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Open-ended Working Group on Ageing

Tenth working session

New York, 15–18 April 2019

Report of the Open-ended Working Group on Ageing on its tenth working session

Rapporteur: Ms. Renne Abbey (Ghana)

I. Organization of the session

A. Opening and duration of the session

1. The Open-ended Working Group on Ageing held its tenth working session at United Nations Headquarters from 15 to 18 April 2019. The Working Group held eight meetings.

2. The session was opened by the Chair of the Working Group, Martín García Moritán (Argentina), who also made a statement.

B. Attendance

3. The session was attended by representatives of States Members of the United Nations. Representatives of organizations of the United Nations system and observers for intergovernmental organizations, accredited national human rights institutions and non-governmental organizations (NGOs) also attended. A list of participants is available from <http://social.un.org/ageing-working-group/tenthsession.shtml>.

C. Election of officers

4. At its 1st meeting, on 15 April, the Working Group elected, by acclamation, Roseny B. Fango (Philippines), Lidija Dravec (Slovenia) and Maria Luisa Portocarrero (Portugal) as Vice-Chairs and Renne Abbey (Ghana) as Rapporteur.



5. The composition of the Bureau of the tenth session of the Working Group was as follows:

Chair:

Martín García Moritán (Argentina)

Vice-Chairs:

Roseny B. Fangco (Philippines)

Lidija Dravec (Slovenia)

Maria Luisa Portocarrero (Portugal)

Rapporteur:

Renne Abbey (Ghana)

D. Agenda and organization of work

6. At its 1st meeting, the Working Group adopted the provisional agenda, as contained in document [A/AC.278/2019/1](#). The agenda read as follows:

1. Election of officers.
2. Adoption of the agenda and other organizational matters.
3. Participation of national human rights institutions in the work of the Open-ended Working Group on Ageing.
4. Participation of non-governmental organizations in the work of the Open-ended Working Group on Ageing.
5. Measures to enhance the promotion and protection of the human rights of older persons.
6. Follow-up to resolution [73/143](#): measures to enhance the promotion and protection of the human rights and dignity of older persons: best practices, lessons learned, possible content for a multilateral legal instrument and identification of areas and issues where further protection and action are needed.
7. Other matters.
8. Provisional agenda for the eleventh working session of the Open-ended Working Group on Ageing.
9. Adoption of the report.

7. At the same meeting, the Working Group approved the proposed organization of work for its session, as set out in document [A/AC.278/2019/CRP.1](#).

E. Participation of national human rights institutions in the work of the Open-ended Working Group on Ageing

8. At its 1st meeting, the Working Group was informed of the participation of 14 national human rights institutions in the session, in accordance with decision 7/1 on the modalities of participation of national human rights institutions in its work (see [A/AC.278/2016/2](#), para. 10).

F. Participation of non-governmental organizations in the work of the Open-ended Working Group on Ageing

9. At its 1st meeting, the Working Group decided to approve the following 36 non-governmental organizations to participate in its work:

Age and Opportunity
 Agewell Foundation USA
 Albanian Society for All Ages
 Alzheimer's Disease International
 Arasan Rural Development Society
 Associazione Nazionale Centri Sociali, Comitati Anziani e Orti
 Beauty of Help Foundation
 Canadian Network for the Prevention of Elder Abuse/Réseau canadien pour la prévention du mauvais traitement des aînés
 Center for Community Advancement and Family Empowerment
 Centre for Human Rights and Governance - SOLACE
 Christian Spiritual Youth Huduma
 Community Initiatives for Peace and Development
 Comparatively for Tanzania Elites Community Organizers
 Dilasha Aviyan
 El-Aged Care
 Family Ark Mission
 Fundación Isalud
 Fundación SIDOM
 Geriatric Care and Vulnerable Support Initiative
 Helpage Italia Onlus
 Humane Prison Hospice Project
 Independent Age
 Innovation d'évolution dans une communauté responsable
 Institute for Development, Research, Advocacy and Applied Care
 Kenya Hospices and Palliative Care Association
 Kenya Small Scale Farmers Forum
 Movimento Giotto
 National Senior Citizen Federation
 Reach One Touch One Ministries
 Regional Public Foundation Assistance for the Elderly (Dobroe Delo)
 Resource Integration Centre
 Semuto Older Persons Development Association

Solidarity Is Global Institute

Sudanese Society for the Care of Older People

The Good Samaritan Social Service Tanzania

Zimbabwe Pensions and Insurance Rights Trust

10. The Working Group also invited Gray Panthers to make a statement, time permitting, in accordance with paragraph 38 (b) of Economic and Social Council resolution 1996/31.

G. Documentation

11. The list of documents before the Working Group at its tenth working session is available from <http://social.un.org/ageing-working-group/tenthsession.shtml>.

II. Measures to enhance the promotion and protection of the human rights of older persons

12. The Working Group considered item 5 of the agenda at its 1st and 2nd meetings, on 15 April 2019, and held a general discussion of the item.

13. At its 1st meeting, the Working Group began its general discussion of the item and heard statements by the representatives of the State of Palestine (also on behalf of the Group of 77 and China), the European Union, Chile (first on behalf of the Group of Friends of Older Persons and subsequently in its national capacity), Spain (first on behalf of the United Nations LGBTI Core Group and subsequently in its national capacity), Uruguay, the Dominican Republic, Germany, Canada, Ecuador, Costa Rica, Côte d'Ivoire, Slovenia, Peru, Colombia, Mexico, Austria, El Salvador and France.

14. At its 2nd meeting, the Working Group continued its general discussion of the item and heard statements by the representatives of Guatemala, Israel, Qatar, Bangladesh, Nigeria, Turkey, Argentina, Lithuania, Czechia, the Russian Federation, Kenya, Egypt, the United Kingdom of Great Britain and Northern Ireland, Viet Nam, Cuba, Morocco, Sweden, the Philippines, Japan, Brazil, Singapore, Thailand, Albania, the Republic of Korea, Algeria, Saudi Arabia, India, Malaysia, Cameroon, Iraq, Hungary and South Africa, as well as by the observer for the Holy See.

15. At the same meeting, a statement was also made by the representative of the Economic Commission for Europe.

16. At its 6th meeting, on 17 April, the Working Group resumed and concluded its consideration of the item, hearing statements by the representatives of the following NGOs: National Association of Community Legal Centres; Association camerounaise pour la prise en charge de la personne âgée; Dave Omokaro Foundation; HelpAge International; Centre for Gerontological Studies; American Bar Association; AGE Platform Europe; HelpAge Germany; Age UK; Human Rights Watch; Federación Iberoamericana de Asociaciones de Personas Adultas Mayores; and International Federation of Associations of the Elderly.

III. Follow-up to resolution 73/143: measures to enhance the promotion and protection of the human rights and dignity of older persons: best practices, lessons learned, possible content for a multilateral legal instrument and identification of areas and issues where further protection and action are needed

17. The Working Group considered item 6 of the agenda at its 3rd to 7th meetings, from 16 to 18 April.

Panel discussion on education, training, life-long learning and capacity-building

18. For its consideration of the item, the Working Group had before it a document submitted by the Department of Economic and Social Affairs, entitled “Substantive inputs on the focus area ‘Education, training, life-long learning and capacity-building’” (A/AC.278/2019/CRP.2).

19. At its 3rd meeting, on 16 April, after hearing a presentation by the Chief of the Programme on Ageing of the Department of Economic and Social Affairs on its focus area “Education, training, life-long learning and capacity-building”, the Working Group held an interactive panel discussion on the focus area and heard presentations by the following panellists: Rosa Kornfeld-Matte, Independent Expert on the enjoyment of all human rights by older persons; Christoph Angster, Senior Policy Officer on Ageing, Federal Ministry of Labour, Social Affairs, Health and Consumer Protection, Austria; Tamara Nikolić, Assistant Professor, Department of Adult Education, University of Belgrade, Serbia; and Lily Gray, Senior Liaison Officer, United Nations Educational, Scientific and Cultural Organization office in New York.

20. The Working Group then held an interactive discussion, during which the panellists responded to the comments and questions posed by the representatives of Costa Rica, the European Union, the United Kingdom, El Salvador, Argentina, Andorra, Algeria, Malta, Canada, Chile, Mauritius, Mexico, Czechia and Cameroon. In addition, statements were made by the representative of the National Human Rights Commission of India and by the representatives of the following NGOs: National Association of Community Legal Centres (Australia) and International Federation on Ageing.

21. At its 4th meeting, on 16 April, the Working Group continued its consideration of item 6 and the interactive discussion on the focus area, beginning with a panel discussion that included presentations by the following panellists: María Soledad Cisternas Reyes, Special Envoy of the Secretary-General on Disability and Accessibility; Matthias von Schwanenflügel, Director General of the Division of Demographic Change, Older People and Welfare, Germany; Karen S. Gomez-Dumpit, Commissioner on Human Rights, Philippines; Omobolanle Amaike, Associate Professor of Sociology, University of Lagos, Nigeria; and Alana Margaret Officer, Senior Health Adviser, World Health Organization.

22. The Working Group then held an interactive discussion, during which the panellists responded to the comments and questions posed by the representatives of Slovenia, Ecuador, Brazil, the United States of America, Sweden, Uruguay and Costa Rica. Statements were then made by the representative of the National Human Rights Commission of Nigeria and by the representatives of the following NGOs: AGE Platform Europe; Aging Research Center; HelpAge International; The Good Samaritan Social Service Tanzania; Older Women’s Network; International Association of Homes and Services for the Ageing; International Network for the Prevention of Elder Abuse; Humane Prison Hospice Project; 2Young2Retire;

International Longevity Centre (Canada); and German National Association of Senior Citizens' Organizations.

Panel discussion on social protection and social security (including social protection floors)

23. For its consideration of the item, the Working Group had before it a document submitted by the Department of Economic and Social Affairs in collaboration with the Office of the United Nations High Commissioner for Human Rights (OHCHR), entitled "Substantive inputs in the form of normative content for the development of a possible international standard on the focus areas 'Autonomy and independence' and 'Long-term and palliative care'" (A/AC.278/2019/CRP.4).

24. At its 5th meeting, on 17 April, the Working Group, after hearing a presentation by the economic, social and cultural rights team leader and the OHCHR human rights officer and focal point on older persons on its focus area "Social protection and social security (including social protection floors)", held an interactive panel discussion on the focus area, which included presentations by the following panellists: Rosa Kornfeld-Matte, Independent Expert on the enjoyment of all human rights by older persons; Adriana Elizabeth Rovira Benitez, Director, National Institute for Older Persons, Uruguay; Himanshu Rath, Founder and Chair, Agewell Foundation, India; and Vinicius Carvalho Pinheiro, Special Representative to the United Nations and Director of the International Labour Organization office in New York.

25. The Working Group then held an interactive discussion, during which the panellists responded to the comments and questions posed by the representatives of France, El Salvador, Costa Rica, the European Union, the United Kingdom, Argentina, Nigeria and Slovenia. Statements were made by the representative of the Organization of American States and by the representatives of the following national human rights institutions: National Human Rights Institute of India; German Institute for Human Rights; and National Human Rights Commission of Nigeria. In addition, statements were made by the representatives of the following NGOs: Association camerounaise pour la prise en charge de la personne âgée and Uganda Reach the Aged Association.

26. At its 6th meeting, on 17 April, the Working Group continued its consideration of item 6 and the interactive discussion on the focus area, holding a panel discussion under the item, and heard presentations by the following panellists: Güher Can Vural, Associate Expert, Ministry of Family, Labour and Social Services, Turkey; Tatiana Moskalkova, High Commissioner for Human Rights, Russian Federation; Andrew Kavala, Chair of the Civil Society Platform for Social Protection, Malawi; and Rodrigo Jiménez Sandoval, lawyer and consultant specializing in the human rights of older persons in Costa Rica.

27. The Working Group then held an interactive discussion, during which the panellists responded to the comments and questions posed by the representatives of Spain, Canada, Chile, Cameroon, Germany, Kenya and the United States. Statements were also made by the representatives of the following NGOs: Alzheimer's Disease International; International Network for the Prevention of Elder Abuse; Human Rights Watch; Japan Support Center for Activity and Research for Older People; International Longevity Centre Global Alliance; Age UK; and Gray Panthers.

Conclusion of item 6

28. For its consideration of the item, the Working Group had before it a document submitted by OHCHR, entitled "Substantive inputs on the focus area 'Social protection and social security (including social protection floors)'" (A/AC.278/2019/CRP.3).

29. At its 7th meeting, on 18 April, after hearing a presentation by the Chief of the Programme on Ageing of the Department of Economic and Social Affairs and the OHCHR economic, social and cultural rights team leader on the normative inputs on the focus areas of the ninth session, the Working Group continued its consideration of the item. Following a statement by the Chair, statements were made by the representatives of Mauritius, Costa Rica, Spain, Ecuador, Slovenia, the Dominican Republic, Germany and El Salvador. Statements were also made by the representatives of the following national human rights institutions: German Institute for Human Rights (also on behalf of the National Human Rights Commission of Nigeria, the Commission on Human Rights of the Philippines and the Office of the Ombudsperson of Haiti); and National Human Rights Commission of Nigeria.

30. Statements were also made by the representatives of the following NGOs: AGE Platform Europe; Center for the Human Rights of Users and Survivors of Psychiatry; Ageing Nepal; National Senior Citizen Federation (Nepal); CARE Rights (Republic of Korea); International Longevity Alliance; Generations United; Centre for Gerontological Studies (India); HelpAge International; NSINDAGIZA Organization (Rwanda); Dave Omokaro Foundation (Nigeria); Resource Integration Centre (Bangladesh); The Aged-care Rights Service (Australia); Association camerounaise pour la prise en charge de la personne âgée; Human Rights Watch; Fraternité Notre Dame; and Age International (United Kingdom) (on behalf of The Global Alliance for the Rights of Older People). Thereafter, a statement was made by the Special Envoy of the Secretary-General on Disability and Accessibility, whereupon the Working Group concluded its consideration of the item.

IV. Other matters

Discussion on the way forward

31. The Working Group considered item 7 at its 8th meeting, on 18 April, and held a discussion on the way forward. Following a statement by the Chair, statements were made by the representatives of the European Union, the Russian Federation, Austria, Slovenia, Uruguay, El Salvador, Argentina, China, Costa Rica, Paraguay, the Islamic Republic of Iran, Japan, Nigeria, Mexico, Brazil, Germany, Ecuador, Morocco, the United States, the United Kingdom and Chile, as well as by the observer for the Holy See.

32. At the same meeting, statements were made by the representatives of the following NGOs: National Old Folks of Liberia; HelpAge International; National Association of Community Legal Centres (Australia); German National Association of Senior Citizens' Organizations; and International Federation on Ageing. Thereafter, the Working Group concluded its consideration of the item.

V. Chair's summary of the key points of the discussions

33. At its 1st meeting, on 15 April, the Working Group agreed to include the Chair's summary of the key points of the discussions in the report of the session. The Chair's summary reads as follows:

Chair's summary of the key points of the discussions at the tenth session of the Open-ended Working Group on Ageing

The tenth session of the Open-ended Working Group on Ageing began with the election of officers. The Working Group elected by acclamation Roseny Fangco

(Philippines), Lidija Dravec (Slovenia) and María Luisa Portocarrero (Portugal) as Vice-Chairs; and Renne Abbey (Ghana) as Rapporteur.

Regarding the composition of the Bureau, allow me to express once again my great satisfaction that 80 per cent of its members are women, which represents a very significant and positive sign in the context of the efforts by Member States and regional groups to achieve gender parity at the United Nations.

The Working Group then adopted the agenda and programme of work for the session. It should be emphasized that the Working Group organized its work in accordance with the oral decision taken during the discussion on the way forward held during the ninth session, in July 2018. During the intersessional period, the Bureau proposed an organization of work based on: a general debate on the topic “Measures to enhance the promotion and protection of the human rights and dignity of older persons”; two interactive discussions on “Education, training, life-long learning and capacity-building” and “Social protection and social security (including social protection floors)”; an interactive discussion on normative elements to follow up on the examination of the focus areas of the ninth session (“Autonomy and independence” and “Long-term and palliative care”);¹ and a discussion on the way forward.

During the intersessional period, the Chair requested members of the Working Group (Member States and observer States) and other relevant stakeholders (national human rights institutions, intergovernmental organizations, United Nations agencies and NGOs) to submit substantive input on the two focus areas selected for the tenth session, based on two questionnaires prepared by OHCHR and the Department of Economic and Social Affairs. The Working Group received input from 36 Member States and observer States, 18 national human rights institutions, 2 intergovernmental organizations, 10 entities of the United Nations system and 40 accredited NGOs.

On the basis of the many contributions received, the Bureau, through OHCHR and the Department of Economic and Social Affairs, prepared an analytical discussion paper for each interactive discussion on the focus areas, making a summary of the contributions and highlighting areas of common ground and trends identified in the responses to the questionnaires. I wish to thank, in particular, OHCHR and the Department for preparing those papers, which helped to guide the interactive discussions. The documents enclosing the substantive input received and the discussion papers are available from the website of the Working Group.

Furthermore, as agreed by the Bureau during the intersessional period, the Working Group proceeded during its tenth session to hold an interactive discussion on normative elements to address the issues relating to the two focus areas of the ninth session, namely “Autonomy and independence” and “Long-term and palliative care”.

In that regard, during the intersessional period, the Chair requested members of the Working Group and other relevant stakeholders to submit normative input based on two questionnaires prepared by OHCHR and the Department of Economic and Social Affairs. The Working Group received input from 25 Member States and observer States, 1 intergovernmental organization, 16 national human rights institutions, 4 entities of the United Nations system and 37 accredited NGOs.

¹ During the discussion on the way forward held at the seventh session, the Working Group decided to focus its future sessions on specific issues that affected the enjoyment by older persons of their human rights. A list of the focus issues proposed by the members of the Group was included in the report on the seventh session (A/AC.278/2016/2, para. 29).

On the basis of those contributions, the Bureau, through OHCHR and the Department, prepared two compilation papers to guide the interactive discussion on normative elements.

Having adopted the agenda and programme of work, the Working Group considered the participation of A status national human rights institutions.² In accordance with decision 7/1 of the Working Group on the modalities of participation of national human rights institutions in its work (see [A/AC.278/2016/2](#), para. 10), requests from 14 such institutions were circulated to all Member States by the Secretariat four weeks prior to the tenth session.

The Working Group decided to apply the arrangement outlined by its former Chair (see [A/AC.278/2016/2](#), para. 29), whereby accredited national human rights institutions are able to take separate seating after Member States and observer States, to take the floor, without the right to vote, under any agenda item and to submit written contributions to the Working Group under any agenda item.

I would like to welcome the active participation and meaningful contributions of national human rights institutions to the discussions and work of the Working Group. Indeed, the Working Group continued to enhance their participation in its work, pursuant to the mandate provided by the General Assembly in its resolution [72/181](#) entitled “National institutions for the promotion and protection of human rights”.

The Working Group then proceeded to approve the participation of NGOs without consultative status with the Economic and Social Council that had requested accreditation. It received 36 such requests, submitted in accordance with the modalities of participation of NGOs in the work of the Working Group (see [A/AC.278/2011/2](#), para. 8).

In total, 289 representatives of NGOs registered to participate in the session, of which 105 representatives of 55 NGOs attended.

Subsequently, the Working Group held its general debate on the topic “Measures to enhance the promotion and protection of the human rights of older persons”. I appreciate and wish to acknowledge the active participation by the representatives of many Member States and observer States in the debate, and by those of groups of States, national human rights institutions, intergovernmental organizations and NGOs.

During the opening segment, I emphasized that interpretation services were being provided for the whole session for the first time, pursuant to General Assembly resolution [73/143](#) entitled “Follow-up to the Second World Assembly on Ageing”. I would like to thank the Department for General Assembly and Conference Management for its collaboration in the organization of this session.

The provision of interpretation services allows us to guarantee greater participation by all Member States, which is one of my main objectives as Chair, so that more Member States are involved in the debates and participate constructively in the sessions.

The number of Member States participating in the general debate of the tenth session increased significantly, with almost 20 more Member States taking part than

² National human rights institutions accorded A status by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions are considered to be in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), as endorsed by the General Assembly in its resolution [48/134](#).

in the ninth session, which is an excellent indication of increased interest in the actions of the Working Group.

During the general debate, delegations stressed the importance of increasing the visibility of the specific challenges faced by older persons in the global development policy framework and paying greater attention to them, including by identifying possible gaps and the best ways to address them. Delegations also stressed that population ageing could no longer be ignored, especially given that the proportion of older persons was growing at a faster rate than that of the general population.

The Working Group was recognized as the most prominent international forum specifically devoted to the rights of older persons. Many delegations expressed satisfaction with the working methodology that had been followed since 2016, which enabled actors to analyse several issues in depth.

That older persons can make a significant contribution to the social, economic and sustainable development of their societies, if an enabling environment and adequate guarantees are in place, was seen as undeniable. It is therefore imperative that older persons be fully empowered to allow them to effectively make such a contribution, becoming not only recipients of special care and social protection, but also the holders of specific rights and active, autonomous and independent agents and beneficiaries of change.

Several delegations made reference to the importance of further strengthening the implementation of the Madrid International Plan of Action on Ageing in order to achieve its goals and use it as a way to ensure the inclusion of older persons in the age-inclusive implementation of the 2030 Agenda for Sustainable Development and the attainment of the Sustainable Development Goals.

In addition, some delegations stressed that it was of the utmost importance to have a legally binding international instrument that would clearly establish the obligations of Member States regarding the protection of the human rights of older persons. Regional conventions, such as the Inter-American Convention on Protecting the Human Rights of Older Persons and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa, were identified as useful precedents, especially bearing in mind the decisions that were taken by regional human rights courts, which interpret international obligations.

Lastly, a large number of delegations highlighted and shared national practices and strategies relating to social protection and education aimed at guaranteeing better services and access to basic human rights for older persons.

Following the general debate, the Working Group held two interactive discussions on the focus areas of the tenth session, "Education, training, life-long learning and capacity-building" and "Social protection and social security (including social protection floors)". I would like to express my appreciation to the panellists for their excellent and substantive interventions, which provoked a deep and fruitful debate among the members, thereby contributing to the fulfilment of the Working Group's mandate to strengthen the protection of the human rights of older persons. The panellists included the Independent Expert on the enjoyment of all human rights by older persons and the Special Envoy of the Secretary-General on Disability and Accessibility, and representatives of OHCHR, national human rights institutions and national Governments.

Each debate was preceded by a panel discussion featuring presentations by a variety of stakeholders providing insights from different perspectives, such as the human rights treaty body system, current international human rights law, national and regional experiences, the specific human rights mandates and the national human rights institutions.

Each panel was followed by an interactive discussion involving all stakeholders, guided by the discussion papers prepared by OHCHR and the Department of Economic and Social Affairs, which summarized the main trends and areas of common ground to emerge from the input received prior to the session.

Education, training, life-long learning and capacity building

Panellists, delegations and participants welcomed the substantive discussion on a basic human right that is grounded in international human rights law and other international treaties.

The Universal Declaration of Human Rights was mentioned since it recognizes that everyone has the right to education that is directed to the full development of the human personality. Furthermore, the International Covenant on Economic, Social and Cultural Rights contains two articles on the right to education (arts. 13 and 14). Article 13, the longest provision in the Covenant, is the most wide-ranging and comprehensive article on the right to education in international human rights law. The right to education is also recognized in other international treaties, such as the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization, in which the right to continuous education without discrimination is recognized.

Participants indicated that, despite the existence of such provisions, the right to education had not specifically applied to the life course or to life-long learning within the international human rights framework.

It was also stated that many older persons continued to experience the denial of that fundamental right owing to numerous barriers, such as the lack of information on available education, the cost of training and ageist stereotypes. In that regard, some participants highlighted the need for a binding international instrument on the rights of older persons in order to hold States accountable on issues relevant to older persons, including the right to education.

Panellists mentioned that ensuring access to education and life-long learning for older persons meant that they could be more active and involved in their societies and that their self-esteem could also be improved because it promoted their individual autonomy. It was said that, despite the content of Sustainable Development Goal 4, its targets and indicators did not address the whole lifespan.

Delegations stressed that information technology courses were essential in order to reduce the digital gap, enabling older persons to be increasingly active in a digital society. Learning information technology meant not being excluded or isolated. In that context, the third intersessional conference, held in Vienna in 2018, was mentioned, in particular its outcome document regarding the human rights of older persons, including their right to education and life-long learning, in relation to technological developments, such as digitalization, robotics, automation and artificial intelligence.

Participants mentioned measures that had been implemented at the national level to improve access to education for older persons, such as digital skills training programmes and courses in which older persons shared their experiences with young people.

Social protection and social security (including social protection floors)

In terms of sources in international law, participants mentioned that the right to social security was grounded in international human rights law and that several treaties contained specific references to protection for older persons through social security schemes, as did elements of the 2030 Agenda.

The Universal Declaration of Human Rights recognizes that everyone has the right to social security. Furthermore, the right to social security and to an adequate standard of living for everyone are recognized in articles 9, 10 and 11 of the International Covenant on Economic, Social and Cultural Rights, while several other human rights treaties contain references to old age and the right to social security, including regional and international treaties. The provisions of regional instruments were also mentioned, including article 17 of the Inter-American Convention on Protecting the Human Rights of Older Persons, in which it is stated that “all older persons have the right to social security to protect them so that they can live in dignity”.

It was also stressed that the International Labour Organization (ILO) had adopted a normative framework on social security and old-age benefits through several conventions and recommendations, providing specific guidance on the realization by older persons of the right to social security and an adequate standard of living in order to support their health and well-being, including medical care and necessary social services.

In addition, the importance of recognizing the value of unpaid work was mentioned, especially work carried out by women in the informal economy. In that regard, the need to extend State pensions in a responsible manner was indicated, in order to reduce the financial inequalities faced by older persons, in particular older woman.

Many delegations stressed that they counted on constitutional provisions that recognized the right to social security or social protection, such as the Constitution of Costa Rica, which established the right to social security and provides measures to achieve the universalization of social insurance, and the Constitution of South Africa.

Panellists indicated that older persons should have access to effective judicial or other appropriate remedies, legal assistance and adequate reparation. In accordance with ILO standards, accountability mechanisms are central to strengthening and securing the implementation of old-age benefits, including through a rights-based approach.

Inadequate coverage under international human rights law and national law was identified by the panellists as one of the challenges to access to social protection. Such challenges are mainly related to discriminatory age limits on certain social security and social protection measures and to pension penalties for those who wish to continue working after retirement age, among others.

A large number of participants also shared good practices and examples of legislation that ensures the right to social protection for older persons and described their social protection systems.

Normative input on the focus areas of the ninth session

For the second time the Working Group focused its discussions on specific areas in which the enjoyment of human rights by older persons might be affected and require further protection. The goal of the interactive segment was to provide follow-up on the fruitful and substantive discussions held during the ninth session on “Autonomy and independence” and “Long-term and palliative care” and to continue to build on them from a normative point of view, in order to exchange views, best practices and specific elements.

The representatives of Member States, NGOs and national human rights institutions actively discussed the normative input. Some participants highlighted the urgent need to draft a legally binding international instrument to guarantee the rights of older persons, including their autonomy and independence and their right to long-

term and palliative care, and to challenge the systemic discrimination and barriers faced by older persons. Participants referred to the need to consider two regional instruments, the Inter-American Convention on Protecting the Human Rights of Older Persons and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa, when drafting a binding international instrument.

In relation to the rights to autonomy and independence, some participants stated that those rights should be included as an overarching principle that applied to every other right, as well as constitute specific rights in themselves. The need to develop normative standards that built upon and expanded the Convention on the Rights of Persons with Disabilities was also mentioned.

As stated in the documents submitted by the Department of Economic and Social Affairs and OHCHR, with respect to States that had become party to the Inter-American Convention on Protecting the Human Rights of Older Persons, the provisions of that treaty explicitly relating to autonomy and independence are part of the national legal order of those States. The International Covenant on Civil and Political Rights and the Convention for the Protection of Human Rights and Fundamental Freedoms also contain provisions that guarantee some autonomy and independence such as the right to respect for private and family life, and those guarantees also are part of the domestic legal order of some States.

The importance of studying the right to autonomy in the context of recognizing the legal capacity and guarantees relating to its exercise and respect for decisions taken in the exercise of that capacity was also mentioned. In terms of the possession and exercise of legal capacity by older persons, participants referred to the Convention on the Rights of Persons with Disabilities, which addresses the issue in relation to persons with disabilities. It was mentioned that the right to legal recognition of a person before the law was also included in other important human rights treaties, including the International Covenant on Civil and Political Rights (art. 16), the Convention on the Elimination of All Forms of Discrimination against Women (art. 15) and regional human rights treaties.

Participants pointed out the need to recognize that older persons were not a homogeneous group and to take into account the importance of intersectional discrimination in the enjoyment of the rights to autonomy and independence.

Furthermore, participants underlined the need to hold a discussion, possibly in the form of a panel comprising Member States, NGOs and national human rights institutions, to consider whether any international standard that might be developed should include some or all of the above elements as part of the rights to autonomy and independence.

It was agreed that the issues of long-term and palliative care would be addressed separately since they were not identical in scope and operation. It was also stated that those rights should be clearly and fully articulated in a normative document to guide States in its implementation. Participants also highlighted the need to better inform people about palliative care in order to increase knowledge about that right.

It was also noted that there was considerable variety in the ways in which long-term care services were provided: they varied in how they were legally guaranteed and regulated, whether they were underpinned by a human rights framework and whether they were adequately funded and appropriately monitored. In some States the process of providing or supporting the provision of long-term care services was still in its early stages, while others had a more highly developed system of long-term care.

Participants also asked that more time be devoted to discussing normative elements in future sessions of the Working Group. They also emphasized the need to

revise and update the OHCHR analytical outcome paper, entitled “Normative standards in international human rights law in relation to older persons”, which was adopted in 2012.

Way forward

During the discussion on the way forward, delegations expressed satisfaction with the development of the previous three sessions and their format of substantive discussions on two focus areas that directly affect the enjoyment of human rights by older persons. They also expressed support for continuing the practice of holding an interactive discussion on normative elements in order to address the focus areas of the previous session.

Member States also expressed their satisfaction with the working document prepared by the Department of Economic and Social Affairs and OHCHR based on the input provided by delegations. In my capacity as Chair, I proposed that members of the Group continue to work under that format, fostering substantive discussions on issues affecting the human rights of older persons. Delegations also proposed holding a panel discussion in the normative segment that would allow the Working Group to give greater importance to the debate and include presentations from experts in the field, especially international human rights experts, who could lead the discussion.

During the ninth session, I suggested to the members of the Working Group that they consider the possibility of concluding each session with specific outcomes in order to capitalize on the deliberations and reflect the agreements with regard to each area affecting the enjoyment of human rights by older persons. I stated that such outcomes could take many forms, such as a decision or declaration of the Working Group, which should be negotiated between Governments and reflect any common points identified in the focus areas examined from a normative perspective. The debates included presentations on important standards and aspects that would contribute to the drafting of an outcome document, in addition to my summary, which presents the session from a subjective viewpoint.

During the tenth session, I presented the proposal again in order to hold a transparent and consensual discussion with Member States and other actors regarding the format of the outcome document and the negotiation process. It was my intention to bring the proposal back to the table in order to receive suggestions and analyse the best way in which to approach the outcome document.

I explained that the document would be based on the input received for the focus areas that were examined from a normative perspective. That is why the first outcome document should include “Violence, neglect and abuse” and “Equality and non-discrimination”. The first section of the document would address the most basic and consensual elements of discrimination against older persons or how abuse against older persons is manifested. The second section of the document would include the recognition of measures necessary for States to meet the standards identified.

It is not my goal to have an extensive document that addresses controversial elements, but a concise two-page document that crystallizes the fruitful debates that have been held during the present session of the Working Group, in which we expressed areas of common ground that we had been able to identify.

I made it clear that the document would be non-binding and would be negotiated by Member States during the intersessional period and adopted at the eleventh session. I stated that it was not my intention to negotiate the outcome document during the session of the Working Group, which would last only four days, but during the prior intersessional period, and that it would be adopted during the eleventh session.

I also invited delegations to make suggestions about possible modalities for the negotiations. Furthermore, I stated that the Department of Economic and Social Affairs and OHCHR would offer advice and guidance on the content of the draft.

While a few delegations expressed their reservations about a negotiated outcome document, the majority encouraged the drafting of an outcome document reflecting the result of the discussions held during the sessions and asked for further clarification regarding the timelines of the negotiation and the topics to be covered.

Regarding the selection of the focus areas for the eleventh session of the Working Group, to be held in 2020, following informal consultations with Member States and observer States by the Bureau during the intersessional period, the Working Group made an oral decision to select the areas of “Access to justice” and “The right to work and access to the labour market”.

In particular, I proposed that the Working Group replicate the practice conducted during the previous intersessional period, whereby the Bureau called for normative elements to follow up on the issues that were examined during the tenth session, namely “Education, training, life-long learning and capacity-building” and “Social protection and social security (including social protection floors)”, based also on the contributions that were provided during the tenth session, since that method of work proved to be effective in order for the Working Group to fulfil its mandate.

As was the case in preparation for the tenth session, during the intersessional period the Bureau will call for contributions on the two focus areas of the tenth session, which will then be summarized and analysed by the Secretariat in order to guide our discussions on the selected areas.

I proposed continuing to work on that methodology, which allows the Working Group to hold a substantive discussion on two new focus areas per session, based on the contributions received prior to the session. Substantive input will be requested on those areas during the intersessional period prior to the session and the Bureau will then circulate analytical papers to guide the discussions held during the session. The Working Group will also continue to follow up on the focus areas of the previous session from a normative point of view and requesting normative inputs on those areas during the intersessional period prior to the session, and then circulate analytical papers to guide the discussions during the session.

The Bureau will, during the intersessional period, prepare the provisional programme of work for the eleventh session, which will include a general debate, a segment for discussing the normative input received with regard to the focus areas of the tenth session, two interactive discussions on the selected focus areas and the customary discussion on the way forward. The Bureau will also work on the draft of the outcome document that will be negotiated before the eleventh session, on the basis of consensus and transparency.

I would like to express my appreciation to the Secretariat for its constant support of the Working Group and for its outstanding professionalism and collaboration; the Focal Point on Ageing, Amal Abou Rafeh and her team, Julia Ferre and Shatho Nfila, of the Department of Economic and Social Affairs; and Denise Hauser and Rio Hada, of OHCHR. My gratitude goes also to the secretary of the Working Group, Henry Breed, and his team.

I would like once more to express my appreciation to the distinguished panellists for their substantive contributions to the work of the tenth session of the Working Group and to the representatives of the national human rights institutions, the United Nations system and civil society for their active participation and constructive engagement. We hope to continue to count on your valuable presence and

contributions in future sessions to help the Working Group to fulfil its mandate, and we look forward to your enhanced participation in that regard.

Lastly, I wish to express my sincere gratitude and profound appreciation to the distinguished Vice-Chairs and Rapporteur of the Working Group, Lidija Dravec of Slovenia, Roseny Fangco of the Philippines, María Luisa Portocarrero of Portugal and Renne Abbey of Ghana, without whose most valuable support and hard work and professionalism in conducting the work of the Bureau the session would not have been possible.

VI. Provisional agenda for the eleventh working session of the Open-ended Working Group on Ageing

34. At its 8th meeting, on 18 April, a statement was made by the Chair regarding the provisional agenda for the eleventh working session of the Working Group.

VII. Adoption of the report

35. At its 1st meeting, on 15 April, the Working Group was informed that the Chair's summary of the key points of the tenth working session would be finalized at a later stage by the Secretariat in collaboration with the Bureau and would be included in the present report.

36. At its 8th meeting, the Working Group adopted the draft report on its tenth working session, as contained in document [A/AC.278/2019/L.1](#).
