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Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Technical assistance and capacity-building

Activities of the Office of the United Nations High Commissioner for Human Rights, the United Nations system and regional organizations to support States' efforts to promote and protect the human rights of older persons

Report of the Office of the United Nations High Commissioner for Human Rights*

Summary

The present report is submitted pursuant to Human Rights Council resolution 39/18, in which the Council requested the Office of the United Nations High Commissioner for Human Rights to prepare a report on the activities of the Office, the United Nations system and regional organizations to support States' efforts to promote and protect the human rights of older persons. The report also contains information on practices and experiences of broader stakeholders, including Member States, national human rights institutions and civil society organizations. The report has been prepared on the basis of research conducted and information received from stakeholders, in order to serve as a basis for the panel discussion to be held during the forty-first session of the Council.

* The present report was submitted after the deadline so as to include the most recent information.



I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 39/18, in which the Council requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to prepare a report on the activities of the Office, the United Nations system and regional organizations to support States' efforts to promote and protect the human rights of older persons and address implementation gaps in national legislation, policies and programmes, including, where applicable, those relating to the Sustainable Development Goals, income security, the promotion of active and healthy ageing, the use of assistive technology, access to information and lifelong learning and combating all forms of discrimination against older persons, paying particular attention to older women and supporting the full integration of older persons in society and access to care, health and support services for older persons in their communities.

2. The present report will serve as a basis for the discussions during the annual thematic panel discussion on technical cooperation, at the Council's forty-first session, which will focus on enhancing technical cooperation and capacity-building as regards the human rights of older persons. In preparing the present report, OHCHR gathered information on different experiences, challenges and lessons learned. OHCHR is grateful for the inputs received from all stakeholders, including Member States, United Nations system entities, national human rights institutions and civil society organizations, in the preparation of the report.

II. Normative and operational framework

3. Rapid population ageing is one of the greatest challenges of the world today. According to the most recent estimates by the United Nations,¹ in 2018, for the first time in history, there were more people aged 65 or over than children under 5 years of age worldwide. Between 2019 and 2050, the number of people aged 65 or over is projected to more than double worldwide. The number of people aged 80 or over will grow even faster and is projected to triple, from 143 million in 2019 to 426 million in 2050.

4. That ongoing demographic transformation means that there is an urgent need to ensure that older persons, who comprise an increasingly large part of the population of our societies, can fully participate in all spheres of social life. Older persons are all too often subjected to discrimination, neglect, exclusion and other violations of human rights, and the international community has not paid sufficient attention to those obstacles, which hinder older persons' full enjoyment of their human rights. Older persons' participation in social and economic life may also be at risk because of prevailing negative images of the aged. Despite those realities, the visibility of issues related to older persons in the field of human rights is still very low. Many of the specific claims of older persons are simply not mentioned in international human rights instruments. National standards are often weak or completely absent with regard to age discrimination, an adequate standard of living, support for autonomy, participation in decision-making and freedom from violence, abuse and neglect.

5. Currently, there is no international instrument dedicated to the protection of the human rights of older persons. Neither the Universal Declaration of Human Rights, nor the International Covenant on Economic, Social and Cultural Rights, nor the International Covenant on Civil and Political Rights, which together constitute the International Bill of Human Rights, mention older persons or discrimination on the basis of age. References to old age as a basis for discrimination are found in specific contexts under the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (art. 7), the Convention on the Rights of Persons with Disabilities (art. 13, para. 1, on access to justice; art. 16, para. 2, on freedom from exploitation, violence and abuse; art.

¹ *World Population Prospects 2019: Highlights* (United Nations publication, Sales No. E.19.XIII.4).

25 (b) on health; and art. 28, para. 2 (b), on an adequate standard of living and social protection) and the Convention on the Elimination of All Forms of Discrimination against Women (art. 11, para. 1 (e), on the right to social security).

6. In the absence of a well-established international protection regime, the treaty bodies have issued interpretations and guidance for the application of their respective treaties with regard to older persons, including general comment No. 6 (1995) on the economic, social and cultural rights of older persons of the Committee on Economic, Social and Cultural Rights (E/1996/22, annex IV) and general recommendation No. 27 (2010) on older women and the protection of their human rights of the Committee on the Elimination of Discrimination against Women (CEDAW/C/GC/27). The Committee on Economic, Social and Cultural Rights also considered the rights of older persons in its general comment No. 19 (2007) on the right to social security (E/C.12/GC/19) and general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights (E/C.12/GC/20).

7. The mandate of the Independent Expert on the enjoyment of all human rights by older persons was established by the Council in September 2013, and the mandate holder, Rosa Kornfeld-Matte, was appointed in May 2014. Since her appointment, the Independent Expert has been assessing the implementation of existing international instruments concerning older persons and of the Madrid International Plan of Action on Ageing while identifying best practices and gaps. As part of her assessment, she has been paying particular attention to specific groups: older women, persons with disabilities, persons of African descent, individuals belonging to indigenous peoples, persons belonging to national or ethnic, religious and linguistic minorities, rural persons, persons living on the streets and refugees. Her country visit reports and the recommendations contained therein include a focus on capacity-building and technical cooperation. Other thematic special procedures mandate holders have also focused on relevant dimensions of the human rights of older persons in their activities, including the independent expert on the question of human rights and extreme poverty in her report on the social protection of older persons (A/HRC/14/31) and the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health in his thematic study on the realization of the right to health of older persons (A/HRC/18/37).

8. Progress has been made at the regional level, with the adoption of two legally binding regional instruments: the Inter-American Convention on Protecting the Human Rights of Older Persons, which was adopted in 2015 and entered into force in January 2017, and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa, which was adopted in 2016 but is not yet in force, pending ratifications. Those regional instruments provide guidance on developing policies and legislation to address the challenges faced by older persons in the exercise of their human rights, including useful tools in that regard. For example, the Inter-American Convention provides a normative framework that will help to remove the stigma around older persons, promote more positive images of ageing and create greater awareness of their positive contributions to society. The Convention also stipulates specific measures that should be taken to regulate areas related to healthy ageing, such as the protection of the older population's right to have information related to treatments and palliative care and the right to be protected against discrimination and abuse.

9. At the global policy level, the Madrid International Plan of Action on Ageing, adopted at the Second World Assembly on Ageing in 2002, represents a major international commitment made by Member States under the framework of the United Nations in order to respond to the opportunities and challenges of population ageing in the twenty-first century. The Plan calls for all-inclusive and simultaneous action to achieve a society for all ages, with a focus on three priority areas: older persons and development, advancing health and well-being into old age and ensuring enabling and supportive environments. The Plan also calls for the mainstreaming of issues relating to ageing and older persons into development agendas and highlights the need for enhanced international and technical cooperation in its implementation. While the Plan is a development-focused document, it reflects key human rights principles and contains several useful references to the human rights of older persons. In her 2016 report (A/HRC/33/44), the Independent Expert on the enjoyment of all human rights by older persons concluded that the implementation of the

Plan was not sufficient to ensure the full enjoyment by older persons of their human rights, as it had not been designed to comprehensively address existing protection gaps. She nevertheless welcomed the trend towards mainstreaming ageing into legal, policy, social and economic development frameworks, as well as the progress made in increasing awareness of the situation of older persons and fostering the greater participation of older persons at various levels. She further highlighted the need for South-South cooperation and the sharing of good practices at the regional level to guide implementation at the national level, taking into account regional specificities.

10. In 2010, in its resolution 65/182, the General Assembly established the Open-ended Working Group on Ageing for the purpose of strengthening the protection of the human rights of older persons. The Working Group is mandated to assess the existing international framework of the human rights of older persons and identify possible gaps and how best to address them, including by considering, as appropriate, the feasibility of further instruments and measures. In 2012, in its resolution 67/139, the Assembly decided that the Working Group, as part of its mandate, would consider proposals for an international legal instrument to promote and protect the rights and dignity of older persons, and requested the Working Group to present to it, at the earliest possible date, a proposal containing the main elements that should be included in an international legal instrument to promote and protect the rights and dignity of older persons, which were not addressed sufficiently by existing mechanisms and therefore required further international protection.

11. In recent years, the Working Group has made steady progress, moving into more thematic discussions to identify specific gaps. At its tenth working session, held in April 2019, the Working Group focused on the themes of education, training, lifelong learning and capacity-building and social protection and social security. National human rights institutions have been directly participating in the work of the Working Group since 2017 and increasingly playing an important role in monitoring and providing advice and support for the integration of older persons into the overall human rights protection efforts at the national level and for the sharing of experiences at the regional and global levels through the Global Alliance of National Human Rights Institutions and its regional networks.

12. The 2030 Agenda for Sustainable Development, adopted in 2015, with its central commitment to leave no one behind, is a transformative development agenda firmly grounded in human rights that offers a comprehensive and integrated vision for sustainable development. The United Nations system is guided by that vision, and supports the implementation of the 2030 Agenda by Member States and all stakeholders through its operational activities to strengthen national capacity. The Sustainable Development Goals represent an important step forward as they contain several Goals that address the rights of older persons, in particular those related to ending poverty, ensuring healthy lives, reducing inequalities and making human settlements inclusive and sustainable (Goals 1, 3, 10 and 11, respectively). Specific references to older persons and age are included in targets related to nutrition, resource use, health care, accessibility, safety and the age-specific collection and analysis of data. The challenge remains to fully integrate the rights of older persons into the implementation of the Goals, including through the voluntary national review process.

13. At present, there is no comprehensive guidance available in the United Nations system on systematically integrating the human rights of older persons into operational activities, including in the current guidance for the preparation of the United Nations Sustainable Development Cooperation Framework (formerly referred to as the United Nations Development Assistance Framework). Both the United Nations system shared framework for action on equality and non-discrimination, adopted by the United Nations System Chief Executives Board for Coordination in 2017,² and the recent interim draft operational guide for United Nations country teams on leaving no one behind, issued by the United Nations Sustainable Development Group in March 2019, include a recommendation

² See United Nations System Chief Executives Board for Coordination, *Leaving No One Behind: Equality and Non-Discrimination at the Heart of Sustainable Development: A Shared United Nations Framework for Action* (United Nations, New York, 2017).

for country-level action to implement initiatives aimed at combating all forms of age discrimination against older persons in employment, promoting youth employment and the socioeconomic inclusion of persons of all ages and addressing the vulnerability of young people to higher unemployment and lower quality of jobs and to longer and more insecure school-to-work transitions. A sample survey of existing United Nations Development Assistance Frameworks indicates that older persons are often included among the vulnerable groups in the common country assessments. In several Frameworks, collaboration with the United Nations in the areas of social protection and care for older persons was identified as a priority.

III. Experiences and practices in technical cooperation and capacity-building in support of State efforts to promote and protect the human rights of older persons

14. In this section, examples are provided of technical cooperation and capacity-building activities by United Nations system entities in support of State efforts to promote and protect the human rights of older persons. A few relevant initiatives by Member States, national human rights institutions and civil society organizations are also highlighted, many of which were undertaken in coordination with United Nations entities.

A. Support for policy and legal frameworks

15. In order to support Member States' commitment to realizing the human rights of older persons, entities of the United Nations system provided policy and technical advice and facilitated the exchange of experiences in the development of national policies and strategies, legal reform and the implementation of relevant programmes, including those related to the Sustainable Development Goals.

16. The Working Group on Ageing, a subsidiary body of the Economic Commission for Europe (ECE), adopted its programme of work for 2018–2022, which is aligned with the 2030 Agenda and responds to the main goals of the 2017 Lisbon Ministerial Declaration, in which States members of ECE reaffirmed their commitment to fulfilling the Regional Implementation Strategy of the Madrid International Plan of Action on Ageing. The realization of the Plan of Action and its Regional Implementation Strategy contributes to the implementation of the 2030 Agenda, in particular Goals 1, 3, 4, 5, 8 and 10, in which the connections between the Goals and the priority policy goals agreed upon in the Lisbon Ministerial Declaration are the strongest. The programme of work includes activities in four main areas: (a) organizing policy seminars and in-depth discussions; (b) preparing policy briefs with examples of good practices; (c) capacity-building on ageing-related issues; and (d) monitoring the implementation of the Plan of Action and its Regional Implementation Strategy and strengthening the evidence base for policymaking.

17. The Working Group is making efforts to develop capacity through its project on road maps for mainstreaming ageing. The aim of the project is to provide guidance to individual ECE member States on how to formulate ageing-related policies in response to the Plan of Action and its Regional Implementation Strategy. If programme funding permits, field missions and other activities related to the evaluation and monitoring of road map implementation may be conducted in the Republic of Moldova and Georgia, two countries for which road maps were developed in 2012 and 2015. Similarly, a peer assessment may be conducted of recently developed national policies and strategies on ageing based on the Active Ageing Index. The secretariat of ECE, with the support of the Working Group, is currently working on developing new road maps for Belarus and Kazakhstan. In order to ensure synergy with the 2030 Agenda, future road maps for mainstreaming ageing will be designed to align with the national implementation of the Goals. Furthermore, the Working Group, in cooperation with experts from academia and civil society organizations, will develop more comprehensive guidance for mainstreaming ageing into all relevant policy areas, to be published in 2020. The recommendations will

build upon the expertise acquired through the road map project and will be designed to integrate the objectives of the 2030 Agenda and its Goals.

18. In 2017, the Economic Commission for Latin America and the Caribbean (ECLAC) convened the Fourth Regional Intergovernmental Conference on Ageing and the Rights of Older Persons in Latin America and the Caribbean, which resulted in the adoption of the Asunción Declaration “Building inclusive societies: ageing with dignity and rights”. During the Conference, the participating Governments reaffirmed their commitment to promoting, protecting and respecting the human rights, dignity and fundamental freedoms of all older persons and requested ECLAC to strengthen its activities relating to ageing and older persons’ rights in order to help Governments in the region to adopt measures that ensure the full exercise of all human rights and fundamental freedoms and the dignity of older persons, with the participation of civil society. ECLAC also held expert meetings in Costa Rica in 2018 and in Uruguay in 2019 on ageing and the human rights of older persons within the framework of the 2030 Agenda, during which a series of recommendations were proposed on how to incorporate issues related to older persons into the implementation of the 2030 Agenda from the perspective of equality and human rights. At the country level, ECLAC reported that it provided technical support to Brazil, Costa Rica, Mexico, Peru and Uruguay for legal reform, the ratification of, and development of a monitoring framework for, the Inter-American Convention on Protecting the Human Rights of Older Persons, and building capacity within civil society.

19. From 2015 to 2018, the Department of Economic and Social Affairs, in cooperation with the Economic Commission for Africa, implemented a project under the United Nations Development Account to strengthen the capacity of three countries in sub-Saharan Africa (Kenya, Malawi and Uganda) to produce and analyse statistical information on older persons for evidence-based policies on ageing and to apply empirical data to formulate, review and adjust national policies on ageing in consultation with civil society and other stakeholders. The project is part of a larger initiative of the Department of Economic and Social Affairs that aims to assist countries in collecting and analysing data on older persons in order to more accurately monitor the changing situation of older persons during the implementation phase of the 2030 Agenda. In February 2019, the Department of Economic and Social Affairs organized an expert group meeting on the theme “Measuring population ageing: bridging research and policy” in Bangkok, in collaboration with the Economic and Social Commission for Asia and the Pacific (ESCAP). The objectives of the meeting were to discuss key questions relating to the measurement of population ageing, including traditional and new concepts and methods of measurement, and to assess the scope and limitations thereof in terms of supporting national policy design and implementation and the regional and global review of progress made in the achievement of internationally agreed development goals related to population ageing. Experts from governmental and international organizations, research institutions and civil society organizations discussed the applicability of various measures of ageing in different contexts and their potential for changing the image of ageing in societies.

20. The Statistical Commission, at its forty-ninth session, held in March 2018, established the Titchfield Group on ageing-related statistics and age-disaggregated data with the aim of identifying gaps and establishing international standards and methods for the compilation of statistics and data on the major dimensions of ageing and age-disaggregated data across the life cycle. The work of the Titchfield Group will be carried out in collaboration with United Nations bodies and other organizations concerned with various aspects of ageing-related and age-disaggregated statistics. The overall objective of the Titchfield Group is to develop standardized tools and methods for producing both data disaggregated by age and ageing-related data, and to encourage countries to do so, by playing a leading role in the dissemination of good practices across the world and by facilitating collaboration among national statistics organizations. The Titchfield Group will also address issues relating to data on ageing and deficits in the data.

21. In 2018, the World Health Organization (WHO) provided technical support for the development of national strategies on ageing in Nepal, the Russian Federation, Tajikistan and Turkey. In 2019, WHO organized a workshop to review the status of implementation of the WHO European and global strategies on ageing and health, during which policy

innovations and best practices were identified, drawing from country experiences across the European region. In the Americas, from 2017 to 2019, WHO provided technical support for the development, adoption and ratification of the Inter-American Convention on Protecting the Human Rights of Older Persons.

B. Autonomy and independence

22. The ability to make one's own decisions and to have control over one's life is central to human dignity. For many older persons, however, the autonomy and independence they enjoyed earlier in their lives is denied in older age, often because of a belief that older persons can no longer make their own decisions or that their decisions should be disregarded. Ensuring that older persons are in a position to lead autonomous lives to the greatest extent possible – irrespective of their physical, mental and other conditions – requires a radical change in the way in which society perceives ageing. The right to enjoy and exercise legal capacity is a key element of autonomy and independence that allows older persons, when they are unable to look after their own interests, to have supported decision-making arrangements. Effective safeguards and access to effective complaints mechanisms and appropriate remedies are essential in cases in which an older person's right to autonomy and independence, including the right to legal capacity, has been violated.

23. While autonomy and independence are relatively new legal concepts, normative guidance can be drawn from a number of binding and non-binding international instruments, including the Inter-American Convention on Protecting the Human Rights of Older Persons, the Convention on the Rights of Persons with Disabilities and the United Nations Principles for Older Persons. In April 2018, the OHCHR Regional Office for Europe and AGE Platform Europe organized a multi-stakeholder consultation to further develop a conceptual and practical understanding of autonomy and independence and to discuss long-term and palliative care. The outcome of the seminar was submitted to the Open-ended Working Group on Ageing so as to contribute to the thematic discussions on those topics at its ninth session, held in July 2018. In a policy brief on ageing, ECE highlighted possible strategies to safeguard and promote the independence of older persons, drawing from innovations and good practices from 25 member countries.³

C. Social security and social protection

24. The rights of older persons to social security and to an adequate standard of living to support their health and well-being are grounded in the main international human rights instruments. Specific references to social protection are made in the Universal Declaration of Human Rights (art. 25) and in the International Covenant on Economic, Social and Cultural Rights (arts. 9–11). The content of those rights is further specified in the normative body of standards developed by the International Labour Organization (ILO) that provides concrete guidance to countries on ways to give effect to the right of older persons to social security, from the provision of basic levels of social security to the full realization of that right. Among the standards developed to that effect, the most recent is the Social Protection Floors Recommendation, 2012 (No. 202), which provides an international reference framework setting out the range and levels of social security benefits that are necessary and adequate for ensuring income maintenance and income security, as well as access to health care, in old age. The extension of coverage to all older persons is an underlying objective of the standards, with the aim of achieving universal protection, as explicitly stated in Recommendation No. 202.

25. The 2030 Agenda, in particular target 1.3, calls for the implementation of national social protection systems for all, including floors, with special attention given to the poor and the vulnerable. An important social policy challenge facing ageing societies is to secure an adequate level of income for all people in old age without overstressing the capacities

³ ECE, "Innovative social services and supportive measures for independent living in advanced age", Policy brief on ageing No. 20, November 2018.

of younger generations. In view of the financing and sustainability challenge faced by social security systems in the context of demographic change, the State has a vital role to play in forecasting the long-term balance between resources and expenditure in order to guarantee that institutions will meet their obligations towards older persons.

26. According to recent ILO estimates,⁴ at the global level, 68 per cent of people above retirement age receive a pension, either contributory or non-contributory. While significant progress has been made in extending pension system coverage in developing countries, the right of older persons to social protection is not yet a reality for many. In most low-income countries, less than 20 per cent of older persons over the statutory retirement age receive a pension. In many developing countries, a large proportion of older persons still depend heavily on family support.

27. Most older women who have been working at home and in informal sectors throughout their lifetime are excluded from contributory social security and health insurance schemes, which are linked to formal employment (A/HRC/37/32, para. 36). The United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) issued a policy brief on gender-responsive pension systems, in which several recommendations were made on how pension systems can be transformed to reduce gender gaps and protect women's income security in old age.⁵

28. Through its social protection programme, ILO provides countries with assistance through legal advisory services, policy design, cost and financing assessments, actuarial analysis and institutional design to support the introduction or reform of social protection programmes, income security and health care. ILO support includes the implementation or revision of social protection programmes that are gender-sensitive and inclusive, aimed at the unemployed, older persons, persons with disabilities, new mothers, families with children and others, in line with ILO labour and social security standards. For example, ILO, together with other United Nations entities, has supported the Government of Mozambique in updating its basic social protection strategy, which is aimed at significantly expanding coverage for older persons, persons with disabilities and children by 2024. In line with those objectives, the Government has recently tripled the fiscal space allotted for social protection, which has allowed for a marked increase in the number of beneficiaries covered by the basic programmes, rising from 183,000 households in 2008 to 540,000 in 2017.

29. On the occasion of the International Day of Older Persons on 1 October 2018, ILO published a series of resources to help ensure that ongoing and future pension reforms balance pension adequacy and financial sustainability. The toolkit, referred to as the pension primer,⁶ provides key learning materials on policy options, benefit adequacy, statistics, country cases and pension system design, including the ILO social protection floors cost calculator.

D. Promotion of active and healthy ageing

30. WHO defines the concept of healthy ageing as the process of developing and maintaining the functional ability that enables well-being in older age. Functional ability is determined by the intrinsic capacity of individuals, the environments they inhabit and the interaction between them. Moreover, healthy ageing is a process that spans the entire life course and that can be relevant to all individuals, not just those who are currently free of disease. The "Global strategy and action plan on ageing and health 2016–2020: towards a world in which everyone can live a long and healthy life", adopted in May 2016 by the 194 member States of WHO in World Health Assembly resolution 69.3, provides a framework for action in that area and is supported by the evidence presented in the *World Report on*

⁴ See ILO, Social Protection Department, *Social Protection for Older Persons: Policy Trends and Statistics 2017–19*, Social protection policy paper 17 (Geneva, 2018).

⁵ UN-Women, "Protecting women's income security in old age: toward gender-responsive pension systems", Policy brief No. 3, 2015.

⁶ See www.social-protection.org/gimi/ShowWiki.action?id=63.

Ageing and Health. The strategy provides a vision and objectives for 14 years, from 2016 to 2030, and an action plan for 2016 to 2020 to develop the evidence base and partnerships for the Decade of Healthy Ageing 2020–2030 (see document WHA69/2016/REC/1, resolution 69.3 and annex 1).

31. The enhancement of technical cooperation and the strengthening of capacity at the country level are highlighted in the strategy as key priorities for advancing work in the area of ageing. More recently, WHO regional and country offices, government agencies, civil society organizations and other stakeholders from 81 countries selected training and mentoring as a top priority for the next 10 years of action in the area of ageing, as reflected in their responses to a survey administered by WHO in late 2018. From 2017 to 2019, WHO enhanced technical cooperation and strengthened capacity by organizing and contributing to a series of capacity-building programmes and activities and by providing technical support at the country and regional levels. For example, in 2017, WHO provided technical support to Governments in sub-Saharan Africa for the development of national policies, programmes and action plans on healthy ageing that are aligned with global and regional frameworks, including the strategy and action plan. More recently, WHO developed the first online programme on healthy ageing, which is aimed at developing leaders and equipping them with the understanding and the competencies to engage meaningfully in the topic of healthy ageing and become the agents of change around the world to put the idea into practice.

32. The United Nations Population Fund (UNFPA) supported a South-South cooperation initiative between Bosnia and Herzegovina and North Macedonia to exchange experiences, lessons learned and good practices in addressing the health needs of older persons. UNFPA, in cooperation with the non-governmental organization Partnership for Public Health, established centres for healthy ageing in Bosnia and Herzegovina, including in Sarajevo, which work towards improving the quality of life of older persons, especially their mental health, and enabling them to be actively engaged in and to make valuable contributions to their community. The successful experience of Bosnia and Herzegovina was replicated in North Macedonia, with support from UNFPA, through the establishment of two centres for healthy ageing in the municipalities of Vinica and Čaška to serve the needs of older persons, including those who could not afford health care. A learning visit to the centres in Sarajevo was conducted in 2017, including participants at the ministerial level, to see first-hand the operation of the centres and good practices that could be transferred, as appropriate. Capacity-building activities have been organized in both countries to better understand the consequences of rapid demographic changes and how the capacities of older persons could be tapped. Furthermore, non-governmental organizations working on population ageing were mobilized to promote active and healthy ageing among older persons.

E. Use of assistive technology

33. New technologies and artificial intelligence are radically transforming our society, including in the area of care and support for older persons. The Independent Expert on the enjoyment of all human rights by older persons focused on the subject in her 2017 thematic report (A/HRC/36/48), in which she provided an overview of the existing international and regional human rights standards and analysed the potential and challenges of the use of such technology for the enjoyment by older persons of their human rights. She observed that the use of assistive technology and robots had great potential to increase the ability of older persons to live independently and autonomously and to fully exercise their human rights on an equal basis with others. She recommended that States integrate assistive technology into health and social protection schemes, making it available at affordable prices and offering financial assistance to those who needed it, while also retaining other support options, including traditional care, and establishing appropriate monitoring and accountability mechanisms to prevent human rights abuses. Furthermore, she called upon States to enhance international cooperation, including South-South and triangular cooperation, to enable greater access to science, technology, innovation and knowledge-sharing.

34. The Government of Austria hosted an international conference on the human rights of older persons in Vienna on 12 and 13 November 2018, with the support of OHCHR and the Department of Economic and Social Affairs, which focused on future challenges and opportunities for older persons and the enjoyment of their human rights and how that enjoyment could be facilitated by technological developments, such as robotics, automation and digitalization. A declaration on the human rights of older persons (the Vienna Declaration) was adopted at the conference, in which participants acknowledged the need for measures to better utilize technological progress and ensure that older persons have access to suitable education and training. The Declaration was subsequently submitted to the Open-ended Working Group on Ageing at its tenth session, held in April 2019.⁷

35. A number of United Nations organizations are increasingly focusing on the role of new technologies in relation to older persons. ESCAP, in collaboration with the Republic of Korea, has launched a project to identify workable and effective methods to promote and enhance the accessibility of health care and long-term care for older persons and equality in the provision thereof, and to ensure the dissemination of such knowledge and practices in the Asia-Pacific region. ESCAP is developing studies in selected countries in the region that have an information and communications technology environment that could support health-care services for older persons. Findings, good practices and lessons learned from those studies will be shared with other countries in the region.

36. The International Telecommunication Union (ITU) has been exploring the concept of smart sustainable cities since 2013. Social inclusion and creating an information society form an important part of the smart sustainable city transition process, wherein all strata of society, regardless of gender, income and age, have access to basic services and information and communications technologies for urban living. Within smart sustainable cities, intelligent sustainable buildings are equipped with efficient technologies, including sensors, patient monitors and cameras, to cater to the ageing population and ensure that they receive adequate health-care services along with the required protection from abuses and unwarranted events. As an organization that develops international standards, ITU, through its Telecommunication Standardization Sector, has developed a comprehensive list of key performance indicators for the transition to smart sustainable cities, together with 15 other United Nations agencies and programmes, under the United for Smart Sustainable Cities initiative. Over 50 cities worldwide are already implementing those indicators to improve urban functionalities and quality of life and ensure environmental, economic and social sustainability.

F. Access to information and lifelong learning

37. Older persons face multiple challenges with regard to their enjoyment of all levels of quality education, training, lifelong learning and capacity-building services. Ageing often intersects with other forms of vulnerability and social exclusion, such as illness, disability and poverty. Older persons may face physical barriers to learning owing to location, transportation and accessibility and often lack the skills needed to benefit fully from digital and online lifelong learning opportunities.

38. Sustainable Development Goal 4 sets out the commitments of Member States to ensure inclusive and equitable quality education and promote lifelong learning opportunities for all. Lifelong learning is an integral part of the right to fundamental education under article 13, paragraph 2 (d), of the International Covenant on Economic, Social and Cultural Rights.⁸ In its general comment No. 6, the Committee on Economic, Social and Cultural Rights states that older persons should have access to suitable education programmes and training throughout their lives.

39. In its 2015 Recommendation on Adult Learning and Education, the United Nations Educational, Scientific and Cultural Organization (UNESCO) calls upon Member States to

⁷ The Declaration and other information are available at www.ageing.at.

⁸ See paragraphs 22 to 24 of general comment No. 13 (1999) on the right to education of the Committee on Economic, Social and Cultural Rights (E/2000/22-E/C.12/1999/11, annex VI).

promote access to and broader participation in lifelong learning. Similarly, in its 2015 Recommendation concerning Technical and Vocational Education and Training, which is aimed at empowering individuals and promoting employment, decent work and lifelong learning, UNESCO recommends that Member States take measures to ensure that all youth and adults have equal opportunities to learn, develop and enhance their knowledge, skills and competencies by transforming and expanding technical and vocational education and training in all its forms to address the great diversity of learning and training needs.

40. The UNESCO Institute for Lifelong Learning, as one of the key education-related institutes of UNESCO and the only organizational unit within the United Nations system with a global mandate for lifelong learning, promotes and supports lifelong learning with a focus on adult learning, continuing education, literacy and non-formal basic education. In its activities, particular emphasis is placed on furthering educational equity for disadvantaged groups and in the countries most afflicted by poverty and conflict. The Institute supports the strengthening of Member States' capacity to improve the quality of their lifelong learning policies and strategies for building inclusive lifelong learning systems, through policy review, policy dialogue and the provision of capacity development to key national stakeholders.

41. ECE issued a policy brief on lifelong learning,⁹ in which it highlighted good practices from across the region and made several recommendations, including the need to promote gender-sensitive education programmes, since older women might have different educational needs than older men. ECLAC provided technical support to the Government of Brazil and contributed to the discussion on the issue of continuing education and non-discrimination on the basis of age in terms of access to digital technology.

G. Combating all forms of discrimination against older persons

42. Age discrimination and the prevalence of ageism constitute a major obstacle to the enjoyment of all human rights by older persons and their active contribution to society. Equality and non-discrimination are hallmarks of all international human rights instruments, as well as of relevant regional instruments. However, the absence of explicit references to age as a prohibited basis for discrimination in the existing international and regional instruments renders the protection against age discrimination less visible. For example, among more than 13,000 recommendations related to discrimination classified under the Universal Human Rights Index, less than 1 per cent concern age discrimination against older persons. In recent years, more attention has been paid by the United Nations system and partners, including the Open-ended Working Group on Ageing, to address the multiple challenges of discrimination, abuse and violence against older persons, especially women, who tend to suffer from intersectional discrimination and bear the brunt of the cumulative effects of gender and other forms of discrimination endured throughout the course of their lives.

43. Since 2016, at the request of Member States (see World Health Assembly resolution 69.3), WHO has been developing a global campaign to combat ageism and investing efforts in three key areas: (a) gathering evidence on ageism (i.e., how it is defined, how it is experienced, how it is measured, what its consequences are and what strategies exist to tackle it) and on how to conduct a campaign to tackle ageism (i.e., what works and what doesn't work); (b) building a global coalition of stakeholders to lead the way towards a non-ageist world; and (c) raising awareness of the need to tackle ageism. In 2018, WHO led a highly specialized workshop on ageism at the Global Conference on Ageing organized by the International Federation on Ageing in Canada, and contributed to a similar workshop at the International Association of Gerontology and Geriatrics European Region Congress, held in Sweden in 2019. The workshops aimed at engaging participants in discussions on the concept of ageism, the most recent evidence on the impact of ageism on older persons and existing strategies to tackle the phenomenon. They were also aimed at generating ideas about how people could apply existing evidence and resources in formulating better

⁹ ECE, "Lifelong learning", Policy brief on ageing No. 5, March 2010.

policies and practices and stimulate action through the WHO-led global campaign to combat ageism.

44. ECE issued its most recent policy brief on ageing, on the theme of combating ageism in the world of work.¹⁰ Drawing on good practice examples from the region, ECE highlights in the policy brief ways in which to address ageism in the labour market in order to form age-inclusive and age-diverse workplaces that offer equal opportunities for all generations.

45. The Global Alliance for the Rights of Older People has been implementing a project entitled “Global fight against ageism” in partnership with Age International and HelpAge International, aimed at empowering older persons and civil society organizations in 10 countries in Asia and Africa (Bangladesh, Cameroon, India, Kenya, Liberia, Mauritius, Nepal, Rwanda, Uganda and United Republic of Tanzania) to advocate for the rights of older persons and challenge ageism and age discrimination at the local, regional and international levels.

46. In 2018, AGE Platform Europe, with the support of its partners, including the United Nations and civil society organizations, launched a 70-day campaign against ageism spanning the period between the International Day of Older Persons (1 October) and the seventieth anniversary of the Universal Declaration of Human Rights, on International Human Rights Day (10 December).

H. Supporting the full integration of older persons into society

47. The right to participation constitutes a guarantee against social exclusion and isolation, without which older persons will continue to suffer from persistent beliefs that they are a social burden and are passive recipients of assistance rather than active rights holders who continue to contribute to society. An age-friendly environment is key to ensuring the continued active contributions by and full integration of older persons in all spheres of life. The Madrid Plan of Action stipulates that all older persons, regardless of their circumstances, are entitled to live in an environment that enhances their capabilities (A/CONF.197/9, chap. I, resolution 1, annex II, para. 94). The 2030 Agenda includes specific targets relating to older persons under Goal 11 to provide safe, affordable, accessible and sustainable transport systems (target 11.2) and to provide universal access to safe, inclusive and accessible, green and public spaces (target 11.7). The New Urban Agenda has “accessibility for all” as a core principle and includes commitments such as enabling older persons to participate effectively in decision-making about urban and territorial development (General Assembly resolution 71/256, annex, para. 148). In order to foster the social inclusion of older persons, the Independent Expert on the enjoyment of all human rights by older persons emphasized the need to mainstream their rights in development, in urban policies and in poverty reduction strategies (A/HRC/39/50, para. 83).

48. The United Nations Human Settlements Programme (UN-Habitat), as the United Nations agency responsible for human settlements and urbanization, supports and advocates improved city spatial planning and management that respect, protect and fulfil the rights of older persons in the city. Access to services, education and social inclusion are often restricted by a lack of mobility and accessibility. Therefore, UN-Habitat supports universal design as a principle to be applied to all urban development processes. The built environment must be appropriately designed to fulfil the rights of all people, including people in old age, to have access to urban services, urban life and housing. That approach must be complemented by appropriate transport systems and adequate housing design that allow full physical access for older persons. Only once those conditions are met will older persons gain full dignity and enjoyment of their rights in cities, including the rights of older persons to autonomy and independence. Through the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) process and through the

¹⁰ ECE, “Combating ageism in the world of work”, Policy brief on ageing No. 21, February 2019.

implementation of the New Urban Agenda, in particular the adoption of age-responsive approaches to urban and territorial development, UN-Habitat has been increasingly engaging with partners working with older persons and persons with disabilities, among others.

49. Since 2010, WHO has been promoting a global network of age-friendly cities and communities to stimulate and enable cities, communities and other subnational levels of government around the world to become increasingly age-friendly. Through the network, WHO seeks to support members in becoming more age-friendly by: (a) inspiring change, through showing what can be done and how it can be done; (b) connecting cities and communities worldwide to facilitate the exchange of information, knowledge and experiences; and (c) supporting cities and communities to find appropriate innovative and evidence-based solutions. Within the framework of the network, WHO has been organizing several capacity-building programmes and activities, including the age-friendly environments mentorship programme, which was launched in 2018 to develop leaders for the next decade of efforts towards age-friendly cities and communities and to build skills that are important for developing age-friendly environments, such as building strategic partnerships, advocating for older persons, facilitating participatory processes, understanding and addressing inequalities, conducting monitoring and evaluation activities and analysis and developing policies. Furthermore, in partnership with the International Federation on Ageing, WHO hosts workshops and webinars on age-friendly environments and key emerging topics in that regard, such as indicators for age-friendliness, reducing inequities and age-friendly environments in rural and remote contexts.

I. Access to care, health and support services

50. As populations continue to age and experience increasing longevity, the number of older persons in need of long-term care and other support services is expected to grow significantly. During the third review and appraisal of the Madrid International Plan of Action on Ageing, Member States identified the improvement of health and care services as a priority in all regions (E/CN.5/2018/4, para. 59). Access to long-term care and other services is an essential element of the right of older persons to the highest attainable standard of physical and mental health, the right to social security and the right to an adequate standard of living, among others. However, currently there are significant gaps and challenges in terms of legal and policy frameworks and the availability and quality of care services, and there is a critical shortage of trained personnel.¹¹ Many countries rely on informal care that is often provided in the home, without adequate support, by caregivers who are usually unpaid female family members or friends and whose care work may limit their ability to engage in paid work.

51. WHO has identified three approaches that will be crucial in establishing effective long-term and palliative care to meet the needs of older persons: (a) establishing the foundations necessary for a system of long-term care; (b) building and maintaining a sustainable and appropriately trained workforce; and (c) ensuring the quality of long-term care. With support from 30 experts in geriatric medicine, WHO developed evidence-based guidelines on integrated care for older persons,¹² with a particular focus on less resourced settings. Targeted at non-specialist health workers, the guidelines provide guidance on home-based interventions for older persons to prevent, reverse or slow declines in intrinsic capacity. Since 2018, WHO has been providing technical support and advice to countries for the adoption and implementation of the guidelines.

52. From 2015 to 2017, the European Network of National Human Rights Institutions conducted a project to improve the human rights of older persons in long-term care, with

¹¹ See, for example, Xenia Scheil-Adlung, *Long-term Care Protection for Older Persons: A Review of Coverage Deficits in 46 Countries*, Extension of social security: working paper No. 50 (ILO, Geneva, 2015).

¹² WHO, *Integrated Care for Older People: Guidelines on Community-level Interventions to Manage Declines in Intrinsic Capacity* (Geneva, 2017).

particular emphasis on institutional care. The project was implemented with support from the European Commission and included an overview of the human rights concerns identified through monitoring work as part of a pilot project in Belgium, Croatia, Germany, Hungary, Lithuania and Romania, in particular with regard to the upholding of dignity, the right to privacy, autonomy and participation and access to justice. In its findings, the Network highlighted, in particular, the challenges individuals faced in having their choices respected in terms of where to receive long-term care, in having their legal capacity respected and in gaining access to services. In an analysis carried out by the Network, it was also highlighted that international human rights standards did not provide older persons with an explicit right to long-term care and that there was a lack of clarity regarding the obligations of private for-profit and non-profit providers of long-term care.

IV. Conclusions

53. With their skills and experience built over a lifetime, older persons have the potential to make significant contributions to society and the economy, both as individuals and through their families and communities. Technical cooperation and capacity-building play a critical role in enabling older persons to continue to contribute to society and in fulfilling the promise of leaving no one behind set out in the 2030 Agenda.

54. Many more efforts are necessary to further mainstream the human rights of older persons into the United Nations system and raise the visibility of those rights within the system in order to provide more coherent and coordinated support. The findings of the present report indicate the need for a specific guidance and capacity-building tool to integrate the human rights of older persons into the operational activities of the United Nations system. A human rights-based approach would require a fundamental shift in the viewing of older persons as rights holders and active agents of change, rather than simply as vulnerable populations who need assistance and support.

55. Further elaborating on existing norms and standards and developing new standards to address specific gaps in the protection of older persons are critical in order to enhance technical cooperation activities on the human rights of older persons. Further progress is required, inter alia, in the work of the Open-ended Working Group on Ageing to fulfil its mandate, as contained in General Assembly resolutions 65/182 and 67/139, and far greater attention needs to be paid in the context of the international human rights mechanisms, namely, the treaty bodies, the special procedures of the Human Rights Council and the universal periodic review, to the particular challenges faced by older persons. Specific recommendations and further normative guidance from those mechanisms concerning the human rights of older persons would provide entry points and guide technical cooperation among States and relevant United Nations system entities and other stakeholders. As a result, States and other stakeholders would be required to more systematically monitor and report on the situation of older persons to international human rights mechanisms and as part of the monitoring and review processes of the 2030 Agenda and the Sustainable Development Goals.

56. The present report highlights the role of the United Nations system in facilitating the sharing of experience among countries, including through South-South and triangular cooperation, in addressing the challenges faced by and gaps in the protection of older persons. The United Nations country teams and agencies can further exercise their convening power to bring together stakeholders at the country and local levels and to make their normative and technical expertise available, including through the use of new technologies and innovative approaches, in order to enhance partnerships and support.

57. Lastly, ensuring the meaningful participation of older persons in the design and implementation of technical cooperation and capacity-building will be essential in supporting their autonomy and independence and contributing to the effective and

inclusive implementation of the 2030 Agenda and the full realization of their human rights. Enhanced partnerships and coordination with civil society organizations and national human rights institutions will be critical to that end.
