



Mission to Elderlies Foundation Nigeria; Responses to UN OEWSGA Questions on Identification of Possible Gaps in the Protection of the Human Rights of Older Persons And How Best to Address Them

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Introduction

Taking into account the purpose of this questionnaire (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), the first gap identified in the existing framework on human rights with respect to rights of older persons starts with article 2 of the Universal declaration of human rights (UDHR). [1] In which it was stated as thus, "Everyone is entitled to all the rights and freedoms set forth in this declaration, without distinction of any kind, such as *race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.*" Failure to highlight 'age' as a distinction of any kind buttresses the point being made by all advocates for rights of older persons, that older persons were not contained in the fulcrum amidst development of the existing conventions and declarations of human rights. While UDHR speaks generally to all human beings, the International Covenant on Economic, Social and Cultural Rights [2] speaks generally to right of men and women to the enjoyment of all economic, social and cultural rights. On the other hand, Convention on the Rights of Persons with Disabilities speaks to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities.[3] Therefore, none of these covenants/conventions speak to older persons. Thus, if the international state parties thought it wise to specifically have conventions that protect the rights of vulnerable population like people with disabilities, women (Convention on the Elimination of All Forms of Discrimination against Women) [4] and children (Convention on the Rights of the Child), [5] the only other vulnerable group left behind is the older persons. Moreover, the presence of a UN Principles for older persons [6] should supplement and not replace the convention on rights of older persons. Furtherance to this, if the African Union in 2016 dared to take actions to provide a Protocol to the African charter on human and peoples' rights on the rights of older persons in Africa, [7] and the Organization of American States (OAS) in 2015 approved the Inter-American Convention on the Rights of Older Persons, [8] the world through

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the United Nations ought to emulate same actions; to identify the gaps in rights of older persons and to take actions to produce the convention on rights of older persons now!

[Mission to Elderlies Foundation Nigeria](#) (an international member of Global Alliance for Rights of Older Persons (GAROP) and national member of Coalition of Societies for Rights of Older Persons in Nigeria (COSROPIN)) is a Civil Society Organization that is taking actions to actualize the rights of older persons in Nigeria through advocacy, services, education, program, partnership, research and policy. To practically identify possible gaps in the protection of the human rights of older persons and how best to address them in the ongoing draft of the convention for rights of older persons, Mission to Elderlies Foundation, in addition to literature search, ensured older persons' inclusion in this draft. Thus the organization worked with 206 older persons (≥ 60 years) in three of its supported healthy aging clinics to elicit their responses on possible gaps in the protection of their human rights and how best to address them. This was done using an interviewer guided questionnaire mirrored to reflect the OEWGA questionnaire.

Responses to the gaps in the protection of the human rights of older persons and how best to address them are thus broken down into International gaps, Regional/Africa gaps, National/Nigeria gaps, gaps identified by the organization, gaps identified by the older persons and Practical implementation strategy for the protection of each specific topic in human rights of older persons.

The Questions

Identification of gaps

For each of the topics that have been considered by the Open-ended Working Group since its eighth session, please state possible gaps your Government/organization has identified in the normative framework and practical implementation for the protection of the human rights of older persons.

Responses

a. Equality and non-discrimination

International gap

A normative gap exists where persistent acts and circumstances, depriving a people of their dignity, are not provided for in existing human rights law. [9] There is a persistent act of inequality on access to opportunities based on age. For example, access to financial loans and

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repayment structure reduces with age >55 years. [10] And though there is reported discrimination among older persons with regards to access to job/labor, the international Covenant on Economic, Social and Cultural Rights [2] does not recognize this increased gap among older persons. Therefore no known article in the existing international human right conventions addresses right to equality and non-discrimination among older persons.

Regional/African gap

With the increasing number of older persons in Africa– already 74 million in 2020 – projected to near triple to 216 million by 2050, [11] African Union (AU) did well to have developed Protocol to the African charter on human and peoples’ rights on the rights of older persons (aka African protocol on rights of older persons). [8] However, out of the 55 AU countries, only 20 have signed and just 13 have ratified and deposited the treaty. This means that 8 years after the good initiative of this treaty, within which equality and non discrimination of older persons would have been addressed; the treaty is yet to be adopted by the African countries. Therefore, the gap in equality and discrimination among older persons persists without a document to guide otherwise.

National/Nigeria gap

In Nigeria, the National Senior Citizen Center (NSCC), [12] under the Federal Ministry of Humanitarian Affairs and Poverty Alleviation (FMHA), [13] is responsible for all policies and actions on rights of older persons in Nigeria. The NSCC established in 2021 under the National Senior Citizen Act of 2017 has worked with FMHA to publish a number of policy documents such as National Policy on Aging [14] over the past years. However, though the National Policy on Aging recognizes the challenges of equality and discrimination of older persons (in which it sighted that older persons are denied equal access to employment opportunities and are discriminately victims of retrenchments and reorganizations), none of the policies addresses stepwise actions being taken to ensure equality and non discrimination of older persons.

Gaps identified by the organization

Mission to Elderlies foundation in its eight years of taking actions on rights of older persons has identified the gaps in achieving equality and non-discrimination among older persons. For instance, on trying to link older persons to small and medium scale enterprises, a road block is met when beneficiary’s age is listed as a retiree. Without a convention that explicitly addresses such inequality as abuse of right of older persons, it becomes difficult to put up a defense in favor of the older persons without such legal document.

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Gaps identified by the older persons

Among the 206 older persons who contributed to responses, 201 agreed that aging increases chance of inequality and discrimination while 108 agrees to have experienced a sense of discrimination based on their age just before and after retirement. Out of which 104 didn't take any actions to assert for their right to equality and non discrimination. None of the participants are aware of presence or absence of a convention on rights of older persons but all believe a convention on rights of older persons is needed to protect their right to equality and non-discrimination

Practical implementation strategy for the protection of the human rights of older persons to equality and non-discrimination

All of the older persons interviewed agreed that having a convention on rights of older persons is needed to protect their right to equality and non-discrimination. Therefore, at national, continental and international levels, policy/protocol/convention on rights of older persons that addresses right to equality and non discrimination of older persons is needed as a legal tool that will enable civil society organizations like Mission to Elderlies Foundation Nigeria advocate for and protect the rights of older persons to equality and non discrimination.

b. Violence, neglect and abuse

International gap

It is internationally recognized that violence and abuse against older persons is a global phenomenon as it takes many different forms and occurs in all types of settings, including within families and in homes, the workplace, care institutions, public spaces, the media, cyberspace, and emergency settings.[15] Although violence and abuse are meted to vulnerable persons like the older persons, but unlike other vulnerable groups like women, children and persons living with disabilities who have conventions protecting their rights against violence and abuse, older persons do not have same.

Regional/Africa gap

In recognition of existing cases of violence and abuse against older persons in Africa, the African Protocol on rights of older persons in article 8 stated that "all state parties shall prohibit and criminalize harmful traditional practices targeted at Older Persons; and shall take all necessary measures to eliminate harmful traditional practices including witchcraft accusations, which

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affect the welfare, health, life and dignity of Older Persons, particularly Older women.” [9] Despite the above law, lack of signing, ratifying and deposition of this protocol still stalls the action against violence and abuse of older persons.

National/Nigeria gap

The Nigeria National Policy on Aging recognizes that the absence of a specific law dedicated to a comprehensive protection for older persons against violence and abuse is a major systemic gap, noting that current evidence suggests that 1 in 6 older people experience elder abuse. [14] The policy has strategized that the government shall sign, ratify and domesticate the protocol to the African Charter on Human and People’s rights relating to the rights of older persons against violence and abuse. In addition, make provision for specific and direct legal assistance to older persons to claim their rights and enact legislation which penalizes family members, the community or others who abuse older persons. While Nigeria is in the end stage of deposition of the African Protocol on rights of older persons, the FMHA and NSCC are actively working with other government agencies like Federal Ministry of Women Affairs and Social Development and the National Agency for Protection against Trafficking in Persons (NAPTIP) to bring justice and protection to older persons against violence and abuse.

Gaps identified by the organization

Mission to Elderlies Foundation while working with legal agencies to resolve cases of violence and abuse against older persons, especially older women, identified the gap in protection of older persons against violence and abuse. Though policy documents [14] made provision for specific and direct legal assistance to older persons to claim their rights, the legal agency responsible for domesticating this strategy is not mentioned. Thus, except for the legal support and linkages provided by the organization, the needed government funded legal assistance is not accessed by the older persons. While the organization conducts community awareness creation on combating elder abuse, gap in knowledge on practices connoting violence and abuse against older persons seem vague among the communities. For instance, an older man on wheel chair was sighted begging his son to roll him away from the chilling breeze of a fan. But the son was seen raising his voice at the father in complaint of his incessant disturbance. To have done so in presence of onlookers without a grudge showed his ignorance that such act of negligence is an abuse. A correction of this act by the organization was however accepted and adopted by the young man and other onlookers. Convention on rights of older persons specifying acts of violence, abuse or neglect will also serve as a document for community

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education on what constitute violence and abuse and how to protect older persons against violence and abuse.

Gaps identified by the older persons

While 109 older persons agree that older persons experience cases of violence and abuse, only 37 reported experience of a case of violence and/or abuse. Majority (18) were among family members. Verbal abuse and financial abuse were the highest form of abuse 9 and 6 respectively. Out of 37 who have experience abuse, only 27 took action against it by reporting to other family members and to the organization. 196 older persons are not aware of policies/protocols that protect rights of older persons against violence and abuse showing gap in information. And all agree to need for a convention to protect older persons against violence and abuse.

Practical implementation strategy for the protection of the human rights of older persons on violence and abuse

If findings show that out of 206 older persons interviewed, 196 of them are not aware of policies/protocols that protect rights of older persons against violence and abuse, then there is gap in knowledge of existing policies and laws among older persons. This concurs with the issues and strategies identified by Nigeria National Policy on Aging [14] that older persons are unaware of the opportunities provided by the laws to enforce their rights when they are violated or abused. Education through community mobilization and media is critical. Also, assigning and circulating a toll free line to report cases of violence and abuse for older persons is required. International convention and regional protocols on how to prevent and protect older persons against violence and abuse is need.

c. Long-term care and palliative care

International gap

According to WHO, [16] Long-term care are the activities undertaken by others in order to ensure that people with, or at risk of, a significant ongoing loss of intrinsic capacity can maintain a level of functional ability consistent with their basic rights, fundamental freedoms and human dignity. There is need for government strategic interventions as prescribed by the WHO. In another UN published document, Long term care (LTC) is generally defined as the care of an elder or individual with a disability who requires on-going assistance with activities of

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daily living. [17] Though the WHO Global Strategy and Action Plan on Ageing and Health and the WHO-led United Nations Decade of Healthy Ageing (2021–2030), recognizes access to long-term care for older people who need it, as one of its four action areas, [16] practically, the absence of an international convention on rights of older persons makes LTC near inexistence as a right.

Regional/Africa gap

In the Africa Protocol on right of older persons, it was taken into consideration the virtues of African traditions, values and practices which should inspire and characterize the provision of mutual social and communal care and support for older persons within the family unit. [7] In line with the African tradition of proving LTC and palliative care within the family unit, article 10 on care and support and article 11 on residential care addresses long term care and palliative care needs of older persons. Article 10 stated that “state parties shall adopt policies and legislation that provide incentives to family members who provide home care for Older Persons; and identify, promote and strengthen traditional support systems to enhance the ability of families and communities to care for older family members.” Then article 11 on the other hand stated that state parties shall enact or review existing legislation to ensure that residential care is optional and affordable for Older Persons; Ensure that Older Persons in residential care facilities are provided with care that meets the National Minimum Standards provided that such standards comply with regional and international Standards; and Ensure that Older Persons in palliative care receive adequate care and pain management medication. With the issue on long term care and palliative care covered in African protocol on rights of older persons, its adoption and domestication by member states is hoped to protect the rights of older persons to receive needed long term care and palliative care; at home or in institution.

National/Nigeria gap

With about 10 million older persons living in Nigeria and the increasing incidence and burden of non-communicable diseases including Alzheimer’s among older persons, older persons’ need for long-term care is growing. [14] Nigeria being a signatory to the African protocol on rights of older persons has domesticated the right to long term care and palliative care for older persons in its National Policy on Aging (NPA). [14] Therefore, the Policy strategizes to Create and enable age-friendly health infrastructure, and provision of quality long term care system through clinical care and integrated care for the older persons. However, the practical implementation



which should give access to older persons to LTC and subsidized palliative care remains only in view.

Gaps identified by the organization

While working among older persons, Mission to Elderlies Foundation has experienced the gap in supporting older persons and their caregivers in Nigeria for long term care and palliative care. Studies conducted by the organization show that there are low levels of accessibility and affordability of long term care among older persons with chronic and co-morbid conditions. Despite the increasing need, the organization is only able to support a proportion of older persons in need of long term care through trained and paid community volunteers who conducts home visits to support older persons on long term care and their (family) caregivers. Absence of a convention on rights of older persons speaking to right to long term care and palliative care means the organization is still not able to work with a binding document that can facilitate its access to materials and funds needed to program for more older persons in need of long term and palliative care

Gaps identified by the older persons

All 206 older persons interviewed agreed to having need of support with care and services at some point but 168 reported having need of long term care and/or palliative care due to chronic conditions. However, only 41 perceive they are getting quality long term care as needed. 80 persons attribute perception of not getting quality long term care/palliative care to lack of affordability of medications and services. All of the older persons want to have a convention that promotes the right of persons to access long term and palliative care when needed.

Practical implementation strategy for the protection of the human rights of older persons to long term care and palliative care

Practical strategy should first include development and adoption of international convention on right of older persons which protects reasonable access to affordable and quality long term care and palliative care. Secondly, all countries should domesticate this right through its policies and support implementation through budgeting and funding of programs that support institutions, communities and families providing long term care and palliative care for older persons. And thirdly, the UN should develop training curriculum and partner with organizations

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and governments to train and support formal and informal service providers to provide long term and palliative care for older persons.

d. Autonomy and independence

International gap

There are reported evidence of violation of right to autonomy and independence among older persons. [18] However, though right to autonomy and independence is critical to existence and mental health of older persons, no international law expresses older persons' right to autonomy and independence. In the UN Convention on the Rights of Persons with Disabilities (UN-CRPD) one of the principles of the convention as contained in article 3 is respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons. Though article 9 and 12 UN-CRPD in particular illustrate that autonomy is indivisibly intertwined with human dignity and the rule of equality, [19] only older persons with disabilities can assert their rights under the UN-CRPD. This gap needs to be bridged under the convention on rights of older persons, to protect the autonomy, independence and dignity of all older persons globally.

Regional/Africa gap

Article 5 of the African Protocol on rights of older persons describes the responsibilities of state parties to ensure that appropriate legislation exists that recognizes the rights of Older Persons to make decisions regarding their own well-being without undue interference from any person or entity. [7] Therefore, domesticating this right in African countries would address the violation of right to autonomy and independence among older persons in Africa.

National/Nigeria gap

Despite Nigeria being a signatory to African protocol on rights of older persons that promotes action to protect rights to autonomy and independence of older persons, Nigeria Policy on Aging unfortunately omitted strategies to ensure the right to autonomy and independence among older persons are protected. [14]

Gaps identified by the organization

In the course of program implementation by Mission to Elderlies Foundation across communities in Nigeria, it has been observed that right to autonomy and independence for older persons stops where their ability to carry out activities of daily living (ADL) stops. This

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worsens in presence of signs of dementia. From thence, decisions are made by families and care providers on behalf of the older persons. The violation of older people's right to autonomy, independence and to make decisions increase sense of loss of power, anxiety, hopelessness and depression. International convention that addresses this right will provide a working document to guide investigation, advocacy and education on protecting the right to autonomy and independence of older persons.

Gaps identified by the older persons

Out of 206 older persons that responded to their perception on their ability to make their decision, 202 believe they have the ability to make their decisions. However, the number reduces when asked if they are allowed to have autonomy and control of all their decisions - 92 agrees that they have full autonomy and control their preferred choices, 102 feels they don't have autonomy and control of their decisions while 8 prefers not to say. All respondents agree that older person's right to autonomy and independence should be protected by law, except when assistance is needed.

Practical implementation strategy for the protection of the human rights of older persons to autonomy and independence

Protection of older person's right to autonomy and independence should start with availability of international and national legal convention and policy on rights of older persons in which right to autonomy and independence for older persons and strategies to achieve same are addressed. Responsible government agencies (such as ministries of humanitarian affairs and senior citizen centers) and non-governmental organizations/civil society organizations should take responsibility of educating communities on right of older persons to autonomy and independence. In addition, legal actions should be spelt in policies and strategic plans to address and protect rights of older persons to autonomy and independence.

e. Social Security and Social Protection

International gap

The Universal Declaration of Human rights in article 22 stated that "everyone, as a member of society, has the right to social security" while article 25 states that "everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security

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in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.” [1] On the other hand, the International Covenant on Economic, Social and Cultural Rights recognizes in article 9 the right of everyone to social security, including social insurance. [2] Though the conventions generalize this for everyone, social security and social protection is very much needed in old age due to retirement and increasing need for healthcare. However the right to social security and social protection are experience better in high income countries and not in low and middle income countries. Having a convention to protect this right for older persons will hold all countries accountable to act at least within the barest available resources.

Regional/Africa gap

The Africa Protocol on rights of older persons made recommendation to state parties to develop policies and legislation that ensure that older persons who retire from their employment are provided with adequate pensions and other forms of social security and to ensure that universal social protection mechanisms exist to provide income security for those Older persons who did not have the opportunity to contribute to any social security provisions. [7] However, findings show that this recommendation is yet to take effect in African countries as social security policies for older persons in most African countries are yet to be formulated – except for pension scheme that cover few ones that worked in formal sector- with almost all mainstream poverty reduction policies failing to consider older people but instead focusing almost exclusively on women/widows, children and youth. [20, 21, 22] But even when some countries have policies focused on older persons, the lack of coordination between government agencies along with insufficient budgets make implementation of those policies a challenge. [22]

National/Nigeria gap

Nigeria, which has the largest older population in Sub-Saharan Africa, do not yet have a functional program –including free health insurance and social security policies- that is focused on older people. Though National Policy on Aging cited that the National Social Protection Policy (2017) supports that older people should live their later year in old age with dignity, [14] other than reiterating that the family remains the main and most appropriate form of support for older persons, no plan exist in the policy that identifies concrete social security and social protection programs available for older person which would otherwise guide advocacy and



access. Only access to pension for the few older persons that retired in the formal sector is the functional social security known in Nigeria.

Gaps identified by the organization

The organization identified and through advocacy accessed basic healthcare fund (meant for vulnerable population) for older persons. However, this covered only 1% of older person's population as focus is on women and children. On the other hand, pension is available only for the few who retired from formal setting. Where available, access to the pension comes with undue physical and mental exhaustion from meeting the long list of requirements and incessant documentation. All other older persons who were not in the formal sector (forming the majority) at retirement have no other form of social security and social protection. On advocacy to National Senior Citizen Center and National Health Insurance Agency to access social security like free health insurance coverage for older persons, the organization identified that national budgets for older persons are almost insignificant. Therefore the concept of "all man for himself" is seen among older persons who continue to have a desperate need for social security and protection in old age. The organization therefore continues to adopt the recommendation in the National policy on aging; "to facilitate and strengthen traditional rural and community support mechanisms" as strategy to provide social security for older persons. Thus, the organization partners with community philanthropists to pay for insurance coverage through its 'operation sponsor an elderly' program.

Gaps identified by the older persons

Only 11 of the 206 have accessed the social security of free basic healthcare insurance coverage meant for vulnerable population while 21 are pensioners having retired from formal sector. None of the respondents are aware of availability of social security or protection program for older persons. All respondents agree on need for conventions and policies that identifies and supports right of older persons to social security and social protection.

Practical implementation strategy for the protection of the human rights of older persons to social security and social protection

The gap in right to social security and social protection for older persons at all levels is very evident. Provision of convention that recognizes this right and identifies strategies to address it is a step to its actualization among member states. In addition, empowering agencies and CSOs

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to conduct advocacy to ensure inclusion and implementation of social security and protection programs for older persons through national budget and international funding opportunities is a strategy to walking the talk.

f. Education, training, lifelong learning and capacity-building

International gap

The UN principle of older persons recognizes the need for older persons to have access to educational resources, [5] and the Universal declaration on human right on the other hand has a minimal provision on right to education as it relates to older persons, where it states that “everyone has the right to education” in article 26. [1] It however ruled out bases for advocating rights of older persons to education, training and lifelong learning and capacity-building when it added that “technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit”. This clause on merit could rather raise an argument if old age meets the “merit’ criteria. On the other hand, International Covenant on Economic, Social and Cultural Rights recognizes the right of everyone to education [2] but all other statements are focused on education and learning for children and not for older persons. Convention that recognizes the right of older persons to Education, training, lifelong learning and capacity-building is needed.

Regional/Africa gap

The Africa Protocol on rights of older persons states that “state parties should provide opportunities for older persons to have access to education and acquire Information and communication technology (ICT) skills”. [7] Adoption of this treaty is expected to address gap in actualization of right of older persons to Education, training, lifelong learning and capacity-building

National/Nigeria gap

Education and training programs including ICT in some cases have limitations that prevent the participation of older persons and thereby limit access to new employment and other opportunities. [14] Therefore the National Policy on Aging aims to strengthen and extend adult education programs to ensure that they are inclusive of the needs of older persons and to revise curricular on adult education to consider older persons abilities, capabilities and mental alertness. Though this is a policy strategy, action is yet to be seen to this regard.

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Gaps identified by the organization

The organization is yet to identify government led platforms that provide education and training for older persons. Thus the organization working with Coalition of Societies for Rights of Older persons in Nigeria (COSROPIN) conducts training for older persons in ICT skill and translates education awareness materials into local languages for older persons. The organization through its supported healthy aging clinic and caregivers' forum provides health education, psychosocial counseling and financial literacy training to older persons and their caregivers, using National Institute on Aging (NIA) education materials.

Gaps identified by the older persons

While none of the 206 older persons interviewed have accessed a government education and training program, 195 have participated in at least one of the health education, psychosocial education, ICT skill and financial literacy training provided by the organization through its healthy aging program. 201 of the older persons agreed to need to continuous engagement of older persons in education and training program to be contained in the international convention.

Practical implementation strategy for the protection of the human rights of older persons to education, training, lifelong learning and capacity-building

Availability of convention on rights of older persons that addresses older people's right to Education, training, lifelong learning and capacity-building is needed. Also, partnership and funding opportunities should be made available internationally and nationally, which will support community based education and training program for older persons to keep them informed and integrated into trends and society.

g. Right to Work and Access to the Labor Market

International gap

Older persons are among the poorest in most societies due to lack of access to regular income associated with retirement. They are denied access to employment opportunities as result of their age and are considered in forefront for retrenchments and compulsory retirement. International laws recognize the right to work and access to labour market under the universal human right (article 23), [1] international covenant on economic, social and cultural rights (article 6 and 7) [2] and International convention on rights of persons with disability (article 26).

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[3] However, none acknowledges the specific challenges experienced by older persons in remaining in work or to have equal access to the labour market due to compulsory retirement age. Violation of right to work and access to the labor market is one of the commonest experiences of violation of right to equality and non-discrimination of older persons. Though the UN principle of older persons in its principle of independence recommends that older persons should have the opportunity to work or to have access to other income-generating opportunities, [5] an international convention that protects the rights of older persons to work and access to the labour market is critical as foundation for redress in time of violation.

Regional/Africa gap

The Africa Protocol of rights of older persons made provision for protecting the right to work and access to labour market for older persons in article 6 (States Parties shall take measures to eliminate work place discrimination against Older Persons with regard to access to employment taking into consideration occupational requirements; and Ensure appropriate work opportunities for Older persons taking into account to their medical and physical abilities, skills and experience). [7] Domestication of this treaty is all that is expected.

National (Nigeria) gap

In Nigeria, older persons are generally perceived as lacking the vigor and capacity of youth to carry out activities and in a predominantly young population. With challenges of youth employment, engagement of older persons is perceived as lost opportunities for the younger generation. [14] To protect the rights of older persons to work and access to labour market, the National Policy on Aging in Nigeria aims to introduce flexible recruitment and retirement policies with appropriate strategies and opportunities to enable older persons to continue contributing to the work-force, as long as they are willing and able. However, though retirement age remains at 60-65 years, retirement age for professors has been raised to 70 years.

Gaps identified by the organization

Mission to Elderlies Foundation observed that linkage of old persons to small and medium scale enterprises (to continue their access to work) is usually unsuccessful due to their age. In addition, linkage of older persons to access an ongoing United Bank of Africa (UBA) Senior Citizens Loan, designed to support Pensioners within the age bracket of 50 – 75 years, [23] is



stalled due to a criteria of having a stipulated monthly pension amount which is below pension amount received by most pensioners. However, through its programs, the organization partners with funders and community philanthropists to provide financial literacy training for older persons and their caregiver. And based on criteria identified during household economic vulnerability assessment, older persons are supported to start up income generating activities with seed funds. This encourages access to work and relevance in labour markets of older persons.

Gaps identified by the older persons

Out of the 206 older persons interviewed, 72 still have access to work but informally in business, skillful enterprise or farming. 22 of the 206 older persons receive pension as retirees. The others who did not retire from formal sector have no access to any form of government work. 202 of the respondents are not aware that older persons have right to work and access to labor market. 197 agrees to need for retirement age to be voluntary not compulsory at >60 years. All agreed to need for rights to work and access to labor for older persons to be enshrined into law. And all agrees to need for financial social security and support for older persons as need for income increases with age due to increasing health care needs

Practical implementation strategy for the protection of the human rights of older persons to work and access to labor market

Use of international convention on right of older persons to address challenges faced in protection of rights of older persons to work and access to labor market needs is urgently needed. Retirement age especially for non physical work should be made voluntary and not compulsory at >60 years. This is in line with recommendation of the UN principle for older persons that older persons should be able to participate in determining when and at what pace withdrawal from the labor force takes place. [5] In addition, government and NGO work/job opportunities should have slots for older persons to fill, thereby removing their need for competition with younger persons. For instance, making room for the older persons to use their experiences and skills to train younger and newer employees, can facilitate the retention and inclusion of older persons in the workforce.



h. Access to justice

International gap

UN Principles for older persons states that older persons should have access to social and legal services to enhance their autonomy, protection and care. [5] Whereas the protection of right of access to justice for everyone is stated in article 7 and 8 of Universal declaration of human rights, [1] and right to access to justice for persons with disability is seen in article 13 of the International convention on rights of persons with disability [3] no international law specifies the right to access to justice by older persons, thus the need for the international convention on right of older persons.

Regional/African gap

Provision for access to justice and protection under the law is made for older persons in the African Protocol on rights of older persons in article 4 in which it is stated that "state parties shall develop and review existing legislation to ensure that Older Persons receive equal treatment and protection and to ensure the provision of legal assistance to Older Persons in order to protect their rights." [7] Having made this provision, domesticating of this treaty is thus needed for actualization of right to access to justice for older persons.

National/Nigeria gap

Adopting the recommendation of Africa protocol on rights of older persons with regards to justice, Nigeria National Policy on Aging (NPA) recognized need for strategic actions to ensure right of access to justice for older persons are protected under the policy. Thus among many strategies, the NPA's plan to "make provision for specific and direct legal assistance to older persons to claim their rights and to improve older persons' knowledge of their rights and access to legal services through public enlightenment and ensure communities and public sector understand the rights of older persons" [14] stands out.

Gaps identified by the organization

The organization observed that though direct legal assistance is not readily available for older persons, government bodies like the Federal ministry of women affairs and social development and the Federal ministry of humanitarian affairs, National senior citizens center, and National Agency for the Protection of Trafficking in Persons (NAPTIP) are actively supporting prosecution



and resolution of reported cases of abuse, violence, neglect and the likes. Therefore, CSOs like Mission to Elderlies foundation are able to get support from the government and other agencies to protect right to access to justice for older persons.

Gaps identified by the older persons

Among the 206 older persons interviewed, 37 have had cases needing access to justice, and out of 27 that reported the cases, all were addressed, actively referred and followed up for resolution. 76 however reported not aware of right to access to justice, thus education on availability of access to justice was provided on the spot. All participants agree on need for international convention that protects right of access to justice for older persons.

Practical implementation strategy for the protection of the human rights of older persons for access to justice

In addition to provision of international convention on rights of older persons which would specify access to justice for older persons, means of filling a law suit on violation of access to justice should be clear on the convention articles. International and national legal agencies should be encouraged to be enlisted to provide free or subsidized legal support or defense for older persons. Awareness and education programs and materials should be provided to help in sensitizing and educating older persons, service providers, caregivers and general population on rights to access to justice available for older persons and how to access them.

i. Contribution of Older Persons to Sustainable Development

International gap

Apart from the UN principles for older persons, (which stated that Older persons should remain integrated in society, participate actively in the formulation and implementation of policies that directly affect their well-being and share their knowledge and skills with younger generations), [5] no known international law addresses the right of older person to contribution of Older Persons to Sustainable Development.



Regions/African gap

The African protocol on right of older persons unfortunately omitted the right to Contribution of Older Persons to Sustainable Development. [7] Therefore international convention addressing this right is needed in Africa.

National/Nigeria gap

Also in Nigeria, no known law or policy addresses the right to Contribution of Older Persons to Sustainable Development thus need for this to be addressed in the international convention on right of older persons.

Gaps identified by the organization

The organization also identified the gap in right to Contribution of Older Persons to Sustainable Development s no platform or program is identified that enables older person's contribution to suitability development.

Gaps identified by the older persons

None of the older persons interviewed ever participated in sustainable development and all agrees to need to include older persons in contribution to sustainable development.

Practical implementation strategy for the protection of the human rights of older persons

Deliberate actions should be taken to create platform and programs that invite contribution of older persons to sustainable development. This should start with provision of international convention on right of older persons addressing Contribution of Older Persons to Sustainable Development.

j. Economic security

International gap

The International Covenant on Economic, Social and Cultural Rights addresses in article 3 its commitment to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights. [2] However no known convention or international law speaks to right to economic security among older persons. However there is growing economic insecurities experienced after retirement in old age especially among older persons who did not work in formal sector to contribute to pension scheme. To improve economic security

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among older persons, UN principles for older persons recommended that older persons should be able to participate in determining when and at what pace withdrawal from the labor force takes place. [5] However, a principle is not a convention thus convention for rights of older persons is needed to domesticate this right in member states.

Regional/Africa gap

On the other hand, while the Africa protocol on rights of older persons addresses right to employment, it does not address right to economic security. [7]. International convention is rather needed to address right to economic security for older persons

National/Nigeria gap

In the bid to provide economic security for older persons, the National Policy on Aging (NPA) [14] included a strategic plan to introduce flexible recruitment and retirement policies with appropriate strategies and opportunities to enable older persons to continue contributing to the work-force, as long as they are willing and able and that Pensions and gratuity should be made available as older persons retire. This plan covers only few older persons working in formal sector. The NPA however plans to develop and implement strategies that extend the coverage to informal social security systems to older persons; allowing contributions by all those in the formal and informal sectors, including part-time workers, rural, agricultural, domestic and migrant workers.

Gaps identified by the organization

Despite the plan made by National Policy on Aging for inclusion of older persons in informal work sectors (who form over 70% of the older person's population in Nigeria) into economic/financial social security plan, the organization has not observed this inclusion. This therefore leaves major chunk of older persons in Nigeria without economic security.

Gaps identified by the older persons

Only 22 of the 206 older persons receive pension as retirees from formal work sector. The others who did not retire from formal sector have no access to any form of government driven work or pension to ensure economic security for them. 68 of the older persons are still actively working informally in business, skilled enterprise or farming. 116 older persons are dependent

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on family members for some sort of economic security. All participants agree to need for economic security provided in the law as right for older persons.

Practical implementation strategy for the protection of the human rights of older persons to economic security

Firstly, international convention on rights of older persons to economic security is needed. This will guide advocacy to countries to include strategies to ensure economic security among older persons in national policy and strategic plan. And to also advocate for budget allocations for programs that improve economic security of older persons such as income generating activities. In addition, grants/funding should be provided for organizations to program for economic security through financial education before and during old age and support for income generating activities and formation of older people led village savings and loan association.

k. Right to Health and Access to Health Services

International gap

For some unknown reason, outright mention of the right to health and healthcare was omitted in the 1948 Universal declaration of human rights. The right to health and healthcare was however included in subsequent conventions/covenants [2,3,4] and in principle for older persons. [5] However, none of the conventions took consideration to dedicate an article to specifically address the rights of older persons to health and healthcare even as there are evidence of heightened health needs and gap in healthcare access among older persons. This gap is increased by presence of chronic and co-morbid conditions in old age, coupled with dwindling income due to retirement and near absence of health insurance and social security. While the right to health and health care is enjoyed more by older persons in developed and high income countries, the state of health and access to healthcare among older person in developing and low-middle income countries (LMIC) remains in sorry state. Without international convention on right of older persons to address the strategic expectation of member states, the hope to actualize right to health and access to health services for older persons keeps dimming in LMIC.



Regional/Africa gap

The thrust of African protocol on right of older persons covers the needs for rights to health and access to health services among older persons in article 15 (The thrust of African protocol on right of older persons covers the needs for rights to health and access to health services among older persons in article 15 (guarantee the rights of Older Persons to access health services that meet their specific need; take reasonable measures to facilitate access to Health services and medical insurance cover for Older Persons within available resources and; Ensure the inclusion of geriatrics and gerontology in the training of health care personnel). [7] Domestication and actualization of these rights is now what is needed among member states.

National/Nigeria gap

Acknowledging the diverse challenges to health and health service needs of older person and the need to protect the rights to health and access to health services for older persons, the National Policy on Aging [14] has key strategic plans to achieve this through the following; Review health budget to ensure that adequate funding is devoted to the provision of services for older persons; Provide subsidized health care services for older persons; integrate geriatrics into the primary health care service with effective referral system to support linkages; and develop tools and training packages to strengthen formal and informal caregivers. Actions have also been taken by the ministry of health and ministry of humanitarian affairs and poverty alleviation to visit teaching hospitals across the country to discuss plan of instituting geriatric centers in the teaching hospitals. However, though NPA encourage the development of health insurance scheme that include older persons and non-formal sectors, payment for capitation annually by older persons (whose income crashes at retirement) to access the health insurance programs still remains a burden to accessibility and affordability of healthcare among older persons.

Gaps identified by the organization

Basic healthcare fund remains the only available health social security that includes older persons irrespective of type of work; formal or informal. Via the organization's advocacy to include vulnerable older persons into the free basic healthcare insurance fund, only 1% of the older persons could be included as beneficiaries of the fund. Though this covers only a very insignificant population of the older persons, it still comes as relief to the beneficiaries. Until higher percentage or all of older persons are provided with health insurance coverage as

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provided in the African Protocol for right of older persons and in National Policy on Aging, Mission to Elderlies Foundation continues to apply and access funding within and outside communities to pay annual capitation fee for older persons enrolled in health insurance in its healthy aging program. In addition, the organization continues to train formal and social health care providers on care of older persons.

Gaps identified by the older persons

Out of the 206 older persons interviewed, only 11 are supported by the free basic healthcare insurance fund. Additional 42 are supported via annual capitation payment for health insurance coverage by the organization while 31 self sponsored their health insurance coverage through awareness and education provided by the organization. 204 reported that they don't feel that they have right to health and access to health care while 162 reported inability to afford healthcare when needed. All respondents agree to need for convention to provide right to health and access to health services for older persons.

Practical implementation strategy for the protection of the human rights of older persons to health and access to health services

Having a convention on rights of older persons that addresses right to health and access to health services for older persons is critical; to cover both high income countries and low-middle income countries. Member states should be held accountable to budget and implement free or very subsidized health insurance converges for older person with progress presented through annual reporting. Funding to implement programs that promote rights to health and access to health services towards healthy aging should be made accessible for government institutions, CSOs and related agencies. There should be partnership between training/education institutions on aging in developed and developing countries to share international standardized curriculum for pre-service an in-service training of health and social workers on aging.

I. Social Inclusion

International gap

Social inclusion of older persons lies in adopting measures that remove barriers and promote participation and inclusion of older persons in the society. Older persons should thus have the right to social inclusion akin to their right to contribution to sustainable development. No



known international law or convention however recognizes and works to achieve this right for older persons.

Regional/Africa gap

Similar to near absence of right to contribution to sustainable development, no known African protocol or treaty was found to express actions to achieve the right to social inclusion of older persons, thus need for international convention to address this right

National/Nigeria gap

The National Program on Aging (NPA) [14] recognizes that promoting social inclusion and participation of older persons not only reduce exclusion, vulnerability and loneliness but also ensures that they have equal access to mainstream services alongside. NPA thus strategizes to involve older persons as consultants in specialized fields and community affairs which are expected to practically actualize the right of older persons to social inclusion in Nigeria.

Gaps identified by the organization

The organization being acquainted with the Nigeria's NPA has observed social inclusion of older persons primarily at community level such as conflict resolution and moral education done by older persons in community and religious gatherings. This comes out of cultural respect for older persons. In the academics also, older lecturers retire in late 70s as their contribution well after the >60 years retirement age is needed. While old age is not an exclusion criterion to hold political offices, older persons are also appointed by all levels of government into offices, thus actualizing the right for social inclusion of older persons.

Gaps identified by the older persons

126 of the older persons believe they are included in the society within their communities, however, only 36 believe they are included in the society outside of their communities. All respondents agree to the need to have convention that includes rights to social inclusion for older persons at all levels.



Practical implementation strategy for the protection of the human rights of older persons to social inclusion

There is need for international convention that speaks to right to social inclusion of older persons. This will be a guide and call to action for member states to domesticate steps to actualize right of older persons to social inclusion.

m. Accessibility, infrastructure and habitat (transport, housing and access)

International gap

International Covenant on Economic, Social and Cultural Rights in its Article 11 highlights that the States Parties, recognizing the importance of international cooperation and free consent, will take appropriate steps to ensure the realization of the right of an adequate standard of living, including housing. [2] The same recognition was also made in International Convention on rights of people with disabilities in article 18 and 28. [3] Also, a book by UN HABITAT "Accessibility of Housing; A Handbook of Inclusive Affordable Housing Solutions for Persons with Disabilities and Older Persons" spoke extensively on rights to housing for older persons. [24] However, all made bare the need to have a convention that addresses accessibility, infrastructure and habitat as a right for older persons.

Regional/African gap

While the African protocol on rights of older persons addresses the accessibility/transport (States Parties shall take measures to ensure that Older Persons have access to infrastructure, including buildings, public transport and are accorded seating priority), [7] it does not speak to habitat/housing for older persons. International convention is hoped to holistically address this rights.

National/Nigeria gap

The national policy on aging with goal to achieve right of older persons to housing aims, among other strategies, to enact and implement legislation to provide older persons and families caring for older persons subsidized housing facilities with WASH infrastructure including low interest housing loans and other similar benefits and Provide accessible and subsidized transportation for older persons this is to ensure actualization of right to housing and transportation for older persons. [14]. However, this is yet to be experienced.



Gaps identified by the organization

The organization has not identified housing that are specifically made for older persons and mechanisms to provide accessible and subsidized transportation for older persons is still unsure. Older persons are observed to provide their own housing and transportation through communal living.

Gaps identified by the older persons

None of the 206 older persons interviewed agreed to have received government subsidized housing or transportation made for older persons. 8 of the participants who worked in the formal sector contributed to national housing fund but are yet to get the benefits. All agree to need for convention to address the right to free or subsidized housing and transportation mechanism for older persons.

Practical implementation strategy for the protection of the human rights of older persons to housing and transportation

International convention is expected to extensively address rights to accessibility and habitat for older persons. Advocacy should be done by CSOs and other agencies to budget and planning through the line ministries to advocate for inclusion of housing fund and support for transportation for older persons

n. Participation in the public life and in decision-making processes

International gap

International laws address right to participation and decision-making process for everyone and for persons with disability, [2, 3] but does not specifically address this right for older persons. Once again, an international convention is needed to specifically address this right for older persons.

Regional/Africa gap

On the same note, the right for Participation in the public life and in decision-making processes for older persons is not stated in the African protocol of rights of older persons. Therefore an international convention is needed to specifically address this right for older persons.



National/Nigeria gap

Under the right to cultural, social integration and participation, National policy on aging addresses the right to participation in public life and in decision-making processes for older persons. Adoption of the convention on rights of older persons will further expand the responsibilities involved to achieve this right to participation in the public life and in decision-making process.

Gaps identified by the organization

Due to the Nigeria culture of respect for older persons, except where there is a medical or cognitive impairment, participation in the public life and in decision-making processes among older persons especially in community, religious and family matters are observed.

Gaps identified by the older persons

Out of the 206 older persons, 192 feel involved in participation in the public life and in decision-making processes within their community but 189 feel the right for participation in the public life and in decision-making processes is not respected outside of the community. This could be because such opportunities are not readily available. All agrees to need for right of participation in the public life and in decision-making processes for older persons included in convention on rights older persons.

Practical implementation strategy for the protection of the human rights of older persons to participation in the public life and in decision-making processes

Availability of the needed international convention on rights of older persons that addresses right for participation in the public life and in decision-making processes among older persons will increases responsibility of member states to identify areas to involve older persons more in public life and decision making process. This can be done through support for older persons to form older-persons-led association through which they can participate more in public life and decision making process in both matters that affect them and in contribution to well being of the government and society.



Options on how best to address the gaps

- 1. Please state how your Government/organization has engaged with international and regional human rights mechanisms (for example: universal periodic review (UPR) treaty bodies, special procedures, regional mechanisms), specifically with regard to older persons.**

Internationally, Mission to Elderlies Foundation in the past 5 years has engaged with Global Alliance for Rights of Older Persons (GAROP) as an NGO member to carry out the age with rights campaign globally and locally. This we do through engaging the government agencies for awareness creation in local communities and media on rights of older persons, combating ageism and elder abuse and raising support and partnership for service provisions for older persons in Nigeria.

Mission to Elderlies Foundation being an accredited member of the United Nation's Open-Ended Working Group on Aging (OEWGA) contributes -through physical and virtual platforms- to deliberations for actualization of rights of older persons including to the ongoing draft of the convention on rights of older persons.

Regionally, Mission to Elderlies Foundation has engaged with office of the African Union on human and peoples' right to address gaps in involvement of some African Member states in ongoing campaign for rights of older persons. And importantly, identify countries that are yet to sign, ratify or deposit the available African Protocol on Rights of Older persons in pursuant of individual member state negotiation and advocacy for action. This has resulted in one of the states ratification and in view to deposit same.

Nationally, the organization is registered and works closely with relevant government and non-government agencies in charge of actualizing the rights of older persons in Nigeria. These include National human rights institution (NHRI) Nigeria, National Senior Citizen Centre (NSCC), Federal Ministry of Humanitarian Affairs and Poverty Alleviation (FMHA), Federal Ministry of Women Affairs and Social Development and Coalition of Societies for Rights of Older Persons in Nigeria (COSROPIN). As an executive member of COSROPIN, Mission to Elderlies Foundation works with other CSOs, to sponsor bill to actualize rights of older persons at National Assembly. The organization carries out advocacies to the national bodies for Nigeria to ratify and deposit the African protocol on rights of older persons which is now near completion. The organization also consults for NSCC on steps being taken for implementation of the FMHA's National Policy on Aging, such as engagement of National Health Insurance agencies on right to health and

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health services through health insurance coverage and institution of healthy aging clinic in hospitals, provision of legal services -especially for older women- for right to access to justice, provision of income generating activities for right to economic security, formation of older-persons support group for rights to social inclusion, among others.

2. Have those engagement resulted in positive impact in strengthening the protection of the human rights of older persons? Please elaborate.

These engagements have progressively resulted in positive impact in strengthening the protection of the human rights of older persons internationally, regionally and nationally

Internationally, the engagement and collaboration done with GAROP to carry out campaigns on ageing with rights and on international day of older persons through media sensitization has increased awareness on the rights of older persons among older persons and communities. This awareness creation has increased community mobilization and involvement to sponsor community based project such as 'operation sponsor an elderly' in health insurance coverage.

Engagement with the UN OEWSGA through statements delivered at the OEWSGA sessions has increased awareness on situation of older persons in Nigeria and Africa. Whereas voicing out recommendation at the OEWSGA 13th sessions to create action steps, responsible persons and timeline towards producing the convention on right of older persons has resulted in this ongoing drafts with responsible co-facilitators and assigned timelines.

Regionally, engagement of the African Union through the African Commission on human and people's rights has resulted to identifying the 35 Member states that are yet to sign and 43 that are yet to ratify and deposit the African Protocol on rights of older persons. Though slower than desired, with additional state ratifying the protocol through this advocacy, continuous engagement of African member states especially through physical meetings -with availability of resources for travels -will definitely result to pro-active involvement of African member states on actualization of rights of older persons.

Nationally, engagement of government and non-governmental organizations has resulted to the following; Nigeria ratifying and depositing Africa Protocol on rights of older persons 3 years after signing; co-sponsored proposed bill on actions for actualizations of rights of older persons to health and healthcare passed second reading in National Assembly;



Secured partnerships to walk the talk on strategies to actualize rights of older persons as captured in the National Policy on Aging. Example are; (1) on right to health and access to health services- provided health insurance coverage for groups of indigent older persons, institution of healthy aging clinics within hospitals, training of community volunteers on care of older persons and their sponsor to conduct home visit and community education; (2) On right to access to justice- provided access and linkage to legal services especially for older women; (3) On right to economic security- provided income generating activities and financial literacy training for older persons; (4) On right to social inclusion and contribution to sustainable development- formed older-persons support group for coordinate contribution to community and decision making; (5) On right of education and training - used healthy aging clinic and community caregiver's forums to provide health education, psychosocial counseling, ICT skills, financial education and benefits of health insurance enrollment. These and more actions have reached older persons in communities in Nigeria with plan for national coverage through inclusion in national budget and access to international funding.

**3. What other options can be considered to strengthen the protection of older persons?
Please elaborate.**

Firstly, to strengthen the protection of older persons, there is need for a dedicated convention on rights of older persons. Older persons are considered vulnerable groups by different international standards- along with women, children and people with disabilities. If these other groups have dedicated convention on protection of their rights, it's a matter of justice to produce a convention to protect the rights of older persons. Articles in this convention will address the individual topics on rights of older persons and proffer strategies to their actualization. This will serve as a reference and legal binding document that will be used by international agencies, governments, NHRIs and CSOs to drive actualization of rights of older persons.

Secondly, there is need for coordinated efforts to get promptly member states to sign, ratify, deposit and domesticate the convention. OEWGA having spent 13 years deliberating on need for convention wouldn't want to spend extra years trying to domesticate the convention. Thus, just like co-facilitators were selected to facilitate the provision of this convention, an OEWGA subcommittee should be set up to facilitate the signing, ratifying, deposit and domestication of the rights within set timelines. This subcommittee should have representative from each region



that would engage directly with member states in their regions or actions and provide quarterly progress reports during situation room meeting.

Thirdly, an active forum of OEWGA of representatives of member states should be created. This forum will provide a platform to engage member states quarterly or biannually on actions taken to actualize protection of rights of older persons contained in the conventions. This forum should be decentralized into regions, with regional representative speaking for each region in an international forum. This will ensure that representatives who would give quarterly updates in such (virtual) meetings are motivated to take responsible and progressive actions within their country to achieve goal of the convention.

Fourthly, the regional representatives of the OEWGA should translate the convention into strategic action plans with timelines and responsible persons assigned. This will simplify steps to be taken to arrive at the goal in the convention.

Fifthly, OEWGA subcommittee on funding for the convention should be set up. This committee will be responsible for conducting advocacy and negotiation with international and national agencies like National Institute on Aging (NIA) to create funding opportunities for programs aimed at achieving the rights of older persons contained in the convention. The subcommittee will coordinate dissemination of funding opportunities among OEWGA members and facilitate feedback mechanisms on impact of the programs.

Sixthly, partnerships opportunities should be created among the OEWGA members. There should be collaborations established within regions and across regions. This can be a co-funding opportunity, training/education exchange program opportunity or mentorship program opportunities.

In addition, OEWGA website should publish success stories on actions taken by its member states, NHRIs and CSOs on protection and actualization of rights of older persons in their countries and regions. This will be a motivation for others to emulate.



4. If applicable, what is your assessment on the protection of the human rights of older persons according to regional and international instruments?(500 words)

By assessment there are available regional and international human rights instrument. The major regional human right instrument in Africa is the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons by the African Union for its 55 member states. Regionally, there is also Inter-American Convention on the Rights of Older Persons by Organization of American States. By assessment, these regional instruments are quite comprehensive on protection of rights of older persons in the region if signed, ratified, deposited and domesticated.

And internationally, there exist at least 3 instruments that speak to the human rights of people in which it is assumed to be inclusive of older persons. Those instruments are Universal Declaration of Human Rights, International Covenant on Economic, Social and Cultural Rights, and Convention on the Rights of Persons with Disabilities. However, neither of these declarations/conventions addressed the unique rights of older persons. While the International Covenant on Economic, Social and Cultural Rights and Convention on the Rights of Persons with Disabilities in not more than 5 of the articles each mentioned age as a scope of access to the rights, the sheer absence of highlighting 'age' as a distinction of any kind in the Universal Declaration of Human Rights buttresses the point that older persons were not contained in the fulcrum during the development of the existing conventions. Though there is presence of a UN Principles for older persons, it only supplements and does not in any way replaces the legally binding convention on rights of older persons which is needed.

In summary, older persons are considered vulnerable groups by international standards - along with women, children and people with disabilities. If these other vulnerable groups have dedicated convention on protection of their human rights, it's a matter of justice to produce and domesticate the convention on rights of older persons now!



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