

CHECK AGAINST DELIVERY



Assistant Secretary-General, Mr. Yvan Simonovic
Office of the High Commissioner for Human Rights-New York

Human Rights of Older Persons

AARP-UN Briefing series on Global Aging

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Distinguished Participants,
Ladies and Gentlemen,

While poverty is largely the result of the denial of several human rights, it can also be a root-cause of violations. Let me illustrate this point: older women are among the most vulnerable members of our societies, often left homeless or without a right to inherit from their families, husbands or children. In turn, homelessness, lack of social protection mechanisms and absence of income impact directly on their right to an adequate standard of living, including the rights to food and housing. This situation also leads to reduced access to health services and facilities, at a point in life when health care is particularly needed. Chronically poor, they are often excluded from full participation and suffer violence and abuse. Their outlook is often grim.

It is the mandate of the High Commissioner and her Office to bring to the fore these situations and to shed light on such gaps between rights and realities. It is our mission to articulate clearly and vigorously that core human rights principles, such as non-discrimination, are essential dimensions of legislation and public policy. Indeed, these are matters of obligation under international human rights laws.

Distinguished Participants,

1948 marked a milestone for the human rights community. And since the Universal Declaration of Human Rights was adopted, we take pride in underscoring that the international human rights system has grown with the evolution of society itself. The founding principle of non-discrimination has evolved to reflect the situations and challenges of current times. For illustration, most recently the human rights system incorporated a paradigm shift on the issue of disabilities. A new Convention entered into force in May 2008 to prohibit discrimination against this group. Similarly, in the last two decades, the HIV/AIDS struggle has shown how intertwined public health and human rights are, further expanding the array of categories of discrimination with which the international community is concerned. Human rights have been and must continue to be seen as tools for social change.

In demographic terms, the world has also changed dramatically since 1948. The world population was then approximately a third of what is its now. Since then, average life expectancy has also increased by 20 years, from 46 in 1950 to 67 in 2010. Ageing is no longer a matter of concern for a handful of developed States, but a social reality faced by all states. It is also the single most pressing issue for policy makers in the coming decades. The time has come for the international human rights community to respond to this unprecedented global trend.

In December 2010 the General Assembly adopted a resolution (65/182) establishing an Open-Ended Working Group on the Human Rights of Older Persons. For the first time States will consider the existing human rights framework and mechanisms, including gaps, with the purpose of strengthening the protection of the human rights of older persons. Most importantly, the resolution calls for the consideration of the feasibility of further instruments and measures to address the particular human rights challenges older people face. This is a welcome development, and we are committed to fully supporting this process.

Ladies and gentlemen,

The organizers have asked me to address the critical question of the degree to which the existing human rights mechanisms and norms have been effective in addressing the situation of older persons.

Despite existing provisions already applicable to the human rights of older persons in the human rights Covenants and Conventions, addressing the rights to health, to freedom from torture, legal capacity and equality before the law and others, these instruments have not brought sufficient dedicated attention and visibility to the situation of older persons. While some Committees, such as the Committee on Economic, Social and Cultural Rights (CESCR) and the Committee on the Elimination of Discrimination against Women (CEDAW), have developed specific general comments and recommendations, others have rarely addressed older persons in their concluding observations. In reality, we have noted fragmentation and uneven or insufficient focus.

The conclusion is therefore clear: more has to be done. To fully realize the whole range of rights of older persons now and in the future, a variety of concerted and strategic actions need to be taken. It is essential to work on parallel tracks, strengthening the existing mechanisms, identifying and targeting their gaps while considering the feasibility of new instruments and measures. The importance of the open-ended working group in furthering this agenda cannot be overemphasized.

Civil society is a key actor in this endeavor. To put it simply, there has never been progress in the human rights arena without the active, committed and resourceful participation of community-based organizations, activists, human rights defenders, advocates, volunteers and non-governmental organizations. Civil society actors lead the advocacy efforts vis-à-vis members States and bring to their attention key information, materials, testimonies and concerns.

Non-governmental organizations can also serve as a bridge between affected individuals or groups and government officials, empowering rights-holders with capacity building and ensuring their voices are heard at international fora. They can prepare substantive contributions, including in the form of “wish lists” for existing and new instruments or measures, to help prioritize key areas of concern that must be addressed. Two recent positive precedents of the valuable contribution of civil society organizations to the international human rights system relate to the negotiations of the Convention on the rights of persons with disabilities, and to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

Ladies and gentlemen,

The protection, promotion and realization of the human rights of older persons will take the active involvement of all of us. Our concerted efforts are needed to ensure that human rights are placed at the core of the agenda in the face of population ageing. I reiterate the support of the Office of the High Commissioner for Human Rights and the United Nations as we continue to strive towards achieving these ends.

I thank you for your time.
