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SOME POINTS FOR POSSIBLE INCLUSION IN STATEMENTS¹ TO BE MADE AT THE OEWGA, 11th Session, 29 March – 1 April 2021

1. RIGHT TO WORK AND ACCESS TO THE LABOUR MARKET

(<https://undocs.org/A/AC.278/2021/CRP.3>)

Key Messages:

- Age discrimination in the workplace undermines equality and dignity.
- Older persons have the right to meaningful and decent work on an equal basis with others.
- An international convention would guarantee for older persons everywhere:
 - the right to work and access to the labour market under the law, without discrimination.
 - prohibition of discrimination against older persons on the basis of age alone in all matters related to employment, recruitment, hiring, training, career advancement.
 - performance evaluation on the basis of competency rather than on age-based assumptions.
 - enjoyment of fair and safe conditions of work when undertaking informal or unremunerated work.
 - social protection systems that are not influenced by ageist assumptions and stereotypes.

Some points that can be made in statement (where applicable):

- In my country, the right to work and access to the labour market for older persons is not protected. This is why we need a convention.
- Older persons work because:
 - they have to, in order to survive,
 - they need to earn money to pay for essentials for themselves and their families.
 - They have no pension nor an adequate safety net.
 - of their desire for self-fulfillment,
 - they want to contribute to their families, community and/or population they serve,

¹ Written statements cannot be more than 500 words, in Microsoft Word format, clearly indicating the name of the meeting (11th session of the Open-ended Working Group on Ageing) and the name of the NGO. They should be submitted by NGOs with ECOSOC status or accredited to the OEWGA (see list - [OEWG-accredited NGO](#)) to: estatements@un.org. Statements should be submitted before the session starts (29 March 2021) or during the session up to 2 hours before it ends (on 1 April 2021).

- they want to continue to participate actively in economic and public life and to enjoy the benefits that work brings.
- Changing patterns of longevity require a fundamental rethink of current understanding of the right to work for those who must or wish to continue in some form of paid work.
- Age discrimination in the workplace undermines equality and dignity.
- Older persons have the right to meaningful and decent work on an equal basis with others.
- Older persons should not be pressured to retire or leave the workforce earlier than anticipated.
- Older persons have knowledge, experience and skills that contribute to a healthy economy.
- Significant numbers of older persons work in the informal economy, primarily because of lack of opportunities in the formal economy and in the absence of other means of livelihood. Their rights must be protected.
- The ILO has identified a rights deficit, a social protection deficit and a representational deficit in the informal economy.
- Older persons cannot be subjected to mandatory retirement when there are no social protections to ensure that they can survive with dignity.
- At what age is an older person:
 - considered of no economic value?
 - less-deserving of a safe, secure and dignified life?
- If we are serious about leaving no one behind and eradicating poverty, a convention to protect the rights of older persons is essential.

2. POSSIBLE INTERNATIONAL STANDARDS FOR “EDUCATION, TRAINING, LIFELONG LEARNING AND CAPACITY BUILDING” AND “SOCIAL PROTECTION AND SOCIAL SECURITY (INCLUDING SOCIAL PROTECTIONS FLOORS” (<https://undocs.org/A/AC.278/2021/CRP.2>)

Key Messages

- An international convention would guarantee for older persons everywhere:
 - The right to education and life-long learning which would protect older persons against labor and economic exploitation, foster their personal autonomy, reduce their dependence and secure their full social integration in the larger society (or community).
 - A means to eliminate all discrimination, including ageism.
 - Basic income security to protect them from poverty and ensure a decent quality of life.

Some points that can be made in statement (where applicable):

- In my country, there is no opportunity for education or skills training beyond a certain age.
- Older women are particularly affected since they have had little opportunity to go to school at a younger age, or because of child-rearing responsibilities and later, caregiving for their older relatives, resulting in total dependency upon family for coping with complexities of life, culture, health, economy and society.

- Making non-contributory schemes available is critical for older persons who do not have access to contributory schemes.
- Older persons, like people of all age groups, need access to basic literacy training so they can function independently and can contribute to their families and communities.
- Opportunities for learning throughout the lifespan is essential as research indicates that remaining active and engaged can lead to better physical and mental health as people age.
- With technological advancements happening at a rapid pace, workers should not be denied access to training and retraining due to age.
- If we are serious about leaving no one behind and eradicating poverty, a convention to protect the rights of older persons is essential.

3. ACCESS TO JUSTICE (A/AC.278/2021/CRP.4)

Key Messages:

- An international convention would guarantee for older persons everywhere:
 - **internationally applicable standards to access justice.**
 - **a fair solution to disputes over land or property, financial rights, accessing public services, family disputes, elder abuse and neglect and other forms of violations of their rights.**
 - **opportunities for older persons to use courts, community justice centres, mediation or paralegal support to protect their rights.**

Some points that can be made in statement (where applicable):

- In my country, access to justice is not available for older persons.
- Older persons do not have any rights to protect themselves or the right to seek remedies from harm, exploitation, danger.
- Older persons should be able to live in dignity and security and be free of exploitation and physical or mental abuse.
- Older persons should be valued independently of their economic contribution.
- Once older persons leave the workforce, they continue to provide value and are productive members of society, providing hours of unpaid help and support to their families and their communities.
- Older persons should also be valued for their non-economic value, in terms of their unpaid care work and their volunteerism.
- Older persons have a right to adequate housing, health care, long-term care, legal services and other support, with special attention to widows and others without families to help them.
- Older persons cannot be denied economic and social justice – age discrimination must be combatted.
- If we are serious about leaving no one behind and eradicating poverty, a convention to protect the rights of older persons is essential.

4. DISCUSSION ON COVID-19

Key Messages:

- An international convention would guarantee for older persons everywhere:

- protection of their rights during national emergencies.
- clearly articulated human rights standards.

Some points that can be made in statement (where applicable):

- In my country, COVID-19 has:
 - exposed the unacceptable state of healthcare services and long-term care.
 - revealed the persistent neglect of older persons.
 - disclosed age discrimination in decisions on medical care, triage and life-saving therapies.
 - ignored the wishes of older persons with respect to their health situation.
 - put older persons at risk because they are in care homes.
 - brought untold fear, trauma and suffering among older persons and their families and friends.
 - stigmatized older persons because of their age – “boomer remover”, “they are going to die anyway”.
 - increased resentment that older persons should receive treatment, even with their pre-existing health conditions.
 - caused social isolation and lack of connectivity among older persons, leading to depression, substance abuse and other physical and mental health issues.

5. DISCUSSION ON THE WAY FORWARD

Key Messages:

- Discussions on strengthening the rights of older persons cannot and should not look the same after this COVID-19 pandemic.
- Member States should respond to the call of the Secretary-General for developing proposals for an international legal instrument to promote and protect the rights and dignity of older persons – 146 Member States have signed a statement in support of his statement.
- Older persons are not disposable.
- OEWGA has had 10 sessions discussing issues concerning older persons and the violation of their rights. The time for action is long overdue. A convention must be drafted NOW!
- What is the status of the intergovernmentally negotiated recommendations as requested by the General Assembly in its resolutions 74/125 and 75/152?
- Ageism must end now! The World Health Organization has recently issued its Global Report on Ageism (launch date 18 March), highlighting that ageism is extremely detrimental to everyone's health and well-being.
- Governments are urged to take concrete steps toward drafting a convention.
- A convention will mean international, official, and legal recognition that life, and the dignity of life, is valued throughout the lifespan, from birth until death.

Some points that can be made in statement (where applicable):

In my country, it is not unusual for older persons to be:

- considered of less value and not worthy of medical attention during a health crisis.
- ostracized, abandoned, and even sometimes believed to be witches.
- under-nourished, neglected or abused.
- less-deserving of social protection, adequate housing, health care services, palliative and end of life care.
- Discriminated against, because of their age – at work; health care services including palliative and of life care; education and training; participation in economic, social, cultural and political life of a community; housing and a healthy environment, etc.

6. SOME OTHER GENERAL POINTS that can be raised:

- **Ageism must end NOW!!**
- **Older persons demand that they AGE WITH RIGHTS! (GAROP slogan)**
- **International action is necessary where national action is inadequate.**
- **It cannot be argued that we do not need more conventions. It should be noted that Member States believed that international action was necessary in the area of artificial intelligence when it was agreed in 2019 to start drafting a global normative instrument on the ethics of artificial intelligence. Why not a convention to protect the rights of older persons?**
- **International action is long overdue to protect the rights of older persons.**
- **A convention on the rights of older persons will, among other things:**
 - **View older persons as rights holders.**
 - **Create societies and environments for all ages, where we do not lose our humanity as we get older.**
 - **Codify their rights in open single document, serving as a tool for both empowerment and protection.**
 - **Establish a common, global understanding of definitions and minimum standards of practice.**
 - **Act as an anti-discriminatory tool to challenge prevailing negative stereotypes about old age and related ability and capacity.**
 - **Require governments to collect data, develop indicators, establish laws and policies, development programmes that take into account their rights and concerns.**
 - **Improve State accountability and transparency.**
 - **Raise public awareness of their rights.**

References:

- **United Nations Open-ended Working Group on Ageing, 11th session, 29 March-1 April 2021 (<https://social.un.org/ageing-working-group/eleventhession.shtml>)**
- **(A/AC.278/2020/CRP.2, 3 and 4; and other documents submitted to the OEWGA at its 10th and 11th session.**

- The Secretary-General's Policy Brief on Impact of COVID-19 on older persons; (https://www.un.org/sites/un2.un.org/files/un_policy_brief_on_covid-19_and_older_persons_1_may_2020.pdf)
- "It's about rights", HelpAge International (<https://www.helpage.org/what-we-do/rights/>)
- Preparations for OEWGA, Global Alliance for the Rights of Older People. (<https://rightsofolderpeople.org/open-ended-working-group/>)

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