



THE NGO COMMITTEE ON AGEING

BUILDING A SOCIETY FOR ALL AGES



Welcome to the May 2024 Issue of the UN NGO Committee on Ageing/NY Newsletter

What's in this issue?

Our Spring Issue is devoted to the May 20, 2024, Open-Ended Working Group on Ageing [OEWGA]. As we go to press, the Open-Ended Working Group on Ageing is winding down its 14-year study of gaps in the UN protection of human rights for older persons. From among the member nations of the UN, two co-facilitators (Brazil and Portugal) have spent the last year soliciting input from all sectors and all countries. They will be reporting their findings and recommendations to the Open-Ended Working Group at its 14th session this May at the UN in New York.

NGOs are largely united in seeing this as an important opportunity to press for a Convention on the Human Rights of Older Persons. Our newsletter begins with a message from our Chairperson, Dr. William T. Smith, Ph.D. Then, as a departure from our previous newsletters that focused on one rights issue at a time, this issue provides a briefing on the history of ageing and human rights at the UN (*A Deeper Dive*, by Maud Bruce About) and actions that all of you as individuals *or* representatives of an NGO can take. (*What to Do Now* (by Adriane Berg)

Please sign and spread the message:

[AGE WITH RIGHTS petition](#)

A Word From Our Chairperson

Dear Colleagues,

Much work was done at the United Nations in March during the Commission on the Status of Women. A great many side events were held informing us about the importance of the effects of poverty on women throughout the life cycle. The NGO Committee on Ageing was very present at many of the sessions. We learned that the face of poverty is truly that of a woman throughout the life cycle.

Now we focus and prepare for the upcoming Open-Ended Working Group on Ageing [OEWGA] which will be held beginning on May 20 and throughout the week. Our goal is to fill the Conference and meeting rooms with NGO ECOSOC accredited groups and members of Civil Society. That week is critically important to the Rights of Older Persons globally. Our efforts over the past fourteen years call for us to stand up and be counted on like Civil Society never has before. Our goal is to convince Member States to authorize the beginning of drafting a binding instrument on the Rights of Older Persons.

Please speak to your organizations, and let's have a strong presence at the United Nations. Globally, older people need our advocacy now.

Thank you.

William T. Smith, Ph.D.

Chair, NGO Committee on Ageing/NY



A DEEPER DIVE: What You Need to Know About the Open-Ended Working Group on Ageing (OEWGA)

By Maud Bruce-About, UN Representative, International Federation of the Association of Older People (FIAPA)

This article focuses on the Open-Ended Working Group on Ageing (OEWGA). Its aim, history, and most importantly, what we hope will come out of the upcoming 14th session, 20 - 24 May. We also ask for your support!

As you might know, OEWGA - as a forum - [was established by the United Nations General Assembly \(GA\) in 2010](#) to "consider the existing international framework of the human rights of older persons and identify possible gaps and how best to address them, including by considering, as appropriate, the feasibility of further instruments and measures."

No doubt there has - so far - been a lack of sufficient political will - as the need for international instruments to protect the rights of older persons - that we like to call a Convention - has been expressed - with tangible proof - already from its inception.

In fact, in 2011, the Secretary-General (SG) [declared](#) that:

"At the international level, there is still no dedicated international protection regime for the human rights of older persons. Existing human rights mechanisms have lacked a systematic and comprehensive approach to the specific circumstances of older men and women" and that national "policies

are inconsistent across the globe and do not generally indicate the presence of comprehensive legal, policy, and institutional frameworks for the protection of the human rights of older persons. Particularly lacking are mechanisms ensuring participation and accountability."

Concomitantly, the SG underscored that, by 2050, this desired international protection would cover 20 percent of the world's population that then will be aged 60 or older.

Furthermore, in 2012, the SG presented a [report](#) detailing the challenges older persons face to enjoy human rights - notably ageism - and as a result the General Assembly mandated OEWGA to "*consider proposals for an international legal instrument to promote and protect the rights and dignity of older persons....*" to "*present to the General Assembly, **at the earliest possible date, a proposal** containing, inter alia, the main elements that should be included in an international legal instrument to promote and protect the rights and dignity of older persons, which are not currently addressed sufficiently by existing mechanisms and therefore require further international protection.*"

Still, at the 11th OEWGA - in 2021 - although Member States (MS) agreed that the rights of older persons had been disrespected during the COVID pandemic, they did neither agree on the need for a specific Convention for older persons nor for the way forward.

Only last year - at the 13th OEWGA - there was a breakthrough - admittedly partially a bit forced as the **OEWGA would be exhausting** the subject areas it had decided to consider in detail. Hence, two co-facilitators were designated to "*submit proposed intergovernmental negotiated recommendations*" at the 14th session on possible gaps in the international human rights framework for older persons and options on how best to address them.

Understandably, many feel that we are now at a point of "make" or "break" with respect to the future role of the OEWGA. Hence, hopes for a positive decision on a much-needed Convention run high, and the number of proponents and supporters has increased over the years.

The number of MS who have expressed support as members of Group of Friends has increased from 20 in 2015 to around 60 today. The Global Alliance for the Rights of Older People (GAROP) - that the NGO Committee on Ageing works closely with - whose mission is to advocate for an international legal instrument to protect the rights of older persons now has over 400 members, some of whom have affiliates around the world advocating for the rights of older persons. Other groups - women, youth, persons with disabilities, indigenous peoples, LGBTI - and National and Human Rights Institutions have also joined in the fight for adequate protection of the rights of older persons.

Before reflecting on the positives of this 14-year-long process and ultimately on why this Convention is and will be more and more needed, we would like to review the progress and achievements that

led to OEWGA - by retracing the UN history of ageing and human rights.

In fact, with the UN discussing ageing as part of DESA's programme since 1948 and the Commission for Social Development having ageing on its agenda, issues related to ageing and human rights have moved up the list of priorities, with ever-increased awareness of world population ageing and the need for more robust human rights protection for older persons.

In **1971**, the Secretary-General (SG) signaled their difficult socio-economic conditions suffered by older persons and that technological change would worsen their situation unless policies answered their needs, enabling participation in and contribution to national life. ([Resolution 2842](#))

In **1973**, the SG presented cross-national studies of the changing socio-economic status of older persons and the role of the "*elderly and the aged*," and the GA promoted fuller participation of the elderly and short-term policies and programs: welfare, health measures to maximize economic independence and social integration; discrimination in employment based only on age; strengthen families. (<https://documents.un.org/doc/r...>)

In **1977**, the GA - noting changing population structures, promoted fuller participation of the elderly and highlighted the need for old persons to be included in social welfare and security systems "*where such systems exist*." ([Question of the elderly and the aged](#))

In **1978**, the GA underscored the dignity and worth of human beings and the rights of the aged and asked the Member States to analyze "*the problems of elderly persons in their societies*." (resolution 33/52, 1978)

In **1982**, the SG underscored that the 1982 World Assembly on ageing concerns the young, as longevity touches their future. It announced the first international instrument on ageing - with recommendations for national policies. (40/14, 40/32 and 40/108)

1990, the complexity of ageing was recognized, and an action program for ageing in 1992 and beyond was announced. (<https://undocs.org/A/RES/45/106>)

In 1991, the GA adopted **the Principles for Older Persons** (<https://www.ohchr.org/en/professionalinterest/pages/olderpersons.aspx>):

- Article 17: "*Older persons should be able to live in dignity and security and be free of exploitation and physical or mental abuse.*"
- Article 18: "*Older persons should be treated fairly regardless of age, gender, racial or ethnic background, disability or other status, and be valued independently of their economic contribution.*"

In **2002**, [The Madrid International Plan of Action on Ageing \(MIPAA\)](#), aiming to build "*a society for all ages*," made recommendations on (1) older persons and development; (2) health and well-being into old age, (3) enabling and

supportive environments, and links ageing to other social and economic development and human rights frameworks.

As has been pointed out - at the 2023 OEWGA and in other forums - MIPAA does not guarantee human rights for older persons, as it is a voluntary action plan. On the other hand, MIPAA would, of course, be reinforced if there were a Convention. Reinforcement is, in fact, needed, **as the 2023 MIPAA review concluded.**



In 2002, the [WHO launched Active Ageing](#) - a policy framework for older persons to *"remain a resource to their families, communities and economies."*

In 2003, the GA - leaning on MIPAA - encouraged MS and UN entities to include ageing - "as appropriate" - in actions to achieve agreed development goals, notably the UN Millennium Declaration, especially the goal of poverty eradication.

In 2006, the Convention on the Rights of Persons with Disabilities (CRPD) was adopted. Still, as pointed out throughout meetings, it protects persons who become disabled before they are older persons, not those who become disabled when already old.

In 2007, an [Economic and Social Survey of the five UN regions](#) underscored accelerated population ageing and changing living arrangements. The [GA](#) encourages MS to mainstream ageing into poverty eradication strategies and national development.

In 2008, the [GA requested the SG to translate the National Implementation Guide of MIPAA](#) into all UN official languages and encouraged MS to translate it into local languages.

In 2009, the SG concluded in a [report](#) that despite the existence of both policy and legal documents, the human rights of older persons have not been adequately promoted or protected. The GA recommended that MS make sure older persons have the necessary access to information about their rights to *"..... to claim full enjoyment of all human rights"* and that states have the capacity to monitor and enforce the rights of older persons.

The Human Rights Council Advisory Committee signals to the Human Rights Council *"The necessity of a human rights approach and effective United Nations*

mechanism for the human rights of the older person" and the possible need for an international convention on the human rights of older persons.

In 2010, at the Human Rights Council, an [Independent Expert on the question of human rights and extreme poverty](#) warned that societies abandon traditional care practices and leave older persons in extreme poverty. He recommends human rights protection for older persons, as these rights are enshrined in the [Universal Declaration of Human Rights](#), several international human rights treaties, and International Labour Organization conventions.

SG reports point out that [civil society and public opinion](#) increasingly address older persons' issues through a human rights perspective, advocating for a comprehensive international instrument to protect the rights of older persons and drawing attention to [empowering older persons and promoting their rights](#).

The SG establishes OEWGA.

In 2011, at the Human Rights Council, the [Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health](#) urges for:

- a paradigm shift: *".....towards active and dignified ageing"*
- a reframing of society's concept of ageing to: *"continued participation of older persons in social, economic, cultural and civic life, as well as their continuous contributions to society."*
- a right-to-health approach and strategies that take into account the heterogeneity of older persons to mitigate the consequences of an ageing society and ensure the enjoyment of this human right by older persons.

Since the GA urged OEWGA to present a proposal to the GA "at the earliest possible date" in 2012, endless reports have supported the need for a Convention. Only to mention some that have contributed to gathering evidence and support for robust human rights:

- The 2014 SG's GA report <https://undocs.org/A/69/180> on age-based discrimination and Neglect, abuse, and violence.
- The 2015 World Report on Ageing and Health (https://apps.who.int/iris/bitstream/handle/10665/186463/9789240694811_eng.pdf?sequence=1&isAllowed=y) shifted focus to *"being and doing what persons have reason to value in the context in which they live,"*
- The 2015 GA resolution <https://undocs.org/A/RES/70/164> <https://undocs.org/A/70/489/Add.2> calls to ensure that no one is left behind in the 2030 SDG Agenda (<https://www.un.org/en/developm...>) and that progress be made in the effective enjoyment and realization of all human rights of older persons;
- The 2016 Report of the Independent Expert on the enjoyment of all Human Rights by Older Persons to the HRC assesses the implementation of existing international instruments.

- The 2018 GA resolution (<https://undocs.org/en/A/RES/73/143>) asks MS to realize older persons' human rights fully.
- The 2019 SG report to GA <https://undocs.org/en/A/74/170> reports a lack of inclusion of older persons in the SDGs and in normative frameworks of rights and needs of older persons in emergency crises.
- The 2019 GA resolution <https://undocs.org/en/A/RES/74/125> recognises that greater attention needs to be paid to the specific challenges affecting older persons, including in the field of human rights.
- The 2020 UN Policy Brief on COVID-19 and Human Rights (<https://www.ngocoa-ny.org/resources/covid-19/un-policy-brief-on-human.pdf>) and the UN 2020 Policy Brief: The Impact of COVID-19 on Older persons... <https://www.ngocoa-ny.org/resources/covid-19/un-policy-brief-on-older.pdf> are supported by 146 of UN Member States.
- The 2020 GA resolution adopts the Decade of Healthy Ageing - initiated by WHO - and calls upon all States to promote and ensure the full realization of all human rights and fundamental freedoms for older persons. ([Decade of Healthy Ageing](#))
- The 2021 SG report (<https://undocs.org/en/A/66/173>) clarifies the human rights situation of older persons throughout the regions and recommends that the Open-ended Working Group consider the feasibility of further human rights instruments and measures "*as a matter of priority.*"
- The [2021 HRC resolution on the rights of older persons](#) requests the United Nations High Commissioner for Human Rights to prepare a report in relation to the promotion and protection of the human rights of older person for the 49th Human Rights Council and a multi-stakeholder meeting to discuss and prepare recommendations on addressing possible gaps for the 51st Human Rights Council.

In addition, the 14-session OEWGA process itself has been an opportunity for MS - together with NGOs representing Civil Society Human Rights Institutions to gather and consider expertise through substantive and normative inputs in 14 areas that were considered to need to be better addressed by the international community for older persons to enjoy their human rights fully:

- 2017 - Equality and non-discrimination (discrimination on the basis of age) Neglect, violence, and abuse (ageism)
- 2018 - Autonomy and independence Long-term and palliative care
- 2019 - Social protection and social security (including social protection floors) Education, training, lifelong learning, and capacity-building
- 2020 - No meeting because of the Covid-19 pandemic 2021 Right to work and access to the labour market Access to justice
- 2022 - Economic Security Contribution of older persons to sustainable development
- 2023 - Right to health and access to health services Social inclusion

- 2024 - Accessibility, infrastructure, and habitat (transport, housing, and access) Participation in public life and decision-making processes

Numerous other reports by the Independent Expert - established by the HRC in 2013 have contributed to and enriched the OEWEGA process.

(<https://www.ohchr.org/en/special-procedures/ie-older-persons/annual-reports>)

As this wealth of evidence for the need for a Convention has been gathered over the years, the number of persons that would benefit has increased as a share of the total population and in absolute numbers.

In fact, persons +65 constituted 5% of the world population in 1970, 6% in 1980 and 1990, 7% in 2000, 8% in 2010, and 9% in 2020, but will account for 16% of the world population in 2050.

In absolute terms, if 727 million persons needed a Convention in 2020, 1.5 billion will need it in 2050.

Summary of A Message From Our New Chairperson:

*In the face of all evidence gathered and at the current pace of population ageing - the time is ripe to allow us all to **AGE WITH RIGHTS. Older persons must be seen as rights holders and not only as beneficiaries of medical rehabilitation.***

Our view is that only a comprehensive international legally binding instrument - a Human Rights Treaty, that is, a Convention - will provide:

"a comprehensive and coherent normative framework, substantively and symbolically, for a world free from ageism and age discrimination, where older persons are treated with dignity, entitled to live free from violence, and empowered to participate on an equal basis with others in society."

A failure - or all other instruments - would be to:

"Deny all generations, current and future, an instrument that codifies rights in older age."

As an individual or as an organization, you now support an internationally legally binding instrument (a "convention") to protect the rights of older persons by signing the GAROP petition before OEWEGA14 meets. **Please, sign and spread the message: AGE WITH RIGHTS**

What to Do Now to Support the Human Rights of Older Persons

By Adriane Berg, UN Representative International Federation on Ageing, HOST: On the Ground the Podcast of the UN Global NGO Executive Committee



Breaking News! The Global Alliance for The Rights of Older Persons (GAROP) Just Issued a [New Tool Kit](#) for influencing the OEWG intergovernmental negotiations! It is a resource package, including template letters for supporting Member States, addressed explicitly to their line ministry, foreign ministry, and permanent missions. Access it [here!](#)

#1. Sign The Petition for a UN Convention

Join over 4000 human rights advocates in signing a [petition](#) calling on governments to begin drafting a UN convention on the rights of older persons without delay. Visit [here](#). The host site of the petition, [change.org](#), requests donations for its site, but No Donation is Required. Also, note that Individuals can sign; you need not represent an organization.

#2. Ask Others to Sign the Petition

If every one of us asked 20 people, we would make a difference. For an effective and quick overview of "why" to sign, see these Age With Rights Campaigning Videos: [English](#), [French Subtitled](#), and [Spanish Subtitled](#).

#3. Write to your National Representatives

Contact your national-level government representatives before the next session of the UN Open-ended Working Group on Ageing in May 2024 and request that their Government:

- Express support for the elaboration of a new United Nations treaty on the human rights of older persons.
- Instruct their national delegation to the United Nations in New York to advocate for and support the adoption of recommendations that will lead to drafting a new convention as a matter of urgency.
- Call on governments to actively contribute to intergovernmental negotiated recommendations on the identification of possible gaps in the protection of the human rights of older persons and how best to address them that will be presented at OEWG 14.
- Visit this [GAROP webpage](#) on Intersessional work up to the 14th UN Open-Ended Working Group on Ageing (OEWG) to access session records of Briefing discussions leading up to the negotiation.

- Visit this [OEWGA website](#) to read responses from Member States and Civil Society to the questions of gaps and recommendations.
- Call on governments to send government representatives from the capital to attend and participate in OEWGA14.

#4. Send letters as drafted by The International Federation on Ageing.

There are [three versions](#) of the letters, specifically for Australian and Canadian federal ministers, and generic messaging to send to political representatives. Visit the [IFA's United Nations webpage](#) to access the letters, share them with your politicians, and promote them within your networks. AN EXAMPLE LETTER IS FOUND AT THE END OF THIS ACTION LIST

#5. Immerse Yourself in the Message and Engage on Social Media

Websites that will inspire your post include <https://rightsofolderpeople.org/> and <https://ifa.ngo/driving-our-agenda/united-nations/>. Use the hashtag **#AgeWithRights** in social media posts, sharing why a convention on the rights of older persons is crucial to you. Make sure to encourage your followers to sign [the petition!](#)

#6. Register to Attend OEWGA In-person attendees must be approved by an NGO with ECOSOC accreditation to the UN. Individual NGOs can authorize some temporary passes for one-time attendees.

The deadline for registration is **May 10**. The link can be found here: [OEWGA registration](#)

SAMPLE LETTER

[Position, i.e., Minister of Foreign Affairs]
[Government Building, i.e., House of Commons]
[Location, i.e., Ottawa, Canada]

DATE 2024

Dear **[Title]**,

UN convention on the human rights of older persons: Australia's engagement in the 14th session of the UNGA Open-ended Working Group on Ageing (20-24 May 2024)

We write to urge you to express support, within the Government and at the United Nations level, for the elaboration of a new United Nations convention on the human rights of older persons. In our view, the evidence presented to various United Nations for more than a decade has demonstrated that the current international framework has failed to deliver effective protection for

the human rights of older persons: a new comprehensive, coherent legal, whether to bring about the significant changes needed.

We, **[Insert Organization]**, ask in particular that the **[Insert Country]** government and the **[Insert Country]** mission to the United Nations in New York engage constructively with the current inter-sessional processes of the UNGA Open-ended Working Group on Ageing (OEWGA) in the lead up to its 14th session from 20-24 May 2024. In particular, we urge the Government to take all possible steps to ensure that the recommendations to be adopted by the OEWGA in May 2024 call for the drafting of a convention or, at the very least, leave open the possibility of such an instrument as part of the answer to the question of "how best to address" the gaps, limitations, and deficiencies that exist in the international framework relating to the enjoyment by older persons of their human rights.

We and other **[Insert Nationality]** civil society groups are keen to work with the Government and the New York mission to achieve these goals. We appreciate the strong support that the **[Insert Country]** Government and mission have shown for the meaningful participation of civil society in the processes of the OEWGA to date and hope that this will include support for meaningful engagement by civil society in the development of the recommendations currently being negotiated inter-sessionally.

We have also written to the **[Insert highest political authority]** and the Ministers for **[Insert relevant portfolios]**, as responsibility for certain aspects of policy with regard to older persons falls within their portfolios.

We look forward to hearing from you. We can be reached at **[insert email address]**

Best regards,

No time to read these great articles? Find them along with back issues on our website.

ngocoa-ny.org

And while you are there...

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Thank you.



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