

HelpAge International Opening 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 welcomes the broader participation of African and Asian Member States at this third session of the Open-ended Working Group on Ageing and looks forward to a more globally representative discussion on the respective merits of the different options available to address the current protection and promotion gap in older people's rights.

Population ageing is one of most significant global trends of the 21st century. That such a large and growing sector of all societies experiences specific vulnerability to human rights violations that are not adequately provided for in the international human rights framework is unacceptable and undermines the universality of human rights.

In its previous sessions, the Working Group addressed the current lack of protection and promotion of older people's rights by looking at four types of gap in the international system: normative gaps, implementation gaps, monitoring gaps and information gaps. All are intrinsically connected and no one can be addressed in isolation.

It is our view that the failure to clearly define and provide for persistent acts, circumstances and institutional factors in international human rights law that currently deprive older people of their dignity has resulted in this current protection and promotion gap and has exacerbated the invisibility of older people throughout the entire international human rights system.

The absence of a systematic and comprehensive articulation of how human rights apply to older people has had a number of consequences: older people's rights continue to be neglected in the international human rights framework and what little attention there is highly dispersed and fragmented; national standards on the rights of older people are inconsistent and often inadequate; both States and Treaty Body committees are age-blind during reviews; ageism and discrimination on the basis of old age continue to be tolerated in both law and practice; and issues such as elder abuse, institutionalisation and concepts of independence remain unclear.

A range of human rights instruments is available to address this protection and promotion gap but until now the Working Group has discussed only a small number and in little substantive depth. We look forward to more constructive discussions on a wider range of options during this session.

Assessing the merits of each of these options, it is evident that no amount of policy and guidance on older people's rights, drafted and adopted at different points in time, by different bodies and focusing on different thematic issues, can create the systematic and comprehensive approach that has been noted by the UN Secretary General and the Advisory Committee to the Human Rights Council to be lacking, and that is necessary to protect the specific circumstances of all older women and men.

It is our conclusion that the most effective way, therefore, to address this protection and promotion gap comprehensively and systematically is through the specific articulation of how human rights apply in the context of old age and to older people in legally binding standards dedicated to the rights of older people.

We look forward to a substantive and fruitful debate on the gaps in international human rights law undereach of this Session's agenda items and we urge Member States to take positive action to effectively address the gaps identified as a result of these discussions.