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**Open-ended Working Group on Ageing****Seventh working session**

New York, 12-15 December 2016

**Report of the Open-ended Working Group on Ageing on its seventh working session***Rapporteur:* Lidija Dravec (Slovenia)**I. Organization of the session****A. Opening and duration of the session**

1. The Open-ended Working Group on Ageing, established by the General Assembly in its resolution [65/182](#) for the purpose of strengthening the protection of the human rights of older persons, held its seventh working session at Headquarters from 12 to 15 December 2016. The Assembly decided to authorize the Working Group to meet during the main part of its seventy-first session at its 57th meeting, on 8 December 2016, on an exceptional basis, on the recommendation of the Committee on Conferences contained in the letter dated 7 December 2016 from the Chair of the Committee addressed to the President of the Assembly ([A/71/382/Add.1](#)). The Working Group held seven meetings.

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

**B. Election of officers**

3. At its 1st meeting, on 12 December, the Working Group was constituted as follows:

*Chair:*Mateo **Estrémé** (Argentina)*Vice-Chairs:*Alanoud Qassim M. A. **Al-Temimi** (Qatar)Lidija **Dravec** (Slovenia)

4. At the same meeting, the Working Group agreed to the designation of the Vice-Chair (Slovenia) as the Rapporteur for its seventh working session.

### **C. Agenda and organization of work**

5. At its 1st meeting, on 12 December, the Working Group adopted its provisional agenda, as contained in document [A/AC.278/2016/1](#). The agenda read as follows:

1. Election of officers.
2. Adoption of the agenda and other organizational matters.
3. Participation of non-governmental organizations in the work of the Open-ended Working Group on Ageing.
4. Participation of national human rights institutions in the work of the Open-ended Working Group on Ageing.
5. Measures to enhance the promotion and protection of the human rights and dignity of older persons.
6. Other matters.
7. Provisional agenda for the eighth working session of the Open-ended Working Group on Ageing.
8. Adoption of the report.

6. At the same meeting, the Working Group approved the proposed organization of work for its eighth working session, as set out in an informal paper issued in English only.

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

7. At its 1st meeting, on 12 December, the Working Group decided to approve the participation of the following 19 non-governmental organizations in its work:

Age International (United Kingdom of Great Britain and Northern Ireland)  
Care Rights (Republic of Korea)  
Coalition for Caregivers and Advocates for the Elderly in Liberia (Liberia)  
Community Hive Organization (Uganda)  
DroItS huMains Ocean Indien (Mauritius)  
Gerontoplus (Venezuela)  
Gramin Vikas Vigyan Samiti (India)  
International Association for Hospice and Palliative Care (United States of America)  
International Association of Homes and Services for the Ageing (United States)  
International Association of World Peace Advocates (Nigeria)  
International Longevity Centre (United Kingdom)  
New World Hope Organization (Pakistan)  
Old Generation Rejuvenation Ashram (India)  
Pramacare (United Kingdom)

RAS Outreach Wellness Programme for the Aged (South Africa)  
 Seniors Rights Service (Australia)  
 Tsao Foundation (Singapore)  
 Uganda Reach the Aged Association (Uganda)  
 Yemi-Age Nigeria Foundation (Nigeria)

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

8. At its 1st meeting, on 12 December, the Working Group had before it a draft decision entitled “Modalities of participation of national human rights institutions in the work of the Open-ended Working Group on Ageing” (A/AC.278/2016/L.1), submitted by the Chair on the basis of informal consultations.

9. At the same meeting, the Working Group was informed that the draft decision contained no programme budget implications.

10. Also at the same meeting, the Working Group adopted the draft decision, which read as follows:

### **Decision 7/1 Modalities of participation of national human rights institutions in the work of the Open-ended Working Group on Ageing**

*The Open-ended Working Group on Ageing,*

*Recalling* General Assembly resolution [70/163](#) of 17 December 2015 concerning national institutions for the promotion and protection of human rights, in which the Assembly encouraged all relevant United Nations mechanisms and processes, in accordance with their respective mandates, including the Open-ended Working Group on Ageing, to further enhance the participation of national human rights institutions compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles)<sup>1</sup> and to allow for their contribution to these United Nations mechanisms and processes, bearing in mind the relevant provisions dealing with their participation contained in Assembly resolution [60/251](#) of 15 March 2006, Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007<sup>2</sup> and 16/21 of 25 March 2011<sup>3</sup> and Commission on Human Rights resolution 2005/74 of 20 April 2005,<sup>4</sup>

*Recalling also* the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,<sup>5</sup> which reaffirmed the important and constructive role played by national human rights institutions, in

<sup>1</sup> General Assembly resolution [48/134](#), annex.

<sup>2</sup> See *Official Records of the General Assembly, Sixty-second session, Supplement No. 53 (A/62/53)*, chap. IV, sect. A.

<sup>3</sup> *Ibid.*, *Sixty-sixth session, Supplement No. 53 (A/66/53)*, chap. II, sect. A.

<sup>4</sup> See *Official Records of the Economic and Social Council, 2005, Supplement No. 3 and corrigenda (E/2005/23 and Corr.1 and 2)*, chap. II, sect. A.

<sup>5</sup> [A/CONF.157/24](#) (Part I), chap. III.

particular in their advisory capacity to the competent authorities and their role in preventing and remedying human rights violations, in disseminating information on human rights and in education in human rights,

*Decides:*

(a) To invite national human rights institutions compliant with the Paris Principles to participate in its work, in accordance with the rules of procedure of the General Assembly;

(b) That accreditation to each session of the Open-ended Working Group on Ageing shall be granted, upon request, to national human rights institutions which are accredited by the Global Alliance of National Human Rights Institutions and are in full compliance with the Paris Principles, as endorsed by the General Assembly in its resolution 48/134 of 20 December 1993 (“A” status institutions), in line with the criteria agreed upon by the Global Alliance at its nineteenth session, in March 2007;

(c) That the Secretariat shall circulate to all States members of the Open-ended Working Group a list of applications for accreditation received from national human rights institutions in full compliance with the Paris Principles, with the names of their representatives, no less than four weeks prior to each session of the Working Group.

11. After the adoption, statements were made by the representatives of Australia and Germany.

## **F. Documentation**

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

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

13. The Working Group considered item 5 of the agenda at its 1st to 6th meetings, from 12 to 15 December 2016. It held a general discussion of the item at the 1st and 2nd meetings, on 12 December.

14. At its 1st meeting, on 12 December, the Working Group heard statements by the representatives of El Salvador (also on behalf of Argentina, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Guatemala, Honduras, Indonesia, Kenya, Malaysia, Mexico, Panama, Peru, Qatar, Slovenia, South Africa, Trinidad and Tobago and Uruguay, comprising the Group of Friends of Older Persons), the European Union, Ghana, Argentina, Kenya, Slovenia, the Russian Federation, Angola, India, Peru, Israel, Canada, China, Uruguay, Australia (also on behalf of Iceland and Switzerland), Qatar, Japan, the United Kingdom, Bangladesh and Chile.

15. At its 2nd meeting, on 12 December, the Working Group heard statements by the representatives of the Philippines, Colombia, Nepal, Panama, El Salvador, Costa

Rica, Mexico, Uruguay, Brazil, Egypt, Thailand, Germany, Turkey, Singapore, Morocco, the United States and Nigeria, as well as by the observer of the Holy See.

16. At the same meeting, a statement was also made by the observer of Partners in Population and Development.

17. Statements were also made by the following non-governmental organizations: Age Platform Europe, Japan Support Centre for Activity and Research for Old People, Human Rights Watch, HelpAge International, Alzheimer's Disease International, International Association of Homes and Services for the Ageing, Global Ageing Network, Bundesarbeitsgemeinschaft der Senioren-Organisationen, Age International and National Association of Community Legal Centres.

**Panel discussion on recent regional developments and initiatives concerning the human rights of older persons**

18. At its 4th meeting, on 13 December, the Working Group held a panel discussion on recent regional developments and initiatives concerning the human rights of older persons. Presentations were made by the following panellists: Adriana Rovira, Director of the National Institute for Older Persons of the Ministry of Social Development of Uruguay; Johan Lodweyk Strijdom, Head of the Social Welfare Division at the African Union Commission; Božena Forštnarič Boroje, Head of the Human Rights Department of the Ministry of Foreign Affairs of Slovenia; Sung-ho Lee, Chair of the National Human Rights Commission of the Republic of Korea; and Alexis Rinckenbach, Head of the European and International Affairs Unit of the General Directorate for Social Cohesion in the Ministry of Social Affairs, Health and Women's Rights, France.

19. The Working Group then held an interactive dialogue, during which the panellists responded to the comments and questions posed by the representatives of Costa Rica, the European Union, Argentina and Germany. A statement was also made by the representatives of the following non-governmental organizations: China Great Wall Society, Singapore Council of Women's Organizations, HelpAge International and Age Platform Europe.

**Panel discussion on human rights dimensions concerning older persons in recent policy developments and initiatives in multilateral processes**

20. At its 4th meeting, on 13 December, the Working Group heard a presentation by Maria Soledad Cisternas Reyes, Chair of the Committee on the Rights of Persons with Disabilities, who subsequently responded to the comments and questions posed by the representatives of Germany and Argentina, as well as Age Platform Europe, a non-governmental organization approved to participate in the work of the Working Group.

21. At its 5th meeting, on 14 December, the Working Group held a panel discussion on human rights dimensions concerning older persons in recent policy developments and initiatives in multilateral processes. Statements on a point of order were made by the representatives of the Russian Federation, France, Costa Rica and Mexico. The Secretary of the Working Group provided clarification. Presentations were made by the following panellists: Daniela Bas, Director of the Division for Social Policy and Development of the Department of Economic and

Social Affairs of the Secretariat; Wataru Kawasaki, Programmer and Planning Officer, secretariat of the United Nations Conference on Housing and Sustainable Urban Development; Rio Hada, Human Rights Officer, Human Rights and Economic and Social Issues Section, Development and Economic and Social Issues Branch, Thematic Engagement, Special Procedures and Right to Development Division, Office of the United Nations High Commissioner for Human Rights; and Werner Obermeyer, Deputy to the Executive Director, United Nations Affairs and Interagency Relations, World Health Organization.

22. The Working Group then held an interactive dialogue, during which the panellists responded to the comments and questions posed by the representatives of Argentina, Mexico, Morocco, Spain and France. Statements were also made by the representatives of the following non-governmental organizations: International Network of Prevention of Elder Abuse, American Bar Association, National Association of Community Legal Centres, Gray Panthers, Dave Omokaro Foundation, International Federation for Family Development, International Longevity Centre Global Alliance, New Future Foundation and HelpAge International.

**Interactive discussion on “Follow-up to resolution 70/164 on measures to enhance the promotion and protection of the human rights and dignity of older persons: best practices, lessons learned, possible content for a multilateral legal instrument and identification of areas and issues where further protection and action is needed”**

23. At its 6th meeting, on 14 December, the Working Group held a panel discussion on the topic “Follow-up to resolution 70/164 on measures to enhance the promotion and protection of the human rights and dignity of older persons: best practices, lessons learned, possible content for a multilateral legal instrument and identification of areas and issues where further protection and action is needed”.

24. The Working Group held an interactive dialogue in which the following delegations participated: Uruguay, the Dominican Republic (also on behalf of Argentina, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Costa Rica, El Salvador, Guatemala, Honduras, Indonesia, Kenya, Malaysia, Mexico, Panama, Peru, Qatar, Slovenia, South Africa, Trinidad and Tobago and Uruguay, comprising the Group of Friends of Older Persons), Costa Rica, the United States, the European Union, the Russian Federation, Argentina, Slovenia, Mexico, Germany, Austria, the United Kingdom, Canada, Spain, Chile and Ghana. A statement was also made by the Chair of the Committee on the Rights of Persons with Disabilities. Statements were also made by the representatives of the following non-governmental organizations: National Association of Community Legal Centres, HelpAge International, International Association of Gerontology and Geriatrics, American Bar Association, Bundesarbeitsgemeinschaft der Senioren-Organisationen, Age Platform Europe, International Network for the Prevention of Elder Abuse, AARP (also on behalf of Gray Panthers and International Federation on Ageing), International Longevity Centre Global Alliance, Fédération internationale des associations des personnes âgées, China Great Wall Society, Age International, Gerontoplus, Fundación Oportunidad Mayor, Care Rights and National Old Folks of Liberia.

### **Interactive dialogue with the Independent Expert on the enjoyment of all human rights by older persons**

25. At its 3rd meeting, on 13 December, the Working Group heard a presentation by Rosa Kornfeld-Matte, Independent Expert on the enjoyment of all human rights by older persons.

26. At the same meeting, the Independent Expert responded to the comments of and questions posed by the representatives of France, Costa Rica, Slovenia, Mexico, Canada (also on behalf of Australia), the United Kingdom, Singapore, Germany, Morocco, the Dominican Republic, Uruguay, Chile and Argentina, as well as by the Chair of the Committee on the Rights of Persons with Disabilities. Statements were also made by the representatives of the following non-governmental organizations: Dave Omokaro Foundation, International Association of Homes and Services for the Ageing, HelpAge International, Age Platform Europe, International Longevity Centre Global Alliance, International Network for the Prevention of Elder Abuse, International Association for Hospice and Palliative Care, Association camerounaise pour la prise en charge des personnes âgées, International Longevity Centre Canada, American Bar Association and Human Rights Watch.

## **III. Other matters**

### **Interactive dialogue with non-governmental organizations**

27. The Working Group considered item 6 of the agenda at its 7th meeting, on 15 December, and held an interactive discussion with representatives of civil society. Statements on a point of order were made by the representatives of the Russian Federation, France, Costa Rica, Mexico and Spain. The Secretary of the Working Group provided clarification. Statements were made by the representative of Mexico, as well as by the Chair of the Committee on the Rights of Persons with Disabilities and by the representatives of the following non-governmental organizations: Federation for Ageing and Dignity and Overall Quality, HelpAge International, National Association Community of Legal Centres, Singapore Council of Women's Organizations, Association camerounaise pour la prise en charge des personnes âgées, International Longevity Centre Global Alliance, International Network for the Prevention of Elder Abuse, Age International, International Association for Hospice and Palliative Care, Agewell Foundation, Age Platform Europe, American Bar Association, International Council on Social Welfare and Associação Nacional dos Membros do Ministério Público de Defesa dos Direitos dos Idosos e Pessoas com Deficiência.

### **Discussion on the way forward**

28. At the same meeting, the Working Group held a discussion on the way forward. Following a suspension of the meeting, statements on a point of order were made by the representatives of the Russian Federation, Mexico and France. Subsequently, statements were made by the representatives of the European Union, Canada, Argentina and France.

#### **IV. Chair's summary of the key points of the discussions**

29. At its 1st meeting, on 12 December, the Working Group agreed to include the Chair's summary of the key points of the discussions in the report of the session. The Chair's summary reads as follows:

##### **Chair's summary of the key points of the discussions at the seventh working session of the Open-ended Working Group on Ageing**

The seventh working session of the Open-ended Working Group on Ageing reached a milestone with the adoption of a decision on modalities for the participation of national human rights institutions in its work. I welcome this decision adopted by consensus by the members of the Working Group, which allows the participation of national human rights institutions in the work of a subsidiary body of the General Assembly for the first time. By virtue of this decision, national human rights institutions will be able to receive accreditation to participate in the future working sessions of the Working Group, to take separate seating with their own nameplate after Member States and observer States, to take the floor, without the right to vote, under any agenda item and to submit written contributions to the Working Group under any agenda item.

I am convinced that national human rights institutions will make a valuable contribution to the work of the Working Group and to fulfilling its mandate of enhancing the promotion and protection of the human rights of older persons, and I encourage all national human rights institutions with "A" status and in full compliance with the Paris Principles to actively participate in the future working sessions of the Working Group.

I wish to express appreciation for the active involvement and participation and the constructive spirit of Member States in all segments of the current session, namely, during the general debate, the interactive dialogue with the Independent Expert on the enjoyment of all human rights by older persons, the two thematic panels and the very fruitful interactive discussions on the follow-up to General Assembly resolution [70/164](#) and on the way forward.

Furthermore, as in previous sessions, I would like to highlight the active participation and constructive contributions made by civil society and by various United Nations agencies.

I also wish to express my gratitude to all the distinguished panellists for their excellent presentations and the fruitful interaction with Member States and civil society. The Working Group had the chance to examine recent regional developments in the field of the human rights of older persons and the positive human rights implications for older persons of many recent multilateral processes in the fields of housing and infrastructure, health and sustainable development.

Moreover, the Working Group had the opportunity to engage in a dialogue with the Chair of the Committee on the Rights of Persons with Disabilities and to draw parallels between the development of the Convention on the Rights of Persons

with Disabilities and a possible multilateral legal instrument on the human rights of older persons.

We had the opportunity to engage in an enlightening and enriching interactive dialogue with the Independent Expert on the Enjoyment of All Human Rights by Older Persons, during which she presented the main elements, conclusions and recommendations of her comprehensive report, which was presented to the Human Rights Council in September (A/HRC/33/44). It represented an excellent opportunity to reflect on the current challenges that older persons face with regard to the enjoyment of their human rights and on the human rights implications of the existing international legal framework.

Furthermore, the Working Group held an interactive discussion on measures to enhance the promotion and protection of the human rights and dignity of older persons such as best practices, lessons learned, possible content for a multilateral legal instrument and identification of areas and issues where further protection and action is needed. In that discussion, some delegations expressed their views regarding the need to better implement the existing international legal framework, such as the basic human rights treaties and the Madrid International Plan of Action on Ageing, 2002, bridging the gap between policy and practice and mainstreaming the situation of older persons into the existing reporting and monitoring mechanisms on human rights, such as the universal periodic review of the Human Rights Council and the reports submitted to various treaty bodies.

At the same time, other delegations and civil society organizations expressed their views regarding the need to enable an open discussion leading to the development of an international legally binding instrument on the human rights of older persons adopting a human rights approach and placing them at the centre and as specific rights-holders. The delegations noted, in line with the conclusions of the Independent Expert, that the existing international legal framework, regardless of its degree of implementation, was insufficient to comprehensively and effectively ensure the enjoyment of all human rights by older persons and that it addressed the issues of ageing from a developmental rather than a human rights approach.

With regard to the way forward, most delegations expressed a common opinion with regard to the future work of the Working Group, focusing the debate on areas where further protection of the human rights of older persons is needed and on issues of relevance to older persons and elements that need to be better addressed by the international community in order to allow older persons to fully enjoy their human rights. In that regard, some similar areas were mentioned across interventions, including the following:

- (a) Equality and non-discrimination (discrimination on the basis of age);
- (b) Neglect, violence and abuse (ageism);
- (c) Autonomy and independence;
- (d) Accessibility, infrastructure and habitat (transport, housing and access);
- (e) Right to health and access to health services;
- (f) Access to justice;

- (g) Social protection and social security (including social protection floors);
- (h) Economic security;
- (i) Right to work and access to the labour market;
- (j) Education, training, lifelong learning and capacity-building;
- (k) Participation in the public life and in decision-making processes;
- (l) Social inclusion;
- (m) Contribution of older persons to sustainable development;
- (n) Long-term and palliative care.

All these areas and others need to be addressed in order to empower older persons to become active and integrated actors in society and to allow them to fully enjoy their human rights, regardless of their age.

In that regard, I would like to propose that the Working Group continue this substantive discussion. To that end, the Bureau will hold consultations with Member States in order to select two of the following three clusters to be the focus areas for discussion during the eighth working session of the Working Group: equality and non-discrimination; neglect, violence and abuse; and autonomy and independence.

I would like to encourage Member States, national human rights institutions and civil society to continue an active debate during the inter-sessional period in order to bring to the next session of the Working Group concrete proposals and comments in order to enrich the discussion of these focus areas. I believe that the organization of conferences and dialogues at the regional level, especially through regional commissions, the regional networks of national human rights institutions and conferences organized by Member States and civil society will represent an excellent opportunity to continue the constructive debate that we began during the seventh working session in order to move forward with the fulfilment of the mandate of the Working Group to strengthen the promotion and protection of the human rights of older persons.

If the members of the Working Group agree on the way forward, the Chair and the Bureau will encourage discussions and call for input during the intersessional period in order to bring to the eighth working session a wealth of substantive input to guide our debate.

In addition, I would like to express my hope that the Working Group will continue to work in collaboration with the Independent Expert, whose mandate has been extended by the Human Rights Council through resolution 33/5. As we all know, the mandates of the Working Group and of the Independent Expert are complementary, and we look forward to continuing to collaborate with the Independent Expert, while avoiding any duplication, and to the possible contributions that she might make to the work of the Working Group.

I would also like to express my most serious concern about and dissatisfaction with the fact that, during two meetings of the seventh working session, interpretation services were not provided. Although the Working Group, since its creation, has worked under the arrangement that interpretation services would be

provided on an “as available” basis, the Bureau had selected the dates to hold the current session more than six months ago, on the advice of the Secretariat, in order to secure the provision of those services. Unfortunately, interpretation was not provided in two of the seven meetings of the session, including the last meeting, which included the discussion on the way forward and my concluding remarks. In that regard, I would like to reiterate my disappointment with the fact that the Working Group was prevented from fully performing its work. The provision of interpretation in the six official United Nations languages is fundamental to the correct and successful functioning of any subsidiary body of the General Assembly. We sincerely hope that this unfortunate situation does not happen again so that it does not endanger the fulfilment of the mandate of the Working Group.

## **V. Provisional agenda for the eighth working session of the Open-ended Working Group on Ageing**

30. At the 7th meeting, on 15 December, a statement was made by the Chair regarding the provisional agenda for the eighth working session of the Working Group.

## **VI. Adoption of the report**

31. At its 7th meeting, on 15 December, the Working Group adopted the draft report on its seventh working session ([A/AC.278/2016/L.2](#)).

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