



INTERNATIONAL LONGEVITY CENTRE CANADA UN OPEN ENDED WORKING GROUP ON AGEING 14 - NORMATIVE CONTENT - SOCIAL INCLUSION

DEFINITION:

Social Inclusion is the ability to participate fully in the political, educational, economic and social aspects of one's communities. As reflected in "Social Isolation and Mortality among Canadian Seniors", Statistics Canada 2020, ageism negatively impacts social inclusion, making older Canadians at greater risk of social isolation than most other segments of the population.

Research clearly establishes that 30% of older Canadians are at risk of becoming socially isolated. It is well known that social isolation can lead to poor health, loneliness, and emotional distress. Moreover, social isolation is increasingly recognized as a global public health issue as it is closely associated with the risk of mortality, on par with traditional health risks such as alcohol use, smoking and obesity. (Statistics Canada 2020).

SCOPE OF THE RIGHT:

In Canada, there are no national legal standards relating to the inclusion of older persons: in cultural life; in the digital sphere, in living independently in the community, or in ensuring the social inclusion of persons living in institutions. Nor are there national standards to ensure that older persons are included in intergenerational policies and programmes. This absence of legal standards leaves older Canadians without recourse when their social inclusion is compromised, as noted in the 2020 report by Statistics Canada.

For instance, the province of Ontario recently enacted the "More Beds, Better Care Act" which allows for the forced relocation of older persons from hospitals to Long Term Care facilities elsewhere in the province, including as far as 150Km from their families and communities. This is a clear violation of the fundamental rights 1) to consent 2) to autonomy and 3) to choose where you live, based solely on age and grounded in ageism.

Similarly, during the 2021 heat dome in British Columbia, older Canadians, particularly those who were socially isolated, made up 80% of fatalities. Canada and British Columbia were called out by Human Rights Watch for these preventable deaths that clearly violate the right to life. ("Canada: Disastrous Impact of Extreme Heat. Failure to Protect Older People, People with Disabilities in British Columbia" Human Rights Watch, 2021).

STATE OBLIGATIONS:

The Government of Canada and the provincial and territorial governments have undertaken several studies on the impact of social isolation/social inclusion such as the “Final Report: A Profile of Social Isolation in Canada” (Statistics Canada) and “Report on Social Isolation of Seniors 2013 -2014” (National Seniors Council) which set out the factors that lead to social inclusion. As well, “Final Report: A Profile of Social Isolation in Canada” suggests supporting social inclusion by 1) screening for social isolation, 2) social prescribing by health care professionals, and 3) increasing Age-friendly Communities, which provides guidelines on adapting structures and services to better response to the needs of older people.

Examples from these reports set out further suggestions to increase social inclusion including ensuring sufficient income, safe housing, possessing the skills to seek services and access to health and community services, having access to supportive social networks and access to transportation - all of these are highlighted as crucial components in promoting social inclusion.

There is work underway to increase the social inclusion of older persons, including Canada’s New Horizons for Seniors program. Some provinces have adopted adult protection legislation for at risk adults (Nova Scotia, Newfoundland and Labrador) and, for older adults (New Brunswick). Quebec is unique in having enshrined protection against exploitation of older persons and of persons with a disability in provincial human rights legislation.

Nevertheless, there is much more to be done to increase social inclusion among older persons. At present consideration of older persons is not mainstreamed in Canadian legislation or jurisprudence. Anti-ageism mainstreaming would involve integrating the perspective of older persons into the preparation, design, implementation, monitoring and evaluation of policies, laws, and regulation to promote age equality and reduce age discrimination.

A 2022 report by that National Institute on Aging (NIA), noted that “while Canada has launched several national initiatives to address social isolation and loneliness, few sustainable, long-term strategies have been adopted, despite a clear recommendation from the federal government’s National Seniors Council to do so in 2013”. The NIA recommends the federal government develop a national strategy to address social isolation and loneliness among older persons.

SPECIAL CONSIDERATIONS:

Social inclusion is a bigger challenge for older Indigenous people, older immigrants and older persons who are caregivers, as set out in a Report by Canada’s National Seniors Council.

Clearly, current policy and legislation is not sufficiently supporting older persons, particularly the most at risk. The development and implementation of a legally binding international instrument (a Convention) could set the groundwork for proper legal remedies for instances where social inclusion is absent.

IMPLEMENTATION:

Currently Canada does not support the drafting and implementation of a United Nations convention on the rights of older persons, despite compelling evidence of the need for a legal binding international instrument to buttress human right in Canada and around the world.

We call on Canada and all Member States to recognize the gaps in international law, particularly the lack of consistent referencing of ageism and age discrimination, and begin the process of drafting a Convention.