

# African Union Commission

**6<sup>th</sup> Session of the Open-Ended  
Working Group on Ageing  
14-16 July 2015**

***Update on the Draft Protocol to the African  
Charter on Human and People's Rights on  
the Rights of Older Persons in Africa***



In 2014, Africa had an old persons population (60 years and above) of approximately 60 million of a total population of 1.1 billion, estimated to be at least 400 million older persons in 2050 of an estimated population of at least 2.4 billion by then.

The majority of older persons in Africa live in rural areas, are poor, lack primary care and support, suffer from food insecurity, don't receive welfare, health, water and sanitary services and are victims of violence and civil strife.

The notion that Africans care for their elderly has been seriously over-romanticized, like our care for our children .....

# **Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa**

- **Protocol provided for in the AU Policy Framework and Plan of Action of Ageing of 2002, which also requested for the establishment of the Advisory Council on Ageing**
- **Also provided for in the AU Social Policy Framework for Africa of 2008**
- **Hence the establishment in 2008 of the WG Group at the African Commission on Human and People's Rights on the Rights of Older Persons in Africa with a clear Terms of Reference, and in May 2009 transformed to include the Rights of Persons with Disabilities**
- **52<sup>nd</sup> Session of the ACHPR adopted the Draft Protocol in 2012, with provision for a continental mechanism**
- **Forward it to AU Legal Council which proposed a Validation Workshop with all Stakeholders (Held in December 2013)**

# **Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons (Continued)**

- **Sectorial Ministers' Approval in May 2014 (Social Development, with proposed amendments)**
- **April 2015: STC-SDLE-1: Approved after providing the history and content and why the WG took these decisions)**
- **STC on Legal and Justice Affairs – October 2015**
- **AU Executive Council and Assembly of Heads of State in January 2016**
- **Then advocacy for signature – ratification processes in Member States**
- **Wish to establish the Advisory Council on Ageing in 2016 – resources a challenge**

# **Outline of the Protocol of the Rights of Older Persons in Africa**

- **Preamble**
- **Art 1: Purpose and Definitions**
- **Art 2: The Fundamental Rights of Older Persons**
- **Art 3: Principles regarding OP to be included in national laws**
- **Art 4: Elimination of Discrimination Against Older Persons**
- **Art 5: Access to Justice and Equal Protection before the Law**
- **Art 6: Right to make Decisions**
- **Art 7: Protection against Discrimination in Employment**

# **Outline of the Protocol of the Rights of Older Persons in Africa (Continued)**

- **Art 8: Social Protection**
- **Art 9: Protection from Abuse and Harmful Traditional Practices**
- **Art 10: Protection of Older Women**
- **Art 11: Care and Support**
- **Art 12: Residential Care**
- **Art 13: Support of Older Persons Taking Care of Vulnerable Children**
- **Art 14: Protection of Older Persons with Disabilities**
- **Art 15: Protection of Older Persons in Conflict and Disaster Situations**

# **Outline of the Protocol of the Rights of Older Persons in Africa (Continued)**

- **Art 16: Access to Health Services**
- **Art 17: Access to Education and Information**
- **Art 18: Participation on Programmes and Recreational Activities**
- **Art 19: Access to Infrastructure**
- **Art 20: Access to Credit Facilities**
- **Art 21: Awareness of Ageing and Preparation**
- **Art 22: Duties of Older Person**
- **Art 23: Coordination and Data Collection (ACA)**
- **Art 24: Implementation and Monitoring**
- **Arts 25 – 32: Settlement of Disputes, ratification, entry into force, amendments, depository, etc.**

**Thank you for your  
patience and  
attention**



**AFRICAN UNION COMMISSION**