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संयुक्त सचिव

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राष्ट्रीय मानव अधिकार आयोग

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NATIONAL HUMAN RIGHTS COMMISSION

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5th November, 2020

Subject: Human Rights Advisory on Rights of Elderly Persons in context of Covid-19

The National Human Rights Commission (NHRC) is mandated by the Protection of Human Rights Act, 1993 to promote and protect the human rights of all in the country. Towards fulfilment of its mandate, the Commission is deeply concerned about the rights of the vulnerable and marginalised sections of the society which have been disproportionately impacted by the COVID-19 pandemic and the resultant lockdowns.

2. In order to assess the impact of the pandemic on realization of the rights of the people, especially the marginalised / vulnerable sections of the population, the NHRC constituted a Committee of Experts on Impact of Covid-19 Pandemic on Human Rights and Future Response including the representatives from Civil Society Organizations, independent domain experts and the representatives from the concerned ministries/departments.
3. On the basis of impact assessment done by the Committee of Experts and recommendations made by it, the Commission hereby issues "Human Rights Advisory on Rights of Elderly Persons in context of Covid-19", as given in the **annexure**.
4. All the concerned authorities are requested to implement the recommendations made in the advisory and to submit the action taken report to the Commission.


(R.K. Khandelwal)
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Encl: As above

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National Human Rights Commission

Human Rights Advisory on Rights of Elderly Persons in context of Covid -19

Background:

The entire world is trying to recover from the worst phase of the Covid-19 pandemic and is struggling to cope with newly emerged circumstances. This pandemic has brought unprecedented challenges to humanity and presents a disproportionate threat to the health, lives, rights and well-being of the elderly persons.

The World Health Organization on 4th October, 2020 stated that approximately 75% of deaths due to Covid-19 are of those aged 65 years and above. According to the United Nations Policy Brief on the “Impact of COVID-19 on Older Persons”, released in April, 2020, the COVID-19 recovery process is an opportunity to set the stage for a more inclusive, equitable and age-friendly society, anchored in human rights and guided by the 2030 Agenda for Sustainable Development to “Leave No One Behind”.

In India, according to the data released by the Ministry of Health and Family Welfare, about 53% of the Covid-19 victims were aged 60 years and above, reiterating that elderly people and those with co-morbidities are at higher risk of mortality. According to the Agewell Foundation’s Survey Report on the “Impact of Covid-19 lockdown situation on Older Persons” in April, 2020, the lack of treatment of non-Covid ailments in hospitals has adversely affected the health of elderly persons. There has also been an increase in the cases of discrimination and elder abuse during this time. Researches state that due to the mandatory self isolation for the elderly persons to curb the spread of the virus, it has made the elderly more vulnerable to mental health issues such as loneliness, depression and anxiety. Helpage India conducted a nationwide survey and stated that COVID lockdown has impacted the livelihood of 65% of elderly population and this has increased their dependency on their family members and caregivers. Due to their movement restrictions, elderly persons that live alone are facing difficulties in procuring food and ration.

Days after the pandemic had hit our country, the Ministry of Social Justice and Empowerment along with the Ministry of Health and Family Welfare and the Department of Geriatric Medicine of AIIMS, New Delhi, issued an advisory for the protection of elderly persons as well as their caregivers. However, the said advisory is in the form of Do’s and Don’ts with the objective to protect the lives of the elderly persons. There is an essential requirement for issuance of an advisory with an objective of promotion and protection of human rights of elderly persons.

The National Human Rights Commission (NHRC) constituted a Committee of Experts for consultations with all stakeholders including the concerned Ministries of the Government of India in order to assess the impact of COVID-19 pandemic on human rights of people especially the marginalized/vulnerable sections of the society and to suggest the responses in the form of advisory.

In the above context, therefore, the following advisory is issued by the National Human Rights Commission for implementation by the Central and State governments in order to protect the rights of elderly persons from the adverse impact of COVID-19 & lockdowns.

I. Access to Medical Services:

- i. Door step delivery for immediate medical attention to be provided to the elderly persons having severe mobility issues.
- ii. Ensure the adequate three-pronged precautionary measures suggested by the World Health Organization (social distancing, hand and respiratory hygiene)
- iii. Ensure treatment of non-Covid ailments for the elderly persons by operationalising section/part of hospitals and speciality clinics with adequate capacity.
- iv. Ensure that all hospitals are adequately staffed and equipped with sufficient stock of medicines and equipments required by elderly persons affected by Covid-19 and who have co-morbidities like diabetics, hypertension, heart disease etc. and require immediate medical attention/ treatment.
- v. Ensure compliance to Section 18 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and designate the District Social Welfare Officer or an officer not below the rank of District Social Welfare Officer be identified as a Maintenance Officer.
- vi. Ensure compliance to Section 20 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and adequately provide for medical support for senior citizens.
- vii. Counsellors handling mental health helplines to help the elderly with gerontological issues should be trained to adequately deal with calls relating to depression, anxiety, etc.
- viii. The “Health Advisory for Elderly Population of India during COVID19” issued by the Ministry of Health and Family Welfare be complied with fully so as to reduce the transmission of the virus among the elderly population.

II. Disbursement of Pension:

- i. Ensure timely payment of the pensions to the eligible elderly persons.
- ii. The existing financial security schemes for elderly persons may be reviewed and the same may be suitably enhanced keeping in view their survival needs.

III. Employed Elderly Persons:

- i. Elderly Persons who are employed or self-employed may be encouraged to work from home so as to prevent the spread of the virus.

- ii. Elderly persons engaged in any job on permanent/contractual basis post their retirement to be given timely remuneration.
- iii. Job search assistance, vocational guidance and training, provision of universal social security benefits may be provided to elderly persons to ensure dignified sustenance in the future years.

IV. Access to Food/ Ration: Door step delivery arrangements may be made for food and other essentials to the elderly persons, especially those who either live alone or are persons with disabilities.

V. Access to Social Support:

- 1. Ensure that helplines are equipped to address the issues of elderly abuse and take quick and adequate measures against the perpetrators.
- 2. Complaints redressal mechanism especially at the police stations must be made inclusive and accessible to elderly persons.
- 3. Ensure that elderly persons have access to authentic and important information on Covid-19 in view of their lack of familiarity with technology and apps.
- 4. Promote and coordinate the development of community support networks by involving volunteers from NGOs/CSOs who may be encouraged to provide support to the elderly.
- 5. Awareness and sensitization programs may be conducted relating to the issues of elderly persons.

VI. Access to Assistive Devices:

- 1. Government should ensure availability of aids and appliances needed by elderly persons without hindrance.
- 2. Government should ensure availability of repairs and maintenance services of assistive equipment for elderly persons in the district.

VII. Elderly in Institutions/ Shelter Homes:

- 1. Old age homes and day care institutions for the elderly should be regularly sanitized.
- 2. Adequate readjustments at old age homes and day care institutions may be made so as to promote social distancing to prevent the spread of the virus.
- 3. Older persons isolated by family must be identified and accommodated in shelter homes wherein basic arrangement for their safety and protection is ensured.
- 4. Elderly persons who are homeless to be identified and to be given necessary support such as shifting in shelter homes, Covid testing etc.
- 5. Personal protection equipment, masks, sanitizers and other essential goods may readily be made available to the caregivers of the elderly.

VIII. Elderly in Prisons:

1. Necessary action should be taken to follow protocol to periodically review general physical and mental health of elderly prisoners, particularly those that have co-morbidities.
2. Elderly prisoners should be identified with their individual health histories and should be provided with assistance if found unwell.
3. Adequate readjustments in prisons may be made so as to ensure social distancing.

IX. Easy Access to Transportation Services:

1. Provisions should be made for setting up of help desks for elderly persons at railway stations, bus stations and at airports.
2. Availability of assistance such as wheelchairs, helpers, etc. for those who require individual attention before, during or after their journey should be made available at railway stations, bus stations as well as at the airports.

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