



# General Assembly

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## Open-ended Working Group on Ageing

Thirteenth session

3–6 April 2023

### Report of the Open-ended Working Group on Ageing on its thirteenth session

*Acting Rapporteur:* Mr. Tomáš Grünwald (Slovakia)

#### I. Organization of the session

##### A. Opening and duration of the session

1. The Open-ended Working Group on Ageing held its thirteenth session at United Nations Headquarters from 3 to 6 April 2023. The Working Group held seven meetings.
2. The session was opened by the temporary Chair of the Working Group, the Under-Secretary-General for Economic and Social Affairs.

##### B. Attendance

3. The session was attended by representatives of States Members of the United Nations. Representatives of organizations of the United Nations system and observers for intergovernmental and non-governmental organizations (NGOs) also attended. A list of participants is available at <http://social.un.org/ageing-working-group/thirteenthsession.shtml>.

##### C. Election of officers

4. At its 1st meeting, on 3 April, the Working Group considered nominations for the Bureau of the Working Group and elected, by acclamation, María del Carmen Squeff (Argentina) as Chair and Maria Roseny Baltazar Fangco (Philippines), Tomáš Grünwald (Slovakia) and Béatrice Maillé (Canada) as Vice-Chairs. The Group was informed that Mr. Grünwald would act as Rapporteur until a nomination for Rapporteur was received.



5. The Bureau of the thirteenth session of the Working Group was composed as follows:

*Chair:*

María del Carmen Squeff (Argentina)

*Vice-Chairs:*

Maria Roseny Baltazar Fangco (Philippines)

Béatrice Maillé (Canada)

*Vice-Chair and acting Rapporteur:*

Tomáš Grünwald (Slovakia)

## **D. Agenda and organization of work**

6. At its 1st meeting, on 3 April, the Working Group considered and adopted the provisional agenda, as contained in document [A/AC.278/2023/1](#). The agenda read as follows:

1. Election of officers.
2. Adoption of the agenda and other organizational matters.
3. Participation of national human rights institutions in the work of the Open-ended Working Group on Ageing.
4. Participation of non-governmental organizations in the work of the Open-ended Working Group on Ageing.
5. Measures to enhance the promotion and protection of the human rights and dignity of older persons.
6. Follow-up to resolution [77/190](#): measures to enhance the promotion and protection of the human rights and dignity of older persons: best practices, lessons learned, possible content for a multilateral legal instrument and identification of areas and issues where further protection and action are needed.
7. Other matters.
8. Provisional agenda for the fourteenth session.
9. Adoption of the report.

7. At the same meeting, the Working Group considered and approved the proposed organization of work for its thirteenth session, as set out in [A/AC.278/2023/CRP.1](#). Statements were made by the representatives of the Russian Federation, Egypt and Cameroon.

## **E. Participation of national human rights institutions in the work of the Open-ended Working Group on Ageing**

8. At its 1st meeting, on 3 April, the Working Group was informed of the participation of 15 national human rights institutions in the thirteenth session, in accordance with decision 7/1 on the modalities of participation of national human rights institutions in its work (see [A/AC.278/2016/2](#), para. 10).

## **F. Participation of non-governmental organizations in the work of the Open-ended Working Group on Ageing**

9. At its 1st meeting, on 3 April, the Working Group considered and decided to grant accreditation to the following 17 NGOs to participate in its work:

Unprivileged To The Humanitarian Action Need (UTTHAN)

Ageless Inspiration Charitable Organisation

Modern Thinkers Foundation (MTF)

COTA Australia

National Pensioners Federation

SAGE (Services and Advocacy for Lesbian, Gay, Bisexual, Transgender and Queer Elders)

Relationships Australia

Commonwealth Association for the Ageing – CommonAge

Elder Abuse Prevention Ontario (EAPO)

RTOERO

Council of Senior Citizens' Organizations of British Columbia (COSCO BC)

Samson Institute For Ageing Research (SIFAR)

Women Working Group (WWG)

HelpAge DRC

Mission to Elderlies Foundation

Association for Aging Studies (SENEX)

National Association of Federal Retirees

## **G. Documentation**

10. The list of documents before the Working Group at its thirteenth session is available at <http://social.un.org/ageing-working-group/thirteenthsession.shtml>.

## **II. Measures to enhance the promotion and protection of the human rights and dignity of older persons**

11. The Working Group considered item 5 of the agenda at its 1st and 2nd meetings, on 3 April 2023, and held a general discussion on the item.

12. At its 1st meeting, on 3 April, the Working Group began its general discussion on the item and heard statements by the representatives of Cuba (on behalf of the Group of 77 and China), Chile (on behalf of the Group of Friends of Older Persons), the European Union, Portugal (on behalf of the LGBTI Core Group), Canada, Kenya, Austria, Germany, Barbados, Slovenia, the United States of America, France, Brazil and India and viewed pre-recorded statements by the representatives of Türkiye, Belarus, the Russian Federation, Peru, Guatemala, Israel, Saudi Arabia, Argentina and Colombia.

13. At its 2nd meeting, on 3 April, the Working Group continued its general discussion and heard statements by the representatives of Slovakia, Ecuador, Kyrgyzstan, the Dominican Republic, Greece, Nepal, Sri Lanka, Tunisia, Egypt, Yemen, Namibia, Côte d'Ivoire, Myanmar, Bangladesh, the Philippines, Senegal, Montenegro, Spain, Nigeria, China, Thailand, Japan, Morocco, Georgia, Malaysia, Qatar, Colombia, Malta, Paraguay, Algeria, Viet Nam, Italy, Mexico, Ukraine and Ethiopia, as well as by the observer for the Holy See. In addition, statements were made by the representatives of national human rights institutions of the Republic of Korea, Poland and Georgia and by the representatives of the following NGOs: 2 Young 2 Retire, Older Persons Advocacy Network, International Association of Homes and Services for the Ageing, Mission to Elderlies Foundation, SAGE (Services and Advocacy for Lesbian, Gay, Bisexual, Transgender and Queer Elders), Age International (United Kingdom), and International Network for the Prevention of Elder Abuse. The Open-ended Working Group viewed the pre-recorded statement by the representative of the NGO AGE Platform Europe.

### **III. Follow-up to resolution 77/190: measures to enhance the promotion and protection of the human rights and dignity of older persons: best practices, lessons learned, possible content for a multilateral legal instrument and identification of areas and issues where further protection and action are needed**

14. The Working Group considered item 6 of the agenda at its 4th to 6th meetings, on 4 and 5 April 2023.

#### **Interactive discussion on the follow-up to resolution 77/190 and the follow-up to the focus areas of the twelfth session: discussion on normative input**

15. For its consideration of the item, the Working Group had before it a document submitted by the Office of the United Nations High Commissioner for Human Rights (OHCHR) entitled “Substantive inputs in the form of normative content for the development of a possible international standard on the focus areas ‘contribution of older persons to sustainable development’ and ‘economic security’” (A/AC.278/2023/CRP.2).

16. At its 3rd meeting, on 4 April, after hearing a presentation by the Chief of the Rule of Law, Equality and Non-discrimination Branch of OHCHR on its focus areas “contribution of older persons to sustainable development” and “economic security”, the Working Group held an interactive panel discussion on the focus areas and heard presentations by the following panellists: the Independent Expert on the enjoyment of all human rights by older persons, Claudia Mahler; the Commissioner for Disability Rights and the Rights of Older Persons, Ethiopian Human Rights Commission, Rigbe Gebrehawaria; a Professor Emeritus of International Law and Human Rights at the University of New South Wales, Australia, Andrew Byrnes; and the Vice-Chairperson of the Board, Uganda Reach the Aged Association, Rosemary Bongole Nakasinde.

17. The Working Group then held an interactive discussion, during which the panellists responded to the comments and questions posed by the representatives of China, the Russian Federation, Morocco, Argentina and the Dominican Republic. In addition, statements were made by the representatives of the national human rights institutions of the Philippines and Poland and by the representatives of the following NGOs: National Association of Community Legal Centres (Australia), International Longevity Centre Global Alliance, Human Rights Watch, AGE Platform Europe,

Agewell Foundation, Older Persons Advocacy Network, Age International (United Kingdom), AARP and International Federation on Ageing.

### **Interactive discussion on right to health and access to health services**

18. For its consideration of the item, the Working Group had before it a document submitted by OHCHR entitled “Substantive inputs on the focus area ‘right to health and health services’” (A/AC.278/2023/CRP.3).

19. At its 4th meeting, on 4 April, after hearing a presentation by the Director of OHCHR in New York on its focus area “right to health and access to health services”, the Working Group held an interactive panel discussion on the focus area and heard presentations by the following panellists: the Minister of Seniors, Canada, Kamal Khera; the Director of Hospitals in the Ministry of Solidarity, Autonomy and Persons with Disabilities, France, Arnaud Flanquart; the Director of the Department of Programme Development and International Affairs of the National Committee on Ageing, China, Li Zhihong; and the First Deputy Public Defender, Georgia, Tamar Gvaramadze.

20. The Working Group then held an interactive discussion, during which the panellists responded to the comments and questions posed by the representatives of Argentina, the United Kingdom of Great Britain and Northern Ireland, Morocco, the Russian Federation, Peru, India and Kenya. In addition, statements were made by the representatives of the national human rights institutions of Germany and Ethiopia and by the representatives of the following NGOs: Association camerounaise pour la prise en charge de la personne âgée, International Longevity Centre Canada, Saint Elizabeth Health Care, HelpAge Deutschland, Nsindagiza Organization, HelpAge International, International Medical Crisis Response Alliance, HelpAge Canada, International Association for Hospice and Palliative Care, International Network for the Prevention of Elder Abuse, International Longevity Centre Global Alliance, National Association of Federal Retirees, Amnesty International, Mission to Elderlies Foundation, 2 Young 2 Retire and National Association of Community Legal Centres (Australia).

### **Interactive discussion on social inclusion**

21. For its consideration of the item, the Working Group had before it a document submitted by the Department of Economic and Social Affairs entitled “Substantive inputs on the focus area ‘social inclusion’” (A/AC.278/2023/CRP.4).

22. At its 5th meeting, on 5 April, after hearing a presentation by the Chief of the Social Inclusion and Participation Branch of the Department of Economic and Social Affairs on its focus area social inclusion, the Working Group held an interactive panel discussion on the focus area and heard presentations by the following panellists: Ambassador and former National Chief of the Assembly of First Nations, Canada, Ovide Mercredi; and Director, Middle East and North Africa Research on Ageing Healthy network, Shereen Hussein.

23. The Working Group then held an interactive discussion, during which the panellists responded to the comments and questions posed by the representatives of El Salvador, China, Argentina, Germany, Canada, Egypt, India and Iran (Islamic Republic of). In addition, statements were made by the representatives of the national human rights institutions of Georgia, Guatemala and Poland and by the representatives of the following NGOs: Federación Iberoamericana de Asociaciones de Personas Adultas Mayores, HelpAge Deutschland, AGE Platform Europe, International Association of Homes and Services for the Ageing, Older Persons Advocacy Network, International Longevity Centre Global Alliance, Pallium India, Elder Abuse Prevention Ontario, International Network for the Prevention of Elder

Abuse, Agewell Foundation, National Association of Federal Retirees and Josef und Luise Kraft-Stiftung.

### **Interactive discussion on strengthening the promotion and protection of the human rights of older persons**

24. At its 6th meeting, on 5 April, after hearing a statement by the Chair, the Working Group held an interactive panel discussion on the focus area and heard presentations by the following panellists: the Head of the Division of International Policy on Ageing and Inclusion in the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, Germany, Nicole Zündorf-Hinte; the Deputy Director of the Division of Senior Policy in the Ministry of Health and Welfare, Republic of Korea, Lee Taegyeong; the National Secretary of the Rights of Older Persons in the Ministry of Human Rights and Citizenship, Brazil, Alexandre Da Silva; the Independent Expert on the enjoyment of all human rights by older persons, Claudia Mahler; and the Chair of the Subcommittee on the Human Rights of Older Persons, NGO Committee on Ageing, Geneva, Silvia Perel-Levin.

25. The Working Group then held an interactive discussion, during which the panellists responded to the comments and questions posed by the representatives of Brazil, Malaysia, Chile, Argentina, Peru and the Dominican Republic. In addition, statements were made by the Special Envoy of the Secretary-General on Disability and Accessibility, representatives of the national human rights institutions of the Republic of Korea (also on behalf of other national human rights institutions) and Germany and the representatives of the following NGOs: Japan Support Centre for Activity and Research for Older People, National Association of Community Legal Centres (Australia), International Association of Homes and Services for the Ageing, HelpAge International, International Longevity Centre Canada, HelpAge Canada, SAGE (Services and Advocacy for Lesbian, Gay, Bisexual, Transgender and Queer Elders), Agewell Foundation, International Network for the Prevention of Elder Abuse, Human Rights Watch, Age International and The Aged-care Rights Service (Senior Rights Service).

## **IV. Other matters**

26. The Working Group considered item 7 of the agenda at its 7th meeting, on 6 April.

27. At the same meeting, after a statement by the Chair, the representative of Chile made a statement, in the course of which a draft decision entitled “Identification of possible gaps in the protection of the human rights of older persons and how best to address them” ([A/AC.278/2023/L.1/Rev.1](#)) was introduced and orally revised.

28. Also at the same meeting, the Working Group was informed that the draft decision contained no programme budget implications.

29. At the same meeting, statements were made by the representatives of Belgium, Portugal, the European Union, France, Austria, Nigeria, Brazil, Senegal and Ethiopia, as well as by the observer for the Holy See. In addition, statements were made by the Special Envoy of the Secretary-General on Disability and Accessibility, the Independent Expert on the enjoyment of all human rights by older persons and the representatives of the following NGOs: 2 Young 2 Retire, Age International, International Longevity Centre Canada and AGE Platform Europe.

30. Also at the same meeting, the Working Group adopted the draft decision, as orally revised, which read as follows:

### **Decision 13/1**

#### **Identification of possible gaps in the protection of the human rights of older persons and how best to address them**

The Open-ended Working Group on Ageing, recalling General Assembly resolution [77/190](#) of 15 December 2022 and paragraph 28 of Assembly resolution [65/182](#) of 21 December 2010, in which the Assembly decided to establish an open-ended working group, open to all States Members of the United Nations, for the purpose of strengthening the protection of the human rights of older persons by considering the existing international framework of the human rights of older persons and identifying possible gaps and how best to address them, including by considering, as appropriate, the feasibility of further instruments and measures, having considered relevant areas for the protection of the human rights of older persons, including “equality and non-discrimination” and “violence, neglect and abuse” at its eighth session, “autonomy and independence” and “long-term and palliative care” at its ninth session, “social protection and social security (including social protection floors)” and “education, training, lifelong learning and capacity-building” at its tenth session, “access to justice” and “right to work and access to the labour market” at its eleventh session, “economic security” and “contribution of older persons to sustainable development” at its twelfth session and “right to health and access to health services” and “social inclusion” at its thirteenth session, and considering “participation in public life and in decision-making processes” and “accessibility, infrastructure and habitat (transport, housing and access)” at its fourteenth session:

(a) Requests the Chair of the Open-ended Working Group on Ageing to appoint two co-facilitators no later than 1 May 2023, one from a developed country and one from a developing country, to work with the Bureau to set a clear timetable and to facilitate the consideration of the existing international framework of the human rights of older persons and the identification of possible gaps in the protection of the human rights of older persons and how best to address them, and invites the co-facilitators to conduct open, transparent and inclusive informal intergovernmental meetings between the thirteenth and fourteenth sessions of the Working Group, with all States Members of the United Nations, members of the specialized agencies, and observers in the General Assembly, and to collaborate with national human rights institutions and non-governmental organizations and the Independent Expert of the Human Rights Council on the enjoyment of all human rights by older persons, within her mandate, during the process;

(b) Requests the co-facilitators to submit proposed intergovernmental negotiated recommendations to be considered at the fourteenth session of the Working Group and to be presented for consideration by the General Assembly, in accordance with resolution [77/190](#), regarding the existing international framework of the human rights of older persons and possible gaps, and options on how best to address them.

31. After the adoption, statements were made by the representatives of Canada, Australia, the United States of America, the United Kingdom of Great Britain and Northern Ireland, Slovenia, Argentina and the Dominican Republic. In addition, statements were made by the representative of the national human rights institution of the Philippines and the representatives of the following NGOs: Japan Support Centre for Activity and Research for Older People, International Network for the Prevention of Elder Abuse and Mission to Elderlies Foundation.

## V. Chair's summary of the key points of the discussions

32. At its 7th meeting, on 6 April, the Working Group discussed and agreed to include the Chair's summary of the key points of the discussions in the report of the session. The Chair's summary reads as follows:

### Introduction

The thirteenth session of the Open-ended Working Group on Ageing began with the election of officers. The Working Group elected, by acclamation, María del Carmen Squeff (Argentina) as Chair, Maria Roseny Baltazar Fangco (Philippines), Béatrice Maillé (Canada) and Tomáš Grünwald (Slovakia) as Vice-Chairs at the thirteenth session. In addition, the Group was informed that Mr. Grünwald would act as Rapporteur until a nomination for Rapporteur was received.

The opening segment of the thirteenth session was chaired by the Chair of the Working Group. The segment started with my welcome remarks, followed by opening remarks by the President of the seventy-seventh session of the General Assembly, Csaba Kőrösi (in person); opening remarks by the Under-Secretary-General for Economic and Social Affairs, Li Junhua (in person); and opening remarks by the United Nations High Commissioner for Human Rights, Volker Türk (by pre-recorded video).

I express my sincerest gratitude to all the authorities for their participation and their powerful message delivered during the segment. It was an honour for the Working Group to count with their presence at its thirteenth session.

The Working Group then adopted the agenda and the programme of work of the thirteenth session. It should be emphasized that the Working Group organized its work in accordance with the oral decision taken during the discussion on the way forward held during the twelfth session, in April 2022.

During the intersessional period, the Bureau proposed an organization of work based on a general debate on the topic "measures to enhance the promotion and protection of the human rights and dignity of older persons"; a panel discussion, followed by an interactive discussion on normative elements in follow-up to the examination of the focus areas of the twelfth session, "contribution of older persons to sustainable development" and "economic security"; an interactive discussion on strengthening the promotion and protection of the human rights of older persons; two panel discussions, followed by interactive discussions on the focus areas of the thirteenth session, "right to health and access to health services" and "social inclusion";<sup>1</sup> and a discussion on the way forward.

During the intersessional period, I requested that Members of the Working Group (Member States and observer States) and other relevant stakeholders (national human rights institutions, intergovernmental organizations, United Nations agencies and NGOs) submit substantive inputs on the basis of the two focus areas selected for the thirteenth session, based on two questionnaires prepared by OHCHR and the Department of Economic and Social Affairs. The Working Group received the following input on the focus areas of the thirteenth session: (a) on the "right to health and access to health services", 20 Member States, 21 national human rights institutions, 8 entities of the United Nations system and 28 accredited NGOs; and

<sup>1</sup> During the discussion on the way forward held at the seventh working session, the Working Group decided to focus its future sessions on specific issues that affected the enjoyment by older persons of their human rights. A list of the focus issues proposed by the members of the Group was included in paragraph 29 of the report on the seventh working session (A/AC.278/2016/2).



(b) on “social inclusion”, 23 Member States, 21 national human rights institutions, 9 entities of the United Nations system and 32 accredited NGOs.

On the basis of many contributions received, the Bureau, through OHCHR and the Department of Economic and Social Affairs, prepared a conference room paper for each interactive discussion on the focus areas, summarizing the contributions and highlighting areas of common ground and trends identified in the responses to the questionnaires. I wish to thank in particular the Department of Economic and Social Affairs and OHCHR for preparing those papers, which helped to guide the interactive discussions. The papers are available from the website of the Working Group.

Furthermore, and as agreed at the Bureau level during the intersessional period, the Working Group proceeded during its thirteenth session to hold a panel discussion and an interactive discussion on normative elements to address the issues relating to the two focus areas of the twelfth session, namely “contribution of older persons to sustainable development” and “economic security”.

In that regard, during the intersessional period, I requested that members of the Working Group and other relevant stakeholders submit normative input on the basis of two questionnaires prepared by OHCHR and the Department of Economic and Social Affairs. The Working Group received input from 13 Member States and observer States, 13 national human rights institutions, 4 entities of the United Nations system and 10 accredited NGOs on the focus area “contribution to sustainable development”, as well as 14 Member States and observer States, 13 national human rights institutions, 4 entities of the United Nations system and 13 accredited NGOs on the focus area “economic security”.

On the basis of those contributions, the Bureau, through OHCHR and the Department of Economic and Social Affairs, prepared two conference room papers in order to guide the interactive discussion on normative elements.

Having adopted the agenda and the programme of work, the Working Group considered the arrangements of work for the thirteenth session: all meetings were to be held in person. For the general discussion, speakers were invited to indicate whether they wished to deliver their remarks in person or by pre-recorded video message. Written statements, including for the pre-recorded video statements, were to be submitted to [estatements@un.org](mailto:estatements@un.org). The interactive discussions and the discussion on the way forward were to be held only in person. Regarding the time limit for interventions, statements delivered by Member States in their national capacity, as well as those of representatives of “A” status national human rights institutions and NGOs with Economic and Social Council status, as well as organizations previously accredited to the Working Group, would be limited to three minutes, while statements made on behalf of a group of States would be limited to five minutes.

Having adopted the arrangements of work for its thirteenth session, the Working Group considered the participation of “A” status national human rights institutions.<sup>2</sup> In accordance with decision 7/1<sup>3</sup> of the Working Group on the modalities of participation of national human rights institutions in its work (see [A/AC.278/2016/2](#), para. 10), adopted at the 1st meeting of its seventh working session, on 12 December

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<sup>2</sup> National human rights institutions accorded “A” status by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions are considered to be in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), as endorsed by the General Assembly in its resolution [48/134](#).

<sup>3</sup> Contained in section E of the report of the Working Group on its seventh working session ([A/AC.278/2016/2](#)).

2016, requests from 15 “A” status national human rights institutions were circulated to Member States by three weeks prior to the twelfth session.

The Working Group decided to apply the arrangement outlined by its former Chair (see [A/AC.278/2016/2](#), para. 29), whereby accredited national human rights institutions were able to take separate seating after Member States and observer States, to take the floor, without the right to vote, under any agenda item and to submit written contributions to the Working Group under any agenda item.

I would like to welcome the active participation and meaningful contributions of “A” status national human rights institutions to the discussions and work of the Working Group. Indeed, the Working Group continued to enhance their participation in its work, according to the mandate given by the General Assembly in its resolution [72/181](#) on national institutions for the promotion and protection of human rights.

The Working Group then proceeded to approve the participation of NGOs without Economic and Social Council consultative status that had requested accreditation. It received 17 such requests, submitted in accordance with the modalities of participation of non-governmental organizations in the work of the Open-ended Working Group on Ageing, adopted at its organizational session in 2011 (see [A/AC.278/2011/2](#), para. 8). The Working Group approved the participation of the 17 NGOs by consensus.

### **General debate**

Subsequently, at the 1st meeting, held on the morning of 3 April 2023, the Working Group held its general debate. I appreciate and would like to acknowledge the active participation by the representatives of many Member States and observer States in the debate, and by those of groups of States, national human rights institutions, intergovernmental organizations and NGOs.

During the second meeting, held on 3 April in the afternoon, the Working Group continued its general debate. I would like to highlight the participation in the general debate of 3 Ministers, 4 Vice-Ministers, 8 representatives from the capital, 20 Permanent Representatives to the United Nations, 2 Chargé d'affaires and 8 Deputy Permanent Representatives, as well as 9 other representatives and 1 observer State.

During the interventions, delegations recognized the relevance of the Working Group and expressed their support for the work of the Working Group. They stressed the importance of advancing concrete measures to increase the protection of the human rights of older persons while conveying their support for and expressing their commitment to actively engaging in the work of the Working Group.

At the general debate, several delegations highlighted the worldwide demographic trends of an ageing population while recognizing the significant role played by older persons in their societies. In that regard, delegations emphasized the need to fully empower older persons as active agents of change and to promote their full and meaningful participation to allow them to effectively make that contribution.

Some Member States underlined how the coronavirus disease (COVID-19) had amplified existing inequalities while exacerbating ageism, violence, neglect and abuse and the multiple and intersecting forms of discrimination faced by older persons. Among the challenges faced by older persons, delegations mentioned isolation, loneliness, access to health for diagnosis and treatment, financial security and autonomy. Some Member States referred to the situation of older persons in the context of armed conflict and expressed solidarity with their people.

Member States highlighted the importance of public policies to address the different challenges faced by older persons as part of their national priorities. They

described their national legislation and shared measures and policies at the national level to advance the protection of their rights and well-being. In that regard, a large number of delegations highlighted national practices and strategies related to the right to health and access to health services and social inclusion.

Several Member States and most of other participants highlighted that the existing human rights framework for older persons provided fragmented and inconsistent coverage of their human rights both in law and in practice, and stressed the need for an international legally binding instrument that specifically addressed the existing legal gaps to fully protect their rights.

At the regional level, some Member States highlighted the importance of the Interamerican Convention on Protecting the Human Rights of Older Persons in strengthening the protection of their human rights. Some other delegations referred to the African Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons.

Other Member States underscored the importance of the Madrid International Plan of Action on Ageing as a road map for promoting an age-inclusive implementation of the 2030 Agenda for Sustainable Development and the attainment of the Sustainable Development Goals, and referred to the need to further implement the existing international legal framework.

Some delegations underlined the importance of the participation and engagement of all relevant stakeholders, and welcomed the inclusive participation of NGOs and national human rights institutions in the thirteenth session of the Working Group.

Following the general debate, the Working Group held one interactive panel discussion on the normative input of the focus areas of the twelfth session, on "contribution of older persons to sustainable development" and "economic security"; one interactive discussion on "strengthening the promotion and protection of the human rights of older persons"; and two panel discussions, followed by interactive discussions on the focus areas of "right to health and access to health services" and "social inclusion".

I would like to express my gratitude to the panellists and moderators for their meaningful and substantive interventions, which resulted in a fruitful debate among the members, thereby contributing to the fulfilment of the Working Group's mandate to strengthen the protection of the human rights of older persons. The panellists included representatives of national Governments, OHCHR, national human rights institutions and NGOs, as well as the Independent Expert on the enjoyment of all human rights by older persons.

I would like to commend the efforts of the Bureau in organizing the composition of the different panels, paying particular attention to geographical balance, gender parity and the diversity of stakeholders, which enriched the substantive discussions throughout the session.

Each debate was preceded by a panel discussion featuring presentations by a variety of stakeholders providing insights from different perspectives, such as human rights, current international human rights law, national and regional experiences, specific human rights mandates and national human rights institutions.

Each panel was followed by an interactive discussion involving all stakeholders, guided by the conference room papers prepared by OHCHR and the Department of Economic and Social Affairs, which provided a summary of the main trends and areas of common ground that resulted from the input received prior to the session.

### **Follow-up to the focus areas of the twelfth working session: discussion on normative input**

Following the general debate, the Working Group held the interactive panel discussion on normative input in the focus areas of the twelfth session.<sup>4</sup> The objective of the interactive dialogue was to further reflect on the discussions held during the twelfth session on the focus areas of “contribution of older persons to sustainable development” and “economic security” from the perspective of normative standards. The working document (A/AC.278/2023/CRP.2) prepared and introduced by OHCHR highlighted the gaps in the current international human rights framework in both areas and the need to develop specific standards to fill those gaps.

On the focus area of “contribution of older persons to sustainable development”, the presentation of the panellists and the interactive discussion highlighted the lack of specific standards in relation to the participation and contribution of older persons to sustainable development in national, regional and international frameworks. Panellists and speakers highlighted ageism and age-based discrimination as the main barriers to older persons’ participation in sustainable development. Panellists and speakers advocated that such existing gaps be addressed through more explicit, tailored guarantees in an international legally binding instrument.

A number of speakers pointed to the Convention on the Rights of Persons with Disabilities as an example of how a legally binding instrument could improve development outcomes on the ground. Specific references were made to article 4 of the Convention, which guarantees the right to participation of persons with disabilities in the development and implementation of legislation and policies that affect them, and article 32 thereof, in which States are called upon to ensure that international cooperation, including development programmes, is inclusive of persons with disabilities.

Some speakers emphasized the importance of supporting the participation of older persons in international forums related to sustainable development, such as the Sustainable Development Goals Summit and the Summit of the Future.

On the focus area of “economic security”, panellists and speakers emphasized that the right to social protection, the right to work and the right to an adequate standard of living were becoming increasingly out of reach for many older persons, threatening their economic security. Poverty, conflict, natural disasters, the rising cost of living and climate change had a disproportionate impact on the economic security of older persons worldwide. Several speakers stressed that economic insecurity was greater for older persons experiencing intersecting forms of discrimination on the basis of gender, race and rurality, among other factors.

The right to adequate housing was highlighted as a central component of guaranteeing the economic security of older persons. Speakers provided several examples of violations of the right to adequate housing of older persons. It was pointed out that older persons, for instance, often struggled to obtain access loans and other financial resources. Speakers stressed the need to ensure that older persons could gain access to home loans, public housing, subsidies and land programmes, as well as home and community support services, without discrimination on the basis of age or other grounds.

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<sup>4</sup> The debate was moderated by the Director General, National Senior Citizens Centre, Nigeria, Emem Omokaro. The panellists included the Independent Expert on the enjoyment of all human rights by older persons, Claudia Mahler; the Commissioner for Disability Rights and Rights of Older Persons, Ethiopia, Rigbe Gebrehawaria; Professor Emeritus of International Law and Human Rights, University of New South Wales, Australia, Andrew Byrnes; and Vice-Chairperson of the Board, Uganda Reach the Aged Association, Rosemary Bongole Nakasinde.

Speakers discussed the right to social security with a focus on pension systems. They noted that older persons were sometimes excluded from economic support packages, that pensions had not kept pace with rising inflation and that the costs of long-term care often outweighed pension incomes. Moreover, it was highlighted that the digitalization of public and banking services could leave older persons without access to information and control of their social benefits. Some good practices, including pension credits for careers and dedicated budget allocations for older persons, were shared.

In the light of the interrelated challenges and dimensions of ensuring economic security for older persons, panellists and speakers reiterated the need for an international legally binding instrument to address gaps and strengthen the human rights protection of older persons.

### **Right to health and access to health services**

Following the interactive panel discussion on normative input, the Working Group held an interactive discussion on the focus area of the thirteenth session, “right to health and access to health services”.<sup>5</sup> The working document (A/AC.278/2023/CRP.3) prepared and introduced by OHCHR highlighted that the absence of international standards regarding the right to health of older persons led to systemic failures in promoting, protecting and fulfilling that right. It was indicated in the working document that existing international and regional instruments, national constitutions and laws were limited in scope and did not offer consistent and comprehensive protection.

Panellists and speakers affirmed the centrality of the right to health for the realization of other human rights. Regarding the challenges faced by older persons in their enjoyment of the right to health, many speakers noted ageism and age discrimination as major barriers. It was mentioned that other barriers included high out-of-pocket costs for health services, difficulties in gaining physical access to services and a lack of adequately trained health workers.

Panellists and speakers highlighted the significant impact of the COVID-19 pandemic on the right to health of older persons, from the direct effect of the virus to the disruption in health services, as well as isolation and loneliness. Several speakers provided examples of age discrimination in the health sector during the pandemic, such as blanket do-not-resuscitate orders for care home residents and policies that restricted family members and independent monitors from visiting care homes, increasing the risk of abuse and neglect.

During the discussion, panellists emphasized that the health needs of older persons were not homogenous and ranged from non-communicable diseases to mobility loss and sensory impairments. Likewise, panellists and speakers highlighted the importance of considering how age intersected with other characteristics. Several speakers noted the disparities in the health situation of indigenous older persons and older persons living in rural areas. Others noted the impact of gender and migration status. The disproportionate impact of conflict on older persons was also highlighted.

<sup>5</sup> The discussion was moderated by the Medical Officer, Ageing and Health Unit, World Health Organization, Yuka Sumi. The panellists were the Minister of Seniors, Canada, Kamal Khara; the Director of Hospitals and Deputy Director for the Autonomy of the Persons with Disabilities and Older Persons in the General Directorate for Social Cohesion of the Ministry of Solidarity, Autonomy and the Persons with Disabilities, France, Arnaud Flanquart; the Director of the Department of Programme Development and International Affairs of the National Committee on Ageing, China, Li Zhihong; and the First Deputy Public Defender of Georgia, Tamar Gvaramadze.

Some speakers stressed the need to ensure sexual and reproductive health services and mental health services, as well as the importance of tailored and targeted services adapted to the needs of older persons in general and in those areas specifically. Many underscored the importance of adopting a life cycle approach and promoting a full continuum of services, including preventive, curative, palliative and specialized care.

The maintenance of autonomy and the need to enhance home care and home support services was another central issue in the discussion. The importance of enabling age-friendly housing and support services to accommodate the choices of older persons to live independently was underscored.

Several speakers emphasized the inadequacy of the existing international framework and the need to develop and adopt an international legally binding instrument to address the gaps and improve enforcement of the rights of older persons. Moreover, it was emphasized that the development of such an instrument should take place with the full, effective and meaningful participation of older persons and their representative organizations.

### **Social inclusion**

Following the substantive discussion on “right to health and access to health services”, the Working Group held an interactive discussion on the focus area of the thirteenth session, “social inclusion”.<sup>6</sup>

Panellists, delegations and participants welcomed the interactive panel expert discussion on the focus area of the thirteenth session, “social inclusion”. Participants discussed various means of promoting the social inclusion of older persons and explored pathways through which groups in vulnerable situations, including indigenous persons, older women and those with disabilities, could exercise multiple human rights and fundamental freedoms through, inter alia, enhanced opportunities, the availability of resources and respect for rights. The panel noted that many older persons experienced social exclusion in different spheres of life, which was exacerbated by systemic barriers that fuelled discrimination, ageism and the abuse of those who were already in vulnerable situations and in desperate need of protection and inclusion.

During the interactive discussion, it was noted that myriad deprivations, such as poverty and hunger, gender inequalities, lack of financial resources and limited social protection, were precursors of social exclusion. It was highlighted that those deprivations exacerbated social exclusion and marginalization and further hindered older persons from internationally guaranteed human rights. The panel further noted that social exclusion was often characterized by poor health, loss of self-worth, loneliness, high rates of suicide and premature deaths among older populations.

The panellists noted that building age inclusive societies required effective laws, strategies and policies that reflected justice and reconciliation and enabled mechanisms that helped to dismantle ageism and discrimination. It was underscored that such interventions needed to include the recognition that social inclusion went beyond the provision of basic services to older persons and had to be woven into human rights, where the dignity and worth of older persons were recognized on an equal footing with others. Participants agreed that social inclusion was seen as the bedrock to ensure the full enjoyment of human rights and fundamental freedoms of

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<sup>6</sup> The panel was moderated by Professor, University of Bremen, Mathias von Schwanenflugen. Panellists included Ambassador and former National Chief of the Assembly of First Nations, Canada, Ovide Mercredi; and Director, Middle East and North Africa Research on Ageing Healthy network, Shereen Hussein.

older persons, including promoting healthy ageing, autonomy and gender equality. Delegations pointed out that an ideal socially inclusive world would entail the meaningful engagement of all, regardless of age, sex, gender, ethnic origin or identity. In addition, it was highlighted that achieving social inclusion required creating platforms for decision-making, where the voices of older persons were amplified and that using digital and online platforms in that regard played a key role in capturing the voices of older persons during the peak of COVID-19.

In interactive discussion, panellists pointed out that a way forward towards the vision of a socially inclusive society was to fully address barriers to inclusion, such as stigma and discrimination, ageism, abuse and neglect, as well as promoting the grass-roots participation in decision-making of those furthest behind. Participants noted that, in most countries, data was captured on those up to 49 years of age, distorting the reality on the ground, and they hence stressed the importance of improved data collection and analysis to better understand the needs of older persons.

Lastly, the discussants noted the urgent need for effective measures to help to enhance social inclusion, including the adoption of a legally binding instrument championed politically by governments committed to guaranteeing the rights of older persons.

### **Interactive discussion on strengthening the promotion and protection of the human rights of older persons**

Panellists, delegations and participants welcomed the interactive panel discussion on strengthening the promotion and protection of the human rights of older persons.<sup>7</sup> Panellists and speakers highlighted the current global demographic trends, including the ageing population, and demanded that the promotion of the human rights of older persons be addressed by the international community as a pressing matter. Speakers noted that, while human rights did not have an age limit, the human rights of older persons were often violated, as was exposed during the COVID-19 pandemic.

In that regard, some panellists, delegations and other stakeholders noted that the specific challenges faced by older persons, in particular ageism and age discrimination, were not sufficiently considered and/or addressed in existing international human rights frameworks and their associated bodies. Other speakers reflected that, while deficiencies in the protection of the human rights of older persons at the global level had been identified, it was crucial to better understand and analyse possible normative gaps that may exist at the international level before considering the need to develop new instruments. On the other hand, several delegations, national human rights institutions and civil society argued that evidence of existing gaps had already been firmly established through the work of the Working Group since its inception.

Panellists and delegations shared experiences at the national level that were intended to promote the human rights of older persons and to strengthen the work of respective governments in mainstreaming ageing, while also noting existing

<sup>7</sup> The moderator was the Permanent Representative of Argentina to the United Nations, María del Carmen Squeff. The panellists were the Head of the Division for International Policy on Ageing and Inclusion, Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, Germany, Nicole Zündorf-Hinte; the Deputy Director, Division of Senior Policy, Ministry of Health and Welfare, Republic of Korea, Lee Taegyeong; the National Secretary of the Rights of Older Persons, Ministry of Human Rights and Citizenship, Brazil, Alexandre Da Silva; the Independent Expert on the enjoyment of all human rights by older persons, Claudia Mahler; and the Chair of the Subcommittee on the Human Rights of Older Persons, NGO Committee on Ageing, Geneva, Silvia Perel-Levin.

challenges and barriers. The intersectionality of discrimination faced by many older persons around the world on grounds including age, gender, race, disability and others was also highlighted in the context of promoting and protecting the human rights of older persons.

Several international and regional policy frameworks and instruments were identified by speakers as relevant in providing guidance to strengthen the promotion and protection of the human rights of older persons. They included the Inter-American Convention on Protecting the Human Rights of Older Persons, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa, the Charter of Fundamental Rights of the European Union, the European Convention on Human Rights and other norms of the European Union and the Madrid International Plan of Action on Ageing.

Several delegations, as well as members of national human rights institutions and civil society, expressed their support for the establishment of a cross-regional core group, as well as its proposed draft decision to be submitted at the thirteenth session. Members of national human rights institutions and civil society emphasized the need to ensure the active participation and engagement of older persons, their representatives, civil society and national human rights institutions in any discussion concerning the rights of older persons.

Some speakers made reference to developments in the work of the Human Rights Council in the area of the human rights of older persons and reaffirmed the need to ensure complementarity between the work of the General Assembly and that of the Council. The need to ensure that issues of relevance to older persons were included in future United Nations milestones, including the Summit of the Future, was also noted.

Various representatives of national human rights institutions and civil society provided examples of how the development of an international legally binding instrument would strengthen and facilitate their work at the national level.

### **Way forward**

During the discussion on the way forward, a delegation presented and orally revised a draft decision on behalf of a group of Member States ([A/AC.278/2023/L.1/Rev.1](#)). In the draft decision, the Working Group requested the Chair to appoint two co-facilitators, one from a developed country and one from a developing country, to work with the Bureau to set a clear timetable and to facilitate the consideration of the existing international framework of the human rights of older persons and the identification of possible gaps in the protection of the human rights of older persons and how best to address them, through open, transparent and inclusive informal intergovernmental meetings between the thirteenth and fourteenth sessions of the Working Group, with all States Members of the United Nations, members of the specialized agencies, and observers in the General Assembly, and to collaborate with national human rights institutions and NGOs and the Independent Expert of the Human Rights Council on the enjoyment of all human rights by older persons, within her mandate, during the process.

Several delegations, national human rights institutions and NGOs supported the initiative to strengthen the work of the Working Group and move forward towards more concrete results. The draft decision was co-sponsored by a number of delegations. The Working Group adopted the decision without a vote.

During the debate of the 7th meeting, several delegations expressed their appreciation for the adoption of the decision without a vote. Some delegations valued the participation of civil society organizations during the session, which enriched the



debates. Several delegations reflected on the topics covered and debates held during thirteenth session of the Working Group and recalled that older persons suffered discrimination on the basis of age, as well as challenges related to chronic illness, preventive care, access to the right to health, isolation and the disproportionate impact of the COVID-19 pandemic, which was evidence of the need to strengthen intergenerational solidarity and of the relevance of promoting the human rights of older persons. The delegations provided an overview of their national plans to guarantee access to services and the protection of the rights of older persons. Several delegations, national human rights institutions and NGOs expressed the need for an international legally binding instrument on the rights of older persons. Other delegations considered it relevant to strengthen existing legal instruments to protect the rights of older persons.

Regarding the selection of the focus areas for the fourteenth session of the Working Group, to be held in 2024 following informal consultations with Member States and observer States by the Bureau during the intersessional period, the Working Group took an oral decision to select the areas of “participation in public life and in decision-making processes” and “accessibility, infrastructure and habitat (transport, housing and access)”.

Lastly, I would like to express my deepest gratitude and appreciation to the Secretariat for its constant support for the Working Group; to the Chief of the Programme on Ageing Unit and United Nations Focal Point on Ageing, Amal Abou Rafeh, and her team, Julia Ferre, Shatho Nfila, Amine Lamrabat, Miyeon Hwang and Jules Ottino-Loffler, Department of Economic and Social Affairs, for their outstanding professionalism and collaboration; to the Director of the New York Office, OHCHR, Craig Mokhiber; and to the Chief, Equality, Development and Rule of Law Section, New York Office, OHCHR, Rio Hada.

I also express my gratitude and appreciation to the Secretary of the Working Group, Department for General Assembly and Conference Management, Wannes Lint; the Deputy Secretary of the Working Group, Department for General Assembly and Conference Management, Rommel Maranan; and the whole team for their very hard and excellent work and their constant support.

I would like to reiterate my deep appreciation to the distinguished panellists for their substantive and inspiring contributions to the work of the thirteenth session of the Working Group, as well as to the representatives of national human rights institutions, the United Nations system and civil society, for their active participation and constructive engagement. I hope to count on their valuable presence and contributions in future sessions to help the Working Group to fulfil its mandate, and we look forward to your enhanced participation in that regard.

Lastly, I would like to express my sincerest gratitude and profound appreciation to the distinguished Vice-Chairs and the Rapporteur of the Working Group, Roseny B. Fangco (Philippines), Béatrice Maillé (Canada) and Tomáš Grünwald (Slovakia). Without their valuable support, hard work and professionalism in conducting the work of the Bureau of the Working Group, the session would not have been possible.

## **VI. Provisional agenda for the fourteenth session of the Open-ended Working Group on Ageing**

33. At the 7th meeting, on 6 April, a statement was made by the Chair regarding the provisional agenda for the fourteenth session of the Working Group.

## VII. Adoption of the report

34. At its 7th meeting, on 6 April, the Working Group was informed that the Chair's summary of the key points of the thirteenth session would be finalized at a later stage by the Secretariat, in collaboration with the Bureau, and would be included in the report.

35. At the same meeting, the Working Group adopted the draft report on its thirteenth session, as contained in document [A/AC.278/2023/L.2](#).

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