



ACAMAGE -Association Camerounaise pour la prise en Charge des Personne Agées
ONG DOTEE DU Statut Consultatif Spécial ECOSOC/ONU

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Responses to the OEWGA questionnaire :

“Identification of possible gaps in the protection of the human rights of older persons and how best to address them”.

Background

The Open-ended Working Group on Ageing, in its [decision 13/1](#) adopted at the thirteenth session, requested the co-facilitators to submit proposed intergovernmental negotiated recommendations to be considered at the fourteenth session of the Working Group and to be presented for consideration by the General Assembly, in accordance with resolution [77/190](#), regarding the existing international framework of the human rights of older persons and possible gaps, and options on how best to address them.

The purpose of this questionnaire is meant 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 questionnaire will be sent to all States Members of the United Nations, observers in the General Assembly, A-status National Human Rights Institutions, non-governmental organizations with ECOSOC Status and previously accredited organizations to the Working Group, as well as United Nations Funds, Program, Specialized Agencies and other UN Entities.

The Questions

Identification of gaps

1. 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. *(500 words each)*

a) Equality and non-discrimination

Older men and women are discriminated with a focus on women in general, even if often hidden. This situation impact and violate seriously older people's enjoyment of their human rights. Older people themselves says "We are discriminated everywhere, all the time, for example not properly treated in hospitals, accusation of witch, financial and physical abuse..."

United Nations Human rights instruments has not really mentioned non-discrimination. States does not have or know guidelines on how to tackle equality and non-discrimination as far as older persons are concerned.

Age discrimination is not that recognized in regional human rights instruments, except for the Inter-American Convention on Protecting the Human Rights of Older Persons , the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa, and the Charter of Fundamental Rights of the European Union.

The HRC and UN independent expert resources are very up to date regarding this topic. Their conclusions and recommendations reaffirm that the current international human rights framework provide inadequate coverage. There is really a need to develop a

comprehensive convention for older people human rights without delay.

We are stressing on the same urgent need of the drafting without further delay of the UN Convention for older people's rights. With this, states will be obliged to stop ageism and give equal chance to older people.

b) Violence, neglect and abuse

Older men and women undergo violence, neglect and abuse. On the ground we have different types : financial, sexual, physical, emotional and so on. Older people are saying that In addition to the violation of the enjoyment of their human rights, these are the drivers of health problem, poverty, premature death, dementia. Older women are the most concerned with witch accusation.

Violence, neglect and abuse worsened during COVID 19, with the lockdown that triggered more en more loneliness, no sufficient care.

At the national level, legal frameworks are insufficient and can't prevent older people from undergoing violence, abuse and neglect and by so doing their human rights are violated.

The report of the UN Independent Expert on the enjoyment of all human rights by older persons indicate that the international human rights framework does not cover violence, abuse and neglect of older persons.

A Convention on older people's rights is very important and will oblige states to take all measures to stop all forms of violence, neglect and abuse toward older people

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c) Long-term care and palliative care

Long term care and palliative care services are not yet that developed here. Older persons are complaining about the violation of their human rights as they have no access to the care and palliative services. Families here most of the time try as they can to help their beloved ones in this situation.

The United Nations Human rights Treaties does not have an explicit right to palliative care.

In Cameroon, there is not yet a legislative right to long term care and palliative care.

A Convention on older people's rights would recognize that older people have the rights to long term care and palliative care will oblige states to review current laws and practice around availability of and access to long term and palliative care and also, could bring new actors into domestic law such as courts and human rights institutions onto the discussion

e) Social security and social protection

The great majority of older people here does not enjoy social protection and security because they are from informal sectors. Only a very small part of older people from formal sectors meaning on a contributory pension. So, older people are unable to afford basic needs such as food, water, housing, medicine and so on. They are always relying on others to survive. Older people themselves says : our right to social pension and social security is violated.

The right to social protection and social security are not adequately addressed under international human rights law.

A UN Convention on older people's rights is urgently needed to clarify states obligations as far as older people's rights to social security and social pension (including social protection floors) are concerned.

K) Right to Health and Access to Health Services

Health and access to health services for older people is not easy here despite the effort made and by so doing their rights to health and access to health services are violated.

We reiterate what we said in our statement during the OEWGA session . "Health and access to health service is a nightmare for us older people, they said" as the majority of us lives in rural areas. In cities you can have an hospital but not properly treated because : "They oblige most of us to go to traditional doctors" as there is a lack of older people's Doctors and services.

The conclusions and recommendations of the UN Independent expert resources reaffirm that the current international framework provide inadequate coverage and that there is a need to develop a comprehensive convention for older people human rights without delay.

We insist and reiterate that a Convention would include comprehensive human rights provisions that thoroughly protect every aspect of the right to health and access to health services in older age, along with that older persons have the right to the highest attainable of physical and mental health, on an equal basis with others and without discrimination on the basis of age.

We stress MORE THAN EVER on the same urgent need of the drafting without further delay of the UN Convention for older people's rights

that will among other oblige states to provide stronger hospitals, health services and health insurance

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. (500 words)**

We provided reports and statements to :

The voluntary National review, the HR Council, the Committee on the elimination of discrimination against women, the UN Independent Expert on the enjoyment of all human rights by older people

- 2. Have those engagement resulted in positive impact in strengthening the protection of the human rights of older persons? Please elaborate. (500 words)**

Not properly in general. Those engagement did not have positive impact in strengthening the protection of the human rights of older persons. Not always positive action taken to solve the human rights issues raised in our reports or statements.

That is why we support the drafting of the UN Convention on older people's rights without further delay that will strengthen the human rights of older people.

3. What other options can be considered to strengthen the protection of older persons? Please elaborate. (500 words)

No existing international, regional human rights instruments covers fully older people's rights.

This is why time is more than ripe for the drafting without further delay of The UN Convention for Older people's rights that will provide the full protection of older people's rights. The only option is the UN Convention to be drafted and adopted.

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)

Regional and international human rights failed to protect older people's human rights. That is why the drafting of the UN Convention on Older People's rights is very urgent.

Older people must enjoy their human rights as all human beings. They must not be left behind. The new Convention will tackle limitations, provide guidance and clarity to governments, provide stronger legal protection.

Submissions to be sent to Stefano Guerra stefano.guerra@mne.pt and Pedro Paranhos pedro.paranhos@itamaraty.gov.br with copy to ageing@un.org