

DELIVERABLE D2.1
Policy analysis and recommendations on equal treatment for older people

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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 2023 to promote the equal treatment of older persons at EU and international levels. It includes AGE's advocacy for a dedicated EU strategy on age equality/rights of older persons, our contributions to the 13th session of the UN Open-Ended Working Group on Ageing, our work on fighting elder abuse and relevant collaboration with the European Parliament, the Fundamental Rights Agency and various UN actors.

In total, the AGE Secretariat, together with its members that we mobilized during Task Forces and other meetings, developed over 18 policy positions (including public policy advocacy papers, articles, briefings, and contribution to relevant consultations) touching upon equality and human rights in the course of 2023. 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. Progress towards an Age Equality Strategy

In 2023 we stepped up our advocacy for an Age Equality Strategy, the proposal we made as a follow up to the Green Paper on Ageing.

A public hearing of the COVI Committee took place end of January 2023, in which AGE was invited to share the perspective of older persons on the impact the COVID-19 pandemic on the fundamental rights of older persons. This was an opportunity for us to call again for the adoption of an EU Age Equality Strategy, as a way to tackle systemic ageism at EU and Member State level. Such a strategy would bring together policies as different as employment, education, social protection, health, food, urbanism, housing, transportation under a common goal: that people of all ages have the same rights and that governments have the obligation that their rights are fulfilled on an equal basis with others.

In July 2023 the European Economic and Social Committeee (EESC) adopted an opinion on a EU Strategy for Older Persons, which would support the full inclusion and participation of older people in society and help combat ageist perceptions. This opinion largely echoes our proposal for an Age Equality Strategy and marks a significant first step in addressing the existing gaps in policies regarding equal rights in old age in Europe and the lack of coordination on ageing issues at EU level.

The conference Present and future policy for older persons held by the European Economic and Social Committee (EESC) in Madrid on 29 November was instigated by Miguel Angel Cabra de Luna, rapporteur of the EESC opinion and representative of PMP within AGE. The event focused on the economic and demographic potential of active ageing, as well as on the social and human rights aspects. It assessed the progress made so far, discussed current and future challenges and made recommendations for a European Strategy for older people. This event engaged high level EU and national stakeholders and is an important legacy for the upcoming EU legislature.

Although the EU council conclusions on Managing demographic change in Europe did not include explicit reference to the EU strategy on older persons, they leave open doors to keep working towards an integrated policy on age, as they:

- welcome the Commission's commitment to take further steps to support Member States in managing demographic change through a set of policy tools available at EU level,
- underline the need for further action to manage demographic change in Europe and its impact on competitiveness, human capital and equality.

In December 2023 we also launched our Manifesto for the European elections. This document reiterates our call for an Age Equality Strategy aiming to garner

support in the course of the upcoming election period. We hope that the progress achieved this year will translate into more concrete outcomes in the next few years following the EU elections, which will hopefully be a catalyst for the adoption of a much-needed EU strategy for older people.

B. Contributions to UN Open-Ended Working Group on Ageing

In preparation for the 13th session of the UN Open-Ended Working Group on Ageing (OEWG13) we organized webinars with members to make the voice of older people heard in the Chair's call for input. Based on our members' experiences and views, we contributed to the call on the two new focus areas, on the "Right to Health and Access to Health Services" and "Social Inclusion". We also proposed normative content for the development of a new convention as it relates to "Economic Security" and the "Contribution of Older Persons to Sustainable Development."

The 13th OEWG session allowed civil society organisations to meet and represent the voices of older persons at global level for the first time since the pandemic. AGE was represented by Dr Heidrun Mollenkopf from BAGSO (Germany). Two of our members from France and Germany also participated in the OEWG13. Our Secretary General, Maciej Kucharczyk, recorded a video that was displayed during the first day of the OEWG13, in which he reiterated the need to support a UN convention on the rights of older persons, given the limited scope of other EU and international legally binding instruments. Representing AGE, Dr Heidrun Mollenkopf made several interventions, including a statement on normative inputs and a final statement, where she urged Member States to support the draft decision presented by the Cross-Regional Core group, which brings together several Member States committed to advancing the human rights of older persons at UN level and in-between the OEWG sessions. This draft decision requested that the Chair of the OEWG, nominated 2 co-facilitators from one developing country and one developed country by 01 May 2023. AGE supported this draft decision, which was adopted the decision by consensus, mentioning that NGOs should be fully included in next steps. A few days after the OEWG13, Portugal and Brazil were appointed as co-facilitators, with the task to conduct informal consultations that will develop recommendations on the way forward before the 14th session.

AGE has been active behind the scenes in engaging with Member States and the co-facilitators and coordinating with other civil society actors and NHRIs to inform the process. Ms Mollenkopf met with representatives from the EU, Portugal and Slovakia during her stay in New York. After the session, we made proposals on the timeline and content of the consultation and also called for a briefing with NGOs, where our President was invited to speak.

We organized a debrief with our members to share the outcomes of the 13th session and plan ahead. We also published an article with our contributions and a special briefing where we take stock of the conclusions of the 13th Session.
As follow- up, we also consulted our members to prepare our response to the co-facilitators' questionnaire and shared key messages and resources so that our members can also contribute directly to the consultation (on this see also D2.2 on capacity building).
Thanks to AGE and our members' ongoing advocacy in 2023 two new EU member states supported the need for a new UN convention, namely Malta and Slovakia, reaching a total of five. We have also contributed to the campaign of the Global Alliance on the rights of older people called #AgewithRights bring more visibility and public awareness to this issue. (on this see also D4.3)

C. Promoting anti-ageism activism

In 2023 we initiated a few concrete actions to fight ageism at EU level. In line with our short guide to avoid stereotypical communication on ageing, we urged members of the EP interest group on ageing to change their narrative on ageing. Ahead of the EU Day of Solidarity between Generations, 29 April, we collaborated with MEP Milan Brglez, who initiated a letter signed by a group of 13 MEPs calling on their peers to be more respectful towards older persons in their institutional language. The letter recalls that words have power and that they should be used to create relations and not othering. It asks MEPs to avoid using the term 'the elderly', which as a mass noun obscures the individual, their rights, diverse stories, preferences and needs. Rather, language should emphasise the contributions to and participation in society. Therefore, referring to our guide, the MEPs call on using 'older persons' instead.
This action is important because if we frame ageing as a problem, our response to it is likely to be based on fear and leave older people behind. If we frame ageing as an opportunity, then we are more likely to tap on older people's potential to build common solutions for our societies. Raising awareness and support among MEPs has true potential for change and we will continue working in this way also with the upcoming EP.

In addition, we marked the International Day of Older Persons (1st October) highlighting how acceptable ageism is in the EU and urging for concrete action. Thanks to our prompt advocacy, an ageist ad on an EU building has been removed. Our activism has also initiated discussions within the EU institutions about how to avoid such instances in the future.

On the International Human Rights Day (10th December), which also marked the 75th anniversary of the Universal Declaration on Human Rights we reiterated our

call for changing the way we speak about ageing. Joined by the World Health Organisation and DG Justice we asked everyone to use their words as a form of everyday activism.

In a similar vein, our Secretary General wrote an article for the Journal of AARP, the largest US organization working with and for older people. In this article, Maciej called for changing the way we think about ageing and for closing the gaps in the protection of our human rights in old age.

D. Pledges for UN Human Rights 75

2023 marked the 75th anniversary of the Universal Declaration of Human Rights and the UN celebrated asking actors to pledge actions for the future of human rights. AGE contributed to this call sending three written pledges and a recorded message by our President shown at the celebratory event. We pledged to continue working to fill in the gap in EU legislation on age discrimination, to advocate for the adoption of an Age Equality Strategy and to call for a UN convention. Pledges become part of the "Pledging Tree," a live embodiment of all the pledges made by actors throughout the year. Although not directly applicable, agreements and commitments taken today on any of the critical issues of our time can set us on a course for the best possible future outcomes.This is why AGE will continue to work on our pledges for the years to come.

E. Driving license directive

The Commission presented in 2023 a number of proposals to modernise current driving licence rules. While these proposals are important to improve road safety, they also raise concerns around digital accessibility and in relation to the medical fitness assessment, which can discriminate against older drivers.

Together with our members, we shared our concerns to the members of the European Parliament and with the European Commission on issues that are key to us in particular:

- the limited administrative validity of the driving licence for people aged 70+,
- the risk of a mobile driving licence issued by default
- the ageist wording used to describe certain medical conditions.

We also raised these issues with the UN Independent Expert on the rights of older persons and the UN Special Rapporteur on the rights of persons with disabilities, who shared their concern about the proposed directive in a letter to the European Commission (see here).

Thanks to AGE and our members' mobilisation, the European Parliament's transport committee (TRAN) adopted with its position on the proposals to reform driving licence rules in the European Union. Among the many amendments, we welcome that the TRAN Committee:

- requests Member States to issue both mobile and physical driving licence and to make sure citizens can choose the format they wish;
- deletes the provision proposing to limit the administrative validity of the Driving Licence Directive from the age of 70;
- deletes the reference to "ageing-linked behavioural" under mental impairments of Annex III.

While this is an important achievement, we will continue working on this file in 2024 to ensure that the plenary vote, as well as the negotiations with the EU Transport Ministers and the European Commission take into account these issues.

F. Work to raise visibility and better response to elder abuse

The fight against elder abuse continues to be one of our priorities. This year, the European Commission published its proposal, amending the Victims' Rights Directive (VRD). This provided us an opportunity to focus on the rights of older victims. AGE welcomed the revision of the Victims Rights Directive, which includes improving access to support, information and safety for victims in vulnerable situation. This is why we joined Victims Support Europe (VSE) and 60 civil society organisations in a joint statement that provides a first general response to the revised Directive and expresses our shared views, concerns, and recommendations.

We also responded to the EC consultation, stressing that we regret the fact that -while the suggested text pays particular attention to some victims' groups, which may require specialized support and protection – it ignores the reality of many older victims. In our feedback, we stressed that there is a lack of awareness of the potential of the Directive among organisations of older persons, and the professionals responsible for supporting and protecting victims are often unaware of the specificities of elder abuse and how to reach out to victims. Given this reality and the very high levels of underreporting, there is an urgency to ensure that victim protection mechanisms can become more effective and reflect the realities faced by older persons, especially those who are victims of violence, abuse and exploitation. This is why it would be important to strengthen protection and facilitate reporting of crimes against older people in care settings. The proposed text should explicitly include older persons in targeted action, including in prevention measures. We also asked for disaggregated data, including people over 75 to monitor and to evaluate the impact of victim support services on this group.

In 2023 the Independent Expert also prepare a report on violence and abuse against older people. AGE contributed to the Expert's call for contributions, highlighting data and legislation from the European region. We also referred to the risk of under-reporting and the link of elder abuse with ageism and its intersection with other discrimination grounds. We also prepared a written statement for the Interactive Dialogue with Independent Expert on Violence, abuse and neglect against older persons, reiterating the main points of our contribution, which was submitted to the Human Rights Council.
We also marked the World Elder Abuse Awareness Day with a Special Briefing for our monthly newsletter, where we called for systemic action and showcased several promising national practices.

G. Intersectionality

Throughout 2023 AGE covered several issues at the intersection of ageing/ageism, gender, disability and LGBTIQ through policy positions, articles and participations in key events. These are covered in D2.7

H. Other issues

In solidarity with people affected by the conflict between Israel and Palestine we issued a short statement calling on both parties to comply with their obligations under international humanitarian and human rights law and for an immediate ceasefire so that aid can reach those in need and the hostages can be freed and safely reunited with their loved ones. We recalled that in times of war, those in the most vulnerable situations, including many older persons are often overlooked and called for action to ensure that both populations can live in peace and that people in vulnerable situations are not left behind.
AGE has also contributed in the development and the dissemination of the first project of the Fundamental Rights Agency on the rights of older people, which focused on ensuring access to public services in digital societies. This report highlighted risks to older people's fundamental rights. It highlights that the lack of digital skills training and the absence of financial support for reliable internet access or up-to-date devices and software impacts older people's ability to exercise their rights. It asks for maintaining offline alternatives, improving access and extending data collection on this group.

3. Prints of relevant proofs

A. Progress towards an Age Equality Strategy

- Contribution to EP hearing on the impact of COVID-19 on the rights of older persons: https://www.age-platform.eu/drawing-lessons-from-covid-to-safeguard-democracy-and-fundamental-rights-in-the-eu/
- Adoption of EESC opinion and AGE contribution to event: https://www.age-platform.eu/a-new-eu-strategy-for-older-persons-to-tackle-ageism-and-address-demographic-change/
- EESC strategy on older people and event in Madrid : https://www.age-platform.eu/raising-political-awareness-of-ageism/
- AGE EP Manifesto: https://age-manifesto.eu/manifesto/

B. Contributions to UN Open-Ended Working Group on Ageing

- AGE written input to OEWG13 : https://www.age-platform.eu/strengthening-older-peoples-rights-age-contribution-at-united-nations-level/
- Participation and outcomes of OEWG13, including statements: https://www.age-platform.eu/civil-society-stronger-than-ever-in-urging-states-to-adopt-a-un-convention-on-the-rights-of-older-persons/
- Slovakia support for UN convention: https://www.age-platform.eu/slovakia-supports-a-new-un-convention-for-older-peoples-rights/
- Response to co-facilitators questionnaire https://social.un.org/ageing-working-group/documents/Intersessional%20Events/NGOs/Age%20Platform%20Europe%20-%20OEWGA%20Questionnaire.pdf
- Webinars to prepare OEWG and debrief with members (see annexes 1-12).

C. Promoting anti-ageism activism

- MEPs letter on anti-ageist communication

https://www.age-platform.eu/members-of-the-european-parliament-call-for-more-respectful-language/

- AGE wins the battle against ageist ad:

https://www.age-platform.eu/ageism-has-no-place-in-the-eu/

- Action on Human Rights Day: https://www.age-platform.eu/lets-change-our-words-to-change-the-world/
- Article for AARP journal: https://www.age-platform.eu/content/uploads/2023/11/Maciej_Kucharczyk_Article_AARPjournal_2023.pdf

D. Pledges for UN Human Rights 75

- AGE contribution to UN human rights 75 : https://www.age-platform.eu/the-time-for-human-rights-is-now-age-contributes-to-un-human-rights-75/
- AGE written pledges:

https://www.ohchr.org/sites/default/files/udhr/publishingimages/75udhr/age-platform-europe-en.pdf

E. Work to raise visibility and better response to elder abuse

- Joint statement on Victims Rights Directive: https://victim-support.eu/news/welcoming-the-european-commissions-publication-of-the-revised-victims-rights-directive/
- Feedback on revision of Victims' Rights Directive: https://www.age-platform.eu/eu-victims-rights-directive-age-responds-to-amended-proposal/
- Input to Independent Expert consultation on elder abuse: https://www.ohchr.org/sites/default/files/documents/cfi/subm-2023-07/subm-violence-abuse-neglect-cso-age-platform-europe.pdf
- AGE Platform Europe's Written Statement for Interactive Dialogue with Independent Expert on the Enjoyment of all Human Rights by Older Persons Violence, abuse and neglect against older persons (see annex 13)
- Special Briefing for World Elder Abuse Awareness Day: https://www.age-platform.eu/a-world-without-elder-abuse-requires-systemic-action-elder-abuse-awareness-day-2023/

F. Other issues

- Statement for Israel and Palestine:

https://www.age-platform.eu/older-people-in-the-israel-palestine-conflict/

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Annex 1

AGE WEBINAR:
13th session of the UN Open-Ended Working Group on Ageing

Focus area 1: Right to Health and Access to Health Services

26 January 2023

AGE Platform Europe

Agenda

1- What is the Open-Ended Working Group?

2- What are AGE's objectives for the 13th session of the OEWG?

3- Guiding question to the OEWG13



Background/The UN OEWG





OEWG13

- Right to health and access to health services
- Social inclusion
- Normative elements:
  - Economic security
  - Contribution of older people to sustainable development

AGE Platform Europe

AGE objectives for OEWG13

- Support AGE members participation to OEWG13 and national mobilisation
- Direct engagement with countries in favour of convention (PT, AT, SI)
- Work with DG JUST to understand and influence EU position
- Prepare oral and written statements in consultation with members
- Ensure coherence between AGE manifesto for EP elections and work at OEWG

AGE Platform Europe

The right to the highest attainable standard of health

- Part of the International Convention on Economic, Social and Cultural Rights (art.12), discussed in CESCR General Comment No. 14
- 'Physical and mental health'
- Interdependence: food, housing, work, education, equality, …
- Constitution of WHO: "a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity"
- 'Highest attainable' → progressive realization and non-State influences
- Health care, but also the underlying determinants of health

AGE Platform Europe

The right to the highest attainable standard of health

- Availability
- Accessibility
  - Non-discrimination
  - Physical accessibility
  - Economic accessibility
  - Information accessibility
- Acceptability
- Quality
- Access to justice (remedy/redress)

Older persons (CESC G. Comment 6)

- Combine éléments of preventive, curative and rehabilitative treatment
- Periodical check-ups for both sexes
- Physical and psychological rehabiliative measures
- Maintain functionality and autonomy of older persons
- Attention and care for chronically and terminally ill persons, spare avoidable pain and enable to die with dignity

Current Policy

- How is the right to the enjoyment of the highest attainable standard of health guaranteed in your member State?
- Aspects of the question:
  - Health promotion and healthy environments
  - Prevention
  - Primary care
  - Hospital care
  - Long-term care
  - Palliative care
  - Specialist care (especially geriatrics)
  - Rehabilitation
  - Access to information

Observations

- Social insurance for health services, universal access without payment (PL, primary care)
- Issues regarding access to palliative care (FR, PL) PL: palliative care based on a list of diseases, not on the gravity of a disease
- Lack of prevention policies (FR), no financial incentive for preventive health or too little (NL)
- Not enough doctors (FR, NL esp for hospitals); nurses (PL), unsustainable working conditions (widespread)
- Emergency departments closing and bed shortages in hospitals (NL)
- Fewer general practicioner practices and strong profit-orientation of primary health (NL)
- Waiting times for specialists, sometimes for months (dementia) (PL); expensive private care
- More focus on mental health needed (SE); positive to have a plan for a mental health policy on EU level
- Good practice: specific timeslots for GP appointments with older persons, to have more time (SE)
- Lack of access for asylum-seekers, including older (DE), older persons in prisons (DE)

Reality

- What are the barriers for older persons to enjoy the highest attainable standard of health?
- Are there specific groups of older persons that face higher barriers?
  - Women?
  - Roma?
  - Third-country nationals?
  - Homeless?
  - Undocumented migrants?
  - Socio-economic status: unemployed, inactive, non-standard workers, self-employed?
- Is data about health status and access to health care sufficient? What is missing?

General barriers for OP

- Age-based discrimination in access to health (COVID)
- Lack of services in rural areas; access to services in nearby towns/transportation to specialist services
- Digitalisation

Specific barriers for groups

- Stigmatisation (mental diseases)
- OP with Alzheimer in accessing palliative care (PL)
- Homeless: difficult to find care, access medecines, lack of insurance (NL); reliance on outreach services (volontary) rather than systemic

Progressive realisation

- What is working well in the health policies in your member state?
- What is lacking? How is the government responding to existing gaps?

Please consider: geographic distribution of health care, working conditions and training of health care workers, integration of care types, quality of care, prevention of abuse and neglect

- Age limits for cancer screenings (breast, bowel) (NL, SE, FR 75, PL 59)
- Free periodic check-ups
- Good: free COVID testing (but discontinued in NL, still available in FR); vaccination (continued, extended to influenza)
- Influenca vax for free for OP (FR)
- Shift of human resources from public to private services (PL)

Remedy and Redress

- Are there laws or policies that help older people make informed decisions with regard to their care?
- Are there risks that their choices are disrespected?
- Whom can older persons with health needs turn to if they feel they are not treated fairly or denied access to some health service? Are these serrvices adequately resourced and sufficient?

- Legal system allows the carer to incapacitate a person in case of dementia, no way to support persons with dementia to make their own decisions (PL); doctor can force the family to start incapacitation if a persons with dementia refuses treatment
- Similar: placement of an OP in an institution when unable to provide informal care; incapacitation procedure if OP refuses (PL), no possibility of ‘advanced directives’
- Protector of patients’ rights in municipalities, but less used (not known, no confidence in outcome)
- IE: SAGE advocacy service, also mediation in family conflicts around care

Next steps

To share any additional material/inputs, you can contact:

- Philippe Seidel at philippe.seidel@age-platform.eu, or
- Nena Georgantzi at nena.georgantzi@age-platform.eu

Deadline for submitting your inputs: 12 February

AGE Platform Europe



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AGE Platform Europe

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Annex 2

26/01/2023

UN OEWG13 1st Webinar on the Right to Health and Access to Health Services

Background of the OEWG13

Right to healthcare, including education, design of environment, quality of food > other things than determine the chances of someone to be healthy and/or less healthy.

Everyone entitled to access of healthcare services, including in terms of financial means (e.g. social protection).

Emphasis on accessibility.

Question: shall we present cases from national or EU perspectives?
Both. National level to provide Member States with concrete examples on gaps and limitations. At AGE, we will submit a contribution at European level, using members' contributions.

There is a limitation of 800 words > we will need to be strategic in our own contribution. We will not compile a long list of good practices.

Michele working with Marine on palliative care. Would like to have good practices.

Nena > if Michelle has good practices, you can still send some by email.

Strong/weak points of health system

- Social insurance or health services > highest attainable standard of health in the EU.
- France: Issues regarding access to palliative care. Lack of **prevention policies**, no financial incentive for preventive health. Not enough doctors.
- Netherlands: not enough doctors, not enough professionals in hospitals. General practices are closing and sometimes first aid closed. No more organised from the state but from commercial people (businesses) who try to make money.
- Monica: We should focus more on the mental health > EU Commission decided that mental health is going to be prioritised. Both among younger and older people, it has been a problem. Primary care > older people do not have visits for primary care. We have special departments to receive doctors so that they can have more time for OP in general.
- Poland: it may seem that Polish system is quite faire because everybody has access to health services. Problems start with queuing/waiting time, notably for specialists (3 to 4 months). For example, in dementia care. Number of nurses is inadequate and a lot of nurses who are over 60+ that have to work for the system not to collapse. Doctors complain on law pay. One good thing: primary care, you don't pay for it but it is different with specialists. We have the right to get the service and not pay for it, but many people in order to avoid waiting too long, use private care which is rather expansive. Access to palliative care: based not on the needs of people, but on the list of diseases. Example: Alzheimer disease is not on the list.
- Juergen: lack of medical staff at national level. Asylum seekers do not have access to healthcare services. People in prisons have access to basic healthcare but not specialists (because based outside of prisons).

Specific barriers for older persons

- People living in rural and urban areas.

    - Poland: not only lack of those services but also accessing the services near by towns. Transportations. If not a car, it is very difficult to get to another town.
- Age discrimination during the Covid-19 pandemic to access healthcare services.
- OP with Alzheimer in accessing palliative care.
- Digitalisation is an issue.
- Stigmatisation, especially in mental health/diseases.
- Homeless people.
- People suffering from more than one chronic conditions.

Data

What is working well in the health policies in your MS?

- France: tracking system with regular checks up.
- Diseases that develop with age: is there a good screening for breast cancer for example? Or prevention of the Alzheimer disease?
- Netherlands: check up for breast cancer and ball cancer but it stopped at 66 (age barrier). We are getting older and getting cancer detected. Should be extanded.
- Poland: if woman over 59, not ok for check up to breast cancer. You can pay for it, but expansive.
- France: depistage of breast and colorectal cancer.
- Were there policies that were working well but that are no lacking because discontinued?
- Fifi: during the Covid-19 pandemic, they stopped some screening.
- Barbra/Sweden: age limits for a number of things. Some OP get sick early in life. Depistage that stops at a certain age is discriminatory. For example, breast cancer appears later in life.
- France: good with vaccination and we still are. Free vaccination for influenza for people aged 65+.
- Portugal: private services which are not affordable for the majority of OP in Portugal.

Remedy and redress

- Poland: incapacitation of law. It has long been abused in Poland, legal system allows carer of a person with dementia to appeal to court in order to incapacitate the person. There is no possibility (for example like in Britain), to use any other way to support people with dementia to make their own decisions. Because no legal instrument, carers have no chance. If somebody needs a hospital care, and the doctor asks a person with dementia, if person with dementia says no, doctor puts pressure on the family to start this incapacitation procedure so the treatment can begin. No possibility of advance directive.
- Serbia: protector of patients' rights in municipalities, but less used.

Annex 3

Meeting ID	Start Time	End Time	User Email	Duration (M	Participation
81069430174	26-01-23 10:49	26-01-23 12:24		95	15
Name (Original Name)	Total Duration (Minutes)	Guest			
Apolline Parel (AGE) (AGE Platform Europe)	185	No			
Michèle LE GOFF	95	Yes			
Miroslawa Wojciechowska	95	Yes			
Claude WARET	92	Yes			
Barbro Westerholm	92	Yes			
Monica Ulfhielm	90	Yes			
Milutin Vracevic	87	Yes			
Fifi Groenendijk	87	Yes			
Nena Georgantzi - AGE (Nena Georgantzi)	86	Yes			
Ana Maria Jorge	85	Yes			
Juergen Focke	85	Yes			
Marine LUC - AGE (Marine LUC)	85	Yes			
ANABELA PAIXÃO	84	Yes			
cafer tufan yazıcıoğlu	84	Yes			



Annex 4

AGE WEBINAR:
13th session of the UN Open-Ended Working Group on Ageing

Focus area 2: Social Inclusion

01 February 2023

AGE Platform Europe

Agenda

1- What is the Open-Ended Working Group?

2- What are AGE's objectives for the 13th session of the OEWG?

3- Guiding question to the OEWG13



Background/The UN OEWG





OEWG13

- Right to health and access to health services
- Social inclusion
- Normative elements:
  - Economic security
  - Contribution of older people to sustainable development

AGE Platform Europe

AGE objectives for OEWG13

- Support AGE members participation to OEWG13 and national mobilisation.
- Direct engagement with countries in favour of convention (Portugal, Austria, Slovenia).
- Work with DG JUST to understand and influence EU position.
- Prepare oral and written statements in consultation with members.
- Ensure coherence between AGE manifesto for EP elections and work at OEWG13.

AGE Platform Europe

Social Inclusion: the Scope

- Participation in the public life and indecision-making processes.

AGE Platform Europe

Current policy

- https://jamboard.google.com/d/19POmTrfK9upX12ix5a9EpkilcYDuyMRjxoEQVJGUahA/edit?usp=sharing
- How is the right to participation guaranteed in your country? Please provide us with concrete examples related to the following areas:
  - Employment
  - Education
  - Healthcare
  - Financial goods and services
  - Any other areas
- Is the legal framework sufficient to address age discrimination when it comes to the right to participation?

AGE Platform Europe

Current policy

- Are there any age limits that exists in your country that prevent the full and equal participation of older persons in societies? Please provide us with concrete examples related to the following areas:
  - Employment
  - Education
  - Healthcare
  - Financial goods and services
  - Any other areas
- If there are age limits that exist in your country, are there guarantees/dedicated measures in place to ensure the full and equal participation of older people? If yes, please provide us with concrete examples.

AGE Platform Europe

Reality

- https://jamboard.google.com/d/19POmTrfK9upX12ix5a9EpkilcYDuyMRjxoEQVJGUahA/edit?usp=sharing
- Do you find that in your country, older persons or their representative organisations are systematically consulted on matters that affect them the most? Why?
- Do you think that data on the right to participation of older people is sufficient?
- What are the challenges that older people face in their enjoyment of the right to participation?

AGE Platform Europe

Reality

- Are there any specific structural barriers that some older people further marginalized face? This marginalisation can be expressed on the grounds of their:
  - Sex
  - Gender identity
  - Disability
  - Race
  - Ethnicity
  - Origin
  - Religion
  - Economic status
  - Any other status

AGE Platform Europe

Progressive Realisation

- https://jamboard.google.com/d/19POmTrfK9upX12ix5a9EpkilcYDuyMRjxoEQVJGUahA/edit?usp=sharing
- Are there any policies/measures that support older people to fully participate in society? Please provide us with concrete examples.
- Are there any policies/measures that are in place to ensure that older persons in institutions segregated from their communities can participate in society? Please provide us with concrete examples, notably in:
  - Institutional care systems
  - Prisons

AGE Platform Europe

Progressive Realisation

- Do older persons have a dedicated budget within national public expenditure budget to achieve the full realization of their economic, social and cultural rights?
- Is the share of national public expenditure budget targeted to older persons measured?
- If the share of national public expenditure budget targeted to older persons measured, does it comprise all relevant expenditures, or are there some missing (e.g. education, unemployment benefits, etc.)?

AGE Platform Europe

Remedy and Redress

- https://jamboard.google.com/d/19POmTrfK9upX12ix5a9EpkilcYDuyMRjxoEQVJGUahA/edit?usp=sharing
- If older persons' right to participation is not respected, are there any judicial and/or non-judicial mechanisms that exist for older persons to complain and seek redress for the denial of this right?

AGE Platform Europe

Next steps

To share any additional material/inputs, you can contact:

Apolline Parel at apolline.parel@age-platform.eu

Deadline for submitting your inputs: **15 February**

Deadline for AGE to submit our contribution: **20 February**

AGE Platform Europe



Want to know more about us?

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AGE Platform Europe

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Transparency Register ID: 16549972091-86

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Current policy

How is the right to participation guaranteed in your country? Please provide us with concrete examples related to the following areas:
Employment; Education; Healthcare; Financial goods and services; Any other areas

Is the legal framework sufficient to address age discrimination when it comes to the right to participation?

Liberté, égalité, fraternité

Law against discrimination in employment.

Life-course approach

Older persons in politics > volunteering work.

Implementation is key. France > age is considered as a discrimination in employment but in reality we are still fighting.

Legal framework > laws against discrimination. Implementation is difficult because of other issues such as accessing the labour market. Investment in younth.

Older persons not involved in discussions on new pension system (Netherlands).

More pensioners have to work again because their pension is not enough. Impact of the crisis. If OP want to join labour market, complicated.

Older women >< pensions.

Germany - Article 3 = all people equal in front of the law. Age discrimination not included in this article.

National Ombudsman for the rights of older people.

General Equal Treatment Act > only refers to the field of employment but no many other areas of life. Car and health insurance should be covered + banking + healthcare.

Transparent way of using algorithms.

Current policy

Are there any age limits that exists in your country that prevent the full and equal participation of older persons in societies? Please provide us with concrete examples related to the following areas:
Employment; Education; Healthcare; Financial goods and services; Any other areas

If there are age limits that exist in your country, are there guarantees/dedicated measures in place to ensure the full and equal participation of older people? If yes, please provide us with concrete examples.

Netherlands: 70 years old > age limit in relation to bank account. No more possible to have a loan. Complicated because of the rising costs. What about people aged 80+?

Internet. Digitalisation and access to bank services.

Germany - Age limits when volunteering. People that help at level of cities, with elections for ex, there is an age limit. Same for voluntary fire fighters. People that help in the court.

Example of bishop election in Germany.

Parliament in Germany

France - employment. In the private sector, at the age of 70, you can be forced to retire.

France - age limit in getting a loan. Renting houses, hiring cars.

France - public sector. 65, can be forced to retire (depends on the family situation).

Portugal - age limit situation. Mandatory retirement in the public sector when 70 years old. Age limit for private health insurance. Travel insurance (e.g. national airline) > 64

Age limit in housing laws and banking services.

Reality

Do you find that in your country, older persons or their representative organisations are systematically consulted on matters that affect them the most? Why?
Do you think that data on the right to participation of older people is sufficient?
What are the challenges that older people face in their enjoyment of the right to participation?

Disaggregated data

Data: related to the labour market. Data lacking on other issues as well, and mores specifically on older women.

France - not a systematic consultation of OP. Labour associations consulted, consider it is their field. Pensioner organisations not enough.

Netherlands: OP not consulted in the reform of pension system.

Germany - OP, representative organisations consulted but not systematically done. Consulted in different ways.

Covid-19 pandemic: public hearings in which representative organisations participated in Germany.

Representative organisations need to be CO-DESIGNERS/CO-CREATORS in policy-making

Representative orgs in Portugal not systematically consulted. Authorities never denied auditions/meetings but not active on calling orgs to be consulted

No specific department to deal with old age issues in Portugal.

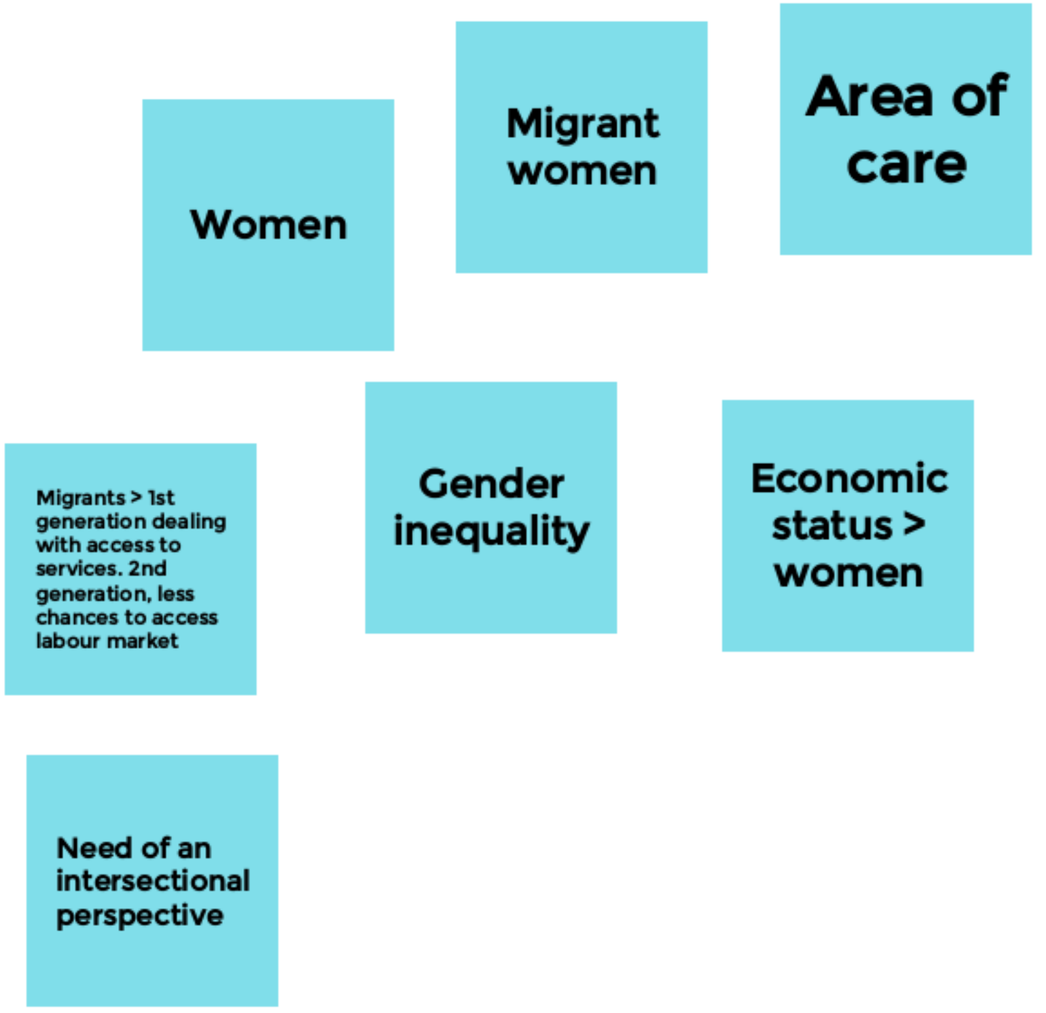
Charity and assistance

Trade unions more consulted than OP's organisations. Considered by governments to be able to represent OP.

Reality

Are there any specific structural barriers that some older people further marginalized face? This marginalisation can be expressed on the grounds of their:

Sex
Gender identity
Disability
Race
Ethnicity
Origin
Religion
Economic status
Any other status



Progressive realisation

Are there any policies/measures that support older people to fully participate in society? Please provide us with concrete examples.
Are there any policies/measures that are in place to ensure that older persons in institutions segregated from their communities can participate in society? Please provide us with concrete examples, notably in:
Institutional care systems
Prisons



Progressive realisation

Do older persons have a dedicated budget within national public expenditure budget to achieve the full realization of their economic, social and cultural rights?
Is the share of national public expenditure budget targeted to older persons measured?
If the share of national public expenditure budget targeted to older persons measured, does it comprise all relevant expenditures, or are there some missing (e.g. education, unemployment benefits, etc.)?

France: no.

Portugal: no.

Netherlands: decolonisation and colonial background. Special arrangement: more care and trauma healing for victims and their relatives. 20 millions for cultural rights

Trauma services: colonial and cultural affects.

Portugal: Unsustainability of social security

Germany: no.

3 millions for 18 months to preserve culture and traditional rituals of minority groups and communities

Germany: budget in strenghthening the future of children but no dedicated budget/programme to strengthen the rights of OP.

70+, 80+ OP > descendants of Dutch colonial period.

Remedy and redress

If older persons' right to participation is not respected, are there any judicial and/or non-judicial mechanisms that exist for older persons to complain and seek redress for the denial of this right?

France : Défenseur des Droits/ Body to which we can complain.

Austria. Example of a good practice. Volksanwalt

Combination of judicial and non-judicial mechanisms is important.

Impact of the media > a lot of impact in the Netherlands when it comes to public discussions and towards the Parliament.

Portugal: Ombudsman and support line for OP who are victim of violence. Existence of a local protection commission.

Ombudsman/Equality bodies > mandate is different. Ombudsman: deal with cases on public administration.

Volunteering in a non-public official way: might not fall under the mandate.

Netherlands: mechanisms to complaint > NHRI, Ombudsman.

Lack of data on how it works and the figures about this.

Annex 6

Meeting ID	Start Time	End Time	User Email	Duration (Minutes)	Participants
84191436324	02-02-23 10:57	02-02-23 12:46		109	10

Name (Original Name)	Total Duration (Minutes)	Guest
AGE Platform Europe	109	No
Ina Voelcker	69	Yes
Philippe Seidel	109	Yes
Sarah Loriato	108	Yes
Claude WARET	97	Yes
Juergen Focke	97	Yes
Christine Nanlohy	97	Yes
ANABELA PAIXÃO	92	Yes
Michèle LE GOFF	37	Yes
Apolline Parel	82	Yes



Annex 7

AGE WEBINAR:
13th session of the UN Open-Ended Working Group on Ageing

NORMATIVE ELEMENTS:
Older people's contribution to sustainable development
Economic security

9 February 2022

AGE Platform Europe

Why this webinar?

- To help you prepare normative input to the OEWG
- To help you engage in discussion at national level
- To gather input for AGE's contribution to the OEWG

Focus: Older people's contribution to sustainable development and economic security

AGE Platform Europe

What are normative elements?

- The different components that derive from a human right included in international law
- The content of the right
- The detail we want to see under each right in a new convention

AGE Platform Europe

The issue

Existing legal instruments still cover older people, BUT:

- ***They do not address the particular issues relating to older people and ageism***
- ***They are undermined by poor implementation and funding***

Objective: to identify how content of rights can be expanded in new convention to better protect our rights when we are older

AGE Platform Europe

Reality

Despite existing legal instruments, older people across the EU continue to face extensive discrimination and human rights abuses in their daily lives

See :

- AGE input to OEWG12 – Older people's contributions to sustainable development and economic security

How to define state obligations

- Respect – refrain from interference
- Protect – prevent abuse by others, ex. Individuals, private entities
- Fulfil – adopt necessary measures (ie. Facilitate, promote and provide)

AGE Platform Europe

Older people’s contribution to sustainable development

Elements of the right (1)

- Right to freedom of opinion and expression (Art11 CFR; Art10 ECHR)
- Right of access to information (Art11 and 42 CFR; Art10 ECHR, Art23 RESC)
- Rights to freedom of peaceful assembly and of association (Art12 CFR; Art 11 ECHR)
- Protecting and enhancing civic space and collaboration with civil society that represents the voices of older persons in sustainable development (Art2 and 11 TEU; art 15 TFEU; Art 44 petition CFR; CoE recommendation vs. Art 33 UNCRPD)
  - FRA report Europe's civil society includes country reports

AGE Platform Europe

Elements of the right (2)

- Right to take part in the government of his country, directly or through freely chosen representatives;
- right to development, including older persons as active participants and beneficiaries of development;
- active, free and meaningful participation of older persons and their representative organizations in all matters related to sustainable development, including in political processes;
- access to prompt remedies and redress when older persons' above mentioned rights are violated.

AGE Platform Europe

Questions

How does ageism/age discrimination alone or in combination with other grounds affect the enjoyment of these rights?

OP not to be seen as vulnerable ; seniors themselves to express their opinions, not just through orgs and within those orgs ; intergenerational activities and lobbying for common good and future generations; also to manage the orgs; existing instruments, not strong enough/not well known/ not well implemented; OP to be better organised for more credible input; not listening to what OP have to say; not asked generally about all issues; organise workshops on rights in GR and how to defend them ; in MT there is a Ministry, but difficult to have people who consult; grants for OP, not available for people in institutions

What other distinct challenges do older people face in the enjoyment of these rights?

Ex. Lack of obligation to consult; lack of ministry for older people

New compensation arrangement in NL can be asked only online –restricts access

Housing in NL – polluted environment

Cost of care residences too high for level of state pensions

Affordability

In NL 1/3 of new houses built should be for OP

qualifications, such as digital knowledge lacking, how to use available tools

Council for OP in NL but lack of coordinated policy, ageing policies focused on weaknesses not talents, not comprehensive, cannot measure enjoyment of human rights

Multiple/intersectional discrimination/disadvantaged groups

Ex. People in care settings?

In FI separate authority for OP and consulting committees for OP

AGE Platform Europe

State obligations

- Affirm role and contributions of older people
  - Meaningful participation
  - Change attitudes in society
  - Active ageing and inclusion
- Non-discrimination and ageism
  - Amend laws to lift obstacles ex. Right to work and acquire additional income
  - Awareness , avoid gaps in law
- Accessibility (physical, digital) needed for participation and inclusion
- Funding/financial support for CSOs
- Information, education, training
  - Enhance qualifications and digital skills
  - Funding
- Right to participate in decision making (see art 33 CRPD)

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Economic security

Elements of right

- Right to social security; incl. regular adjustment of benefits with changes in living cost
- Right to adequate standard of living, incl. housing, clothing, food and water, etc
- Right to work; incl. whether national minimum wage or any alternative is in place and whether a system of indexation and regular adjustment exists
- Prohibition of all forms of discrimination against older persons in all matters related to economic security
- active, free and meaningful participation in all matters related to ensuring their economic security, including in political processes
- access to prompt remedies and redress

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Issues outlined in 2022 – Economic security

- Unequal ratification of the European Social Charter by EU member States
- Other legal texts have no binding nature (EPSR, CoE Recommendation, Council recommendation)
- Indicator on material deprivation not adapted to the reality of older persons; a reference budget methodology should complement monetary at-risk of poverty indicators
- Inequalities in economic security along gender lines (pension gap), ethnicity (Roma, older migrants), long-term care need, informal caregiving
- Digitalisation leading to financial exclusion (payments/digital literacy/scams)
- Energy poverty and impact of co-payments for medecines and care
- Inadequate minimum pensions, lack of appropriate indexation
- Lack of inclusive labour markets for older jobseekers/workers

AGE Platform Europe

Questions

How does ageism/age discrimination alone or in combination with other grounds affect the enjoyment of these rights?

What other distinct challenges do older people face in the enjoyment of these rights?

Multiple/intersectional discrimination/disadvantaged groups

Ex. People in care settings?

Members' comments:

- Lack of inclusive labour markets
- Lack of access to labour markets beyond retirement age
- Stigma and treatment of rights-holders as if they were fraudsters in accessing social rights
- Lack of statistics on older persons in the labour market (cut-off age)
- Prohibition of discrimination needs to be complete
- Rights exist, but implementation is a big issue; ageism in implementation (e.g. restriction to 72 years max for a wedding officer in NL)
- OP excluded from social dialogue
- Cultural aspect (ageism in how we look at older persons)
- Neglect of the value of volontary work in economic considerations
- Intergenerational approach to combat ageism

- Digitalisation – AGE should be involved in the 'global digital compact'
- Digitalisation as a barrier in accessing social rights (social protection), not only private services (banking)

- A cross-cutting ministry should be responsible to check the influence of policy measures on older persons
- Gender, disability
- older refugees have no special arrangement, rely much on personal ties

State obligations

- Respect
  - Access to the labour market, sustainable employment policies, adequate minimum wages
- Protect
  - Non-discrimination and accessibility, especially in accessing financial services (payment, cash, savings)
  - Adequate social protection in the events of sickness, disability, unemployment, care need; easy access to social protection
  - Adequate pension systems based on a minimum that eliminates poverty risk and compensates for life-time contributions and disadvantages (care, disability, sickness, unemployment)
  - Minimum incomes that eliminate monetary poverty and allow for dignified life
  - Adequate indexation of social benefits
  - Support for informal carers
  - Official, accessible, well-communicated points of complaint for redress and remedy (cf. Child rights commissioner)
- Promote
  - Older Persons' representatives in social dialogue; compulsory consultations of older persons' organisations; cross-cutting ministry
  - Support employers for sustainable employment
  - Life-long learning and career development
  - Support for parents and carers

AGE Platform Europe

Next steps

- A draft contribution can be circulated by 15/2 with very tight deadline as the call for input ends on 20/2
- Any further comments can be sent to Nena, Apolline and Philippe

AGE Platform Europe



Want to know more about us?

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AGE Platform Europe

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Annex 8

AGE Webinar: 13 Session of the Open-Ended Working Group on Normative Elements: Contribution of older people in sustainable development and economic security

What are normative elements?

How we understand aspects of rights in law; Added value: ways to improve the protection of the rights of older people > new UN convention.

Details that we want to see under each right. We are not creating new rights.

Existing legal instruments still cover older people BUT do not address the issues relating to older people.

Reality: how would we understand these rights? What governments should do to respect, protect and fulfil these rights in older age?

Respect – protect – fulfil = State obligations.

Respect: negative obligation; refrain from interference. Example: upper age limits is a form of direct discrimination.

Protect: requires from States not only to refrain themselves but also to prevent abuse and discrimination by others. For example: individuals, private entities.

Fulfil: adopt necessary measures; positive action. States need to be proactive to ensure the realisation and full access to rights; For example: free vaccination for people of all ages.

Older people's contribution to sustainable development

How to facilitate older people's engagement in sustainable development?

There is not a clear framework on the rights of older people, in comparison with the rights of the child. EU level: only rights in terms of vulnerability, this is why we want to work in the framework on equality.

<u>How does ageism/age discrimination alone or in combination with other grounds affect the enjoyment of these rights?</u>

- OP not to be seen as vulnerable.
- Organisations that represent OP's rights: seniors themselves to express their opinions, not just through representative organisations.
- Intergenerational activities and lobbying for common good and future generations.
- Participation/engagement of OP > should be **meaningful** participation.
- Existing instruments are not strong enough, not well-known, and not well-implemented.
- Ageist attitudes in society.

<u>What other distinct challenges do older people face in the enjoyment of these rights?</u>

- New compensation arrangement in NL can be asked only online – not accessible.
- How can you participate if you cannot access the tolls available?
- Funding

- Governments should amend legislation. Either it is prohibited or heavily taxed.
- Governments should increase the awareness of the rights of OP, to make sure that there are no gaps.
- We should focus on economic participation.
- Right of expression/opinion is not under question. Do governments let us do that? It is a matter of people listening/tokenistic approach.
- General rights > how to apply them in practise. Some may be more policy-oriented or with the implementation of measures.
- Structural dialogue / (legal) framework. In Greece: organisation of workshops to talk about the rights of OP, how OP's rights are the same as other citizens' rights.
- Malta:
- We also have to look at the services: e.g. financial services. There is already a working group into the ECB. Income, housing, etc. is very important.
- The Netherlands: coordinated policy on older people is missing. Not a measurement of these rights.
- Finland: separate authority for OP. Consultative role of OP.

<u>Multiple/intersecting forms of discrimination/disadvantaged groups?</u>

Economic Security

- Lack of data > leads to lack of information on OP's rights.
- Lack of implementation. Key issue. Ageing has an influence on everything that we do. France: to have a Ministry across all ministries, which would be transversal. How is a policy going to impact OP's lives?
- Lack of inclusive labour market.
- Digitalisation: negative consequences of digitalisation on OP.

<u>How does ageism/age discrimination alone or in combination with other grounds affect the enjoyment of these rights?</u>

- We should promote participation of OP.
- OP should be part of social and economic dialogue.
- Combination of legal measures and cultural change; How do we look at older people? In addition, to life-course approach, we should look at intergenerational approach.

<u>What other distinct challenges do older people face in the enjoyment of these rights?</u>

- Digitalisation as a barrier to access social rights.

<u>Multiple/intersecting forms of discrimination/disadvantaged groups?</u>

- Disability
- Older women
- Older Roma

- Refugees/Migrants: lower pensions. No special arrangements for them and if there are it is only in personal contexts.

State obligations

- State obligation on the right to economic security
    - Not only on social protection but also easy access to social protection.
    - Regular/compulsory consultation with OP.

Conclusion

Deadline for submission: 20 February 2022.

We will accept comments of the draft.

Annex 9

Meeting ID	Topic	Start Time	End Time	User Email	Duration (Minutes)	Participants
84477142084	OEWG13 - Contribution of older people to sustainable development and economic security	09/02/23 10:55:16	09/02/23 12:47:46		113	12
Name (Original Name)	User Email	Total Duration	Guest			
Philippe | AGE Platform Europe		326	No			
Vassili Louziotis		86	Yes			
Filip Hamro-Drotz		107	Yes			
Moses Azzopardi		107	Yes			
Claude WARET		106	Yes			
Christine Nanlohy		102	Yes			
Nena Georgantzi		106	Yes			
Cafet tufan Yazıcıoğlu		70	Yes			
Jos Bertrand ESO - PES seniors		89	Yes			

Annex 10

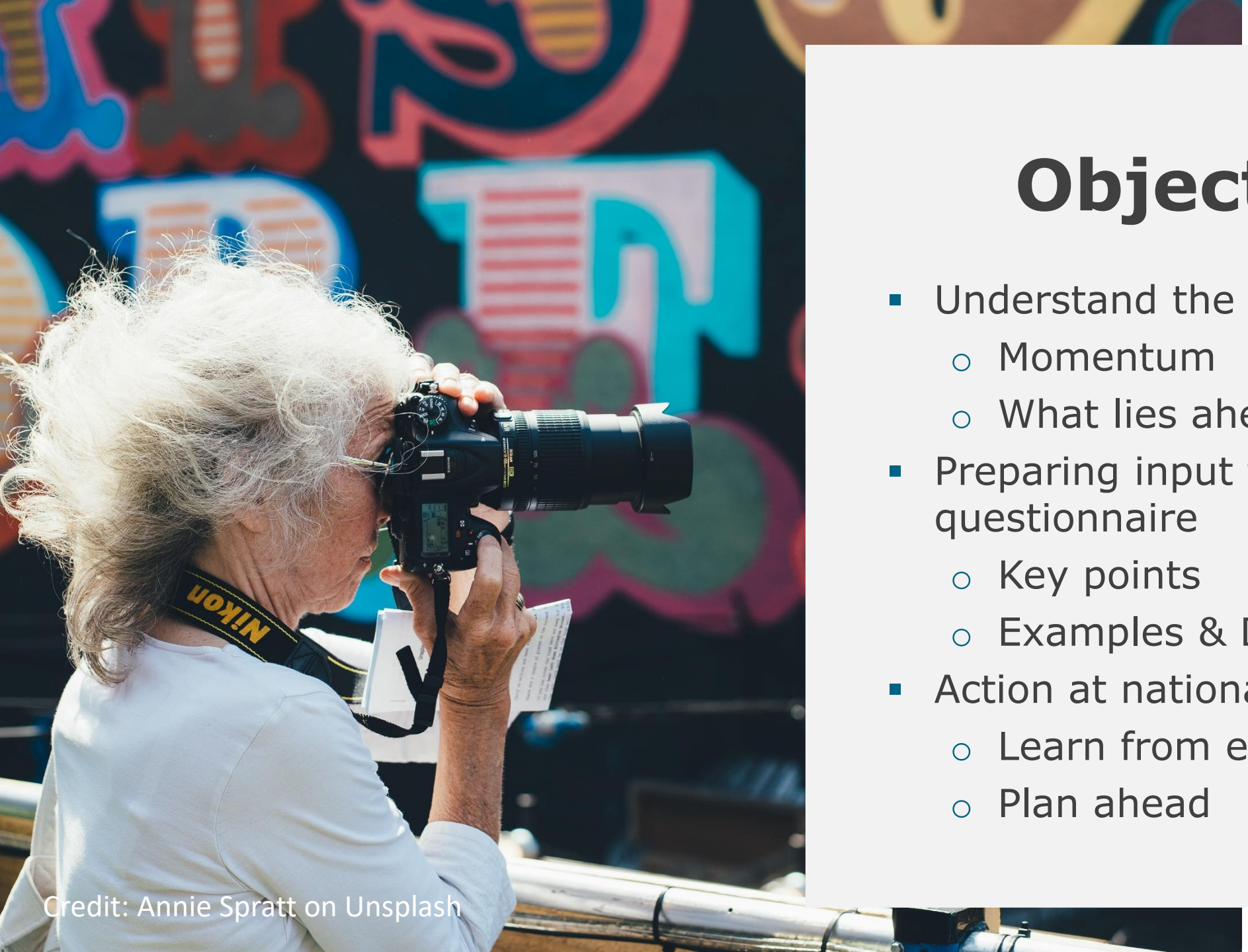


AGE Webinar

Preparing the 14th Session of UN OEWG & replying to the co-facilitators questionnaire8

2 November 2023 - 10:00-12:00 (CET)

Credit: Ekaterina Shakharova on Unsplash



Credit: Annie Spratt on Unsplash

Objectives

- Understand the state of affairs
  - Momentum
  - What lies ahead
- Preparing input to questionnaire
  - Key points
  - Examples & Discussion
- Action at national level
  - Learn from each other
  - Plan ahead

Draft agenda

10:00 - Welcome & introductions

10:05 – Understand the state of affairs

10:15 – Preparing input to the co-facilitators questionnaire

Key points

10:30 – Interactive discussion on questionnaire input

11:00 – Exchange of experiences from advocacy at national level

11:30 – Discussion on next steps for national advocacy

12:00 – Wrap up and closure of meeting

AGE Platform Europe

Momentum



Context OEWG13

- First fully in person meeting of the OEWG-A since 2019
- In 2022: Multistakeholder meeting
- Draft decision of the core group about intersessional consultations
- SI, AT, PT and MT supporting a new Convention

Context OEWG13

What happened in-between?

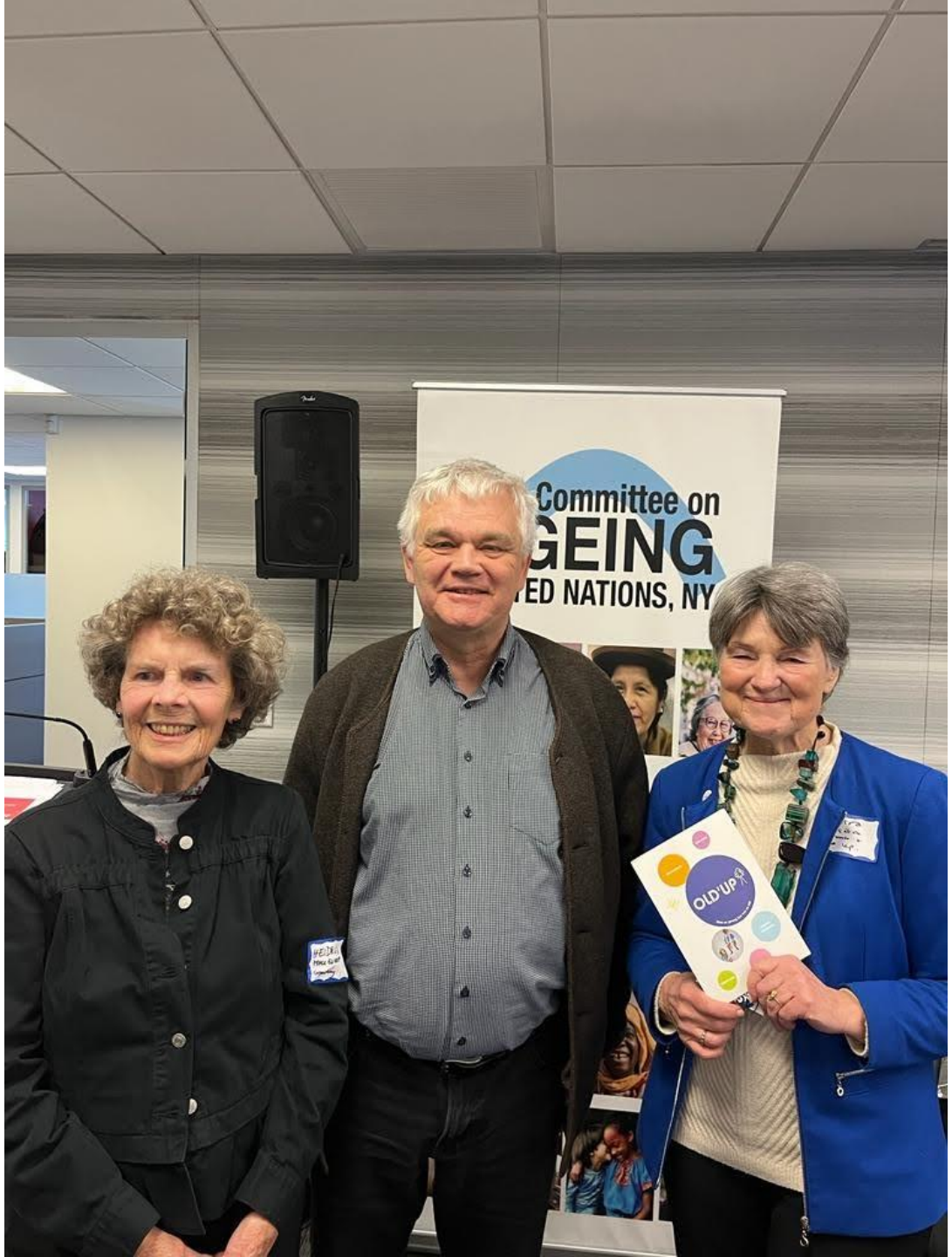
- New DG JUST unit on age
- Meeting with EC ahead of OEWG13
- Upcoming ES Presidency and proposal for EU Strategy on older people

Agenda OEWG13

- **OPENING SESSION**
- **DISCUSSION ON NORMATIVE ELEMENTS**
  - Economic security
  - Contribution to sustainable development
- **DISCUSSION ON FOCUS AREAS**
  - Social Inclusion
  - Access to health and health services
- **INTERACTIVE DISCUSSION** on strengthening the promotion and protection of the human rights of older persons
- **WAY FORWARD**

Things that
may contribute to progress





Civil society stronger than ever

Improved diversity in panels

Unity and focus

AGE made several statements

Opening statements

- High level representation by the UN system
- More than 50 interventions from Member States
- New voices



Draft decision adopted

- **Proposal of Core Group:**
- Intergovernmental mobilisation
- Consensus
- Two cofacilitators from developed and developing countries by May 1st

Other developments

- Proposal for Advisory Board to Independent Expert and Human Rights Council
- Bilateral meetings with Portugal, Slovenia and Slovakia
- Austrian conference 29/11-1/12 2023 on Human Rights of older persons

New themes For 2024

- Participation in public life and decision-making
- Accessibility, habitat, infrastructure and transport

Things to IMPROVE

Drawbacks

- High praise for Civil Society and NHRIs – but no inclusion in important processes
- Low levels of interaction by MS during panels (only Germany once)
- Unclear next steps

Questions?

Ideas?

Next steps?



The way forward

Credit: Alex Motoc on Unsplash

Share of experiences of national advocacy

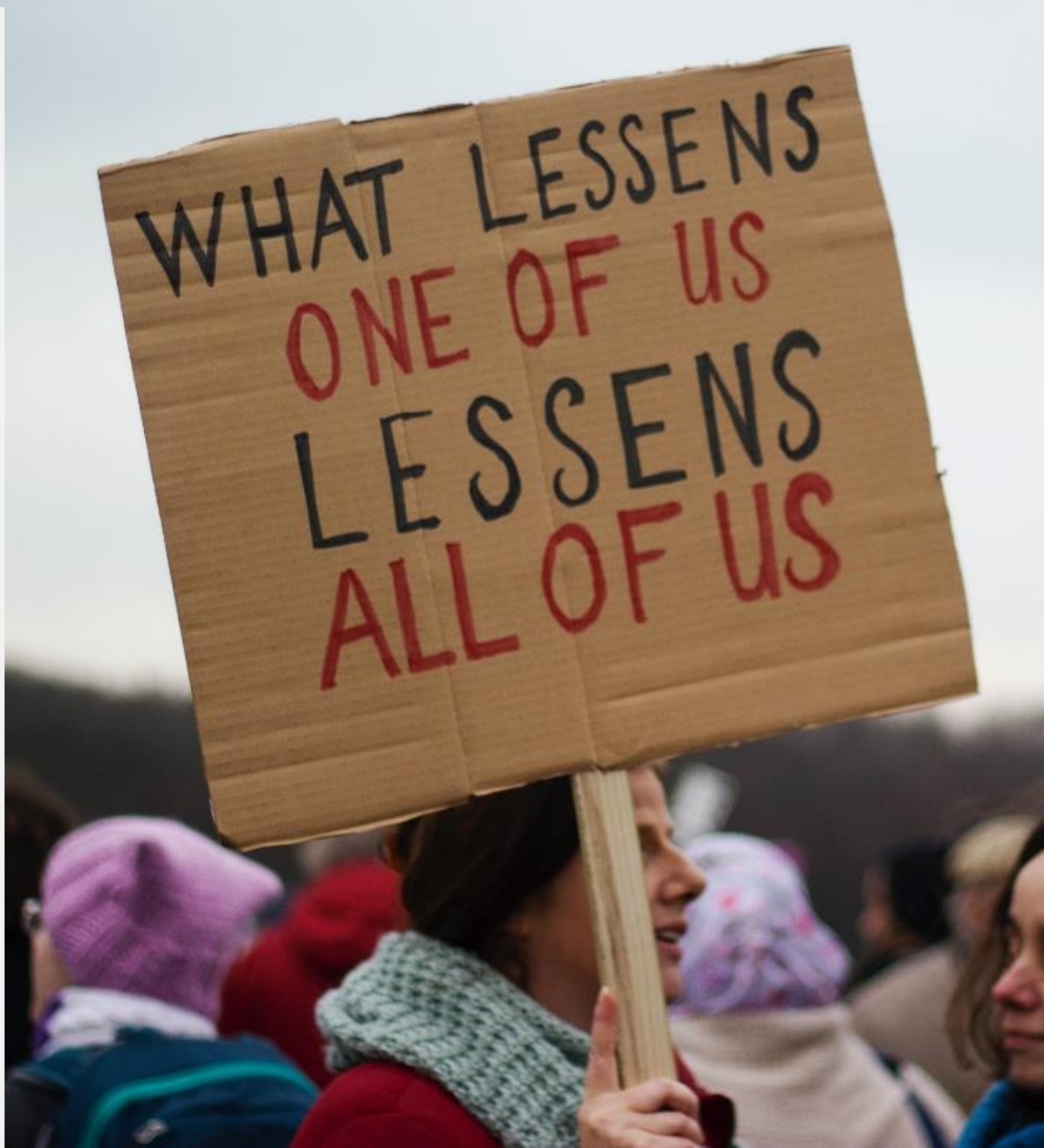
What can AGE do?

- Ask EU to review its position
- Seek support by MEPs
- Support advocacy by members
- Regional meeting on gaps?



How you can help

- Hold governments to account
- Collaborate with NHRIs
- Reach out to MEPs



Annex 11

Internal AGE Platform Europe report on the 13th session of the UN Open-Ended Working Group on Ageing

This internal report complements the feedback shared in the public Special Briefing on the 13th session of the UN Open-Ended Working Group (OEWG13) and the information shared during our internal debrief with members on 18 April 2023.

Summary of outcomes of OEWG13

Political support

Four EU Member States (Slovenia, Austria, Portugal and Malta) are openly in favour of a new convention on the rights of older persons. During the OEWG13, Greece declared that they are open to engage in *any* international common efforts to protect the rights of older persons.

Dr Heidrun Mollenkopf had meetings with the representatives of Portugal, Slovenia, and Slovakia, which revealed the need for national mobilisation to increase support for a new convention among EU countries. Portugal has a National Commission for Human Rights, an Interministerial Commission of which some meetings are open to civil society. It would be important for the delegates to get positive or critical comments from national CSOs during the Sessions in NYC because after the OEWGA Sessions, the Permanent Mission reports everything back to the Interministerial Commission and does a debriefing with all Ministries.

Despite the establishment of the new Unit within Directorate-General Justice and Consumers (DG JUST) on LGBTIQ, Age and Horizontal Matters, the European Commission did not directly participate in the 13th session and the EU delegation only took the floor on the first and last day. While the EU statement acknowledged gaps and that more needs to be done to close them, the level of the EU engagement with the OEWG remains low and does not live up to their commitments. However, AGE met with several stakeholders of the European Commission (Vice President Šuica's cabinet, Commissioner Dali's cabinet, DG JUST and the coordinator of the EU Task Force on Equality) ahead of the OEWG and we expect higher levels of participation in the OEWG14. The upcoming European elections and the work of the Spanish Presidency of the EU towards an EU strategy for older persons can also provide entry points for more discussion and support for a new convention.

Civil society engagement

CSOs were stronger than ever in calling for a new legally binding instrument. Dr Heidrun Mollenkopf, who represented AGE made several statements urging for greater and more meaningful involvement of CSOs in these discussions.

Adoption of intergovernmental decision

The OEWG decided by consensus to appoint two co-facilitators, one from a developing and one from a developed country to conduct informal meetings between the 13th and the 14th session of the OEWG. The aim of the two co-facilitators' work is to identify gaps in the protection of the rights of older persons and make recommendations on how to close them. The Chair of the OEWG, Ambassador Squeff from Argentina, decided to appoint the Ambassadors of Brazil and Portugal to the United

Nations as co-facilitators. While important, this decision does not set out specific next steps, neither does it indicate the role that CSOs and NHRIs are supposed to play in this process. NGOs deplored the fact that they were not consulted in the drafting of this decision and called for strong civil society engagement in next steps to ensure that this does not happen again. Learn more about this decision and next steps in GAROP's dedicated webpage.

Themes for 2024

The 14th session of the OEWG will discuss the following focus areas:

- Participation in public life and decision-making
- Accessibility, habitat, infrastructure and transports

As these two topics are very much aligned with AGE priorities and the context of the European elections AGE will engage with members to prepare our contributions for the 14th session.

Other highlights

BAGSO, together with HelpAge Deutschland organised a side event on 'Mainstreaming ageing in the human rights-based approach – it's more than just social inclusion'. This side event explained why mainstreaming is important for political decisions, but also why it is difficult to achieve and secure rights without a legal obligation for its implementation. You can watch the side event here.

During another side event, the Independent Expert on the enjoyment of all human rights by older persons, Dr Claudia Mahler, made a proposal for establishing an Advisory Board, which would include CSOs, NHRIs and academics. It would act as a sounding board for her mandate but also help pushing for a convention. This is a preliminary idea, which is expected to be further discussed and refined in following meetings with different stakeholders.

Civil society organisations need to understand that the interlocutor at the UN will listen to them but the final decision needs to be reported back to ministry. Our ministries are hierarchical and things go up and down the ladder to the mission representative and then are cabled to capital. So it can be very helpful if an NGO has a partner at capital and both are giving the same message.

Research participant *'A seat at the table: A guide to crafting effective narratives at the UN about human rights and the people who defend them',* by International Service for Human Rights

Debrief with AGE members

Dr Heidrun Mollenkopf reminded our members about the importance of their mobilisation at national level and many members shared what they are doing on the ground to increase support for a convention. In Belgium and in Spain there are ongoing petitions asking their governments to support a new UN convention. Members also asked AGE to develop some tools to help them monitor the engagement of their government at the OEWG and advocate more efficiently in favour of a convention with national actors. They also asked for an update on AGE members' position around a convention, good practices and the main arguments and examples they are using for their national advocacy so that they can learn from each other.

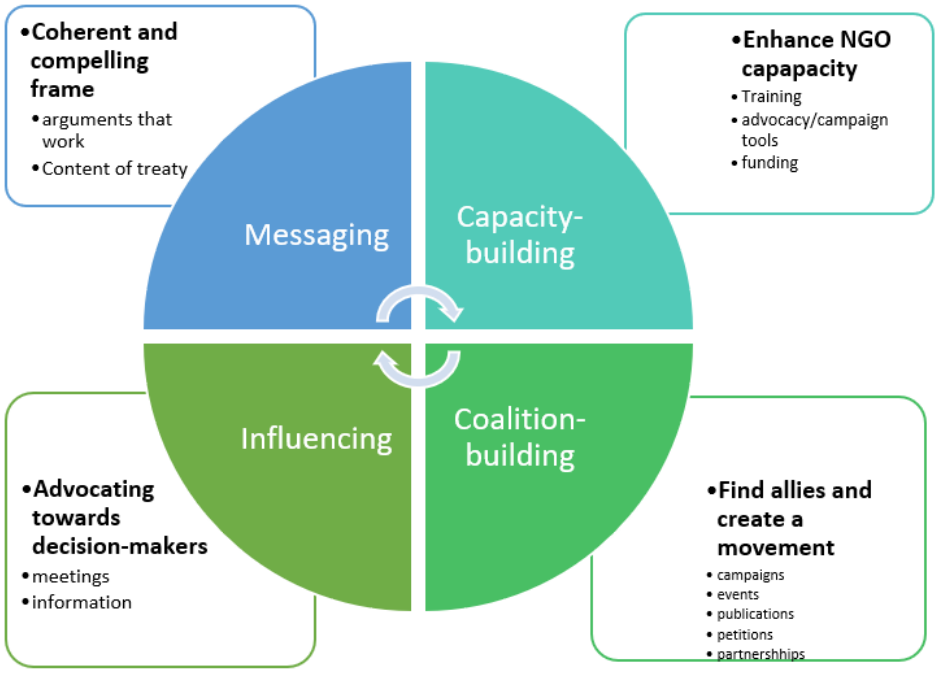
Latest updates.

The first briefing by the co-facilitators (Permanent Representatives of Brazil and Portugal) will be held next on Wednesday 24th May for Members States only, and the NHRI/CSO briefing(s) will be during the following week. The co-facilitators emphasized again the importance of inclusiveness, transparency and confidence-building in undertaking consultations among stakeholders. A draft

outcome document will be made available in December, and expert-level consultations are expected to take place during January-April 2024.

Next Steps for our Advocacy Towards a UN Convention

To increase support for a new UN convention, AGE and its members need to work hand in hand focusing on the following strategies :



Strategy	What AGE can do	What members can do
Messaging	-Frame call for a convention as part of call for Age Equality Strategy and Manifesto for EP elections -Work with Task Forces on content of convention -Input on gaps for co-facilitators consultations from regional perspective - reply to call for written input for OEWG14 -nominate speakers for OEWG14	-1-page summary of their position/key points on a UN convention -make the case for a UN convention in meetings with candidates for EP elections, national ministers, etc -national meetings to prepare input for the cofacilitators and discuss content of convention -reply to call for written input for OEWG14 -nominate speakers for OEWG14
Capacity building	-Develop monitoring and advocacy tools for members -Secure funding for participation in OEWG14	-Make the case for funding NGO participation to OEWG14 by their national government -Become accredited to OEWG -Become members of GAROP -information sharing

	-Training for members on political process/influencing and/or messaging -information sharing	
Influencing	-Work with Spanish and Belgian EU presidencies to increase EU support -Meet with the COHOM / EEAS to influence EU position at OEWG14 -Increase support by MEPs -Work with EC to ensure active engagement at OEWG14	-Monitor their government engagement with OEWG and hold them accountable to their commitments -Draft policy advice, send letters, organise meetings, providing a short and clear summary about why your government needs to act and what action is necessary to support a UN convention -Reach out to national delegations in New York and in Geneva and call for their coordination -Share information with national actors
Coalition-Building	-Inform human rights/equality organisations working at EU level about discussions on UN convention aiming to increase support and state pressure	- Use direct voice of older people in their campaign material supporting a new convention -work with equality bodies, NHRIs and other national human rights organisations to call for a convention -organise events and/or petitions -publish media articles

Annex 12

Meeting ID	Topic	Start Time	End Time	User Email	Duration (Minutes)	Participants
81279627114	OEWG13 Internal Debrief	18/04/23 09:44:07	18/04/23 12:36:38		173	41
Name (Original Name)	User Email	Total Duration (Minutes)	Guest			
Julia Wadoux (she/her) - AGE Platform Europe		587	No			
Jean Michel Hote		135	Yes			
Sarah Loriato - AGE Platform Europe (Ágnes Bene)		1218	Yes			
Alison Bough Active Retirement Ireland		127	Yes			
Heidrun Mollenkopf		127	Yes			
Maud B-A - FIAPA Paris# NGOCoANY		123	Yes			
Guy Lööv		45	Yes			
Sofia Santos Nunes | AGE		93	Yes			
Godwin C Micallef		105	Yes			
Jos Bertrand		121	Yes			
Carina Benjaminsson | NOPO | Sweden		121	Yes			
Marc Soubry		120	Yes			
Han Kooy		120	Yes			
Juergen Focke		118	Yes			
Claude Waret		120	Yes			
Thomas Holberg		55	Yes			
LIANA KOKKOLIA		118	Yes			
Angel Yagüe Criado		115	Yes			
Martin Engman# Sweden		99	Yes			
Moira Allan		112	Yes			
Maria Rosa Lunas Masnoui		112	Yes			
Bridget Penhale		110	Yes			
Miguel Cabra		27	Yes			

United Nations A/HRC/54/NGO/86

General Assembly

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Human Rights Council
Fifty-fourth session
11 September–13 October 2023
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by AGE Platform Europe, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 August 2023]

* Issued as received, in the language of submission only.

A world without elder abuse requires systemic action!

Aspects, causes and prevalence of elder abuse

Violence, abuse and neglect against older persons is not a stand-alone problem. It's not something that happens in a specific setting nor that we can address in isolation to the context in which it takes place and to how society sees ageing and older persons. Violence, abuse and neglect against older persons is symptomatic of how we devalue older people's lives, how we tend to trivialize and tolerate their suffering, and how we are more likely to accept it as normal to an extent that we would not accept for others. This wider problem is ageism.

Ageism is often the driver of abuse and neglect, but also leads to overlooking the consequences it has on older people and not addressing it with the same level of seriousness and determination as other forms of violence. In some cases, neglect might even be seen as a 'normal' consequence of ageing-related impairments and challenges, while it does constitute denial of human rights. Abuse and neglect is often committed in the context of scarcity of resources, such as by denying adequate, affordable and accessible care or other human rights.

As a result, abuse, violence, and neglect in old age remain largely a hidden reality without a systemic solution. Yet, there is evidence that elder abuse is prevalent all across the world. According to WHO, about 3% of older persons in Europe suffer maltreatment in the community, and this can affect up to 25% of older persons with high care needs1. The consequences of elder abuse are dramatic and long-lasting. Older persons suffering abuse experience a decline in physical and mental capacities and can develop feelings of rejection and exclusion. In the most serious cases, abuse and maltreatment can also lead to death. According to WHO, among the 8500 annual homicides of older persons in Europe, about one third (2500) are the result of elder maltreatment2.This figure does not even capture the unknown number of suicides or death induced by self neglect, which can be caused by the mental health consequences of abuse, violence or neglect3. Scientific evidence confirms that elder maltreatment is associated with increased mortality4. But the full extent of elder abuse, violence and neglect against older persons remains largely unknown.

Older victims are less likely to know their rights and how to file a complaint, or they may fear that the abuse will not be considered as serious. In particular, fear of shame, loss of affection, implications and more abuse, lead to under-reporting, especially when the perpetrator is the caregiver, someone close to the victim or someone that the victim depends on. Due to internalised ageism, older victims are also more likely to tolerate abuse and neglect. Likewise, older people experiencing violence and abuse are less likely to be taken seriously by police and justice enforcement bodies and police and justice authorities might not be trained to receive reports from persons with specific conditions, such as neurodegenerative diseases. There is evidence that social workers are less likely to label a case as abuse and offer help if the victim is older4. As a result, a great majority of breaches in which older people are involved are tolerated or suppressed. According to estimations, only 1 in 24 cases of elder abuse are actually reported5.The lack of awareness of age as ground that might incite violence, abuse and neglect against older persons contributes to this invisibility and lack of protection of older victims.

Today our laws are not well equipped to detect, prevent and challenge ageism and elder abuse. They often reiterate the same biases that we as society have referring to older people as inherently vulnerable or in need of protection and ignoring their multiple contributions. This was highlighted in the recent report of the UN Independent Expert, presented at this 54th session of the Human Rights Council.

Recommendations: how an international legal instrument can help overcome abuse, violence and neglect

A world free of abuse requires systemic change at all levels: from non-discrimination laws and data collection to effective redress and support for victims. The causes of elder abuse and neglect are multifactorial, which means that comprehensive policies are needed to prevent it. Measures that empower older persons through accessible environments, support their autonomy and independence by respecting their rights, preferences, decisions and informed choices in health, care, finances, and many other domains are essential.

Combating ageism and elder abuse is very complex, because it's insidious, systematic and institutionalized. A comprehensive and intersectoral approach to elder abuse is needed with a focus on the fight against ageism and the promotion of quality care. This is why the Independent Expert rightly concluded that "an international, legally binding instrument would offer the best protection for the human rights of older persons".

For a long time, also gender based violence was considered legitimate or inevitable. But fortunately, gradually, our societies have become more conscious of how such practices are wrongful and harm women. They recognized that gender stereotypes are so embedded in the unconscious that they are perpetuated by communities and state institutions. And they put in place laws and instruments to eliminate gender-based violence and abuse.

Ageism acts as the type of prejudice that both justifies abusive behaviour against older people and leads to overlooking the consequences it has on older people. We need a new UN convention to address this systemic injustice. A comprehensive legally binding instrument would create an obligation to detect and address abuse and other human rights violations against older persons. It would trigger a number of reforms, by spelling out concrete changes that are necessary to prevent rights violations experienced in old age. For example, a convention would include a wide definition of elder abuse recognizing its multiple facets and it would outlaw ageism in all spheres of life. By addressing comprehensively all human rights, it can lay the basis for the progressive realization of social and economic rights whose denial often leads to maltreatment, such as in the context of health and care and therefore break the vicious circle of abuse

A UN convention would also empower older persons to exercise and claim their rights. It would enhance opportunities for individuals and civil society to hold governments to account and access remedy. A UN convention would also increase visibility of abuse, violence and neglect against older persons within the existing human rights mechanisms. Therefore, it could strengthen the general enforceability of the human rights system.

We urge all UN states to start drafting a legally binding treaty to guarantee the equal protection of our human rights in old age. The drafting of such an instrument must include the meaningful participation of older persons in their diversity, their representative organizations, civil society organizations and national human rights institutions.

For more information:

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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

AGE Platform Europe is the largest EU network of organisations of and for older persons aiming to voice the rights of older persons living in the European Union., NGO(s) without consultative status, also share the views expressed in this statement.

1 European report on preventing elder maltreatment, 2011

2 ibid

3 Lachs, M. S. et al.: “The Mortality of Elder Maltreatment”, in Journal of the American Medical Association, 1998

4 Yechezkel, Rachely and Ayalon, Liat (2013) : ‘Social Workers’ Attitudes towards Intimate Partner Abuse in Younver vs. Older Women’. In: Journal of Family Violence No. 28, pp. 381-391. https://link.springer.com/article/10.1007/s10896-013-9506-0

5 https://www.who.int/news-room/fact-sheets/detail/elder-abuse