

**HelpAge International Closing Statement**  
**Open-ended Working Group on Ageing**  
**Third Working Session, 21 – 24 August 2012**

**Existing international framework on the human rights of older persons and identification of existing gaps at the international level**

HelpAge International has been encouraged by the increased participation of Asian and African Member States in this third session of the Open-ended Working Group. We have appreciated the more globally representative discussion. It is critical that this participation of African and Asian Member States continues in future sessions to enable the OEWG to effectively carry out its mandate.

The sharing of good practices by Member States has been instructive. It has demonstrated enormous inequalities and a disparity in the level of protection afforded to older people that undermines the universality of human rights. The patchwork of laws, policies and protections available to older people has been shown to reflect the same fragmentation of standards throughout the international human rights framework.

We have listened carefully to the suggestions by some Member States for increased use of existing mechanisms. As a network that regularly submits reports on older people's rights to the Treaty Bodies, Special Procedures and the Universal Periodic Review, HelpAge would encourage Member States and States Parties to better fulfil their reporting and implementation obligations under these systems with immediate effect. But we are also mindful of these mechanisms' limitations.

For example, in the two Universal Periodic Review sessions in 2011, both conducted after the first session of Open-ended Working Group had recommended more effective implementation of existing instruments<sup>1</sup>, only 12 references were made to older people in recommendations, seven of which were just passing mentions in a longer list of vulnerable groups.

We too look forward to the outcomes of the review of MIPAA and are ourselves committed to its better implementation. However we disagree with the view that it covers the protection gaps identified by the OEWG for a number of reasons.

Importantly it does not provide for independent monitoring and accountability mechanisms to assess the progress on its implementation. It prioritises the social sector and social development and does not provide for civil and political rights such as equality

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<sup>1</sup> **A/AC.278/2011/4**

before the law, non-discrimination and access to effective remedies afforded in a truly comprehensive human rights framework.

However we also agree that a convention is not a silver bullet. Any treaty is only as good as States parties' goodwill to implement it. Nonetheless the process and discussion towards strengthening international standards that Member States engage in has the potential to truly strengthen older people's human rights. A continued exchange of best practices alone will not take this discussion to a level of strengthening older people's human rights.

In conclusion, we look forward to continued the work of the Open-ended Working Group in further exploring how human rights apply to the specific context of ageing and how the international human rights framework can be strengthened in this regard.