



# General Assembly

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## Human Rights Council

Twenty-seventh session

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by the HelpAge International, a non-governmental organization in general consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2014]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-14514 (E)



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## **First Annual Report of the Independent Expert on the enjoyment of all human rights by older persons (A/HRC/27/46)**

HelpAge International is a member of the Steering Group of the Global Alliance for the Rights of Older People (the Global Alliance), a coalition of over 100 civil society organizations from across the world that have come together to strengthen and promote the rights of older people. This statement presents the position of HelpAge International and the Global Alliance.

We congratulate Ms Rosa Kornfeld-Matte on her appointment as the Independent Expert on the enjoyment of all human rights of older persons and look forward to contributing to the achievement of her mandate. In particular we look forward to connecting the Independent Expert with the wide membership of the Global Alliance and the older people with whom they work or directly represent so that the lived experiences of those most affected can inform the work of the mandate.

We welcome the focus in the Independent Expert's first annual report on multiple discrimination as this reflects the reality that many people face in their older age. These discriminations are often intersecting and can accumulate over time. The complex nature of this experience is often inadequately addressed by legal frameworks that focus exclusively on an individual characteristic of discrimination.

We trust that in carrying out the duties of her mandate, the Independent Expert will examine the effectiveness of existing protection against the full range of intersecting forms of discrimination including, in addition to gender, marital status and indigenous status mentioned in Section IV of the report, those based on, disability, national, ethnic or minority origin, family status, literacy, sexual orientation and gender identity, health status including that which is related to cognitive ability, migrant or refugee status, socio-economic status, or any other condition or status.

The Independent Expert's report outlines a number of rights where older people experience violations and discrimination. In addition to those in the report, we recommend that the Independent Expert also focuses on additional areas of rights in her review of existing laws and during her country visits. These include: the right to family life and private life, a broader understanding of what the right to a dignified death encompasses, states' obligations to ensure third party provision of services, and further investigation of areas where the human rights obligations of the state and the role of family are blurred.

We welcome the Independent Expert's recognition of the importance of legislative and punitive measures in relation to violence and abuse against older people. However we believe that states' human rights obligations go beyond putting in place legal frameworks and also require them to take other measures. These include taking steps to protect people from violence and abuse; ensuring a balance between protecting the autonomy rights of the victim and their right to protection from violence; ensuring protection of the range of rights pertinent to, and potentially infringed in, cases of violence and abuse; and, promoting changes in existing societal norms to new ones that nurture intergenerational solidarity and reject violence. We also hope the Independent Expert will take into account the full range of types of violence and abuse older people experience including sexual, physical, emotional and financial violence and abuse and neglect.

We also welcome the recognition in the report that older people can be marginalized in situations of humanitarian crisis and displacement. We would encourage the Independent Expert to also examine other contexts where older people can experience discrimination and violation of their rights. These include situations where older people are subject to a heightened degree of state control including, but not limited to, incarceration, situations of armed conflict, and in care facilities or when receiving care at home.

The work of the Committee on the Rights of Persons with Disabilities has been instrumental in developing our understanding of the right to equal recognition before the law and the right to live independently. We trust that the Independent Expert will build on this in her examination of older people's rights in these areas.

To conclude, we see the appointment of the Independent Expert as a major step towards ending the invisibility of older people and the ageist stereotypes and prejudices that are so prevalent across society today. We look forward to working together with the Independent Expert to help shift the current paradigm away from treating older people as recipients of charity and welfare to being treated as individuals with inherent rights. Such a paradigm shift is necessary to ensure that we are all able to live in dignity, free from fear and want, throughout our older age, right up to the end of our lives.

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