



# The rights of people with disabilities.



## The rights of older people with disabilities

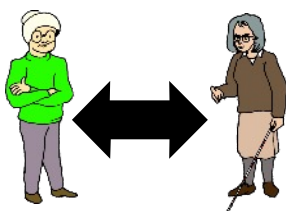


EasyRead version of:

Report on the situation of older persons with disabilities of the Special Rapporteur on the rights of persons with disabilities (A/74/186).



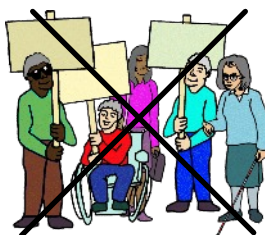
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Hard words are in **bold**. These words are explained in a list at the end of this report.

# 1. About this report



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Every year the **Special Rapporteur** on the rights of persons with disabilities writes reports to tell the **United Nations** about **human rights** and people with disabilities.



The Special Rapporteur is Catalina Devandas Aguilar. She helps countries understand how to make sure people with disabilities can get their human rights.



The United Nations is a group made up of 193 countries. They work together to make the world a safer place for everyone.



This is an EasyRead version of the Special Rapporteur's report about the situation of older people with disabilities.



An international agreement called the United Nations **Disability Convention** says people with disabilities have the same human rights as everyone else.



This includes people who become disabled as they get older.



With her report the Special Rapporteur wants to make sure all countries follow the United Nations Disability Convention.



Before writing her report the Special Rapporteur spoke to governments, organisations and people with disabilities.

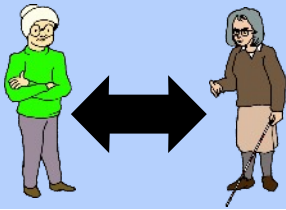




Many governments and organisations answered her questions.



The Special Rapporteur also helped organise a meeting to find out what the problems are for older people with disabilities.



## 2. Links between getting older and having a disability



All over the world, people are living longer. Every year there are more people aged 60 or older. These numbers keep growing.



Women usually live longer than men. More women than men live to be over 80 years old.



But living longer often leads to long-term illness or disabilities.



Nearly half the older people in the world have some type of disability.



Having a disability without proper support can stop them doing many things they used to do.



Because so many people who have a disability are older people, things are starting to change. For example:



- more people want services they can afford



- there are a lot more services and **products** that use **technology** to help you stay independent. More people buy them and they are getting cheaper

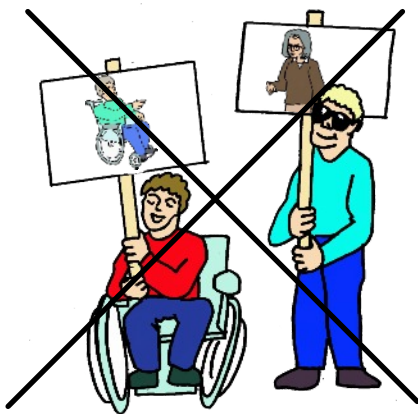




- more people are talking honestly about disability and how it affects their lives.



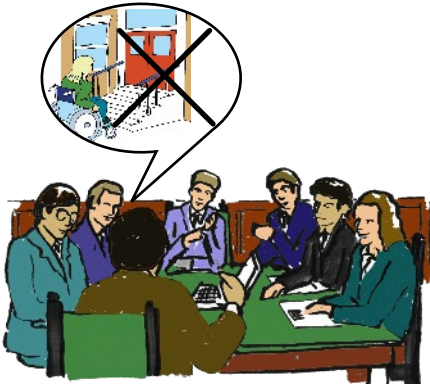
Many older people who have a disability think this is just part of getting older. They might not think they have a disability.



Younger people with disabilities often might not fight for the **rights** of older people with disabilities.



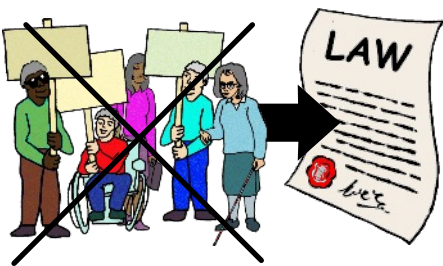
Older people with disabilities can face more **discrimination** and **inequality**.



Governments, services and communities know they must get rid of things that stop people with disabilities having the same chances as other people.



But if governments and services believe disability is part of growing older they will think they cannot change things.



This means many plans or laws about disability do not include the rights of older people with disabilities.



Because of this older people with disabilities:

- get worse services



- can be lonely and poorer than other people with disabilities.



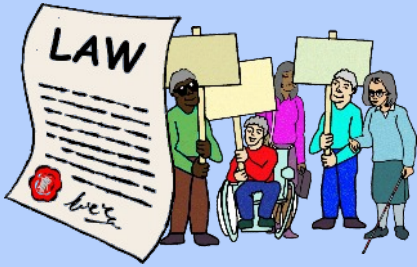
- are often abused.



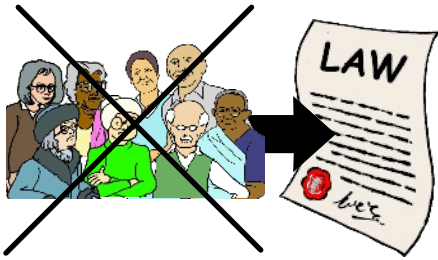
- face discrimination because of their age and their disability.



Women often live longer than men. This can mean older women with disabilities have to live in hospitals or care homes.



### 3. What the law says about rights and older people with disabilities



**International laws** do not usually talk about older people when they talk about rights.



Although human rights are for everyone, the Disability Convention is the first of these agreements to include the rights of older people with disabilities.

The Disability Convention says governments should:

- protect the rights of all people with disabilities, including older people with disabilities





- stop **discrimination** against people because of their age



- understand the problems older people with disabilities face



- use laws to give all people with disabilities their rights, including older people with disabilities.



The Disability Convention says older people with disabilities should have:

- the same rights as everyone else.

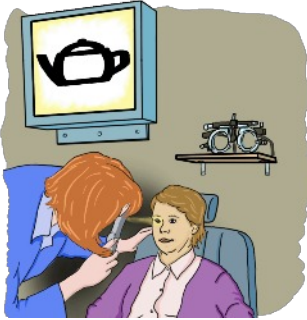


- somewhere safe to live





- services to support them and keep them safe



- health services to help them stay as well and independent as possible



- **social protection** and help to pay for the things they need.



The Convention has separate **articles** about problems for women and children with disabilities.



It does not have articles just about rights for older people with disabilities.



But the Special Rapporteur thinks the United Nations Disability Convention is a good starting point to protect the human rights of older people with disabilities.



Africa and Latin America also have disability agreements. Some agreements include the right of older people to live as independently as possible and make their own decisions. But other agreements do not give them all these rights. The Special Rapporteur says countries should use the Disability Convention if it gives older people more rights than their own agreements.



The United Nations **Working Group on Ageing** was set up in 2010. It looks at how to make sure older people get their human rights



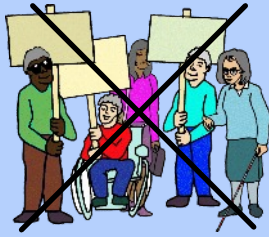
The Special Rapporteur hopes the group will use the Disability Convention when they decide about new agreements to protect older people. Especially older people with disabilities.



The Special Rapporteur also supports the sustainable development goals. These goals are part of a plan for a better world for all people.



The goals say no one should be left out.



## 4. Things that stop older people with disabilities getting these rights

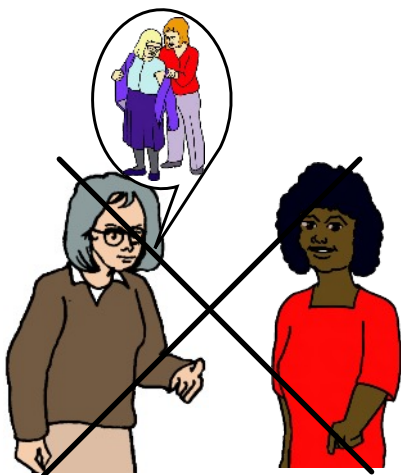


The Special Rapporteur found that older people with disabilities do not get their human rights for many different reasons. Here are some examples.



### Reason 1: **Stigma and stereotypes**

- Some people, governments and services see disability as part of getting older. So they do not get rid of things that stop older people with disabilities doing the same things as other people.



- Others can have set ideas about older people with disabilities. Because of that older people with disabilities can find it difficult to accept help or ask for support.



- Groups of people with disabilities fight hard for the rights of children and adults but sometimes forget the rights of older people with disabilities.



- Things are particularly difficult for older people with **dementia**, **autism** or **learning disabilities**.



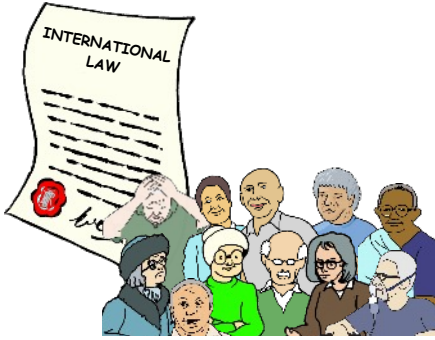
- All of this can mean that older people with disabilities get ignored and forgotten.



- Governments need services that support older people to stay healthy and independent.



## Reason 2: Discrimination



- Most international laws do not refer to discrimination because of the age of a person.



- This means it is not always against the law to treat older people worse than other people. For example they get less healthcare or social protection.



- Plans for older people mostly look at how to keep them safe and well. But plans for people with disabilities help people be involved and included.

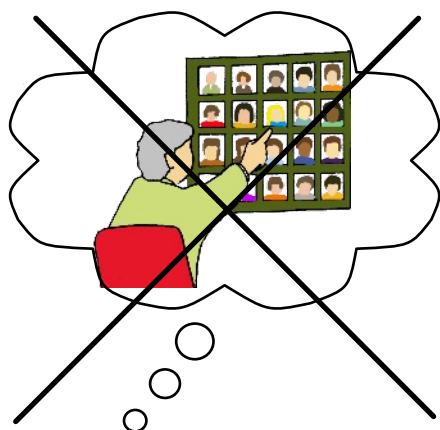


- If older people do not think of themselves as people with disabilities, it can stop them getting the same rights as other people with disabilities. For example, to benefit from changes to help them use services or get information easier.



- Older people with disabilities often miss out on healthcare and other support when there is war, not enough food or a **natural disaster**.

### Reason 3: People think older people with disabilities cannot make decisions



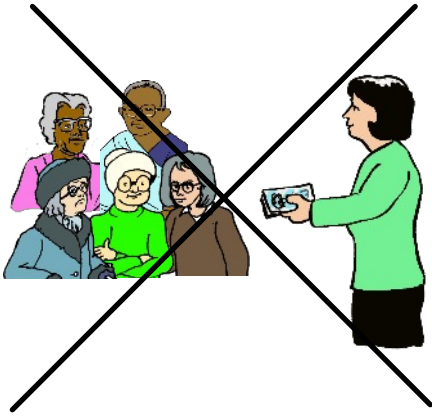
- Other people and services often think older people with disabilities cannot make safe decisions for themselves. Especially if they do not have any family to support them or help them speak up.



- For example many older people with disabilities live somewhere they did not choose or have treatment they did not agree to.



- This happens most to people with dementia or **mental health problems**.



- Sometimes older women with disabilities cannot **inherit** money or property when their husband dies.

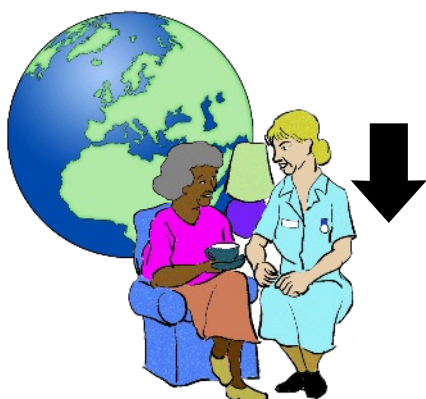


- The Disability Convention says everyone should have the support they need to be involved in decisions. For example, about health and social care.



- Countries should get rid of laws that allow families or other people to make decisions for someone just because they have a disability.

#### Reason 4: Not enough community support



- Younger people with disabilities have more support to live independently in the community. But many countries do not have enough community services for older people with disabilities.



- This means many older people with disabilities have to live in nursing homes, care homes or hospitals.



- Living away from the community means people can be lonely, lose choice and control over their lives and be more at risk from **abuse**.



- Many older people with disabilities stay with their family or friends who care for them, but without any support or social protection. This can also mean they lose their independence and choice to fit in with the person who is caring for them.



- The Disability Convention says everyone with a disability has the right to choose where they live and who they live with. This can only happen if there are good community services to help them stay independent.





- The Convention also uses the word support and not care. Care suggests that older people have no power and always need other people to do things.

## Reason 5: Violence and abuse



- Older people with disabilities are at risk of violence, abuse or not getting the support they need. Particularly if they have dementia or mental health problems.



- This abuse can happen in their home, hospital, care home, nursing home or the community.

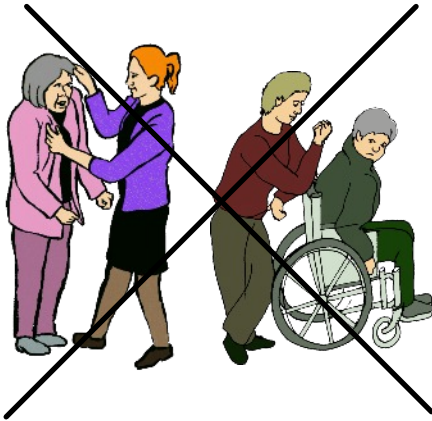


- Older people with disabilities are often abused by their family or other people who care for them.





- Older people with disabilities who complain about abuse are often not listened to or taken seriously.

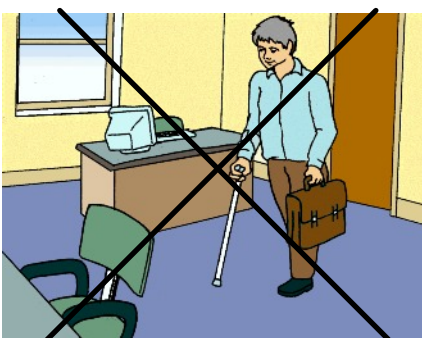


- The Disability Convention says governments must do all they can to protect people with disabilities from violence and abuse. This includes older people with disabilities.

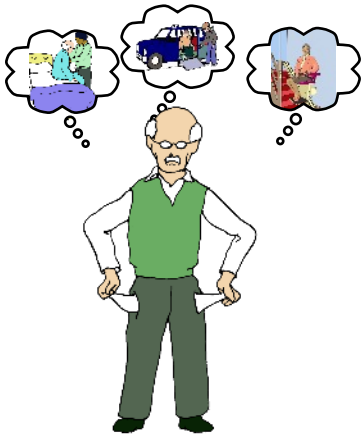
## Reason 6: Not having social protection



- Many older people with disabilities live in poverty. This means not having enough food, healthcare or money to help pay for things.



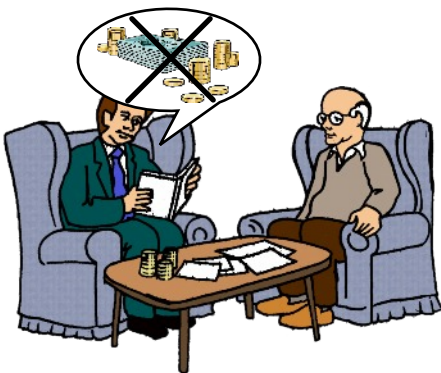
- Often they cannot keep working even if they want to.



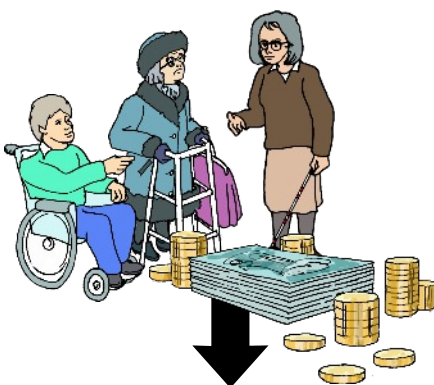
- Older people with disabilities can also have less money because they have to pay for things like support, transport or equipment.



- If people think disability is just part of getting older, older people with disabilities might not get the same **benefits** as younger people with disabilities.



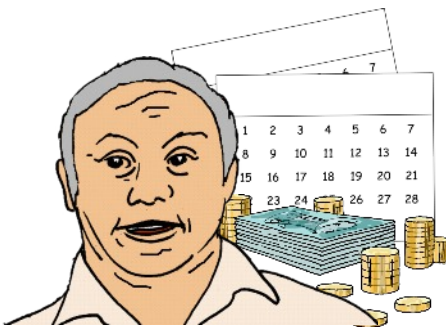
- Older people with disabilities may not get some benefits that stop at a certain age. They might get a retirement **pension** instead. But many people with disabilities cannot work enough to build up a pension.



- Some governments make sure every older person has a pension. But older people with disabilities often get less money than other people. Even though they have more things to pay for because of their disability.



- Older women with disabilities are less likely to work than men but usually live longer. This means they often have less money.



- Older people with some types of disability, such as people with Down syndrome, may need to get a retirement pension earlier because they can grow older faster than others.

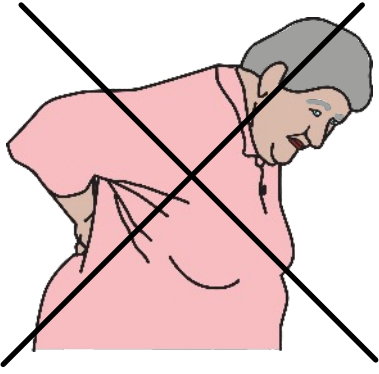


- Older people with disabilities can also miss out on things like training, health checks, new treatments or technology that can help them be more independent.

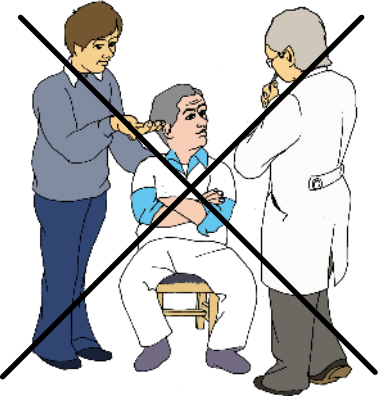


- The Disability Convention says governments must give older people with disabilities support to be part of their communities. It is discrimination if they do not have the same services and benefits as other people with disabilities.

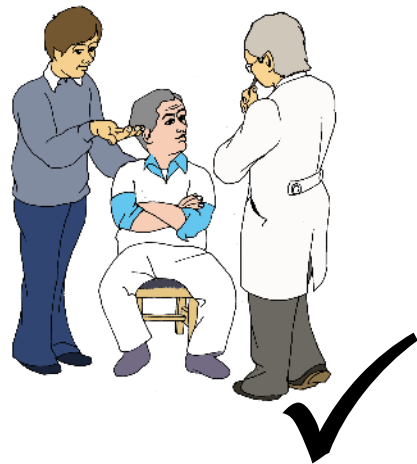
## Reason 7: Not having **palliative care**



- Palliative care helps stop pain and suffering for people with an illness that will not get better.



- Many older people who are in a lot of pain because of a disability do not get this care. This is because it is usually linked to people who are dying or have diseases like cancer.



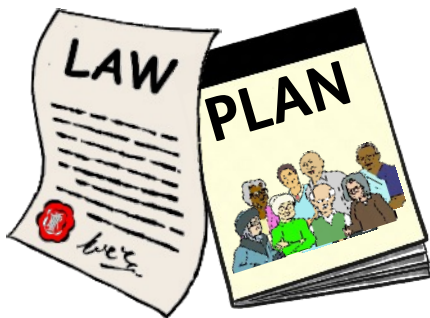
- The Disability Convention says governments must give older people with disabilities the chance to use the same health services as other people. This includes palliative care to help them live independently in the community.



## 5. How to help older people with disabilities get these rights



The Special Rapporteur says there are different ways governments can give older people with disabilities better rights.



### Use the law

- The governments must have laws and plans to protect older people with disabilities. This means thinking about human rights and not treating age or disability as an illness.



- The governments must get rid of laws that take away freedom or choice from people because of their age or disability.

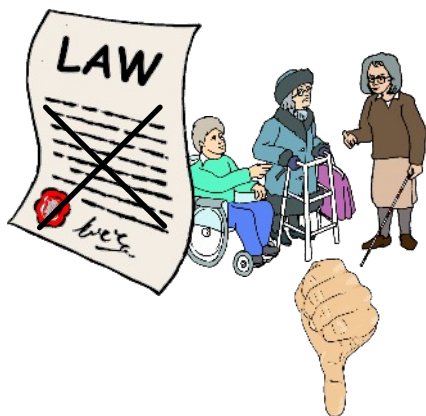




- The governments must make sure older people with disabilities are part of all their plans. Including people with dementia and mental health problems.

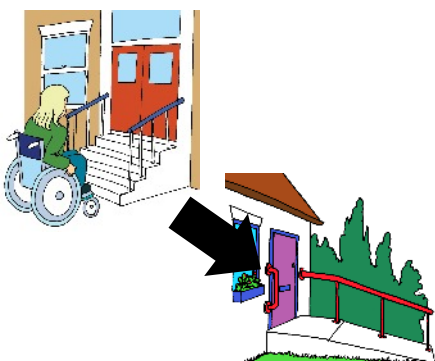


- The governments must collect information to show what stops older people with disabilities having their rights.



## Stop discrimination

- The governments must get rid of rules or laws that treat older people with disabilities less fairly than other people.



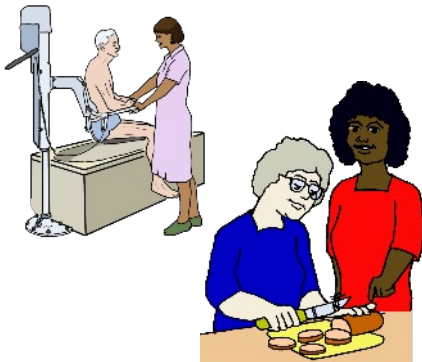
- The governments must make any changes they can to give older people with disabilities the same chance to use services as other people.



- The governments must make sure their laws protect older people with disabilities against discrimination.



- The governments must work quickly to give older people with disabilities the same chances as other people to be involved in work, learning, politics and the community.



## Have better community support

- Governments should have lots of different community services for older people with disabilities. Including equipment, support with daily living and to make decisions.



- People with disabilities must be able to pay for the services that are right for them. They should not stop or get worse as people get older.



- Community support must give older people with disabilities choice and control to choose and plan their own support.

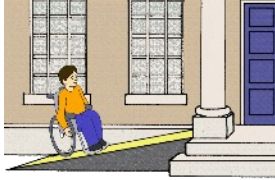


- Services must be right for the person's age, sex, disability and beliefs and give them privacy and respect.



- Governments should plan more community services so no older person with a disability has to move away from other people to get the support they need.

## Have better accessibility



- Governments must make it easy for older people with disabilities to live in the community and use transport, information, services and public and private buildings. In towns and in the country.

- Governments must have **accessible** transport that can help older people with disabilities travel around and meet other people.



- Governments must have accessible housing that can help them be more independent and need less support.



- Technology can help older people with hearing or sight loss have information and stay in touch with other people. But many miss out because they do not have the skills or equipment.



- Plans should always think about how to make the product, service or building accessible to older people with disabilities.

## Use the **justice system**



- Governments must make sure older people with disabilities can use the police and courts to get their rights or complain about discrimination.



- **Investigate** and punish all abuse and violence against older people with disabilities.

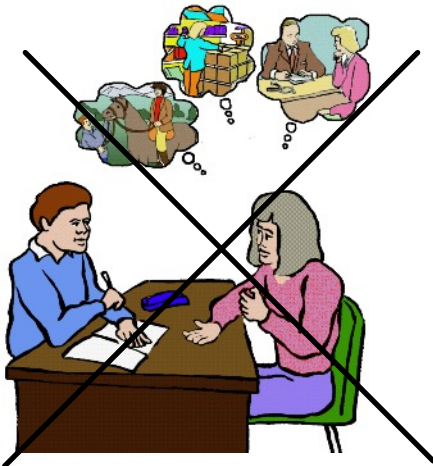


- When they check how the Disability Convention is working in their country, governments should protect older people with disabilities from abuse.





- **Independent national human rights institutions** should protect the rights of older people and check that the Government really look into abuses. Especially against older people with disabilities.



## Involve older people with disabilities

- Older people with disabilities often do not get so involved in planning like other people with disabilities.



- Governments should involve older people with disabilities and their organisations in any decisions about their rights.



- Governments might need to support older people with disabilities to organise themselves and get involved. Especially people with dementia, mental health problems, learning disabilities and other groups who often get left out.



## Build knowledge and skills

- Governments must act right away to make sure everyone understands the rights of older people with disabilities.



- Services and the public must stop thinking of older people with disabilities as ill or patients. They must understand that they have the same rights as everyone else.

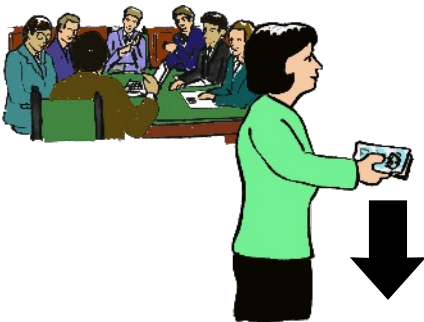


- Governments must train staff and family carers to respect older people with disabilities and understand their rights.



## Use their resources

- Resources are things like money, staff and buildings that governments can use to provide services.



- Many governments do not spend enough money on support for older people with disabilities. This means their families have to care for them.

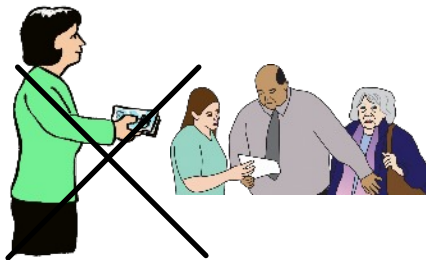


- Governments should plan how to pay for the services older people with disabilities need.



- Governments must stop discriminating against older people with disabilities because they cannot afford to give them the same services or benefits as other people with disabilities.

## Work with other governments



- Governments should ask other countries and organisations not to give money to projects that discriminate against older people with disabilities.



- The United Nations should help its staff learn about the rights of older people with disabilities.



- All United Nations plans and projects should think about the human rights of older people who become disabled and people with disabilities growing older.



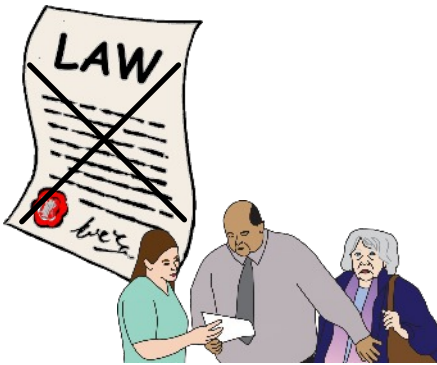
## 6. What happens next?



The Special Rapporteur found that countries all over the world are taking away older people's rights when they have a disability.



She says countries that sign the Disability Convention must think about 4 things:

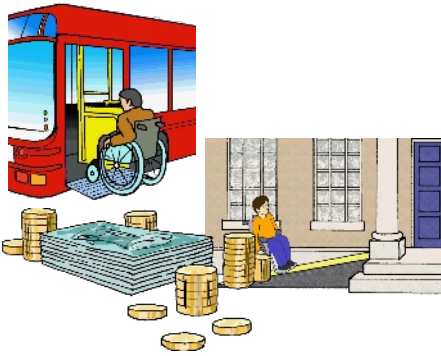


1. Get rid of laws that discriminate against older people with disabilities and that take away their rights



2. Use the Disability Convention to look at how society thinks about older people with disabilities. Disability might be part of getting older but should not lead to discrimination and being treated worse than other people.





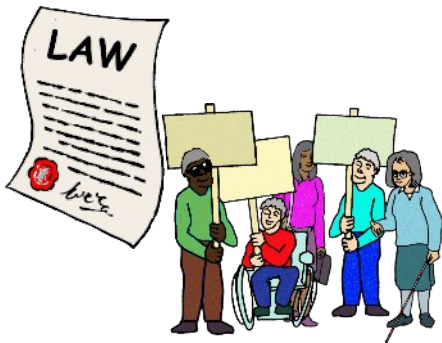
3. Spend money on better services in the community and on accessible services, homes and transport.



4. Help older people with disabilities make decisions and be involved in planning their services and support.



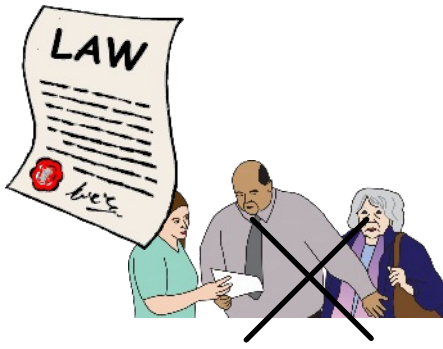
The Special Rapporteur says countries that sign the Disability Convention should:



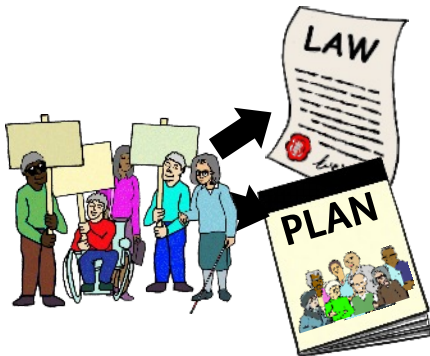
- Have laws that give older people with disabilities the same rights as other people with disabilities.



- Get rid of laws that make it possible to take away an older person's rights because of their disability.



- Use laws to stop discrimination because of age and disability.



- Include the human rights of older people with disabilities in all their plans and laws. This includes looking at the extra problems faced by older women with disabilities.



- Make sure older people with disabilities have social protection and the support they need.



- Plan better community services that older people with disabilities can afford.



- Make sure organisations that check services look out for violence or abuse against older people with disabilities.



- Make sure older people with disabilities have the same right as everyone else to use the justice system.



- Plan how to involve older people with disabilities and their organisations in decisions that affect them.



- Make sure the public, government and organisations understand the rights of older people with disabilities.



- Collect information about the lives of older people with disabilities compared to other people with disabilities.



- Use their resources to set up support services and social protection that include older people with disabilities.



The Special Rapporteur says the United Nations must make sure the rights of older people with disabilities are included in all its work.



## 7. What the words mean

**Abuse** – to deliberately hurt, frighten or upset someone.

**Accessible** – easy to use.

**Articles** – parts or sections of the Disability Convention.

**Autism** - is a lifelong disability that affects how a person communicates with and relates to other people, and how they understand what is happening around them.

**Benefits** – money the government gives to people who need help because they have a disability or cannot work.

**Dementia** – is an illness that affects the brain and memory and can make people confused. It gets worse over time and mostly affects older people. But younger people can get it too.

**Disability Convention** – a set of rules that countries agree to follow to give people with disabilities the same human rights as everyone else.

**Discrimination** – treating someone worse than other people because of who they are or where they come from.

**Human rights** – basic rights and freedoms that should happen for every person in the world.

**Independent national human rights institutions** – these are human rights groups that are completely separate from governments and check how governments respect human rights. They are not part of any voluntary citizens group.



**Inequality** – an unfair situation where some people have more rights or chances or are treated better than other people.

**Inherit** – to receive someone’s money or property when they die.

**International law** – a set of rules that was commonly agreed on by many countries.

**Investigate** – look into all the facts and find out what happened.

**Justice system** – organisations like the police and courts that help people get justice.

**Learning disability** – a disability that affects the way a person learns new things all through their life.

**Natural disaster** – something like a flood or earthquake that kills or hurts lots of people or damages homes and buildings.

**Pension** – money that the government or a company pays to someone who does not work any more because they are too old, ill or disabled.

**Palliative care** - helps stop pain and suffering for people with an illness that will not get better.

**Product** – something that is made to be sold.

**Rights** – A **right** is a rule about what every person is allowed to do or have. For example, the right to vote, use services or have an education. Rights should not be taken away from people. Many rights are put into laws to give people extra protection.

**Social protection** - things that give everyone the same chances in life. For example, having enough food, basic healthcare, going to school or money to help pay for things.

**Stereotype** - When people have a set idea about a group of people or type of person without really knowing them.

**Stigma** - Think badly of someone because of who they are.

**Technology** - Computers and the internet are examples of technology. Technology uses knowledge to solve problems or invent useful tools.



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