



## **ZHRC response to guiding questions for the focus areas of the IX Session of the Open-ended Working Group on Ageing: Autonomy and independence**

### **1) In your country/region, how is the right to autonomy and independence of older persons defined in legal and policy frameworks?**

In terms of Sections 21 and 82 of the Constitution which provide for rights of the elderly as well as the Older Persons Act [Chapter: 17:11] autonomy and independence are defined as the ability to think and act freely and make one's own decisions.

### **2) What other rights are essential for the enjoyment of the right to autonomy and independence by older persons, or affected by the non-enjoyment of this right?**

The Rights which enable older persons to enjoy the right to autonomy and independence are:

- Rights of elderly persons to be provided with facilities, food and social care for those who are in need as provided in Section 21 (2)(b) of the Constitution
- The right to access social organisations aimed at improving the quality of life of elderly persons as provided in Section 21(2) (d).
- The rights to receive reasonable care and assistance from their families and the State, to receive health care and medical assistance from the State as well as to receive financial support by way of social security and welfare (Section 82 of Constitution)
- Right to human dignity (Section 51 of Constitution)

### **3) What are the key issues and challenges facing older persons in your country/region regarding autonomy and independence? What studies and data are available?**

Some of the challenges facing older persons are:

- Neglect by families and society
- Abuse on the basis of age and accusations of witchcraft
- Destitution due to lack of social protection
- Failure to access public assistance
- Failure to access pensions
- Difficulties in accessing buildings and other public amenities without elevators or wheelchair ramps

- Discrimination in accessing productive resources such as land on the assumption that older persons have no capacity to use such resources

**4) What steps have been taken to ensure older persons' enjoyment of their right to autonomy and independence?**

- Enactment of the Older Persons Act [Chapter 17:11]
- Constituting the Older Persons Board
- Provision of public assistance in line with the Social Welfare Assistance Act [Chapter 17:06].
- Operationalisation of the Special Interest Groups Thematic Working of the Zimbabwe Human Rights Commission which seeks to promote, protect and enforce rights of older persons amongst other vulnerable groups.
- Support from civil society organisations dealing with rights of older persons such as Help Age Zimbabwe, Centre for Community Development Solutions and Zimbabwe Older Persons Organisations (ZOPO) among others.

**5) What mechanisms are necessary, or already in place, for older persons to seek redress for the denial of autonomy and independence?**

The Older Persons Board attends to grievances from older persons. The Zimbabwe Human Rights Commission through its Complaints handling and investigations unit also receives and investigates complaints of violation of rights and freedoms of older persons in order to secure appropriate redress.

**6) What are the responsibilities of other, non-State, actors in respecting and protecting the right to autonomy and independence of older persons?**

Responsibilities of other non-state actors include:

- Capacity building and training of older persons on their rights
- Provision of humanitarian aid and medical care services
- Provision of legal services for purposes of enforcing human rights