

THE EUROPEAN HUMAN RIGHTS SYSTEM

*Contribution to the 1st Meeting of the
OEWG on Rights of Older Persons
April 2011*

C.EUROPE EUROPEAN UNION

- *General framework for promotion and protection of human rights*
- *Rights of older persons*
- *Gaps and challenges for the future*

C.EUROPE HUMAN RIGHTS INSTRUMENTS

- European Convention of Human Rights
- European Social Charter / Additional Protocol / Revised Charter
- European Code Social Security/ Protocol/ Revised Code
- European Convention on Social Security

Article 4

- Enable older persons to remain full members of society for as long as possible, to choose their life-style and to lead independent lives
- Guarantee support for older persons living in institutions respecting their privacy and participation in decisions

C.EUROPE INSTITUTIONAL FRAMEWORK

- European Court of Human Rights
- European Committee of Social Rights
- Commissioner for Human Rights

EU HUMAN RIGHTS INSTRUMENT

CHARTER OF FUNDAMENTAL RIGHTS

- . Legally binding
- . One text with all fundamental rights protected at Union level
- . Compliance by institutions at national and EU level
- . Provides right to effective remedy
- . Prohibits discrimination on ground of age
- . Respects rights of older persons to lead a life in dignity and participate in social and cultural life

EU INSTITUTIONAL FRAMEWORK

- **European Commission / Council / Parliament**
- **Court of Justice**

GAPS AND CHALLENGES

Pension Systems Reforms

- **on-going to guarantee adequacy and sustainability in long term**
(incentives for longer working lives; raising retirement age; stricter criteria; adjustment mechanisms)
- **in response to crisis**
(reduced indexation; decrease in amounts of benefits with negative impact on standard of living)

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GAPS AND CHALLENGES

Long-term care

- Widening the range of options
(health care and social services)
- Supporting de-institutionalisation
- Balancing choice / financial sustainability

- All the rights enshrined in all the treaties become more accessible to a wide range of people if they are actively promoted and supported by sound public policies and involvement of civil society