

14th session of the Open-ended Working Group on Ageing

Guiding questions for the focus area on “accessibility, infrastructure and habitat (transport, housing and access)”

National legal and policy framework

1. What are the national legal provisions and policy frameworks that recognize older persons’ rights to accessibility, infrastructure, and habitat (transport, housing, and access)? This could include, but is not limited to:

a) the right of older persons to adequate housing, including land, property, and inheritance.

- The government implements social housing programs to help people on low incomes, including the elderly, gain access to adequate housing at an affordable cost.
- The Law on the quality of services for the elderly establishes a better quality of accommodation structures for the elderly and also sets out the conditions under which a building or dwelling may be sold or rented under a name aimed at the elderly.

b) the right of older persons to access and enjoy, on an equal basis with others, the physical environment, transportation, information and communications (including ICTs), and other facilities and services open or provided to the public, both in urban and in rural areas (e.g. buildings, roads, transportation and other indoor and outdoor facilities, schools, housing, green spaces, medical facilities and workplaces; information, communications and other services, including electronic services and emergency services).

- The Law on accessibility to all places open to the public, public roads and collective residential buildings aims to make public places (for example: hospitals, hotels, restaurants, banks, schools, places of worship, public car parks, train stations, bus stops, public parks, playgrounds, buildings where liberal professions provide their services etc.) accessible so that everyone can benefit from the services offered there.

c) policies/programs that enable older persons to live independently and to be included in their communities as they age.

- Luxembourg has policies and programs aiming at enabling older persons to live independently and participate fully in their communities. These include support services such as home care assistance, community-based programs for socialization and engagement, and initiatives to promote active aging and healthy lifestyles.
- Law on the quality of services for the elderly.

2. What are the challenges and barriers faced by older persons for the realization of their right to accessibility, infrastructure use and habitat (transport, housing, and access) at the national and international levels?

These challenges and barriers may include:

- Physical barriers which prevent older people from accessing and using infrastructure (buildings, transportation etc.).

- Economic barriers: For older people on limited incomes, the costs associated with remodeling and adapting infrastructure can be prohibitive.
- Lack of awareness and training on the specific needs of elderly individuals regarding accessibility can lead to the design of inadequate infrastructure.

Data and research

3. What data, statistics and research are available at the national level regarding older persons' rights to accessibility, infrastructure, and habitat (public transport, housing, and access)?

There are a few sources where such information may be found (non-exhaustive list):

- STATEC is the national statistical institute of Luxembourg and collects and publishes data on various demographic indicators.
- The Ministry of Family Affairs, Solidarity, Living Together and Reception of Refugees conducts research or commission studies on issues related to older persons.
- Research institutions and universities in Luxembourg also conduct studies with a focus on older people.
- The Survey of Health, Ageing and Retirement in Europe (SHARE) is a large social science panel study covering all EU member countries. SHARE provides data in a large field of themes.

Equality and non-discrimination

4. What measures are being taken to eliminate ageism, ageist stereotypes, prejudices and behaviors that hinder older persons' rights to accessibility, infrastructure, and habitat (transport, housing, and access)?

The measures include awareness campaigns, professional training, inclusive public policies, consultation with elderly individuals, and anti-age discrimination legislation.

Remedies and Redress

5. What mechanisms are necessary, or already in place, for older persons to submit complaints and seek redress for denial of their rights to accessibility, infrastructure, and habitat (transport, housing, and access)?

There exist several mechanisms for older persons to submit complaints and seek redress for denial of their rights in all kinds of domains. These mechanisms can vary depending on the specific context and the nature of the complaint:

- Older persons have legal protection under national laws and anti-discrimination legislation that prohibit age-based discrimination in various domains. Individuals who believe their rights have been violated due to age-related discrimination can file complaints with relevant authorities or seek legal recourse through the judicial system.
- Luxembourg has an ombudsman office tasked with investigating complaints and grievances related to administrative decisions, public services, and human rights violations. Older persons can submit complaints to this office and seek assistance in resolving their concerns.

- Non-governmental organizations (NGOs) and advocacy groups focused on aging, disability rights, and social inclusion can offer support to older persons.
- Mediation and alternative dispute resolution mechanisms are available to older persons as an informal means of resolving disputes. Mediation services provided by trained mediators or community organizations can help facilitate dialogue between parties and reach mutually acceptable solutions without resorting to formal legal proceedings.
 - The Law on the quality of services for the elderly sets up a national information and mediation service in the field of services for the elderly, headed by a mediator dedicated to the field of the elderly. This service can be accessed by beneficiaries of services for the elderly, by their contact persons and by managing organizations.
- Participatory mechanisms such as public consultations, advisory committees, and stakeholder engagement processes also provide opportunities for older persons to voice their concerns, provide feedback on policy decisions, and advocate for improvements.