

Mira Lulić

Josip Juraj Strossmayer
University of Osijek
Faculty of Law Osijek
Stjepana Radića 13,
31000 Osijek, Croatia
miral@pravos.hr
Phone: +38531224500

Ivana Rešetar Čulo

Josip Juraj Strossmayer
University of Osijek
Faculty of Law Osijek
Stjepana Radića 13,
31000 Osijek, Croatia
ivanaresetarculo@gmail.com
Phone: +385919433389

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POVERTY: A CHALLENGE TO THE PROTECTION OF HUMAN RIGHTS OF OLDER PERSONS IN THE REPUBLIC OF CROATIA

ABSTRACT

Poverty is traditionally studied from an economic point of view. However, along with the development of international human rights law poverty is increasingly becoming the focus of legal science; it is studied from the aspect of the protection of human rights and viewed as a result of structural and institutionalised inequalities and discrimination. Poverty is one of the leading problems older persons encounter worldwide, including in the Republic of Croatia. Therefore, the aim of this paper is to point to the problem of poverty of older persons as a form of human rights violation, but also to the lack of research on this issue, as well as to make recommendations for future research. Thus, the paper gives an overview of global and national demographic trends, analyses exposure of older persons in the Republic of Croatia to poverty and outlines the existing legal framework for the protection of the rights of the elderly at both national and global levels. The paper also draws attention to ageism and negative stereotypes and prejudices towards older persons that persist in society and affect the position of the elderly and highlights the need for a paradigm shift in relation to their role in society.

Keywords: Poverty, older persons, human rights, discrimination, international law

1. Introduction

The demographic trend of population aging brings many challenges. The United Nations warns that countries with a pronounced trend of population aging are likely to face fiscal and political pressures regarding public systems of health care, pension and social protection for a growing older population.¹ Countries also face problems of ensuring political participation of older persons, social inclusion of

the elderly, old age poverty, protection against violence and discrimination, or generally speaking, the protection of the rights of older persons. However, one of the biggest challenges is changing the way we look at the elderly population and finding effective ways to tap into their potential. One of the indicators of older persons' position in society is their exposure to increased risk of poverty both globally and in the Republic of Croatia. Although poverty is traditionally studied from an economic aspect,

along with the development of international human rights law poverty is increasingly becoming the focus of legal science; it is studied from the aspect of the protection of human rights and viewed as a result of structural and institutionalised inequalities and discrimination. Indeed, rapid population aging significantly changes social, political, legal and economic relations in society. This change is even more complicated in our country due to some specific factors. Namely, damage caused during the war in the 1990s impoverished the country significantly, and the transition to democracy and the abandonment of self-managed socialism caused further degradation of social, economic and political relations. A combination of these factors and the deep-rooted negative stereotypes and prejudice about the older population place the elderly in an unenviable position where their fundamental human rights are being undermined, neglected and denied.

Hence, the aim of this paper is to point to the problem of poverty of older persons as a form of human rights violation and to a lack of research on this issue, as well as to make recommendations for future research. The paper gives an overview of global and national demographic trends, analyses exposure of older persons in Croatia to poverty and outlines an overview of the existing legal framework for the protection of the rights of the elderly at both national and global levels. Finally, it proposes guidelines for further development of policies and promotion of older person's rights. How to reduce the costs of caring for the elderly and increase their inclusion, health, and contribution to society?

2. The dynamics and the phenomenon of an increase in the number of older persons in the 21st century

Although aging is a biological process and concept, old age is a socially constructed phenomenon, whose definition depends on numerous factors. When defining the notion of an older person, based on the World Health Organisation (WHO) data, it can be seen that different standards are used to define old age.² Bearing in mind the difficulty of setting objective criteria when defining this notion by using functional and social determinants of old age or by using a multi-dimensional definition that would include all of these elements, a chronological definition of an older person is the most commonly used one.³

There is no consensus on the age after which a person becomes an "older person". In its statistical reports, the United Nations (UN) defines older persons as those aged 60 years or over.⁴ In most developed countries, the age limit of 65 years is laid down as a determinant defining old age, which is closely related to the statutory retirement age, a situation applicable to the Republic of Croatia as well (cf. the Social Welfare Act). In the absence of a universally accepted definition (or at least the age limit) of old age, the study of the position of older persons is hampered by the fact that older persons are an extremely heterogeneous group that differs by gender, ethnicity, economic status, health status, accepted social values, level of education, residence in countries at different levels of development and even the age itself. The paradox of aging consists in the fact that the world's population is getting older and maintains vitality in psychological and biological terms and remains mentally and physically fit for longer compared to previous generations (Helbrant, 2005: 5). Chronological age is only loosely associated with levels of functioning. The WHO states that, unlike the youth population, the elderly population is characterised by the sheer diversity of health of its members, in terms of both physical and mental capacities.⁵

However, population aging has unquestionably been one of the leading demographic trends over the past decades. According to the most recent data, older persons are increasing in number and today account for a growing share of the population in virtually every country. This has had implications for nearly all sectors of society, including labour and financial markets, the demand for goods and services such as housing, transportation and social protection, as well as family structures and intergenerational ties.⁶ There is no doubt that the share of the elderly in the total population will continue to grow. According to the UN data, there were 901 million people aged 60 years or over in 2015 worldwide, an increase of 48% compared to 607 million in 2000. In 2017, there were an estimated 962 million people aged 60 or over in the world, comprising 13% of the global population.⁷ The population aged 60 or above is growing at a rate of about 3% per year. By 2050, the number of older persons in the world is projected to double compared to 2015, amounting to about 2.1 billion.⁸ According to Eurostat estimates, about 511 million

people lived in Europe in 2017, over 19% of whom were aged 60 or over.⁹

The population aging process has two features characteristic of old age poverty, i.e. aging and feminisation of the elderly population. According to the UN data, women live longer than men and make up most of the elderly population, especially in the oldest age group. In 2015, women accounted for 54% of the world's population aged 60 and over and 61% of those aged 80 and over.¹⁰ The number of persons aged 80 and over is projected to triple by 2050, and by 2100 to increase to nearly seven times its value in 2017.¹¹ Globally, the number of persons aged 80 and over is projected to increase from 137 million in 2017 to 425 million in 2050, and further to 909 million in 2100.¹²

The Croatian population is also old. The causes of an aging population occurring in other developed countries are also present in Croatia, i.e., lower birth rates and increased life expectancy. As the core of the migration contingent consists of persons between the ages of 20 and 40, population aging in Croatia was also influenced by specific factors such as several major migration waves in the 20th century, as well as casualties and emigration that occurred during and after the Croatian War of Independence (Živić, 2003: 309). It is estimated that 1,233,000 (i.e. 31%) and 1,309,000 (i.e. 36.8%) persons aged 60 and over will live in the Republic of Croatia in 2030 and in 2050, respectively.¹³

According to the estimates of the Central Bureau of Statistics of the Republic of Croatia (CBS), there were about 825,400 persons aged 65 and over in 2017, compared to 758,633 persons belonging to the same group in the 2011 Census.¹⁴ According to the 2011 Census, the share of persons aged 65 or over in the total population was 17.7%¹⁵, while that share for 2017 is estimated at 20.1%¹⁶. Consistent with global demographic trends, the number of very old persons is increasing in Croatia. Thus, according to estimates for 2017, in the total number of persons aged 65 or over, there were 256,900 persons between the ages of 65 and 69, 183,700 persons between the ages of 70 and 74, and 384,800 persons older than 75.¹⁷ These estimates also show the feminisation of aging. According to this source, out of the total number of persons aged 65 and older, 492,400 (i.e., 59.66%) are women, while 333,000 (i.e., 40.34%) are men. CBS projections show that by 2051 the share of persons aged 65 or older in the total population will increase to 27.6%.¹⁸

3. On the number of older persons living in poverty in the Republic of Croatia: society growing older and poorer

There has been no comprehensive empirical research on poverty in the Republic of Croatia; hence, there has been no systematic research on old age poverty. Instead, papers that highlight this issue or analyse available statistical data¹⁹ are sporadically published (see: Šućur, 2008: 435-454). Most data in Croatia are obtained from the Croatian Bureau of Statistics (CBS). According to the CBS Indicators of poverty and social exclusion for 2017, the at-risk-of-poverty rate in Croatia was 20%.²⁰ This indicator was the highest in 2017 for persons aged 65 years and over (28.6%). The difference by gender was the highest in this age group and it amounted to 31.7% for women and 24.1% for men.

As the elderly reach retirement, their income decreases. There is a rather small number of older people who are financially self-sufficient and otherwise independent. In 2017, the at-risk-of-poverty rate of retirees was 24.5% (i.e., 26.7% for women and 21.9% for men).²¹ According to the Croatian Pension Insurance Institute, in April 2019, 457,365 retirees received a pension of less than HRK 2,000. The average pension income in April 2019 was HRK 2,435.20.²² Rarely do retirees partially return to the labour market, so their financial situation can hardly change for the better. According to the Croatian Pension Insurance Institute data for April 2019, 9,425 old-age and early retirement pension beneficiaries work up to half of what typically constitutes the standard for full-time employment, while 10,863 persons over the age of 65 are employed full time.²³

Older persons living alone in a household are particularly exposed to the risk of poverty. According to available data, 24.23% of the population aged 65 and over living in Croatia live in single-person households, 77.5% of whom are women.²⁴ By age group, the oldest-old (aged 85 years and over) account for the largest share of single-person households (i.e., 30.9%), and this group is followed by the middle old age group (75-84 years, 28.57%) and the young old age group (65-74 years, 20.28%).²⁵ The at-risk-of-poverty rate for 2017 shows that single-person households are most vulnerable, especially those with persons aged 65 or over (47.8%).²⁶ It is also reported that female single-person households are the most vulnerable (47.6% compared to 39.5%

referring to men at risk of poverty).²⁷ The authors of the Report on Social Development of the Republic of Croatia state that a typical member of the elderly population is 74 years old, has a monthly income of up to HRK 2,000 and lives alone or with a spouse (Bayley, Gorančić-Lazetić, 2006: 100). According to the statistics of the Ministry of Demography, Family, Youth and Social Policy of the Republic of Croatia, as at 31 December 2015, 9,287 persons aged 65 and over received a guaranteed minimum income (the so-called social benefit), which accounts for 9.07% of all beneficiaries of the minimum guaranteed income or 1.16% of all persons aged 65 and over.²⁸

Declining health associated with increased (health) care needs puts older people in a position of powerlessness and dependency. There are also many persons with disabilities in the elderly population. According to the statistics of the Ministry of Demography, Family, Youth and Social Policy of the Republic of Croatia, as of 31 December 2015, 3,226 persons aged 65 and over received personal disability allowance, which makes up 13.58% of all personal disability allowance beneficiaries, while 33,859 persons aged 65 and over received assistance and care allowance, which makes up 50.68% of all assistance and care allowance beneficiaries.²⁹ A large number of older persons, especially those living in rural areas, live far away from health care institutions, which are mostly located in larger cities. The elderly are also affected by changes in the healthcare system, especially by rising costs of medications and treatments. Older people experiencing financial hardship and poor psychological and physical health are often placed in nursing homes. In terms of institutional elderly care in Croatia, 2.86% of the population aged 65 and over are placed in institutional households, whereas 2.38% are placed in institutions for the elderly, of whom are 75.55% of women.³⁰ Most worrisome is the fact that a number of older persons are forced to seek refuge in homeless shelters because they frequently live in accommodation with no access to basic sanitation services and other facilities. According to survey data on homelessness in Croatia, 5.7% of the total number of homeless people are aged 65-69, and 3.4% are over the age of 70.³¹ Life in such extreme circumstances, the abnormal and unnatural state of poverty, might lead to mental illnesses or disorders and deterioration in their health condition in general. Out of 635 people who com-

mitted suicide in 2017, 300 persons were aged 60+ (i.e. 130 persons aged 60 to 69, 78 persons aged 70 to 79, and 92 persons aged 80+).³² Of the total number of people over 60 who committed suicide, 74.3% were men (i.e. 223 persons).³³

Research has shown that due to transition, high unemployment rates, low pensions, gender and age discrimination, reforms of health care, pension and social welfare systems, older persons in Croatia are poor and socially vulnerable, which implies increased risk of both domestic violence and violence against older people in institutional settings (Ajduković et al., 2008: 5-6). Since the perpetrators are often family members and since such offences take place at home or in institutions, they are rarely recognised and penalised. An additional problem is that elderly people are most often dependent on perpetrators of criminal offences and do not report their abusive behaviour out of either fear or ignorance. A huge problem today is economic (financial or material) abuse, or abuse of an older person's money, property or assets (e.g. taking an older person's pension, abuse of power of attorney, change to the last will, etc.) (Dessin, 2002: 269). Older persons are easy targets for financial abuse, which can be committed by unknown persons, but is very often perpetrated by a person who is well known to them or a person they depend on (Moore, Schaefer, 2004: 508).

Poverty is traditionally studied through objective one-dimensional indicators such as income, consumption and assets (Wang et al., 2011: 716). However, over the past decades, the idea of poverty has been recognised as a multidimensional and complex phenomenon. Theories of poverty, marginalisation and underclass are being developed in America and the Anglo-Saxon world, while the concept of social exclusion is being developed in Europe, which, in addition to the lack of material resources, also implies deprivation in social, cultural, political and other dimensions of life (Stark, 2009: 381-430). As Lipman states, poverty is hunger, harmful to the mind, body and soul; poverty is situational, generational, urban and rural, expensive, persistent, pervasive and criminalised (Lipman, 2017: 394-396). Although the very notion of social exclusion is rather new, Sen feels that there is a connection between that concept and old ideas of poverty, as lack of opportunity characterises both (Sen, 2000: 3-4). The *Multidimensional Poverty Index* (MPI)

that was conceptualised in 2010 for the purpose of measuring multidimensional poverty is based on Sen's notion of poverty as a lack of opportunity. The World Bank set the criterion for estimating the number of people living in extreme poverty at \$1.90 a day or less (Pogge, 2017: 516; Lipman, 2017: 398; Novak, 1995: 59). When measuring the incidence of poverty, the Multidimensional Poverty Index (MPI) looks beyond income to understand how people experience poverty in multiple and simultaneous ways and includes three dimensions: health, education and standard of living, which are assessed and evaluated by means of ten indicators.³⁴ People who experience deprivation in at least one third of these indicators fall into the category of multidimensionally poor.³⁵

Methodological problems related to the measurement of old-age poverty lead to problems with assessing the total number of the elderly living in poverty or extreme poverty. While the literature on poverty is extensive, the specific focus on old-age poverty is limited (Kwan, Walsh, 2018: 1-21). Research dealing with poverty from a multidimensional aspect or other aspects of deprivation other than income is even scarcer. Relying solely on economic indicators relating to expenditure on the elderly without taking into account the contributions of older people both at an old age and throughout their lifetime gives a wrong picture of the elderly and their role in society. The research conducted by Cook in the United Kingdom shows that the contributions of older persons through taxation, consumer spending and other economically valuable activities such as social care provision and volunteering were estimated to be worth nearly GBP 40 billion in 2010, which is more than expenditure on them through pensions, welfare and health care combined, and this number is set to rise to GBP 77 billion by 2030 (Cook, 2011: 141-146). Furthermore, as part of the economy, the silver economy recognises aging population as a new source of economic and business opportunities (Barković Bojanić et al., 2018: 915). Despite these developments, and given the current demographic revolution, the position that is prevalent today is that without an adequate strategy and policy response, economic growth will be seriously hampered (Barković Bojanić, 2019: 1781).

4. Legal protection and the status of older persons

4.1 Poverty in the context of violation of the older persons' rights

Poverty is one of the biggest problems older persons encounter. Not all elderly people are poor; however, they are at higher risk of poverty than any other age group. In many societies, older persons comprise a disproportionate number of the poor, the persistent poor and the poorest among the poor.³⁶ Poverty can exacerbate the denial of basic human rights as well as limit choices and opportunities for a tolerable life for older persons.³⁷ As early as 1975, Butler stated that the tragedy of old age is not the fact that each of us must grow old and die but that the process of doing so has been made unnecessarily and at times excruciatingly painful, humiliating, debilitating and isolating through insensitivity, ignorance and poverty (Butler, 1975, as cited in van den Heuvel, van Santvoort, 2011: 297). Why is that the case and what is the relationship between poverty and the rights of older persons?

Human rights, *inter alia*, rely on the recognition of the inherent dignity and equality of all human beings and on the non-discrimination principle (Lister, 2013: 109; 113). A human rights approach to poverty thus raises fundamental ethical questions about how people in poverty are regarded and treated and about the responsibilities of others towards them (*ibidem*). However, mainstream society pushes to the margins of society all those who are in some way different. Poverty thus becomes one of the indicators of social exclusion (Šučur, 2004: 49-51). The process of excluding poor people from society is aggravated when poverty interacts with social divisions such as gender, ethnicity and disability (Lister, 2013: 112). This category certainly includes old age. Bejaković states that inequality causes disruption (albeit small) to social capital and lower participation of citizens in political life and society, which reduces the possibilities of influencing the decision-making process of the poor (Bejaković, 2004: 84). We must also take into account "shame as a non-material and social dimension of poverty", which has devastating impacts on the poor (Jo, 2013: 514; Lister, 2013: 112).

Negative stereotypes and prejudices against older persons are deeply rooted in society. Not much has changed since the term ageism was coined in the late 1960s by Butler who described it as "prejudice

by one age group toward other age groups” (as cited in Mikolajczyk, 2015: 86). Although it is an old term and a recognised type of discrimination, “ageism” has not survived in international documents as a term, despite the ban on age discrimination that has become “more and more popular in the international fora” (ibidem: 106). Ageism is still socially acceptable and often unrecognisable even when it occurs at the level of design and implementation of policies and measures directly affecting older persons. In extreme situations, discrimination in old age can reach such a level that we speak of structural violence at the level of society and it refers to discriminatory social, health and other policies and practices towards the elderly population, and to inadequate and disturbing treatment of public services (Rusac, 2006: 332-334). Whitton also believes that ageism is still developing and that gerontophobia has emerged recently as the fear of growing old or aging, the fear of sharing scarce intergenerational resources and a tendency to perceive older people as a social problem (Whitton, 1997: 469).

Unfortunately, older persons are a group that does not have enough information and knowledge about their (human) rights and how to exercise them, and as such, they easily become victims. Thus, it is extremely important for every modern state to combat discrimination against older persons as successfully as possible, and to develop successful national poverty reduction strategies. In this respect, it is important to take into account not only economic growth and development, but also social sensibility of the state towards the elderly poor. By combating poverty in old age, ensuring access to adequate health care, enabling older persons to participate in the labour market and in social, cultural and political life in general, older persons are given the opportunity to enjoy a healthy life of good quality for many years, their contribution to society is acknowledged and they have the possibility of reaching their full potential.

4.2 Legal protection and the status of older persons at international level and in the Republic of Croatia

Unlike the rights of recognisably vulnerable groups such as children, women, minorities, people with disabilities, members of the LGBT community, migrant workers, racial groups, victims of torture, etc., older persons have no special protection under international law but rather within the generic frame-

work for the protection of human rights. However, there are very few provisions in international law that directly address elderly rights and they are the only vulnerable population that does not have a comprehensive and/or binding international instrument addressing their rights specifically (Rodriguez-Pinzon, 2003: 1008). In 2008, Tang published an important paper inviting the international community to adopt as soon as possible an international convention that would establish a system aimed at monitoring the protection of the rights of older persons (Tang, 2008: 99, see also Sanchez Rivera, 2010: 281-282). To that end, Resolution 65/182 of 21 December 2010 was adopted by the United Nations General Assembly, establishing an open-ended working group that will work on a convention on the rights of older persons. A future convention on the rights of older persons could be modelled after the Convention on the Rights of the Child, which focuses on another particularly vulnerable group that is defined on the basis of age (Rodriguez-Pinzon, 2003: 1008).

Due to the lack of such legal instrument, older people have to seek protection of their rights within the generic human rights framework. The relevant international agreements in this context are as follows: the 1945 Charter of the United Nations, the 1951 Convention Relating to the Status of Refugees, the 1966 International Covenant on Economic, Social and Cultural Rights, the 1952 ILO C102 – Social Security (Minimum Standards) Convention (Part V), the 1958 C111 – Discrimination (Employment and Occupation) Convention, the 1967 ILO C128 – Invalidity, Old-Age and Survivors’ Benefits Convention and the 1988 ILO C168 Employment Promotion and Protection against Unemployment Convention. Age-based discrimination is explicitly mentioned in Article 7 of the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Another international treaty that explicitly refers to older persons is the Convention on the Rights of Persons with Disabilities and its Optional Protocol (2006) (Articles 25(b) and 28(b)). The latter is extremely important because it represents a “dramatic paradigm shift” from the medical-social welfare model of disability to the human rights model that focuses on capability and inclusion (Kanter, 2009: 572).

At European level, fundamental rights and freedoms are governed by two key Council of Europe

conventions: the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950) and the European Social Charter with protocols (1961). Article 4 of the Additional Protocol to the European Social Charter of 1988 provides for the right of older people to social protection. The rights of older people are clearly stated and regulated in Article 25 of the Charter of Fundamental Rights of the European Union (Title III, Equality), which is binding on all EU Member States.

Neither international nor EU law provide a comprehensive and systematic framework for the protection of older people's human rights, and Croatia's legal system is no exception in this regard. Rather, the protection of the elderly is fragmented and scattered across a wide range of laws, by-laws and strategic documents. First of all, the Constitution of the Republic of Croatia calls for the protection against discrimination and social exclusion as a fundamental human right, whereas older persons are explicitly mentioned in Article 64, paragraph 3, in the context of family and children's obligation to look after their elderly and helpless parents. The Constitution also guarantees health and medical care (Article 59), as well as respect for and legal protection of personal and family life, dignity, reputation and honour (Article 35). Pursuant to Article 58 of the Constitution, there is also the obligation of the state to assist the weak and the helpless to meet their basic needs. The provision of Article 65, paragraph 1, of the Constitution states that everyone shall have the duty to protect children and helpless persons. In addition to the Constitution of the Republic of Croatia, the provisions of the Family Act, the Protection against Family Violence Act, the Anti-Discrimination Act and the Free Legal Aid Act are of special importance for the protection of the rights of older persons. The Social Welfare Act, which regulates the rights in the social welfare system, of which financial assistance (guaranteed minimum income and care allowance) and social services (accommodation and in-home support services) are particularly important, the Pension Insurance Act and the Compulsory Health Insurance Act are significant in the field of social rights and the protection of older persons against poverty.

5. Concluding remarks: How to stay peaceful, happy and healthy as you age?

The WHO notes that social changes that will occur by 2050 are largely predictable, so we can safely say

that the demographic transition to older populations will occur and that is exactly why we need to make a plan and implement policies that will enable the protection of older people and improve their status.³⁸ In this modern age, the biggest challenge associated with the phenomenon of population aging in our society will be the ability to remain committed to the idea of dignity at any age, the idea that every human being, regardless of their age, possesses inherent and equal fundamental dignity and basic rights (McLachlin, 2015: 112). As has already been said, old age poverty is closely related to a grave violation of the rights of older persons, the misunderstanding of the issue of aging in general and its impact on society, as well as negative stereotypes and prejudice leading to ageism.

National governments are faced with serious dilemmas as to which economic policies, changes to laws and regulations, as well as social welfare and other system reforms to implement to improve the status of older persons. An equally serious problem is an increase in the number of older persons and a decline in the working-age population; hence governments face problems with pension payments, as well as maintenance of expensive health care and other services for the elderly (Nash, 2004: 246). The fact that this population group is constantly and rapidly growing only exacerbates the problem. Therefore, we believe that at the level of the Republic of Croatia we should focus on systematic and comprehensive regulation of the rights and status of this extremely vulnerable and growing group of people, which is now dispersed across different legal instruments. The Republic of Croatia must take a more proactive approach to adopting special social policies and legislation that would specifically regulate the status and rights of older persons, which is consistent with contemporary tendencies in the international community. It is necessary to develop policies and measures to strengthen and stabilise the health care and pension systems, to improve social welfare services for the elderly as well as measures to assist older people and their families facing the challenges of aging (e.g. regulating the status of a carer for an elderly person, etc.). Further desirable actions would be to introduce a state pension or other instruments to prevent old age poverty, to sensitise the public to and increase the "visibility" of older people in society, as well as to address negative stereotypes of aging and the elderly. It is particularly important to identify, prosecute and punish criminal offences against

older persons. However, it is also necessary to find ways in which the elderly can feel useful by leveraging their potentials for the benefit of society as a whole (through their employment or volunteering, participation in social and cultural life, by making use of their experience in the education of younger generations, etc.).

However, it is difficult to achieve these goals without sufficient data and analysis of the overall problem of old age poverty and the position of the elderly in our society in general. Statistical data and analysis are key in this context. There is inadequate practical research into the problems and status of older persons in the Republic of Croatia, and new appropriate policies and legal solutions can be initiated only on the basis of accurate research combined with existing statistical data. Therefore, a systematic quantitative survey on older people's exposure to poverty, social exclusion and age discrimination (especially by means of questionnaires and interviews) should be carried out in the coming period by a multidisciplinary team of scientists. Particular attention should be paid to research into the specific problems of the

elderly in rural areas, together with the analysis of the needs and problems of the elderly in urban areas. In these studies, attention should be paid not only to risk factors but also to protective factors that influence the risk of poverty in old age. Quantitative research should be accompanied by qualitative research into the quality of life and well-being of older people in our society, and aim to find ways to help strengthen their quality of life. On the other hand, we also need to study the contribution of older people to the Croatian economy through taxation, consumer spending and other economically relevant activities. Scientists and experts in various branches of humanities and social sciences, but also in biomedicine and health care (e.g. lawyers, economists, sociologists, social workers, psychologists, culturologists, demographers and others) should be fully involved in dealing with this problem. All of them should participate in the design of the reforms needed to ensure both sustainable development of our country and respect for human rights, dignity and the quality of life of all persons, including the elderly.

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Mira Lulić

Ivana Rešetar Čulo

SIROMAŠTVO: IZAZOV ZA ZAŠTITU LJUDSKIH PRAVA STARIJIH OSOBA U REPUBLICI HRVATSKOJ

SAŽETAK

Siromaštvo se tradicionalno proučava s ekonomskog gledišta. Međutim, razvojem međunarodnog prava o ljudskim pravima siromaštvo sve više dolazi u fokus pravnih znanosti i proučava se s gledišta zaštite ljudskih prava i na njega se gleda kao na posljedicu strukturalnih i institucionaliziranih nejednakosti i diskriminacije. Upravo je siromaštvo jedan od vodećih problema s kojima se starije osobe susreću kako u svijetu, tako i u Republici Hrvatskoj. Stoga je cilj ovoga rada ukazati na problem siromaštva starijih osoba kao oblika kršenja ljudskih prava starijih i na nedostatak istraživanja o ovoj problematici te dati preporuke za buduća istraživanja. Stoga će se u radu dati pregled demografskih tendencija, kako u svijetu tako i u Hrvatskoj, analizirat će se izloženost siromaštvu starijih osoba u RH i dati pregled postojeće pravne mreže zaštite prava starijih osoba na međunarodnom i nacionalnom nivou. Također će se upozoriti na ageism i negativne stereotipe i predrasude prema starijim osobama koji perzistiraju u društvu i utječu na položaj starije populacije te potrebu promjene paradigme u odnosu na ulogu starijih osoba u društvu.

Ključne riječi: siromaštvo, starije osobe, ljudska prava, ageism, diskriminacija, međunarodno pravo