to find other mechanisms to effectively protect the elderly people from the domestic violence.

On May 20, representatives of Human Rights Center and partner civil society organizations met the inspector at the MIA's Human Rights Protection and Investigation Quality Monitoring Department to discuss the identified facts of violence against the elderly and general tendencies in this regard.

One of the recommendations of the HRC is to widen the institute of the community officers in the regions of Georgia as they do not have the functions of the inspector-investigator and can establish more active communication with the victims that will ensure identification of the high-risk families and conduct active monitoring of those families to prevent future criminal offences.

The organization also elaborated the recommendations which envisage consideration of the wish of the victim, including the circumstances when the harasser has psychic problems and needs medical assistance.

Besides the restraining and protective orders, the HRC representatives believe that working on the correction of the behavior of the harasser can be viewed as alternative method. For example, speaking with the harasser and monitoring the family from the side of the law enforcement officer, which does not aim to launch investigation and criminal proceedings against him/her, but change the behavior of the harasser constructively and specially tailored protocol, that will be planned taking into account the effectiveness of working with harasser.

ANTI COVID-19 VACCINATION PROCESS AMONG THE ELDERLY POPULATION IN GEORGIA

In the course of the project implementation, Human Rights Center identified the problem of the vaccination among the elderly people. The elderly people who live alone in Shida Kartli region are left beyond attention as they are not informed about the risks of the COVID-19 pandemic and the vaccination process. Besides, the issue of access of the elderly people to the vaccines available in the country should be taken into account. Because of their health state, the elderly people belong to one of the highest risk groups and need particular attention and support from the state.

The elderly people who live alone cannot get registered for vaccination because they do not have respective technical devices (computer, smart phones, internet) and they do not have anybody around who can assist them in the process of registration. **Only 1 out of interviewed 286 elderly people in Shida Kartli region was vaccinated.**

HRC believes that the low level of vaccination is caused by the limited choice of vaccines (the state so far offers only 4 vaccines to its citizens), by the lack of comprehensive and accurate information about the vaccines as well as by the limited technical access to the vaccination process.

Technical access to the registration process is very important. The online platform created by the state and the available hotline system are not effective

because they are not accessible for the residents of the remote villages and particularly for the elderly people who live alone who have neither internet nor smart phones nor enough skills to register online. To accelerate the vaccination process, it is necessary to find alternative methods, which will ensure to make the vaccines accessible for every citizen regardless their social status, place of residence or skills.

Human Rights Center disseminated a statement and called on the Government of Georgia:

- To effectively conduct negotiations with the various vaccine producing companies and purchase the WHO licensed EU and US produced vaccines which are in high demand among the population and to increase the access to diverse vaccines in the country;
- To improve the access to the registration process and to involve the village doctors and ambulatory centers in this process so that the elderly people could get their vaccines in case they wish so;
- To revoke the pre-registration requirements for the elderly people that will enable the elderly people who live alone to get vaccinated without any obstacles;
- To conduct correct and comprehensive campaign with regard to the vaccination process.

LEGISLATIVE INITIATIVE

The state of protection of rights of elderly people in Georgia is problematic, particularly in regards with the social rights. The main problems of elderly people are related to the health conditions. The state allowance (pension) and state-funded programs and targeted program funding of the health care do not satisfy the needs of the elderly people.

Although the Ministry of Healthcare has elaborated the program of free medicines, due to various factors, the program is not effective and requires more social guarantees. This state funded healthcare package shall fully cover the access to the medical treatment including medicines and stationary services for the people

over 85. Currently available state program for free medicines covers only chronic diseases and the elderly people still lack access to those medicines, which are very essential for their life and health. People over 85 have grave health problems. Almost every citizen at that age complains of cardiovascular, joints, kidney and high blood pressure diseases, which are widely spread diseases and are main causes of mortality among population. According to the 2019 data of the GeoStat, the respiratory diseases are also particularly widespread in this segment of population.

Big part of the interviewed elderly people in Shida Kartli noted that they cannot enjoy the state healthcare program of medicines because the medicines they need for their medical treatment are not on the list of the program and they have to purchase them with their pension.

Based on the information collected in the frame of the project (direct interviews with the project beneficiaries, data provided by the GeoStat, information spread by various media sources, the information provided by the representatives of the Healthcare Ministry), Human Rights Center elaborated the legislative proposal to improve the healthcare system for the elderly population of Georgia, which will be presented to the Parliament and the Government of Georgia.

With the proposed legislative proposal, HRC requests the following changes: the state shall fully fund the medicines, urgent surgical interventions and other medical services for the beneficiaries of the amended law, so that they can get the service under the healthcare program without hindrance.

The full funding of the hospitalization for the people over 85 is very important. 85+ citizens shall be completely free from the obligation of co-payment of surgical operations both in state and private medical centers. The amended legislation will improve the social state of the program beneficiaries, will create significant guarantees and increase their lifetime. The initiative will contribute to the effective implementation of the decent aging concept in the country.

SOCIAL GROUP “STANDING SIDE-BY-SIDE”

Within framework of the project, under coordination of Human Rights Center, the young volunteers – helping hands of the project created social group Standing Side-By-Side in the Facebook, which aims to support the elderly people in Georgia.

Throughout the project, the helping hands managed to collect donations from the citizens of Georgia and assisted Valia Vanishvili, old woman living alone on the other side of the occupation line. In the frame of the campaign, through the donation of the people, the social group members collected 945 GEL. Based on the information spread by the social group, the Anti-Occupation Movement and the Gori Municipality City Hall assisted Valia Vanishvili with necessary household items and products.

On June 9, the members of the social group Standing Side-By-Side visited Valia Vanishvili close to the occupation line in Khurvaleti village and gave her various household equipment, medicines and products.



After the project is over, the social group will continue its activities in the social network, to identify the problems of other elderly people and provide them with necessary support.