



Age and Youth in Action

GRAY PANTHERS INPUT FOR OPEN-ENDED WORKING GROUP ON AGEING REGARDING HUMAN RIGHTS INSTRUMENT FOR OLDER PERSONS

Gray Panthers, an intergenerational NGO whose mission is “to work for social and economic justice and peace for all people”, adds its voice through this statement for specific inputs to the open ended working group on ageing. The challenges faced by older persons globally have been well documented and should be addressed by a legally binding global human rights instrument which a) builds upon past efforts in a holistic fashion and b) has carefully crafted provisions for enforceability. Gray Panthers supports a comprehensive Convention on the Rights of Older Persons.

Responding to the recent “Call for non-governmental organization input to the open ended working group on ageing, Gray Panthers has identified a number of concerns to be addressed in the development of a human rights instrument to protect older persons.

“Relevant non-governmental organizations are invited to provide inputs on the issues referred to in General Assembly resolution 67/139 – and in particular on such main elements as:”

(a) purpose;

- The adoption of a comprehensive human rights instrument to protect the human rights of older persons will not resolve all concerns of older persons, nor will it be a panacea to foster intergenerational solidarity. Yet, a globally accepted framework for protections of older persons through a Convention, with appropriate enforcement mechanisms, will help the world effectively manage one of the most important developments in human history – ever-increasing longevity and increased population. As noted by others, population ageing affects every person of every generation, and affects every national decision including national expenditures, provision of services, quality of life, protection of rights, interactions with the environment, other nations, family structure, distribution of resources and economic success of every nation. Smart and careful protection of human rights for older persons is essential for the success of all generations.
- Comprehensively addressing the need for protection of human rights of older persons through a Convention, with carefully enacted enforceability mechanisms, is a global inevitability and provides an opportunity for the avoidance of many aspects of intergenerational conflict. As global population ages and accelerates, concerns, challenges, conflicts also increase.

(b) general principles;

- While the concerns of older persons represent unique challenges and conditions, it is the ultimate goal that the older person be integrated fully into the fabric of life. The human rights

of older persons and ageism are interconnected. Laying the groundwork for a Convention on the Rights of Older Persons requires that all segments of society, and people at all stages of the generational life course who will ultimately and universally grow old, need to combat the undercurrent of ageism. For example, equal inclusion of the life cycle in educational curricula is the beginning of a bulwark against ageism. Early childhood education and exposure to older people as role models should happen as early as preschool. At all levels of society, a clear message about the value of older persons will be the background and reinforcement for a Convention on the Rights of Older Persons.

- The Gray Panthers' commitment and action echo the MIPAA's Issue 5: "Intergenerational Solidarity: Solidarity between generations at all levels – in families, communities and nations – is fundamental for the achievement of a society for all ages. Solidarity is also a major prerequisite for social cohesions and a foundation of public welfare and informal care systems."
- Older persons should also be recognized as valuable contributors to society and not just as vulnerable people easily victimized and in need of assistance.

(c) definitions – particularly of old age/older persons;

- Gray Panthers support a single age based standard, whether the standard is set at age 60, age 62 or age 65. As longevity increases, the number of individuals meeting the age standard will also increase. With a standard, each member state can constructively identify impediments to full inclusion as appropriate for each unique national circumstance.
- A Convention or other human rights instruments sets a definitional "floor". Individual member states are free to establish age or functional standards more inclusive than that set by a legally binding human rights instrument.

(d) equality and non-discrimination as applied to older persons;

Gray Panthers offers examples of important concerns to be addressed in the area of equality and non-discrimination.

- In every nation, ageism is an underlying issue that denies older persons fairness and equality. Ageism has been defined as: 1) prejudicial attitudes towards older people, old age, and the aging process, 2) discriminatory practices against older people and 3) institutional practices and policies that perpetuate stereotypes about older people. The intentional or negligent dismissal of concerns of older persons permeates many aspects of life, including, but not limited to: education, economic potential and productivity, family structure and relations, gender equality, health, provision of services, civic participation, protections during emergency situations, and so many others. Ageism marginalizes older persons, making them invisible, prevents those able to be effective contributors to local and national efforts, and fosters the perception of them as a burden to society instead of an asset.
- Equality in access to economic opportunity is an essential component of the protection of rights for older persons. Currently, older persons are often excluded from participating in meaningful economic activity. This includes institutional prohibitions against lending or offering financial products to those over a specific age. With regard to compulsory pensions or other forms of government subsidized economic products, the institutional failure to address

familial and personal economic considerations of older persons inhibits economic growth not only at the familial level, but also at the national level. Thus, equality and non-discrimination for older persons from public and private financial institutions must be a central component of a human rights instrument.

- Particular attention must be given to addressing the issues and concerns of older women. Not only do older women constitute the overwhelming majority of aged individuals, but as decades proceed, the effects of multiple discriminations fall hardest on older women – gender inequality, age discrimination, loss of familial status, reduction of options for economic productivity, discrimination based on age related disabilities, educational inequities, traditional invisibility toward the concerns of older women, etc.
- As individuals age, their relationship to a need for protection of human rights increases. For example, those reaching the age of 100 are most likely to have physical and other impairments requiring assurance of protection of rights.

(e) specific human rights to be included

Gray Panthers believes the following human rights must be included in a comprehensive human rights instrument to protect older persons:

- Right to economic security and productivity;
- Right to equal access to effective health care, including mental health;
- Right to equal access to participation and decision making in all aspects of local and national concerns;
- Right to transportation and mobility;
- Right to equal access to sustenance and food security;
- Right to equal inclusion in cultural rights;
- Freedom from abuse and ill treatment;
- Right to dignity and personal integrity during all activities, particularly as physical and/or mental impairments require increased reliance on others;
- Throughout the life course, but particularly at the end of life, dignity must be ensured.

(f) national and international supervisory mechanisms.

Although enforceability of human rights instruments, with consequences to be imposed, is always a topic avoided, Gray Panthers suggests a number of options.

- Similar to enforcement of CEDAW, a panel of experts convenes to evaluate national reports. If any member state fails to submit a report or is unable to effectively meet the standards set by the human rights instrument, recommendations are made.
- To assist member states in meeting minimum standards, increased technical assistance can be provided by other member states or by DESA.
- A separate entity – UN Age – supports the implementation of a human rights instrument and other disparate obligations.
- Within existing international supervisory human rights mechanisms, an appropriately funded “desk” or “focal point” dedicated to adequately enforce this human rights instrument to protect older persons. This includes UNFPA, WHO, ILO, FAO, UN Women, even at

UNICEF as intergenerational care giving is often a central component of child rearing in all areas of the globe.

- Inclusion of language in all UN human rights programs and policies should be – individuals “of all ages”.
- Governments should ensure the mainstreaming of ageing and the needs of older persons in their national policies, legislation and programmes, by establishing specific entities and strengthening their designated “national ageing authorities” to address all aspects of ageing issues.”

We, Gray Panthers and all concerned with social progress, strongly recommend that a carefully considered Convention on the Rights of Older Persons be enacted. Not only will all persons of the world benefit when the rights of this exponentially growing aging population are acknowledged as worthy of protection, but understanding that older persons are valued members of their societies and their numerous contributions support sustainable societies in the developed and developing worlds.