

Open-Ended Working Group on Ageing 2014

U.S. Statement, delivered by Kathy Greenlee

Agenda Item 4, "Existing international framework on the human rights of older persons and identification of existing gaps at the international level"

Wednesday, July 30, 2014

Thank you. I'm Kathy Greenlee, Assistant Secretary for Ageing, and the Administrator for the Administration for Community Living in the Department of Health and Human Services. I'm pleased to offer the U.S. government's thoughts on how to improve the well-being of older persons. In this regard, we recommend the following positive strategy to advance ageing issues at the UN.

First, member states can insert language calling for practical actions to improve the situation of older persons into relevant resolutions and outcome documents. These would include documents of the UNGA Plenary, Second Committee, Third Committee, ECOSOC subsidiary bodies, ILO, WHO, and UN HABITAT. The actions suggested should be consistent with the Madrid International Plan of Action on Ageing. The Madrid Plan enjoys widespread, cross-regional support and provides an agenda for including older persons in the benefits of development; advancing health and well-being into old age; and ensuring enabling and supportive environments for older persons.

Second, member states can use side events and panel discussions to highlight topics of particular importance, with a view to arriving at solutions for specific concerns. At the August 2013 OEWG session, the United States was pleased to be represented by an attorney with the U.S. Equal Employment Opportunity Commission at an event about employment discrimination against older persons.

Third, language outlining broad objectives and indicators related to older persons can be included in the strategic plans of the UN funds and programmes and other UN organizations, including ILO, UNDP, UNFPA, UN Women, UNAIDS, and WHO. These additions to the Strategic Plans will inform efforts to develop and assess policies and programs.

Fourth, human rights treaty bodies can engage on ageing issues within their respective mandates by encouraging member states to address older persons in their reports and presentations to the treaty bodies, and by addressing such issues in their concluding observations, as appropriate. The treaty bodies that most pertain to older persons are the Human Rights Committee; the Committee on Economic, Social, and Cultural Rights; the Committee on the Elimination of Discrimination Against Women; and the Committee on the Rights of Persons with Disabilities.

Fifth, existing Special Rapporteurs – including those on adequate housing, extreme poverty, health, and violence against women – can examine issues involving older persons within their mandates and underscore the relevance of these issues across the lifespan.

Sixth, the HRC Independent Expert on the Enjoyment of All Human Rights by Older Persons can report on implementation of the Madrid Plan. This can be done in her annual oral presentations to the HRC and in her written report due in three years. As the Independent Expert and Open-Ended Working Group on Ageing have related mandates, their efforts should be complementary rather than duplicative. The Independent Expert can provide added value by suggesting ways in which member states can implement existing laws and formulate improved policies on behalf of older persons.

Lastly, member states can use the HRC's Universal Periodic Review process to produce country-specific observations concerning older persons.

Since the outset of the Open-Ended Working Group, some member states have supported negotiating a new international legal instrument on the rights of older persons. The United States continues to have serious concerns about this proposal. We question what a new convention would add to the protections already present in existing human rights treaties, which apply to persons of all ages, including older persons. The situations older persons find themselves in – which involve violence, abuse, neglect, economic security, health, nutrition, and independent living – need to be addressed immediately. It is critical that member states focus on practical measures which can deliver relief in concrete, timely ways.

For example, in the United States we have focused on developing practical measures to address the rights of older persons. President Obama signed into law the Elder Justice Act in 2010 which is dedicated to the prevention, detection, treatment, intervention, and prosecution of elder abuse, neglect, and exploitation, while recognizing and advocating for every individual to live without any form of these experiences.

We have established the Elder Justice Coordinating Council for the coordination of activities relating to elder abuse, neglect and exploitation and other crimes against older persons. The Council consists of the heads of 12 Federal departments and other government entities identified as having responsibilities, or administering programs, relating to elder abuse, neglect, and exploitation. To develop its recommendations, the Council has reviewed issues and sought input from elder justice experts in four primary topic areas: Financial Exploitation;

Public Policy and Awareness; Enhancing Response; and Advancing Research. The agencies represented on the Council have been working collaboratively to improve existing systems and to enhance federal responses to elder justice issues.

Further, we have been engaged actively in building partnerships and heightening public awareness of private and public sector entities through highly visible events at the White House and at the United Nations commemorating World Elder Abuse Awareness Day. We provide technical assistance for state, tribal, and local partners through our National Center on Elder Abuse and our National Indigenous Elder Justice Initiative, focused on culturally appropriate information and community education materials on elder abuse. We all recognize that the world is aging and that there are difficult challenges facing every country as our populations of older persons increase. We also need to be alert to the abuse and exploitation faced by older persons and to the human, economic, and political costs we will face if we allow ourselves to wait too long to address their needs. We have many paths forward to make a difference in the lives of older persons. We need to move ahead now. The human rights of older persons are not the rights of someone else – they are the rights of all of us.

Thank you for your attention. Our delegation looks forward to engaging in the coming days with the stakeholders present at this meeting.