



Ministry of Health and Social Affairs

Identification of possible gaps in the protection of the human rights of older persons and how best to address them – answers from Sweden

Identification of gaps

Sweden believes that the international community, with the UN as the collective force, has managed to lay down an extensive and well-functioning structure for the protection of human rights, including those of older persons. For example, the International Covenant on Economic, Social and Cultural Rights (ICESCR) include rights such as the right to work, to social security, to an adequate standard of living, to education and enjoy the highest attainable standard of physical and mental health. According to the Covenant, these rights apply to all persons, i.e. including older persons.

Other relevant international human rights instruments include the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the Convention on the Rights of Persons with Disabilities (CRPD). These instruments include rights such as the right to self-determination, to liberty, to participate in the political life as well as rights related to the justice system.

Hence, Sweden does not see any gaps in existing instruments specifically regarding the human rights of older persons.

Options on how best to address the gaps

The Swedish government is engaged in numerous human rights mechanisms, both regionally and internationally. For example, as a member of the European Council, Sweden has ratified the European Convention on human rights. Furthermore, Sweden adheres to the Charter of Fundamental Rights of the EU, which recognizes the rights of older persons to lead a life of dignity and independence and to participate in social and cultural life. Within the EU, there are several reporting mechanisms through which Member States' actions are monitored and evaluated.

Furthermore, Sweden participates in human rights mechanisms within the UN system. This includes reporting on actions taken to implement UN Conventions as well as participating in scrutinizing dialogues. This is also true for other types of international instruments. For example, Sweden regularly reports actions taken within the framework of the Madrid International Plan of Action on Ageing.

Sweden supports procedures that highlight the importance of issues related to the protection of the human rights of older persons and that allow for mutual learning between Member States. When working well, such procedures can inspire governments to take action and, where needed, put pressure on governments to make necessary changes. Less well-functioning procedures, however, risk being ineffective while still requiring an unproportionate administrative effort from Member States.

Sweden wishes to emphasise that existing legally binding instruments for human rights do include older persons. Furthermore, considering that older persons are a very heterogenous group with different wants and needs, Sweden believes that it would be difficult to define what rights are specific to older persons. Instead, the human rights of older persons can be well covered by different instruments with different specific aims.

Sweden firmly believes that more focus needs to be put on older women and men in the implementation of existing instruments and political agreements, if these are to be effective in the area of human rights for older persons. In this regard, Sweden stresses the importance of all individual statistics being sex and age disaggregated and continuously monitored and evaluated in order to ensure a high-quality analysis benefiting all age groups. More discussion on the implementation and monitoring is needed, before any discussions on new international instruments can be initiated.