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Open-ended Working Group on Ageing

Twelfth session

11–14 April 2022

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

Rapporteur: Mr. Tomáš Grünwald (Slovakia)

I. Organization of the session

A. Opening and duration of the session

1. The Open-ended Working Group on Ageing held its twelfth session at United Nations Headquarters from 11 to 14 April 2022. The Working Group held three formal meetings and five informal meetings.
2. The session was opened by the temporary Chair of the Working Group. The Vice-Chair of the Working Group, Roseny B. Fangco (Philippines), made a statement on behalf of the Chair.

B. Attendance

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

C. Election of officers

4. At its 1st meeting, on 11 April, the Working Group considered nominations for the Bureau of the Working Group and elected, by acclamation, María del Carmen Squeff (Argentina) as Chair, and Roseny B. Fangco (Philippines), Tomáš Grünwald (Slovakia) and Rasha Al-Katta (Canada) as Vice-Chairs. The Group was informed that Mr. Grünwald would act as Rapporteur until a nomination for Rapporteur was received.



5. The Bureau of the twelfth session of the Working Group was composed as follows:

Chair:

María del Carmen Squeff (Argentina)

Vice-Chairs:

Roseny B. Fangco (Philippines)

Rasha Al-Katta (Canada)

Vice-Chair and Rapporteur:

Tomáš Grünwald (Slovakia)

D. Agenda and organization of work

6. At its 1st meeting, the Working Group considered and adopted the provisional agenda, as contained in document [A/AC.278/2022/1](#). The agenda read as follows:

1. Election of officers.
2. Adoption of the agenda and other organizational matters.
3. Participation of national human rights institutions in the work of the Open-ended Working Group on Ageing.
4. Participation of non-governmental organizations in the work of the Open-ended Working Group on Ageing.
5. Measures to enhance the promotion and protection of the human rights and dignity of older persons.
6. Follow-up to resolution [76/138](#): measures to enhance the promotion and protection of the human rights and dignity of older persons: best practices, lessons learned, possible content for a multilateral legal instrument and identification of areas and issues where further protection and action are needed.
7. Other matters.
8. Provisional agenda for the thirteenth session.
9. Adoption of the report.

7. At the same meeting, the Working Group considered and approved the proposed organization of work for its twelfth session, as set out in [A/AC.278/2022/CRP.1](#).

8. Also at the same meeting, the Working Group discussed and agreed upon the specific arrangements for the twelfth session, as set out in an informal paper. The Working Group agreed that the arrangements were to be applied as a temporary measure and without setting a precedent for future sessions of the Working Group.

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

9. At its 1st meeting, the Working Group was informed of the participation of 25 national human rights institutions in the twelfth session, in accordance with decision 7/1 on the modalities of participation of national human rights institutions in its work (see [A/AC.278/2016/2](#), para. 10).

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

10. At its 1st meeting, the Working Group considered and decided to grant accreditation to the following 21 non-governmental organizations to participate in its work:

Commonwealth Association for the Ageing
 Society for Community Organization and Rural Education (SCORE)
 Older Persons Advocacy Network (OPAN)
 Generationsbrücke Deutschland (Generations Bridge Germany)
 Ageing Concern Foundation (ACF)
 Unprivileged to the Human Action Need (UTTHAN)
 Power of Touch (PoT)
 Josef und Luise Kraft-Stiftung
 Organisation des jeunes Comoriens pour la culture et le développement (OJCCD)
 Organization for the Promotion of Elderly Support in Liberia (OPESL)
 Kenya Small Scale Farmers Forum
 ASEM Global Ageing Center
 Dorcas Aid International
 National Older Women's Network, Inc.
 The Benevolent Society
 Lares Asociación
 DadiDada Foundation
 Droits humains océan indien Madagascar (Dis-moi Madagascar)
 Gharonda
 Fundación Saldarriaga Concha
 HelpAge Canada

11. At the same meeting, the Working Group was informed that one Member State had objected to the application for accreditation from one non-governmental organization: Public Union of Belarusian Pensioners "Nasha Pakalenne" (Our Generation).

12. Also at its 1st meeting, statements were made by the representatives of the United Kingdom of Great Britain and Northern Ireland, the United States of America, Belarus and France (on behalf of the European Union). Statements in explanation of vote were made before the vote by the representatives of Canada and Australia.

13. Also at the same meeting, the Working Group decided to grant accreditation to the non-governmental organization Public Union of Belarusian Pensioners "Nasha Pakalenne" (Our Generation) to participate in its work, by a recorded vote of 57 to 7, with 35 abstentions. The voting was as follows:

In favour:

Albania, Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Ireland, Israel, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Namibia, Netherlands, New Zealand, North Macedonia, Panama, Paraguay, Peru, Poland, Portugal, Romania, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America.

Against:

Belarus, China, India, Iran (Islamic Republic of), Russian Federation, Sri Lanka and Syrian Arab Republic.

Abstaining:

Algeria, Angola, Bahrain, Bangladesh, Bolivia, Brazil, Brunei Darussalam, Cameroon, Cuba, Egypt, Ethiopia, Guyana, Haiti, Indonesia, Jordan, Kenya, Kuwait, Malaysia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Philippines, Qatar, Saudi Arabia, Singapore, Sudan, Thailand, Turkey, Uganda, United Arab Emirates, Uruguay, Viet Nam and Yemen.

G. Documentation

14. The list of documents before the Working Group at its twelfth session is available at <http://social.un.org/ageing-working-group/twelfthsession.shtml>.

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

15. The Working Group considered item 5 of the agenda at its 1st and 2nd meetings, on 11 April, and held a general discussion on the item.

16. At its 1st meeting, the Working Group began its general discussion of the item and heard statements by the representatives of Pakistan (on behalf of the Group of 77 and China), Argentina (on behalf of the United Nations LGBTI Core Group), the European Union, Chile (on behalf of the Group of Friends of Older Persons), Romania, Austria, Qatar, the United States of America, Germany, Egypt and Bangladesh and viewed the pre-recorded statements by the representatives of Kenya, Canada, Turkey, Panama, Burkina Faso, Guatemala, Peru, Slovenia, the Dominican Republic, the Bolivarian Republic of Venezuela, Argentina and Malta.

17. At its 2nd meeting, the Working Group resumed its general discussion and heard statements by the representatives of Bolivia (Plurinational State of), Kyrgyzstan, Thailand, Bhutan, Philippines, El Salvador, Malaysia, Ecuador, Sri Lanka, Saudi Arabia, Belgium, Portugal, Greece, Georgia, Cuba, Côte d'Ivoire, Japan, China, United Kingdom of Great Britain and Northern Ireland, Iran (Islamic Republic of), Spain, Viet Nam, Pakistan, Nigeria, Mexico, Italy, Nepal, Russian Federation and the observer of the Observer State of the Holy See and viewed pre-recorded video statements by the representatives of India and Colombia. At the same meeting, the Open-ended Working Group heard statements by the representatives of the national human rights institutions of the Republic of Korea, Ethiopia and Poland and by the representatives of the following NGOs: International Network for the Prevention of Elder Abuse, Human Rights Watch, German National Association of Senior Citizens Organizations, International Disability Alliance, Age International (United Kingdom),

Resource Integration Centre and Association camerounaise pour la prise en charge de la personne âgée (ACAMAGE). The Open-ended Working Group viewed the pre-recorded statements by the representatives of the national human rights institutions of Ukraine, Spain and Peru

III. Follow-up to resolution 76/138: measures to enhance the promotion and protection of the human rights and dignity of older persons: best practices, lessons learned, possible content for a multilateral legal instrument and identification of areas and issues where further protection and action are needed

18. In keeping with the specific arrangements for the twelfth session, the Working Group considered item 6 of the agenda at informal meetings on 12 and 13 April.

IV. Other matters

Discussion on the way forward

19. In keeping with the specific arrangements for the twelfth session, the Working Group considered item 7 of the agenda at an informal meeting on 14 April and at its 3rd meeting, on 14 April, and held a discussion on the way forward at the informal meeting.

20. At its 3rd meeting, the Working Group heard statements by the representatives of the European Union, France and Argentina.

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

21. At its 1st meeting, on 11 April, the Working Group discussed and 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:

Introduction

The twelfth session of the Open-ended Working Group on Ageing began with the election of officers. The Working Group elected by acclamation, María del Carmen Squeff (Argentina) as Chair; Roseny Fangco (Philippines) and Rasha Al-Katta (Canada) as Vice-Chairs at the twelfth session. Additionally, Tomáš Grünwald (Slovakia), was elected as Rapporteur.

Regarding the composition of the Bureau, I would like to express my great satisfaction at the fact that the Bureau currently comprises 75 per cent women representatives, which represents a very significant and positive sign in the context of the efforts by Member States and regional groups to achieve gender parity within the United Nations.

The opening segment of the twelfth session was chaired by the Vice-Chair, Ms. Fangco. The segment started with my welcome remarks, which Ms. Fangco read on my behalf, followed by opening remarks by the President of the seventy-sixth session of the General Assembly, Abdulla Shahid, who delivered his message through a pre-recorded video.

I would like to express my sincerest appreciation and gratitude to the President of the seventy-sixth session of the General Assembly for his powerful message delivered during the opening segment. It was an honour for the Working Group to have such a distinguished authority at the opening ceremony of its twelfth session.

The Working Group then adopted the agenda and the programme of work of the twelfth session. It should be noted that the Working Group organized its work in accordance with the oral decision taken during the discussion on the way forward held during the eleventh session, in March–April 2021.

During the intersessional period, the Bureau proposed an organization of work consisting of: a general debate on the topic “Measures to enhance the promotion and protection of the human rights and dignity of older persons”; a panel followed by an interactive discussion on normative elements to follow up on the examination of the focus areas of the eleventh session, “Right to work and access to the labour market” and “Access to justice”; an “Interactive discussion on strengthening the promotion and protection of the human rights of older persons in the context of COVID-19 pandemic and beyond”; two panels followed by interactive discussions on the focus areas of “Contribution of older persons to sustainable development” and “Economic security”;¹ and a discussion on the way forward.

During the intersessional period, the Chair requested members of the Working Group (Member States and Observer States) and other relevant stakeholders (national human rights institutions, intergovernmental organizations, United Nations agencies and non-governmental organizations) to submit substantive inputs relating to the two focus areas selected for the twelfth session, based on two questionnaires prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Department of Economic and Social Affairs. The Working Group received input on the focus areas of the twelfth session, “Contribution of older persons to sustainable development” and “Economic security”, from 26 Member States, 17 national human rights institutions, 6 entities of the United Nations system and 24 accredited NGOs.

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

Furthermore, and as agreed by the Bureau during the intersessional period, at its twelfth session, the Working Group held a panel and an interactive discussion on normative elements to address the issues relating to the two focus areas of the eleventh session, namely, “Right to work and access to the labour market” and “Access to justice”.

In that regard, during the intersessional period, the Chair requested members of the Working Group and other relevant stakeholders to submit normative input based on two questionnaires prepared by OHCHR and the Department of Economic and Social Affairs. The Working Group received input from 25 Member States and Observer States, 15 national human rights institutions, 7 entities of the United Nations system and 20 accredited NGOs.

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

On the basis of those contributions, the Bureau, through OHCHR and the Department of Economic and Social Affairs, prepared two conference room papers in order to guide the interactive discussion on normative elements.

Having adopted the agenda and the programme of work, the Working Group considered the arrangements for the work of the twelfth session. Taking into account the continued impact of the coronavirus disease (COVID-19) pandemic and the new developments related to business continuity at Headquarters, and with a view to ensuring the successful conclusion of the work of the Working Group, the Bureau recommended specific arrangements for the twelfth session, for consideration by the Working Group.

During the intersessional period, the Bureau consulted delegations on a document entitled “Recommended arrangements for the work of the Open-ended Working Group on Ageing at its twelfth session”, outlining the proposed arrangements for the conduct of the session. The recommendation was to apply the arrangements as a temporary measure and without setting a precedent for future sessions of the Working Group.

It was recommended that all meetings be held in person. For the general discussion, speakers were invited to indicate whether they wished to deliver their remarks in person or via pre-recorded video message. Written statements, including for the pre-recorded video statements, were to be submitted to estatements@un.org. Regarding the time limit for interventions, statements delivered by Member States in their national capacity, as well as those of representatives of A status national human rights institutions² and NGOs with consultative status with the Economic and Social Council and previously accredited organizations, to the Working Group would be limited to three minutes, while statements made on behalf of a group of States would be limited to five minutes.

In view of the ongoing efforts by the Secretariat to increase the conference room capacity and support for intergovernmental meetings, the interactive discussions and the discussion on the way forward would be held in person. However, in order to minimize disruption to the programme of work, speakers would also be able to participate remotely using a live virtual connection. The interactive discussions and the discussion on the way forward would be informal in nature and limited to two hours in duration. Panellists would be invited to participate in person or virtually in the interactive discussions.

Having adopted the arrangements of work for its twelfth session, the Working Group considered the participation of A status national human rights institutions. In accordance with decision 7/1 of the Working Group on the modalities of participation of national human rights institutions in its work (see [A/AC.278/2016/2](#), para. 10), adopted at the first meeting of its seventh session, on 12 December 2016, requests from 25 A status national human rights institutions were circulated to all Member States by the Secretariat four weeks prior to the twelfth session.

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

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

I would like to welcome the active participation and meaningful contributions of A status national human rights institutions to the discussions and the work of the Working Group. The Working Group continued to enhance their participation in its work, according to the mandate given by the General Assembly through its resolution [72/181](#) of 19 December 2017, entitled “National institutions for the promotion and protection of human rights”.

The Working Group then proceeded to approve the participation of NGOs without consultative status with the Economic and Social Council that had requested accreditation. It had received 22 such requests, submitted in accordance with the modalities of participation of non-governmental organizations in the work of the Open-ended Working Group on Ageing, adopted in its organizational session in 2011 (see [A/AC.278/2011/2](#), para. 8). The Working Group approved the participation of 21 NGOs without a vote and the participation of 1 NGO was approved by a registered vote.

General debate

Subsequently, at the first meeting of 11 April in the morning, the Working Group held its general debate on the topic “Measures to enhance the promotion and protection of the human rights and dignity of older persons”. I appreciate and would like to acknowledge the active participation by the representatives of many Member States and Observer States in the debate, and by those of groups of States, national human rights institutions, intergovernmental organizations and NGOs.

During the second meeting of 11 April in the afternoon, the Working Group continued its general debate. At this meeting, the United Nations High Commissioner for Human Rights, Michelle Bachelet, delivered opening remarks in person. I would like to express my sincerest gratitude to the High Commissioner for her strong commitment and powerful message delivered during this segment. Her presence at its twelfth session was an honour for the Working Group.

Also at the general debate, I would like to highlight the participation of 8 ministers, 3 vice-ministers, 7 representatives from capitals, 16 permanent representatives to the United Nations, 2 *chargés d’affaires* and 7 deputy permanent representatives, as well as 11 other representatives and 1 observer State.

During the interventions, delegations recognized the relevance of the Working Group as the main platform for the promotion and protection of the human rights of older persons. They also stressed the importance of advancing concrete measures to increase the protection of the human rights of older persons, while conveying their support and expressing their commitment to actively engaging in the work of the Working Group.

At the general debate, several delegations highlighted the need to address the worldwide demographic trend of an ageing population, while recognizing the significant role played by older persons as key contributors to the social, economic and sustainable development of their societies. In this regard, delegations emphasized the need to fully empower older persons as active agents of change and promote their full and meaningful participation to allow them to effectively make that contribution.

Some Members State emphasized that the pandemic was not yet over, while several delegations recalled the negative and disproportionate impact of COVID-19 on the lives, health and socioeconomic spheres of older persons, as well as the full enjoyment of their human rights. In addition, it was underlined how COVID-19 had amplified existing inequalities while exacerbating ageism, violence, neglect and abuse and the multiple and intersecting forms of discrimination faced by older persons.

Member States highlighted the importance of public policies to address the different challenges faced by older persons, as part of their national priorities. They described their national legislation and shared measures and policies at the national level to advance the protection of the rights and well-being of older persons. In this regard, a large number of delegations highlighted national practices and strategies related to social protection and access to health services, as well as the promotion of active ageing and economic security.

Some Member States referred to the situation of older persons in the context of armed conflict, including the situation in Ukraine, and expressed solidarity with their people. In addition, some delegations mentioned the impact of climate change on the lives of older persons and underlined the importance of including and taking into account their voices and perspectives in the development of policies, programmes and measures.

Furthermore, some delegations commended the document prepared by OHCHR, “Update to the 2012 analytical outcome study on the normative standards in international human rights law in relation to older persons”, and highlighted the merit of discussing its findings regarding possible gaps in the international system for the protection of the human rights of older persons and possible ways to address them. Other delegations also referred to the most recent report (A/HRC/49/70) presented by the United Nations High Commissioner for Human Rights at the forty-ninth session of the Human Rights Council and stressed the relevance of the findings therein.

Along these lines, several Member States and most of the other participants highlighted that the existing human rights framework for older persons provided fragmented and inconsistent coverage of their human rights, both in law and in practice, and stressed the need for an international legally binding instrument that specifically addressed the existing legal gaps to fully protect their rights.

At a regional level, some Member States highlighted the importance of the Inter-American Convention on Protecting the Human Rights of Older Persons in strengthening the protection of their human rights. Some other delegations referred to the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Older Persons.

Other Member States underscored the importance of the Madrid International Plan of Action on Ageing as a road map to promote age-inclusive implementation of the 2030 Agenda and the attainment of the Sustainable Development Goals and referred to the need to further implement the existing international legal framework.

Some delegations underlined the importance of the participation and engagement of all relevant stakeholders and welcomed the inclusive participation of NGOs and national human rights institutions at the twelfth session of the Working Group.

Following the general debate, the Working Group held one interactive panel discussion on the normative input on the focus areas of the eleventh session (“Right to work and access to the labour market” and “Access to justice”), one “Interactive panel discussion on strengthening the promotion and protection of the human rights of older persons in the context of COVID-19 pandemic and beyond” and two interactive panel discussions on the focus areas of the twelfth session: “Contribution of older persons to sustainable development” and “Economic security”.

I would like to express my gratitude to the panellists and moderators for their meaningful and substantive interventions, which provoked a fruitful debate among the members, thereby contributing to the fulfilment of the Working Group’s mandate to strengthen the protection of the human rights of older persons. The panellists included representatives of national Governments, OHCHR, national human rights

institutions, NGOs and the Independent Expert on the enjoyment of all human rights by older persons.

I would like to commend the efforts by the Bureau in organizing the composition of the different panels, paying particular attention to geographical balance, gender parity and diversity of stakeholders, which enriched the substantive discussions throughout the session.

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

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

Follow-up of the focus areas of the eleventh working session – Discussion on normative input

Following the general debate, the Working Group held the interactive panel discussion on normative input on the focus areas of the eleventh session.³

The goal of the interactive segment was to provide follow-up on the fruitful and substantive discussions held during the eleventh session on the focus areas of “Right to work and access to the labour market” and “Access to justice”, as well as to continue to build on them from a normative point of view, in order to exchange views, best practices and specific elements.

On the focus area of “Right to work and access to the labour market”, the presentation by panellists and ensuing discussion highlighted that the lack of older persons-specific standards represented a major gap in the current legal and policy frameworks at the national and international levels. The discussion also showed that older persons often experienced ageism and age discrimination in seeking employment opportunities and accessing the labour market. The discussion also highlighted the pervasiveness of ageism within workplaces and that there were no international and regional provisions aimed at specifically prohibiting or seeking to eliminate ageism at work.

Panellists particularly emphasized the importance of establishing standards and actions to address gender inequality, including in terms of gender pay gaps, lower levels of pension and social protection coverage for women, including in the informal sector, and the recognition of unpaid care work often performed by women. They also underscored other issues requiring attention in developing standards specific to older persons, such as: reasonable accommodations for older persons; supporting older persons’ self-employment or entrepreneurship; and access to prompt remedies and redress when the right to work was denied.

³ The moderator was Senior Specialist, Office of the Commissioner for Human Rights, Poland, Anna Chabiera. The panellists were: Independent Expert on the enjoyment of all human rights by older persons, Claudia Mahler; Director of Gerontology, National Institute of Older Persons, Mexico, Ana Luisa Gamble Sánchez Gavito; Programme Officer, Ageing and Older Persons Programme, Kenya, Mercy Kuria; Advisory Board Member, 50+ Hellas, Greece, Vassili Louziotis; Commissioner, Commission on Human Rights of the Philippines, Karen Gomez Dumpit; Chief, Health, Social Action, Education and Culture, Defensoria del Pueblo de la Nación (Ombudsman) Argentina, Maximiliano Nitto; and Professor, Department of Social Insurance at the Warsaw School of Economics, Poland, Janina Petelczyc. The conference room paper was presented by Officer-in-Charge, Economic, Social and Cultural Rights Section, OHCHR, Rio Hada.

With regard to “Access to justice”, panellists highlighted the inconsistent and limited coverage of access to justice for older persons in the existing frameworks and the need for specific standards to be developed in order to guarantee access to justice for older persons that reflect the principles of equality and non-discrimination, participation, autonomy and independence. In this context, the Inter-American Convention on Protecting the Human Rights of Older Persons, in particular its articles 30 and 31, was identified as an example of good practice for how a comprehensive provision to ensure full access to justice for older persons could be conceived.

During the discussion, several speakers identified age discrimination and ageism in policy norms and practices as an overarching challenge and protection gap for older persons to claim their legal rights and access to justice. Timely proceedings, physical access and barriers created by digital technology were also among the challenges identified. Legal capacity and supported decision-making were considered essential to empower older persons and to ensure their autonomy and exercise of their human rights. Participants also emphasized the need to develop normative standards that facilitated the development of older persons-specific legal assistance programmes and services.

The contribution of older persons to sustainable development

Following the interactive panel discussion on normative input, the Working Group held an interactive discussion on the focus area of the twelfth session, “Contribution of older persons to sustainable development”.⁴

Panellists, delegations and participants welcomed the substantive discussion on “Contribution of older persons to sustainable development”.

During the presentation and ensuing discussion it was pointed out that the legal and policy frameworks that recognized older persons’ right to participate in and contribute to sustainable development were multiple and diverse. It was highlighted that, while the right to contribute to sustainable development was addressed in many national laws and policies, no explicit provisions acknowledged and targeted the specific needs and challenges of older persons in a majority of cases, thus often preventing the full enjoyment of this right by this age group.

Several international and regional policy frameworks and instruments were identified by speakers as relevant and providing guidance to the realization of the right to contribute to sustainable development by older persons. These included the International Covenant on Civil and Political Rights, the 2030 Agenda for Sustainable Development, the Madrid International Plan of Action on Ageing, 2002, and the Inter-American Convention on Protecting the Human Rights of Older Persons.

Panellists shared experiences and practices at the national level to promote the right to contribute to sustainable development by older people, notably with regard to life-long learning, social protection and living environments. Several panellists and

⁴ The moderator was Chief Communications Officer, United Nations Foundation, Rajesh Mirchandani. The panellists were: Independent Expert on the enjoyment of all human rights by older persons, Claudia Mahler; Deputy Director, Elderly Care Service Promotion Division, Ministry of Civil Affairs of the People’s Republic of China, HE Ni; Head of Unit and coordinator for sustainability at Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, Germany, Matthias von Schwanenflügel; Professor (academia), Peru, Elia Victoria Luna del Valle; Global Healthy Ageing Portfolio Development and Quality Manager, HelpAge International, Roseline Kihumba; and Economist, Economic Research and Regional Cooperation Department, Asian Development Bank, Aiko Kikkawa. The conference room paper was presented by the Chief, Social Inclusion and Participation Branch, Department of Economic and Social Affairs, Masumi Ono.

other speakers also noted challenges and barriers that resulted in a denial of the right of older persons to contribute to sustainable development.

Such challenges and barriers included inadequate housing and living environments for healthy ageing, social isolation and loneliness among older persons, and the consequences of the digital divide that disproportionately affected older persons, inter alia. It was also stressed that the COVID-19 pandemic had shed light on and often exacerbated such challenges.

Ageism and age discrimination were identified by several panellists, delegations and other speakers as a key challenge in this context. Some participants advocated for the adoption of an international legally binding instrument on the rights of older persons as the best means to protect and guarantee their right to contribute to sustainable development.

Economic security

Following the substantive discussion on the “Contribution of older persons to sustainable development”, the Working Group held an interactive discussion on the focus area of the twelfth session, “Economic security”.

Panellists, delegations and participants welcomed the interactive panel discussion on the thematic focus of “Economic security” for older persons.⁵

Panellists discussed how the various policy and human rights frameworks supported the right to economic security among older persons in different settings. The relevance of regional frameworks in the implementation at the national level was identified, including in the European and African contexts, while the Madrid International Plan of Action on Ageing was brought up as a guide at the international level. Nonetheless, it was underscored that gaps in the normative and policy framework remained and needed to be addressed urgently. It was also pointed out that, even when policies existed, they were often not implemented or adopted at the national level. In that regard, some participants advocated for the adoption of an international legally binding instrument on the rights of older persons.

Noting the importance of social protection, including long-term care, as a key tool in promoting economic security in old age, speakers addressed the gender gap in social protection and possible policy measures to address it, as well as the larger proportion of older women living in poverty with respect to older men. Participants also discussed alternative measurements of poverty that allowed policymakers to better understand economic security in old age. The negative impact of the COVID-19 pandemic on the economic security of older persons was also addressed.

It was noted that the full realization of the right to economic security in this age group also entailed addressing employment among older persons, including age discrimination in the labour market and reducing informal employment, as well as taking greater account of the unpaid care work performed chiefly by women of all ages and its consequences in old age. Speakers indicated that older persons subject to

⁵ The moderator was Silvia Perel-Levin, Chair, NGO Committee on Ageing, Geneva. The panellists were: Head of Office, European and International Affairs, Directorate General for Social Cohesion, Ministry of Solidarity and Health, France, Alexis Rinckenbach; Associate Professor, Haifa University and Chairman of the Israel Gerontological Society, Israel, Yitzhak Brick; Senior Policy Officer, Department of Health, Humanitarian Affairs and Social Development, African Union Commission, Lefhoko Kesamang; Chief Executive Officer, National Council on Ageing, United States, Ramsey Alwin; Deputy Public Defender of Georgia, Tamar Gvaramadze; Professor Emeritus, Department of Social Welfare, Seoul National University, Republic of Korea, Sung-Jae Choi. Presentation of conference room paper by Director of the New York Office, OHCHR, Craig Mokhiber.

intersecting discriminations, on the basis of gender, disabilities, race and other factors, were more at risk of experiencing economic insecurity.

Speakers brought up other considerations in the discussion on the right to economic security, including the special vulnerabilities faced by older widows, the limited access of many older persons to long-term care services both at home and in institutions, the impact of elder abuse and the vulnerabilities faced by older persons suffering from dementia, inter alia.

Interactive panel discussion on strengthening the promotion and protection of the human rights of older persons in the context of COVID-19 pandemic and beyond

Panellists, delegations and participants welcomed the interactive panel discussion on strengthening the promotion and protection of the human rights of older persons in the context of the COVID-19 pandemic and beyond,⁶ as a follow-up to the high-level panel on COVID-19 and older persons at the eleventh session.

Panellists and speakers highlighted the disproportionate impact of the COVID-19 pandemic on the lives, rights and well-being of older persons. The discussion showed that the pandemic had also exposed and exacerbated the inequality and structural weakness in society that rendered older persons more vulnerable and exposed to poverty, the worsening of pre-existing physical and mental health conditions, violence, neglect and abuse, inter alia.

Several speakers shared examples of responses to the pandemic specifically addressing older persons, such as cash transfer programmes, intergenerational initiatives to improve the digital skills of older persons and providing lifelong learning and strengthening community-based support. It was emphasized that promoting and protecting the rights of older persons in responding to pandemics and preparing for future ones required a multisectoral and whole-of-government and society approach. It was also considered important to recognize and support the vital role that older persons played in all areas of life, as friends and family, as caregivers and educators, as leaders and volunteers and as a vital source of experience, expertise and inspiration.

Panellists and speakers referred to the findings from analytical studies on the international normative framework conducted by OHCHR, as well as to the recent report of the High Commissioner to the Human Rights Council. Some panellists and speakers highlighted that these documents provided a good basis for agreeing on gaps such as ageism and age discrimination and developing strategies on how to close them. Several speakers emphasized the need to upgrade the existing international framework, strengthening the promotion and protection of the human rights of older persons, including developing an international legally binding instrument to address the gaps and improve the legal protection of rights of older persons as an integral part of our recovery efforts. Also reiterated was the importance for the Working Group of making concrete progress on its mandated work.

⁶ The panellists on the interactive discussion on strengthening the promotion and protection of the human rights of older persons in the context of the COVID-19 pandemic and beyond were: Secretary for Human Rights, Community Gerontology, Gender and Care Policies of National Institute of Social Services for Retired Persons and Pensioners, Argentina, Monica Roque; Secretary for Social Development, State Department for Social Protection, Senior Citizen Affairs and Special Programmes, Kenya, Cecilia Mbaka; Emem Omokaro, Director General of Nigeria's National Senior Citizens Center, Nigeria; Deputy Director of Elderly Care Service, Ministry of Civil Affairs of the People's Republic of China, Guo Binbin; Professor, University of New South Wales (academia), Australia, Andrew Byrnes; Assistant Director, National Human Rights Commission, Republic of Korea, Claire Sookhyun OH.

Way forward

During the discussion on the way forward, a delegation announced that a group of Member States would create a cross-regional informal core group to work during the intersessional period with the main objective of preparing a draft decision to be submitted for the consideration of the Working Group at its thirteenth session in 2023. The draft decision could contain a proposal for the establishment of an intersessional Working Group with the objective of preparing and presenting a draft text determining the main gaps in the international human rights system for older persons, which would be the basis for the further negotiations of instruments and measures to close these gaps by Member States and Observers in the Working Group.

Several delegations strongly supported this initiative and emphasized the importance of continuing the discussions of the Working Group during the intersessional period in order to strengthen its work and move forward towards more concrete results. In this regard, many delegations expressed their interest in actively engaging in the works during the intersessional period, while some of them also indicated their intention to join the cross-regional informal core group. Some delegations referred to the need to have further details regarding the proposal in order to consider it, while others stressed the importance of keeping the agreed modalities of work within the Working Group and sought further clarification on procedural matters.

Also underscored was the relevant role of the Working Group, especially in the context of the COVID-19 pandemic and its disproportionate impact on older persons. In this regard, participants reflected upon the need to strengthen the work of the Working Group and discuss possible paths to advance the fulfilment of its mandate.

Some Member States commended the interactive panel discussion on strengthening the promotion and protection of the human rights of older persons in the context of the COVID-19 pandemic and beyond, held during the twelfth session, and stressed that the current fragmented international legal framework failed to close the gaps in the protection of the human rights of older persons, underlining the need to work actively to close these gaps.

In this regard, some delegations referred to the findings contained in the update to the 2012 analytical outcome study on the normative standards in international human rights law in relation to older persons, prepared by OHCHR. It was indicated that that document would serve as a good basis to guide further discussions of the Working Group, towards the fulfilment of its mandate, identifying possible gaps in the international system for the protection of the human rights of older persons and possible ways to address them.

Other Member States highlighted the need to continue to discuss how to advance the strengthening of the existing mechanisms, including the Madrid International Plan of Action on Ageing, and find ways to address the gaps in the existing mechanisms. Other delegations referred to the importance of exploring ways to increase international cooperation, as well as financial and technical support, to improve the situation of older persons in developing countries.

While some delegations acknowledged the value of the Madrid International Plan of Action on Ageing as a road map for age-inclusive policies and measures to protect the well-being of older persons, they stressed the need for a more comprehensive international legally binding instrument that fully protected the human rights of older persons.

In addition, some Member States recalled the mandate of the Working Group and underlined the need to move forward and conclude each session of the Working

Group with concrete results, based on the contributions of all Member States, while highlighting the importance of political will to strengthen the work of the Working Group.

Regarding the selection of the focus areas for the thirteenth session of the Working Group on Ageing, to be held in 2023, following informal consultations with Member States and Observer States by the Bureau during the intersessional period, the Working Group made an oral decision to select the areas of “Right to health and access to health services” and “Social inclusion”.

To conclude, I would like to express my deepest gratitude and appreciation to the Secretariat for its constant support to the Working Group, for the outstanding professionalism and collaboration of the Chief of the Social Inclusion and Participation Branch of the Department of Economic and Social Affairs, Masumi Ono, the Chief of the Programme on Ageing Unit and the United Nations Focal Point on Ageing, Amal Abou Rafeh, and her team, Julia Ferre and Shatho Nfila, of the Department of Economic and Social Affairs; and to the Director of the New York Office of the United Nations High Commissioner for Human Rights, Craig Mokhiber, and the Officer-in-Charge of the Economic, Social and Cultural Rights Section, OHCHR (Geneva), Rio Hada. My gratitude and appreciation go also to the secretary of the Working Group, Wannes Lint (Department for General Assembly and Conference Management), the Associate Intergovernmental Affairs Officer, Rommel Maranan (Department for General Assembly and Conference Management) and the whole team for their very hard and excellent work and their constant support.

I would like to reiterate my deep appreciation to the distinguished panellists for their substantive and inspiring contributions to the work of twelfth session of the Working Group, as well as to the representatives from national human rights institutions, the United Nations system and civil society for their active participation and constructive engagement. We hope that we can count on your valuable presence and contributions in future sessions to help the Working Group to fulfil its mandate, and we look forward to your enhanced participation in that regard.

Lastly, I would like to express my sincerest gratitude and profound appreciation to the distinguished Vice-Chairs and Rapporteur of the Working Group: Roseny B. Fangco, of the Philippines; Rasha Al-Katta, of Canada; and Tomáš Grünwald, of Slovakia. Without their valuable support, hard work and professionalism in conducting the work of the Bureau of the Working Group this session would not have been possible.

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

22. At its 3rd meeting, on 14 April, a statement was made by the Vice-Chair regarding the provisional agenda for the thirteenth session of the Working Group.

VII. Adoption of the report

23. At its 1st meeting, on 11 April, the Working Group was informed that the Chair’s summary of the key points of the twelfth session would be finalized at a later stage by the Secretariat, in collaboration with the Bureau, and would be included in the report.

24. At its 3rd meeting, on 14 April, the Working Group adopted the draft report on its twelfth session, as contained in document [A/AC.278/2022/L.1](#).