### **Check against delivery**



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Mr. President,

Excellencies and delegates,

Distinguished attendees,

It is an honour for me to address the Human Rights Council today, as Independent Expert on the enjoyment of all human rights by older persons. Allow me from the outset to thank all the stakeholders who have engaged with the mandate over the past year and those who have contributed with their valuable inputs to the preparation of my thematic report.

The report focuses on **violence against, and neglect and abuse of older persons**, which remains an overlooked and perversive scourge in our societies. Violence against older persons has far-reaching consequences on the mental and physical well-being of millions of older persons worldwide.

Until today, combatting violence against older persons is not a priority area at national, regional nor global levels. The limited understanding of the phenomenon which lead to a lack of prioritization, may on the one hand be part of a taboo but might also be resulting from a lack of research.

As older persons live longer and birth rates are decreasing, a demographic change is slowly operating, putting further older persons at risk of violence if nothing is done to address this plague of violence in old age.

Abuse of older persons has already intensified during ongoing crises like the COVID-19 pandemic, ongoing armed conflicts and the recent impacts of climate change. The World Health Organization recently estimated that one in six older persons has experienced some form of violence in their life.

Mr. President,

There is currently no globally accepted definition of “elder abuse”, “abuse against older persons” or “violence against older persons”. The use of different terminology brings other nuances to the fore. While various definitions exist, the most widely accepted one is the one provided by the World Health Organization.[[1]](#footnote-1)

While debates remain around definitions, most of them recognize five forms of abuse of older persons, including physical abuse; psychological or emotional abuse; sexual abuse; financial or material abuse; and neglect. In addition, I recognise an additional form, namely “hate speech against older persons”.

In the absence of an international legally binding instrument dedicated to the human rights of older persons, existing international human rights standards provide scattered protection against violence, abuse, and neglect of older persons. Indeed, the Universal Declaration of Human Rights, the Convention against Torture, the Convention on the Elimination of Discrimination against Women, the Convention on the Rights of Persons with Disabilities, and the United Nations Principles for Older Persons guarantee the freedom from violence to all in later life. However, specific international provisions tailored to the unique risks of older persons are still lacking. Regional legal frameworks also contribute to safeguarding older persons' human rights, including freedom from violence.

Distinguished attendees,

Abuse of older persons finds its root cause in the existence and prevalence of ageism in our societies. Negative stereotypes and bias underlie the concept of ageism and can lead to harmful consequences, including violence against and abuse and neglect of older persons. The absence of a clear and comprehensive prohibition of ageism and discrimination based on age in international human rights law leaves its treatment to the discretion of the state. This could explain why ageism is so prevalent in our societies and it considerably contrasts with existing treaties that oblige States parties to take steps to eliminate gender or racial discrimination for instance.

Furthermore, the intersection of age with other factors of discrimination increases the risk of older persons facing abuse. Multiple and intersectional forms of discrimination indeed aggravate existing barriers in accessing basic services, including health care, housing, employment and education, leading to situations of increased vulnerability that are a fertile ground for all forms of violence. However, understanding of the impact of age and intersectional identities remain limited and further research is needed to properly address violence against, abuse and neglect of older persons belonging to specific groups.

The scarcity of age-disaggregated and intersectional data regarding the abuse of older persons contribute to the invisibility of the issue in later life. Demographic and health surveys as well as surveys on violence often exclude older persons.

Excellencies,

Abuse of older persons requires urgent attention and action from States together with other key stakeholders. In addition of being a public health issue, it is a global human rights matter. According to the World Health Organization, almost 16 per cent of older persons have experiences some forms of violence, neglect or abuse in their lives, psychological abuse representing the most experienced forms of violence. However, older victims often face a combination of violent acts.

Abuse of older persons manifests under several forms:

* Older individuals may experience physical abuse involving hitting, shoving, the use of restraints (including chemical restraints) and confinement and intentionally causing physical pain and injury.
* Psychological and emotional abuse may also be suffered by older persons, diminishing their self-worth through intimidation and isolation.
* Sexual abuse, which is marked by sexual harassment, sexual behaviour and non-consensual violent acts, is more prevalent among older victims living in institutional settings.
* Financial abuse, often concealed, includes theft, scams, and property misuse, exacerbating economic insecurity.
* Neglect, stemming from unaddressed needs and influenced by factors like caregiver stress and rural-to-urban migration of relatives, further exacerbates challenges.
* Finally, hate speech against older persons, as seen during the COVID-19 pandemic, leads to discrimination and adverse physical and mental health effects, with heightened impact on the security and safety of older persons.

The contexts in which abuse of older persons may occur constantly vary. For example, older persons face increased vulnerability in armed conflict, often remaining in conflict zones and becoming targets of violence, including of extrajudicial killings. During displacement, they encounter challenges that exacerbate their risk to abuse and violence, especially for older women. Furthermore, natural disasters expose them to extreme security risks and disrupted support and care. Older persons further face heightened risk of abuse when deprived of their liberty.

Mr. President,

Arising from domestic and intimate violence approaches, prevention measures appear as the most cost-effective and long-term way of tackling all forms of violence. This is why comprehensive prevention strategies are required to address abuse of older persons.

Furthermore, key actions and measures which would lead to a significant change are the development and implementation of national action plans as well as the adoption and implementation of legal provisions in national law which goes in line with the establishment of monitoring mechanisms, prevention programs, data collection, and access to essential services.

The issue of abuse of older persons should not be addressed in silos. Collaboration among various sectors, such as health, justice, and civil society, is crucial for effective prevention and protection of the older population. Disaggregated data collection, training for relevant actors, and the involvement of community leaders are essential to create a coordinated response and ensure the safety, well-being, and recovery of older persons.

Another essential avenue to have a significant impact is access to justice for older persons. Access to justice and to redress is also key to ending abuse against older persons, although challenges like accessibility, affordability, and delays often hinder their legal recourse.

Excellencies,

To tackle abuse of older persons, it is essential for States to openly acknowledge and confront the various forms of abuse, considering intersecting factors and countering stigma and hate speech. For this, comprehensive measures are required, including the enactment of robust legislation, the formulation of national policies, data-driven action plans, institutional monitoring, caregiver and financial institution training, and equitable access to justice for survivors of abuse. Furthermore, the United Nations should integrate older age perspectives into efforts against violence, academics should engage in inclusive research, non-governmental organizations should adopt a holistic approach, and independent monitoring bodies should oversee vulnerable places. This collective approach is pivotal in ensuring the safety and well-being of older persons worldwide.

Mr. President,

Now, allow me to share some of the findings of the three country visits I undertook since my last reporting in front of the Council. I would like to express my deepest gratitude and sincere appreciation to the Governments of Bangladesh, the Dominican Republic and Nigeria for their invitations.

I visited **Nigeria** from 29 August to 9 September 2022. While the African continent has the lowest number of people aged 60 and above, Nigeria has the nineteenth largest population of older persons globally and the highest number of older persons in Africa. As the Nigerian population ages fast, it has profound implications on human rights and will have severe economic and social impacts if the needs of older persons are not adequately and efficiently addressed.

Mindful of the current ongoing challenges in the country, I note that ageism and age discrimination are perversive in Nigeria. Poverty in old age is rampant and exacerbated by age-based discrimination in employment and the lack of appropriate social protection floors, including pensions. I recognize the country’s recent efforts and commitment towards the enjoyment of all human rights by older persons with the adoption of the National Policy on Ageing and the establishment of the Senior Citizens Centre and its pioneer work since 2021. However, the absence of specific legal safeguards for the human rights of older persons leaves their needs unrecognized and ageist behaviours unchallenged. The newly elected President should promptly give assent to the bill on older persons (rights and privileges) to address this legal void.

I encourage Nigeria to translate the recent progressive legal and policy efforts into concrete and effective implementation at the grass-roots level, including in transposing the National Senior Citizens Centre Act and the National Policy on Ageing into state-level legal and policy frameworks in all 36 states. This can only be done through the allocation of adequate resources to the ageing-related programmes of the Federal Minister of Humanitarian Affairs, Disaster Management and Social Development and the National Senior Citizens Centre.

I visited **Bangladesh** from 7 to 17 November 2022. During my visit, I paid particular attention to the impact of climate change on the older Bangladeshi population. The resilience of older persons showed in the face of recurring natural and climate-change induced disasters is to be hailed. While acknowledging the magnitude of the climate change on the country, meaningful action to mitigate the impacts of climate change on older persons must be taken.

Ageing is a steadily increasing issue in Bangladesh and important challenges remain to be addressed to ensure the full realization of human rights for all older persons, especially freedom from violence and abuse. I remain concerned about the continued harassment and intimidation faced by older public figures who are or were engaged in politics or contribute to the social development of the country, especially ahead of the upcoming general elections.

I welcome the adoption of the Universal Pension Management Act and call on Bangladesh to ensure that all older persons benefit from the Act. Further urgent efforts need to be made to ensure that everyone has economic security in old age and ensure not only the economic and social rights of older persons, but also their political and civil rights. The implementation of a unified pension system is crucial, along with the allocation of adequate resources for older persons. Among others, I urge Bangladesh to prepare a timebound road map for the implementation of the National Policy on Older Persons and its action plan as soon as possible.

Finally, I visited **the Dominican Republic** from 28 February to 10 March 2023. Demographic change towards an ageing society has been taking place over the past decade in the Dominican Republic and several challenges remain to be addressed to ensure the realization of the human rights of older persons. Ageism is rampant in the Dominican society and the country continues to rely heavily on family structures, with institutionalization as the main alternative to provide care for older persons. Poverty in old age is prevalent, exacerbated by ageism and the lack of a universal social protection system.

The healthcare system is one of the most visible spaces in which older persons face structural age discrimination in the Dominican Republic. Removing structural barriers to the enjoyment of the right to health by older persons and ensuring access and affordability to health care on an equal basis with other age groups of the population is of utmost importance.

The National Council of the Ageing Person over the past years which provide tireless and continuous support to all older persons in the Dominican Republic, programmes for older persons are still under resourced. The allocation of adequate financial and human resources is key to ensuring that the Government delivers on its promise to advance the human rights of older persons.

I commend the Dominican Republic for its efforts in improving the situation of older persons through the establishment of the National Council of the Ageing Person as well as for its leadership at global level in support of older persons. I was pleased to learn that the Permanent Mission joined the Group of Friends on older persons in Geneva following my visit.

Mr. President, Excellencies, distinguished delegates and attendees,

I hope to continue engaging positively and constructively with these Member States. This November, I look forward to engaging with the Republic of Moldova through an official visit and further Member States in 2024.

I look forward to our interactive dialogue today and thank you all for your attention and support.

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1. WHO defines the abuse of older persons, also known as elder abuse, as “a single or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person”. [↑](#footnote-ref-1)