



AGE Platform Europe Written Statement at United Nations General Assembly Open-Ended Working Group for the purpose of strengthening the protection of human rights of older persons

“Follow-up to resolution 75/152: Follow-up of the focus areas of the tenth working session – Discussion on normative inputs”

The right to education, training, lifelong learning and capacity-building

30 March 2021

The working document prepared by UN DESA and OHCHR for this meeting and the analytical OHCHR report gives ample evidence of the biases and limitations of the current international standards in order to equally facilitate access to education and capacity building in later life. Existing guarantees of the rights to education build on an outdated model of the life-course, where old age is associated with retirement and gradual withdrawal from society and education as concentrated in the early years of life. For instance, the European Charter of Social Rights includes a much narrower construal of the right to participate in society by referring to enabling older persons to remain full members of society ‘for as long as possible’ and not on an equal basis with others.

This language permits the perpetuation of age limits and other limitations¹, such as inadequate funding or less favourable treatment of alternative forms of education², which effectively restrict the equal enjoyment of the right to education. It also fails to define specific obligations for measures that are needed to address existing inequalities, such as those related to ageism³ and digital exclusion⁴ and to extend the right to reasonable accommodation and support on

¹ Existing implicitly and explicitly. For instance, the EU’s Action Plan on the European Pillar of Social Rights proclaims the aim of bringing participation of ‘all adults’ in life-long learning to 60%, with the underlying indicator covering only the 25-64 year-olds; the subtarget to achieve 80% of basic digital skills is explicitly limited in age until 75.

² A right of older persons to education should protect equally formal, non-formal and informal learning, initial and continuous education, training, life-long learning and capacity-building and all forms of educational contents, both skills related to the labour market and not related to it, digital skills, but also recreational, creative, health-related skills.

³ Existing through age limits in the access to education, but also in form of lack of scholarships for learners past a certain age

⁴ Digital exclusion meaning the exclusion through digitalising forms access and provision of information to education. Digital exclusion is not only relevant for older persons who are less likely to have an opportunity to



the basis of age. Existing treaties also do not reflect the importance of intergenerational learning. It is therefore unsurprising that human rights instruments and state implementation focus on education as a right that primarily concerns younger cohorts.

Access to education and lifelong learning are rights per se but also key enablers for the realisation of other rights, particularly in the context of digitalisation and societal changes. These include among others, the right to work, access to health and social protection, independence, access to justice and the elimination of ageism. At the same time, access to education is dependent on the realisation of other rights, including but not limited to, accessibility, an adequate standard of living, to health, non-discrimination on the basis of age, to care and support. A particular concern is the exclusion of older persons who face challenges to their independence – in care homes and home care, prisons, or hospitals, where the right to learn often neither protected, respected or promoted. Older persons who learn and transmit their knowledge are more likely to live healthy, autonomous and independent lives, to participate in the life of their communities. Education is also a means to foster intergenerational solidarity and to eliminate ageism.

A new treaty would cover the full spectrum of universal rights under the premise that all rights are equally important, inalienable, interdependent and indivisible. It would permit a sustained focus needed for the consistent treatment of human rights in old age and provide a comprehensive framing for policy and advocacy.

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gain digital skills, but are also linked to lack of connectivity in rural areas and the cost of equipment and connection, excluding older persons with low incomes