

REPORT

MAINSTREAMING KNOWLEDGE ON AGEING



*Bridging paths towards strengthening
protection and participation*

With the support of:

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I. PARTNERS/ACRONYMS

UNITAR	The United Nations Institute for Training and Research
UNDESA	The United Nations Department of Economic and Social Affairs
UNFPA	The United Nations Population Fund
IOM	The International Organization for Migration
UNWOMEN	The United Nations Entity for Gender Equality and the Empowerment of Women
UNHCR	United Nations High Commissioner for Refugees
WHO	World Health Organization
OHCHR	Office of the High Commissioner for Human Rights
ITU	The International Telecommunication Union
ILO	International Labour Organization
	The Group of Friends of the Human Rights of Older Persons UN Geneva
CIFAL Global Network	International Training Centers for Authorities and Leaders
	WHO Global Network for Age-friendly cities and Communities
HPOD	Harvard Law School Project on Disability
INPEA	The International Network for the Prevention of Elder Abuses
ILC Global Alliance	International Longevity Centre
	NGO Committee on Ageing Geneva
GIA	Global Initiative on Ageing Foundation



II. FOREWORD



2023 marked the 60th Anniversary of UNITAR and an opportunity to review our achievements and plan for the future.

Throughout this 60-year journey, the Institute has experienced a number of achievements in addressing a number of learning challenges with special attention to the needs of vulnerable groups.

Thanks to our special mandate on capacity building, we have worked on learning solutions to enhance decision-making and support impactful actions.

UNITAR has been especially satisfied with its work on ageing issues, in particular by emphasizing on the needs and potential of older persons, through the Virtual Roundtable Series “Mainstreaming Knowledge on Ageing” has been a positive contribution for strengthening partnerships, fostering capacities, and promoting inclusiveness by working with UN entities, States, networks of civil society organizations, and academia.

UNITAR is grateful to organize this series in partnership with our International Training Centers, -CIFAL Global Network,- UNDESA, UNFPA, IOM, UNWOMEN, UNHCR, WHO,

OHCHR, ITU, ILO, the Group of Friends of the Human Rights of Older Persons UN Geneva; the Global Initiative on Ageing Foundation, GIA; the International Network for the Prevention of Elder Abuses; the International Longevity Centre; and the NGO Committee on Ageing Geneva. and the Harvard Law School Project on Disability.

Since this multistakeholder effort started in 2022, people who used to be more familiar with the work of one or more of the partners are learning in a comprehensive manner. It has also paved the way for recognizing possible synergies to strengthen the protection of its rights as well as promoting the free, active, and meaningful participation of older persons.

This initiative has brought together more than 60 prestigious speakers and 1072 beneficiaries with different backgrounds, from 121 countries. As you may see in the figures, we have results clustered by gender, country, and sector. During these two years, 1554 persons have received access to the events.

Human rights of older persons and frontier issues, such as the demographic worldwide scenario, human mobility, digital divide, and climate change, have been the heart of our discussions.



2023 was the opportunity to focus on accessibility through the celebration of five events from May until November; these discussions served to better understand core elements on access to justice, labour markets, political participation, health and social services, cultural and leisure services, as well as engaging different actors. We added to this year's series a slot on the analysis of the legal gaps per topic, with a special emphasis on how the experience coming from the ageing process places older persons in strategic positions for being the main actors of their own destinies.

We have considered age, gender, geographic, sector balance, as well as other diversity elements to invite distinguished speakers for enriching the discussions. Their inspiring experiences as well as the participation of attendees from all regions, motivates us to keep working together on upcoming initiatives.

After each session, UNITAR prepared "Takeaway" documents, part of this report, by highlighting core ideas and adding relevant links as complementary information. The video-recordings of the sessions are also available at our Youtube channel and Moodle platform, with the certificates of participation to those who joined us at least 70% of the time.

UNITAR is committed to keep working on this Series through a culture of learning, inspired by the UN Decade of Healthy Ageing as well as the Agenda 2030 for Sustainable Development to leave no one behind and leverage the benefits of inclusive learning.

We are eager to keep building blocks for strengthening capacities on the ageing process; in particular, towards the effective protection, meaningful, free, and active participation of older persons.

On behalf of UNITAR, a big thank you for joining us. We warmly invite you to actively keep supporting this endeavor.

Stay tuned!



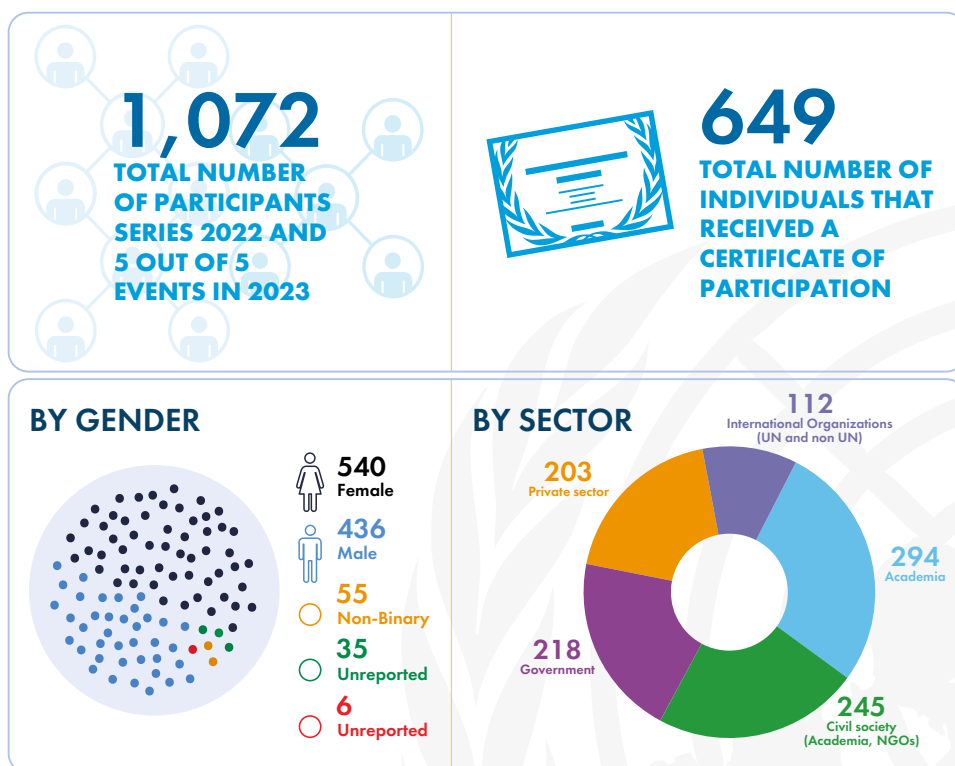
Mr Nikhil Seth
UN Assistant Secretary-General
Executive Director, UNITAR



RESULTS 2022-2023

424 persons participated in the 5 events of the series in 2022.

649 in 5 out 5 events of this year's series. The 5th and last event was placed on Thursday, at 9:30 (NY time)/ 15:30 (CET), on the 23 of November 2023.



HOW YOU CAN SUPPORT THE SERIES "MAINSTREAMING KNOWLEDGE ON AGEING"



1. Sharing suggestions, including on the topics to be covered in the series next year.
2. Participating as speakers or recommending profiles.
3. Sharing information within your networks about the series.
4. Considering in-kind or financial contributions to develop learning tools based on the series, interpretation or translation services, or related initiatives. As you know, UNITAR is a donor based funded UN entity, so any support in this regard will be more than welcome.
5. Raising awareness and using knowledge about the sensitivities around ageing and the human rights of older persons.
6. Placing this important topic as one of the priorities in your agendas!



III. OVERVIEW ON THE WHOLE SERIES

BACKGROUND INFORMATION

After having successfully taken stock of the current scenario of ageing and the human rights of older persons through the first round of this Series, we will keep fostering knowledge, empowerment, and partnerships by focusing this year on accessibility and its impact at the individual and collective levels.

In this regard, accessibility should not only be associated to persons with disabilities but with a wide spectrum of barriers that can affect different generations while ageing. Human dignity as the cornerstone for better societies is grounded on fair parameters for all; including, access to justice, labour markets, political participation, health and social care services, as well as cultural and leisure activities.

In our series, we view national, regional, and international standards, as well as public policies, programs, and other initiatives as key learning elements. In the same vein, we consider that heightening awareness of ICT/digital accessibility implementation from design is relevant to better understand how older persons can benefit from digital products and services as means to actively participate in political, cultural, and socio-economic activities. By involving diverse stakeholders as co-sponsors, experts, speakers, and attendees, we aim to enhance discussions and build stronger synergies towards achieving our common goal.

The human rights of older persons and frontier issues, such as the demographic worldwide scenario, gender, human mobility, digital divide, and climate change, will continue as the heart of our discussions. In this endeavor, UNITAR and its International Training Centers for Authorities and Leaders -CIFAL Global Network-, UNDESA, UNFPA, IOM, UNWOMEN, UNHCR, WHO, OHCHR, ITU and ILO; together with the Group of Friends of the Human Rights of Older Persons UN Geneva; the Global Initiative on Ageing Foundation, GIA; the International Network for the Prevention of Elder Abuses; the International Longevity Centre; and the NGO Committee on Ageing Geneva; and the Harvard Law School Project on Disability, have joined efforts to put together these initiatives as a contribution to inclusive learning in the framework of the UN Decade of Healthy Ageing.

LEARNING OBJECTIVES

1. Better understanding the impact of accessibility indifferent fields along ageing, in particular for older persons.
2. Learning from some good practices and challenges, including laws, policies, and strategies on accessibility issues, from different stakeholders.
3. Identifying possible ways to improve accessibility conditions for older persons.
4. Recognizing possible synergies for strengthening the protection as well as promoting the free, active, and meaningful participation of older persons.



TARGET AUDIENCE

The event is open to different actors interested in Ageing and the rights of older persons, including:

- Public sector officials, policy makers and practitioners
- International Organizations
- Civil Society
- National Human Rights Institutions
- Academia
- Private sector

This event as well as the upcoming ones from the virtual roundtable series were open and free to All. Each event presented a specific focus.

FORMAT

Online. Due to the worldwide situation caused by the pandemic, these events will be celebrated online with spirit of inclusion to allow participants from different parts of the world to join us.



IV. TAKEAWAYS

Under the guidance of Mr. Alex Mejía, Director, Division for People and Social Inclusion at UNITAR, the following takeaways have been prepared by Ms. Analucía Jácome, Senior Project Leader and Human Rights Expert, Mr. Rafael Padilla, SDP team, and Mr. Israel Ledesma, Graphic Designer. We hope you enjoy it!

Key focus of each event



FIRST EVENT

“Access to justice for older persons: Effective and participative systems”

BACKGROUND

Access to justice is a basic principle of the rule of law as the cornerstone for democratic governance and combating inequality and exclusion. Its effective application envisages guaranteeing people to exercise their rights, hold perpetrators and decision-makers accountable.

In the absence of access to justice, people are unable to have their voice heard; therefore, it is essential to count on measures in law and practice for providing fair, transparent, effective, non-discriminatory and accountable services that promote access to justice for all. As highlighted by States in the Declaration of the High-Level Meeting on the Rule of Law in 2012: The independence of the judicial system, together with its impartiality and integrity, is an essential prerequisite for upholding the rule of law and ensuring that there is no discrimination in the administration of justice.¹

This principle entails different challenges that could be deepened throughout the ageing process because of different factors, such as poverty or discrimination based on age, sex or gender, expression, sexual orientation, disability, national or social origin, migration status, health status, beliefs, political or other opinion, or the rural and urban divide.

Older persons, in particular, could face invisibility, lack of awareness of their rights, obligations, and existing mechanisms as well as lack of availability of effective systems and legal aid, besides of fear and shame to report abuses.

In this regard, this event will be an opportunity to better understand relevant elements to combatting ageism and other barriers for access to justice.

¹ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N12/478/66/PDF/N1247866.pdf?OpenElement>



ROUNDTABLE SERIES

MAINSTREAMING KNOWLEDGE ON AGEING

TAKEAWAYS



ACCESS TO JUSTICE FOR OLDER PERSONS: Effective and participative systems



22 JUNE
2023



9:30–11:10 (NY time)/
15:30–17:10 (CET)



This document has been prepared by the Division for People and Social Inclusion at UNITAR, Ms. Analucía Jácome, Senior Project Leader and Human Rights Expert, Mr. Rafael Padilla, SDP team, and Mr. Israel Ledesma, Graphic Designer. We hope you enjoy it!

MODERATOR



Mr. Alex Mejia

Director, Division for People and Social Inclusion
UNITAR

WELCOME REMARKS



Mr. Nikhil Seth

UN Assistant Secretary-General,
Executive Director, United Nations Institute for Training and Research
(UNITAR)

“Leaving no one behind implies addressing different vulnerabilities, including those coming from ageing.”

1. Last year, we took stock on the current situation of ageing from frontier issues, good practices, and challenges at local, regional, and international levels through existing mechanisms and initiatives in the framework of the United Nations. It was also the opportunity to learn from the roles of States, National Human Rights Institutions, civil society, academia, the private sector, and the work of UN entities in the field.
2. This year, we are going to focus on accessibility through the celebration of five events from today until November. These discussions will serve to better understand core elements on access to justice, labour markets, political participation, health and social services, cultural and leisure services, as well as engaging different actors.
3. Same as last year, Human Rights, the demographic worldwide scenario, human mobility, digital divide, gender, labor, and health issues, will continue as the heart of our discussions.
4. UNITAR's team strongly believes that joining efforts contributes to raising awareness and bridge paths for advancing ageing issues from a comprehensive manner.
5. The creation of spaces and initiatives to raise awareness, such as this series, represents an opportunity to enhance capabilities towards a culture of learning.

HIGHLIGHTS ON UNITAR

UNITAR is a United Nations autonomous body with the mission of developing the individual, institutional and organizational capacities of countries and other UN stakeholders through high quality learning solutions and related knowledge products and services to enhance decision-making and to support country-level action for overcoming global challenges. In this regard, the UN Decade of Healthy Ageing has triggered UNITAR's interest in approaching other UN entities, as well as States, academia, non-governmental organizations, and the private sector for organizing this Virtual Roundtable Series.



Focus: Barriers and good practices in access to justice at international level



Mr. Pradeep Wagle

Chief of the Economic, Social and Cultural Rights Section,
Office of the High Commissioner for Human Rights (OHCHR),
Geneva

“A significant challenge is that older persons may not be aware of their rights, and the available legal remedies provided for them by law due to limited access to information and lack of education about legal processes.”

1. Financial constraints including affordability of legal services and lack of free legal assistance are often the cases when older persons seek judicial remedies. Poverty poses a significant barrier for older persons, especially for those from developing and less developed countries as well as those living in rural areas.
2. Physical barriers and access to accessible buildings, transportation and other public services prevent many older persons from accessing to courts for legal aid. This is particularly problematic for people living in remote areas because most legal services are available in cities. This situation becomes even more serious when older persons have disabilities.
3. Court proceedings furthermore are often not adapted to older persons' needs and abilities and don't provide reasonable accommodation. Digitalization, which is the most advanced requirements of our modern life, creates additional barriers to older persons because the ambition of claims and documents in formal proceedings are increasingly processed electronically.
4. In some cases, cultural norms hinder access to justice for older persons, particularly for older women; they are often reluctant to resort the legal system to resolve disputes mainly because nonsense of honor same particularly regarding family matters, such as inheritance of property violence and abuse.
5. Besides these barriers, there are some promising practices which includes increasing awareness raising courts giving priority to older persons to expedite proceedings, provision of free legal assistance, mobile courts, community Law centers in remote areas, and use of hotlines for older persons. Essential elements of the right to access to justice could remain too general and not adequately adapted to overcome challenges.

HIGHLIGHTS ON THE WORK OF THE OHCHR AND ACCESS TO JUSTICE

The Economic, Social, and Cultural Rights Section of the OHCHR focuses on economic, social, and cultural rights as enshrined in international human rights instruments. The section has contributed to advancing access to justice for older persons, by doing research and analysis on the barriers faced and providing guidance on how to address these challenges. To this end, the Office works with member states, civil society organizations, academia, and other stakeholders.





FOOD FOR THOUGHT

Eight million older persons across the globe are facing significant challenges in accessing justice and remedy for their human rights violations. Access to justice for older persons is not just a matter of legal rights but a testament to our society's values and principles. We must recognize the challenges the older person face in every part of the world and collectively to ensure its responsive laws and policies processes and provide them with support and resources they need to seek Justice; by doing so, we will ensure just and equitable societies for all.

To better address this problem a comprehensive, dedicated international legally binding instrument on the human rights of older persons must be put in place to define all the elements of their rights specifically, as well as normative elements relating autonomy and legal capacity of older persons.

DO NOT FORGET!

The International Human Rights framework provides that access to justice is a core element of the rule of law. It is indeed a fundamental right and an essential requirement for the protection and promotion of all other human rights. The UDHR contemplates the right to equality before the law without discrimination, equal protection under the law, the right to an effective remedy for violations of these rights. The ICCPR requires States to guarantee that individuals have accessible and effective remedies to assert their rights.

The CESCR also recognizes that everyone has the right to an accessible, affordable, timely and effective judicial or administrative remedy. The ICRPD is the first international human rights instrument that enshrines the explicit rights to access to justice, falls for the elimination of obstacles and barriers faced by persons with disability in accessing justice on an equal basis with others. All these instruments enshrine access to justice, to be applied equally to older persons who are entitled to the same protections and guarantees in accessing justice as other individuals.

USEFUL SOURCES

- Relevant information on access to justice and remedies for older persons is available here:

[The 2030 Agenda and Human Rights \(un.org\)](https://www.un.org/development/desa/ageing/2030agenda/)

- Find here the working document submitted by the OHCHR -Substantive inputs in the form of normative content for the development of a possible international standard on the focus areas “right to work and access to the labour market” and “access to justice.”

[A AC.278. 2022 CRP.2 \(un.org\)](https://www.un.org/development/desa/ageing/2030agenda/)

- Learn more about the work the OHCHR spearheads within the UN system in the spirit of improving the access to human rights tools and processes by older persons here:

<https://www.ohchr.org/en/older-persons>



Focus: National protection systems in the Americas region



Mr. Joel Hernández García

Commissioner, Inter-American Commission on Human Rights (IACHR),
Organization of American States

“Organs of the Inter -American System have pointed out that the right to judicial protection entails the duty of States to provide an effective judicial remedy against acts that violate the rights of persons under their jurisdiction.”

1. The Interamerican Commission has recently published its first report on the human rights of older persons and national protection systems. It provides a unique guide highlighting the historical process of recognizing older persons as subjects of international protection, as well as the recent development of international standards to guarantee human rights, including access to justice through its 4th chapter.
2. The principle of equality and the prohibition of discrimination has been recognized as a norm of “jus-cogens” -compelling law- within the inter-American system. This includes age discrimination and the explicit mandate to prohibit intersectional discrimination. Eradicating age discrimination must also consider the confluence of other criteria that exacerbate the vulnerability of older persons, such as gender, ethnicity, racial origin economic condition, and other factors.
3. These guarantees require some adjustments to be enjoyed by older persons. Accordingly, the Interamerican Convention on Older Persons combines various aspects involving the right to access to justice for older persons, such as respect for equality and non -discrimination, the importance of the time factor in judicial proceedings, in cases involving claims of violations of the rights of older persons, preferential and differential treatment, the need for procedural adjustments, and training on the rights of older persons for personnel working in the administration of justice.
4. Legal capacity is critical for older persons to access justice. Under International Human Rights Law, States in the Americas have committed to adopt measures to provide the access to the support they may need to exercise their legal capacity, and to ensure that in all actions, regarding the exercise of the legal capacity, appropriate and effective safeguards are provided to prevent them from abuse. These standards are not abstract regulations. The contrary, the Commission observes that some of these guarantees are already in place in several countries in the hemisphere.

HIGHLIGHTS ON THE WORK OF THE IACHR AND ACCESS TO JUSTICE

The concern and attention for older persons has been spread across different documents, reports, cases and jurisprudence and international treaties within the Organization of American states, bodies, and mandate. The Commission observes the “American Declaration of the Rights and Duties of Man” and other inter-American treaties, especially the Convention on Older Persons in 2015, to analyze the obligation of American States in favor of older persons.

IACHR Inter-American
Commission on
Human Rights



5. Some American States have undertaken measures to guarantee due diligence and preferential treatment for older adults in processing, resolving, and enforcing decisions of administrative and judicial proceedings. Legislation on access to justice for older persons is contained in specialized norms of general nature, as well as the standards related to bio disposition patients are retirement. Regarding programs for the judicial protection of older persons, the Commission has found that the care for other adults has been addressed in protocols with specific guidelines and directives for these purposes.
6. Furthermore, some countries reported having alert systems that inform justice operators of the existence of proceedings involving older persons, so that proceedings can move-on on a faster timeline. Likewise, there are services for access to justice in cases involving undocumented persons, disposessions, and mistreatments, as well as the implementation of measures to achieve closer contact between the prosecutorial investigation and the victims of crimes, including elderly victims of crime.



TO BEAR IN MIND

When approaching the right to access to justice and older persons, it is critical to understand their exposure to discrimination and violence because these are obstacles to exercising the right to justice. Ageism is a source of violence against this group. Prejudices and stereotypes surrounding older persons, especially older women, concerning the alleged defenselessness due to supposed cognitive decline, their health situation, dependence, lack of autonomy, and reduced values as productive members of society, expose them to an elevated risk of being victims of violence.

REMEMBER

Structural inequality restricts access to justice for specific segments of society, including older persons. In neutral terms, every older person has a right to a hearing. With due guarantees and with a reasonable time, by a competent, independent,

and impartial tribunal, previously established by law in the substantiation of any accusation of a criminal nature made against them, or simply for the termination of the rights and obligations.

USEFUL SOURCES

- We warmly invite you to read the Interamerican Convention on protecting the Human Rights of Older Persons (A-70)

[Click here](#)

- The Report “Human Rights of the elderly and national protection systems in the Americas”.

[Click here](#)

- To learn more about the work of the IACHR on the Rights of Older Persons.

[Click here](#)



Focus: National experience on access to justice



Mme. Gladice Pickering

Executive Director,
Ministry of Justice,
Namibia

“Access to justice for older persons in the country is important because they are almost a minority group, considering there is mostly a youthful population.”

1. The Constitution of Namibia enshrines equality and freedom from discrimination in various grounds of all persons, including equality before the law. In the same vein, there is Namibian jurisprudence from courts, laws, and policies, on discrimination based on age as not tolerated nor allowed.
2. The Namibian Ministry of Justice have been granting legal aid to applicants over the age of 60 years in domestic violence, maintenance, and civil matters, respectively. This has become more common in recent years because of economic conditions where older persons possess their own houses or immovable properties, but they have difficulty in paying taxes and municipal bills for water and electricity because of economic hardship.
3. Where their houses are becoming the subject of a creditors' warrant of execution where the property is attached to settle a debt, the Ministry has been going to court to ensure that these goods are not attached for the settlement of debts. Older persons are there for safeguarded that they will not lose their property for the settlement of debt.
4. Legal aid is granted to older persons in divorce cases and to litigants over the age of 60 years in criminal matters. Likewise, correctional service facilities are specifically adapted to the needs of older persons when they are sentenced to custodial sentences. In labour cases, Legal aid is also granted to older persons where they face disputes or where they are engaged in disputes with their employers or former employers because at the age of 60 disputes arise with regards to the settlement of severance packages.
5. Namibia also faces challenges in access to justice for older persons, including inaccessibility to the legal aid scheme by this group in rural areas because of the remoteness of the places where they live. There is also a lack of understanding about the processes as well as lack of processes in place to enable them to understand their rights and the steps they need to go through. Another challenge is the many languages spoken in Namibia, together with an inadequate prioritization of cases involving older persons.

HIGHLIGHTS ON NAMIBIA AND ACCESS TO JUSTICE

Legal Aid is a statutory service or scheme in the Ministry of Justice of the Republic of Namibia that was established under the Legal Aid, Act 29 of 1990 as amended. It is administered by the Legal Aid Directorate which mandate is to provide legal aid at State expense. The objective of the scheme is to ensure access to justice by providing equality before the law, the right to counsel and the right to a fair trial.





DID YOU KNOW?

Namibia has a successful legal aid scheme with a relevant impact on the right to access to justice for older persons; in particular, through the Legal Aid Act - Act 29 of 1990. Among other provisions, in the case of minors, veterans, people in extreme financial hardship, a person in custody or a person otherwise unable to pay mandatory contributions, the Director for legal aid has the right to waive the requirement for the payment of that contribution.

INTERESTING PRACTICE!

The Maintenance Act for Namibia provides for children to care for their elder parents, where the parents are unable to take care of themselves and in need of support or maintenance. The country also has a very progressive social network in terms of providing pension for older persons. When a person reaches the age of 60 years, they immediately receive a social grant from the government, which is revised on an annual basis, with an updated amount, as needed.

USEFUL SOURCES

- Learn more about the Legal Aid Act 29 of 1990.

[Click here](#)



Focus: Good practices on participative systems



Mr. Daniel Uribe Terán

Lead Program Officer, South Center
Former Coordinator of the Chamber of Case Selection,
Constitutional Court of Ecuador

“There is a need for promoting and encouraging older persons engagement with the judiciary, not only because it is an obligation of the State, but also because their participation can actually improve judicial systems, while also improving the quality of life and respect of human rights for all.”

1. A good example of how judicial participation by older persons can achieve the promotion of human rights, and particularly towards guaranteeing truth, reparation, memory and non-recurrence happens in Argentina. There is the group “Mothers of the Plaza de Mayo,” now grandmothers, an initiative recognized worldwide for its efforts to find missing persons and children during the 20th century. The judicial process started in 1977 by a group of grandmothers filling a suit of Habeas Corpus and requesting the State of Argentina to denounce missing children and suspend all the adoption processes. There was a concern that these adoptions were carried out with children taken out from their families by the dictatorship.

The group started to visit courthouses, tribunals, and orphanages weekly, looking for their grandchildren, and starting to use the system to stop the adoption of children that were forcefully separated from their families. In 1980 the grandmothers started finding their children. They used the Inter-American Commission of Human Rights as a regional mechanism; they also used it for establishing a new law, which was adopted in 1980 that established the National Bank of Genetic Data, with the objective of requesting the restitution of the identity of children that were illegitimately appropriated during the dictatorship. By using this law, so far, 132 grandchildren have been found; they have recovered their real identity, and also have joined the grandmothers.

HIGHLIGHTS ON THE SOUTH CENTER

The South Centre is an intergovernmental organization of developing countries. The Center undertakes research and analysis oriented on various international policy areas that are relevant to the protection and promotion of the development interests of developing countries. It provides advice to developing countries for combining their efforts and expertise to promote their common interests in the international arena.

**SOUTH
CENTRE**

2. Another example, is happening now with the creation of “The Senior Women for Climate Protection Movement,” which is a group of Swiss female pensioners that established and brought a claim against Switzerland in the European Court of Justice. They argue that the State has not done enough in the face of rising temperatures climate change has put them at risk of dying because of heat waves. Europe has one of the highest numbers of death because of heat waves during summer. This group has established a process right now in Switzerland and then into the European Court of Justice, requesting this Court to determine their right to be protected and at the same time recognizing the obligation of the State to start taking climate action with regards to their rights as older persons.



3. There is the case *Poblete Vilches and Others v. Chile*, where the Inter-American Court had the opportunity to pronounce itself for the first time about the rights of older persons in the field of health. The Court recognized there is a need to build national plans to address the issue of ageing in a comprehensive manner that not only considers the vulnerability of older persons, but also their protection role for benefiting the whole of society. To do so, there is a need for States to enact legislation to facilitate access to social security systems and judicial systems. It also recognized the need for special protection and comprehensive care in order to respect their autonomy and independence.
4. The Constitutional Court of Colombia has focused on cases of older persons requiring immediate protection. In particular, the idea is to avoid subjecting them to procedures of an ordinary judicial system, by reducing the time of cases and allowing less complexity in the process.
5. Argentina has settled a unit of “mobile public defenders” to represent older persons in tribunals. By reducing the complexity of the procedures for older persons, a characteristic effect towards the reform of the whole judicial system is possible, making the judicial system a little bit better.



IMPORTANT

There are still issues that have to be addressed, for example: Preferential treatment in the processing, resolution and execution of decisions: special diligence in cases where the health or life of the older persons is at risk; the creation of special courts for older persons or the existence of a public entity dedicated to the defense of their rights; courtroom adaptations (sound amplification and lighting, etc.) in the handling of court hearings, case management, etc.; capacity building is also required, not only with respect to knowledge on their rights, but also considering the use of digital technologies, and simplification of databases and websites; access to financial resources to cover adapted reforms, including capacity building of court officials and judges, and infrastructure that guarantees universal access, access to internet and energy transition.

TO BEAR IN MIND

Regarding digital transformation and digitalization of judicial systems and in governance, it is important to understand that most of the population, including older persons, doesn't have access to internet nor the necessary infrastructure to guarantee access to that kind of processes. This is related to structural challenges that countries face, in particular, developing countries.

USEFUL SOURCES

- Abuelas Plaza de Mayo. <https://abuelas.org.ar>
- Association of Swiss Senior Women for Climate Protection v. Federal Department of the Environment Transport, Energy and Communications (DETEC) and Others. [Click here](#)
- Case *Poblete Vilches and Others v. Chile*. [Click here](#)



Focus: Analysis on the legal gaps on access to justice for older persons at international level



Dr. Michael Ashley Stein

Co-founder and Executive Director of the Harvard Law School Project on Disability, Visiting Professor at Harvard Law School

“Ageing, much like disability, is a cross cutting issue. It affects us across nationalities, across gender, across racial backgrounds, across all different types of backgrounds and so both of them are intersectional and we must always consider all the secondary levels of discrimination and opportunities for inclusion, like poverty, rural status and other factors, as having a great impact.”

1. Although older persons were not particularly included in the UN programming nor policy for the implementation of the Convention on the Rights of Persons with Disabilities, there is a wonderful turnaround on behalf of the 1.3 billion persons with disabilities since the adoption of this instrument on December 13, 2006. There have been measures to implement the Convention on the Rights of Persons with Disabilities by all UN agencies, as well as the creation of laws and policies across the world through the 187 States that have ratified it.
2. Discussing access to justice for older persons, should consider some of the same stigma and prejudice that preclude persons with disabilities. People who are older or who have disabilities face stigma in accessing justice based upon their ability to hear, to see, to recall events, to mobilize, or to move.
3. There are some cases of older persons relating to fraud, deceit, and other forms of abuse, including sexual violence, that encounter the same difficulties as judges, magistrates, referees, police, and others refuse to believe their accounts. Older persons are not seen, they are not heard, and they are turned away.
4. Most persons with disabilities across the globe have been subject to guardianship, which prevents them from having an array of rights, including access to justice. The issue of guardianship is severe. Under the basic form, which is complete guardianship, persons with disabilities, older persons and the group that overlaps between them, are prevented from bearing witness in court, from proceeding with actions in court, from acting as witnesses or even defendants in court.

HIGHLIGHTS ON THE HARVARD LAW SCHOOL PROJECT ON DISABILITY

HPOD has demonstrated a steadfast dedication to empowering civil society and other actors by fostering knowledgeable and discerning advocacy for Human Rights. Their endeavours encompass a range of activities, including the provision of comprehensive human rights training and education, the facilitation of international law and policy development, the promotion of inclusive practices in development, the dissemination of technical assistance pertaining to strategic litigation, and the cultivation of innovative perspectives regarding the capabilities of persons with disabilities and their entitlement to human rights.



Harvard Law School
Project on Disability



5. Likewise, some older persons can be unfamiliar with or reluctant to access technology, but that is going back to the bare essence of prejudice. It is important to do research, thinking and experimentation in those realms for identifying the best way to support older persons in making their own decisions.



CURIOUS FACT

Legal capacity and its articulation was the most controversial article within the CRPD during the negotiations. It was the article that received the most pushback from States in the realm of ratification, including reservations, declarations, and understandings in opposition to it.

REMEMEBER!

It is important to understand that there are times and competencies in areas in which older persons may want more, or less support in making those decisions. In doing so, it is key to carefully avoid underestimating their capabilities and to provide adequate support.

USEFUL SOURCES

- Convention on the Rights of Persons with Disabilities.

[Click here](#)

- Committee on the Rights of Persons with Disabilities, General Comment No. 1: Article 12: Equal recognition before the law.

[Click here](#)



SECOND EVENT

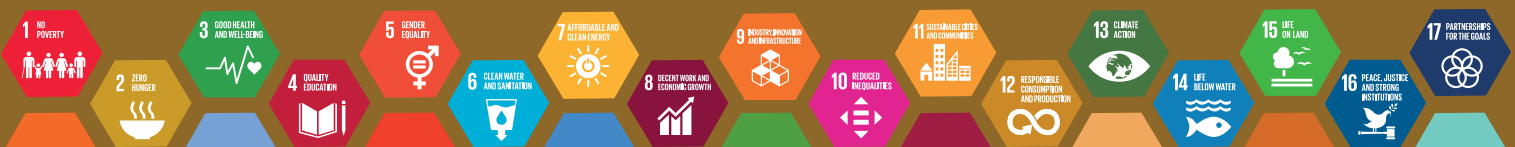
“Access to labor markets for older persons: Challenges and opportunities throughout the ageing process”

BACKGROUND

Ageing dynamics along with technological developments and globalization have triggered different impacts on labor markets. Unparalleled socio-economic opportunities and challenges have merged by shaping new job options beyond traditional borders, including how people acquire skills offline and online.

On the one hand, longevity and youth bulges can offer a new set of opportunities for growth and better jobs through labor and skills policies as well as other measures; on the other hand, demographic shifts can also represent a challenge for maintaining social cohesion due to substantial inequalities in the access to work, including segmentation of workers by their form of employment, their age, gender, or location, both between countries but also within countries' urban and rural areas.

In this regard, older persons may face barriers either to exercising their right to continue working or to retire from paid employment. Although this group is not homogeneous because of existing differences between individuals of the same age in terms of functional capacities, abilities and skills, work experience and expertise, etc., a shared concern arises when age is simplified to a number by leaving humanity behind. Therefore, learning about the benefits coming from access to labor markets for older persons paves the way towards inclusive societies, where this group can continue participating in public life, with socio-economic benefits for oneself, one's family, friends, and community, with a psychological sense of self-worth, dignity, and fulfilment.



ROUNDTABLE SERIES


MAINSTREAMING KNOWLEDGE ON AGEING

TAKEAWAYS

ACCESS TO LABOR MARKETS
FOR OLDER PERSONS:

Challenges and opportunities throughout the ageing process


26 JULY
2023


9:30–11:10 (NY time)/
15:30–17:10 (CET)


This document has been prepared by the Division for People and Social Inclusion at UNITAR, Ms. Analucía Jácome, Senior Project Leader and Human Rights Expert, Mr. Rafael Padilla, SDP team, and Mr. Israel Ledesma, Graphic Designer. We hope you enjoy it!

MODERATOR



Mr. Alex Mejia

Director, Division for People and Social Inclusion
UNITAR

KEYNOTE SPEAKER



Mme. Claudia Mahler

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

“If we manage to reduce ageism and also support the interrelatedness between younger and older workers in the labour market, this would be a success for all of us.”

1. Humanity is reaching a decade where there will be more older persons than children under five for the first time. In this regard, efforts on access to labour markets through the ageing process should be done; there are fewer younger persons, lesser younger workers, than older workers. Therefore, there is a need to enable all to have access to labour markets as well as the same opportunities to work.
2. Older persons are entitled to the right to work, including access to labour markets, but they face structural barriers because of ageism. The current Human Rights framework does not tackle this issue in the right way. A prohibition on age discrimination is still pending; even though the labour laws are the ones who are most elaborated on age discrimination, ageism with negative stereotypes in different shapes are present in the labour markets, and related policies, actions, and laws.
3. A lifecycle approach shall be considered; otherwise, not all older persons have the same chances as others, and they don't have the plans to fully enjoy their human rights.

HIGHLIGHTS ON THE MANDATE OF THE UN INDEPENDENT EXPERT ON THE ENJOYMENT OF HUMAN RIGHTS BY OLDER PERSONS

Mme. Claudia Mahler assumed her role of Independent Expert (IE) in May 2020. Since the establishment of the mandate by the HRC in 2013, the mandate holder assess the implementation of national, regional, and international standards relevant to the rights of older persons; she/he also identifies, exchanges, and promotes best practices relating to the promotion and protection of these rights, including through official country visits. Furthermore, the IE prepares and presents several thematic reports and recommendations to the Human Rights Council and to the General Assembly. Interest in approaching other UN entities, as well as States, academia, non-governmental organizations, and the private sector for organizing this Virtual Roundtable Series.



4. The Universal Declaration on Human Rights has recognized the right to access to labour markets, together with a non-discrimination clause. Although some International Conventions guarantee the right to work for individuals, including the International Covenant on Economic, Social and Cultural Rights and Convention on the Rights of Persons with Disabilities, age is not considered.
5. There is a clear need of a Human Rights Convention which tackles this issue from a broad perspective, including an intersectional approach and challenges for protecting older persons in their full diversity, considering gender, disabilities, migrant and indigenous background as well as all the difficulties they are facing due to stereotypes embedded in societies.



TO BEAR IN MIND

Governments need to prepare themselves to get active and include older persons in their labour markets, through specific measures to bring them back, or bring them into the market. The knowledge, wisdom and productivity of this group shall be taken into account.

Find the IE's latest thematic reports here:

[Documents Listing](#) | [OHCHR](#)



Focus: Inclusive responsive employment and labour market policies



Mme. Dorothea Schmidt-Klau

Chief of the Employment, Labour Markets and Youth Branch of the Department of Employment Policy, Job Creation and Livelihoods, EMPLAB, at the UN International Labour Organization

“People need life-course approaches, whether for personal or professional development.”

1. Longevity has doubled since 1900, which is the fastest change ever. The old age population will grow by over 300% over the course of this century, alone by comparison to the working age population that will only grow by 50%. Developing countries will age most rapidly. Less developed countries will see their older population rise by nearly 350%, compared to 70% in developed countries. Population ageing is happening more quickly than ever.
2. The change in old age dependency ratios, or in dependency ratios in general has an important impact. With very few temporary exceptions, old age dependency ratios are changing dramatically in all regions. They are changing most dramatically in northern, southern, and western Europe which is the top line.
3. The demand for long term care is going to increase tremendously because people live longer. Luckily, they live healthier; however, there are challenges due to this long-time effect. The transition to retirement has become more difficult. For example, some European countries have more people in transition from work into poverty, in particular women.
4. Lifelong learning is essential. We need to strengthen social protection and income security, including pension credits for care workers, otherwise we are going to lose women. They will just retire into poverty. We need policies to support new working patterns and active ageing, which is all about occupational safety and health, etc.
5. The elaboration of good policies in this regard need to keep in mind that there are other mega drivers. We need to see how ageing societies or demographic shifts are linked to digitalization, decarbonization, and globalization.

HIGHLIGHTS ON THE WORK OF THE EMPLOYMENT, LABOUR MARKETS AND YOUTH BRANCH, EMPLAB, AND LABOUR MARKETS SERVICES FOR TRANSITIONS

The work of the EMPLAB branch is guided by international normative and policy instruments (notably the Employment Policy Convention No. 122) relevant to the promotion of employment and decent jobs for all.

The branch responds to the demands and needs of ILO constituents, and other relevant development stakeholders. Its services consider the specific circumstances of countries in terms of the economic and labour market situation, and sectoral composition, along with the challenges faced by different population groups (youth, working age, older workers) and different types of workers (formal, informal), including the most vulnerable ones.

EMPLAB seeks to influence policy change through social dialogue and participatory practices. Its Geneva-based staff teams up with ILO employment specialists in the different regions to offer coordinated responses to contextual, contemporary challenges.

EMPLAB supports governments, and workers' and employers' organisations to develop and implement gender-responsive employment and labour market policies with a focus on youth, in line with the 2030 Agenda for Sustainable Development.



International
Labour
Organization





DID YOU KNOW?

90% of long-time care workers are women in the majority of G-20 countries, this is an occurrence of huge significance for women and their access to employment. There is a gender component, and we have to be very careful because women have more difficulties throughout their work life, but these difficulties do not stop when they become older, they actually increase. We need to make sure that women and men have equal opportunities. We need to have targeted policies and accept that work live careers are not as before - it's not from school to job to retirement-; there are many versions of that path and this needs to be taken into account.

CURIOUS FACT

When pensions were introduced in Germany in 1889, life expectancy was 40 years, meaning that almost nobody reached pension age. Now the average age is 80 or even above, which means that far majority of people ask for their pension and will continue doing so for a very long time.

FOOD FOR THOUGHT

No matter whether emerging, developing, or developed economies, the ageing population is reflected in rising numbers of older persons in the workforce and in rising labour force participation rates. Thereby, noticeable in rising shares of older workers within the workforce in all regions, no exception whatsoever, and for men and women alike. This has significant economic consequences and impacts for labour markets.

MYTH!

Some people consider that older persons don't learn as easily as young people. Research has clearly shown that this is true only if they interrupt learning throughout their lives. For example: If older persons have learned languages throughout their lives, it's just as easy to do it at the age of 60 as it was at the age of 20; but, if they stop at 20 and then they try to learn another language at 60, it's almost impossible.

POLICY RECOMMENDATIONS

We need to make sure that we don't lose people on their way to becoming a healthy and productive older worker.

- Public employment services must have special services for older workers because their needs are different.
- Even if they have the same skills and the same motivation, if there are no jobs for them, it is of no help.
- Raising awareness in the working environments for implementing inclusive policies.
- Strengthening or creating adequate institutionalities.

USEFUL SOURCES

- Employment, Labour Markets and Youth Branch (EMPLAB) | [Link](#)
- Public employment services and active labour market policies for transitions: Responses to mega trends and crises | [Link](#)
- Digitalization and Employment, A Review | [Link](#)
- An uneven and gender-unequal COVID-19 recovery: Update on gender and employment trends 2021 | [Link](#)



Focus: The use of ICTs for the inclusion of older persons in labor markets



Ms. Roxana Widmer-Iliescu
Senior Coordinator Digital Inclusion
International Telecommunication Union (ITU)

“Almost 80% of the jobs will be transformed by including a digital component. Indeed, what in our day does not have a digital component?”

1. This world is increasingly becoming digital; therefore, we need to adapt to this new digital environment. Access to labour markets for older persons can be facilitated by inclusiveness through digital tools.
2. The very first step is to incorporate appropriate technology and to ensure that it is digitally accessible for everyone. Without this, we risk creating a huge digital gap, like never, ever before.
3. We speak about these opportunities that new technology can provide, but we also have to ensure that people have the possibility to afford the payment of the internet access as well as the right equipment, which in fact should be adapted to everyone needs.
4. An accessible technology is a smart technology which can be equally used by, let's say, a person with visual disability, or with hearing impairment, or by young person, and also by an older person, because we can play with the accessibility features.
5. One in four, one in three in some parts of the world, will be 60 years and above. This calls for a concrete and immediate action to ensure that everyone is skilled to be able to contribute to the socioeconomic global system. Older persons should be viewed as contributors to societies.

HIGHLIGHTS ON THE WORK OF THE ITU AND THE DIGITAL TRANSFORMATION

The focus of the Digital Transformation priority is on (1) the development and use of telecommunications/ICTs, as well as applications and services, to close the digital divide and empower people and societies for sustainable development; (2) support to the ITU-D membership in fostering digital transformation through ICT entrepreneurship and increased ICT innovation in the ICT ecosystem, while encouraging the empowerment of grassroots stakeholders and creating new opportunities for them in the telecommunication/ICT sector. This is of critical importance as societies adapt to changes, including in the aftermath of the coronavirus disease (COVID-19) pandemic and with the future prospect of other global disasters. In this process, there is a need to recognize the needs of women, youth, persons with disabilities and persons with specific needs.





REMEMBER

It is very important to change a little bit the usual way we approach the topic of older persons. Not all older persons are vulnerable. Of course, that age and age-related disabilities are there but we still have the chance to age in a digital world and in a world in which, with all this evolution in terms of health and everything, many of these challenges can be overcome.

USEFUL SOURCES

ITU offers over 70 resources in ICT accessibility and about 10 resources on ageing. All ITU tools and resources are free of charge. Many of ITU resources are provided in multiple languages, localised where relevant, and most of these such as training courses, are additionally provided in digital accessible formats.

The Telecommunication Development Sector (ITU-D) provides a platform for its Members and Partners to engage and collaborate with the aim of making digital transformation play a catalytic role in helping the world achieve the United Nations adopted Sustainable Development Goals by 2030. Members have the opportunity to influence the decisions that impact their business. Partners have the opportunity to participate in their high-impact projects through co-financing. Their members can be partners, and non-Member Partners are welcome to join as Members.

By becoming an ITU-D member, you can participate in all ITU-D activities, including conferences, industry groups, Tech Talks, study groups, etc.

Everybody can contribute to mainstreaming knowledge on ageing, to create programs and policies to promote age diversity, to involve all end users!

- ITU work in [Ageing in a digital world \(itu.int\)](https://www.itu.int/en/ITU-D/WorkshopsandEvents/Pages/default.aspx)
- [ITU Report on ageing in a digital world](#)
- ITU Telecommunications accessibility guidelines for older persons and persons with disabilities (F.790) | [Link](#)
- ITU-D [ICTs for better ageing and livelihood in the digital landscape](#). Online self-paced training available in English, French and Spanish. *To take the training course you must first register with the ITU Academy if you do not have yet an account.*
- [Ageing in a digital world](#) - from vulnerable to valuable. Available with captions in [Arabic](#), [Chinese](#), [English](#), [French](#), [Russian](#) and [Spanish](#).
- ITU work in [ICT Digital Accessibility](#) - ITU Resolutions, Global commitment and Resources.
- [Resources on ICT/digital accessibility \(itu.int\)](#)



Focus: The demographic impact on labor markets



Mr. Michael Herrmann

Adviser, Economics and Demography,
the United Nations Population Fund (UNFPA)

“There must be an ageing strategy. It’s about the young, it’s about the old. It’s everybody in between.”

1. In November last year, the world population reached the 8 billion mark, and in the decades to come, the world population will continue to grow. However, underneath this global trend, there’s an increasing diversity, in demographic terms, among the countries.
2. More than 60% of the world population already live in countries where the total fertility rate that’s the average number of children per woman is 2.1 or less. So, this fall in fertility at the global level is the driver of population ageing at a regional or subnational or national level. Migration is another factor that contributes to rapid population ageing. So, population ageing is really the overarching demographic trend of the century. Many observers, not just policymakers but academics, have termed population ageing a population bomb.
3. Demographic dependency ratios are at the heart of many of the anxieties that countries have about ageing. We have also heard about the pressure on healthcare systems, on pension systems, and on social protection systems.
4. It would be wrong to draw a hasty conclusion that the ageing might negatively impact innovation or productive capacities. Countries are worried for other reasons with regards to ageing, they have to do with political and military might, but also about ethnic and cultural shifts of certain parts of the population.
5. Maybe the most common dependency ratio is to look at everybody under the age of 15 and everybody above the age of 65 in relationship to those in between and say everybody between those ages is of working age and everybody outside is dependent.

HIGHLIGHTS ON THE UNFPA AND ACCESS TO LABOR MARKETS

The UNFPA has created the Demographic Resilience Program to work with countries addressing demographic anxieties. It’s based on evidence and grounded in human rights to make sure that policy responses to demographic societies don’t contradict human rights or threaten a rollback. Its overarching objective is to help build societies that are resilient to and can thrive amidst demographic change. It requires that governments understand, plan for and shape demographic changes. Governments must systematically consider population data and projections and plan ahead. It’s also based on strengthening human capital throughout the life course. Another element of this program is helping countries build social systems based on population projections and actuarial analysis that are resilient to demographic change, infrastructure, service, and delivery.



There's another way of looking at dependency that's not chronological, but it's rather perspective. We count from the probable day or year of our death. We could say we don't automatically become dependent when we are 65, we become dependent when we are about ten years, 15 years away from our probable death. It has something to do with healthy life expectancy, which has increased a lot.

If we were to calculate dependency ratios that way, we will see that dependency ratios are also going to increase, but much less because we also live much longer. We are much healthier, and we have healthy life expectancies. A healthy life expectancy is not as long as life expectancy, but if we take that into consideration – the potential for longer work lives – dependency ratios don't increase as dramatically.



CURIOUS FACT

Although older persons create fewer new companies than younger persons, these survive longer.

DID YOU KNOW?

The UNFPA is working with 150 countries around the world to address demographic issues. While looking at the policy responses of countries, the UNFPA's team has realized that countries don't really anticipate population ageing. Likewise, they have highlighted that ageing is happening at the same time as other megatrends; it's difficult enough to think about ageing alone, but it strongly interacts with digitization, which has hugely important implications for the new world of work.

IMPORTANT

There is a need of designing social systems that fit for the new ageing reality and are cognizant of life paths that are much less linear than before. Moreover, the adoption of a life course

perspective on age that starts on childhood should be considered as a process, not as a state. We have to shift away from the approaches we currently have, which are reactive, negative, and fragmented, and more towards approaches that are forward looking, positive, and integrated.

USEFUL SOURCES

Learn more about the UNFPA's work and understanding of population dynamics, human rights, and cultural sensitivities through their Demographic Resilience Program and online data portal here:

National Transfer Accounts: Understanding the Generational Economy

[Link](#)

Ageing

[Link](#)



Focus: Discrimination challenges in labor markets



Mme. Anna Chabiera
Office of the Commissioner
for Human Rights of Poland

“The pervasiveness of ageism globally is such that discrimination, marginalization and exclusion of older persons are anticipated as the norm.”

1. The termination of employment for the sole reason of achieving retirement age is an example of discrimination in labour markets. 40% of our society does not perceive this act as discrimination; some people see it as a normal thing, to fire someone because he or she reached to retirement age. Although the existence of legislation that prohibits discrimination in labour markets, there is a huge awareness gap.
2. Only one third of the population has enough knowledge to tackle this issue and proceed with actions to combat this situation. This broader issue is tackled on a global level; the right to access labour markets is interconnected with other rights, with the right to health, the right to education, so we cannot tackle rights separately from each other because they are interconnected.
3. National Human Rights Institutions, NHRIs, deal with legislations, laws, and policies on an everyday basis because this is the right actor to tackle institutional ageism. For example, the global report on ageism published by the WHO refers to the laws, rules, social norms, policies and practices that institutions utilise to unfairly restrict opportunities and systematically disadvantage individuals because of their age.
4. The Office of the Commissioner for Human Rights of Poland would like to commission a more in-depth analysis of Polish legislation and public policies to tackle institutional ageism.
5. Likewise, it is important to advocate for a new UN Convention on the Human Rights for older persons at national, regional, and global levels, as this would give us the international standards which should be implemented, and which would assure the right to work to older persons.

HIGHLIGHTS ON THE OFFICE OF THE COMMISSIONER FOR HUMAN RIGHTS OF POLAND

The National Human Rights is an equality body, which has other combined tasks with the title of an equality body. They monitor the state of equal treatment on labour markets and also on the ground of age, both in a legal framework and in practice. Polish law prohibits discrimination on the ground of age in the sector of employment – in line with the relevant EU legislation. It is the only sector where age discrimination is prohibited explicitly in Polish legislation.

As an equality body, they conduct research on discrimination. In one of the surveys, they frequently conduct since some years ago, they ask about examples of acts of discrimination and whether they perceive such acts as discrimination or not.



COMMISSIONER
FOR HUMAN RIGHTS





TO BEAR IN MIND

People with retirement age are not able to work because of social protections; this assumption directly impacts the policies and laws that should be making it less difficult for older persons to access labour markets.

COUNTRY REFERENCE

The definition of an unemployed person in Polish law indicates that there is “a person of working age.” In Poland, working age is until 60 for women and until 65 for men. It seems that the social protection in retirement age reduces the right to work in older age, as the measures foreseen for people in working age are not working for the benefit of older persons.

USEFUL SOURCES

Public Information Bulletin of the Polish Commissioner for Human Rights

<https://bip.brpo.gov.pl/pl>

NHRIs recommend to read the following document, entitled -“Substantive inputs in the form of normative content for the development of a possible international standard on the focus areas “right to work and access to the labour market” and “access to justice” - submitted by the Office of the High Commissioner to the Human Rights to the 12 Session of the Open-ended Working Group on Ageing Twelfth Session.

[Link](#)



Focus: Analysis on the legal gaps at international level on access to labor markets for older persons



Dr. Michael Ashley Stein

Co-founder and Executive Director of the Harvard Law School Project on Disability,
Visiting Professor at Harvard Law School

“How can we create societies where those who have contributed in various ways can feel that they are valued as older persons?”

1. We should ask ourselves: Where is the efficiency for knowledge on how the workplace works? Where is the efficiency for mentoring individuals?
2. We no longer try to assess efficiency by the idea of producing 40 widgets in an hour. It's based upon other ideas and larger benefits to the larger group of employees, and why we should not include those as part of efficiency.
3. We have populations of marginalized people who are considered as extra or excess. It is important to reflect on who it was, who was excluded from the labour market after 2008, and who was excluded from COVID relief systems during the Pandemic.
4. There is a tension between economics and efficiency, and between human rights and dignity. They're not mutually exclusive, but they are two different languages with two different goals. Each of them has certain values that are embedded in them that perhaps don't always come across.
5. If we're going to simply use one packet of ideas rather than the others from the economic position, there are several solutions to the idea of older persons' unemployment. One is the delayed retirement that the OECD and other entities have been pressing for. The other is mass immigration, which is not going to happen for reasons of politics, culture, etc.

This is not an acceptable answer to someone who cares about dignity. Overall questions as we move forward that need to be discussed include the impact of Artificial Intelligence, the idea of cognitive load, and the idea that telework can and should be a viable alternative.

HIGHLIGHTS ON THE HARVARD LAW SCHOOL PROJECT ON DISABILITY

HPOD has demonstrated a steadfast dedication to empowering civil society and other actors by fostering knowledgeable and discerning advocacy for Human Rights. Their endeavours encompass a range of activities, including the provision of comprehensive human rights training and education, the facilitation of international law and policy development, the promotion of inclusive practices in development, the dissemination of technical assistance pertaining to strategic litigation, and the cultivation of innovative perspectives regarding the capabilities of persons with disabilities and their entitlement to human rights.



Harvard Law School
Project on Disability





FOOD FOR THOUGHT

Authorities may be thinking about the price of gas now, the cost of social protection or who will re-elect them now. If we are going to use this as a pivot point, how can we create societies where those who have contributed in various ways can feel that they are valued as older persons? The hidden costs faced when the newer, younger, cheaper worker has to figure out how the workplace, must need to be considered as well.

IMPORTANT

That older persons can contribute with their experience and their knowledge is one thing, but we don't talk about inefficiency for older workers when it is about their institutional memories and how they understand how places of business work, whether their own particular ones or similar ones that they operate. Where is the efficiency for knowledge and knowing how the workplace works? Where is the efficiency for mentoring individuals? Where are the costs hidden? As far as we know about training, we know about hiring and retention?

REMEMEBER!

When we think about Information and Communication Technologies, we ought to be thinking, what are the values that underlie employers? What are the values that underlie labour markets? What are the values of creating social policies and what is it that we want to support and what is it that we may want to turn away from or change with AI? If anything, the numbers range between 800 million and 1 billion jobs lost between 2030 to 2035. The persons who are older and who are alleged not to be as adept at ICT, where will they fit in this? Planning and inclusion must be done, but this is a problem because politicians have budgets and short mandates of power, not prioritizing long term solutions.

USEFUL SOURCES

Convention on the Rights of Persons with Disabilities | [Link](#)



THIRD EVENT

“Access to political participation: Ageing with dignity through democratic societies”

BACKGROUND

One of the core aspects for the effective promotion and protection of Human Rights is political and public participation at different levels. Its absence deters the rule of law, democratic governance, social inclusion, and economic development, and implies political repression while triggering a wide range of problems against peace and security.

The right to participate in political and public life is crucial to empower individuals and groups towards prosper and inclusive societies for all. In this regard, the active, meaningful, and free participation and engagement of older persons in political issues can ensure a more vital, healthy, and meaningful ageing process; therefore, ageism shall be considered as a barrier for the empowerment of voices and actions for change.

In the same vein, although the age requirements for voting vary from one country to another, same as its mandatory aspect, adequate conditions in access to political participation should be available for older persons through effective mechanisms. It is imperative the recognition and respect of their wisdom, productivity, and contributions without overlooking years as a simple number.

Political participation of older persons has been holistically embedded in the Madrid International Plan of Action on Ageing due to the interdependency of all human rights. What impacts at political level also resonates at economic and social levels and vice versa. Therefore, learning about the benefits and challenges coming from access to political participation of older persons is key to better understanding the interconnection between sustainable livelihoods and the new demographic dynamics.



ROUNDTABLE SERIES

MAINSTREAMING KNOWLEDGE ON AGEING

TAKEAWAYS



ACCESS TO POLITICAL PARTICIPATION: Ageing with dignity through democratic societies



21 SEPTEMBER
2023



9:30–11:10 (NY time)/
15:30–17:10 (CET)



This document has been prepared by the Division for People and Social Inclusion at UNITAR, Ms. Analucía Jácome, Senior Project Leader and Human Rights Expert, Mr. Rafael Padilla, SDP team, and Mr. Israel Ledesma, Graphic Designer. We hope you enjoy it!

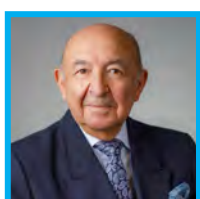
MODERATOR



Mr. Alex Mejia

Director, Division for People and Social Inclusion
UNITAR

KEYNOTE SPEAKER



H.E. Amb. Luis Benigno Gallegos Chiriboga

Former Minister of Foreign Affairs of the Republic of Ecuador
UNITAR's Chair of the Board of Trustees
President of the Global Initiative on Ageing Foundation, GIA

“Older persons shall be the main actors of their own destinies, including through political participation.”

1. Dynamics can change even under the same legal framework. While some authorities may focus on public policies and other initiatives for the effective participation of older persons, others have preferred to prioritize other issues disregarding the significant opinion and potential of this group.
2. Decision-making should be centred on human rights. One of the core aspects of their effective promotion and protection is political and public participation at different levels. Its absence deters the rule of law, democratic governance, social inclusion, and economic development, and implies political repression while triggering a wide range of problems against peace and security.
3. Learning about some implications of the political participation of older persons in parliaments, as well as the impact of the work of parliamentarians in the lives of older persons, is important to raise awareness about a more vital, healthy, and meaningful ageing process.

HIGHLIGHTS ON UNITAR AND GIA

About UNITAR. The Institute is a United Nations autonomous body with the mission of developing the individual, institutional and organizational capacities of countries and other UN stakeholders through high quality learning solutions and related knowledge products and services to enhance decision-making and to support country-level action for overcoming global challenges. In this regard, the UN Decade of Healthy Ageing has triggered UNITAR's interest in approaching other UN entities, as well as States, academia, non-governmental organizations, and the private sector for organizing this Virtual Roundtable Series.

About The Global Initiative on Ageing Foundation. GIA is focused on 4 pillars: Multilateral Affairs, Public Policies, Capacity Building as well as Advocacy and Action. It works on an articulated strategy to address ageing issues from different perspectives, including human rights, labor, health, education, and science, towards the adoption of an International Convention on the rights of older persons as an ulterior objective.



Focus: Sharing knowledge from experience as parliamentarian



Hon. Antonio Augusto Eduardo Namburete

Member of Parliament of Mozambique, Vice-President of the African Parliamentarian Network Against Corruption (APNAC)

“Participation happens where citizens can decide on who should represent them or they can be elected without discrimination.”

1. It is important that people express their views and opinion to make sure that their elected representatives understand and respond to their needs and concerns.
2. In order to ensure that older persons enjoy their political and public participation rights at local and national levels, there should be a quota system settled by laws. They should have seats in the consultative bodies where policies and strategies are decided; furthermore, they should actively participate through their organizations of retirees or through the labor unions.
3. Older persons should be encouraged to use social media to make their voice heard. For example, Facebook is a very instrumental tool that could be used to interact with political candidates and leaders. This kind of tools can also serve to raise awareness and mobilize communities about the situation and contribution of older persons.
4. Older persons can engage in mentoring of younger politicians. Likewise, initiatives to encourage institutions to provide internships for older persons in the area, according to their physical conditions, could be valuable. This kind of initiatives can help them to feel alive and actively participate in different processes.
5. Continuing education and training programs for older persons could be helpful to keep them active. Thus, they can be updated to start or continue actively participating in political processes, related to different issues.
6. We see a trend that people are growing older, and our societies tend to neglect older persons, their views, knowledge and experiences. If their experience is passed to younger generations, it can be very beneficial for society as a whole.

HIGHLIGHTS ON MOZAMBIQUE'S EFFORTS TO PROMOTE THE PARTICIPATION OF OLDER PERSONS

Mozambique has not yet formally accepted the International Covenant on Economic, Social, and Cultural Rights. However, the country has ratified various crucial human rights agreements at both international and regional levels. Numerous policies, tools, and initiatives are in effect in Mozambique to safeguard the rights of older persons, such as the National Policy for Older People, the Basic Social Subsidy Programme, and the proposed Law on the Advancement and Safeguarding of Older People's Rights.

There is a survey on these resources that underscores the State's endeavors and obstacles in safeguarding and advancing the rights of older persons. Both, women and men, disclosed that they usually face age-based discrimination; nevertheless, they expressed their active engagement in political and community spheres.





IMPORTANT

Being old and physically weak does not necessarily mean losing the ability to reason. Being an older person means that you have gone through all the stages of life, so you have some knowledge that should be maximized in the sense that we put it to the service of our community.

FOOD FOR THOUGHT

Political participation can take different forms, from voting for representatives or political parties to standing for elections; from working on political campaigns to participating in protests or strikes; from writing letters to the representatives or signing petitions to mobilizing the community on a common agenda.

USEFUL SOURCES

- Older people's lives at risk: Addressing the crisis in Mozambique | [Link](#)
- The rights of older people in Mozambique | [Link](#)



Focus: Sharing knowledge from experience as parliamentarian



Hon. Sirpa Pietikainen

Member of the European Parliament Intergroup

"Active Ageing, Intergenerational Solidarity and Family Policies", Finland

"Age itself doesn't prevent the political participation."

1. There has been hidden discrimination against older persons in different forms, including in political participation. There might be diseases that have an impact on human lives but age itself doesn't. In this regard, it is important to enable and ensure the engagement and representation of older persons in decision-making processes.
2. Usually, young people are sitting in decision making positions, planning of digitalization, equipment, services, etc. Regarding elections, there is a change of generation in politics. If someone is 65, 70, close to 80 or beyond, he or she is considered too old.
3. Good societies are formed by diverse people, including older persons; mainstreaming knowledge on ageing is a good step towards this goal. Likewise, it would be suitable a campaign to have a proportional number of older persons represented in elections; a similar campaign that EU have done for getting adequate numbers of women with a proportional amount of different age groups in different decision-making processes.
4. For improving participation processes, it is important to study different needs of older persons, by considering different challenges such as visibility, hearing, touching, mobility, as well as neurogenerative diseases.
5. In this regard, the Think Tank of the European Parliament prepared a study on ageing policies by focusing on access to services in different Member States. It focuses on five areas: economic activity, social participation, health and well-being, long-term care, and supportive environments including housing, transportation, and securing financial independence. It presents the challenges and trends in achieving active ageing policy goals in those areas, as well as the impact of the COVID-19 pandemic.

HIGHLIGHTS ON FINLAND'S EFFORTS TO PROMOTE THE PARTICIPATION OF OLDER PERSONS

Finland has begun seeking new ways to respond to the needs for care and support of older persons with declined functional ability. Producing more innovatively and effectively services for them will likely slow down the increase in social and health care costs in the coming years.

The Finish Ministry of Social Affairs and Health sets out the policy concerning ageing in its strategy, in legislation, quality recommendations, programmes and projects. The aim of the ageing policy is to promote older person's functional ability, independent living, and active participation in society.





DID YOU KNOW?

The European Parliament considers that all people have the right to good quality and accessible treatment that is tailored for their needs and their wishes. In this regard, older persons can have tailor services, including through digitalization and planning with different people.

USEFUL SOURCES

- Think Tank of the European Parliament | [Link](#)
- Quality recommendation to guarantee a good quality of life and improved services for older persons 2020–2023: The Aim is an Age-friendly Finland | [Link](#)
- National Programme on Ageing 2030: For an age-competent Finland | [Link](#)



Focus: Addressing the hidden discrimination older persons face and advocating for inclusive strategies and considerations in policy planning and digitalization



Dr. Firas Alhadithoi

Executive Director, Global Organization
of Parliamentarians Against Corruption (GOPAC)

“Hidden discrimination that older persons face and advocate for inclusive strategies and considerations in policy planning and digitalization.”

1. Older persons represent an important segment of our societies to whom we owe a lot. They are an increasingly significant force that deserves to be recognized by society, whether politically, economically, or socially. For the future, this means to continuously integrate and empower older persons; in particular, by removing the barriers and obstacles that exclude or discriminate them.
2. In this context, it is essential to underline the negative impact of corruption on society in general, as it compromises the equity of institutions and the State's ability to provide relevant services, such as judicial services and participation. Corruption in the rule of law system weakens accountability structures and fosters a culture of impunity.
3. In the specific case of older persons, the main issue linked to their vulnerability in modern societies is financial abuse, which can be defined as any fraudulent behaviour that goes against their best interest and informed consent to take advantage of their finances.
4. That is why it is important to criminalize the financial exploitation of older persons and encourage law enforcement agencies to combat cases of economic crimes. Another solution is to take political measures to enable older persons to participate in decision-making processes and to integrate their perspective in judicial resolutions, whether by developing organization to represent their interests, or by facilitating their integration into legislative and judicial institution.
5. In addition to protecting older persons from corruption, we should learn not only to respect their wisdom, but also to use it as a guiding force in political decision-making. This group needs to be actively involved in shaping our political landscape in order to develop a corruption free society.

HIGHLIGHTS ON THE GLOBAL ORGANIZATION OF PARLIAMENTARIANS AGAINST CORRUPTION (GOPAC)

GOPAC aims to achieve accountability and transparency through effective anti-corruption mechanisms and inclusive participation and cooperation between parliamentarians, government, and civil society. They are current or former legislators or legislators who have been denied their right to take office. Their collaboration is non-partisan. GOPAC's programming model uses Global Task Forces (GTF) to promote agendas identified by membership through a regionally representative group of parliamentarians that champion each topic. GOPAC is the only international network of parliamentarians focused solely on combating corruption. Its members represent more than 50 countries in all regions of the world.

GOPAC

GLOBAL ORGANIZATION OF PARLIAMENTARIANS AGAINST CORRUPTION
ORGANISATION INTERNATIONALE DES PARLEMENTAIRES CONTRE LA CORRUPTION
المنظمة العالمية للبرلمانيين ضد الفساد





DON'T FORGET!

The mechanisms of financial exploitation can take various forms, such as theft, lending, force gifts, deception, or denial of the legal solutions that can be offered in this context, together with the lack of strengthening specific legislation aimed at prohibiting the most obvious deceptive practices.

USEFUL SOURCES

Learn more about GOPAC's work and understanding of the synergy between older persons, women, and political participation through their PoSOP Global Task Force and Women in Parliaments links here:

[Link 1](#) | [Link 2](#)



Focus: The negative impact of corruption on society and the need to protect older persons from corruption



Ms. Silvia Perel-Levin
INPEA, ILC GA,
& Geneva NGO Committee on Ageing

“We should never forget that older persons also need to enjoy their civil and political rights.”

1. When we talk about the human rights of older persons, many immediately refer to the social, economic, and cultural rights, by immediately focusing on social protection and care support.
2. We must not equal age with wisdom because not everybody is wise, not everybody has all the capacities, but at the same time, not all older persons are frail. We don't call them elderly, we call them older persons, or we refer to them as persons. We must not to categorize them as one group of people with similar characteristics. The right to political participation with any ability should extend to the end of our lives and again, not to equal, ignore their politicians with age.
3. Older women are much less active and visible in politics than older men because they have also lived a life course perspective of discrimination or lack of access to political activity.

Regarding engaging older persons towards their participation, including in consultative bodies, they can feel very comfortable in having opinions and being consulted on issues that relate to their children, grandchildren, their country or countries, to the world. In this regard, States should have more participatory processes that go beyond the topics that directly affect older persons.

4. We all know and accept that everybody talks about older persons playing multiple roles and contributing to societies and communities; however, some people have referred to this issue from a paternalistic way which is not adequately or formally acknowledged. The contributions of this group are not always recognized; for example, unequal treatment on job matters, including informal and not remunerated jobs as well as unfair payments, compared to other persons for the same job.
5. A UN Convention on the Human Rights of older persons will guide governments to have a human rights-based approach to include this group in all aspects of life, including in social political life.

HIGHLIGHTS ON THE INTERNATIONAL NETWORK FOR THE PREVENTION OF ELDER ABUSE (INPEA)

The NGO Committee on Ageing encompasses civil society organizations with an interest on older persons and population ageing. Its members participate at the Headquarters of the United Nations (Geneva, New York, and Vienna;) while each Committee specializes in the processes that are based in its respective location, there is interaction and collaboration among them on many topics and initiatives across the United Nations.



NGO Committee on Ageing
GENEVA





GOOD PRACTICES

- There are countries and governments in Europe, including, Ireland, Austria, and Switzerland where senior councils exist and participate in legislative and policy processes. However, many of these senior councils where the participation of older persons is a reality are generally limited to the issues that directly affect older persons. ***We should not limit older persons to be only consulted on the topics that relate to them!***

- When we participate in our community, political activities, protest, etc, where at times, hundreds of thousands of people come together, high rates of intergenerational activity and interactions take place. All types of persons are able to attend these demonstrations, including different people with different age, gender, background, and disabilities. This is a good example of political participation by older persons.

In going out of social isolation and going through active socialization processes with persons of all ages, political participation has a great impact on people beyond the contribution to the community or the society.

- The Knitting Nanas, an Australian political activism group, is a good example of a group of older women who are part of the movement against climate change, fracking, and gas extraction in their country. After being severely discriminated by the younger people, expecting the older women to make tea for them, they decided to participate politically – they want to make an impact.

- They created their group against all odds, prejudices, and stereotypes of what older women and grandmothers are supposed to be – knitting grandmothers that are able to take it to the extreme. They started blocking roads, performing road sit-ins, meeting and expressing their views, eventually becoming a national movement with a great deal of respect.

That these older women are not just meeting, that they are actually powerful activists in an important topic such as climate change, is proof that political participation by older persons is a reality.

TO BEAR IN MIND

Ageism is a root source of the barriers that older persons face when they try to exercise their human rights.

USEFUL SOURCES

- Public Information on the International Network for the Prevention of Elder Abuse here: <http://www.inpea.net/>

- INPEA Instruments and definitions can be found here: [Link](#)



Focus: The experience of Georgia in age-related barriers in politics



Ms. Nino Shalamberidze
Ombudsman Office of Georgia

“In order to effectively realize the electoral rights of older persons, it is important for them to access the existing legislative and institutional spaces to make appropriate changes.”

1. In Georgia, older persons are exposed to negative attitudes and ageism in access to health care, employment, while facing increasing barriers to their political participation by becoming more dependent than others and losing some or all their personal autonomy. The public defender discusses these problems and provides the reasonable recommendations to the State. Nevertheless, the State fails to take effective measures to improve the well-being of older persons.
2. The level of representation of older persons in the legislative authority is substantial in Georgia; however, the same cannot be said for local self-governments where they are largely excluded for participation in the policy-making process.
3. Regarding the access to political participation by older persons, the State should ensure that older persons living in rural areas have adequate access to social health and other basic services like economic opportunities to participate in political and public life as well as being part in decision-making frameworks related to the agricultural sector.
4. Political parties should promote the visibility of older persons in their ranks. This will contribute to the involvement of this group in their activities as well as the development of appropriate accessibility formats for the public. Furthermore, the State must ensure information and physical accessibility for the effective use of active and passive electoral rights.
5. The paramount concern arises in light of these challenges and issues. Even with the absence of a mandatory regulatory mechanism compromising these matters, they should be reflected in legislation. That's why the Public Defender's Office, and the Public Defender himself, lends its support to a new international and legally binding instrument concerning the human rights of older persons.

HIGHLIGHTS ON THE OMBUDSMAN'S OFFICE OF GEORGIA

The Public Defender of Georgia is a constitutional institution, which supervises the protection of human rights and freedoms within its jurisdiction on the territory of Georgia. It identifies the violations of human rights and contributes to the restoration of the violated rights and freedoms.

The Public Defender's Office is an active member of the Global Alliance of National Human Rights Institution's working group on ageing and chair the European Network of National Human Rights Institution's Co-Group on the Human Rights of Older Persons.





INTERESTING

Through international cooperation schemes, the Ombudsman's Office carries out training programs on the situation and human rights of older persons for its staff.

From the 28th to the 29th of March, 2023, an awareness-raising training was held. It was focused on the rights situation of older persons, legal regulation of care institutions and issues related to the monitoring methodology were discussed during the training. Experts reviewed local and international standards and practices. The training took place in the discussion mode, with active participation of the participants for the employees of the Public Defender's Office.

USEFUL SOURCES

More about this can be found here:

Public Defender (Ombudsman) of Georgia

[Link 1](#) | [Link 2](#)



Focus: Analysis about the legal gaps on access to political participation for older persons in Georgia



Dr. Michael Ashley Stein

Co-founder and Executive Director of the Harvard Law School Project on Disability,
Visiting Professor at Harvard Law School

“People need to be valued. Everyone should vote as part of democracy.”

1. As reference, in the context of the upcoming presidential elections in the United States of America, sometimes the media's use and misuse ageing issues. President Biden in age 80 is portrayed as being too old who is stumbling and bumbling. It is very telling the ways that age can be misconstrued as far as ability.
2. Looking internationally at the work that's being done on decision making and legal capacity, it is in its strongest form arising from Article 12 of the Convention on the Rights of Persons with Disabilities, but its overlap to the community of older persons is significant.
3. It is important to remember, regardless of our political predilections, that it is not making the best choice or making the correct choice – whatever that is – that is an issue, but rather the ability to express one will's, imperfect as it is. If one wishes to vote for a nationalist or someone who is anti-human rights – we may find that objectionable, but if they wish to vote for that individual and can express their will and preference, they should do so.
4. States must come up with positive measures to enable the ability to get to the polls and to have access to them. Perhaps by supporting decision-making as far as describing who the candidates are, or having the same accommodations to some extent, as certain groups of persons with disabilities, voting with tactile ballots or based upon the photos of the individuals, etc. It very much comes down to electoral commissions being both educated, sensitive, and wise as to how to include the population so that they can vote.
5. We need to remember the gender implications, both because women statistically live longer than men, and women statistically are politically repressed and excluded more often than men. A lot of it has to do with what we may perhaps call male dominance and hierarchy.

For indigenous peoples and other minorities who may not be at the forefront of political power and may therefore not have the ability to force the facilitation to participate, to vote, and to stand as candidates.

HIGHLIGHTS ON THE HARVARD LAW SCHOOL PROJECT ON DISABILITY

HPOD has demonstrated a steadfast dedication to empowering civil society and other actors by fostering knowledgeable and discerning advocacy for Human Rights. Their endeavours encompass a range of activities, including the provision of comprehensive human rights training and education, the facilitation of international law and policy development, the promotion of inclusive practices in development, the dissemination of technical assistance pertaining to strategic litigation, and the cultivation of innovative perspectives regarding the capabilities of persons with disabilities and their entitlement to human rights.

hpod

Harvard Law School
Project on Disability



Some people with dementia, Alzheimer, or those who are simply presumed to not be able to express their will – without empirical evidence, just based upon the stigma of having a certain age – are prevented from voting in various countries around the world. Sometimes it comes through a formal legal device such as a constitutional provision that says if a judge decides you're not mentally capable of voting, then you're precluded from it. Sometimes it's done through a sneaky subset of devices.

Therefore, we must remember that we need to facilitate and include different groups intersectional even across older persons groups.



DID YOU KNOW?

A positive thing that the U.S.A. did on the statutory level is called the Help America Vote Act, HAVA, and it is something that extends both to older persons and to persons with disabilities, noting that there's an empirical overlap between the demographics and the membership of these two groups. The idea with HAVA was to reach individuals who may not be able to make it to the polling places because they are in congregate care living in isolation or in medical facilities. Why? Because they are valued, and everyone should vote in a democracy.

HAVA is not legally enforceable; therefore, there is no standing ability to go into court and challenge those who are not complying with the Act, either as a private citizen or even as a State attorney general. There is no ability to do that.

USEFUL SOURCES

Convention on the Rights of Persons with Disabilities | [Link](#)



FOURTH EVENT

“Access to health and social care services: Further vulnerabilities merging from ageing”

BACKGROUND

Throughout the years different dynamics in access to health and social care services have impacted the ageing process in all regions around the world. Although opportunities and challenges vary depending on the contexts, there are common aspects to take care from the human rights-based approach, towards gender-responsive, disability-inclusive, and age-sensitive systems.

Everyone has the human right to health and social protection. Among other implications, its enjoyment allows autonomous and independent lives, as the cornerstone of better societies for all where each person has a role to play.

In this regard, access to people for this kind of services, should not be undervalued to any discriminatory preconception such as age, gender, or migratory status, as in particular learned from fortuitous events or unforeseen circumstances such as COVID 19 where older persons faced different challenges in two ways, as caregivers, and as relegated persons in accessing to health and cares services for them.

Paving the way through knowledge on this thematic towards stronger systems, interalia, requires raising awareness on the thematic as a mean of empowering beneficiaries and relevant stakeholders involved.



ROUNDTABLE SERIES

MAINSTREAMING KNOWLEDGE ON AGEING

TAKEAWAYS



ACCESS TO HEALTH AND SOCIAL CARE SERVICES: Further vulnerabilities merging from ageing



25 OCTOBER
2023



9:30–11:10 (NY time)/
15:30–17:10 (CET)



This document has been prepared by the Division for People and Social Inclusion at UNITAR, Ms. Analucía Jácome, Senior Project Leader and Human Rights Expert, Mr. Rafael Padilla, SDP team, and Mr. Israel Ledesma, Graphic Designer. We hope you enjoy it!

MODERATOR



Mr. Alex Mejia

Director, Division for People and Social Inclusion
UNITAR

Focus: Existing gaps towards healthy ageing



Dr. Hyobum Jang

Medical Officer, Ageing and Health Unit
Department of Maternal, Newborn, Child and Adolescent Health and Ageing
World Health Organization (WHO)

“WHO calls for more universal coverage of health and social services for all people, as well as to ensure that informal care is funded and supported by Governments.”

1. There are many issues around health and care systems. Governments should be more responsible and responsive in this regard, by leading and coordinating care provision across multiple multisectoral entities and ministries.
2. To this end, financing is one of the most common problems. Due to a wide perception that care for older people is too costly and that it will not be sustainable in the future, countries are not necessarily committing their budget to cover access to health and social care for all people. These service provisions are often underfunded by the public sector.
3. There are many gaps in accessibility, and quality of services. It is not adequately address, recognize, or respect the needs of older persons, including their preferences, value and wish to age in place. The needs of their carers are neither considered. In this regard, there should be regularly assessed and described in person-centered care plans, and these should be addressed with integrated person-centered coordinated service provision across the continent of care – from prevention and promotion to rehabilitation and palliative care.

HIGHLIGHTS ON THE WORK OF WHO AND OLDER PERSONS

The role of the WHO in the framework of ageing and older persons has been quite active and inspiring. WHO with other UN agencies recently released the UN Global Report on Ageism. Likewise, they have addressed how is the health and wellbeing of older people affected by climate change and what opportunities exist to foster healthy ageing and also adapt to, mitigate, and build resilience for the climate crisis in the UNs work to implement the Decade of healthy Ageing.



4. Carers' needs should be identified, monitored, and supported. So-called informal, unpaid, or family caregivers provide most of the care for people, which is not really recognized or measured or supported. The workforce issues, especially on these informal carers, are hugely prominent in most countries. They are not enough formally trained or paid care workers to provide education, health, and social services to growing populations.
5. One of the first steps is to recognize all people and their carers as one of the priorities and focus policy on target populations. It should be recognized and mainstreamed and legitimated in national level key policy or legislation. There should be a dedicated and coordinated and responsible government body work focal point to be in charge in regulation, legislation, and the implementation from national to sub-national levels.



DID YOU KNOW?

The World Health Organization collaborates with Member States, United Nations agencies, and a wide range of stakeholders across various sectors to promote healthy aging on a global scale, defined as the development and maintenance of functional abilities that support well-being in older individuals. These functional abilities depend on an individual's intrinsic capacity (i.e., their physical and mental capabilities), the surrounding environment (encompassing physical, social, and policy aspects), and the interactions between them. WHO's efforts align with the Global Strategy and Action Plan on Ageing and Health 2016–2020, as well as the associated United Nations Decade of Healthy Ageing (2021–2030), and are focused on four key action areas:

- Transforming attitudes, beliefs, and behaviors towards age and the process of aging.

- Ensuring that communities actively support the capabilities of older individuals.
- Providing person-centered, integrated healthcare and primary health services tailored to the needs of older people.
- Ensuring access to long-term care for older individuals requiring such services.

USEFUL SOURCES

Universal Health Coverage and Ageing | [Link](#)

Research, evidence and data | [Link](#)



Focus: How poor health and social protection systems affect refugees, asylum seekers, returnees, internally displaced, and stateless older persons?



Mr. Ricardo Pla Cordero

Protection Officer – Ageing and Disability Inclusion
Division of International Protection/Community Based Protection Unit,
UNHCR

“Older women and men have the potential to actively contribute to their families and communities, even in situations of displacement, provided they are given the opportunity to do so.”

1. Older persons remain in their countries in situations of danger more than other populations, but then when they flee, they may lack access to travel or other documents that may allow them access to services. This creates a separation from community support networks, which increases the risk of violence, abuse, as well as limited access to non-transferable pension systems and financial services, loss of prescribed medication and assistive devices, while facing difficulties accessing information and services, often digitalized.
2. Likewise, the psychological toll of displacement is challenging, and it is more challenging in older persons. In consultations, we see that they tend to feel more disoriented in situations of displacement.
3. Gender equality requires time for women to access education and employment, and that their time is absorbed by care obligations. The message would be more powerful if those agendas could come together with a right support system that is professionalized and taken by Governments as a way of promoting equal access to employment and education for women.
4. There is also an absence of a case management system that is able to answer to situations of elder abuse. Older persons who experience violence, neglect, and abuse in their homes or communities do not have a case management system that is adequate for them. For example, child protection services, gender -based violence services – those are very strong pillars in humanitarian and development situations. However, we don't see support for situations of elder abuse, abuse against persons with disabilities and other profiles that are not within those two pillars.

HIGHLIGHTS ON THE UNHCR'S EFFORTS TO PROMOTE THE PROTECTION OF OLDER

UNHCR provides assistance and safeguarding to older persons who are in transit, by facilitating their access to essential services as they recuperate and reconstruct their lives following a crisis. With the generous support of donors like yourself, we ensure that older refugees can spend their later years in a state of dignity and safety. The Office continuously surveys older people to report on the levels of access to health care that they enjoy. During the Covid-19 pandemic, 42% were not receiving treatment for prior health conditions and 6% of those infected reported not receiving adequate medical care.



5. What are some of the enabling actions that we can put in place? Some actions include improving access to knowledge and monitoring who is accessing what, who is not accessing which services, and ensuring that older persons have a say in what we are providing. There must be a higher awareness in health providers, in particular in emergency settings and on what are the key requirements of older persons, enabling substitutes across health systems and health service providers, and ensuring accessibility of information premises.

There is still room for improvement; in particular, having a transitional model that can make countries or States more responsible. The venues include the global compact on refugees coming in less than a month, where there are pledges that particularly focus on national health systems, mental health, economic inclusion, and social protection.



DID YOU KNOW?

There were around 10 million consultations directly provided by UNHCR last year, but room for improvement is difficult. It is difficult to assess exactly how many older persons were accessing those consultations.

FOOD FOR THOUGHT

In situations of displacement, older persons possess immediate rights and requirements, as they can be particularly susceptible to mistreatment and neglect in times of conflict or natural disasters, primarily due to mobility limitations, reduced vision, and chronic health conditions that hinder their access to assistance. Presently, older refugees constitute approximately 4 percent of the total population of concern for UNHCR, and it is projected that by 2050, there will be more people over the age of 60 than those under the age of 12 worldwide. Older persons may exhibit reluctance to leave their

homes and are often the last to evacuate during dangerous situations. While in exile, they may experience social isolation and physical separation from their families, by intensifying their vulnerability.

USEFUL SOURCES

- Older persons and the protection of their rights | [Link](#)
- Facilitator's Guide: Working with older persons in forced displacement | [Link](#)
- Executive Committee Meetings | [Link](#)
- Policy on Age, Gender and Diversity Accountability 2018 | [Link](#)
- Working with Older Persons in Forced Displacement | [Link](#)
- UNHCR Global Public Health Strategy 2021-2025 | [Link](#)
- 2022 Annual Public Health Global Review | [Link](#)
- Global Compact for Refugees | [Link](#)
- Age, Gender, and Inclusive Pledges | [Link](#)
- Multistakeholder pledges for the Global Refugee Forum 2023 | [Link](#)



Focus: Discrimination and neglect of older persons in Iraq and the need for an international Convention to protect the human rights of older persons world-wide



Ms. Nisreen Abudulaali Abdul Baqi

International Trainer from the Publication and Education Department of the High Commission for Human Rights of Iraq

“Older persons face a big neglect on the existence of a specific International Convention.”

1. An International Convention for older persons must provide protection through international laws that oblige countries to take care of them with suitable measurements. A monitoring body for this treaty must have a big and effective role for its implementation.
2. Iraq is part of the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural rights, the International Convention on the rights of the child and the International Convention for persons with disabilities. At the national level, the right to health for all citizens is constitutionally guaranteed.
3. Health care for older persons should be improved and a comprehensive program should be implemented to provide a supportive environment in the public sector, by facilitating, handling mobility. and integration in society. It is important to create an environment that is accessible for all persons.
4. There is an unequal agenda for gender issues; women in Iraq are discriminated because of culture and society, which always looks at them in a second plane. They are abused for the sole reason of being women; the situation is even worse when they become older; these challenges cause poverty.
5. Iraqi's laws do not envisage measures to strengthen protection in this regard, therefore, older persons face big problems because there are no effective mechanisms focused on their dignity.

HIGHLIGHTS ON THE HIGH COMMISSION FOR HUMAN RIGHTS OF IRAQ

Article 102 of the Iraqi Constitution of 15 October 2005 foresees the establishment of the IHCHR, to be “considered independent” and “subject to monitoring by the Council of Representatives”, with its functions “regulated by law”. In 2008, the Council of Representatives passed the Law of the High Commission for Human Rights No. 53 (Law No. 53/2008 or enabling law).[5] In April 2012, the Commission was effectively established.

The fact that the IHCHR was established pursuant to a law adopted by the Council of Representatives and not by a decree issued by the executive must be commanded. It is indeed in line with section A.2 of the Paris Principles, under which “a national institution shall be given as broad a mandate as possible, which shall be clearly set forth in a Constitutional or legislative text, specifying its composition and its sphere of competence.”





DID YOU KNOW?

In Iraq, there is the Unified Retirement Law 9-2014 which sets the legal retirement age at 60. According to this law, the government is responsible for pensions and economic assistance to older persons.

USEFUL SOURCES

The Law of the High Commission for Human Rights No. 53/2008 is available here | [Link](#)

More on the Unified Retirement Law 9-2014 | [Link](#)



Focus: The impact of long-term care insurance programs on households and individuals



Dr. Sophie Mitra

Founding Director of the Research Consortium on Disability
Fordham University

“We need to understand the consequences of long-term care insurance programs, whether they are working or can be made more efficient.”

1. There are two recent studies on access to health and social services and economic insecurity in Korea and China. The first study, held by Professor Sophie Mitra from Fordham University and Professor Hoolda Kim from Black Hills State University, focused on the effect of a Long-Term Care Insurance, LTCI, program in a fast-aging context in Korea.
2. It was introduced in 2008. Koreans enrolled in the national health insurance automatically contribute to the LTCI. Individuals aged 65+ or those with age-related diseases are eligible to receive benefits. Eligibility test: evaluation of physical and mental status and level of care needed. Covers home care and institutional care. Copayment: 15% for home care and 20% for institutional care
3. The following question was posed: What is the effect of Korea's Long-Term Care Insurance (LTCI) on beneficiary households' expenditures and savings and beneficiaries' self-rated health and healthcare utilization? To find the answer, the following aspects were considered:

- Korea Welfare Panel Study, 2006 - 2019
- A sample of 3,712 households
- Live with at least one older adult
- Participated in the survey for at least once before and at least once after the LTCI program rollout
- Control group: households who have never had LTCI beneficiaries
- Treatment group: households who have had an LTCI beneficiary at least one year

4. The main results

- Improvement of self-rated health
- Positive effect especially when individuals have continuously used the long-term care services
- A decrease in the number of outpatient visits
- An increase in the days of hospitalization
- Positive effect of home care services on access to healthcare services and utilization.
- Lower spending on necessity items but higher spending on healthcare services
- A decrease in household savings
- Higher economic burden of healthcare services

HIGHLIGHTS ON THE RESEARCH CONSORTIUM ON DISABILITY

The Research Consortium on Disability (RCD) at Fordham University is responsible for conducting and coordinating research related to disability, with the aim of guiding the world toward a more inclusive future. The Consortium comprises social scientists and scholars from various disciplines, including the humanities, business, education, law, and social services, who engage in research within the fields of disability studies and disability and health.

The establishment of the Research Consortium on Disability follows five years of the Faculty Working Group on Disability's activities. The co-chairs of this working group, Sophie Mitra (Economics, Faculty of Arts and Science) and Rebecca Sanchez (English, Faculty of Arts and Science), now jointly lead the Consortium, along with Laura Wernick (Graduate School of Social Service).



Conclusion on long-term care insurance study

- Results suggest a positive effect of LTCI on access to healthcare services but a negative effect on household expenditures and savings, in particular for persons with less comprehensive health insurance coverage.
- Its effects on disadvantaged groups, such as older singles and poor households, should be considered further in research and policy.

5. Regarding the study in China, prepared by Professor Hoolda Kim, Professor Jingyi Gao from Black Hills State University, and Professor Sophie Mitra from Fordham University, it focused on: The Out-of-pocket Health Expenditures associated with Health Conditions and Disability among middle-aged and older adults.

Key results from the China study

In China, we find significantly higher out-of-pocket health expenditures among:

- Older persons age 70 and above
- Women
- Persons with disabilities
- Persons with multimorbidity



REMEMBER!

- It is essential to assess the impacts of programs that provide care services and may have unintended effects on the economic security of older persons.
- There is a need to monitor economic security for older persons, including intersectional analyses (age combined with gender, rural/urban residence, disability status).
- A growing availability of data on functional difficulty to measure disability in national household surveys and censuses offers opportunities to do such analyses ([Disability Data Initiative](#)).

- Such analyses can document the human rights situation of older individuals and inform care policies and programs.

USEFUL SOURCES

The Out-of-pocket Health Expenditures associated with Health Conditions and Disability among middle-aged and older adults: evidence from China | [Link](#)

The Disability Data Initiative (DDI) | [Link](#)



Focus: Equity, full participation, and care as inseparable elements for healthy ageing



Dr. Jody Heymann

Department of Health and Management

Former dean of the UCLA Fielding School of Public Health from 2013-2018

“Older people are a diverse group, including in health needs, stage of life, and economics and geography.”

1. While some people need care, others provide it for different reasons; sometimes it's for wages, cash, or supporting family. Supporting this work is essential to ensure the health of families, communities, and countries.
2. It is important to take care of older persons when they are in the hospital, in transition home, and in rehabilitation efforts. If they need higher levels of care, support them in that transition. Well, that may well be done by a working age child. Can their children take leave from work to provide that support? Yet, most of the world does not provide any leave to care for an ageing parent.
3. How much is a discrimination allowed in all aspects of work? That means how many countries protect against discrimination in hiring, promotion, training, and firing. It is actually a minority of countries that prohibit age discrimination. Are people allowed to be fired just based on their age?
4. Most people have “agency participation” across the life force. This includes people with cognitive impairments at end of life who still exercise agency and want to have decision-making about health. This includes across the older persons spectrum, care spectrum, age spectrum; people who are working and providing care full -time, part -time for money and not for money.
5. If we really want to accelerate action, we need to start holding countries accountable for the national steps they're taking at scale. A global agreement is a terrific way to do that, but then we need to look at what is happening at a national level. Are these fundamental steps being taken? We must make the availability of solutions that work widely recognizable, and make what steps are present and absent visible so we can make progress.

HIGHLIGHTS ON THE WORLD POLICY ANALYSIS CENTER: BRINGING TOGETHER POLICIES, OUTCOMES AND ACTION

The WORLD Policy Analysis Center builds global evidence that leads to change at national scale improving equality human lives, and the economy.

WORLD both rigorously analyses national laws and policies and links policy changes to outcomes to support evidence-based decision-making. Key elements of WORLD's approach include:

1. Mapping and monitoring laws and policies in all 193 UN countries, as well as state laws in key areas in the U.S.
2. Learning what works through policy impact studies using quasi-experimental methods.
3. Partnering with civil society, policymakers, international and multilateral organizations, and country-based researchers to move from evidence to impact.

UCLA Fielding
School of Public Health





TO BEAR IN MIND

Across the globe, individuals dedicate a combined total of 16 billion hours daily to unpaid caregiving tasks, spanning from household chores to tending to the needs of their loved ones, forming the essential support system for prosperous families, communities, and economies, with the bulk of this responsibility shouldered by women, and it notably intensifies during times of emergencies or crises.

USEFUL SOURCES

- Article on Paid Leave to Meet the Health Needs of Aging Family Members in 193 Countries available | [Link](#)
- Global maps available | [Link](#)
- The UCLA Luskin Center for Policy Research on Ageing. Established in 1997, the Center for Policy Research on Aging (CPRA) studies the major policy issues affecting our aging society, including Social Security, Medicare, long-term care, and the societal implications that accompany the aging of the baby boom generation and their children. CPRA is housed at the UCLA Luskin School of Public Affairs. | [Link](#)



Focus: Analysis on the legal gaps at international level on access to health for older persons



Dr. Michael Ashley Stein

Co-founder and Executive Director of the Harvard Law School Project on Disability,
Visiting Professor at Harvard Law School

“There is no voice for the right to live at home, age at home, and have dignity at home.”

1. The issue of the rationales and justifications for having a specialized treaty for the rights of older persons is similar to the one that at the time had the one for persons with disabilities. Under the existing UN treaty system, under the existing UN programming, older persons are not addressed yet.
2. The reason that we have a specialized treaty on persons with disabilities was to shine a light on and to try to ensure that persons with disabilities were included, whereas they were not under international quote, whether it was the Universal Declaration or Human Rights treaties. Just to pick up one issue, we have article 19 in the CRPD on independent living and living in the community. The reason that we have that article, which does not appear in any other human rights treaty, is because of the history of persons with disabilities being segregated, placed into congregate settings.

In the context of older persons, we have in many ways a similar situation in that in much of the world, people who are elders, wish to remain at home for as long as possible. Sometimes the euphemisms are that nursing homes are golden age opportunities. As we saw during COVID, large swaths of the population in these places died, because they were so far down the priority list of receiving care.

3. In many places, they are fortunate to be supported by their families and at times by their governments. However, especially in middle- and high-income countries, as they have industrialized, as they have become wealthier, and as the middle generations have gone to work, there's been a shift towards congregate care as well. The temptation for middle- and high-income countries is to treat individuals in the most efficient way, where we now seem to be in the neoclassical world of efficiency, which means putting individuals into large care settings.
4. The notion of loneliness and its impact upon mental health is one of the social determinants of poor health when people are isolated. When we speak about a treaty, we also should think about the State as supporting or deriving by itself community-based options and support, including family, culturally and socially appropriate ways to help support both a provision of health care, whether it's barefoot doctors or otherwise, and food security and other social services.

HIGHLIGHTS ON THE HARVARD LAW SCHOOL PROJECT ON DISABILITY

HPOD has demonstrated a steadfast dedication to empowering civil society and other actors by fostering knowledgeable and discerning advocacy for Human Rights. Their endeavours encompass a range of activities, including the provision of comprehensive human rights training and education, the facilitation of international law and policy development, the promotion of inclusive practices in development, the dissemination of technical assistance pertaining to strategic litigation, and the cultivation of innovative perspectives regarding the capabilities of persons with disabilities and their entitlement to human rights.



Harvard Law School
Project on Disability



5. While governments are not off the hook for their obligations, it is important to be innovative and creative on alternative or supplemental community services in how, whether it's peer-to-peer support or intergenerational support, we can provide a better life for those of us who are older.



IMPORTANT

Food and physical security, medical care, and other issues are part of the major problems for older persons and can force them into congregate care when there are no other opportunities at home, even with wonderful and supportive families to receive adequate care.

We are in a world now that is facing increased food insecurity, water shortages, and so on. It may be the case that older persons are encouraged to enter into these larger congregate care settings, on the notion that it is the only way that they can receive the support that they need.



FIFTH EVENT

“Access to cultural and leisure activities: Tackling individual interests towards intergenerational social construction”

BACKGROUND

Cultural rights are means to express the diversity of humanity through inter alia, values, beliefs, convictions, languages, knowledge and the arts, institutions, and ways of life; likewise, these rights also protect access to heritage and resources that allow such identification and development processes to take place.¹

In the same vein, leisure activities can contribute to economic development, international understanding, peace, prosperity, and universal respect for, and observance of, human rights and fundamental freedoms.²

In this framework, access to cultural and leisure activities for older persons pursues social cohesion, which includes intergenerational dialogue, while fostering harmony and the promotion of mental and physical health, dignity, as well as prosper societies for all.

Therefore, targeted norms, mechanisms, public policies, as well as other initiatives in this regard should in a systematic manner encompass a structural transformation of those institutions and attitudes that reflect and entrench ageism.

Learning about the benefits and challenges coming from access to cultural and leisure activities of older persons is key to raising awareness and explore ways to move forward to better protect and promote their human rights.

¹ Mapping cultural rights: nature, issues at stake and challenges | OHCHR

² El Tutor en actividades de ocio: OMT y sistema de las Naciones Unidas - UNESCO Digital Library UNWTO Basic Documents, Volume I – Statutes, Rules of Procedure, Agreements (e-unwto.org)



ROUNDTABLE SERIES

MAINSTREAMING KNOWLEDGE ON AGEING

TAKEAWAYS



ACCESS TO CULTURAL AND LEISURE ACTIVITIES: Tackling individual interests towards intergenerational social construction



23 NOVEMBER
2023



9:30–11:10 (NY time)/
15:30–17:10 (CET)



This document has been prepared by the Division for People and Social Inclusion at UNITAR, Ms. Analucía Jácome, Senior Project Leader and Human Rights Expert, Mr. Rafael Padilla, SDP team, and Mr. Israel Ledesma, Graphic Designer. We hope you enjoy it!

MODERATOR



Mr. Alex Mejia

Director, Division for People and Social Inclusion
UNITAR

WELCOME REMARKS



H.E. Amb. Mme. Anita Pipan

Permanent Representative of Slovenia to the United Nations and
other International Organisations in Geneva

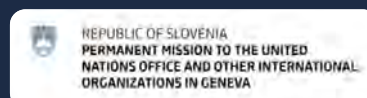
“Older persons should have the right to access lifelong learning, vocational training, and capacity building.”

1. Currently, those age 60 and older constitute 12.3% of the global population, a figure expected to rise to nearly 22% by 2050, with 1.5 billion aged 65 and above. The increase in longevity is a manifestation of the progress achieved in human development and health over the last decades.
2. However, the rapid demographic shift has also shed light on the lack of adequate protection mechanisms, policies, and programs to address the situation of older persons. The socioeconomic, environmental, health, and climate -related impacts on the lives of older persons, especially older women who constitute the majority, are intensifying.
3. Ageing does not necessarily make individuals vulnerable. A number of physical, political, economic, and social factors contribute to the challenges that older persons face in the enjoyment of their human rights, as it has been evidenced during the Coronavirus pandemic.
4. Older persons are often denied the opportunities to learn because of systematic exclusion caused by ageism. We know that being active can vastly improve the quality of their lives; in this regard, access to cultural and leisure activities play an important part, a spillover to other spheres of their engagement in society, and contribute to making sure to be able to age with dignity.

HIGHLIGHTS ON SLOVENIA AND HEALTHY AGEING

Slovenia is active in various international organizations that deal with sustainable development and older persons, including the UNEC Standing Working Group on Aging, the UN Open-Ended Working Group on Ageing in New York, or the Core Group of Countries on Human Rights and Older Persons within the Human Rights Council in Geneva.

At home in Slovenia, senior organizations and non-governmental organizations which carry out activities for older persons have established associations at the national level. They amplify the voice of older persons in proposing measures for sustainable solutions in programming and legislative documents, areas of poverty eradication, health and well-being, long-term term care, education, gender equality, clean water and sanitation, decent work, reducing inequalities and sustainable cities and communities.



5. A number of programs take place in different associations of older persons and other age groups at different levels, local, regional and national. This can span from cultural events, sports and recreational meetings, handicraft workshops, reading culture, to learning digital and other skills. These are joint activities that lead to the exchange and transfer of knowledge, where prejudices and stereotypes are broken down.



DID YOU KNOW?

Slovenia is a strong believer in the need for enhancing the protection, promotion, and well-being of older persons, they deserve no less. There are 15 multi-generational centres in Slovenia where different generations meet and cooperate through concrete activities and contribute to reducing ageism.



Focus: The importance of adequate protection mechanisms against ageism



Professor Alexandra Xanthaki

UN Special Rapporteur in the field of cultural rights
Professor of Laws at Brunel University London, UK

“Cultural life should be understood as an important human right for the development of society.”

1. Culture is a transformative concept, and it should be guaranteed to everyone, whether 3 years old toddler or a 96 years old father. Culture cannot be limited to specific activities and should not be restricted to the concept of rest and leisure. It permits all aspects of life; from dry legal texts to the vibrant colors and tempos of artistic endeavors; from our food, songs, and dances, to art, architecture, science and technology; from the expansive virgin cultural landscapes of mega cities to the quiet niches of small towns.
2. We have to recognize that States take positive obligations to better understand how they are going include older persons at intersectional level. There is an intergenerational gap between migrant older persons and younger generations of migrants. Migrants, by the mere fact that they're older persons, their voice is almost lost, as if they do not belong to the cultural life of society. States have to take very specific obligations to address this issue.
3. The recent experience of the pandemic has highlighted how much people of all ages and walks of life need to engage with the arts and culture to have these activities as an opportunity to meet with other, to connect at a human and sensory level, not just words. For example, in the UK, there are a lot of older persons who not only have lost the two years of their lives being in lockdowns but finding it extremely difficult to go back to the society.

HIGHLIGHTS ON THE SPECIAL RAPPOREUR ON CULTURAL RIGHTS' EFFORTS TO PROMOTE CULTURAL RIGHTS

In 2009 the Human Rights Council decided to establish, for a period of three years, a new special procedure entitled “independent expert in the field of cultural rights” through resolution 10/23. The Special Rapporteur reports annually both to the Human Rights Council, and to the General Assembly. Under this mandate, the mandate holder is asked to:

- Identify best practices of promoting and protecting cultural rights at local, national, regional and international levels;
- Identify obstacles to the promotion and protection of cultural rights, and submit recommendations to the Council on ways to overcome them;
- Work with States to foster the adoption of measures—at local, national, regional and international levels—to promote and safeguard cultural rights, and make concrete proposals to enhance cooperation at all levels in that regard;
- Collaborate closely with States and other relevant actors like the United Nations Educational, Scientific and Cultural Organization, to study the relationship between cultural rights and cultural diversity, with the aim of further promoting cultural rights;
- Integrate a gender and a disability perspective into this work;
- Coordinate with intergovernmental and non-governmental organizations, other special procedures, the Committee on Economic, Social and Cultural Rights, the United Nations Educational, Scientific and Cultural Organization, and relevant actors, representing the broadest possible range of interests and experiences, including by attending relevant conferences and events.



4. What is important is how International Human Rights Law and cultural rights guide us through the following:

- First, intersectionality: Addressing the different sections of the population and how their different identities interact creates obstacles in their ability to enjoy leisure, rest and culture and cultural activities.
- Second, participation: Older persons should participate in how we ensure the specific programs to make them inclusive. It is an obligation that States have.
- Third, the importance of creating common spaces: Where population of all ages can meet and talk together.



REMEMBER

The right of everyone to rest and leisure is set out in article 24 of the Universal Declaration of Human Rights and is closely linked to cultural rights.

Article 24 of the Universal Declaration of Human Rights counters Article 23 by emphasizing the right to reasonable working hours and paid vacations. Despite its affirmation of leisure, it doesn't endorse idleness, as clarified by Cuban drafter Pérez Cisneros in the late 1940s. Article 23, influenced significantly by Latin American nations' input during the drafting process from 1946 to 1948, drew inspiration from their democratic governments and constitutions, which championed social and economic rights, including annual holidays and paid leave. These constitutional provisions served as a guide for the UDHR, earning approval even from the Communist bloc. In the words of Yugoslav drafter Vladislav Ribnikar, the right to rest without pay held little significance.

USEFUL SOURCES

- 30 articles on the 30 Articles of the Universal Declaration of Human Rights | [Link](#)
- Universal Declaration of Human Rights at 70: 30 Articles on 30 Articles - Article 24 | [Link](#)
- Special Rapporteur in the field of cultural rights | [Link](#)



Focus: Access to tourism and culture for vulnerable groups



Mr. Igor Stefanovic

Technical Coordinator of the UN World Tourism Organization, UNWTO, Ethics, Culture and Social Responsibility Department

“We should never group the older persons with disabilities or with specific access requirements when it comes to travel and tourism into one huge group.”

1. Access to tourism, leisure and culture is embedded in article 30 of the International Convention on the Rights of Persons with Disabilities. This is the point of departure of facilitating access to tourism, leisure, and culture for all persons, with or without disabilities.
2. At least one third of persons considered as older persons have a diagnosed disability throughout their life cycle. We have to ask ourselves whether it's becoming a common experience for all worldwide, or if it's only happening in the most developed and mature economies. It is also something that we ask ourselves through tourism, because in 1999, we adopted the Global Code of Ethics for Tourism as our roadmap to develop tourism globally.
3. We should ask ourselves whether active ageing and intergenerational dialogue has to do with the GDP per capita. We can see in Spain that the way you enjoy your free time varies between neighborhoods, even in the city of Madrid, with three or four million people. People living in an area where GDP per capita is higher, their free time, leisure, and way of travel, is totally different from the way people live in other neighborhoods.
4. Older persons with disabilities or with specific access requirements are too heterogeneous; we all have specific needs, and we always send the message to the tourism and travel sector that every client counts. If you are not able to accommodate specific access requirements of your customers – in this case older persons or persons with disabilities – you're losing money.
5. It's very important in the tourism sector to underline the business case, because if we only speak about human rights, our experience is that hospitality and tourism service providers do not care only about human rights, because it's only one part of the picture.

HIGHLIGHTS ON THE UNWTO'S EFFORTS TO PROMOTE ACCESSIBLE TOURISM FOR ALL

UNWTO has developed the Action Agenda on Accessible Tourism. It encompasses initiatives aimed at enhancing training, establishing measurement systems, and raising industry awareness regarding the benefits of a diverse workplace. Stakeholders commit to aligning their marketing and commercial strategies, utilizing digital solutions to ensure accessible experiences for all customers, and integrating accessibility into product development and decision-making processes.

As part of the conference's lasting impact, a Compendium of Best Practices presented in San Marino will be jointly published by UNWTO, Accessible EU, and ENAT in 2024. Ongoing research will further explore accessibility in cultural and nature-based tourism, digital solutions, and other exemplary practices in the years to come.



UNWTO
World Tourism Organization





DO NOT FORGET!

The obligation of the government is to facilitate access to tourism, leisure, and culture for all people, especially those who might be counted and grouped into vulnerable groups.

DID YOU KNOW?

The second edition of the UNWTO Conference on Accessible Tourism took place in San Marino from November 16 to 17, 2023. The Action Agenda, considered a transformative initiative for disability inclusion and the impact of tourism on Sustainable Development Goals, garnered commitments from conference participants to achieve tangible outcomes.

USEFUL SOURCES

- UNWTO launches san marino action agenda for accessible tourism for all | [Link](#)
- UNWTO – Accessible Tourism | [Link](#)
- San Marino Action Agenda 2030 | [Link](#)



Focus: New longevity and healthy ageing



Dr. Diego Bernardini

Doctor, expert, writer, and lecturer in Gerontology
Professor “Health of Older People”
Director “International Diplomat of New Longevity”

“We need to start to see longevity as a process, at personal and collective levels.”

1. We are looking at how ageing is not only quantitative but is mainly qualitative in the way that people are living the second half of their lives. We are living a new longevity area, which means that we are in a new century with a new culture – constantly evolving – where a massive and diverse group of the population is growing and defining new roles.
2. New longevity means functional capacity, experience, wisdom, life course, life course approach, life transitions, empowerment, rights, talent. Also, a paradigm of urgency, more than productivity, and a paradigm for knowledge and a connected society. Urgency as the capacity to contribute, give, share knowledge, to transmit values and more. This idea is based on intergenerational culture, a point of view to think and to analyze society.
3. Individuals have a very bad habit. Older people usually are “the others,” not myself. Looking for ways to facilitate the mindset change, the evidence shows interesting things. Firstly, education is the main social determinant in our lives.
4. Narrative is another key point, in particular about the second half of our lives. Evidence shows that people start to feel “not young” around their 40’s. So we are considering life expectations beyond 70s in most countries around the world as the longer life period and also should be an interested period.
5. We have the possibility, as never before, to think about our future. The new longevity is a real phenomenon. We aren’t talking about the future, we are talking about the present, our present, where we need to confront and to solve the challenges of the longevity pedagogy for a longevity literacy for the society of new longevity, where intergenerational action plays a determinant role.

HIGHLIGHTS ON THE WORK OF DR. DIEGO BERNARDINI ON AGEING

Diego Bernardini holds a PhD and a Master’s degree in Gerontology from the University of Salamanca, Spain. His educational background encompasses degrees in medicine and physiotherapy from the University of Buenos Aires, Argentina. With expertise in family medicine, geriatrics, public health, rehabilitation, and medical education, he has pursued additional training in the United States (American Board of Family Physician), the United Kingdom (University College of London), and Switzerland (World Health Organization).

As a postgraduate professor in Argentina, Mexico, and Spain, he served as a Visiting Professor at the University of Malaya in Malaysia in 2014. Furthermore, Dr. Bernardini is the Program Coordinator of the International Longevity Center (ILC-BR) in Brazil since 2015. He has also contributed his expertise during a three-year tenure at PAHO/WHO in Washington DC, as well as engagements with the World Bank and other institutions.





REMEMBER

Best education means best opportunities and equity societies. In this regard, the idea of longevity pedagogy is an intended need. It is mandatory to start training our new generations in the values, opportunities, and also challenges of longer lives. This topic should start in the first years of formal education and should be facilitated during the whole childhood with intergenerational action, where different stakeholders play a role.

USEFUL SOURCES

- Dr. Diego Bernardini webpage | [Link](#)
- Book - Bernardini - The new longevity is dressed in diversity. 2022 | [Link](#)



Focus: The role of museums and cultural spaces for healthy ageing



Dr. Bryan Kennedy

President of Bryan P. Kennedy Art Consulting
Expert in visual literacy and creative ageing

“In the framework of the UN Decade of Healthy Ageing, it’s time to act now for cultural facilities and museums.”

1. Ageism hides in plain sight. It is within the museum sector as it is everywhere. Museums love to say that they are loved by their community. It is a fact that museums are mostly focused on younger rather than older audiences.
2. Most American museums are private and most of them have vast funds to bring school children on visits. None have funds to bring older people. Museums have children’s centers and family centers, but are there any that have centers for older persons?
3. The overarching feedback that is been received from thousands of satisfaction surveys and the approval ratings are that older persons want to be seen as to continue to have a sense of accomplishment in their lives and to reduce their social isolation by making new friends. Creative ageing classes come in a variety of forms; they can involve a professionally trained artist, in such art form, working with a group of older persons over a succession of weekly classes where participants explore their creativity and make something new.
4. For museums, older persons should represent a vast reservoir of potential visitors. In some museums, there is the perception that they have lots of older persons, but no, they are not representative of the entire community and there are those who do not go to museums regularly.
5. Older persons can be a real part of their workforce, including as future donors, if they are treated equitably with equal access to education programs and facilities, by making them feel comfortable and that they belong.

INTERESTING

Dr. Becca Levy from Yale University has been working for decades to demonstrate that many health problems ascribed to senescence -the biological process of ageing- are in fact due to having a negative age belief. Having a positive view of ageing, and that goes for museums too, can add to life. In fact, studies have shown that if you have a positive view of ageing, you can add seven years to your life. Joe Cocklin of MIT Aging Lab, has shown that far from being a drain on the American economy, older Americans actually help to drive it.





DID YOU KNOW?

Only 15% of Americans go to a museum more than once a year.

A study prepared in 2021 by the American Alliance of Museums, that covers all museums in America, showed that from the \$2 billion spent annually by US museums on education programs, 75% goes to school children under 18. 25% goes on to everybody over the age of 18. That is the definition of inequity! Museums have lots of good intentions, but they're still plagued by ageism: With wall labels, tiny writing, darkened rooms, heavy entrance doors and a lack of comfortable seating.

USEFUL SOURCES

- Dr. Becca Levy and her research into healthy ageing | [Link](#)
- American Alliance of Museums | [Link](#)



Closing remarks for the whole series



Amb. Luis Benigno Gallegos

President of UNITAR's Board of Trustees

Former Minister of Foreign Affairs of the Republic of Ecuador

“There is no voice for the right to live at home, age at home, and have dignity at home.”

1. This year entails special attention to the UN Institute for Training and Research, UNITAR, for its 60's anniversary, as the agency with the mission to develop the individual, institutional and organizational capacities of countries and other UN stakeholders through learning solutions to enhance decision-making and support country-level action for overcoming global challenges.
2. As its Chair of the Board of Trustees and President of the Global Initiative on Ageing Foundation, I commend the efforts of the Institute in leading this initiative that has put together a powerful partnership among 10 UN entities, States, networks of civil society organizations, and academia.
3. UNITAR is grateful to organize this series in partnership with our CIFAL Global Network, UNDESA, UNFPA, IOM, UNWOMEN, UNHCR, WHO, OHCHR, ITU, ILO, the Group of Friends of the Human Rights of Older Persons UN Geneva; the Global Initiative on Ageing Foundation, GIA; the International Network for the Prevention of Elder Abuses; the International Longevity Centre; and the NGO Committee on Ageing Geneva. and the Harvard Law School Project on Disability joined us.
4. This year, we focused on accessibility and its impact at individual and collective level through the celebration of five events. These discussions have served to better understand core elements on access to justice, labour markets, political participation, health and social services, cultural and leisure services, as well as engaging different actors.
5. UNITAR is a donor-based funded UN entity, so any support in this regard will be more than welcome. Raising awareness and using knowledge about the sensitivities around the aging and human rights of older persons.

HIGHLIGHTS ON UNITAR's

UNITAR is a United Nations autonomous body with the mission of developing the individual, institutional and organizational capacities of countries and other UN stakeholders through high quality learning solutions and related knowledge products and services to enhance decision-making and to support country-level action for overcoming global challenges. In this regard, the UN Decade of Healthy Ageing has triggered UNITAR's interest in approaching other UN entities, as well as States, academia, non-governmental organizations, and the private sector for organizing this Virtual Roundtable Series.





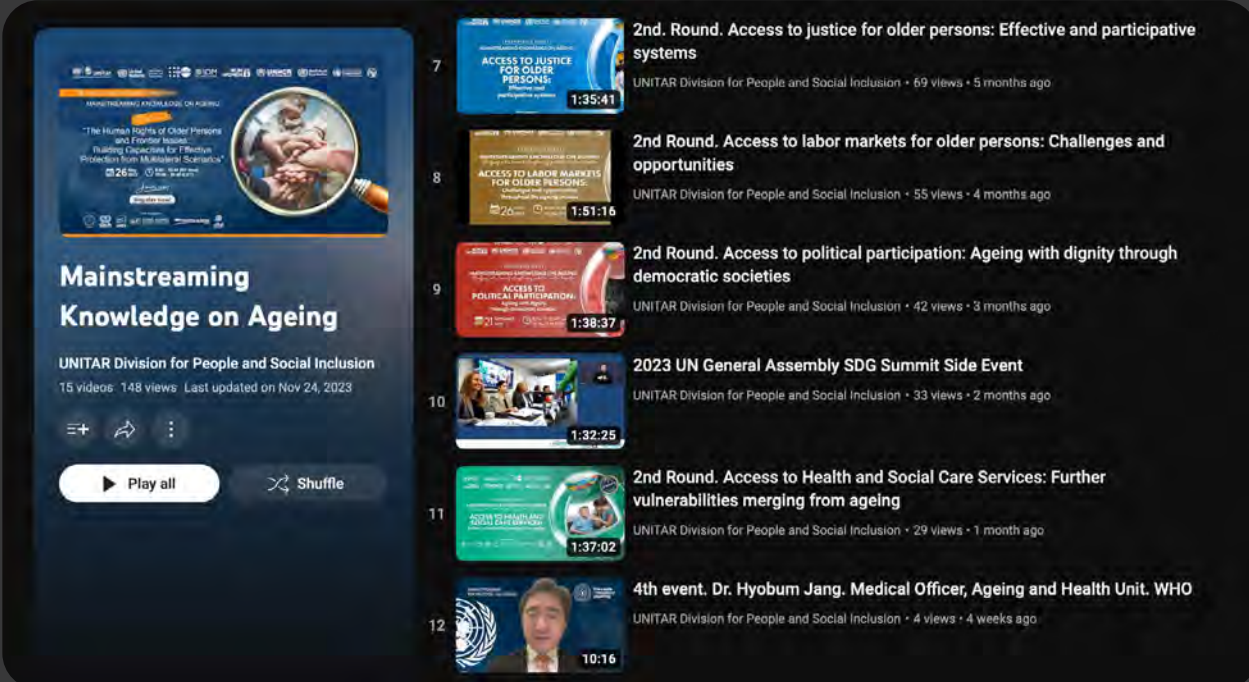
USEFUL SOURCES

UNITAR's Online Portfolio "Ageing & Older Persons" | [Link](#)



You can find all the videos of the series **HERE:**

<https://www.youtube.com/playlist?list=PLQR8YH-YtQS9wxqOw4udFejL5q5SMMowD>



Mainstreaming Knowledge on Ageing
UNITAR Division for People and Social Inclusion
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7 2nd. Round. Access to justice for older persons: Effective and participative systems
UNITAR Division for People and Social Inclusion • 69 views • 5 months ago

8 2nd Round. Access to labor markets for older persons: Challenges and opportunities
UNITAR Division for People and Social Inclusion • 55 views • 4 months ago

9 2nd Round. Access to political participation: Ageing with dignity through democratic societies
UNITAR Division for People and Social Inclusion • 42 views • 3 months ago

10 2023 UN General Assembly SDG Summit Side Event
UNITAR Division for People and Social Inclusion • 33 views • 2 months ago

11 2nd Round. Access to Health and Social Care Services: Further vulnerabilities merging from ageing
UNITAR Division for People and Social Inclusion • 29 views • 1 month ago

12 4th event. Dr. Hyobum Jang. Medical Officer, Ageing and Health Unit. WHO
UNITAR Division for People and Social Inclusion • 4 views • 4 weeks ago



Decade of healthy ageing



United Nations

Department of
Economic and
Social Affairs



International
Labour
Organization



UNHCR
The UN Refugee Agency



**World Health
Organization**



**UNITED NATIONS
HUMAN RIGHTS**
OFFICE OF THE HIGH COMMISSIONER



With the support of:



WHO Global Network
for Age-friendly Cities
and Communities



Harvard Law School
Project on Disability



GLOBAL ALLIANCE
INTERNATIONAL LONGEVITY CENTRE
Designing the Future of Ageing

NGO Committee on Ageing
GENEVA

