

International Conference on Human Rights of Older Persons, Vienna

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Excellencies,

Distinguished participants,

It is a pleasure to be with you here today. I would like to take this opportunity to thank Austria for its leadership and in particular, the Ministry of Social Affairs, Health, Care and Consumer Protection for organizing this important conference on the human rights of older persons. This is the second conference on the rights of older persons here in Vienna, which provides an important additional platform for debate on those areas where further attention to the protection of the human rights of older persons is urgently needed.

Ladies and gentlemen,

There is ample evidence of the challenges older persons encounter in the enjoyment of their human rights and of existing human rights protection gaps. Over years, OHCHR has contributed with in-depth analysis to identify the areas of particular concern to older persons. In 2021, the Office updated its analytical study on normative standards in international human rights law in relation to older persons that it initially undertook in 2012. Yet, the promise of human rights remains unfulfilled for an important number of older persons as our societies age.

Ageism and age discrimination continue to be pervasive in all spheres of life. It is a global phenomenon with deleterious effects on older persons, which affects the enjoyment of many human rights, including the rights to life, to health, to an adequate standard of living, to work, to autonomy and independence, to liberty and security of person and to participation in community life.

Last week, WHO launched the 2023 Progress Report of the UN Decade of Healthy Ageing. One of the objectives of the Decade of Healthy Ageing is to change how we think, feel and act towards ageing. Combatting ageism is necessary as age discrimination is one of the main obstacles for older persons' enjoyment of their human rights.

The 2021 Global Report on Ageism, prepared jointly by the World Health Organization, OHCHR, the Department of Economic and Social Affairs and the United Nations Population Fund also provided evidence of the nature and extent of ageism, and its impacts in younger age and older age. This report identified the adoption of stronger legislative protection against age discrimination and ageism as a priority. Yet, age is not explicitly mentioned as a category of discrimination in most of the international human rights treaties, and there is no international legally binding instrument on the human rights of older persons.

Ageing also has differential effects when it comes to gender. Because women tend to live longer, there are more older women than older men, and many of them live alone. Older women experience higher rates of poverty than older men and face other economic hardships that are aggravated. They also face disproportionate health risks, including a greater likelihood of experiencing chronic diseases.

Promoting greater digital inclusion of older persons is also an important means to protect their rights. Currently, the digital divide for older persons means low digital literacy, lack of connectivity or limited access to digital devices, information and services such as banking, government services or other online services.

New technologies, such as artificial intelligence and robotics, can provide solutions to the increased need of care and health services. At the same time, we need to address the risks of technology, such as dehumanizing care practices, isolation, neglect and invasions of privacy and infringements to the right to informational self-determination. The Declaration adopted here in Vienna in 2018 was an important step towards articulating the quest for more rights protection of the invisible and voiceless older population. It recognized both, the impact that the new technologies will have on older persons and the opportunities digitalization and technological tools can provide in helping older persons to maintain or strengthen their capabilities and enable them to live autonomous, independent and dignified lives. To ensure that all older persons are able to fully benefit from technologies, they must be involved in the design, provision and monitoring of the use of technologies.

There are other significant gaps and limitations that have a particular impact on the effective coverage of the human rights of older persons. These include areas such as: legal

capacity, access to health and care services, including long-term and palliative care, assistance for victims and survivors of violence and abuse, the remedies available for violations of human rights, independence and autonomy, and the right to an adequate standard of living, in particular with regard to housing, the right to lifelong learning for older persons, older persons in emergency situations, and the data gaps relating to older persons.

Ladies and gentlemen,

We all remember the disproportionate impact the COVID-19 pandemic had on older persons, with high mortality rates, distressing reports on instances of neglect or mistreatment, and the scaling back of services unrelated to COVID-19 that were critical for older persons as they are more likely to have ongoing health needs, or the strict isolation rules in care homes with severe impacts including on mental health.

The pandemic amplified pre-existing challenges and global inequalities in terms of access to essential health services. Even before the pandemic, care arrangements for older persons were patchy, fragile and fraught with inequalities. The pandemic also exposed the deep inequalities within and between countries, as well as decades of underinvestment in systems and services essential to upholding economic, social and cultural rights. The absence of a dedicated internationally-agreed legal framework, may have contributed to at times inadequate responses to the COVID-19 crisis. These gaps must be filled, if we are to ensure the rights of the growing population of older persons in all societies.

International legal frameworks – which should protect everybody, without discrimination – are fragmented and inconsistent, often rendering older persons invisible. Existing standards remain too broad and lack specificity when it comes to the lived experience of older persons in the exercise of their human rights. Concrete changes in laws and policies are particularly needed to address the multiple challenges that older persons face.

The existing international human rights framework is also silent on the rights of older persons to long-term and palliative care. We need international standards to ensure that care services are adequate, uphold the autonomy and independence of older persons and support their ability to exercise their legal capacity and to make choices about their treatment and care. Care services that promote the dignity, autonomy and independence of older persons are key

to enable them to live in their homes as they age. It is paramount that States develop home-care programmes and community-based care services, also in rural and remote areas.

In 2024, OHCHR will prepare a comprehensive study on care and support, considering older persons as caregivers as well as receivers of care and support, and taking into account their self-care from a gender equality and human rights perspective. It will also organize a workshop on that topic [HRC resolution 54/6]. This will be another important opportunity to accelerate a shift from mere medical approaches that perceive older persons simply as beneficiaries of care and welfare towards considering older persons as rights holder, and to evidence the need for international minimum standards given that the international human rights framework does not explicitly guarantee the human rights of older persons to neither long-term nor palliative care. OHCHR will also convene a meeting on violence against, abuse and neglect of older persons [HRC resolution 54/13]. Again, an opportunity to highlight the specific challenges older persons, including older women, face and to renew the call for stronger protection of older persons, which will be captured in a subsequent report to the Human Rights Council.

Dear participants,

Efforts to protect older persons should not overlook that this is a heterogenous group. Older persons have multiple roles in society, including as caregivers, volunteers and community leaders. We must see the full diversity of people within the older persons group and recognize their important contributions. Their voices, perspectives, and expertise in identifying problems and solutions need to be incorporated in policy-making, particularly on decisions that affect them.

Ladies and Gentlemen,

Last month, in his statement to the Human Rights Council, the High Commissioner presented his vision on economic, social and cultural rights. He noted ‘it should not take a global public health emergency to realise the importance of economic, social and cultural rights.’ This includes the rights of older persons.

OHCHR seeks to expand the reach of its current work on discrimination and leave no one behind. It supports efforts aimed at strengthening laws, policies, institutions, practices and

attitudes conducive to achieving equality and non-discrimination, including in relation to specific population groups such as older persons. Throughout our engagement, we advocate for and facilitate the meaningful and inclusive participation of all in public affairs and decisions to ensure that as many voices as possible are heard.

As OHCHR is reinforcing its work in promoting and protecting economic, social and cultural rights, it is adopting a field-faced approach seeking to provide concrete support to countries in promoting and protecting human rights. Recently, for example, we have piloted a project to operationalize the human rights of older persons in Nepal that we are seeking to gradually upscale and replicate in other contexts, subject to sustained additional funding support from Member States. Beyond its advocacy for a legally binding instrument, OHCHR seeks to respond to the growing demands for its field-faced engagement to make human rights a reality for older persons.

As you know, in a few weeks we will commemorate the 75th anniversary of the Universal Declaration of Human Rights. We hope that this commemoration will include pledges by States and other actors to strengthen the human rights protection of older persons. In a rapidly ageing world, there is an urgency to recognize older persons as specific rights holders, in order to enable them to fully participate in social, economic, cultural and political life, on an equal basis without discrimination.

Thank you for your attention.

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