

Protecting the rights of older people

10 reasons why we need to act

"Existing human rights mechanisms have lacked a systematic and comprehensive approach to the specific circumstances of older men and women".

– Ban Ki-Moon, UN Secretary General¹

On 21 December 2010, the United Nations General Assembly established an Open-ended Working Group on Ageing with a mandate to identify gaps in the protection of the rights of older people and ways in which these gaps can be addressed.

Here are ten reasons why the Working Group should recommend the strengthening of legally-binding standards on the rights of older people and the development of a new protection regime:

1. The number of older people worldwide is growing at an unprecedented pace. People over 60 years of age make up an ever greater percentage of the world population. Today, 760 million people are over 60; by 2050, that number will have risen to 2 billion. Older people already outnumber young children (aged 0-4) and will outnumber children under 15 by 2050.² This trend is global. Today, 65 per cent of people over 60 live in less developed countries; by 2050, 80 per cent will.³

2. There is no dedicated protection regime for older people's rights. While the rights of women, children, prisoners and people with disabilities are all protected through special international conventions or standards, no such standards exist for older people despite their specific vulnerability to human rights violations.⁴

3. There are clear gaps in protections available to older people in existing human rights standards. Only one of the existing human rights instruments explicitly prohibits age discrimination. This has resulted in a failure in many countries to address the multiple forms of discrimination older people face. Specific provisions regarding issues like elder abuse, long-term and palliative care, are also absent from existing human rights standards.

4. Older people's rights are neglected in the current human rights framework. United Nations and regional human rights bodies have largely ignored the rights of older people. For example, of 21,353 recommendations by the Human Rights Council during the first round of its peer to peer human rights review process of all United Nations Member States (known as Universal Periodic Review), only 31 recommendations referred to "elderly" people or people of "old age".⁵

5. Age discrimination and ageism are widely tolerated across the world. Negative ageist attitudes towards old age and older people are deeply ingrained in many societies and, unlike other forms of prejudice and discriminatory behavior, are rarely acknowledged or challenged. This leads to widespread marginalisation of older people, and is at the root of their isolation and exclusion.⁶

6. Older people are highly vulnerable to abuse, deprivation and exclusion. A growing body of evidence shows that many older people face abuse and violence in their own homes, and in institutional and long-term care facilities. Many are also denied the right to make decisions about their personal finances, property and

medical care.⁷ They are often denied social security, access to health and productive resources, work, food and housing.⁸

7. Older people hold rights but are often treated with charity instead of as rights holders. Many governments see ageing predominantly as a social welfare or development issue. This reduces older people to recipients of charity rather than people who should enjoy their rights on the same basis as everybody else. A paradigm shift is needed from a social welfare to a rights-based approach.

8. National protections of older people's rights are inconsistent. National standards on the rights of older people are patchy and inconsistent, as are protection regimes. As a result, few countries collect data on violations of the rights of older people. Violations will continue unaddressed as long as there is a gaping lack of information on their nature, prevalence, and cause.

9. Respect for older people's rights benefits society as a whole. Violations of the rights of older people lead to exclusion, poverty, and discrimination of older people. Yet, older people make key contributions to any society through their experience and wisdom. Better protection of the rights of older people will allow societies to better capitalise on the potential that older people represent. There is clear evidence, for example, that when older people's right to social security is realised, there is a positive impact on reduction of poverty rates, restoration of older people's dignity, reduction of child labour and increased enrolment in schools.⁹

10. Older people are an increasingly powerful group. Older people represent a rapidly growing constituency and are among the most loyal election participants. When they vote, they can have significant political influence.¹⁰ Governments need to address their rights and needs or they risk losing support from this increasingly large block of voters.

Notes

¹ UN General Secretary's report, "Follow-up to the Second World Assembly on Ageing", A/64/127, 2009

² UNDESA, *World Population Prospects, the 2010 Revision*, <http://esa.un.org/wpp/> (Accessed 9 July 2012)

³ UNDESA, *Current Status of the Social Situation, Wellbeing, Participation in Development and Rights of Older People Worldwide*, New York, United Nations, 2011, p.3

⁴ *Report of the United Nations High Commissioner for Human Rights*, 20 April 2012, E/2012/51, p.4

⁵ Word searches and analysis were undertaken on the database of UPR-info, <http://www.upr-info.org/database/> accessed July 2012.

⁶ *Report of the United Nations High Commissioner for Human Rights*, 20 April 2012, E/2012/51, p.7

⁷ See for example, *Situation of the rights of older people in all regions of the world* – Report of the Secretary General, A/66/173, 2011, <http://www.un.org/Docs/journal/asp/ws.asp?m=A/66/173>

⁸ *Report of the United Nations High Commissioner for Human Rights*, 20 April 2012, E/2012/51, pp.1-12

⁹ Knox-Vydzmanov C, "Social protection as development policy: social pensions in the global South", *Die Alten Der Welt: neue Wege der Alterssicherung im globalen Norden und Süden*, 2011, pp.285-287

¹⁰ UNDESA, *Current Status of the Social Situation, Well-being, Participation in Development and Rights of Older People Worldwide*, New York, United Nations, 2011, p.56

Endorsed by:

60+Nepal
AARP
Africa Platform for Social Protection
African Palliative Care Association
Age International
AGE Platform, Europe
Age Rights International
Ageing Nepal
Alzheimer's and Related Disorders Society of Nepal
Asociación Cuyana de Gerontología Comunitaria e Institucional, Argentina
Associação dos Pensionistas da Segurança Social, Mozambique
Associação Esperança e Futuro, Mozambique
Associação Pfuna Swissiwana, Mozambique
Associação Pró-idoso, Mozambique
Association Camerounaise Pour La Prise En Charge Des Personnes Agées
Belarus Red Cross Society
Budhyauli Jeevan, Nepal
Centre for Advocacy, Learning and Livelihood, Philippines
Coalition of Services for the Elderly, Philippines
Community Information Center, Oregon, USA
Cordaid
Dementia South Africa
DIS-MOI (Droits humaInS – Maurice Océan Indien)
European Association for Palliative Care
First Peoples Human Rights Coalition
Fórum da Terceira Idade, Mozambique
Foundation of the Blind Inc., Philippines
Fundación para Estudio e Investigación de la Mujer, Argentina
Geneva International Network on Ageing
Gerontólogos Argentinos Asociación Civil
Global Action on Aging
Global Alliance for the Rights of Older People
Government Union for the Integration of Differently-abled Employees, Philippines
GRAVIS, India
Gray Panthers
Handicap International
HelpAge Deutschland
HelpAge Ghana
HelpAge India
HelpAge International
HelpAge International España
HelpAge Sri Lanka
HelpAge USA
Human Rights Watch
Igreja Universal, Mozambique
International Association for Hospice and Palliative Care
International Association of Gerontology and Geriatrics
International Association of Homes and Services for the Aging
International Consortium for Social Development – Asia Pacific Branch
International Federation on Ageing
International Health Awareness Network

International Longevity Centre – Global Alliance
International Longevity Centre – United Kingdom
International Network for the Prevention of Elder Abuse
Isalud University, Argentina
Jornal Expresso, Mozambique
Kibarouna, Lebanon
Lebanese Geriatric Society
Mecanismo de Apoio à Sociedade Civil, Mozambique
National Council of Senior Citizens' Organisations Malaysia
National Council on Aging, USA
National Senior Citizen Federation, Nepal
Nepal Participatory Action Network
Network of Journalists Living with HIV (JONEHA) – Malawi Chapter
NGO Committee on Ageing, Geneva
NGO Committee on Ageing, New York
Older Women's Network, Europe (OWN Europe)
Partners In Health
Perkins International
Plataforma da Sociedade Civil Moçambicana para Protecção Social
Reach One Touch One Ministries, Uganda
Regional Public Foundation Assistance for the Elderly DOBROE DELO, Russian Federation
Rehabilitation International
Research Centres of Elder Law from University of Rosario (UNR), University of Buenos Aires (UBA) and University of Cordoba, Argentina
Resource Centre for the Elderly, Kyrgyzstan
Sankalpa Nepal
Silver Inning Foundation, India
Slovenska filantropija
Sutton Tamil Elders Circle, UK
Union for Senior Services, Finland
Veterinaires sans Frontieres – Germany
VUKOXA, Mozambique
WITNESS, USA
Women and Law in Southern Africa
Women with Visual Impairments Group, Philippines
Woodhull Sexual Freedom Alliance, USA
World Federation of Ukrainian Women's Organizations
Yayasan Emong Lansia, Indonesia
ZDUS, Federation of Pensioners' Organizations of Slovenia
Život 90, Czech Republic