NORMATIVE INPUT OEWG 10 :

**LONG TERM AND PALLIATIVE CARE**

**I/ WHAT HAS BEEN DONE IN THE AREA OF LONG TERM AND PALLIATIVE CARE IN CAMEROON**

 **-The cameroonian Constitution of january 1996**

 Every body has the right to life, moral and physical integrity

 **-Decree 2011/408 of 9 december 2011 :**

Article 8 (6) : Ministry of Social Affairs : follow up of older people and people with disability in linkage with concerned ministries.

 Article 8(32) : Ministry of Public Health

Ensure the quality of care and improvement of the technical platform in private and public health facilities

**II/GAP IN THE IMPLEMENTATION OF LONG TERM AND PALLIATIVE CARE POLICY**

1 . There is no sufficient budget for the implementation

2. Long term and palliative care (LTPC) are not that noticeable

**Affirmation**

Older people should have the right to adequate knowledge, information, awareness on long term and palliative care, as well as accessible, available and affordable services

**Scope of the right**

Older people have the right to :

- Know how to access long term and paliative care

- Understand of what long term and palliative care is and how it enhances life. Long term and palliative care is only seen as only valuable at the end of life and yet the benefit are vital from the point of diagnosis.

- Get information on the availability of long term and palliative care services

- Participate in the design, developement and implementation of long term and palliative care policy

- Discuss about the future, as this is vital if the patients are to be permitted the dignity of deciding how to spend their remaining time

- Disclosure, diagnosis, prognosis, transition to LTPC and the holistic care plan

-LTPC free from discrimination

 -Health service and shemes free from discrimination based on their age

 -LTPC medicine crucial to high quality nd effective pain and symptom control

**State obligations**

* **Ensure there is appropriate legal framework or mecanism in place for efective and timely dissemination of LTPC policy**
* **Ensure effective access to information so that older people can acces LTPC as early, from time of diagnosis of a life threatening illness or serious chronic illness to prevent unnecessary delay**
* **Ensure appropriate strategies for involvement of older person in the design, developement and implementation of LTPC**
* **Ensure that LTPC is integrated at all levels of primary health care**
* **Strengthen capacity of health care professionals in gerontology, geriartrics and LTPC**
* **Respect the right to health by refraining from denying or limiting equal access for older persons to LTPC**
* **Everyone is free from unnecessary suffering and have access to pain medication**
* **Adequate preventive, curative and LTPC is of sufficient quality**
* **Including LTP health care budget in their planning.**

**NORMATIVE INPUT OEWGA 10**

**AUTONOMY AND INDEPENDENCE**

**I/ WHAT HAS BEEN DONE IN CAMEROON IN TERMS OF AUTONOMY AND INDEPENDANCE**

* The Cameroon constitution of january 18, 1996

The freedom and security are guaranted for every body…

The freedom of religion and its practice are guaranted

The freedom of communication, freedom of expression, freedom of press, freedom of meeting freedom of association, union freedom and the strike right are guaranted as provided by law

* The 2004 law on the establishment, organization and functioning of the National Commission for the Human rights and freedom

Article 2 and 5 PROVIDES THAT THIS INSTITUTION RECEIVES ALL denunciation concerning cases of violation of human rights and freedoms

* The Ministry on Social Affairs National Policy Paper for the Protection and Promotion of Older Persons in CAMEROON, its Action Plan as well.

**II/ GAP IN THE IMPLEMENTATION OF AUTONOMY AND INDEPENDANCE POLICIES**

Despite These legal instruments, older people in Cameroon are not really living autonomous and independent lives

**Affirmation**

Older persons have the right to independence, personal autonomy and control over all aspects of their live, including the ability to make decisions for themselves. This include the right to enjoy legal capacity on an equal basis with other persons.

**Scope of the right**

This right shall apply to autonomy, self-determination and control over all aspects of decision making for older persons

**States obligations**

**States shall**

1. Take Appropriate mesures to :

 provide older persons with access to the support and services they may require in exercising their rights to autonomy and independence and to maximise their participation in any decision making process

2 . Ensure that older persons have the necessary care and support to enable them to live independently and in an environment of their choosing. This support should be on a standard that allows persons to have choice of an equal access to live in the home, community or residential setting

1. Ensure that older people will have the necessary care, personal assistance and support to enable them to have control and autonomy over the tasks and activities that make up their daily lives as well as access to community services and facilities that enable them to participate in community and public life.
2. Ensure that all measures that related to the exercise of legal capacity provide for appropriate and effective safeguards to prevent abuse are in accordance with international human rights law. Such safeguards shall ensure that measures relating to the exercise of legal capacity respect the right, will and preferences of the person, are free of conflict of interest and undue influence, are proportional and tailored to the persons circumstances, apply for the shortest time possible and are subject to regular review by a competent, independent and impartial authority or judicial body. The safeguards shall be proportional to the degree to which such measures affect the person’s rights and interests
3. Ensure that older people are not deprived of their liberty unlawfully or arbitrarily, and that any deprivation of liberty is in conformity with the law.