IN AFRICA

PEOPLE'S RIGHTS ON THE RIGHTS OF OLDER PERSONS

PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND

AFRICAN UNION
Protocol. Effective implementation of the Protocol falls first under the
Governments must accelerate the radicalization and decolonisation of the
situation, which is likely to affect all older people, particularly African
African countries have a significant duty to the lives of older people. Specifically, African
the UN for the adoption of the Rights of Older Persons. By the year 2050,
persons will have increased to reach 24.5 million by
be an estimated population of older
number of older persons. Today, Africa has an estimated population of older
persons (60+) of 60 million and this figure will rise to reach 24.5 million by
The Protocol—The second binding human rights instrument dedicated to
human rights for Africa, as well as a number of policy decisions and
action plans of the African Union (AU) Policy Framework and Plan of
With the adoption of this Protocol, Africa has demonstrated that it is
Foreword
We, Member States of the African Union,

CONSIDERING Recommendation (1)(a) contained in Paragraph 4.1 of the

Commissioner for Social Affairs

Dr. Mustapha Sidik Kalo

Commission Recommendation

Article 22 of the Protocol to the African Charter on the Rights of

Artistic, Literary and Scientific Works

This reminds me of the words of Archbishop Desmond Tutu who once said as

To be recognized, a word free from all forms of discrimination and stereotyping so

that our rights are protected and their contributions are respected and

It is my hope that older men and women in Africa will be able to live in a world

where our rights are protected and their contributions are respected and

where we age, our rights do not "go out" in the wake of our contributions.

We are literature, culture, poetry, history, biography, and we are the very vibrant life of

people who have access to income, quality health, and the dignity to live free from all forms of
discrimination and stereotyping. We are the knowledge, the wisdom, the experience, the
courage and determination of others who have lived before us and can, through literature,
through art, and through other forms of expression, inspire and empower others. We are

From the time of our youth, we have written and told stories of our lives, our

responsibility, of our achievements, and experiences that inform our lives and

shape our future. We have known hardship and struggle, but we have also known joy and

success, and through our stories, we can inspire others to overcome their own

challenges.

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challenges.
CONSIDERING the various international declarations, conventions and

Security Rights of 1982;

Older Workers and Activities, Recommendation No. 175 of 1980,

Old Age and Survivors Insurance, Recommendation No. 162 of 1980;

Old Age Security Convention No. 102 of 1952 and Recommendation 121 of 1966 on Violence;

Social Security (Minimum Standards) Of 1969 and 1999, the International Labour Organization

CONSIDERING ALSO the World Population Plan of Action 1974 (U.N.);

Older Persons' Rights to Education (N.P.P.G.) of 2002; Plan of Action on Ageing (U.N. 2002;)

Resolution on Identifications of Older Persons of 1999; United Nations Resolution on Ageing and

Other Older Persons of 1991; United Nations Resolution on Ageing and Other Older People;


CONSIDERING FURTHER the Rights of Older Persons;

and resolution of an additional protocol to the African Charter on Human and
Article 2

States Parties shall implement the principles enshrined in their national laws and policies, and the principle of the dignity, self-determination, protection and care of older persons, as part of the implementation of the protection of human rights and fundamental freedoms. The specific needs of older persons shall be taken into account in the process of implementing the Protocol.

Article 3

The Protocol shall be considered to have the same legal effect as the other protocols of the African Union.

Article 4

The Protocol shall enter into force on the date of its adoption by the Assembly of Heads of State and Government of the African Union.
Article 6

Persons to express opinions and participate in social and political life.
6. Ensure that the right of older persons to express their opinions and take other measures that protect the rights of older persons is exercised and well-being and interests and social assistance in order to make decisions that are in their best interests. Support and enforce local, national, regional, and international laws and regulations that exist in law and in fact.

Article 5

Right to make decisions
4. Ensure that appropriate legislation exists that recognizes the rights of older persons. Implement all forms of discrimination against older persons and encourage and promote the participation of older persons in the formulation of geriatric assistance. Article 3

Protection against discrimination in employment
1. Take measures to eliminate work place discrimination against older persons with special parties. Shares.

Article 4

Discrimination against older persons.
4. Ensure that the right of persons who face discrimination and are affected by discrimination is protected.

Article 3

Access to justice and equal protection before the law
1. Develop and enforce existing legislation to ensure that older persons receive equal treatment and protection.

Article 2

Ensure that laws enforcing quality of all laws are revised to effectively protect the beliefs of older persons.
2. Ensure the provision of legal assistance to older persons in order to protect their rights and interests.

Article 1

Ensure that proper work and implementation of Equal Employment Opportunity laws into consideration occupational.
1. Take measures to eliminate work place discrimination against older persons with special parties. Shares.
Article 7
Social Protection

States Parties shall:
1. Develop policies and legislation that ensure that Older persons who retire from their employment are provided with adequate pensions and other forms of social security;
2. Ensure that universal social protection mechanisms exist to provide income security for those Older persons who did not have the opportunity to contribute to any social security provisions;
3. Ensure that the processes and procedures of accessing pensions are decentralised, simple and dignified;
4. Take legislative and other measures to enable individuals to prepare for income security in old age; and
5. Take legislative and other measures that facilitate the rights of Older Persons to access services from state service providers.

Article 8
Protection from Abuse and Harmful Traditional Practices

States Parties shall:
1. Prohibit and criminalise harmful traditional practices targeted at Older Persons; and
2. Take all necessary measures to eliminate harmful traditional practices including witchcraft accusations, which affect the welfare, health, life and dignity of Older Persons, particularly Older women.

Article 9
Protection of Older Women

States Parties shall:
1. Ensure the protection of the rights of Older Women from violence, sexual abuse and discrimination based on gender;
2. Put in place legislation and other measures that guarantee protection of Older Women against abuses related to property and land rights; and
3. Adopt appropriate legislation to protect the right of inheritance of Older Women.

Article 10
Care and Support

States Parties shall:
1. Adopt policies and legislation that provide incentives to family members who provide home care for Older Persons;
2. Identify, promote and strengthen traditional support systems to enhance the ability of families and communities to care for Older family members; and
3. Ensure the provision of preferential treatment in service delivery for Older Persons.
Article 19

Fundamental rights shall be protected by States Parties and other bodies, including judges, tribunals, and other competent bodies, in accordance with the principles of the rule of law and the right to a fair trial. The enjoyment of the rights set forth in the present Protocol shall be subject to the provisions of the principal international instruments and the United Nations Charter as well as domestic law.

States Parties shall:

1. Ensure that those persons with disabilities are involved in decision-making processes and have access to legal assistance and representation.

2. Ensure that those persons with disabilities have access to rehabilitation services and other necessary support and assistance.

3. Ensure that those persons with disabilities have access to education and training programs.

4. Ensure that those persons with disabilities have access to communications, including in emergency situations.

5. Ensure that those persons with disabilities have access to health services and medical care.

6. Ensure that those persons with disabilities have access to social services and support services.

7. Ensure that those persons with disabilities have access to employment and other economic opportunities.

8. Ensure that those persons with disabilities have access to social protection and social security benefits.

9. Ensure that those persons with disabilities have access to cultural, artistic, and other leisure activities.

10. Ensure that those persons with disabilities have access to travel and transport services.

11. Ensure that those persons with disabilities have access to information and communications services.

12. Ensure that those persons with disabilities have access to legal and other professional services.

13. Ensure that those persons with disabilities have access to housing and other living conditions.

14. Ensure that those persons with disabilities have access to social services and support services.

15. Ensure that those persons with disabilities have access to education and training programs.

16. Ensure that those persons with disabilities have access to health services and medical care.

17. Ensure that those persons with disabilities have access to social protection and social security benefits.

18. Ensure that those persons with disabilities have access to cultural, artistic, and other leisure activities.

19. Ensure that those persons with disabilities have access to information and communications services.

20. Ensure that those persons with disabilities have access to legal and other professional services.

21. Ensure that those persons with disabilities have access to housing and other living conditions.
Article 17

Participation in programs and recreational activities

1. States Parties shall:
   - Develop programmes that promote and support the inclusion of older persons.
   - Develop policies that ensure the rights of older persons to enjoy all aspects of life.

Article 16

Access to education

1. States Parties shall:
   - Provide opportunities for older persons to have access to education and training.

Article 15

Awareness on ageing and preparation for old age

1. States Parties shall:
   - Develop and implement programmes that prepare older persons.
   - Implement measures to encourage the development of awareness-raising activities.

Article 14

Accessibility

1. States Parties shall:
   - Ensure that older persons have access to infrastructure.

Article 13

Coordination and data collection

1. States Parties shall:
   - Ensure the systematic collection and analysis of national data on older persons.

Article 12

Conflict resolution and conflict prevention

1. States Parties shall:
   - Foster and facilitate inter-generational dialogue and solidarity within their societies.
2. States Parties shall:
   - Play a role in mediation and conflict resolution.

Article 11

Human rights and responsibilities

1. States Parties shall:
   - Respect, protect and promote the rights of older persons, including their human rights and responsibilities.
2. States Parties shall:
   - Promote education and training for the inclusion of older persons.

Article 10

General principles

1. States Parties shall:
   - Ensure that older persons have responsibilities towards their families, communities, the elderly, the disabled, persons living with HIV/AIDS and older persons in the context of aging.
2. States Parties shall:
   - Ensure that the rights of older persons are protected and respected.

Article 9

Older persons need support in national policies, strategies, and legislation and shall monitor, evaluate and coordinate the implementation and enforcement of the actions.

Article 8

States Parties shall:

1. Support the Advisory Council on Ageing and as a consultative mechanism of the Asian Region to facilitate the implementation and follow up of the action plan to prepare the programme.
2. Support the Advisory Council on Ageing and as a consultative mechanism of the Asian Region to facilitate the implementation and follow up of the action plan to prepare the programme.

Article 7

For the challenges faced in old age, including retirement.

2. States Parties shall:
   - Adopt measures to develop training programmes that prepare older persons.
   - Promote and facilitate inter-generational dialogue and solidarity within their societies.

Article 6

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Article 1

For the challenges faced in old age, including retirement.
Article 25

The instrument of ratification of accession shall be deposited with the African Union Commission, and the instrument of ratification of accession shall be termed a Member State.

Article 26

The instrument of ratification of accession shall be deposited with the Secretary-General of the African Union, and the instrument of ratification of accession shall be termed a Member State.

Article 27

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Article 28

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Article 29

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Article 30

The instrument of ratification of accession shall be deposited with the Secretary-General of the African Union, and the instrument of ratification of accession shall be termed a Member State.
Article 27

Protocol of the Instrument of Accession

1. The Protocol shall come into force in respect of that State on the date of the deposit of the
Reservations

2. For any Member State of the African Union according to the present Protocol,

Article 28

Deportation from the Instrument of Accession

The Articles 10 of the Protocol of the United Nations

Representatives of the Convention upon the Entitlement into Force of this Protocol shall

Article 29

Government of each Member State

Commission who shall transmit a certified true copy of the Protocol to the
This Protocol shall be deposited with the Commission of the African Union

Deportation

Article 26

withdrawing according

Withdrawal of the Commission who shall notify other States Parties of the

Article 31

prior to the withdrawal

Withdrawal shall not affect any obligation of the withdrawing State Party

Deposition of any such later date may be specified in the notification

Withdrawal shall be effective one year after receipt of notification by the

Article 30

Withdrawal

1. A State Party may withdraw from the date of entry into Force of this Protocol

2. A State Party may withdraw by giving written notification to the Depositary

3. A State Party may withdraw from the date of entry into Force of this Protocol

Any State Party supporting proposals for the amendment or revision of

Amendment and Revision

Article 3"
Adopted by the Twenty Sixth Ordinary Session of the Assembly Held in Addis Ababa, Ethiopia 31 January 2016

Portuguese language the official language of the Community
This Protocol is drawn up in four (4) original texts in Arabic, English, French and Portuguese.

Article 32