Dear xxxxx,

Human Rights Day on 10th December provides an opportunity to celebrate success as well as reflect on the bottlenecks and obstacles that continue to prevent people from enjoying their human rights, whoever they are, wherever they live, every day of their lives.

Although older people around the world continue to face human rights violations, there are some things we can celebrate including the appointment of Ms Rosa Kornfeld-Matte as the Independent Expert on the enjoyment of the human rights of all older persons. The establishment of this new position, the first ever international human rights mechanism dedicated to older people’s rights, is recognition that much more attention needs to be paid to human rights in older age.

In 2010 a UN Open-Ended Working Group on Ageing (OEWGA) was set up to identify any gaps in the protection of older people’s rights within the existing human rights system and make suggestions on how to address these.

A number of suggestions have been made on how to respond to this including better use of the existing international human rights system and the development of a new international legal instrument, a new convention, on the rights of older people.

In 2012 the OEWG was tasked with presenting a proposal to the UN General Assembly on what the main elements of an international legal instrument to promote and protect the rights and dignity of older persons should be.

However, despite the strong and growing support for a new convention among older people, civil society and Member States, there has been very little discussion on what the main elements of a new convention on the rights of older people should be.

The next OEWGA session in 2015 is an opportunity to change this. Member States have been specifically asked in the recent UN General Assembly Third Committee A/C.3/69/L.14/Rev.2to make concrete proposals on how to better protect older people’s rights and these will then be presented to the UN General Assembly.

We are encouraged bythis developmentand request your support in providing concrete elements ofa convention on the rights of older people and that you will endeavour to present these elements at the 6th Open-ended Working Group on Ageing in 2015.

Attached are fivemain elements of a new international instrument on older people’s rights that we hope will be included in Member States proposals for the next OEWGA.

Yours sincerely,

Five main elements of a new international instrument on older people’s rights:

**1. It must provide a comprehensive and systematic framework for the protection and promotion of all the human rights of older people.** To do this it must recognise that older people face unique legal, social, institutional and other barriers and challenges to the full enjoyment of their rights. It must recognise that ageism, namely negative attitudes towards and the stereotyping of older people and old age, is prevalent in all societies and results in prejudice, discrimination and the violation of the rights of older people. It must reaffirm that older people have rights on an equal basis with other people. It must recognise the interdependence and indivisibility of all human rights. Its provisions must complement existing international human rights treaties and not diluting existing human rights standards in any way.

**2. It must apply to all older people today and in the future.** To do this it must recognise and provide for the fact that ageing is a natural, universal experience and one that people can experience differently. It must recognise that the social construction of older age and what it is to be an older person can vary across different social, religious or cultural contexts and that as populations age, the social construction of older age and what it is to be an older person will change and evolve.

**3. It must prohibit discrimination on the basis of old age in all aspects of people’s lives.** This includes direct discrimination, indirect discrimination, discrimination by association and discrimination based on perception as well as multiple discrimination based on more than one characteristic, for example age and gender or age and marital status.It must also allow for special measures or positive action to ensure equality in practice.

**4. It must articulate how each human right specifically applies to older people** and what States Parties’ human rights obligations and legal duties are to older people under these rights. It must outline measures that States Parties must take to respect, protect and fulfil the human rights of older people, identifying areas of rights where special measures need to be made and where protection must be reinforced so that older people can exercise their rights on an equal basis with others.

**5. It must provide for a strong implementation, monitoring and accountability system.** This includes providing for the establishment of national implementation bodies and recognising the importance of international co-operation, including international development programmes, in the implementation of its provisions. It must provide for the creation of independent monitoring mechanisms at the national and international levels. It must also provide for the establishment of individual complaints mechanisms at the national and international level.