

Chair's summary of the key points of the discussions at the seventh session of the Open-ended Working Group on Ageing established for the purpose of strengthening the protection of the human rights of older persons

The seventh session of the Open-ended Working Group on Ageing set a milestone with the adoption of a Decision on Modalities for the Participation of National Human Rights Institutions in its works. I welcome this decision adopted by consensus by the members of the Open-ended Working Group, which allows the participation of National Human Rights Institutions in the work of a subsidiary body of the General Assembly for the first time. By virtue of this decision, National Human Rights Institutions will be able to accredit to participate in the future sessions of the Open-ended Working Group, to take separate seating with their own nameplate after Member States and Observer States, to take the floor (without the right to vote) in any agenda item, and to submit documents to the Working Group under any agenda item.

I am convinced that National Human Rights Institutions will make a valuable contribution to the work of the Open-ended Working Group and to fulfilling its mandate of enhancing the promotion and protection of the human rights of older persons and I encourage all National Human Rights Institutions with "A" status and in full compliance with the Paris Principles to actively participate in the future sessions of the Working Group.

I want to appreciate the active involvement and participation and the constructive spirit of Member States, in all segments of this current session: during the general debate, in the interactive dialogue with the Independent Expert of the Human Rights Council on the Enjoyment of All Human Rights by Older Persons (Ms. Rosa Kornfeld-Matte), in the two thematic panels and in the very fruitful interactive discussions on follow up of General Assembly resolution 70/164 and on the way forward.

Furthermore, as in previous sessions, I would like to highlight the active participation and constructive contributions made by civil society, as well as different UN Agencies.

I also want to express my gratitude to all the distinguished panelists, for their excellent presentations and the fruitful interaction with Member States and civil society. The Working Group had the chance to examine recent regional developments in the field of the human rights of older persons, as well as the positive human rights implications for older persons of many recent multilateral processes in the fields of housing and infrastructure, health, and sustainable development.

Moreover, the Working Group had the opportunity to engage in a dialogue with the Chair of the Committee on the Rights of Persons with Disabilities, Ms. María Soledad Cisternas Reyes, and to draw parallelisms between the development of Convention on the Rights of Persons with Disabilities and a possible multilateral legal instrument on the human rights of older persons.

We had the opportunity to engage in an enlightening and enriching interactive dialogue with the Independent Expert on the Enjoyment of All Human Rights by Older Persons, Ms. Rosa Kornfeld-Matte,

during which she presented the main elements, conclusions and recommendations of the comprehensive report which was presented in the Human Rights Council last September (A/HRC/33/44). It represented an excellent opportunity to reflect on the current challenges older persons face with regards to the enjoyment of their human rights, as well as on the human rights implications of the existing international legal framework.

Furthermore, the Working Group held an interactive discussion on “Measures to enhance the promotion and protection of the human rights and dignity of older persons such as best practices, lessons learned possible content for a multilateral legal instrument and identification of areas and issues where further protection and action is needed”. In that sense, some delegations expressed their views regarding the need to better implement the existing international legal framework, such as the basic human rights treaties as well as the Madrid International Plan of Action, bridging the gap between policy and practice, as well as to mainstream the situation of older persons in the existing reporting and monitoring mechanisms on human rights, such as the Universal Periodic Review of the Human Rights Council and in the reports submitted to different treaty bodies.

At the same time, other delegations, as well as civil society organizations, expressed their views regarding the need to enable an open discussion leading to the development of an international legally binding instrument related to the human rights of older persons, under a human rights approach and placing the elderly at the center and as specific rights holders. These delegations noted, in line with the conclusions of the Independent Expert’s report, that the existing international legal framework, regardless of its degree of implementation, is not enough to comprehensively and effectively ensure the enjoyment of all human rights by older persons, and that it addresses the issues of ageing from a developmental rather than a human rights approach.

With regard to the way forward, most delegations expressed common opinions with relation to the future work of the Open-ended Working Group in the sense of focusing the debate on areas where further protection of the human rights of older persons is needed, as well as issues of relevance to older persons and elements that need to be better addressed by the international community in order to allow older persons to fully enjoy their human rights. In that sense, there were some areas that were mentioned across interventions, such as:

- equality and non-discrimination (discrimination on the basis of age);
- neglect, violence and abuse (ageism);
- autonomy and independence;
- accessibility, infrastructure and habitat (transport, housing and access);
- right to health and access to health services;
- access to justice;
- social protection and social security (including social protection floors);

- economic security;
- right to work and access to the labour market;
- education, training, life-long learning and capacity building;
- participation in the public life and in decision making processes;
- social inclusion;
- contribution of older persons to sustainable development; and
- long term and palliative care.

All these areas, among others, need to be addressed in order to empower older persons to become active and integrated actors in societies as well as to allow them to fully enjoy their human rights, regardless of their age.

In that sense, I would like to propose the Working Group to continue this substantive discussion within these clusters and to focus the deliberations of the next session on two of those focus areas. To that end, the Bureau will hold consultations with the Member States in order to select two of the following three clusters to be the focus areas for the discussions during the eight session of the Working Group: (a) equality and non-discrimination; (b) neglect, violence and abuse; and (c) autonomy and independence.

I would like to encourage Member States, as well as National Human Rights Institutions and civil society, to continue an active debate during the inter sessional period, in order to arrive to the next session of the Working Group with concrete proposals and comments in order to enrich the discussion of these focus areas. I believe that the organization of conferences and dialogues at the regional level, especially through the regional commissions, the regional networks of National Human Rights Institutions, as well as conferences organized by Member States and civil society fora will represent an excellent opportunity to continue the constructive debate we have started during this session in order to move forward with the fulfillment of the mandate of this Open-ended Working Group of strengthening the promotion and protection of the human rights of older persons.

If the members of the Working Group agree in that way forward, the Chair and the Bureau will encourage discussions and call for inputs during the inter sessional period in order to arrive to the next session with a mass of substantive inputs to guide our debate.

Additionally, I would like to stress that I hope that the Working Group will continue to work in collaboration with the Independent Expert, whose mandate has been extended by the Human Rights Council through resolution A/HRC/RES/33/5. As we all know, the mandate of the Open-ended Working Group and the mandate of the Independent Expert are complementary, and we look forward to continue collaborating with the Independent Expert, while avoiding any duplication, and to the possible contributions she might make the work of this Group.

To conclude, I would like to express my gratitude to the Secretariat for their constant support to the Working Group, as well as to the Department of Economic and Social Affairs and the Office of the High Commissioner for Human Rights. My special gratitude goes to the Secretary of the Working Group.

At this stage, I would like to express my most serious concern and dissatisfaction at the fact that during two meetings of this session of the Working Group, interpretation services were not provided. Although this Open-ended Working Group, since its creation, has worked under the arrangement that interpretation services would be provided on an "as available" basis, the Bureau decided the dates to hold this current session more than six months ago, under the advice from the Secretariat, in order to secure the provision of those services. Unfortunately, those services weren't provided in two of the seven meetings of this session (including the last meeting, which included the discussion on the way forward and my concluding remarks). In that sense, I would like to reiterate my disappointment to the fact that the Working Group was prevented from fully performing its work. The provision of interpretation to all six official UN languages is fundamental for the correct and successful functioning of any subsidiary body of the General Assembly. We sincerely hope that this unfortunate situation does not happen again in the future, in order not to endanger the fulfillment of the mandate of the Working Group.

Finally, I would like to once more express my appreciation to the civil society for their active participation and constructive engagement and welcome the National Human Rights Institutions to the work of our Group and encourage all relevant stakeholders to continue participating actively in future sessions.

Last, but not least, I would like to express my sincere gratitude and profound appreciation to the distinguished Vice-Chairs of the Open-ended Working Group, Ms. AlAnound Qassim Al Temimi of Qatar and Ms. Lidija Dravec of Slovenia, without whose most valuable support and hard work and professionalism in conducting the work of the Bureau of the Working Group, this session would not have been possible.