**Joint submission by AGE Platform Europe, HelpAge International, The Law in the Service of the Elderly and the National Association of Community Legal Centres Australia.[[1]](#footnote-1)**

**Open-ended Working Group on Ageing, 10th Working Session, 15-18 April 2019**

**Education, training, lifelong learning, and capacity building**

**Authors**

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**Context of Response**

This response addresses the guiding questions from a global perspective. It summarises a more comprehensive statement which will be provided to the 10th working session.

**Question 1: International legal framework**

Despite provisions on the right to education,[[2]](#footnote-2) there are unique disadvantages and aspects of the right in older age which are not adequately provided for in existing human rights law.

International human rights standards are needed on older persons’ right to lifelong learning and education on an equal basis with others and without discrimination, so they can live autonomous and independent lives, fulfil their aspirations, build their skills and capacities, develop their full human potential and sense of dignity and self-worth, and participate fully in society.

**Scope of the right**

* The right shall cover all forms of learning and education, including but not limited to tertiary education, vocational training and retraining, digital education, adult education, informal, recreational and community-based education, lifelong learning programs, and skills training in literacy, numeracy and technological competencies.

**Non-discrimination and equality**

* Older people have the right to equal access to opportunities for all forms learning and levels of education without discrimination based on age or any other factor.
* Older people have the right to equal access to digital learning and education platforms without discrimination based on age.
* States shall take steps to eliminate negative ageist stereotypes and prejudices about older people’s ability to learn.
* Older people have the right to the same opportunities as others to benefit from scholarships and other educational or study grants.
* Older people have the right to participate in the decision-making processes regarding the shape and content of learning and educational programs aimed at older adults.
* Older people have the right to participate as teachers and sources of knowledge and wisdom in learning and educational programs for all generations.

**Accessibility**

* Older people have the right to affordable lifelong learning and education opportunities that fit their needs, preferences, skills, motivations, and diverse identities.
* Older people have the right to lifelong learning and education opportunities in settings that are accessible to them including in their communities and in care and support settings.

**Availability**

* Older people have the right to equal access to opportunities of lifelong learning and education available to the general public and to learning opportunities adapted to their specific needs, skills, motivations, preferences and diverse identities.

**Acceptability**

* Older people have the right to appropriate and acceptable lifelong learning and education opportunities that fit their needs, preferences, skills, motivations, and diverse identities.
* Older people have the right to learning and educational materials in an appropriate, accessible and acceptable format.

**Remedies and redress**

* Safeguards must be in place to protect against breaches of the right to lifelong learning and education, including breaches of privacy and security of data on digital and online learning platforms.
* Older people have the right to accessible legal information.
* Older people have the right to accountability mechanisms that provide for remedies and redress when their rights are violated.

**Question 2: Challenges in availability, accessibility and adaptability**

Older persons face a range of challenges to the enjoyment of their right to education, including:

* Lack of availability of learning opportunities adapted to the preferences and learning needs of older persons, for example prison rehabilitation programmes tend to cater for younger offenders in terms of skills training and education and release programmes may not address the resettlement challenges older prisoners may face.[[3]](#footnote-3)
* Information not available in formats accessible to older persons
* Limited access to education, training and learning opportunities for older persons in care and support settings
* Unequal access to digital education, including e-textbooks, mobile learning, online learning and technology-enhanced learning, due to interfaces that do not allow for difference in vision, hearing and dexterity, unaffordable technologies or lack of access to digital skills training[[4]](#footnote-4)
* Limited access to legal information and how to access legal and other complaint-making proceedings.[[5]](#footnote-5)
* Unaffordable cost of education, training or skills building courses and associated costs such as transport

**Question 5: Equality and non-discrimination**

Older persons experience ageism and age discrimination in relation to the right to education in different ways, for example:

* Deeply entrenched ageist stereotypes that older persons need not, cannot, and do not wish to, learn
* Age limits in education which are considered lawful under anti-age discrimination legislation[[6]](#footnote-6)
* Age limits for scholarships and other support instruments which exclude older persons.[[7]](#footnote-7)
* Unequal access of older workers to employment training and career development schemes[[8]](#footnote-8)
* Funding for further education which prioritises low-level skills and qualifications that are not appropriate for older persons who already have these but need to extend their skills to remain in employment.[[9]](#footnote-9)
* Invisibility and lack of voice in shaping and choosing the content of education and learning programs aimed at older adults.
* Exclusion and discrimination based on old age in participating in the teaching and managing staff of educational and learning programs for older adults.
1. \* For further information contact Bridget Sleap bsleap@helpage.org [↑](#footnote-ref-1)
2. For example, UDHR Article 26, ICESCR Article 13, CEDAW Article 10, CRPD Article 24 [↑](#footnote-ref-2)
3. Sleap, Old age behind bars: how can prisons adapt to the needs of increasingly elderly populations? 2014, <https://www.penalreform.org/blog/age-bars-prisons-adapt-increasingly-elderly-populations/> [↑](#footnote-ref-3)
4. Craig Mokhiber, Artificial Intolerance and Digital Dignity: Older Persons, Human Rights and New Technologies for Education, presentation at the International Expert-Conference on Human Rights of Older Persons, Vienna, 13th November 2018, <http://www.ageing.at/en/downloads/downloads-day-2-en> [↑](#footnote-ref-4)
5. Edwards and Fontana, *Legal Information Needs of Older People*, Law and Justice Foundation of New South Wales, 2004 [http://www.lawfoundation.net.au/ljf/site/articleIDs/9D9D131462B745E0CA257060007D1408/$file/legal\_info\_needs\_report.pdf](http://www.lawfoundation.net.au/ljf/site/articleIDs/9D9D131462B745E0CA257060007D1408/%24file/legal_info_needs_report.pdf) [↑](#footnote-ref-5)
6. https://civilrights.findlaw.com/discrimination/age-discrimination-in-education.html [↑](#footnote-ref-6)
7. <https://ageing-equal.org/ageism-in-lifelong-learning/> [↑](#footnote-ref-7)
8. Alexis Rinckenbach, Lifelong education and digital training for the elderly in France, presentation at the International Expert-Conference on Human Rights of Older Persons, Vienna, 13th November 2018, <http://www.ageing.at/en/downloads/downloads-day-2-en> [↑](#footnote-ref-8)
9. <https://www.theguardian.com/education/2009/jun/09/backtoschool-accesstouniversity> [↑](#footnote-ref-9)