



World Elder Abuse Awareness Day ***Access to justice***

Virtual Event, Tuesday 15 June 2021 at 09:00-10:15 EST (NY), 15:00-16:15 CEST (Geneva)

Background

The International Network for the Prevention of Elder Abuse (INPEA) founded the first World Elder Abuse Awareness Day (WEAAD) 15 June 2006. WEAAD was designated as a United Nation's International Day of Observation in 2011 in General Assembly's resolution A/RES/66/127.

According to WHO estimates, 1 in 6 people aged over 60 suffers from abuse. That means nearly 141 million people globally. This number might be much higher as Violence, abuse and neglect of older persons are the most hidden and underreported violations of human rights.

COVID-19 has put a spotlight on older persons and brought to the forefront distressing reports of instances of abuse and neglect of older persons, particularly in long term care institutions but also in the community where the majority of older persons live. Not only are older persons at high risk of serious illness and mortality, but they are also discriminated against, stigmatized and subjected to multiple violations of human rights.

The UN Secretary-General in his 2020 Policy Brief: *The Impact of Covid-19 on Older Persons* claimed that the lack of adequate legislation at national level to protect the rights of older persons and the absence of a dedicated internationally agreed legal framework, may have contributed to the inadequate responses to the COVID-19 crisis and that these gaps must be filled. In her first report to the General Assembly (A/75/205), the United Nations Independent Expert on the enjoyment of all human rights of older persons highlighted the inadequate legal framework governing rights to health, adequate standard of living, palliative care and age discrimination.

Older Persons deserve access to justice

Often, national laws and/or legal processes, do not serve the needs of older persons who may seek recourse. Older persons who have experienced situations of violence, abuse and neglect face multiple barriers in accessing judicial remedies such as issues of accessibility, reasonable accommodation, affordability, excessive delays and backlogs in judicial processes, impact of digitalization, cultural norms, gender bias, discrimination, and entrenched ageism in policy, norms and practices.

Access to Justice impacts on older persons' ability to fully exercise all their human rights including the right to health, the right to adequate social protection and to live in dignity. The preservation or restoration of dignity and respect for older persons is crucial in such situations.

Access to justice is a core element of the rule of law, a fundamental right in itself and an essential prerequisite for the protection and promotion of all other human rights. Access to justice encompasses the right to a fair trial, including equal access to and equality before the courts, and seeking and obtaining just and timely remedies for rights violations.

Under the Covenant on Civil and Political Rights, States Parties are required to ensure that any person whose rights or freedoms are violated shall have an effective remedy. However, no international human rights instrument has specifically addressed the barriers facing older persons in accessing justice. Older persons remain invisible and structural barriers go unquestioned. The international human rights framework lacks a comprehensive legal instrument that defines normative standards for the protection of older persons against violence, neglect and abuse and provides guidance for adequate support, remedy mechanisms and accountability for such violations.

The event

An expert panel will discuss ways to overcome the barriers to full access to justice and showcase examples of national and regional access to justice by older persons who suffered violence, abuse and neglect perpetrated by state or nonstate actors, including during the current COVID 19 pandemic.

Opening words:

- Susan Somers, President of INPEA
- HE Mr Federico Villegas, Permanent Representative of Argentina to the UN in Geneva, co-Chair of the Group of Friends of the human rights of older persons, Geneva
- HE Mr Enrique Austria MANALO, Permanent Representative of the Philippines to the UN, New York (TBC)

Panelists:

- Claudia Mahler, Independent Expert on the enjoyment of all human rights by older persons
- Maria Soledad Cisterna Reyes, Special Envoy of the UN SG on Disability and Accessibility
- Etienne Krug, Director of the department of Social Determinants of Health, World Health Organization
- Tlaleng Mofokeng, Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (TBC)
- Natasa Todorovic, Health and Care Program Manager, Red Cross of Serbia
- Bill Mitchell, Principal Solicitor, Townsville Community Law Inc, Australia

Moderator: Silvia Perel-Levin, INPEA representative to the UN and Chair of the NGO Committee on Ageing, Geneva

The event will be accessible with international sign language and captioning and it will have French, Spanish, German and Russian interpretation. It will also be webcast on <http://webtv.un.org>

This event is funded by the European Union's Rights, Equality and Citizenship Programme (2014-2020). The content represents the views of the participants only and is their sole responsibility. The European Commission does not accept any responsibility for use that may be made of the information it contains.

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