

HUMAN RIGHTS OF OLDER PERSONS

The Background and Austria's engagement

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Origin of international senior-citizen policies - MIPPA & RIS

- When we talk about human rights of older persons, we move on a (relatively) young parallel path of international politics for senior-citizen policies.
- Since April 2002, international policy on seniors has been pursued through the **Madrid International Plan of Action on Ageing (MIPAA)** & subsequently through a **Regional Integration Strategy (RIS)** in the following areas:
 1. Mainstreaming Ageing
 2. Integration and participation
 3. Economic growth
 4. Social security
 5. Labor Markets
 6. Lifelong Learning
 7. Quality of life, independence and health
 8. Gender equality
 9. Support for caring families
 10. Regional cooperation

How does the legal Dimension look like?

- MIPAA and RIS do not set legally binding requirements, but are based on recommendations which can be implemented in national strategies and/or measures.
- Accordingly, the issue of a legal obligation must be added at a different level.
 - The current human rights system does not explicitly protect age. Age is included in a very decentralized and rudimentary way by several instruments and conventions (e.g.: the Convention for persons with disabilities or the Convention on the Rights of the Child).

Human Rights of Older Persons – OEWGA

- In **2011**, the UN General Assembly mandated an "**Open-Ended Working Group on Aging (OEWGA)** to identify and address gaps in the existing international framework or to develop proposals for a legally binding instrument to strengthen the protection of the human rights of older persons.
- **2014** the mandate of the **UN-Independent Expert** was established.
 - 2014 – 2020 Dr.ⁱⁿ Rosa Kornfeld-Matte (Chile)
 - 2020 – today Dr.ⁱⁿ Claudia Mahler (Austria)

Human Rights of Older Persons – OEWGA

- In **2016**, thematic focus areas were introduced to identify gaps or grievances in the individual areas with regard to human rights of older people and to share experiences and problems of other countries and learn from each other.
- In **2023**, 12 out of 14 topics will have been worked through. The data on normative gaps is large and the need for additional protection is highlighted by many countries. Latin America and Africa have already created regional instruments. The Latin American Convention entered into force on January 11, 2017. The African Convention is currently in the ratification phase.

Human Rights of Older Persons – OEWGA

- At the European level, rights of older people are addressed in the **Charter of Fundamental Rights of the European Union** (Art. 25) as well as in the **European Social Charter** (Art. 23).
 - In addition, the European Convention on Human Rights can be used as a universal instrument. →

Human Rights of Older Persons – ECHR

- **Article 14 – Prohibition of discrimination**

The enjoyment of the rights and freedoms set forth in the present Convention shall be secured without discrimination on any ground such as **sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status**.



Age is subsumed here

Source: <https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=1000308>

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Human Rights of older persons – Austria's engagement

- **Austria** is a proactive participant in the working group due to a very good cooperation between the BMSGPK and the BMEIA and is open to the discourse on the necessity of a binding instrument (*e.g. a human rights convention*).
- In **2018** Austria hosted an International Conference on Human Right of Older Persons (ICHROP) focusing on „Robotics & Automation“ and „Digitalization & Education“.
- In **2022** Austria hosted a Workshop on HROP in Vienna together with the UN-Independent Expert to mobilize and connect the national civil society with the IE.

Human Rights of older persons – Austria's engagement

- In **2023** Austria will host a second ICHROP in Vienna focusing on:
 - Fragmented protective measures for older people in the current human rights framework
 - Living together in the age of digitization, implementation of the SDGs and lessons from COVID-19
- One additional goal of the conference is to offer a platform for discussions and preparations for the upcoming 14th session of the OEWGA.

Thank you for your attention!

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