



**Open-ended Working Group on Ageing  
for the purpose of strengthening the protection of the human rights of older persons  
10th working session,  
15 – 18 April 2019**

**Item 5:  
Measures to enhance the promotion and protection  
of the human rights of older persons**

**Statement delivered  
By**

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**Check against delivery**

Thank you Mr. Chair,

I have the honour to speak on behalf of the EU and its Member States.

The Candidate Countries North Macedonia\*, Montenegro\*, Serbia\* and Albania\*, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, as well as the Republic of Moldova, and Georgia, align themselves with this statement.

The EU welcomes the opening of the tenth session of the Open-Ended Working Group on Ageing. It will help us again to focus on what is needed to allow older persons to fully enjoy their human rights and to examine implementation problems in practice. Firstly, let me express our thanks to the Chair and the

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*\* North Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.*

other Bureau members, and to the United Nations Department of Economic and Social Affairs, for all their work on the preparation of this session.

The situation of older persons and the promotion and protection of their human rights remain high on the agenda of the European Union and its Member States. This Working Group has become the most prominent international forum specifically devoted to the rights of older persons, the discussion on how we can best promote and protect them and in which there tends to be a lively exchange of experiences. The EU is in favour of the broadest possible involvement in that debate, by States, civil society organisations and National Human Rights Institutions.

Mr. Chairman,

As the Independent Expert again notes in her last annual report for 2018, though human rights are of course universal, there is currently no specific instrument that addresses the unique challenges that older persons face. Specific provisions focusing on older persons, similar to those which exist for certain other groups, are therefore not available. In previous Open-Ended Working Group sessions we have seen much discussion about whether a new Convention is needed for a better tackling of the many real problems facing older persons, or whether much could be achieved already by making better use of existing instruments.

This debate has not yet been concluded and we may expect its continuation during this session. Despite the different views on that question, it is good that the methodology for our proceedings that was introduced in 2017 also obliges us to explore substantive themes in greater depth. We can learn much from each other's experiences. The EU therefore gladly contributes data and insights from Europe, but we are also keen to learn from other countries and regions. Let me recall our interest in the experiences in recent years with the two specific regional legal instruments on the human rights of older persons: the Inter-American Convention on Protecting the Human Rights of Older Persons; and the Protocol to the African Charter on Human and Peoples Rights on the Rights of Older Persons in Africa. We would like to learn more about how these two regional instruments are impacting on the situation of older persons in those regions.

In the EU, the process of population ageing continues in many Member States. We are proud that we have achieved living conditions in our countries that allow many of our citizens to reach an advanced age and to remain active

citizens so much longer than previous generations. For instance, the employment rate of the oldest age group for which statistics are collected rose steadily during the past two decades, and this trend continues. At the same time, the EU is keenly aware that a longer life expectancy does not automatically bring about a corresponding increase in the number of healthy life years. In addition, many of our growing number of older citizens are still confronted with economic and social difficulties. They expect specific action from their governments and politicians for the protection and fulfilment of their human rights.

The European Union is based on the values of respect for human dignity, freedom, equality and human rights, whatever the age of its citizens.

To ensure that these values are respected, the Union has established an extensive, complex and unique system of protection of human rights, enshrined in the EU Treaty (in particular Article 7 TFEU), the Charter of Fundamental Rights and the major Equality Directives. The EU also remains committed to accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).

In the context of the European Semester, problems related to fundamental rights are examined and can be the subject of country-specific recommendations. This includes recommendations in relation to judicial systems, disability and long-term care, social rights and citizens' rights. Finally, I would like to recall that the European Union Agency for Fundamental Rights (FRA), established in 2007 and based in Vienna, plays a major role in monitoring the fundamental rights situation in the Union. In May of 2018 the annual report of the FRA contained for the first time a special Focus Chapter on "Shifting perceptions: towards a rights-based approach to ageing". This chapter explores the shift away from thinking about old age in terms of 'deficits' that create 'needs' to a 'rights-based' approach towards ageing with the need to respect the fundamental right to equal treatment of all individuals, regardless of age. The FRA report examines the EU's increasing focus on the rights of older persons while also finding that, with the exception of the Employment Equality Directive, there is a need to further strengthen the secondary legal framework in other areas of particular importance for older persons.

But we are also aware of the difficulties and challenges faced by older persons who make up a growing proportion of our populations, and of the need to do

more to ensure the protection and fulfilment of their human rights. Three weeks ago Ms. Věra Jourová, the European Commissioner for Justice, Consumers and Gender Equality, presented a report with an overview of the European Commission's actions to counter racism, xenophobia and discrimination of all kinds, including ageism, in the EU during its five-year mandate, as well as the remaining challenges in these areas. Her main message was that: "Discrimination, hate crime and speech, racist and xenophobic narratives, in particular online, are not only illegal but they polarise our societies and question our European values. We need to continue to fight these dangerous trends together, be it online or offline." The European Commission is working with Member State authorities, civil society and EU agencies to step up implementation of EU law in this field. This includes, amongst other things, a Recommendation on Standards for equality bodies to increase their efficiency in combatting discrimination on all grounds, including age.

Mr. Chair,

Of course, much still needs to be done in this area. AGE Platform Europe has alerted us that the term "ageism" was coined 50 years ago. To mark this 50<sup>th</sup> anniversary we will be co-hosting with them a side-event on Wednesday that will look at the pervasiveness of this form of prejudice, and the ways in which it can lead to the denial of human rights.

Mr Chair,

The examination in an open debate of the two specific focus areas "Social protection and social security including social protection floors" and "Education, training, lifelong learning and capacity-building" should enable us again to identify issues that need to be addressed as a priority to improve the protection of the human rights of older persons, and also to formulate ideas about how this could be done. We look forward to contributing to both sessions. With regard to these two cluster areas, there is broad recognition in the EU that policies on social protection and education for older persons in many Member States need to be complemented with measures aimed at empowering older persons, particularly older women, safeguarding their autonomy and preventing all forms of abuse, violence and neglect.

Together, the EU and its Member States are committed to continuing their efforts to deliver in practice on existing laws and policies. Our objective is the building of a fair and inclusive society with just working conditions, greater

social security, general access to education, protection of privacy and more political participation, for young and for old.

Mr. Chair,

It is now less than nine months since last year's meeting of the Open-Ended Working Group. Nevertheless, I can briefly mention some significant recent events and developments in Europe. After the 2017 Ministerial Conference on Ageing in Lisbon, Portugal, which focused on the theme 'A sustainable society for all ages: Realizing the potential of living longer', EU countries are engaged in the fourth five-year cycle of the Regional Implementation Strategy (RIS) of the Madrid International Plan of Action on Ageing (MIPAA), with support from the UN Economic Commission for Europe's Working Group on Ageing. The current implementation cycle will be completed in 2021/2022, and the process and final report will once again provide opportunity for gauging progress made in the implementation of the MIPAA.

One of the tools developed in the context of the UNECE Working Group on Ageing, and financed by the EU, is the Active Ageing Index. On 27-28 September 2018 the Second International Seminar on the Active Ageing Index (AAI) took place in Bilbao (Spain), organised by the European Commission, UNECE and our academic partners. It was a very successful event in bringing together experts and knowledge about ageing and older people with a view to the development of better policy measures at different levels. Six weeks later, 12-13 November 2018, there was in Vienna the International Expert-Conference on Human Rights of Older Persons (ICHRoP). We would like to thank the Chair for sending out, by letter of 1 March 2019, the Declaration of that Conference to all participants in this OEWG.

Mr. Chair,

Since 2017, the EU's social policies have been guided by the European Pillar of Social Rights. The Pillar aims at a renewed convergence towards better working and living conditions across the EU, supported by sustainable and adequate social protection systems. One of the first initiatives under the European Pillar of Social Rights was a proposal on work-life balance with improved possibilities for taking carer's leave. After reaching an agreement on the general approach by the middle of last year, the process of adoption of the proposal has well advanced, and we are now in its final stage.

The adoption of another major legal instrument has already happened after three years of legislative negotiations on 9 April 2019, so only a few days ago. I am referring to the new European Accessibility Act that provides accessibility requirements for products and services in the European single market. Better accessibility of those goods and services will be beneficial to many citizens, also beyond the primary target group of persons with disabilities. In particular, for the large group of older consumers, this law should lead to improved accessibility.

Mr. Chair,

These recent developments illustrate the priority that the EU gives to the human rights of older persons and our capacity to make further advances in practice. We are keen to share our experiences and insights during the interactive discussions at this session. We are pleased to see that, as in previous years, Ms. Rosa Kornfeld-Matte, the Independent Expert on the Enjoyment of All Human Rights by Older Persons, will play a prominent role in the discussion rounds on each of the two focus areas. I would like to recall that the EU and its Member States fully support the work of the Independent Expert. We will continue our active participation in the Open-Ended Working Group, just as we are also engaged in other multilateral discussions on the human rights of older persons, including in the 3rd Committee of the UN General Assembly, the Human Rights Council, and the Commission for Social Development.

We consider that the protection of the human rights of older persons requires the involvement of multiple stakeholders, including civil society organisations, and we welcome the strong CSO participation in this session.

Let me conclude by reiterating that the EU looks forward to a productive and open debate. We hope to exchange relevant experiences and views on ways to make tangible progress in the realisation of the human rights of older persons.

Thank you, Mr. Chair.