

DELIVERABLE D2.1

Policy Analysis and recommendations on equal treatment of older persons

Beneficiary	AGE Platform Europe
Specific Agreement	101051468
Proposal Acronym	AGE WP 2022
Call **Type of Action**	CERV-2021-OG-SGA CERV-FPA-OG
Work Package	WP 2
Type of deliverable	Report
Dissemination level	Public
Actual date of delivery	12 January 2023

1. Description of the deliverable

This deliverable, which is part of WP 2, presents the policy advocacy papers, contributions and articles that AGE issued in 2022 to promote the equal treatment of older persons at EU and international levels. It includes AGE's contributions to the 12th session of the UN Open-Ended Working Group on Ageing and complementary Multi-stakeholder Meeting, our work on advancing age equality at EU level, including our work on elder abuse and our advocacy towards the European Commission, European Parliament and collaboration with international institutional partners such as the United Nations, and the Fundamental Rights Agency. We also worked on the war in Ukraine as to raise awareness on the situation of older people in Ukraine and fleeing to neighbouring countries and advocate for their rights.

In total, the AGE Secretariat, together with its members that we mobilized during Task Forces and other meetings, developed over 43 policy positions (including public policy advocacy papers, articles, briefings, and contribution to relevant consultations) touching upon human rights in the course of 2022. A few adaptations to the planned policy papers have been made in order to reflect our priorities and ongoing policy developments at European level. These adjustments are in line with the overall objectives of our Work Programme and the Grant Agreement.

2. Key outcomes

a. Contribution to the 12th session of the UN Open-Ended Working Group on Ageing and follow-up

The 12th session of the UN Open-Ended Working Group on Ageing (OEWG12) took place between 11 and 14 April 2022. AGE was represented by former AGE Vice President, Ms. Heidrun Mollenkopf – AGE member of Bundesarbeitsgemeinschaft der Seniorenorganisationen (BAGSO), and Ms. Nena Georgantzi - AGE Human Rights Manager.

i. Preparation of OEWG12

In our social media, we re-used the #LeadWithUs initiative that we launched in 2021 – a spinoff from the wider campaign #EULeadsTheRally – calling for EU Member States to demonstrate in practice their commitment to human rights for all ages. The #LeadWithUs initiative was launched on the occasion of the International Day of Older Persons on the 1st of October 2021. #LeadWithUs is an appeal to governments to genuinely engage with older people to champion human rights for all ages. It is also a call for older persons and their representative organisations to mobilise at national level to ignite a vision of shared responsibility and power, moving away from stigma, charity and pity that sometimes forces action in the field of ageing. The main asks of our campaign to governments included the following:

- Consult with older people in preparation of the OEWG sessions.
- Help civil society to attend the OEWG sessions, for instance by inviting them to join the national delegation of your government and supporting with travelling expenses.
- Suggest older people's representatives as speakers in discussion panels.
- Actively participate in all panels of the OEWG session.
- Call for a meeting of the EU Council Working Group on Human Rights (COHOM) to discuss EU's position at the OEWG in consultation with representative organisations of older persons at EU level.

We built on this campaign to engage in the OEWG12.

Ahead of the OEWG12, we organised a joint webinar with our Spanish member CEOMA (Confederación Española de Organizaciones de Mayores) (see D2.5) on the reinforcement of the protection of the human rights of older people. The aim of this meeting was to bring members of the Spanish Platform on the rights of older people up to speed with the OEWG developments and discuss potential follow-up to the 12th session, especially in light of the upcoming Spanish Presidency of the EU.

For the second time, the OEWG12 was held in a hybrid format. Non-Governmental Organisations (NGOs) were encouraged to submit written statements, as well as register their interest for making oral interventions. We submitted 3 contributions on: normative elements: access to work and access to justice; economic security; sustainable development. We also

prepared 6 written submissions with the aim to present them orally during the OEWG12. To promote our contribution to the OEWG12, we published an article entitled 'Older people's rights – our contribution to the upcoming UN discussions'.

ii. OEWG12

After coordinating with other OEWG-accredited NGOs (facilitated by the Global Alliance for the Rights of Older Persons), AGE was selected to make oral interventions in 4 out of the 6 statements that we prepared. Our President – Ebbe Johansen – prepared a pre-recorded video statement that was not delivered at the Opening session due to time limitations allocated to NGOs. One of our Greek members, Mr. Vassili Louziotis from 50+Hellas, delivered one statement during the second day of the OEWG12 in the panel on normative inputs while one of our German members, Ms. Heidrun Mollenkopf (BAGSO) delivered a statement during the last day of the OEWG12. Our Policy Officer on Employment and Participation and European Parliament Liaison Officer, Ms. Sarah Loriato, delivered a statement on the contribution of older persons in sustainable development while our Human Rights Manager, Ms. Nena Georgantzi delivered a statement during the third day of the OEWG12.

On 12 April, our AGE member, Ms. Heidrun Mollenkopf (BAGSO) together with Senior Specialist at the Department of Equal Treatment of the Polish Commissioner for Human Rights, Ms. Anna Chabiera, met with the Deputy Head of the EU Delegation, Ambassador Silvio Gonzato. They discussed the involvement of the European Union at the OEWG12 and why a convention on the rights of older people is needed, including the need to implement a human rights-based approach to advance the rights of older people.

iii. Follow-up

After the 12th session, AGE engaged with members in dedicated webinars and bilateral contacts (see D2.2) as well as in the frame of Task Force meetings to revise our advocacy plan in view of the 13th session (OEWG13) that is expected to take place in 2023.

As a follow-up to the OEWG12, we published an article and a special briefing, where we mentioned the following actions to be continued in 2023 as well:

- We will continue to raise awareness on the importance of adopting a UN Convention on the rights of older persons at national level by using the #EULeadsTheRally campaign.
- We will support our members in asking for their governments to engage and commit on advancing the human rights of older persons.
- We will continue joining forces with the civil society to advocate for a UN Convention.
- We will push for further discussions with the European Commission and Members of the European Parliament.

- We will call for a meeting of the EU Council Working Group on Human Rights (COHOM) to discuss EU's position at the OEWG in consultation with representative organisations of older persons at EU level.
- We will try to ensure that older persons are consulted at all stages of the process and that their engagement and contribution are visible, notably in OEWG13 panels and side events.

b. Multi-stakeholder Meeting

The multi-stakeholder meeting was held at the United Nations in Geneva from 29 to 30 August 2022. Our Human Rights Officer Ms. Apolline Parel (who replaced our Human Rights Manager, Ms. Nena Georgantzi during her maternity leave) and AGE members, Mr. Vassili Louziotis from 50+Hellas, and Mr. Filip Hamro from the Confederation of Swedish Speaking Retired in Finland represented AGE.

Prior to the multi-stakeholder meeting, we organised an online preparatory meeting with our members (see deliverable D2.2) in order to prepare 4 statements. In addition, we organised bilateral meetings with three members to prepare statements that were submitted to the Human Rights Council (see below for more information as well as in section 3 of the deliverable). We also coordinated our actions with other NGOs, notably the Global Alliance for the Rights of Older People (GAROP). AGE was part of the 412 member organisations who joined the written statement of GAROP, where we asked Member States to:

- Adopt at the Human Rights Council 52nd session a new substantive resolution that recognizes the findings of the High Commissioner's report and defines concrete steps to close the protection gaps for older persons.
- Call Upon the UN General Assembly's Open-ended Working Group on Ageing to take fully into account the findings and recommendations of this multi-stakeholder meeting to fulfil its mandate.
- Start drafting a UN convention on the rights of older persons now so that we can all age with rights.

This statement was presented at the multi-stakeholder meeting by one of our members from BAGSO, Ms. Ina Voelcker.

During the Multi-stakeholder meeting, Mr. Vassili Louziotis (50+Hellas) delivered one statement focusing on age discrimination while Mr. Filip Hamro (Confederation of Swedish Speaking Retired in Finland) delivered a statement in the last session of the Multi-stakeholder meeting. Ms. Elisabeth Mestheneos (50+Hellas) also prepared an ad-hoc statement on the portraying of older people in the media and its negative impacts on their human rights. The statement was submitted to the Human Rights Council after the session. Finally, our Human Rights Officer, Ms. Apolline Parel was able to deliver 3 out of 4 prepared statements.

As a follow-up to the multi-stakeholder meeting, we wrote a report, where we notably presented our next advocacy steps:

- Inform Member States about the Independent Expert on the enjoyment of all human rights by older persons' mandate and crucial role. During the 51st session of the Human Rights Council (12 September - 7 October 2022), one Resolution will aim to renew the Independent Expert's mandate: our members could ask their governments to support it (update: the Independent Experts' mandate was renewed).
- Ask Member States to support the new Resolution during the 52nd Human Rights Council.
- Continue approaching the EU Working Party on Human Rights (COHOM).
- Prepare the 13th session of the Open-Ended Working Group that will take place in-person in New York.

c. Madrid International Plan of Action on Ageing

AGE took part in the Ministerial Conference "*A sustainable World for All Ages - Joining forces for solidarity and equal opportunities throughout life*" from 16 to 17 June 2022 by the United Nations Economic Commission for Europe (UNECE) in cooperation with the Italian government (for more details, see deliverable D2.4).

We published a policy statement, in which we called for a revision of the Madrid International Plan of Action on Ageing Regional Implementation Strategy (MIPAA RIS) towards a comprehensive international framework for the human rights of older persons. In addition, we wrote a letter to Ministers and Delegations who took part in the in the Ministerial Conference to assess the implementation of MIPAA 2017-2022 and call for the implementation of a comprehensive framework on the human rights of older persons.

As a follow-up to the Ministerial Conference, we also published an article on how policies on ageing fail to respect, protect and promote all human rights for older persons.

d. Advancing age equality at EU level

i. Summary of the EU Age Equality Strategy

On 29 April 2021, in the context of the EU Day Solidarity, we launched our EU Age Equality Strategy. Our EU Age Equality Strategy is a follow-up to the European Green Paper on Ageing, addressing the EU's objective to build a 'Union of Equality. It provides EU policymakers with recommendations for measures and actions to advance the rights of older people. As this document is 28 pages long, we published a two-page summary of it. The two-page summary explains what, why and how this strategy, including its main recommendations on:

- Equality and non-discrimination
- Participation
- Employment and skills

- Adequate income
- Health and long-term care
- International EU agenda

This two-pager is an essential document that we will keep disseminating in 2023 and beyond, notably during the next European Parliament elections.

ii. Advancing Age Equality and Fighting Ageism for People of All Ages Paper

On 29 March 2022, AGE co-hosted a working meeting on Equality for all Ages in the EU with the UN Human Rights Regional Office (OHCHR) for Europe, the European Youth Forum and the World Health Organization (WHO). This meeting brought together representatives of several EU actors including the European Commission, the EU Fundamental Rights Agency (FRA), Equinet and the European Network of National Human Rights Institutions (ENNHRI). The objective of this meeting was to raise awareness and visibility of ageism at the European level and discuss potential ways to address it both using the existing framework of the EU but also through potential new initiatives. As a follow-up to this meeting, we published an article and a comprehensive report, summarising the key outcomes of the meeting:

- Ageism is a socially ingrained inequality
- There is a lack of policy and legal framework
- There are opportunities for visibility and mainstreaming
- A one size policy does not fit all – the importance of intersectionality
- There are EU-UN synergies
- A whole life approach is needed as to recognise the human rights of all
- We need to promote intergenerational exchange and solidarity
- Nothing About Us Without Us –Youth and Older Participation
- There is a need for more data
- We need to build EU capacity to tackle ageism

In the context of World Elder Abuse Awareness Day on 15 June 2022, we published a special briefing to reiterate that there should be no place for violent and abusive behaviour in the EU. Following the release of the Green Paper on Ageing, we regretted that the European Commission's initiative overlooked the issue of elder abuse. We portrayed the situation of older women, for whom structural barriers can lead to emotional, financial, material, physical and sexual violence. We linked it with the Council of Europe Convention on preventing and combating violence against women and domestic violence, known as the Istanbul Convention. We then highlighted some possible policy levers at EU level such as the Victims' Rights, hate speech and crime, and care settings. The special briefing was also articulated around the UN Decade of Healthy Ageing, which published a policy brief on 5 priorities for the UN Decade of Healthy Ageing to tackle elder abuse.

On 09 December 2022, our Human Rights Officer, Ms. Apolline Parel, delivered a training entitled 'Age Equality Mainstreaming to the European Commission' organised by the

Secretariat of the Task Force on Equality. The event was delivered to more than 100 members of staff working within different DGs of the European Commission. For 15 minutes, we explained what we mean by older people, what ageism is and its negative effects, including concrete examples. We then presented some EU policy responses in protecting the rights of older people, presented our EU Age Equality Strategy and practical tools to promote age equality, including our Short guide to avoid stereotypical communication when talking about ageing and older people and human rights-based approach. In addition, one of our members, Ms. Maureen Kavanah from Active Retirement Ireland, who also gave a 10-minutes presentation on the state of play of the human rights of older people in Ireland.

iii. European Parliament

AGE worked with the European Parliament to strengthen age equality at EU level. AGE provided inputs notably to the EP's Annual Report 2022 on Human rights and democracy in the world and the European Union's policy on the matter, suggesting wording to encourage the EU and Member States to take a lead in the Open-Ended Working Group on Ageing, the Madrid International Plan of Action on Ageing process and to take into account the needs of older people in Ukraine. The European Parliament Committee on Foreign Affairs' (AFET) report is still pending in the Plenary and scheduled for a vote on 17 January 2022.

Additionally, the European Parliament has an ongoing procedure to suggest changes to amend the Treaties. In this context, AGE submitted a letter to the Chairs of the Committee on Employment and Social Affairs Committee (EMPL), Rapporteurs and Shadow-Rapporteurs in the Committee on Women's Rights and Gender Equality (FEMM). We suggested policies and treaty changes to advocate against age discrimination and ageism at EU level.

e. The impacts of the war in Ukraine on older people

Our work on the war in Ukraine aimed to highlight the needs of older people during the war in Ukraine and how the rights of older people are not equally respected during humanitarian emergencies.

Straight after the beginning of the war, we wrote an article in which we showed solidarity with older people in Ukraine, condemning the invasion of Ukraine as a violation of international law and a threat to everyone's security. We monitored the situation of older people in Ukraine thanks to our partners, including the European Disability Forum, HelpAge International (several of our members are involved in HelpAge's Europe network), the European Roma Grassroots Organisations Network (ERGO), and Amnesty International. We wrote a first policy brief, where we insisted on the importance for older people to receive equal access to humanitarian aid than other groups. We also reiterated our full solidarity with the people of Ukraine with the Social Platform, for which we are a member. Following the event that we organise together with Members of the European Parliament in the context of European Day Solidarity between Generations on 29 April, we published a second policy brief.

There, we made key recommendations for the EU to fulfil Ukrainian older persons' urgent needs. We highlighted the need to collect and analyse age and sex-disaggregated data as older people are not a homogeneous group. Their experiences are at the intersection between age, gender, sex, race, disability, and other forms of discrimination. We also pointed out the need to use an intersectional perspective, notably when covering the needs of older women and persons with disabilities. Additionally, older persons' rights are currently covered under Article 11 of the UN Convention on the Rights of Persons with Disabilities in situations of risks and humanitarian emergencies. Finally, we called for the adoption of a UN convention on the rights of older persons as to respect, protect and fulfil the rights of older people, including in cases of international conflicts such as the war in Ukraine.

On 09 November 2022, we published another policy brief, where we reported on the situation of older people both in Ukraine and in some EU neighbouring countries. This was a joint policy brief, where we gathered inputs from one organisation in Ukraine – Age Concern Ukraine – and 3 of our members: Bonum Vitae (Poland), Alzheimer Polska (Poland), and Omenia (Romania). The aim of this policy paper was to call on the EU to take into account, in its emergency response and in the future recovery plan, the needs of older people in this rapid ageing country. Along with this policy paper, we published a press release in which we announced that the last part of our Annual Conference that took place on 18 November 2022, in which the last part of the Conference was going to portray the global dimension of the rights of older persons including in the context of the war in Ukraine. Following this policy brief, Amnesty International contacted us to provide them with inputs for their report entitled *"I used to have a home" – Older people's experience of war, displacement, and access to housing in Ukraine*. The report focuses on the situation of older people in Ukraine and the right to adequate housing. There, we provided recommendations to the European Union and its Member States. The majority of the recommendations were accepted. Their report was launched on 06 December 2022.

f. Consultations

AGE replied to several EU consultations in the field of equality and human rights. We responded to a survey for a Study to support the preparation of a retrospective and prospective analytical document, in view of a legislative proposal on binding standards for equality bodies (DG JUST) , building on Equinet's report 'Legislating for stronger, more effective equality bodies' and underlying the need for the mandate of equality bodies to comprehensively cover age discrimination. In response to the publication by the European Commission of 2 proposals for new Directives on standards to strengthen national equality bodies, as part of its Equality Package, we published an article to welcome this initiative. This article was part of our CoverAge of December 2022.

We replied to the EU survey on an Initiative on the cross-border protection of vulnerable adults both in March and June 2022. Our response reiterated key issues we had raised in our input to the 11th session of the UN OEWG, which covered aspects of access to justice, namely legal, technological and physical accessibility barriers, lack of legal aid and independent advocacy services. We also explained that we do not agree with EU legislation to oblige Member States to apply the 2000 Hague Convention on vulnerable adults, because it entails risks of incompliance with the United Nations Convention on the Rights of Persons with Disabilities (CRPD) standards and legal conflicts, by allowing for substituted decision making, guardianship, involuntary placement or treatment and/or considering adults as inherently vulnerable and in need of protection. We further argued that the EU should develop measures to facilitate the abolishment of substituted decision-making in all EU Member States, as well as to end coercive treatment and placement, and develop supported decision-making regimes; issue guidelines for EU Member States on cross-border protection on "vulnerable adults" based on the CRPD; and consult and involve organisations of persons with disabilities and older persons on issues of "vulnerable adults". Following these 2 consultations, we wrote an article in which we explained our concerns in relation to the Hague Convention, notably the Hague Convention is not aligned with the Convention on the Rights of Persons with Disabilities. The language that it uses rather leads to human rights violation than adequately fulfilling the rights of older adults with disabilities in cross-border situations.

g. Partnership with the Fundamental Rights Agency

We also replied to the European Union Agency for Fundamental Rights (FRA) User Feedback Survey for 2021, giving our feedback on the activities of the FRA in 2021. In this survey, we welcomed positive steps taken by the FRA to address the rights of older people and age discrimination, in particular in cases of intersectionality and highlighted the need for a specific project covering these issues. On this latter point, we took part in an interview on the ex-ante evaluation about the new project initiated by the FRA, namely 'Ageing in digital societies', where we discussed the potential impact and outcomes of the project, good practices on ensuring equal access to digital services and goods and suggested relevant stakeholders for the project.

3. Prints of relevant proofs

This section of the deliverable gives proofs of our policy positions. Where such positions are publicly available on our website, the links to the online PDF versions are provided in order to avoid a very long and heavy document. In case a policy input would not be public (for example when it is part of a consultation or an ongoing process), the relevant proof is provided in the deliverable as an annex. It contains advocacy papers, briefings, articles, and recommendations. This section reflects the same structure and headlines used in the previous section to describe the main outcomes.

a. Contribution to the 12th session of the UN Open-Ended Working Group on Ageing and follow-up

1. Submission: AGE Platform Europe submission on normative elements: Access to work and access to justice
2. Submission: AGE Platform Europe submission on Focus Area: Economic Security
3. Submission: AGE Platform Europe submission on Focus Area: Sustainable Development
4. Opening written statement – see Annex 1
5. Written statement on the right to work – see Annex 2
6. Written statement on the contributions of older persons to sustainable development – see Annex 3
7. Written statement on economic security – see Annex 4
8. Written statement on strengthening the promotion and protection of the human rights of older persons in the context of COVID-19 pandemic and beyond – see Annex 5
9. Written statement on the way forward – see Annex 6
10. Video statement: AGE Platform Europe President opening general discussion on OEWG12
11. Article: Older people's rights - our contribution to the upcoming UN discussions
12. Article: Time to turn words into actions! called AGE during United Nations' discussions on ageing
13. Special Briefing: Older people's human rights: civil society deplores the lack of involvement of Member States in adopting a UN convention

b. Multi-stakeholder meeting

14. Written statement for Session 1 – Limitations and gaps of selected human rights norms and obligations
15. Written statement for session 2 – Adequacy of existing human rights mechanisms in responding to the challenges
16. Written statement for session 3 – Strengthening coordinated actions for the protection of the human rights of older persons
17. Written statement for session 4 – Towards strengthening the protection of the human rights of older persons
18. Written statement on age discrimination at work – see Annex 7
19. Written statement on the way forward – see Annex 8
20. Written statement on the depiction of older persons in the media and its impacts on their human rights – see Annex 9
21. Joint Statement: Joint written statement of the Global Alliance for the Rights of Older People (GAROP) for the OHCHR Multi-Stakeholder Meeting on the Rights of Older Persons, 29-30 August 2022
22. Report: Strong Mobilisation from Civil Society Organisations in Geneva

c. Madrid International Plan of Action on Ageing

Prints of relevant proofs for this deliverable are detailed in deliverable D2.4 on 'Policy Analysis and recommendations to ensure equal participation and autonomy of older people'.

d. Advancing age equality at EU level

23. Towards an EU Age Equality Strategy: Delivering Equal Rights at All Ages – Two-page Summary
24. Article: How can the European Union Advance Age Equality and Fight Ageism for People of All Ages?
25. Joint paper: Advancing Age Equality and Fighting Ageism for People of All Ages
26. Special Briefing: World Elder Abuse Awareness Day; Ways Forward
27. Event on Age Equality Mainstreaming to the European Commission – see Annex 9
28. Contribution to the EP's Annual Report 2022 on Human rights and democracy in the world and the European Union's policy on the matter – see Annex 10
29. Letter to the Chairs of the Committees for Employment and Social Affairs, Rapporteurs and Shadow-Rapporteurs in the Committee on Women's Rights and Gender Equality – see Annex 11

e. The impacts of the war in Ukraine on older people

30. Article: We express our solidarity with the Ukrainian people in the name of democracy, the rule of law and peace
31. Policy statement: Ukraine: the 'oldest' humanitarian crisis in the world
32. Policy statement: Situation of Older Persons in Ukraine and in the European Union and Key Considerations
33. Policy statement: Older Persons in Ukraine and EU Neighbouring Countries Must Not Be Forgotten
34. Press Release: Older Ukrainians need our support, AGE reminds on European Day of Solidarity between Generations
35. Press Release: The European Union must bring long-term support to older persons in Ukraine and those settling in the EU
36. Partnership with Amnesty International for their report *"I used to have a home" – Older people's experience of war, displacement, and access to housing in Ukraine*
    - Laura's email – see Annex 12
    - Recommendations – see Annex 13

f. Consultations

37. Study to support the preparation of a retrospective and prospective analytical document (DG JUST) – see Annex 14
38. Article: 'Equality Package': stronger equality bodies to fight discrimination across the EU

39. Consultation: Initiative on the cross-border protection of vulnerable adults – March 2022
40. Consultation: Civil aspects of the cross-border protection of vulnerable adults – June 2022
41. Article: The Hague Convention on the International Protection of Adults fails to protect human rights in old age

g. Partnership with the Fundamental Rights Agency

42. User Feedback Survey for 2021 – see Annex 15
43. FRA interview – see Annex 16

*AGE work is co-funded by the **Citizens, Equality, Rights and Values Programme** of the European Union. The contents of this document are the sole responsibility of AGE Platform Europe and cannot be taken to reflect the views of the European Commission. Transparency Register ID: 16549972091-86*