THE EUROPEAN HUMAN RIGHTS SYSTEM

Contribution to the 1st Meeting of the OEWG on Rights of Older Persons
April 2011
C. EUROPE
EUROPEAN UNION

• General framework for promotion and protection of human rights

• Rights of older persons

• Gaps and challenges for the future
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HUMAN RIGHTS INSTRUMENTS

• European Convention of Human Rights

• European Social Charter / Additional Protocol / Revised Charter

• European Code Social Security/ Protocol/ Revised Code

• European Convention on Social Security
Article 4

• Enable older persons to remain full members of society for as long as possible, to choose their life-style and to lead independent lives

• Guarantee support for older persons living in institutions respecting their privacy and participation in decisions
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INSTITUTIONAL FRAMEWORK

- European Court of Human Rights
- European Committee of Social Rights
- Commissioner for Human Rights
EU
HUMAN RIGHTS INSTRUMENT

CHARTER OF FUNDAMENTAL RIGHTS

- Legally binding
- One text with all fundamental rights protected at Union level
- Compliance by institutions at national and EU level
- Provides right to effective remedy
- Prohibits discrimination on ground of age
- Respects rights of older persons to lead a life in dignity and participate in social and cultural life
EU INSTITUTIONAL FRAMEWORK

- European Commission / Council / Parliament
- Court of Justice
GAPS AND CHALLENGES

Pension Systems Reforms

- **on-going to guarantee adequacy and sustainability in long term**
  (incentives for longer working lives; raising retirement age; stricter criteria; adjustment mechanisms)

- **in response to crisis**
  (reduced indexation; decrease in amounts of benefits with negative impact on standard of living)
GAPS AND CHALLENGES

Long-term care

• Widening the range of options (health care and social services)
• Supporting de-institutionalisation
• Balancing choice / financial sustainability
• All the rights enshrined in all the treaties become more accessible to a wide range of people if they are actively promoted and supported by sound public policies and involvement of civil society