

## Recent discussions on ageing at the United Nations

*International Social Work*

2017, Vol. 60(4) 1051–1054

© The Author(s) 2017

Reprints and permissions:

[sagepub.co.uk/journalsPermissions.nav](http://sagepub.co.uk/journalsPermissions.nav)

DOI: 10.1177/0020872817712429

[journals.sagepub.com/home/isw](http://journals.sagepub.com/home/isw)



Ageing is a worldwide phenomenon that needs close attention and forward-looking policy responses in all societies. After all, in one way or another, the issues stemming from increased longevity and growth in older population segments in societies touch everybody and everywhere, directly or indirectly, no matter whether countries are rich or poor.

The United Nations (UN) and its bodies provide an important discussion space as well as decision-making political platform aimed at identification and addressing current ageing-specific issues. In this note I am focusing on recent outcomes of discussions on ageing that took place within two UN bodies – the open-ended working group on ageing (OEWG) established by the UN General Assembly, and the Commission for Social Development, one of the functional commissions of the UN ECOSOC (The Economic and Social Council).

In the years since its establishment in 2010, the OEWG convened under the UN auspices has become an important international forum systematically dealing with various aspects of the situations of older persons, including the discussion of the whole spectrum of legal and socio-economic issues. It is the only UN body that consistently and meticulously focuses on the improvement of the well-being of people aged 60+ as a separate category, putting it in the context of the challenges and opportunities that ageing brings in its wake. From this standpoint, the work of the OEWG is remarkable and deserves close attention and support from all the stakeholders.

Convened in New York at the UN Headquarters from 12 to 15 December 2016, the seventh session of the OEWG attracted some attention from the Member States and civil society. But an eagerly anticipated qualitative advance in the negotiations on the issue that many participants viewed as the key rationale for its establishment in the first place, namely the elaboration of a new multilateral legal instrument aimed at promoting and protecting the rights of older persons in a coherent and systematic way – be it in the form of a potential Convention or some other legal instrument, that breakthrough did not materialize during the session, just as it did not happen at previous sessions. The impasse was not overcome, and some signs of *déjà vu* were all too evident. This repeated failure, stemming from the political stalemate, is an obvious disappointment to many, and was vividly reflected in the statements made by the representatives of several countries, particularly from the Latin American region, as well as by almost all representatives of the civil-society organizations. The developed countries largely continued to oppose the idea of a new multilateral legal instrument on the rights of older persons, insisting that it is more important to implement the existing human rights framework and not to replicate what already exists in numerous legal documents. The disappointment among the pro-Convention delegates and the civil-society representatives was very evident. But despite all that, it would probably be wrong not to notice some positive developments towards fulfilling the mandate of the Group in protecting the human rights of older persons that occurred during this very session.

First of all, the members of the OEWG took an important step in adopting by consensus a Decision on Modalities for the Participation of National Human Rights Institutions in its work. In practical terms, this decision paves the way for the participation of influential Human Rights

institutions in the work of such important subsidiary bodies of the General Assembly as the OEWG. Many of these bodies have been outspoken and are quite authoritative in the area of ageing as well. Their participation in future deliberations (even if they cannot vote) might enhance the quality of the discussions, also increasing the pool of available information. They can definitely make a valuable contribution to the work of the Open-ended Working Group.

As has become the tradition, the organization of the seventh session envisaged both a general debate and the convening of thematic panels on key policy issues. The participants also had a chance to get an important update and present their views during the interactive dialogue with the Independent Expert of the Human Rights Council on the Enjoyment of all Human Rights by Older Persons, Ms Rosa Kornfeld-Matte. The Working Group had an opportunity to take stock of the recent regional developments in the field of the human rights of older persons, as well as the positive human rights implications for older persons of many recent multilateral processes in the socio-economic fields of utmost importance, such as housing and infrastructure development, health care and long-term care, and sustainable development. Moreover, the OEWG had a chance to engage in a dialogue with the Chair of the Committee on the Rights of Persons with Disabilities, Ms Maria Soledad Cisternas Reyes, and to draw some lessons, establishing important parallels between the development of the Convention on the Rights of Persons with Disabilities and a possible multilateral legal instrument on the human rights of older persons.

The supporters of a new convention on the rights of older persons within the diplomatic community present at the session, along with civil society representatives, continued to insist on the need to enable an open discussion leading to the development of such a convention or an international legally binding instrument related to the human rights of older persons, under a human rights approach, and placing the elderly at the centre and as specific rights-holders. Their main argument (in line with the conclusions of the Independent Expert's report) was that the existing international legal framework, regardless of its degree of implementation, is not sufficient to comprehensively and effectively ensure the enjoyment of all human rights by older persons, and that the existing framework addresses the issues of ageing from a developmental rather than a human rights standpoint.

The future work of the Open-ended Working Group on ageing was also discussed. A consensus has emerged that the future debate has to be focused on the areas where evident lacunae exist and where further protection of the human rights of older persons is needed. Several areas mentioned in various interventions and summarized by the Chair of the Working Group were mentioned: equality and non-discrimination (discrimination on the basis of age); neglect, violence and abuse (ageism); autonomy and independence; accessibility, infrastructure and habitat (transport, housing and access); the right to health and access to health services; long-term and palliative care; access to justice; social protection and economic security issues; the right to work and access to the labour market; education, training, life-long learning and capacity-building; participation in public life and in decision-making process; social inclusion; and the contribution of older persons to sustainable development. To make the debate more focused during the forthcoming eighth session of the Working Group, it was decided to concentrate on two of the following three clusters – (a) equality and non-discrimination; (b) neglect, violence and abuse; and (c) autonomy and independence.

The International Council on Social Welfare (ICSW) took an active part in the debate during the session, also in strengthening coordination with civil society organizations representing older persons. Addressing the participants of the session, and acting in his capacity as Special Representative of the ICSW to the UN in New York, the ICSW Executive Director underscored that the ICSW shares the existing concerns regarding the plight of older persons and the growing need to enhance and promote their human rights. We insist that equality and non-discrimination against older persons be recognized, not only staying on the books but enforced in practice. Unfortunately, this

persistent gap exists in many countries, and monitoring mechanisms of implementation of legal provisions are often quite weak at the national level. The issues of autonomy and independence are really crucial, along with a need to join forces with other stakeholders aimed at preventing neglect, abuse and violence against older persons. The ICSW consistently supports ILO Recommendation No. 202 on social protection floors, seeing it as an important instrument to promote the rights of older persons, including guarantees of income security.

Responding to the above statement of the ICSW, the Chairman of the Working Group concurred with the ICSW representative and stressed the need to keep the issues of social protection, including the focus on the guarantees contained in ILO Recommendation No. 202, within the scope of future debates on ageing.

It was decided that the Bureau would hold discussion with Member States in order to select two of the afore mentioned selected clusters. Summing up, the Chairman encouraged Member States as well as national human rights institutions and civil society to continue an active debate during the intersessional period, in order to arrive at the next session of the Working Group with concrete proposals and comments in order to enrich the discussion of those focus areas. He also stressed that the organization of conferences and dialogues at the regional level, especially through the regional commissions, the regional networks of national human rights institutions, as well as conferences organized by Member States and civil society fora, would represent an excellent opportunity to continue the constructive debate started during the seventh session of the OEWG in order to move forward with the fulfilment of the mandate of the Working Group, that is, to strengthen the promotion and protection of the human rights of older persons. He also underscored the need to continue to work in close collaboration with the Independent Expert, whose mandate has been extended by the Human Rights Council through resolution A/HRC/RES/33/5, seeing the mandates of the Open-ended Working Group and the Independent Expert as complementary but making every effort to avoid any duplication.

The Commission for Social Development, one of the functional commissions of the UN ECOSOC, represents another important UN body where ageing-specific issues are discussed on a systematic basis. The most recent 55th session of the Commission that took place from 1 to 11 February 2017 at the UN Headquarters in New York considered preliminary findings of the third review and appraisal of the Madrid International Plan of Action on Ageing adopted in 2002. The deliberations concentrated on the identification of the prevalent and emerging issues and related policy options in the field of ageing.

In the face of changing social norms and decreasing family sizes, and recognizing their role in reducing the vulnerabilities associated with old age and the need to adapt to the rapid pace of population ageing, governments in all regions consider strengthening of social protection schemes for older persons as an important strategy to tackle poverty. While the income security of older persons most often depends on old-age pensions, the evidence collected by the UN proves that between 2010 and 2012 only 51.5 percent of all people above statutory pensionable age received an old-age pension.<sup>1</sup>

Pension coverage was not universal in many cases. While some important gains were made in establishing or expanding pension coverage at the national level, including to informal sector workers, painful adjustment measures were also part of the picture, affecting pensioners in both developed and developing countries. Raising retirement ages, increasing contributions, lowering benefits and lowering pension tax exemptions were undertaken by 47 developing countries and 39 high-income countries.<sup>2</sup>

According to information provided by the delegates in their statements during the deliberations at the Commission, as well as by the UN Secretariat in the submitted background documentation, efforts to promote 'ageing in place', de-institutionalization and care within the community have

continued to expand. Many countries have included efforts to empower older persons to have choices and participate in decisions about their own care. The aim was to make the system more flexible, easier to understand and give greater control to those in need of support, also empowering their families.

Regulation of care services and institutions was another important feature of long-term care practices. Apart from developed countries where regulation is already widespread, there has been a noticeable move by some low- and middle-income countries to legislate and provide guidelines for the provision of care services at home and in institutions. Sometimes it involved setting up minimum standards for social services in residential facilities run by the State.

Summing up, opinions and proposals put forward at both sessions contributed to better understanding of the current stage of the ageing discourse at the international level. But a more profound investigation of the impact of ageing – given its multiple and long-lasting effects – remains a tall order and stays firmly on the international policy agenda.

Sergei Zelenev  
*ICSW Executive Director*

### **Notes**

1. 'United Nations. Third review and appraisal of the Madrid International Plan of Action on Ageing' (2002) preliminary assessment. Report of the Secretary-General, E/CN.5/2017/6, 22 November 2016.
2. See Note 1.