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Substantive Inputs on the Focus Area “Contribution of older persons to sustainable development” *

Working document submitted by the Department of Economic and Social Affairs (DESA)

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I. Introduction

1. The open-ended working group on ageing, established by the General Assembly in its resolution 65/182 with the purpose of strengthening the protection for the human rights of older persons, will hold its twelfth session at the United Nations Headquarters from 11 to 14 April 2022. The substantive discussions will focus on two areas: contribution of older persons to sustainable development, and economic security. To that end, the Bureau called for substantive inputs from Member States, national human rights institutions, non-governmental organizations and United Nations system agencies and bodies, following questionnaires prepared by the Secretariat on the two focus areas.
2. During the twelfth session, the open-ended working group on ageing will consider and discuss the contributions received, based on the working documents prepared by the Secretariat. The present document contains the analytical summary of contributions on the focus area: contribution of older persons to sustainable development.

II. Analysis of Submissions Received

A. National legal and policy framework

1. Legal provisions and policy frameworks

3. The legal and policy frameworks that recognise older person's right to participate in and contribute to sustainable development are multiple and diverse, according to submissions. Respondents situate these rights within national as well as regional and international frameworks and show how this right is enabled by other rights, such as those related to non-discrimination, the right to information, association and education, among others.
4. National Constitutions are identified in many countries, such as in Armenia, Cyprus, Czech Republic, Dominican Republic, El Salvador, Mauritius, Mexico, Nigeria, Serbia, Slovakia, Slovenia, Turkey, and National Human Rights Institutions from Finland, Georgia, Guatemala, Nepal, Russia, Philippines and Timor-East, as the overarching legal framework that guarantees human rights and freedoms for their citizens. Specific rights are highlighted in the context of the focus area under consideration, including but not limited to, the right to equality and non-discrimination, the right to personal liberty, the right to freedom of expression, information, communication and access to information, the right to gather and associate, the right to active participation in the community and the right to public initiative. In Canada, the Canadian Charter of Rights and Freedoms is the framework that protects to right to freedom of opinion and expression, the rights of peaceful assembly and of association and the right to equality before and under the law.

5. In some instances, submissions point to the explicit mention of older persons and their protections in national Constitutions as relevant in recognising the right of older persons to participate in and contribute to sustainable development, including Brazil, Cameroon, Colombia, Kenya, the National Human Rights Institution of Rwanda and civil society from India, Germany, Japan and Uganda.
6. Countries with laws and policies on ageing and older persons identify them as key in promoting and protecting the human rights of older persons, including that of participation, such as noted by submissions from Angola, Belarus, Brazil, Cambodia, Chile, Colombia, Cuba, Dominican Republic, El Salvador, Kenya, Mauritius, Nigeria, Poland, Russia, Rwanda, Slovakia and the Human Rights Institutions from Guatemala and Philippines. For instance, Mexico states that one of the main principles of the law protecting the rights of older persons in the country is the principle of participation, which implies their inclusion in every aspect of public life as well as their opinions and intervention upon the areas of their interest. In Italy, despite the absence of a national reference framework on older persons, laws on active ageing that aim to mainstream the contribution of older persons in development and community life, exist in many regions. In its submission, Malta highlights the active involvement of older adults in developing policies, including for the current national political strategy for active ageing. As noted by several submissions from National Human Rights Institutions and civil society, the existence of legal or policy frameworks specific to older persons does not always translate into actual protection of their rights, including those under discussion, due to a lack of implementation or lack of financial support.
7. Anti-discrimination provisions and measures play an important role in the protection of the right to participate and contribute to sustainable development of older persons, according to several inputs. In addition to anti-discrimination clauses within national constitutions and policy frameworks on ageing, some countries identify specific legislation and institutions focused on the fight against discrimination as crucial. Some of these include the Commissioner for Protection of Equality in Serbia, the Protection Against Discrimination Act in Slovenia, the Age Discrimination Act in Australia, and the Equality Ombudsman in Sweden.
8. The multiple factors and determinants to the realisation of the right to participate in and contribute to sustainable development is reflected in the additional diverse policy and legal tools identified in the submission as enabling or promoting such right at the national level. Employment and labour legislation was brought up by Mauritius, while Armenia and Australia stressed provisions protecting employees against discrimination in the workplace, including in relation to age. Several countries, such as Angola, Brazil, Cameroon, Kenya, Nigeria and the National Human Rights Institutions from Nepal and Rwanda pointed to social security acts and other measures in the context of social protection. The International Labour Organization (ILO) notes that in many countries where legal provisions on the right to participate do not exist, there are generally legal provisions for older persons

who participate in labour markets. Since work is one of the main contributions of older workers to sustainable development, the provision of decent work for older persons is linked to their ability to participate in and contribute to sustainable development.

9. Other additional regulations and Governmental institutions that were identified in submissions as enabling the right to participation included those focused on collaboration with civil society, as noted by the Dominican Republic and Slovakia, or the “Access to information” act and “Privacy” act as highlighted by Canada. Angola identified a strategy for persons with disabilities as relevant to the right of older persons to participate in and contribute to sustainable development. Kenya, Mauritius and Serbia recognise the measures related to gender based and domestic violence as relevant. In the context of healthy ageing, health legislation and policies were brought up by Austria, Belarus, Kenya, Mauritius and Nigeria.
10. Mechanisms for the implementation of human rights at the national level were noted by several submissions. For example, in Serbia, the Government formed a Council in 2014 for monitoring the implementation of UN Human Rights Mechanisms, in charge of reviewing and monitoring the implementation of the recommendations of United Nations human rights treaty bodies and recommendations received under the Universal Period Review. In Australia, the Human Rights Act of 2011 allows for the compatibility of all new legislation with the rights and freedoms recognised in the seven-core international human rights treaties that the country has ratified.
11. Several inputs made reference to international human rights and development frameworks as relevant in the recognition of older persons’ right to participate in and contribute to sustainable development. These include the United Nations Charter (El Salvador), the Universal Declaration of Human Rights (Angola, Belarus, El Salvador), the International Covenant on Civil and Political Rights (Angola, Belarus, El Salvador and Germany), the Convention on the Elimination of All Forms of Discrimination against Women (Germany), the Convention on the Rights of Persons with Disabilities (Germany) and the Declaration on the Right to Development (National Human Rights Institution of El Salvador).
12. In terms of international and intergovernmental development frameworks, two were highlighted in the context of the right to participate in and contribute to sustainable development for older persons. The relevance of the Madrid Plan of Action on Ageing was noted by Austria, Belarus, El Salvador and France. Several submissions referenced institutions and policies established at the national level with the goal of aligning national policies to international frameworks on sustainable development. These include national development plans in the Dominican Republic, Germany, Kenya, Nigeria, Slovenia, Turkey, and civil society in Uganda, and National Councils or Commissions on Sustainable Development, identified by the National Human Rights Institutions of Croatia and Finland. For instance, in 2015, the Republic of Serbia established a ministerial

working group for the implementation of the 2030 Agenda for Sustainable Development. In 2021 Canada launched “Moving Forward Together: Canada’s 2030 Agenda National Strategy” that focuses on inclusive and collaborative partnerships, including to address challenges faced by marginalised groups and those living in vulnerable situations, such as older persons. The relevance of submissions to the voluntary national reviews to the High-Level Political Forum on the implementation of the Sustainable Development Goals (SDGs) were brought up by Cuba and Malta.

13. Submissions stressed the importance of regional frameworks and legal provisions in the protection and implementation of this right as well. Countries in the Latin American region identified the Interamerican Convention on the Protection of Human Rights of Older Persons (Argentina, El Salvador). In the European context, Belarus and the Economic Commission for Europe brought up the Lisbon Ministerial Declaration “A sustainable society for all ages, realising the potential of living longer”. France, Germany, Serbia and civil society from the European region also noted the importance of regulation from the European Union, as well as the role played by the United Nations Economic Commission of Europe Regional Civil Society Engagement Mechanisms aimed to enable stronger constituency coordination and ensure that voices are heard in all stages of follow up and review of the Sustainable Development Goals (SDGs) implementation. Angola and the National Human Rights Institution in Rwanda highlighted the African Charter on Human and Peoples Rights, while Angola and Kenya mentioned in particular its Older Persons Protocol.
14. Several inputs provided examples on how legal provisions and policy frameworks recognise the right of older persons to participate in and contribute to sustainable development. In Mauritius, “The Protection of Elderly Persons Act” puts in place a legal and administrative framework to ensure that greater protection and assistance are available to older persons, with a section providing for the establishment of an “Elderly Watch” in every region. In Cuba, civil society organizations, including the Catedra del Adulto Mayor (Chair of Older Persons) systematically carry out awareness-raising activities on sustainable development. In Austria, a “Federal Senior Citizens’ Advisory Board” was set by the Government, promoting the established, continuing dialogue between political decision-makers and representatives of senior citizen’s organizations on senior-specific issues. In addition, there are senior citizens’ advisory councils in all federal states of Austria and in numerous municipals. Cambodia notes that the efficient implementation of the National Ageing Policy is achieved with the direct involvement of older persons through their associations in the country.
15. Other examples of the importance of measures taken by governments to promote the participation of older persons in sustainable development include that of Argentina, where institutions such as the National Social Security Administration has among its priorities the institutionalisation of concrete forms of participation and consultations of their beneficiaries through representatives. In Belarus, 140

councils of senior citizens have been created under local authorities in order to involve senior citizens in decision-making processes in all regions. In launching the pact for the implementation of the rights of older persons, Brazil strengthened municipal councils for the rights of older persons charged with promoting the human rights of this age group, by creating new councils and providing training to their councillors. In Slovenia, a Council for Active Ageing and International Cooperation was established for the implementation of its Active Ageing Strategy which counts with the participation of the largest pensioners' organization in the country. Pensioners' organizations as well as civil society representing and working with older persons in Serbia are represented in the "Council for Old Age and Ageing Affairs" and the "Council for improving International Cooperation and Solidarity", which provides them with an advisory role in shaping and implementing public policies.

16. In El Salvador, relevant governmental institutions carry out stakeholder discussion forums linked to older persons, with representation from civil society. In the same country, the National Human Rights Institution reports that older persons actively participated in the definition of the public policy related to older persons. In Germany, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, is engaged with federal states, national associations of local authorities, civil society and the research community regarding the potential establishment of integrated social space planning. The ministry works closely with the German National Association of Senior Citizens' organizations, which represents the interest of older generations in the country, especially with a view to sustainable policy development. Italy provides an example of a public consultation in the context of a project named "Multi-level Participatory National Coordination of Policies on Active Ageing 2019-2022" that aims to offer tools to policymakers for policy adjustments given the demographic reality of ageing in the country. As long ago as 1991 the Government of Sweden established a national pensioner committee that consists of six pensioner organizations that meet the responsible minister four times per year. As of 2021, almost 250 municipalities in Sweden had some form of council for older people and/or pensioners, or a welfare service council that included older people and their issues.
17. Volunteerism was identified by several submissions as a key aspect on how older people exercise their right to participate. As noted by civil society, volunteering keeps older people connected to their local community as well as aiding the sustainable development of their community and/or country. In Austria, where voluntary work is very common, volunteering has been proven to contribute to social participation. In the country, the highest participation rate (57 per cent) in voluntary commitment is in the 60 to 69 age group. Turkey notes that the number of civil society organizations representing older persons has increased in the country in recent years, which contributes to the interest and awareness of the society about ageing issues. Civil society from Denmark, Japan, Mauritius and Russia stressed the important role that non-governmental organizations play in promoting the rights of older persons in their countries and their participation.

18. In their submissions, some countries also touched upon the need to build capacities among older persons to enable their more active contributions to sustainable development. As noted by Germany, social participation and contributions to sustainable development are increasingly shaped by the digitalization of all spheres of life. The government, in collaboration with civil society, launched in 2021 the “Digital Pact for Old Age”, designed as a long-term initiative with the goal of promoting a wide range of measures to strengthen digital participation in a cooperative and cross-sectoral manner. Austria also highlights its ongoing efforts and measures to improve digital media literacy among older people.

2. Challenges regarding the realisation of the right to contribute to sustainable development

19. Improved longevity provides persons with the opportunity to participate in society and engage in their communities for longer. Yet, older persons face unique challenges in realising their right to contribute to sustainable development, both at the national and international levels. Inputs from all stakeholders have identified multiple challenges facing older persons in that regard, including ageism, poverty, non-communicable diseases and the COVID-19 pandemic, harmful sociocultural practices and elder abuse, neglect, isolation and loneliness, lack of participation, property disputes and disinheritance, intergenerational gaps, unemployment, insecurity and fraud, systemic discrimination and exclusion, low literacy levels, lack of accessibility to digital technologies, mental health and wellbeing, lack of accessibility to social amenities and infrastructure, the burden of care as care providers, acquired disability, natural disasters, shocks and emergencies, as well as the difficulty in mobilising and organising groups and institutions capable of articulating concrete actions to promote public images of older persons that recognises their authority, productivity and other important contributions to sustainable development, both nationally and internationally.

The digital divide

20. Submissions from Austria, Canada and Serbia highlighted that despite recent progress in promoting the digital inclusion of older persons, their participation is still lower compared to that of other age groups, especially among persons over 75 years of age. The digital divide results in the power of technological and informational innovations distributed unevenly in society, with certain groups at an advantage while others are at a disadvantage, based on various factors such as geography, economic status, ethnicity and age, among others. For older persons, being left behind in the digital domain is a real and present risk. The increasing speed at which new technologies are being developed and implemented exacerbates current disadvantages. In this domain, ageism against older persons is compounded by the lack of representation of older persons in the technology industry. This means that the needs, ideas and perspectives of older persons are not included in

the process of designing hardware and software, which in turn creates biases in new designs.

Ageism

21. Submissions from Member States including Brazil, Colombia, Dominican Republic, El Salvador and Mexico highlighted ageism against older persons as a challenge to the realisation of their right to participate in and contribute to sustainable development. In order to eliminate all forms of discrimination against older persons, it is necessary to raise awareness among all sectors of private and public institutions, at the national and international levels. Often, institutional ageism is not recognised because the rules, norms and practices of the institutions are long-standing, have become ritualised and are seen as normal. While not always intentional, institutional ageism against older persons can legitimise their exclusion based on age and age-associated assumptions.
22. Brazil, Cameroon and Mexico noted that negative and misleading stereotypes about older persons may result in lower expectations about their abilities as compared to other age groups. Instead of being portrayed in ways that reflect their contributions, strengths and resourcefulness, older persons are viewed as unproductive and vulnerable. In some cases, they are considered as followers of witchcraft or wizards. Some reported experiences of interpersonal intergenerational relations point towards an increased disrespect of older persons in public places. Prejudice becomes discrimination when it impacts actions, practices or policies that are applied to older people on account of their perceived or real age and that imposes some form of disadvantage that does not allow older persons to reach their full potential. For instance, Brazil noted that in the context of public debates around environmental awareness, older persons were overlooked in the discussions and analysis since they are often not seen as autonomous human beings, endowed with rights and duties.
23. Respondents from Brazil and the Dominican Republic noted that while many federal and local Governments in their respective countries have programmes for the inclusion of older persons in the labour sphere, where employers have a preconceived notion that this age group is old-fashioned and out of touch with new ways and technology, the exclusion of older persons remains latent. On the other hand, the submission from Belarus stated that ageism is not widespread in the country. According to the results of a 2019 study entitled “Needs, interests and quality of life of the population of Belarus aged 55 years and older,” 72.3 per cent of people over the age of 55 were convinced that the rights of citizens of this age group in Belarus are fully or more likely to be respected.

Inadequate care and support services for older persons

24. As chronic health conditions and impairments become more prevalent with advancing age, access to health care and support services is critical to the continued contribution of older persons to sustainable development. Submissions from Cameroon and the Dominican Republic reported that many older persons lack access to satisfactory levels of quality health care and support services and are therefore limited in their economic, social, cultural and political participation. El Salvador also highlighted the shortage of qualified medical professionals specialising in gerontology and geriatrics to provide comprehensive and integrated health care services. The lack of appropriate and adequate provision of accessible nutrition and food for older persons was also addressed by some Member States. Difficulty in paying medical costs plays a determining role in the underutilisation of medical services and essential medicines by older persons, particularly in rural areas. Some respondents indicated that a substantial degree of family-based care that is provided by older persons in the home to their spouses, grandchildren and other family members, is unpaid and unsupported. Widows and older women without appropriate resources due to polygamy, weak family solidarity networks as well as AIDS-related illnesses and deaths in the community are most at risk of poverty, exclusion and marginalisation.

Economic inequalities in old age

25. Cameroon, Colombia and the Dominican Republic stated that many persons may face economic insecurity and vulnerability to poverty in old age. Such risks are more pronounced in developing countries, where the majority of the older population is not covered by formal social protection schemes. Older persons may choose or be forced to work beyond retirement age for different reasons. Responses from Member States indicated that one of the main barriers faced by older persons in employment is age-based discrimination, which manifests itself in the form of ageist individual, institutional, systemic or structural practices. The submission from the International Labour Organization (ILO) addressed mandatory retirement ages and stated that the age at which national legislations authorise people to go on retirement should be established in such a way as to allow older workers to make the most of their capacity to contribute to their societies' sustainable development, duly taking into account their actual working ability in older age and allowing them to progressively plan their transitions out of the labour market.

26. The submission from Cameroon, where youth unemployment rate is very high, stated that older persons find difficulties and face hostility when seeking employment opportunities. Respondents also noted inequality and discrimination on the basis of age in the provision of insurance and financial services for older persons. Submissions from civil society noted that age limits on bank loans and other financial services limit older people's financial autonomy and prevent them from starting or expanding their own businesses. This in turn exacerbates ageist assumptions of older people being a burden to their families and society. Civil society also pointed to prevailing and over-simplistic views concerning older persons among international development actors, for instance by labelling older

farmers as unproductive and unable to adopt new technologies and practices. According to the submission from the United Nations International Fund for Agricultural Development (IFAD), given that the majority of economically active older people in rural areas derive their primary income from agriculture, it is crucial to ensure that they have equal access to productive resources and support.

Inadequate access to knowledge, education and training

27. Inadequate access to lifelong learning systems and training opportunities for older persons can hamper their ability to continue working or find new employment, as many skills become obsolete in the rapidly changing labour market and the demand for skilling, reskilling and upskilling grows, as highlighted by Cameroon, Cyprus, and Italy. The submission from Kenya and Nigeria stated that low literacy levels among older persons poses a challenge to the realization of their right to contribute to sustainable development. The Czech Republic noted that a particular challenge faced by older persons at the international level is the language barrier. While many older people in the Czech Republic can speak English at the basic level, they have not developed the ability to read relevant materials in English, even those freely available on the Internet.

Inadequate housing and living environment

28. The lack of accessible, habitable, affordable and safe housing for older person was identified by many respondents, such as Cameroon and the Czech Republic, as a challenge to the realisation of the right of older persons to participate in and contribute to sustainable development. In many countries the built environment and adequate transportation are also a growing concern for older persons, including issues of accessibility and safety. The lack of barrier-free public spaces was also highlighted as a challenge. This includes walkways in urban areas that are in good repair and free of obstacles, traffic signals that allow enough time for older persons to cross streets safely, places to rest outdoors, and public buildings that are accessible to those with limited mobility.

Violence, neglect and abuse

29. Respondents from Angola, Cameroon and Colombia identified violence, neglect and abuse as emerging phenomena that take many forms including sexual, physical, psychological or financial, and that manifest in rejection, abandonment by family, witchcraft practice accusations most often accompanied by physical violence, dispossession of personal and real estate by younger members of their families and home assaults.

Inequality at the intersection of age, disability, gender and other factors

30. Submissions from Canada and Serbia examined the intersections of older age, disability rights and gender in the human rights-based approach to sustainable

development. Submissions from civil society also stated that many older people experience intersecting challenges related to discrimination, poverty, displacement, social isolation, violence and abuse, based on their age, gender, sexual orientation, ethnic background, religion, and disability, among other factors. For instance, older persons, especially those with disabilities, may have accessibility requirements that are not accounted for in decision-making spaces, whether online or offline. Older women may face both sexist and ageist stereotypes that hinder their participation. The submission from the International Organization for Migration (IOM) stated that while migration can be positive, not all migration occurs in conducive circumstances. Older migrants are often isolated from the rest of society due to their physical and linguistic limitations, economic status as well as their health condition. Digital exclusion, distance from support networks, as well as prejudices and ageist stereotypes, in addition to being discriminated against based on their origin, are some of the factors that undermine the social and psychological well-being of older migrants and prevent them from meaningfully participating in different facets of community life.

Inadequate participation in political life

31. Submissions from Cyprus and Malta noted that the main challenges faced by older persons for the realisation of their right to contribute to sustainable development seem to concern volunteering as well as political participation and citizenship. Many older people need a lot of encouragement to actively participate in society, especially in high-level political fora. In Slovakia, where legislative processes are conducted through electronic portals, low levels of computer literacy pose a challenge for older people to participate in public hearings or other forms of public participation mechanisms applicable in sustainable development matters. Submissions from human rights institutions and civil society also pointed out that Governments and other duty bearers do not sufficiently consider or value older people's contributions to sustainable development. Voices of older persons are not always heard due to a lack of adequate platforms for older people to express their voice, as well as a lack of convening spaces where older people can engage directly with decision-makers.

Social isolation and loneliness

32. Submissions from Kenya, Nigeria and Syria highlighted social isolation and loneliness among older people as challenges to realising their right to contribute to sustainable development. Social isolation and loneliness have serious consequences for the physical and mental health and longevity of older people.

Humanitarian emergencies

33. Submissions from Kenya and El Salvador pointed out that the marginalisation and exclusion experienced by many older persons is exacerbated during natural disasters, shocks and emergencies. Submissions from human rights institutions and

civil society also highlighted the lack of consideration for older people in humanitarian responses to emergency and/or conflict. For instance, in many cases older persons were neither heard nor taken into account in discussions around emergency measures and local practices adopted throughout the coronavirus disease (COVID-19) pandemic, which directly affected older persons.

3. Available data and research

34. A number of submissions revealed a data gap regarding older persons' contribution to sustainable development. Out of a total of 53 Sustainable Development Goal indicators identified as important to older persons across the 17 Goals, age-disaggregated data is currently not reported for 38 of those indicators. This presents a challenge to adequately capture data on both the economic and non-economic contributions of older persons which, as a consequence, remain hidden.
35. Age disaggregation, and disaggregation that captures the intersections of age, sex, disability, location and other characteristics, are critical. A recent HelpAge International study on disaggregation of Sustainable Development Goal indicators on older people confirms the existence of data gaps and ageist biases. For instance, limitations of household surveys including age caps, gaps in coverage and limited information on intrahousehold dynamics, as well as the subsequent production of statistics including highly aggregated analysis and unavailable micro-data, result in the invisibility of older persons' experiences.
36. The impact of population ageing is already visible in labour force participation trends. Data shows that the increase in the workforce participation of workers aged 55 years and over will persist, despite a decline in the overall global labour force participation rate in the next decades. Yet, commonly used metrics that rely on chronological age alone are often a poor proxy for the level of work and dependency experienced by older persons. For instance, the commonly used definition of "working-age population" continues to be limited to those aged 15 to 64 years, thereby reinforcing the stereotype that people aged 65 years and over are economically inactive, dependent, and frail. In addition, not all persons in the traditional working ages are active in the labour force and some are economically dependent. Improvements in statistical systems are urgently needed to provide a more nuanced understanding of diverse forms of participation and older people's current and potential contribution to sustainable development.
37. Submissions also stressed the need to advance research, collection and analysis of age and gender-sensitive data in order to provide essential evidence for effective policies and legislation, particularly in developing countries.

B. Equality and non-discrimination

38. Equality and non-discrimination are fundamental principles of human rights law. They provide the guarantee that individuals should not be subject to differential

treatment on the basis of an individual or group characteristic, including old age. Respondents provided information on measures taken to eliminate ageism, ageist stereotypes, prejudices and behaviours that devalue older persons' contribution to sustainable development. Several submissions outlined public policies and action plans, as well as mechanisms for collaboration among line ministries, local governments and partner organizations in response to the elimination of discrimination against older persons. For instance, Australia launched a National Plan to Respond to the Abuse of Older Australians (2019-2023), providing a framework for coordinated action across all jurisdictions in the country.

39. Frequently identified by respondents are laws on equal treatment and protection against discrimination and discriminatory practices, human rights legislation, ombudsman or tribunals established under the legislation as means of enforcing human rights, and national constitutions, as highlighted in section II.A.1 of this report. In Austria, the Equal Treatment Ombudsman sees cases of discrimination when accessing goods and services such as loans, car rentals, housing allocation, medical care and private health insurance as a discrimination within the Equal Treatment Act, since there is a ban on discrimination with regard to gender and ethnicity. In the case of discrimination based on advanced age, intersectional discrimination (for instance with disability or chronic illness) as well as indirect discrimination (such as different ticket prices at the counter compared with those sold online, considering the increase in the digitalisation of services) are highlighted.
40. Submissions from Member States shared examples of convening spaces for older people to engage directly with decision-makers. For instance, in Argentina, the Retirees and Pensioners Consultative Body is comprised of representatives from federations of retirees and pensioners, becoming the first platform for citizen participation in a state agency. Canada referred to the United Nations Decade of Healthy Ageing (2021-2030), highlighting programmes and projects to ensure a meaningful engagement of older persons along with their families, care providers and communities throughout the Decade.
41. Many respondents described measures to raise awareness on past and present contributions of older persons, aiming to counteract preconceived biases and promote images that recognise the strengths, contributions and resourcefulness of older persons and that highlight the diverse lifestyles of older people and change perceptions about life in old age.
42. Submissions from civil society stated that while Governments adopt measures to fight discrimination on the ground of age, the policy implications are not thoroughly developed, as illustrated by the absence of national plans or strategies on ageism. Several respondents from national human rights institutions and civil society noted that most legal frameworks, when they exist, are limited to the equal treatment directive in the field of employment.

C. Remedies and redress

43. Respondents reported that mechanisms targeted for older persons to lodge complaints and seek redress exist primarily through established administrative and judicial procedures such as human rights commissions, the office of the ombudsperson, customary courts and tribunals, designed in conjunction with national constitutions, legislations, strategies, policies and plans. While the right to participate in and contribute to sustainable development by older persons is rarely denied, it is considered on an equal footing with other fundamental human rights often under the overarching non-discriminatory laws and legislature.
44. In some cases, gerontology or pensioners associations participate in mediation committees or lodge their grievances and complaints through various means such as hotlines, petition to parliaments and lobbying, while some governments provide free legal aid on a pro-bono basis, as well as access to information desks and complaints procedures manuals. In many instances, mechanisms for remedies and redress are rerouted to institutions which work closely with government ministries and civil society organizations, with the latter often providing mediation and alternative dispute resolution mechanisms.
45. While there is some progress in protecting the right of older persons to contribute to sustainable development, there are gaps in terms of explicit provisions in domestic legal guarantees that safeguard older persons to effectively contribute to sustainable development in cases where there is a violation of this right. In many instances, procedures for compensation, reparation or restitution for wrongdoing remain sketchy for this age group in terms of guaranteeing older person's participation and contribution to sustainable development.
46. Some entities designed for remedies and redress are part of the government. Consequentially, the institutions are devoid of the necessary power to adjudicate or investigate complaints in a transparent, impartial and independent basis. This also impinge on their ability to establish effective implementation, monitoring and accountability measures to hold governments accountable and to ensure that older persons contribute effectively to sustainable development without fear of retribution.

Possible consideration of normative elements

47. This working document has focused on substantive elements put forward in submissions made to the twelfth session of the open-ended working group in the area of contribution of older persons to sustainable development by Member States, national human rights institutions, non-governmental organizations and the United

Nations system agencies and bodies, as noted at the beginning of this document. The open-ended working group may wish to consider discussing normative elements related to this specific right in its thirteenth session, to be held in 2023.