

Good Evening from Manila. It is a privilege and pleasure to be with you today to share some thoughts on Post-covid development and humanitarian action. Many thanks to UN DESA for including the Commission on Human Rights of the Philippines in this meeting.

**Building Forward Better  
for Older Persons post COVID-19**  
2-5 March 2021

**Session III: Post COVID -19 Development and Humanitarian Action**

**Human Rights –Based Approach to  
Socio Economic Response Plans at the Country Level**

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Commissioner  
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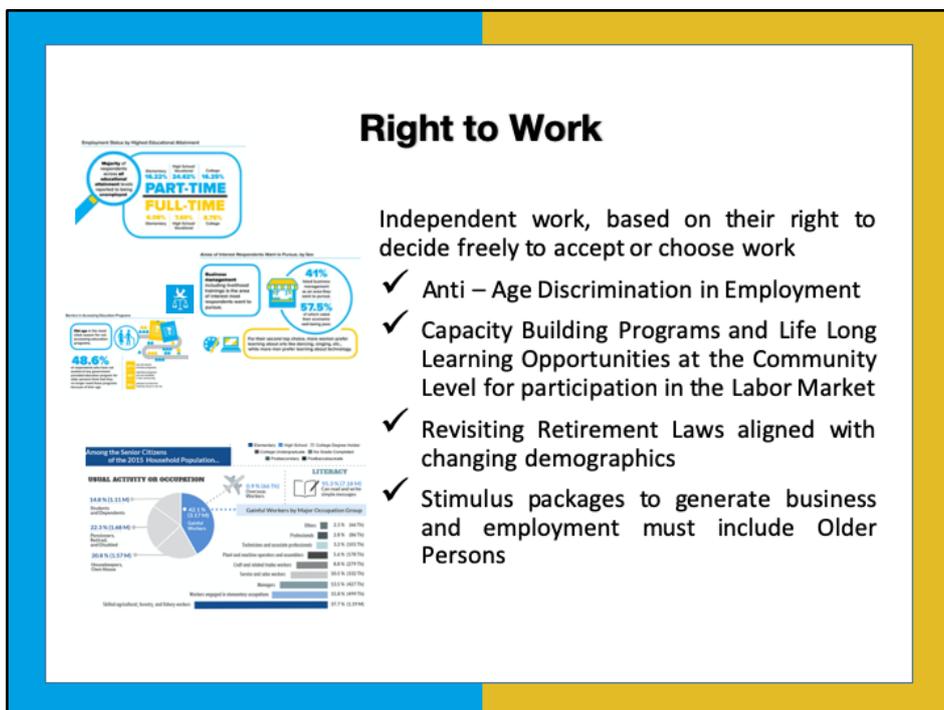
CHR: Dignity of all

Every socio-economic response plan in building forward better must apply the human rights-based approach as the standard in surviving this global health crisis. Post - COVID - 19 measures must always be informed by the Human Rights Situation of Older Persons as all UN Member States have committed to ensure through the Sustainable Development Goals that we “leave no one behind”.



Older persons are often stereotyped in terms of their physical capabilities – that they are unproductive members of society despite documented and factual evidence of their enormous contribution to the economy as consumers, taxpayers, and workers.

Even before the pandemic, these negative stereotypes have affected older persons' rights such as the access to work and employment opportunities.



Many older persons resort to informal work as a matter of survival, rather than a matter of choice. **It is therefore important to build systems that will enable older persons to do independent work and to engage in employment based on their right to decide freely to accept or choose work.**

- ✓ Anti – Age Discrimination in Employment
- ✓ Capacity Building Programs and Life Long Learning Opportunities at the Community Level for participation in the Labor Market
- ✓ Revisiting Retirement Laws aligned with changing demographics
- ✓ Stimulus packages to generate business and employment must include Older Persons

While legislative measures are important, post-Covid measures to stimulate the economy should include enabling Older Persons to access employment and livelihood opportunities.

**HelpAge**  
PHILIPPINES

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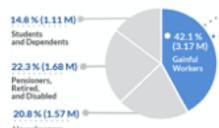
Ageing population in the Philippines

**Older people struggle with poverty**

According to the Department of Social Welfare and Development (DSWD), a nearly a third (31.4%) of older people were living in poverty in 2000. Currently, this number is estimated to be 1.3 million older people.

More than half of all older people (57.1%) were employed in 2000. More males were employed (63.6%) than women (37.4%). The majority of those employed (41%) were involved in primary economic activities such as farming, forestry work and fishing. According to the latest World Social Protection Report 2017-19, just 39.8% of people older than the statutory pensionable age in the Philippines receive an old-age pension (contributory, noncontributory or both).

**USUAL ACTIVITY OR OCCUPATION**



Activity/Occupation	Percentage	Number of People
Students and Dependents	42.1%	21.32 M
Housekeepers, Own-house	20.8%	1.57 M
Part-timers, Retired, and Disabled	22.3%	1.68 M
Casual Workers	14.8%	1.11 M

**WHO IS PAYING FOR THEIR HEALTHCARE?**

Health Expenditures for Age 65 and Above by Financing Agent

Financing Agent	Percentage	Amount (PHP)
Households	55.5%	151.2 BILLION
Social Health Insurance Agency	19.8%	54.8 BILLION
Department of Health	6.5%	11.1 BILLION

Health Expenditures for Comorbidities of COVID-19 by Financing Agent

Financing Agent	Percentage	Amount (PHP)
Households	54.3%	67.4 BILLION
Social Health Insurance Agency	23.9%	29.3 BILLION
Health Management and Provider Corporations	6.1%	7.3 BILLION



Many older persons live in poverty. In this pandemic, lockdowns have stalled economic activity and led to many livelihoods lost. The numbers of families and individuals living in poverty have risen. While many have been able to rely on contributory pensions especially during lockdowns (albeit inadequate), a vast many older persons who have worked in the informal economy and performed unpaid work do not have such access.

## Universal Pension

An effective pension system is critical to support dignity in later life and as a strategy to tackle poverty

- ✓ Contributory Pension Schemes
- ✓ Non-Contributory Pension fill the gap
- ✓ Social Amelioration Programs, Cash Aid in times of emergencies

### Pensioners excluded from receiving PSK-PSK aid:

PSK-PSK beneficiaries are those who are 60 years old and above, have a minimum monthly income of P10,000, and are not receiving any other form of social security benefit. The following groups of pensioners are excluded from receiving PSK-PSK aid:

- 1. Those who are already receiving any form of social security benefit, such as Old-Age Pension, Social Security Pension, etc.
- 2. Those who are already receiving any form of government pension, such as Civil Service Retirement, etc.
- 3. Those who are already receiving any form of private pension, such as Private Pension, etc.
- 4. Those who are already receiving any form of other social security benefit, such as PhilHealth, etc.



Businessman Manuel V. Panglinan said the country should "put more money in the hands" of the people—such as through cash aid—since a COVID-19 vaccination drive could do only so much to help the economy recover. | @roycarivel\_inq



Give cash to people to stimulate economy | Inquirer Business | Panglinan: 'Cash aid' not

**THE DUETE ADMINISTRATION'S 4-PILLAR SOCIOECONOMIC STRATEGY AGAINST COVID-19**  
 Issued on 20 October 2020, by order of President Rodrigo Duterte

EMERGENCY SUPPORT FOR VULNERABLE GROUPS	REINFORCING RESOURCES TO FIGHT COVID-19	REINFORCING HEALTH AND OTHER SERVICES	REINFORCING ECONOMIC SUPPORT
<p><b>Emergency support for vulnerable groups (current estimate of P22.6 billion)</b></p> <ul style="list-style-type: none"> <li>• P20.7 billion Department of Social Welfare and Development (DSWD) Disbursement of the Emergency Cash Assistance Program (ECAP) to the National Health Insurance Corporation (NHIC) for the benefit of 1.5 million low-income households.</li> <li>• A P2.0 billion emergency program to support P200 billion to fund the relief operations.</li> <li>• P4.6 billion Department of Program (DAP) Bureau of Internal Revenue (BIR) Social Security System (SSS) beneficiaries of Social Security (SSS) Program for Overseas Filipino Workers (OFWs).</li> <li>• P2.0 billion to operationalize the Social Security System (SSS) Program for Overseas Filipino Workers (OFWs).</li> </ul>	<p><b>Reinforcing resources to fight COVID-19</b></p> <ul style="list-style-type: none"> <li>• P20.0 billion Department of Education (DepEd) basic education learning centers.</li> <li>• P2.0 billion Land Bank of the Philippines (LBP) program for the benefit of 1.5 million low-income households.</li> </ul>	<p><b>Reinforcing health and other services</b></p> <ul style="list-style-type: none"> <li>• P2.0 billion Department of Health (DOH) health services for 1.5 million low-income households.</li> <li>• P2.0 billion Department of Health (DOH) health services for 1.5 million low-income households.</li> </ul>	<p><b>Reinforcing economic support</b></p> <ul style="list-style-type: none"> <li>• P2.0 billion Department of Social Welfare and Development (DSWD) emergency cash assistance program for 1.5 million low-income households.</li> <li>• P2.0 billion Department of Social Welfare and Development (DSWD) emergency cash assistance program for 1.5 million low-income households.</li> </ul>

The distribution of social amelioration programs in the Philippines and other similar programs in other countries have helped ease the financial burden of older persons. However, post-Covid – 19 measures should closely look at non-contributory social pensions. As noted in a study on pension systems in the Philippines, an effective pension system is critical not only to support dignity in later life, but as part of a broader strategy to tackle poverty and inequality. It bears emphasizing that it is especially needed more during times of emergencies such as this pandemic.

While building a comprehensive pension system demands a layered mix of programs, social pensions are central to ensuring universal coverage. **It is therefore imperative for countries to implement a non-contributory pension system that is adequate in amount to support a dignified life in older age and addresses coverage gaps left by contributory pension systems.** [Further, a non-contributory pension system addresses the unequal access to old-age pension by women who were not able to participate sufficiently or at all in formal employment or in the formal economy during their younger years due to caregiving duties.]



[This may include the use of a five-year age band and the removal of upper age cut-off in the disaggregation protocols; the disaggregation of data, at least, by age, sex, and disability, and other critical dimensions such as co-morbidities, ethnicity, socio-economic status, household/family compositions and type of living quarters, for data driven decision-making; and the promotion of the participation of older persons by having their representatives collect and interpret data.]

## DATA: Definitions and Interpretations

- ✓ interpretation and reporting of data to ensure the protection of older persons particularly from ageist beliefs.
- ✓ definition of “older person” is arbitrary for many States and can be discriminatory.
- ✓ The arbitrary definition can contribute to persistent gaps in data and policy responses to the protection and promotion of the rights of older persons.

PHILIPPINE STATISTICS AUTHORITY

### Sources of data on Ageing

- Philippine Census of Population & Housing
- Philippine Life Tables
- 1996 Philippine Elderly Survey (PES)
  - Nationally representative sample population (24-25 million aged 60 and above)
  - Multi-stage sampling design
- 2007 Philippine Study of Aging (PSOA)
  - Multi-stage sampling design
  - Designed to be comparable to the Japanese Longitudinal Study of Aging (JLSA)
  - Funding from Ateneo University Population Research Institute (2007)
- Various studies on Aging in the Philippines
- 2016 National Disability Prevalence Survey (NDPS)
- 2018 Longitudinal Study on Aging and Health in the Philippines (LSAHP)

Persons aged 60 and above



### WHO DO WE CONSIDER VULNERABLE?

Persons aged 60 and above

Those suffering from illnesses considered comorbidities\* to severe COVID-19:  
a) Immunocompromised (e.g. Cancer patients, HIV/AIDS patients),  
b) Diabetics; c) Chronic cardiovascular ailments, and; d) Chronic respiratory

\*Based on the Philippine Society for Microbiology and Infectious Diseases Interim Guidelines

There should also be careful interpretation and reporting of data to ensure the protection of older persons particularly from ageist beliefs. Even the definition of “older person” is arbitrary for many States and can be discriminatory. The arbitrary definition can contribute to persistent gaps in data and policy responses to the protection and promotion of the rights of older persons.

**There is also a need to increasingly apply intersectional analyses to acknowledge and address multiple layers of discrimination.** Certain groups of older persons face more barriers arising from the intersection of age with gender, sexual orientation, race, ethnicity, religion, disability, culture, language, and socio-economic status. [An intersectional approach acknowledges the complexity of the discrimination that older persons experience, and takes into account the multiple and compounded disadvantages and inequalities they experienced over their life course.]

As the pandemic affects older persons differently, this approach identifies those most at risk and prevents blanket measures that may result to more harm and discrimination. [Interventions seeking to promote the welfare of older persons must be mindful of their heterogeneity and carefully take these differential conditions into account when designing programs and policies for them. The Government, as duty-

bearers, must ensure that they apply an intersectional approach in their work on the protection and promotion of the rights of older persons.]

- ✓ **Data on the rights of older persons should be made visible in reporting on the gains and challenges towards attaining the SDGs.**
- ✓ **The rights of older persons should be taken into account by policy-makers, not only in relation to their right to health and right to social protection but also on rights affecting all aspects of their lives – including access to justice, poverty alleviation, food security, gender equality, and inclusive education, among others.**
- ✓ **The data and information representing the experiences of older persons must be included and made visible, regardless of the proportion to the whole population, in government reporting on the SDGs. This is particularly important as the SDGs provide a holistic approach to achieving sustainable development for all.**

## DATA



**4** Ensure inclusive and quality education for all and promote lifelong learning.

Learning and growth do not cease in later life. Continued access to training and education opportunities are important in later life to allow older adults to be equipped with the knowledge and skills to manage their health better, keep abreast of developments in information and technology, adjust to the changes that ageing brings (e.g. retirement, educational, technological), maintain their quality, social connections and keep themselves in the labor market with their generations and participate actively (e.g. in working or volunteering).

Opportunities for lifelong learning should include:

- providing basic literacy and health literacy training for older adults as key foundations for learning and lifelong learning;
- providing opportunities for older adults to update their knowledge, skills and knowledge and to maintain a sense of self, dignity and meaning; and
- making mental and physical services to older persons' participation.

Continued personal growth enables older people to continue to do what they value, reap the ability for innovation and progress, feel empowered and autonomy. Health systems support the promotion of lifelong learning.

<https://www.who.int/tagging/sdgs/en/>



**1** No poverty

End poverty in all its forms everywhere

Health and well-being are crucially interlinked. The following actions will support healthy, fitting and economic growth (SDG 8) by promoting older persons from being the obstacle:

- having healthy retirement policies;
- providing older workers with access to education or upskilling training, so that they can benefit from opportunities that they can benefit from the economy;
- recognizing and valuing the skills and contributions of older workers;
- providing social protection when to have and providing to care older people and their informal family support;
- ensuring financial services with different levels of capital security and pension;
- supporting inclusive economic and cultural growth and health care systems that are integrated and coordinated to meet the needs of older persons; and
- providing assistance to families that care for older family members.

The rights and well-being of older persons can be promoted by supporting their employment status as well as providing a safe and care-free and best services.



**5** Achieve gender equality and empower all women and girls

Older women tend to have lower rates of employment, and that compounds the inequality of older persons, especially of advanced age. For example, women account for 54 per cent of the global population aged 60 years or over (and 61 per cent of those aged 80 years or over) in 2019. Women contribute to a multitude of ways for example through working, volunteering and being care-givers. Women's frequent and sustained participation in the past workforce has their negative consequences in later life, including a greater risk of poverty, less access to health, social and digital care services, a higher risk of abuse, poor health and reduced access to pensions. Empowerment of older women will be supported by:

- robust systems that promote accessible workforce participation; and
- social protection from contributions paid towards in later periods when not able to work the status of older women within households, enable older people to continue to engage in their household responsibilities, and improve overall well-being.

Pursuing gender equality throughout the life course can lead to better later life outcomes, and enhanced well-being.

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## International Law

**Regional and international initiatives: perspectives from CHRP**



- 8th session: CHRP submitted inputs to the 8th Session of the GEOWGA on 2-7 July 2017, with the following themes: security & non-discrimination and regional, violence & abuse.
- 9th session: Inputs on long-term and immediate care, April 2018, Geneva, Swiss Council on Disability. Also referred to at an e-consultation presentation co-organized by the GANHRI Working Group on Ageing and NODs active in the campaign.
- 10th session: 1 February 2019: Inputs on further areas: Long-term & palliative care; Autonomy & independence; Education, training, lifelong & capacity building and social protection & security. Commissioner Anne Gomez Quirós, was a speaker in the panel discussion, 15-18 April 2019, New York.

**SEANF Baseline Paper**




The SEANF, through its collaborative efforts, has developed this Baseline Paper in 2017, which contains important information that aims to foster a public understanding of the sub-region in relation to human rights. The SEANF hopes that although the paper does not cover all legislative, institutional and governmental efforts to address issues surrounding the rights of older persons throughout the sub-region, it will serve as a primary initiative that can influence further studies on older persons.

**GANHRI Working Group on Ageing: Chaired by NHRC Korea; CHRP an active member**

- The working group coordinates with members on activities, written submissions and relevant advocacy at the UN and regionally.

- ✓ Norms and standards set forth by international instruments, when translated to domestic laws and policies, serve to benefit the populace that they target such as women, children, migrant workers and members of their families, and persons with disabilities.
- ✓ There are normative, implementation, information, and monitoring gaps in the international human rights system. One of the most pressing needs in building forward better from the experience during this pandemic is the need to address these gaps in the international human rights system.
- ✓ The best way to address these gaps is through the adoption of a convention within the UN human rights system that defines the specific rights of older persons and the corresponding obligations of duty-bearers, taking into account their lived realities and specific contexts brought about by advanced age. Such a binding instrument provides clear baselines, standards, and norms that serve to guide the crafting of better policies, laws, and services at the national level.
- ✓ A treaty also creates monitoring, reporting, and accountability mechanisms at the national and international levels. It facilitates the allocation of budget at the national level and the assignment of specific government agencies or units that will focus on the work to ensure the respect, protection, and fulfillment of the rights of older persons.

International human rights laws play an important role in shaping national laws, policies, programs, services, and attitudes that affect the lives of older persons. Norms and standards set forth by international instruments, when translated to domestic laws and policies, serve to benefit the populace that they target [such as women, children, migrant workers and members of their families, and persons with disabilities.] Although the standard setting treaties,[the International Covenants of Civil and Political Rights, as well as the Economic, Social and Cultural Rights,] apply to all persons regardless of age, there is a need for a specific international law that that focuses on the application of international standards to the experience and realities of older persons around the world and to the ageing process.

As pointed out in numerous occasions, there are normative, implementation, information, and monitoring gaps in the international human rights system. One of the most pressing needs in building forward better from the experience during this pandemic is the need to address these gaps in the international human rights system.

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## Older Persons as “other status”

- ✓ “other status” – the catch all ground in the right to be free from discrimination.
- ✓ Older Persons have not been duly recognized as such in the International Human Rights regime
- ✓ They are Older Persons, have been systematically disadvantaged, discriminated, disempowered because of ageist beliefs and practices existing prior to Covid-19 but made more visible in the response to the pandemic.
- ✓ A binding instrument is the best evidence of building forward better, the community of states must create an enabling environment by forging international and intergenerational solidarity for this vital segment of society to be universally recognized in all their diversity, to set the standards for participation in the crafting and implementation of post-Covid recovery programs tapping on all dimensions of their autonomy and independence.

Commission on Human Rights of the Philippines  
 October 31, 2020 @  
 “To categorize older persons just because of our age is detrimental to our well-being. Di pa kami lalong handog. We can still contribute!”  
 — Prof. Lydia Manahan, Founding President of the Gerontology Nurses Association of the Philippines at UP College of Nursing, in a speech during the Virtual Town Hall for the International Day of Older Persons, 31 October 2020



### On the Rights of Older Persons

The right to life, liberty and security of person is a fundamental right. It is a right that is inherent in all human beings. It is a right that is not subject to any exception. It is a right that is not subject to any limitation. It is a right that is not subject to any restriction. It is a right that is not subject to any condition. It is a right that is not subject to any qualification. It is a right that is not subject to any exception, limitation, restriction, condition or qualification.

A convention also recognizes older persons as persons, not just persons as having “other status” – the catch all ground in the right to be free from discrimination. Older Persons have not been duly recognized as such in the International Human Rights treaty framework (except for the International Convention on the Rights of Migrant Workers and their Families). They are Older Persons, human beings who have been systematically disadvantaged, discriminated, disempowered because of ageist beliefs and practices existing prior to Covid-19 but made more visible in the response to the pandemic. A binding instrument is the best evidence of building forward better, the community of states must create an enabling environment by forging international and intergenerational solidarity for this vital segment of society to be universally recognized in all their diversity, to set the standards for participation in the crafting and implementation of post-Covid recovery programs tapping on all dimensions of their autonomy and independence.

## Human Rights-Based Approach

- ✓ It exacts accountability from duty-bearers, while at the same time transforming older persons not just mere recipients, but rather rightsholders who are empowered and included in the human rights and development discourse.



This brings to life the human rights-based approach in addressing the situation of older persons in a post-Covid world, our next normal. It exacts accountability from duty-bearers, while at the same time transforming older persons not just as mere recipients, but rather rightsholders who are empowered and included in the human rights and development discourse.

## Human Rights-Based Approach

It is essential, it is existential -- to ensure that Older Persons are recognized as such and their full potential as human beings is realized all throughout the life course.

### Advocacy for an international treaty on the rights of older persons

Strengthening Older People's Rights Towards a UN Convention



A UN Convention on the Rights of Older Persons is necessary to ensure that older women and men can realize their rights. With a new UN Convention, and the assistance of a Special Rapporteur, governments can have an explicit legal framework, guidance and support that would enable them to ensure that older people's rights are realized in our increasingly ageing societies.

Source: Strengthening Older People's Rights Towards a UN Convention. A resource for promoting stronger protection, now. UN Convention on the Rights of Older Persons. Available at: <https://www.un.org/development/desa/age/olderpersons/>

This is why we need a binding instrument --- A Convention on the Rights of Older persons.

**PROTECTION  
NOT  
RESTRICTION  
FOR ALL SENIOR CITIZENS**



Seniors sa Panahon ng COVID

Public group · 30.8K members



This is why we need a binding instrument --- A Convention on the Rights of Older persons. It is essential, it is existential -- to ensure that Older Persons are recognized as such and their full potential as human beings is realized all throughout the life course.



## COMMISSION ON HUMAN RIGHTS

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**VISION:** A just and humane Philippine society of persons equal in opportunity, living a life of dignity, and forever vigilant against abuses and oppression.

**MISSION:** As conscience of government and the people, we seek truth in human rights issues. As beacon of truth, we make people aware of their rights, and guide government and society towards actions that respect the rights of all, particularly those who cannot defend themselves—the disadvantaged, marginalized, and vulnerable.