

Multi-stakeholder meeting on the human rights of older persons

Concept Note

- Date and venue:** **29-30 August 2022**
Room XVII, Palais des Nations, Geneva and online platform (Zoom)
- Objective:** This two-day meeting will bring together key stakeholders for a discussion on the gaps and fragmentation in the protection of the human rights of older persons in the international human rights law and mechanisms. The meeting will take stock of the progress made, assess the remaining challenges, identify opportunities and develop concrete proposals to accelerate efforts to close the gaps in the existing human rights protection system for older persons.
- The report of the United Nations High Commissioner for Human Rights on the normative standards and obligations under international law in relation to the promotion and protection of the human rights of older persons (A/HRC/49/70) will inform the discussion.
- Outcome:** A summary report with conclusions of the meeting that includes recommendations on addressing possible gaps and the dispersiveness of international human rights law with regard to older persons, will be submitted to the Human Rights Council by its fifty-second session.
- Mandate:** In its resolution 48/3, the Human Rights Council requested the Office of the United Nations High Commissioner for Human Rights to convene a multi-stakeholder meeting to discuss the report of the High Commissioner on the normative standards and obligations under international law in relation to the promotion and protection of the human rights of older persons.
- The meeting will be fully accessible to persons with disabilities, and held with the participation of the Independent Expert on the enjoyment of all human rights by older persons, human rights experts and expert representatives of Member States, the treaty bodies and the special procedures, regional mechanisms, the United Nations system, academia, national human rights institutions and civil society, including with the meaningful and effective participation of older persons and of persons of different ages.
- The meeting will consist of an opening session followed by a series of interactive panel discussions and a closing session. Initial presentations by the panelists will be followed by interventions by participants and concluding remarks from the panelists. A maximum of one hour will be reserved for interventions from the floor, consisting of interventions from States, national human rights institutions and non-governmental organizations.

29 August

10:00 – 10:30 **Opening session**

10:30 – 12:00 **Session 1: Limitations and gaps of selected human rights norms and obligations**

The COVID-19 pandemic highlighted the deficiencies in international and national frameworks for older persons in tragic ways. While the pandemic seriously affected many groups, its consequences have been amplified by existing structures of inequality and disadvantage. This session will focus on identifying existing and emerging human rights protection gaps and particular risks facing older persons. It will examine to what extent the gaps and limitations in the existing framework reflect not only operational issues but also fundamental conceptual limitations in that framework. The session will also explore promising practices in responding to the gaps.

15:00 – 17:00 **Session 2: Adequacy of existing human rights mechanisms in responding to the challenges**

The aim of this session is to discuss current practices and identify recommendations on how the UN human rights mechanisms (Treaty Bodies, Special Procedures and Universal Periodic Review) can enhance the integration of the human rights of older persons in their work. As noted in the report of the High Commissioner (A/HRC/49/70), the engagement of the UN human rights mechanisms on the human rights of older persons is not adequate, systematic nor sustained. The session will also highlight lessons learned from the Inter-American system of human rights on the protection of older persons as well as the important role played by national human rights institutions.

30 August

10:00 – 12:00 **Session 3: Strengthening coordinated actions for the protection of the human rights of older persons**

This session will discuss the social and legal construction of “older age”, ageism and the implications of these for equality and non-discrimination on the ground of (older) age and identify how a strong human rights protection system can strengthen synergies and joint actions across global and regional networks and initiatives on ageing to integrate and promote the human rights of older persons. It will also consider how a new instrument on the human rights of older persons would complement existing frameworks and also how a dedicated instrument would provide a unique and significant stimulus to a more effective protection of the human rights of older persons at the international and national levels.

15:00 – 16:45 Session 4: Towards strengthening the protection of the human rights of older persons

The objective of this session is to develop proposals and recommendations for strengthening legal frameworks at both the national and the international levels to protect the human rights of older persons for further consideration by the Council and other relevant bodies, including the ongoing work of the Open-ended Working Group on Ageing.

16:45 – 17:00 Closing session

Background: Rapid population ageing is one of the defining trends of our time. By the year 2050, it is estimated that there will be 1.5 billion people aged 65 and above, constituting one sixth of the world’s population. While ageing in itself does not necessarily make individuals more vulnerable, a number of physical, political, economic and social factors that accompany older age contribute to the challenges that older persons face in the enjoyment of their human rights, as has been evidenced during the coronavirus disease (COVID-19) pandemic.

The testimony of older persons, views of their representative organizations and assessments by international and national experts have all concluded that fragmentation of existing norms and procedures and their conceptual and operational limitations have resulted in an overall failure to provide adequate recognition and protection of the human rights of older persons at the international level. The deficiencies in the international framework mean that the important catalyzing and supportive role which international standards can play in generating action at the national level has also largely been absent. The result is more limited legal protection of the human rights of older persons compared to other groups. Despite significant normative developments at the regional level over the last decade, the current international framework provides fragmented and inconsistent coverage of the human rights of older persons in law and practice. The protection afforded under the current framework and standards is either significantly deficient or too general to provide adequate and specific guidance to governments, policymakers and advocacy groups about what actions are necessary to ensure the realization of specific human rights for older persons. The absence of a dedicated international human rights framework on older persons hampers the consideration of cross-sectional issues by existing human rights mechanisms. Moreover, a number of issues that are particularly significant for older persons are not sufficiently covered by the existing international human rights framework.

The pandemic has shown that existing normative frameworks have shortcomings and that there is still much to be done to achieve effective protection of the human rights of older persons. The Secretary-General’s policy brief called for the building of stronger international and national legal frameworks to protect the human rights of older persons and accelerating the efforts of the Open-ended Working Group on Ageing to develop proposals for an international legal instrument. The Independent Expert concluded that the pandemic “has made visible protection gaps that will need to be addressed beyond the COVID-19 response and recovery stages” and that “the lack of a comprehensive and integrated international legal instrument to promote and protect the rights and dignity of older persons continues to have significant practical implications, including for older persons in emergency situations”.

To deliver on the promise to ensure that all persons, including all older persons, fully enjoy their human rights and fundamental freedoms, it is necessary to move expeditiously towards developing and adopting a coherent, comprehensive and integrated human rights framework that

reflects an up-to-date and nuanced understanding of the social construction of ageing, the nature and extent of ageism and age discrimination, and the experiences of diverse groups of older persons.

Background documents:

Report of the High Commissioner for Human Rights on the normative standards and obligations under international law in relation to the promotion and protection of the human rights of older persons (A/HRC/49/70)

Report of the Independent Expert on the enjoyment of all human rights by older persons on ageism and age discrimination (A/HRC/48/53)

OHCHR working paper: Update to the 2012 Analytical Outcome Study on the normative standards in international human rights law in relation to older persons (March 2021)

Global Report on Ageism (March 2021)

United Nations Secretary-General's Policy Brief: The Impact of COVID-19 on older persons (May 2020)

OHCHR Analytical Outcome Paper "Normative standards in international human rights law in relation to older persons" (August 2012)