**Multi-stakeholder meeting on the human rights of older persons**

***ICSW Statement***

The International Council on Social Welfare (ICSW) is a global, non-governmental, non-political, non-sectarian and non-profit organization that represents a wide range of national and international member organizations seeking to advance social justice, social welfare, social work and social development. The ICSW strongly supports efforts of the international community aimed at promoting and protecting the rights of older persons who in many countries belong to a disadvantaged population group facing multiple discrimination, abject poverty and deeply-entrenched abuse. In this context, we highly appreciate the activities of the Human Rights Council in its efforts to close the gaps in the existing human rights protection system for older persons.

The national implementation of the Madrid International Plan of Action on Ageing (MIPAA) requires the constant attention of all stakeholders and a coherent policy response. The MIPAA is an important aspirational international document that has a strong focus on human rights of older persons, representing a useful guide for national policy action. It is based on the premise that human ageing, which is seen in demographic changes and the increase in the number of older population segments, owing to declining fertility rates and increased life expectancy, represents a vivid manifestation of human progress. At the same time the periodic assessments and evidence collected at the national, regional and international levels during review and appraisal exercises in the past twenty years since the adoption of the MIPAA have demonstrated significant inconsistencies in the national policies aimed at older persons. Moreover, in many cases domestic mechanisms for participation and accountability regarding the Madrid Plan have been lacking or, for various reasons, have not been created, while a comprehensive legal and institutional frameworks aimed at MIPAA implementation in many countries have not been set up either. One of the reasons for these policy omissions and failures is that the Madrid Plan, being a “soft law”, is not a legally binding document. The ICSW has been keen to monitor these gaps, providing opportunities to its members for feedback and constructive criticism and creating an outline for a road map to move forward. In the last years the issues of ageing have been discussed at several regional forums organized by the ICSW in Europe, East Asia and Latin America.

The ICSW considers the establishment of the Open-Ended Working Group on Ageing (OEWG) by the General Assembly through its resolution 65/85 as an important step in the quest for the protection and promotion of the human rights of older persons, including the right to adequate health care and social protection from poverty and abuse. We have supported the work of this new body since its inception. In the absence of another dedicated intergovernmental body dealing with ageing, the work of the OEWG has been of paramount importance as a forum for raising awareness on the dilemmas of ageing as well as the outcomes of the demographic and epidemiological transitions and progressive policy measures required to address them.

Based on evidence collected on the ground the ICSW supports priorities for consideration at meetings of the OEWG in the future in such areas as equality and non-discrimination on the basis of age; fighting ageism, neglect, violence and the abuse of older persons; issues related to their autonomy and independence, accessibility of infrastructure and habitat. Access to justice, social protection and social security, the right to work and access to the labour market, education, training, life-long learning and capacity building are also identified as priority themes for future discussions. The OEWG remains the vital discussion platform aimed at developing proposals for further legal steps, including in the context of addressing the negative effects of climate change. We also appreciate and strongly support the work of the Independent Expert on the enjoyment of all human rights by older persons appointed by the Human Rights Council.

The social protection of older persons, which should be sustainable and adapted to national circumstances, remains one of the key objectives on the ICSW policy agenda aimed at reducing poverty and social exclusion. Recommendation No. 202 of the International Labour Conference concerning “national floors of social protection” provides an important normative base aimed at achieving guarantees of basic income security for older persons at least at a nationally defined minimum level. Millions of older persons do not have access to pensions or adequate social assistance. Given that older women remain particularly disadvantaged and excluded in many societies, the ICSW believes that social protection for older women is an important aspect of the international community’s review of the Beijing Platform for Action with respect to addressing the specific needs of older women in society and addressing existing gaps. Gender and family caregiving remain pressing issues, with women of all ages burdened with addressing long- term care and other health care needs of older persons, particularly in the absence of sustained government action.

Deep-rooted ageism and age discrimination are the unfortunate realities of today’s world. At the national level the age-specific response to the COVID-19 pandemic has been often inadequate, while the rights of older persons have been ignored and denied, accentuating behaviours and norms that were detrimental to society at large. We cannot but agree with the Independent Expert on the enjoyment of all human rights by older persons regarding visible protection gaps that need to be addressed, given that “the pandemic has shed light on the barriers preventing older persons from fully enjoying their human rights”. (11th Session of the UN Open-ended Working Group on Ageing. High-level Panel on COVID-19 and Older Persons 30 March 2021 Statement by Claudia Mahler, Independent Expert on the enjoyment of all human rights by older persons, accessed at: https://www.ohchr.org/sites/default/files/Documents/Issues/OlderPersons/Statement\_HLP\_Covid-19.pdf)

In a broader sense, ageism, and particularly institutional ageism, is testimony to the existence of significant structural problems in the conceptualization and implementation of national policies on ageing. Ageism prevents full realization by older persons of their rights by sustaining ingrained disadvantages while restricting their opportunities. The recent report on ageism prepared by the World Health Organization (WHO) clearly illustrates a widely-spread presence of negative stereotypes and discrimination nationally, regionally and globally. According to the above WHO report “ageism often intersects and interacts with other forms of stereotypes, prejudice and discrimination, including ableism, sexism and racism. Multiple intersecting forms of bias compound disadvantage and make the effects of ageism on individual’ health and well-being even worse”. (Global report on ageism. Geneva: World Health Organization; 2021. Accessed at https://www.who.int/publications/i/item/9789240016866)

Through partnerships with aging-focused non-governmental organizations with consultative status with ECOSOC, the ICSW works to promote the elaboration and adoption of a new legal instrument within the UN such as the International Convention on the Rights and Dignity of Older Person aimed at upholding the rights of older people. We believe that such a binding international legal instrument would be most welcome. Such a United Nations Convention, elaborating the duties of the states, as well as the private sector and other stakeholders, towards older persons could be a game- changer in identifying, extending and implementing the rights of older persons. At the national level, in cases where the enforcement of legal norms is not as strong as it should be, the enactment of the Convention that implies legally-binding provisions could help various national stakeholders, including civil society organizations, with monitoring how the existing commitments are translated into practice. An international instrument such as the Convention could also facilitate the provision of adequate government financing to the aged through budget entitlements stemming from the existing commitments.

In the face of the changing socio-economic landscape owing to the ongoing demographic changes and growing number of older persons, a new international legal instrument such as a UN Convention might strengthen the protection of the rights of this group by galvanizing government actions in the socio-economic area, facilitating human capabilities development and addressing the new needs of older persons, as well as preventing their discrimination and abuse. A UN Convention could serve as a rights-based framework, with social justice at its core, aimed at guiding national policy responses to the rapidly changing policy environment, in a pro-active and equitable way.