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Mandate of the Independent Expert on the enjoyment of all human rights by older persons

11th Session of the UN Open-ended Working Group on Ageing

High-level Panel on COVID-19 and Older Persons

30 March 2021

Statement by Claudia Mahler, Independent Expert on the enjoyment of all human rights by older persons

Madame Chair,

President,

Excellencies,

Ladies and Gentlemen,

It is a great pleasure and an honour for me to address you – remotely from Berlin – at this 11th session of the Open-ended Working Group for the first time in my capacity as Independent Expert on the enjoyment of all human rights by older persons. First of all, I want to thank the members of the bureau, chaired by the Government of Argentina, and vice chairs, Philippines, Slovenia, Portugal and the rapporteur of the Bureau, Ghana for the kind invitation to address the high level panel on covid-19. I am grateful that their hard work has made it possible to meet, despite virtually, a reality. I am pleased to address all of you during this difficult time, almost one year after I assumed my position as Independent Expert in May 2020, two months after the global crisis was no longer just a threat but an unavoidable reality.

At the outset, allow me to pay tribute to my predecessor, Rosa Kornfeld-Matte. I wish to acknowledge her path-breaking work in advancing the human rights of older persons during her tenure as the very first independent expert on the human rights of older persons.

I had the honour to present for the very first time a dedicated thematic report to the General Assembly on the impact of the coronavirus disease (Covid-19) on the enjoyment of all human rights by older persons (A/75/205). While the disease spreads among persons of all ages, older persons and those with underlying conditions are at higher risk of serious illness and death from Covid-19. The pandemic has had and continues to have a disproportionate impact on older persons and has magnified existing violations of their rights.

Older persons were denied health services, care and support; they were physically and socially isolated; and they were victims of ageist attitudes. Despite being such a diverse group, older persons in general have been labelled as vulnerable and branded as burdens to societies. In my report, I have tried to highlight that older persons play an active role in societies and are already being part of the solution. Older persons play multiple roles in society, as caregivers, volunteers and community leaders. Women are sadly overrepresented on both the givers and recipients of care and face inequalities in many circumstances. This is the reason why I have decided to look more closely at the multiple forms of discrimination older women face in one of my two thematic reports of 2021.

The pandemic also made very evident the urgent need to combat stigma and age discrimination. My other thematic report in 2021 will examine the impact of ageism and age-discrimination primarily on older persons but the impacts they have across generations. In this regard, I am really grateful that WHO paved the way for a worldwide discussion on ageism with their global report launched on 18 March. The pandemic has shed light on the barriers preventing older persons from fully enjoying their human rights. It has also shown

that older persons are left behind. It has made visible protection gaps – which have been highlighted by stakeholders from all over the world during the numerous intersessional meetings I attended. All these gaps will need to be addressed beyond the response and recovery stages and the way to bridge the gaps can only be achieved if older persons are participating in the decision-making processes. The current crises has also highlighted the need not only for urgent action from Governments in response to numerous challenges, but also for preventive measures and global cooperation.

Ladies and Gentlemen,

The Covid-19 pandemic has changed the way we do business and has highlighted the need for digital literacy as more and more information related to the virus and vaccination programmes are available largely online coupled with the need for social distancing for teleworking and containing the spread of the virus.

Digital exclusion significantly impedes the access of older persons to essential information regarding the pandemic and related health and socioeconomic measures. Older persons who live alone, in care homes, in rural or remote areas or in areas lacking connectivity might have limited access to information and services distributed through new technologies because of a lack of access to devices and limited digital skills and assistance.

We gained information that the digital connectivity of older persons increased. But with the acceleration of the use of online and mobile services as a result of restrictions of movement, it is essential to ensure that information, services and networks are accessible to all older persons in terms of language, format and easy understanding design of devices that it is available for those with limited knowledge of and access to online services. Lifelong learning programmes need to take into account digital literacy programmes and support services to

make information and services accessible for older persons, as well as the infrastructure required to access the Internet.

Older persons who are in need of support or help because of abuse or neglect have been left behind. Because of lockdowns and physical distancing measures, many older persons living alone, with their families or in institutions did not have a chance to complain or have access to justice or could even ask for help owing to the breakdown of their regular communication channels with their networks.

At the height of the pandemic, when official monitoring in some care homes was interrupted to focus on controlling the spread of the virus, the prohibition of regular visits from friends and family removed a crucial informal monitoring mechanism and provided an entry point for violence, abuse and neglect. The neglect of older residents has had tremendous negative outcomes with data becoming available now. We cannot allow that this happens again we need to ensure that older persons human rights are sufficiently protected!

The lack of disaggregated data on older persons, which was the theme of the last report to the Human Rights Council (A/HRC/45/14), is another manifestation and a cause of the invisibility of older persons. Giving older persons a voice will be my guiding principle in discharging the mandate the Human Rights Council entrusted to me.

Ladies and Gentlemen,

The pandemic has highlighted the urgent need for stronger protection of the human rights of older persons who remain rights bearers until the end of their lives. Let us heed the call of the Secretary General in his policy brief on the rights of older persons and the overwhelming support of States and civil society organisations in response to the policy brief to bridge the gaps that the pandemic brought to light.

The working paper submitted by the Office of the High Commissioner for Human Rights on the “Update to the 2012 Analytical Outcome Study on the normative standards in international human rights law in relation to older persons” is a useful tool to identify gaps and forge the way toward a binding instrument which can provide the protection that older persons not only need but deserve.

Thank you very much for your attention and I look forward to a fruitful discussion and a very successful event.
