

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 sixty 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 (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. UN and regional human rights bodies have largely ignored the rights of older people. For example, of 21,353 recommendations the Human Rights Council made during the entire first round of its peer to peer human rights review process of all UN 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

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

² UNDESA, World Population Prospects, the 2012 Revision, <http://esa.un.org/wpp/> Visited 9 July 2012

³ UNDESA, *Current Status of the Social Situation, Wellbeing, Participation in Development and Rights of Older People Worldwide*, 2011, page 3

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

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

rarely acknowledged or challenged. This leads to widespread marginalization 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 capitalize on the potential that older people represent. There is clear evidence, for example, that when older people's right to social security is realized, 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.

Endorsed by:

HelpAge International
Human Rights Watch

⁶ *Report of the United Nations High Commissioner for Human Rights*, 20 April 2012, E/2012/51, page 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, page 1-12
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⁹ Knox-Vydmanov, "Social protection as development policy: social pensions in the global South", *Die Alten Der Welt: neue Wege der Alterssicherung im globalen Norden und Suden*, 2011, pages 285 - 287

¹⁰ UNDESA, *Current Status of the Social Situation, Well-being, Participation in Development and Rights of Older People Worldwide*, Dec 2011, page 56