

13th Annual Meeting of the UNECE Standing Working Group on Aging

New and ongoing international initiatives in the area of ageing and the follow-up to the 2030 Agenda for Sustainable Development

Thursday, 19 November 2020 - 10h45-11h00

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UN Independent expert on the enjoyment of all human rights by older persons

Upholding human rights and dignity of older persons during the COVID-19 pandemic

Excellencies,

Ladies and Gentlemen,

- It is an honor to join you today and I would like to thank UNECE for the opportunity to participate in the annual meeting of its Standing Working Group on Aging and I would like to congratulate you to have established the group as a standing working group, which is very important for the furthering of the human rights for older persons.
- As most of you know I took up the mandate of the Independent Expert on the enjoyment of all human rights by older persons in May, in the midst of the COVID pandemic which has caused and continues to cause untold suffering across the world, with particularly worrying and wide-ranging impacts on older persons.
- Needless to say that I dedicated my first months as Independent Expert to examining, assessing and raising awareness about the dramatic effects of the pandemic on older persons from a human rights-based perspective.
- In particular, the very first thematic report presented by my mandate to the Third Committee of the General Assembly earlier this October (A/75/205) provided an initial insight into the impact of COVID on the human rights of older persons. The report builds upon a joint call for submissions with other Special Procedures and I would like to thank the many States that contributed, including from the European region. I would also like to thank all the states, civil society organisations and UN Agencies which took the chance to get engaged with me in the last months to raise awareness to the human right of older persons.
- In my intervention today, I would like to draw on my **report to the General Assembly** to highlight key findings and recommendations in the hope that they offer useful guidance in your ensuing discussions. It is also important to note that, as we all can see, the pandemic is still very much here and continued efforts are needed to monitor and assess its impacts. I am really looking forward to working with you all on this issues to find joint solutions to strengthen the rights of older persons and bring their perspective and their specific needs on our agenda.

Ladies and Gentlemen,

- First of all, the global pandemic has **amplified existing protection gaps and made them more visible**. However, these gaps were there well before the crisis and it is regretful that it took a global pandemic to put such an extensive spotlight on older persons and the human rights challenges associated with ageing. The UN Secretary General and the High

Commissioner stated quite clearly that older persons human rights have been violated widely and that the gaps in the rights framework need be closed on the international but also on the national level. My predecessor Rosa Kornfeld- Matte laid down evidence for the gaps in all her thematic and country reports and concluded that a new UN instrument on older persons would give guidance on how to better implement and strengthen the human rights of older persons.

- The pandemic has had very broad effects on the rights of older persons and confirmed that they are **disproportionately affected** in emergencies. Older persons have been denied health services; they have been physically and socially isolated; they have been exposed to violence, neglect and abuse; and exacerbated their experiences of lack of autonomy and participation in decision-making.
- Older women in particular have been targets of violence as lockdown measures increased the risks of abuse and neglect. But have not been mentioned when violence against women has been discussed. Older persons living in precarious conditions – such as refugee camps, informal settlements and prisons – also faced particular risks, due to overcrowded conditions, limited access to health services, water and sanitation facilities, etc.
- The pandemic also revealed **entrenched ageist attitudes**, including age-based discrimination and stigmatization of older persons. Derogatory remarks and hate speech targeting older persons have emerged in public discourse and on social media as expressions of inter-generational resentment, for example labelling older persons as burdens to societies. The pandemic has made very evident the urgent need to combat stigma and age discrimination.
- This is all the more necessary given how diverse and heterogeneous older persons are as a group and the multiple roles older persons play in society, including in the response to the pandemic, for example as caregivers, health workers, volunteers and community leaders.
- However, despite being in the spotlight in the context of the global pandemic, older persons remain chronically invisible. Indeed, the pandemic has exposed the **flagrant lack of data on older persons** and their lived realities. The mandate has examined this issue in depth in a recent report that I presented to the Human Rights Council this September.
- There is an acute need for additional and more granular data to develop evidence-based policies that are inclusive of older persons in their diversity. Without it, meaningful policymaking and normative action are practically impossible.
- This leads me to my next point on the **importance of a stronger normative framework, proactive policies and preventive measures** to close the protection gaps with respect to the rights of older persons beyond the response and recovery stages of the current pandemic. In a way, the global pandemic contributed to raising awareness about the need to act to better protect older persons and to recognizing that older persons must be heard and need to participate in decisions that concern them.
- In this context, I would like to reiterate the enduring validity and relevance of **the comprehensive report (A/HRC/33/44)** presented by my predecessor to the Human Rights Council in 2016. The report provides the analytical framework for advancing the human rights protection for older persons, while it concludes that existing arrangements are inadequate and that dedicated measures to strengthen the international protection regime are required.

- In this respect, 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. The international legal regime pertaining to the human rights of older persons is currently scattered, uneven and incomplete. It does not sufficiently cover crucial areas such as legal capacity, quality of care, long-term care, palliative care, assistance to victims of violence and abuse, available remedies, independence and autonomy, and the right to an adequate standard of living, in particular with regard to housing.
- I am nevertheless encouraged by the increased awareness about existing challenges and the recognition that action is needed to better protect the rights of older persons. In particular, the **Secretary General's policy brief** on the impact of COVID 19 on older persons published in May gave visibility to the risks and challenges older persons face and clearly called to strengthen the related legal framework. No less than 146 States showed support for the policy brief and pledged to fully promote and respect the dignity and rights of older persons and to mitigate the negative impacts during and after the pandemic.

Ladies and Gentlemen,

- To conclude my main priority, especially in light of the pandemic, is to keep the cause of older persons and the protection of their rights a top priority on the international agenda. I will strive to provide further analysis on existing challenges and protection gaps, raise awareness and contribute to the realization of the rights of older persons. In so doing I will do my utmost to continue working with States, international and regional organisations, civil society, and other actors.
- I am looking forward to keep engaging with you and thank you for your attention.