



“Older Persons in Emergency Crises”

Older Persons in Emergency Situations – The Human Rights Imperative

*Office of the UN Independent Expert on the enjoyment
of all human rights by older persons*

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OHCHR

Independent Expert on Older Persons



Ms. Rosa Kornfeld-Matte (Chile) was appointed in May 2014 for a period of 3 years and re-conducted in Sept. 2016 for a 2nd term

- Previously served as the National Director of the Chilean National Service of Ageing where she designed and implemented the National Policy of Ageing.
- Has a long career as an academic and is the founder of the programme for older persons at the Pontifical Catholic University of Chile.

What is an Independent Expert?

- Part of the **system of Special Procedures** consisting of now 44 thematic and 12 country mandates
- **Independent, fact-finding, expert mechanism** of the Human Rights Council (HRC) to address specific country situations or thematic issues in all parts of the world
- Mandate holders **serve in their personal capacity**, not staff members of the UN, independent and unpaid
- Thematic mandates are renewed every three years, country mandates annually
- **What do they do:** Country visits; Communications; Annual thematic reports to the HRC followed by an interactive dialogue; Awareness-raising, media statements etc.
- OHCHR provides mandate holders with personnel, logistical and research assistance

Mandate of the Independent Expert on Older Persons

- Established by HRC **resolution 24/20** of 27 Sept. 2013
- Extended in September 2016 by **HRC resolution 33/5** which institutionalized the mandate
- **Mandate:**
 - **Assess the implementation of national, regional and international standards** with regard to older persons while identifying both **best practices and gaps**
 - Report on **developments, challenges and protection gaps** in the realization of the rights of older persons
 - **Pay attention to specific groups:** older women, persons with disabilities, persons of African descent, individuals belonging to indigenous peoples, persons belonging to national or ethnic, religious and linguistic minorities, rural persons, persons living on the streets,

 **and refugees**

Collection of best practices: **Country visits**

- The IE undertakes **2-3 country visits** per year
- Current focus: **collection of best practices**
- **2014-18 official visits:**
 - **Slovenia** (A/HRC/30/43/Add.1)
 - **Austria** (A/HRC/30/43/Add.2)
 - **Mauritius** (A/HRC/30/43/Add.3)
 - **Costa Rica** (A/HRC/30/44/Add.1)
 - **Singapore** (A/HRC/36/38/Add.1)
 - **Namibia** (A/HRC/36/48/Add.2)
 - **Georgia** (A/HRC/39/50/Add.1)
 - **Montenegro** (A/HRC/39/50/Add.2)
 - **Uruguay** (Report forthcoming)
 - **Mozambique** – (Report forthcoming – visited from 24 April to 2 May 2019)



Thematic Priorities of the IE

Thematic priorities and emergency situations:

- **Age discrimination** – e.g. stereotypes, negative attitudes also occur
- **Violence and elder abuse** – Older persons are particularly vulnerable to violence and abuse (physical, psychological, sexual and emotional) in such situations
- **Participation in policymaking (programme planning)** – Humanitarian action often fails to recognize the vulnerabilities of older persons as their needs are not known
- **Access to resources and services** – Food- or cash-for-work programmes often involve heavy labour not suitable for older persons. Another issue is access to food and housing: e.g. during the 2008 post-election violence in Kenya, older persons faced difficulties queuing for long periods to receive food in their IDP camp.
- **Accessibility** - In Darfur in 2005 61% of older persons had limited mobility; of these, one-quarter could not move without a guide and 7% were housebound.
- **Care/right to health** – During the 2004 tsunami, emergency health centres did not have chronic disease medications; staff was not trained to diagnose or treat conditions affecting older persons.



Older Persons in situations of forced displacement and humanitarian emergencies is an explicit priority



Sept 2019 HRC Thematic Report of the IE

On human rights protection of older persons in situations of risk and humanitarian emergencies:

- how to ensure inclusive humanitarian action that responds to the specific needs and vulnerabilities and also builds on their capacities
- identify good practices on how to foster inclusive humanitarian aid & highlight potentially positive experiences
- and to understand the causes and implications of inadequate or lacking humanitarian assistance and propose solutions
- While humanitarian principles require that assistance be delivered impartially, prioritizing assistance to those most in need without discrimination, in practice it seems “one-size fits-all” responses overlooking specifics – such as biopsychosocial support
- What are the key issues?

In concrete terms:

Older Persons in emergency situations

- Approximately 700 million people, i.e. **10 percent of the world's population** are over the age of 60.
- It is estimated that **by 2050**, the number of older persons will have doubled reaching **20 percent of the global population**.
- **All regions** will be confronted by growing numbers
- The **fastest increase** will take place in **Africa**

Emergency situations have a disproportionate impact on older persons

Difficulties in hearing or seeing may limit access to emergency information and awareness of the gravity of the situation. Chronic health issues or particular needs of older persons may delay or prevent escape and evacuation. Older persons may also be reluctant to reach out or seek shelter.



Relocation of older persons

Challenges

Commonly older persons are perceived as recipients of help (if at all – often they are invisible) and not as active contributors or rights holders

Relocation has a different & sometimes stronger impact on older persons

- Particularly **strong attachment to place** among older persons – therefore permanent displacement and relocation may have effects on mental health including psychosomatic symptoms, including disturbance in sleep and eating patterns and fatigue, as well as depression, discouragement, anxiety, loneliness and social withdrawal.
- **Social isolation** may be a problem: there are examples where new housing grouped older persons together, separating them from intergenerational family support networks
- Crisis situations **increase the risk of elder neglect, exploitation and violence**
- **Lack of care and other specific infrastructure**

Relocation of older persons

What is needed

- **Consult older persons and actively involve** them in rehabilitation planning which may affect them, such as relocation policies. Actively involve older persons in community efforts to identify new land and homes
- **Ensure adequacy of shelters and new housing** for older persons
Common difficulties are barriers such as stairs, lack of railings and support bars, poor access to sanitary facilities, lack of water or electricity, as well as excessive heat or cold, and separation from family support, lack of infrastructure (care etc.)
- **Harness the skills and knowledge of older persons** e.g. in livelihood rehabilitation projects: Benefits the entire community

What is a Human Rights-based approach?

Difference between a right and a need. A right is an entitlement, entails an obligation on the part of the Government & others (!) and can be enforced. The HRBA asks: What rights are being neglected or violated in this situation? And not what are the needs/aspirations of the community?

Charity Approach	Needs Approach	Rights-Based Approach
Focus on input not outcome	Focus on input not outcome	Focus on process and outcome
Emphasizes increasing charity	Emphasizes meeting needs	Emphasizes realizing rights
Recognizes moral responsibility of rich towards poor	Recognizes needs as valid claims	Recognizes individual and group rights as claims toward legal and moral duty-bearers
Individuals are seen as victims	Individuals are objects of development interventions	Individuals and groups are empowered to claim their rights
Individuals deserve assistance	Individuals deserve assistance	Individuals are entitled to assistance
Focuses on manifestation of problems	Focuses on immediate causes of problems	Focuses on structural causes and their manifestations