

THE RIGHTS AND SITUATION OF OLDER PERSONS IN SLOVENIA

Briefing for UN Independent Expert on the enjoyment of all human rights by older persons

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1. Introduction

Slovenia is an aging society, with the number of older persons steadily increasing. In the beginning of 2014, 17.5% of the population was 65 years of age or older, while in the 2055 their share is expected to increase to more than 30%. This demands structural adjustments and adequate responses from relevant authorities and institutions to safeguard dignified life and rights of an increasing segment of the population.

This briefing focuses on the situation and rights of the older population in Slovenia. It first outlines the demographic trends Slovenia is facing and then looks at the institutional and policy framework in place to protect, promote and fulfil the rights of the elderly. It further highlights the key challenges older population in Slovenia is facing, which have significant impact on the rights of this group of people. It finishes with a set of recommendations.

Although focusing on the specific situation and the rights of the older persons in Slovenia, this briefing first and foremost tries to bring in other issues of concern related to general promotion, protection and fulfilment of human rights in Slovenia, which has also significant impact on the rights of older persons. It also does not pretend to encompass the field of the rights of older persons in Slovenia in a comprehensive manner, but only aims to highlight some of the most pressing issues in this field.

2. Slovenian Demographics – increasingly ageing society

The share of the older age population in Slovenia is constantly increasing: at the beginning of 2013 17.1% of all 2,059,000 inhabitants were older than 64 years, with women being on average older than men (20.2% of women were above 64 years old, compared to 13.9% of men)¹. At the beginning of 2014, the share of older population already increased to 17.5% (14.3% of male and 20.6% of women)².

Since 2003 the share of older people in Slovenia (65 years of age and more) is greater than the share of young people (children below 15 years of age). The ageing index, which shows the ratio between the numbers of persons aged 65+ and the number of persons younger than 15 years, was 119.6, which means that for every 100 people under the age of 15 there are almost 120 people aged 65+. The gender differences are important to highlight. Among the female population the share of older people was, compared with younger people, much higher (ageing index was 146.4), while in regards of the male population the situation was reversed (94 men aged 65+ per 100 men younger than 15 years)³. According to the EuroPOP projections of European Union (EU), by 2045 29% of the population will be older than 65; by the 2055 this percentage will increase to 30.1%⁴.

There is increasing number of elderly people entering the pension system. According to the Pension and Disability Insurance Institute, in 2013 the monthly average of users of old-age, early, disability, survivors', widow/er's or partial old-age pensions from compulsory insurance in Slovenia was 602,311⁵ and has been steadily growing in the last years. And whilst the old-age dependency ratio in 2010 stood at 24, this is expected to more than double (to 58) by 2060. Similarly, the ratio between active population and pensioners has been deteriorating since 2008 (in 2012, this ratio stood at nearly 1.5 active persons to one pensioner)⁶.

3. Institutional and policy framework for the protection of the rights of the elderly

The comprehensive and effective protection and promotion of the rights of elderly persons is also influenced by the **general lack of priority given to human rights** by responsible institutions and Slovenian government. This field is malnourished in terms of financial and human resources, as well as policy priorities. Briefly, there exist no independent human rights institution of the rank A, which would be in the compliance with the Paris Principles. Furthermore, there exists no human rights strategy or action plan, nor comprehensive monitoring system in the field of human rights. This means that the state does not have comprehensive overview of the level of human rights enjoyment of the population, particularly of the most vulnerable groups, including older persons, and hence often does not have a clear picture on what effects of legislative, including recently introduced austerity measures have on human rights standards in the country⁷.

¹ Indicators of well-being in Slovenia - Health /[Kazalniki blaginje v Sloveniji – Zdravje](#) /

² SORS, International day of Elderly 2014 / SORS, [Mednarodni dan starejših 2014](#) /

³ *Ibidn.*

⁴ [EUROPOP2013 - Population projections at national level](#); SORS, International day of Elderly 2014 / [SORS, Mednarodni dan starejših 2014](#).

⁵ SORS, International day of Elderly 2014 / SORS, [Mednarodni dan starejših 2014](#) /

⁶ SORS, International day of Elderly 2013 / SORS, [Mednarodni dan starejših 2013](#) /

⁷ Coalition of NGOs, [Parallel Report By the Coalition of NGOs on Economic, Social and Cultural Rights in Slovenia](#). Submitted to the Committee on ESC Rights.

3.1. Institutions responsible for monitoring the situation and the rights of elderly population

In the absence of the independent human rights institution, with a full mandate and capacities, the responsibility for monitoring the situation and rights of different groups falls under different bodies and different sections of the Ministries. For the older population responsibilities would primarily fall under the **Ministry for Work, Family, Social Affairs and Equal Opportunities as well as Ministry of Health**. The latter has been without an operative Minister for the last three years, contributing to almost alarming state in the public health sector.

Therefore, there is no single governmental body or institution, which would be responsible for comprehensively monitoring the situation of older persons and would be concerned with enjoyment of their rights. Representatives of older population, as well as previous Ombudsman, were advocating for creation of the **Advocate for elderly** or establishment for the **Office for the Elderly** that would be responsible for preparation and coordination of guidelines and documents necessary for guaranteeing dignity of older people as well as it would offer aid, consultations and advocacy services for elderly population. One of the responsibilities under this Office would be establishment of the system of Advocates for elderly population; similarly as existing system of Advocates for children and their rights. This would provide elderly people in need a confident person, to which they can resort to when in troubles or in doubts⁸.

Although creation of another body for the elderly population might be beneficial for improvement of their situation; creation of yet another office with specific interest and its own bureaucratic apparatus within already fragmented public sector (e.g. for monitoring the situation of different groups responsibilities lies with the Office of Youth, Office of Religious Communities, different sections of Ministries, which in practice have very little emphasises on human rights or anti-discrimination) might not be the best solution. Particularly, as coordination within already existing offices seems to be lacking and several coordination bodies are assessed as not functioning or performing their work (Council for the Disabled, Council for the Implementation of the Principle of Equal Treatment)⁹. The lack of coordination among different governmental bodies and sections responsible for protection of interests and rights of selected segments of the population often in practice leads to increased costs of operation, duplications of work, lack of rights and antidiscrimination focus as well as increased tensions among different sections.

In terms of the rights of elderly population as such, the following two human rights institutions are, in a very limited way, concerned with the promotion and protection of their rights:

- **Human Rights Ombudsman** receives complains from individuals on public matters and issues opinions and annual reports on the exercise of human rights. However, it is competent only for matters in the public sphere, while the rights of the older persons and/or rights linked to discrimination are only one of the broad sectors that Office covers¹⁰. In regard to older persons, Office issues opinions on the fields most relevant for them, such as social security rights, health insurance, disability insurance, etc. However, Office issues opinions and

⁸ Varuh človekovih pravic RS, [Pravice starejših kot ogledalo družbe](#), st. 14, 2011 / Human Rights Ombudsman of RS, The rights of older people as a mirror of society, p.14, 2011/

⁹ Coalition of NGOs, [Parallel Report By the Coalition of NGOs on Economic, Social and Cultural Rights in Slovenia](#). Submitted to the Committee on ESC Rights.

¹⁰ Office for Equal Opportunities. *Analysis of institutional framework for promotion of equality and protection against discrimination in the Republic of Slovenia* (Office for Equal Opportunities, Ljubljana, 2011) 31-34

assessment of the situation of human rights, only on the basis of the initiatives it receives¹¹, and is far from comprehensively monitoring and analysing or actively promoting the fulfilment of the rights of the older persons in Slovenia.

- **Advocate for principle of equality** is competent for examination of complaints on alleged discrimination and unequal treatment in both public and private sphere on all grounds, offers support to the victims and gives opinion and recommendations on the case. However, organizational placement in the Ministry for Work, Family, Social Affairs and Equal Opportunities, nonexistence of its own budget, lack of personnel (in practice there is only one person) limits its efficiency and scope of work¹².

Due to financial and operative restriction, these two institutions cannot comprehensively monitor the situation of human rights in Slovenia, including the situation of persons in most disadvantaged position, older persons increasingly belonging to these. There is no other independent institution, which would be capable and have a mandate to preform impact assessments of different legislative and other measures and give guidelines and opinions on issues linked to specific groups, including older persons. Concern, that Slovenia does not have independent human rights institution, has been expressed by several international human rights bodies.

3.2. Policy framework for the protection of the rights of elderly and improvement of their situation

Slovenian Constitution¹³ guarantees everyone equal human rights and fundamental freedoms irrespective of national origin, race, gender, language, religion, political or other beliefs, financial status, birth, education, social status, disability or **any other personal circumstance**, thus including age and sexual orientation and gender identity. It also prohibits any incitement to discrimination, hatred or intolerance and harassment.

Furthermore, **The Principle of Equal Treatment Act**¹⁴ is the main piece of legislation prohibiting discrimination on the basis of sex, nationality, race or ethnic origin, religion or belief, disability, age, sexual orientation. It also includes ‘other’, non-specified grounds. It prohibits direct discrimination, indirect discrimination, rejection of reasonable accommodation and harassment as well as instructions to discriminate. The protection of rights and prohibition of discrimination is also guaranteed in other acts, such as **Penal Code**¹⁵ and the **Employment Relationship Act**¹⁶.

However, it needs to be noted that Slovenia does not have **general human rights or even more specific anti-discrimination policy or action plan**, which would be comprehensively aimed at improvement of human rights situation in Slovenia and on the position of most vulnerable groups in

¹¹ Varuh človekovih pravic RS, [Pravice starejših kot ogledalo družbe](#), st. 14, 2011 /Human Rights Ombudsman of RS, The rights of older people as a mirror of society, p.14, 2011/

¹² Office for Equal Opportunities. *Analysis of institutional framework for promotion of equality and protection against discrimination in the Republic of Slovenia* (Office for Equal Opportunities, Ljubljana, 2011)

¹³ Ustava Republike Slovenije, Ur. List RS. št. 33/91-I, 42/97, 66/00, 24/03, 69/04, 68/06 in 47/13 (Constitution of the Republic of Slovenia, Official Gazette of the Republic of Slovenia, No. 33/1991, 42/97, 66/00, 24/03, 69/04, 68/06 in 47/13).

¹⁴ Zakon o uresničevanju načel enakega obravnavanja (ZUNEO), Ur. List RS št. [93/07](#) (Law on Principle of Equal Treatment, Official Gazette of the Republic of Slovenia, No. 93/07).

¹⁵ [Kazenski zakonik /KZ-1-UPB2/](#), Ur. List RS. Št. 50/12 (*Penal Code*, [Official Gazette of the Republic of Slovenia, No. 50/12](#)).

¹⁶ Zakon o delovnih razmerjih (ZDR-1), Ur. List RS, št. 21/2013, 78/2013-popr (*Law on Employment Relationships*), [Official Gazette of the Republic of Slovenia, No. št. 21/2013, 78/2013-popr.](#))

society, e.g. for certain social groups' specific national or action programs have been adopted, but the language of rights and particularly mainstreaming of anti-discrimination principles are often (outside of gender equality) lacking.

In the absence of general human rights policy, currently, there is **no operational strategy or national programme, which would focus specifically on active ageing or exclusively on the social inclusion of older people**. The draft of the new document in this field Strategy for quality ageing, solidarity and intergenerational relations in Slovenia for the period 2011 to 2020, is still waiting to be considered by the government¹⁷ and it is, according to available information, not expected to come into force before 2016. The last valid document in this field was Strategy on care for the older people until 2010 - solidarity, harmony and quality aging, which included all government departments related to demographic change. There has been a supplementary document to the strategy of active ageing adopted in 2010. As part of the Strategy, a Council on solidarity and quality ageing of population in Slovenia, encompassing different stakeholders, was established¹⁸. According to available information, the Council is currently not operational¹⁹.

There are several pieces of legislation and policy papers, which are partly concerned with different aspects linked to the situation of elderly population. Among them:

- **Social Security Act**²⁰ among others regulates the provision of social security benefits for the older people, including social care and support at home in case of old age, disability, etc. Important changes of this legislation took place in early 2013, which made the eligibility criteria for receiving supplementary allowances more stringent and placed some groups of elderly, such as women receiving widow pensions and unemployed people between the 50 and 65 years of age, into more difficult social position²¹. An amendment to the national social legislation took place in December 2013, with the aims of easing the income and property conditions for entitlement to social benefits, and of extending eligibility for income support for older people. Furthermore, **Resolution on the National Social Assistance Programme for 2013-2020**²², aims to reduce the risk of poverty and to increase the social inclusion of socially disadvantaged and vulnerable groups of the population, including elderly, including by promoting the development of various social and prevention programmes as well as increasing their number and quality.
- In 2013 changes of the **Law on Labour Relations Act** and amendments to the Law on the organisation of the labour market were introduced, aiming at reducing labour market

¹⁷ Social Protection Institute of the Republic of Slovenia, *Assessment of the impact of the new social legislation, Final Report*. / Inštitut RS za Socialno Varstvo, [Ocena učinkov izvajanja nove socialne zakonodaje, Končno poročilo](#).

¹⁸ Social Protection Institute of the Republic of Slovenia, *Intergenerational Solidarity in the Community - Analysis and Preparation of Proposals* / Inštitut RS za socialno varstvo. [Medgeneracijska solidarnost v skupnosti - analiza stanja in priprava predlogov](#).

¹⁹ In 2014 the European Commission funded project AHA.SI - Active and Healthy Aging in Slovenia, led by the National Health Institute was initiated. The goal of the project is to contribute to the development of a comprehensive strategy of active ageing (with a particular focus on the employability of older people, active and healthy ageing, support for independent living and long-term care) For more see: Federation of Retired Persons of Slovenia. *AHA.SI /Zveza društev upokojencev v Sloveniji*. [AHA.SI](#)

²⁰ Zakon o socialnem varstvu, Ur. list RS, št. 3/2007 - uradno prečiščeno besedilo 2, 23/2007 - popr., 41/2007 - popr., 114/2006 - ZUTPG, 57/12 (Law on Social Security, Official Gazette of the Republic of Slovenia, No. št. 3/2007 - official consolidated text 2, 23/2007 - correction., 41/2007 - correction., 114/2006 - ZUTPG, 57/12)

²¹ Particularly women who prior to this change used to receive widow pension (mainly women who were housekeepers)²¹. Also people aged between 50 and 65 years old, who lost their jobs but had not retired yet, who were after the end of the period during which they are entitled to unemployment allowances, receive often only basic social support; which does not allow older people to maintain adequate living standards. For more see: Social Protection Institute of the Republic of Slovenia, *Assessment of the impact of the new social legislation, Final Report*. / Inštitut RS za Socialno Varstvo, [Ocena učinkov izvajanja nove socialne zakonodaje, Končno poročilo](#).

²² Resolucija o nacionalnem programu socialnega varstva za obdobje 2013–2020 /Resolution on the National Social Assistance Programme for 2013-2020/, Official Gazette of Republic of Slovenia, No. 39/2013.

segmentation and increasing greater flexibility²³. With the aim to address market labour segmentations, some of the measures also reduced the protection of older workers. Among others, the key provisions related to elderly are: introduction of the possibility of temporary and part-time work for pensioners; setting a higher age for defining an older worker entitled to special protection against dismissal (58 years) (e.g. employees who are over 58 years old or are five years before the retirement cannot be dismissed without their consent²⁴ - previously the age bar was 55 for men and 51 for women). Older people (50-55 year-olds) with more than 25 years of employment period have the right to receive unemployment benefits for a longer period of time than other unemployed persons; Workers over 55 (man) and 51 (women) years of age may conclude employment contracts for shorter working hours, if they partially retire.

- In 2013 a **pension reform**²⁵ was introduced. This set a higher retirement age, levelled retirement conditions for men and women and changed parameters for the calculation of pensions, and introduced additional incentives for encouraging the employment of older persons and motivating older workers to stay active even after retirement age. The changes in **Pension and Disability Insurance Act** to some extent reduced the level of the early retirement pension²⁶.
- Another two important acts which are concerned also with the situation of older people are Health Care and Health Insurance Act and Mentally and Physically Handicapped persons Act. However, it needs to be pointed out, that there is **no comprehensive piece of legislation and policy governing Long-term care**, which also results in the fact that there exists no comprehensive long-term care system. The latter is scattered along the range of services and benefits within the health care system, pension and disability insurance and welfare systems, and special care systems for people with disabilities²⁷. As a consequence, this field is governed by several Acts, including Pension and Disability Insurance Act, Social Security Act, Social Security Benefits Act, Rights Enforcement from Public Funds Act, Parental Care and Family Benefits Act, Mentally and Physically Handicapped persons Act, Health Care and Health Insurance Act, War Disabled Act.
- **Adult Education Act**²⁸ governs Life-long learning or adult education area. The field is further regulated by the **Resolution on the National Programme of Adult Education**, which presents a basis for determining annual adult education programmes, provides for the systemic regulation of adult learning and guides the education policy at the state and local levels (focusing on education beyond the obligatory primary education). Among the target groups it mentions unemployed people over the age of 50 without vocational or professional education and employed people over the age of 45 with less than four years of high school or lack of key or vocational competences. However, there are no specific disaggregated targets for any of the above mentioned groups. Moreover, with the current funding provided, the proposed programme will not be fully realised, and there will be a need to partly fund identified programmes from other sources (municipalities, employers, international project).

²³ European Semester 2020. [Commission Staff Working paper. Assessment of NAR Slovenia](#), 2014.

²⁴ Zakon o delovnih razmerjih (ZDR-1), Ur. List. RS, št. 21/2013, 78/2013-popr (*Law on Employment Relationships*, [Official Gazette of the Republic of Slovenia, No. št. 21/2013, 78/2013-popr.](#))

²⁵ Zakon o pokojninskem in invalidskem zavarovanju (Uradni list RS, št. [96/12](#), [39/13](#), [99/13](#) - ZSVarPre-C in [101/13](#) - ZIPRS1415). (*Law on Pension and Disability Insurance*, Official Gazette of the Republic of Slovenia, No [96/12](#), [39/13](#), [99/13](#) - ZSVarPre-C in [101/13](#) - ZIPRS1415)

²⁶ IMAD, *Slovenia Development Report 2013*, 2013 / UMAR, [Poročilo o razvoju Slovenije 2013](#), 2013/

²⁷ European Semester 2020. [Commission Staff Working paper. Assessment of NAR Slovenia](#), 2014.

²⁸ The Adult Education Act, Official Gazette of the Republic of Slovenia, No 110/2006.

3.3. Resources allocated to the protection of the rights of elderly population

Slovenian demographic projections, combined with one of the lowest activity rates of older people within the EU, are expected to place significant challenge on the state/its public finance (particularly pension and health care)²⁹. Furthermore, the economic and financial crisis, Slovenia has been caught in since 2009, left several sectors relevant for enjoyment of the rights of the older persons under malnourished (long-term care, health system, social protection), while also, through decrease of pensions, which hardly allow for decent living, placing share of crisis burden to the pensioners and elderly.

The public expenditure in the fields most important for the protection of the dignity of the rights of older population, including social security and health system, have been, despite increasing need, reducing in recent years and remain slightly under the average of the European Union. In 2011, Slovenia allocated 25% of the GDP on social protection, while EU average was 29%³⁰. For example, measured by purchasing power per capita, expenditure on social protection in 2010 remained at 72% of the EU average³¹. In 2012 percentage for social protection decreased for 1% (24.9%). According to the types of allocations 10.1% was allocated for “age”, 8% for “sickness and health insurance” and 2.1% for “family and children”³². Worryingly, health expenditures in absolute numbers are declining. In 2011, it amounted to 8.8 % of GDP, compared to 9% in 2012. However, due to decrease in revenues from the compulsory health insurance, actual contributions had lowered by 6.3 % in the period 2010–2012. At the same time, the ratio between public and private health expenditure changed. The share of public expenditure amounted to 71.8% in 2012 (72.3% in 2011).³³ In 2013 Slovenia paid for all pensions about a tenth of GDP, which is about 3 percentage points more than the EU average³⁴.

Furthermore, the question of **allocation of maximum available resources** for protection of human rights, including economic, social and cultural rights of all most vulnerable groups, including older population, can be also questioned. NGO community and journalists have identified several anecdotal evidences showing that existing resources are not optimally used and allocated, among others there is an evidence of constantly overpaying public tenders; duplication and lack of coordination of different sectors; installing of people on key positions based on their political affiliation, and not on the basis of their actual competences; creation of “fake” employment, etc. are just some of this examples.

Furthermore, there remain **several opportunities for increasing available resources**, which are currently not optimally explored. This includes absorbing **external financial sources**, such as European funds - for example out of EUR 4.2 billion of the EU Cohesion funds available in the 2007–2013 financial perspective, less than two-thirds have been utilized until mid of 2014³⁵. Furthermore, according to some estimates, Slovenia is losing up to a EUR 1.5 billion as a result of tax evasion and inefficient tax collection. Although measures in this field took place, government needs to step up in addressing tax evasion and supporting efforts for systemic regulation of these issues at national,

²⁹ IMAD, *Slovenia Development Report 2014*, 2014 / UMAR, *Poročilo o razvoju Slovenije 2014*, [2014/](#)

³⁰ The Institute of Macroeconomic Analysis and Development of the Republic of Slovenia (*Urad za makroekonomske analize in razvoj, UMAR*). *Poročilo o razvoju 2013*.

³¹ The Institute of Macroeconomic Analysis and Development of the Republic of Slovenia (*Urad za makroekonomske analize in razvoj, UMAR*). *Poročilo o razvoju 2013*.

³² SORS. Expenditure and funding resources of social protection schemes and pension beneficiaries, Slovenia, 2012 - provisional data. / SORS. [Izdatki in viri financiranja programov socialne zaščite ter upravičenci do pokojnin, Slovenija, 2012 - začasni podatki](#).

³³ IMAD, *Development Report 2014*. / UMAR. *Poročilo o razvoju 2013*.

³⁴ SORS, International day of Elderly 2014 /SORS, [Mednarodni dan starejših 2014/](#)

³⁵ Evropski Socialni Skladi. *Podatki o črpanju sredstev*. / The European Social Fund. Information about the disbursement of funds / Available at www.eu-skladi.si.

European and global level. Furthermore, the **high level of corruption is not adequately addressed** either. According to the Corruption perception index in the public sector Slovenia ranks 43rd among 177 countries with the score of 51 (with a score of 100 indicating that there is no corruption in the country)³⁶. Resignation of the entire senate of the Commission for the Prevention of Corruption in 2013 also presents important signal that addressing corruption remains systemic problem. As one of the reasons for their resignation, the Commission stressed that current legislation does not allow them to perform their tasks effectively.

Demographic projects and increasingly worsening situation of older persons demands timely, comprehensive and relevant response from the government; however, as partly described above, existing responses seem to be partial or non-existent. The demographic projections indeed are creating challenge for the stability of the public finances, if current system remains unchanged and strategic reforms are not taken. However, prevailing crisis rhetoric and rhetoric that portrays older persons, and particularly pensioners mainly as a burden for sustainability of fiscal policy and burden for younger generations, does not help to restore much needed intergenerational co-existence and to promote solidarity among different generations.

³⁶ Društvo Integriteta. *Indeks zaznave korupcije*. / Transparency International Slovenia. *Corruption Perceptions Index*. Available at www.integriteta.si/component/content/article/11-partner-transparency-international/314-indeks-zaznave-korupcije-2013.

4. Key challenges affecting the rights of older persons in Slovenia

In the following sections, some of the key challenges affecting the enjoyment of the rights of older persons in Slovenia are highlighted. However, the list and issues mentioned are not exclusive and comprehensive.

4.1. Discrimination of older persons

Although anti-discrimination legislation does offer relatively extensive and rigorous system of civil, administrative and penal sanctions, institutions, such as Advocate for principles of Equality, and reports of NGOs warn, that existing system is complex, ineffective and leads to minimal convictions for perpetrators on the grounds of discrimination³⁷. The above mentioned fact, that there is no single body that would independently monitor the field of human rights and discrimination, contributes to the fact that there exists no research that would deal directly or comprehensively with discrimination on the different grounds, ground of age being one of them. However, although there is no systematic data available for this field it does not mean that discrimination does not exist.

For example, existing surveys show the perceived rate of discrimination against older people in Slovenia is close to the European average (41% compared to 45% of EU average³⁸. Furthermore, European Social Survey further found that according to over 40% of the respondents, ageism is a severe issue in Slovenia³⁹. 66% respondents in the EU-wide survey Eurobarometer also pointed out being older would present a disadvantage when company is choosing between two candidates with equal skills and qualifications, which is much higher than in any other grounds⁴⁰.

Furthermore, from the available statistical data, we can see that elderly people are more vulnerable and have experienced unequal situation **in access to labour market, showing the indices of structural discrimination**. For example, since the beginning of the crisis in 2008 there has been a decline in economic activity in most age groups, with younger (15 to 29 years old) and older (50 years and above) age groups being in more difficult situation; for example 4 out of 10 long-term unemployed belong to the age group 50+. One of the reasons is also the challenge to change attitudes of employers, who follow strongly entrenched existing paradigm of old age and elderly, which does not recognize or ignores their sources of power, skills and capabilities⁴¹.

Due to their age and disadvantaged economic situation, older people also **face discrimination in accessing financial services**, which consequently negatively affects their ability to adequately resolve their housing situation or other issues; for example, lack of access to credit and other financial services, can prevent older people, who are often living in apartments that are not suitable to their situation, to cover the costs of their adjustments⁴² or to move into more adjusted apartments. The lack of access to the ICT among elderly is an increasing issue of concern and can constitute indirect discrimination, particularly in regard to the right to information and participation.

³⁷ Coalition of NGOs, [Parallel Report By the Coalition of NGOs on Economic, Social and Cultural Rights in Slovenia](#). Submitted to the Committee on ESC Rights.

³⁸ [Eurobarometer factsheet Slovenia](#).

³⁹ [Grey Matters – A Survey of Ageism across Europe](#).

⁴⁰ Eurobarometer, [Discrimination in the EU in 2012- Report](#).

⁴¹ Zbornik Festivala za Tretje življenjsko obdobje, [Za strpno in socialno sožitje vseh](#), 2010. / Proceedings of the Festival for the Third Age. *For tolerant and social coexistence of all*, 2010.

⁴² Tratnik, M. (ed), Discrimination of elderly, *Proceedings and Discussions* / Tratnik, M. (ur.), [Diskriminacija starejših](#), [Zbornik Referatov in razprav](#)/

4.2. Adequate standard of living and social services

Older persons, particularly older women, are at **the higher risk of poverty than general population**. In 2013 14.5% of people were living at risk of poverty, which presents an increase compared to 2009 level, when the at-risk-of-poverty rate was 11.3%, among them 22% of people were above 64 years of age or older⁴³. The risk of poverty is higher for women above 64 years of age (25.5%), than for men of the same age group (13.2%) (compared to 25% and 11.7% year before). Greater risk of poverty has been detected particularly for single-person households where older people (age 65 and over) were living: in 2012 33.3% where older women and 44% where older men were living in single households⁴⁴.

With increasing number of people entering the pension system, higher risk of poverty can be also attributed to the **low pensions**. As pointed out by Slovenian Statistical Office and Pension and Disability Insurance Institute, in the period from January to December 2013 the average monthly pension without withdrawn advance payment amounted to just over EUR 560, and it has lowered compared to January–December 2012 by 0.1%. In January–December 2013 period consumer prices increased by 1.8% compared to the same period of the previous year. The real value of pensions decreased for the fourth consecutive year: in 2012 by 3.5%, in 2011 by 1.4% and in 2010 by 0.7%⁴⁵.

Pensioners with the lowest pensions receive compensatory supplement, which is excluded from pension and disability insurance, and transferred to social security benefits. With the austerity measures, the provision of obligatory repayment after the death of the beneficiary is more strictly applied – meaning that a person receiving social security benefits, needs to return part of his/her wealth to the state after the death. In the last years, there has been rapid reduction of the number of recipients of compensatory supplement particularly among older population, with many beneficiaries losing the right to the supplement due to stricter conditions for entitlement, and even more beneficiaries waiving the right voluntarily to protect them and their heirs from repaying the amounts received, thus deepening their social distress⁴⁶.

Equally, for the older persons outside of pension system and employment, e.g. living on the social security benefits, the level of social support available also does not allow for decent living and does not ensure social security. Social security benefits are determined and granted on the basis of minimum income, which is 265.55 EUR since August 1st 2013, meaning that the minimum income is significantly below the poverty line. It is worrying that according to calculation of the Ministry of Labour, Family, Social Affairs and Equal Opportunities, the minimum cost of living for one adult person (the conversion of the cost of the “basket of basic goods and services« to total costs) amounted to EUR 562,07⁴⁷

⁴³ SORS, International day of Elderly 2014 / SORS, [Mednarodni dan starejših 2014/](#)

⁴⁴ SORS, International Day of Elderly / SORS, [Mednarodni dan starejših 2013/](#)

⁴⁵ SORS, International day of Elderly 2014 / SORS, [Mednarodni dan starejših 2014/](#)

⁴⁶ Coalition of NGOs, [Parallel Report By the Coalition of NGOs on Economic, Social and Cultural Rights in Slovenia](#). Submitted to the Committee on ESC Rights.

⁴⁷ Coalition of NGOs, [Parallel Report By the Coalition of NGOs on Economic, Social and Cultural Rights in Slovenia](#). Submitted to the Committee on ESC Rights.

4.3. Health

The share of people aged over 65 years whose every-day activities in the last six months have been **moderately or greatly obstructed** due to health problems, is in Slovenia higher than in the EU (2012: 61.6%, compared to 55% EU average). This percentage is increasing. Furthermore, **expected healthy life years** (years without disability) at birth by sex has sharply fallen after 2009 and is significantly below the average of EU-27. In 2012, there were 55.6 healthy life years for women and 56.5 years for men. In Slovenia, both men and women can expect around eight healthy or unrestricted life years less than the EU average⁴⁸.

This also presents additional burden to the health care system, which is, after several unsuccessful attempts to reform health insurance system, facing significant challenges in the last years; doctors often warn that the system is before the complete collapse. Currently, partial solutions have been found for reduction of the public expenditure in this field by transferring part of the health care payments to the complementary health insurance, reducing health workers' wages and lowering sick pay. Thus, very few medical services are financed entirely from public funds (the share of public financing ranges from 5 to 95%), the majority must be covered by additional payments from the complementary health insurance⁴⁹. Furthermore, despite the increasing needs, the percentage of employees in health care remains low, e.g. according to estimates, Slovenian hospitals would need one fifth more employees in order to adequately carry out their functions.

Another key challenge facing older population is that there exists **no comprehensive long-term care system**; existing one is scattered along the range of services and benefits within the health care system, pension and disability insurance and welfare systems, and special care systems for people with disabilities⁵⁰. This field has been stagnating for several years, despite the increased need,⁵¹ including public funding for this field is below the OECD average (Slovenia: 0.98 % GDP; OECD: 1.39 % GDP – data for 2011); which could be partly attributed to the austerity measures to consolidate public finances, which limited the funding possibilities available for long-term care⁵².

Long term care provision remains largely a family responsibility, the quality of which could be hindered by the economic status of the families⁵³. In this regard, the reduction of real incomes (salaries and pensions) of service users also lowers the access of the users of the available services⁵⁴. Furthermore, although institutional care has increased and became more available in recent years, the Office of the Ombudsman and some other researches, find challenge in relatively unbalanced geographical coverage of availability of these institutions⁵⁵.

⁴⁸ Indicators of Well-being in Slovenia - Health /[Kazalniki blaginje v Sloveniji – zdravje/](#)

⁴⁹ Doctors' Initiative. *Health insurance system in Slovenia*. /Iniciativa zdravnikov. *Sistem zdravstvenega zavarovanja v Sloveniji*. / Available at: <http://iniciativa-zdravnikov.si>.

⁵⁰ European Semester 2020. [Commission Staff Working paper. Assessment of NAR Slovenia](#), 2014.

⁵¹ European Semester 2020. [Commission Staff Working paper. Assessment of NAR Slovenia](#), 2014.

⁵² IMAD, *Slovenia Development Report 2014*, 2014 / UMAR, *Poročilo o razvoju Slovenije 2014, 2014/*

⁵³ Varuh človekovih pravic RS, [Pravice starejših kot ogledalo družbe](#), st. 14, 2011 /Human Rights Ombudsman of RS, The rights of older people as a mirror of society, p.14, 2011/

⁵⁴ IMAD, *Slovenia Development Report 2014*, 2014 / UMAR, *Poročilo o razvoju Slovenije 2014, 2014/*

⁵⁵ Varuh človekovih pravic RS, [Pravice starejših kot ogledalo družbe](#), st. 14, 2011 /Human Rights Ombudsman of RS, The rights of older people as a mirror of society, p.14, 2011/

4.4. Housing

Elderly also often live in apartments that are not adjusted to their situation and problems, and cannot afford to cover the costs of their adjustments. In Slovenia, on one hand, there is a high level of owned accommodations, low accommodation mobility and mentality that the elderly need to leave their estate to future generations; whereas on the other hand selling the apartment presents great stress, there is no independent financial consultancy adjusted for elderly, elderly have limited access to the credits, which also makes it more difficult for them to adjust their living conditions to the needs of their age⁵⁶.

Due to their age and disadvantaged economic situation, older people **face discrimination in accessing financial services** which consequently negatively affects their ability to adequately resolve their housing situation⁵⁷.

4.5. Access to information and participation

Beside general attitude towards older persons as incompetent, their participation can be severely obstructed also due to the **lack of support/consultation services available or adjusted** to their needs, which would help them with decision-making, enabling them to more actively participate in societies and organize themselves in a way to live a more dignified life (e.g. including financial consultations, housing possibilities, etc.)⁵⁸. Similarly, a survey showed that social support networks for older people are strongly focused on older people living in families, whereas older people living outside of family relations have limited financial support (39% does not have anyone to lend him/her money above 1,000 EUR), lack information support (21% respondents have no one to whom they can turn to for information, while additional 21% have only one person to talk to), and a number of older people face particular challenges in terms of social interactions (4% of respondents are without anyone to socialise with and 9% have only one person to interact with)⁵⁹.

In this regard, there is also an acknowledgement of regional disparities in the coverage and availability of active ageing or intergenerational centres; equally the opportunities and conditions in the field of intergenerational solidarity differ from municipality to municipality, and often depend on how actively individuals in societies or local communities are working on these issues⁶⁰.

Furthermore, access to the ICT technologies remains an important challenge impacting the elderly people's right to information and participation. According to research published by Statistical Office of RS on the use of ICT, in 2013 15% of people aged 65+ were using computer and internet every or every second day, which presents three-times increase of use of the computer and increase for seven-times in the use of internet in the last 5 years⁶¹. Furthermore, according to the survey done in 2011, 4% of people aged between 55-64 years of age and 3% of the 65-74-year-old age group are participating in online social networks⁶². However, despite the increase in recent years, existing research points out

⁵⁶ Zbornik Festivala za Tretje življenjsko obdobje. [Za strpno in socialno sožitje vseh](#). 2010. / Proceedings of the Festival for the Third Age. *For tolerant and social coexistence of all*, 2010. /

⁵⁷ Tratnik, M. (ed), Discrimination of elderly, *Proceedings and Discussions* /Tratnik, M. (ur.), [Diskriminacija starejših. Zbornik Referatov in razprav/](#)

⁵⁸ *Ibdn.*

⁵⁹ Proceedings of the Festival of Third Life stage Life. *For tolerance and social harmony among all*. / Zbornik Festivala za Tretje življenjsko obdobje. [Za strpno in socialno sožitje vseh](#) /

⁶⁰ *Ibdn.*

⁶¹ SORS, Use of computers and the internet among the elderly, detailed data, Slovenia, 2013 / SURS, [Uporaba računalnikov in interneta pri starejših, podrobni podatki, Slovenija, 2013.](#)

⁶² Innovage. *Analysis of the situation and SWOT analysis in the field of use of ICT among elderly in Slovenia*, 2010 / Innovage. *Analiza stanja in SWOT analiza na področju uporabe ICT med starostniki v Sloveniji*, 2010/

that the use of ICT amongst older people (beyond the mobile phone) is still lower than the EU average.

The increasing digital gap also leads to the exclusion of older people from accessing relevant information and access to services (i.e. as a result of increasing number of e-services such as complaints to tax administration authorities, applications to medical examinations⁶³, increasing use of on-line business⁶⁴, etc.). This can imply indirect discrimination, which can exacerbate the social exclusion of this age group.

4.6. Labour market participation

Slovenia has (along with Malta) the **lowest share of active population** within the age group 55 and 64 years in the EU, which was 31.2% in 2011 (in the EU as a whole this stood at 47.4%). The low activity rate is related particularly to the early retirement of older population compared to other countries, but also due to difficulties in accessing the labour market of this age group. This also means that the ratio between the active population and the non-active population (of which pensioners form a critical group) has been worsening since 2008 (in 2012 this rate stood at 1.46, meaning one and half active person to one pensioner)⁶⁵. In June 2014, among persons age 65 or more, there were around 2.050 or 0.3% active in the labour market⁶⁶.

Older people, who lose their jobs, also **face difficulties in returning to the employment market**⁶⁷ which is also reflected in the data showing that 4 out of 10 long-term unemployed people are above 50 years of age⁶⁸. This is also the age group that does not have the possibility to access temporary or occasional work, which is an option that was made available to retired persons by amendments made to the labour legislation in March 2013⁶⁹.

Changing the attitudes of employers with regards to stereotypes of older people, such as that they are less productive, more at risk of ill health, more reluctant to professional development, and have a lower level of competence, remains a challenge. Getting small- and medium-sized enterprises (SMEs) to take on older workers is recognised as a challenge in particular, as many SMEs lack age management skills and fail to realise older workers' potential⁷⁰. This attitude is also related to strongly entrenched existing paradigms of old age and the elderly, which do not recognise the economic potential, skills and capabilities of older people⁷¹. Age thus seems to be an obstacle for professional improvement; as the work experiences of older people do not seem to be recognised and prequalification and training are lacking or are difficult to access⁷².

Life-long learning programmes are a way to increase the participation of elderly in society and

⁶³ *Ibdn.*

⁶⁴ Varuh človekovih pravic RS, [Pravice starejših kot ogledalo družbe](#), st. 14, 2011 /Human Rights Ombudsman of RS, The rights of older people as a mirror of society, p.14, 2011

⁶⁵ SORS, International day of Elderly 2013 / SURS, [Mednarodni dan starejših 2013/](#)

⁶⁶ SORS, International day of Elderly 2014 / SURS, [Mednarodni dan starejših 2014/](#)

⁶⁷ IMAD, *Slovenia Development Report 2014*, 2014 / UMAR, [Poročilo o razvoju Slovenije 2014, 2014/](#)

⁶⁸ Employment Service. *Scientific basis for 2014, 2014* / Zavod Republike Slovenije za zaposlovanje, [Strokovna izhodišča za leto 2014, 2014.](#)

⁶⁹ Social Protection Institute of the Republic of Slovenia, *Assessment of the impact of the new social legislation, Final Report.* / Inštitut RS za Socialno Varstvo, [Ocena učinkov izvajanja nove socialne zakonodaje, Končno poročilo.](#)

⁷⁰ Zaida, A. (2012), *Age friendly goods and services*, DG EMP, 2013.

⁷¹ Proceedings of the Festival of Third Life stage Life. *For tolerance and social harmony among all*, 2010/ Zbornik Festivala za Tretje življenjsko obdobje. [Za strpno in socialno sožitje vseh](#), 2010/

⁷² Tratnik, M. (ed.), *Discrimination of elderly, Preceedings and Discussion, 2011.*/Tratnik, M. (ur.), [Diskriminacija starejših, Zbornik Referatov in razprav, 2011](#)

labour market. However, **participation of adults in life-long learning programmes** in 2013 decreased for a third time in a row (at 2010, it stood at 16.2%, whilst in 2013 the corresponding figure was at 12.6%). However, this still remains slightly higher than the EU average⁷³. Importantly, the participation of older workers in adult programmes is modest and is steadily decreasing each year⁷⁴. It seems that the older a person is and a lower educational level he/she has the less likely he/she will participate in life-long learning programmes. Lower participation rates in life-long learning programmes also inhibit older people's employment prospects⁷⁵.

According to the Adult Education Survey of OECD, the affordability of programmes is a question of concern, with 45.9% respondents stating that the high cost of adult education was a barrier for participation in the programmes (41.3% problems related to health and 34.2% problems related to age; 52.4% cited as a barrier conflict with work; 35.6% family responsibilities)⁷⁶. Besides the OECD, other experts have also emphasised difficulties in accessing the education for older people due to self-payment and limited access to continuous educational programmes, including due to regional disparities⁷⁷.

Other factors include the employers' reluctance to invest in older workers' education (which can at least partly be attributed to discriminatory attitudes of employers in a sense that some may regard such an investment in older workers as wasted), as well as the relative lack of educational programmes for seniors.

⁷³ Indicators of well-being in Slovenia - Education / [Kazalniki blaginje Slovenije – izobraževanje/](#)

⁷⁴ Indicators of well-being in Slovenia - Education / [Kazalniki blaginje Slovenije – izobraževanje/](#)

⁷⁵ OECD, [Improving educational Outcomes in Slovenia](#), 2011

⁷⁶ OECD, [Improving educational Outcomes in Slovenia](#), 2011

⁷⁷ Žiberna, A., Recognizing discrimination of elderly, in Tratnik, M. (ed), *Discrimination of elderly, Preceedings and Discussions* / Žiberna, A., *Prepoznavanje oblik diskriminacije Starejših*, in Tratnik, M. (ed), [Diskriminacija starejših, Zbornik Referatov in razprav.](#)