

Expert Group Meeting

“Rights of Older Persons”

Convened in preparation for the report of the Secretary-General to the 64th session of the General Assembly

5-7 May 2009, Bonn, Germany

Aide Memoire

1. Purpose of the meeting

The Division for Social Policy and Development (DSPD) of the United Nations Department of Economic and Social Affairs (DESA) is organizing an Expert Group Meeting on “Rights of Older Persons” on 5-7 May 2009, in Bonn, Germany. The meeting is convened in response to resolution A/RES/63/151 adopted by the Third Committee of the General Assembly at its sixty-third session, wherein the General Assembly requested the Secretary-General “to submit to the General Assembly, at its sixty-fourth session, a report on the implementation of the present resolution, including information on the promotion and protection of human rights as they pertain to older persons.”¹ The purpose of this Expert Group Meeting is to provide the General Assembly with independent expert opinion on questions related to the rights of older persons, as well as inputs into and recommendations for the forthcoming report of the Secretary-General.

2. Background and justification

The Second World Assembly on Ageing, which took place in Madrid, Spain, in April 2002, adopted the Madrid International Plan of Action on Ageing, “to respond to the opportunities and challenges of population ageing in the twenty-first century and to promote the development of a society for all ages”². A major theme of the Madrid Plan is devoted to the important issue of rights of older persons: “The promotion and protection of all human rights and fundamental freedoms, including the right to development, is essential for the creation of an inclusive society for all ages in which older persons participate fully and without discrimination and on the basis of equality. Combating discrimination based on age and promoting the dignity of older persons is fundamental to ensuring the respect that older persons deserve. Promotion and protection of all human

¹ A/RES/63/151, paragraph 19

² Political Declaration of the Second World Assembly on Ageing, 2002, article 1.

rights and fundamental freedoms is important in order to achieve a society for all ages.”³ To attain these goals, one of the suggested actions in the Plan of Action is to “ensure the full enjoyment of all human rights and fundamental freedoms by promoting the implementation of human rights conventions and other human rights instruments, particularly in combating all forms of discrimination.”⁴

Various regional implementation documents⁵ that ensued after the Second World Assembly reaffirmed its objectives and actions specifically targeting the situation of older persons in the respective five regions of the United Nations. During the first review and appraisal of the Madrid International Plan of Action on Ageing in 2007-2008, regional review conferences were held. The Second Regional Intergovernmental Conference on Ageing in Latin America and the Caribbean agreed on the Brasilia Declaration, which pledged to “to make the necessary consultations with our Governments to promote the drafting of a convention on the rights of older persons within the framework of the United Nations.”⁶ This pledge is the most explicit regarding a possible convention on the rights of older persons in the recent past.

The important topic of abuse of older persons was addressed in preparation of the Second World Assembly in a report of the Secretary-General. The report surveyed issues related to abuse of older persons from a global perspective based on studies conducted between 1982 and 2002. The report presented definitions and typologies within the context of social, economic and cultural diversity, introduced intervention and prevention responses, attempted to estimate the impact, consequences and costs of the abuse of older persons, and suggested policy responses. It covered the important issues surrounding the highly sensitive topic of abuse of older persons for the first time in UN history.

Another important document besides the Madrid Plan that specifically focuses on the rights of older persons is the United Nations Principles for Older Persons. The UN Principles address the independence, participation, care, self-fulfillment and dignity of older persons and consist of eighteen different suggestions covering these five topics.⁷

The Expert Group Meeting on Rights of Older Persons is the first of its kind organized by the United Nations to discuss the state of rights specifically geared towards older persons. It will take into account important previous documents and conferences when addressing the issue of rights of older persons.

3. Objectives

The overall objectives of the Expert Group Meeting are to explore how fundamental human rights of older persons could be assured and deepened and how the Madrid Plan of Action on Ageing could be better implemented concerning the rights of older persons.

³ *Report of the Second World Assembly on Ageing, Madrid, 8-12 April 2002* (United Nations publication, Sales No. 02.IV.4), paragraph 13

⁴ *Ibid*, paragraph 21. a)

⁵ http://www.un.org/esa/socdev/ageing/impl_map.html

⁶ http://www.un.org/esa/socdev/ageing/documents/regional_review/Declaracion_Brasilia.pdf, paragraph 26

⁷ See: http://www.un.org/esa/socdev/ageing/un_principles.html

In this context, analysis, approaches and documents of rights enforced in the past, of institutional settings, and of overall capacity to further implement policies and laws concerning the rights of older persons will be discussed during the meeting.

Specific objectives of the meeting:

1. Identify and evaluate good national practices regarding protecting and promoting the rights of older persons, including measures to prevent discrimination, neglect, abuse and violence
2. Select innovative approaches to widening and deepening the rights of older persons nationally and internationally
3. Identify capacity tools that are required and could be recommended to policy makers when addressing the rights of older persons
4. Elaborate recommendations on how to promote the rights of older persons at the level of member states and the United Nations
5. Explore feasibility and possible approaches to elaborating an international legal framework on the rights of older persons, including (a) declaration on the rights of older persons, (b) enhanced UN Principles for older persons, (c) convention on the rights of older persons, or (d) special rapporteur on the rights of older persons

4. Organization of the meeting

A. Date and venue

The meeting is planned for 5 – 7 May 2009 in Bonn, Germany. It will be organized by the UN Department of Economic and Social Affairs.

B. Proposed agenda

1. Current status of rights of older persons on the national and international levels, including their intellectual and philosophical basis
2. Successful laws and policies adopted regarding the rights of older persons
3. National capacity required for effective implementation of new laws and policies concerning the rights of older persons
4. Recommendations for furthering the rights of older persons nationally and internationally
5. Approaches to elaborating an international legal framework on the rights of older persons

C. Methodology

The meeting will be conducted as a series of brainstorming sessions with introductory briefings, as necessary. No formal conference style presentations are envisaged. Participants will be invited to contribute to the elaboration of recommendations related to the issues identified in the proposed agenda.

D. Documentation

The following documentation will be made available to the participants:

1. Madrid International Plan of Action on Ageing.
2. Annotated agenda – guide for discussion.
3. Guidance notes and background papers on pertinent issues of the agenda.

Participants are invited to bring to the meeting, after consultation with the UN Secretariat, relevant information and background materials.

E. Participation

An estimated 10 participants from various UN regions will be invited.

F. Languages

The working language of the Expert Group Meeting will be English.

5. Expected outcomes

- Policy recommendations suggested by the invited experts and based on the results of the discussions.
- Report of the Expert Group Meeting. The results of the meeting will be incorporated and used as the basis for the forthcoming report of the Secretary-General to the 64th session of the General Assembly containing recommendations for policy action at national and global levels.