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Third Session, Open-Ended Working Group on Aging, August, U.S. Statement, delivered by Henry Claypool, Principal Deputy Administrator, Administration for Community Living, U.S. Department of Health and Human Services (HHS/ACL)

Henry Claypool
New York, NY
August 21, 2012

AS DELIVERED

Thank you, and thank you Mr. Aguello of Argentina for chairing this session. I am very pleased to attend and to address you on behalf of the U.S. delegation.

I am Henry Claypool, Senior Advisor on Disability Policy to the U.S. Secretary of Health and Human Services. I am also the Principal Deputy Administrator of our newly created Administration for Community Living within the Department of Health and Human Services.

It is our belief that all Americans – including seniors and people with disabilities – should be able to live at home with the supports they need, participating in communities that value their contributions. To help meet these needs, we created the Administration for Community Living, which combines certain aging and disability programs and related policy development at the U.S. Department of Health and Human Services. Our goals are to increase access to services and supports to ensure full participation in the community, and focus attention and resources on the unique needs of older Americans and people with disabilities.

While I am fairly new to aging programs, I did participate in efforts on behalf of persons with disabilities, including the development of the UN Convention on the Rights of Persons with Disabilities. I believe that as we continue to discuss the best path for ensuring the rights of older persons, there is much to be gained from that experience.

The U.S. record on putting programs and policies in place to safeguard the dignity and well-being of older persons is strong. For decades we have had robust legislative protections and enforcement mechanisms in place, and our civil society organizations continue to be actively involved in issues. The focus should be on how to ensure that all nations provide and enforce basic protections of older persons.

In deliberating on whether or not to support a new convention, we urge member states to consider what new protections this treaty would contain that are not already present in existing treaties, as the rights articulated in existing treaties apply to older persons as well as younger persons. Furthermore, under the best of circumstances, producing a new convention will take years to negotiate and enter into force. And, as we know, unless a country has ratified a particular convention, it has no obligations under the treaty. Therefore, the U.S. government continues to favor the full exploration of options in addition to that of a new UN convention on the rights of older persons. We continue to favor actions that review and assess the status of aging in member countries and that effect improvements in older persons' lives in a timely way.

It is important to focus attention on implementing provisions in existing treaties as they apply to older persons, and to call upon existing Special Rapporteurs to examine aging issues within their mandates. Special Rapporteurs should, for example, identify aging-related concerns in countries they visit and advise on best practices for addressing them.

The United States attaches great importance to the completion of the ten-year review of the Madrid International Plan of Action on Ageing and the report to be presented to the UN Commission for Social Development in 2013. Countries are being asked to comment on all ten priority areas, including the topic of "realization of all human rights and fundamental freedoms of all older persons." After this process, we should then have a much better idea of how best to proceed to protect the rights of older persons, whether through a

convention, a Special Rapporteur, or by other measures. We will have a better understanding of what is in place in countries, what gaps exist, and what best practices countries could implement.

My delegation looks forward to hearing the views of member states, organizations involved in aging issues, and others over the next several days. Thank you.

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