



Age and Youth in Action

**Statement of Gray Panthers at the Open Ended Working
Group on Ageing - United Nations, New York
July 2014**

The current session of the OEWG, according to its programme of work, is addressing measures to strengthen the promotion and the protection of the rights of older persons which are currently not addressed sufficiently. The OEWG is considering whether older persons have fared badly in terms of protection from human rights violations, in terms of protection from violence and abuse and in terms of care and well-being.

Let's Remember Our Mandate

I submit, on behalf of Gray Panthers, that OEWG is actually here to discuss more than that. It is here to determine whether or not a specific legally binding standard is necessary to ensure that the rights of older persons are guaranteed everywhere, not just in a few countries, but everywhere.

Encouraging Developments

Gray Panthers is encouraged by the efforts of Member States at the Open Working Group on Sustainable Development to include references to older persons in their targets for sustainable development post 2015. It is also encouraged that there are a number of references to the words “all”, and “of all ages” scattered throughout the targets implying, though not necessarily assuring, the inclusion of older persons in a sustainable development agenda beyond 2015.

Resistance to Comprehensive Protections Persist

It is important to be reminded that some Member States have argued that we already have numerous General Assembly resolutions, declarations, programmes of actions, including the Madrid International Plan of Action on Ageing, that refer to older persons and the problem is just one of implementation or lack of implementation. The problem is that resolutions, declarations, programmes of action are not legally binding and Governments are not held accountable.

We also know that current human rights instruments, even when they include references to older persons, have failed to result in comprehensive and systematic reporting on issues concerning older persons. Older persons may as well be invisible, when States Parties present their reports on implementation of various conventions that have been

pointed out by many Member States as inclusive of older persons. Data reported is rarely disaggregated by age. Even States Parties to CEDAW have not taken into account General Recommendation 27 on older women and protection of their rights, when they submit their reports. The current array of legally binding instruments has failed to solicit protection of the rights of older persons who continue to remain on the sidelines, if not altogether invisible.

The Positive Effect of Legally Binding Instruments

Look at the conventions on the rights of children, women, and people with disabilities and see what they have done to change perceptions, to improve social, economic, and political status of those groups, and to prevent discrimination and exploitation. Look at those conventions and see what they have done to improve education, health, employment, participation and empowerment for women, children and people with disabilities. There is no denying that having a legally binding instrument for each of those groups made a vast difference in the lives of millions of what used to be forgotten groups of people, ignored or discriminated against. Legally binding instruments propelled those issues forward, and the world is a better place because of those instruments.

Why Are We Here?

The OEWG is not being convened just to hear what good or bad things are being done for or to older persons. It is not being convened just to consider the positive aspects or lack of policies and programmes. Governments that have laws, policies and programmes that benefit older persons are to be commended, of course. Governments that do not have laws, policies and programmes that benefit older persons should take steps to have them.

The OEWG is meeting here because the United Nations is the place which promotes and ensures the protection of human rights of ALL persons throughout the world, not to hear just about some people in some countries who benefit from the protection of their rights. This is the place where everyone should be thinking about the greater good. This is the place where we should ensure that the rights of older persons are protected EVERYWHERE, not just in a few countries.

Key Elements of a Convention

Gray Panthers submits that key arguments for the development of a convention to protect the rights of older persons are:

1. Universality
2. Comprehensive and systematic approach
3. Enforceability
4. Better reporting
5. Accountability and transparency.

Just as the conventions protecting the rights of children, women and people with disabilities made the world a better place, a convention to protect the rights of older persons will also make the world a better place. It is not only necessary, but it is the right thing to do.

Respectfully Submitted,