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Substantive inputs in the form of normative content for the development of a possible international standard on the focus areas “contribution of older persons to sustainable development” and “economic security”

Working document submitted by the Office of the High Commissioner for Human Rights*

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I. Introduction

1. The Open-ended Working Group on Ageing, established by the General Assembly through its resolution 65/182 with the purpose of strengthening the protection for the human rights of older persons, will hold its thirteenth session at the United Nations Headquarters from 3 to 6 April 2023. Under item 6 of the provisional agenda, the Working Group will discuss follow-up to General Assembly resolution 77/190: measures to enhance the promotion and protection of the human rights and dignity of older persons: best practices, lessons learned, possible content for a multilateral legal instrument and identification of areas and issues where further protection and action are needed.

2. To that end, the Chair of the Open-ended Working Group called for inputs from Member States, national human rights institutions (NHRIs) with A-status, non-governmental organizations (NGOs) and United Nations system agencies and bodies, following questionnaires prepared by the Secretariat on normative content of the two focus areas that were discussed at the twelfth session: contribution of older persons to sustainable development; and economic security. The present document contains an analytical summary of contributions received. The document also benefitted from the working documents submitted to the twelfth session summarizing substantive inputs on the above-mentioned focus areas.¹

II. Contribution of older persons to sustainable development

A. Conceptual basis

3. The working document submitted to the twelfth session (A/AC/278/2022/CRP.3) identified the underlying conceptual bases and the enablement of older persons' right to participate in and contribute to sustainable development by existing human rights, such as equality and non-discrimination;² personal liberty;³ freedom of expression, information, communication and access to information; to gather and associate; to active participation in the community and to public initiative; to work including in a voluntary capacity; health; and social security. Relevant challenges identified included the digital divide, ageism, inadequate care and support services, economic inequalities, inadequate housing and living environment, violence, abuse and neglect, intersectionality, limited political participation, social isolation and loneliness, and the impacts of humanitarian emergencies. A fundamental conceptual base of sustainable development is General Assembly resolution 70/1 entitled "Transforming our world: the 2030 Agenda for Sustainable Development", which noted the three dimensions of sustainable development: economic, social and environmental.

4. Further, inputs on the human right to a clean, healthy and sustainable environment referred to the specific recognition by the General Assembly and the Human Rights Council that older persons feel the impacts of environmental damage more acutely.⁴ The General Assembly resolution 76/300 recognized that the exercise of human rights, including the rights to seek, receive

¹ A/AC.278/2022/CRP.3 and A/AC.278/2022/CRP.4.

² See also compilations of substantive and normative inputs submitted to previous working sessions of the Open-ended Working Group on Ageing, available at: [https://social.un.org/ageing-working-group/documents/eighth/Background%20analytical%20papers/Analysis Equality.pdf](https://social.un.org/ageing-working-group/documents/eighth/Background%20analytical%20papers/Analysis%20Equality.pdf); and [https://social.un.org/ageing-working-group/documents/ninth/2018_07_06_Compilation_Working_Doc_EqualityNonDiscrimination%20\(003\).pdf](https://social.un.org/ageing-working-group/documents/ninth/2018_07_06_Compilation_Working_Doc_EqualityNonDiscrimination%20(003).pdf)

³ See A/HRC/51/27.

⁴ A/RES/76/300; A/HRC/RES/48/13.

and impart information, to participate effectively in the conduct of government and public affairs and to an effective remedy, is vital to the protection of a clean, healthy and sustainable environment. Historical resolutions recognize the right to “an environment of a quality that permits a life of dignity and well-being”.⁵ HelpAge International and others referred to the Declaration on the Right to Development adopted by General Assembly resolution 41/128 of 4 December 1986, which provides in its article 1 that the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized. The Institute of Human Rights Ombudsmen of Bosnia and Herzegovina and others highlighted the importance of the Madrid International Plan of Action on Ageing as a development policy and action platform, while noting its limited normative enforceability.

5. The International Labour Organization (ILO) referred to numerous standards that protect older persons, providing guidance on building national frameworks aimed at securing participation to sustainable development by the development of adapted labour frameworks,⁶ and by social security measures guaranteeing income security on retirement from the labour market. ILO noted that by requiring that older persons benefit from access to adequate income security and health protection, international social security standards set the stage allowing older persons to continue engaging in sustainable development activities.

B. Definition

6. A central issue highlighted in the contributions received was the absence of any consistent definition of older persons’ right to participate in and contribute to sustainable development. Some inputs described factors, processes, measures and relevant existing human rights that enable older persons’ contribution to sustainable development, whereas others emphasized guaranteeing the expected benefits, and outcomes of sustainable development. Many inputs noted the interconnectedness with other human rights such as the right to development and the right to a clean, healthy, and sustainable environment.

7. Mexico stated that the right could be broadly defined as the set of factors looking to satisfy older persons’ basic needs and their integral development, to reduce inequalities, to eliminate any form of discrimination, and to end poverty, with the objective of providing well-being to the ageing process, where the society, the family and the State take part. The Commission on Human Rights of the Philippines pointed to national laws recognizing older persons’ right to take their proper place in society, aiming to give full support to their full participation in society, considering they are integral part of society, to motivate and encourage them to contribute to nation building, and to establish mechanisms whereby their contributions are maximized. Office of the Commissioner for Human Rights of Poland noted that the definition of the right of older persons to participate in social, cultural, political, and economic life and contribute to sustainable development should take into consideration climate change, digitalization, and the development of artificial intelligence. Inputs observed that the Special Rapporteur on human rights and the environment reported that the right to a healthy environment “means people have the right to clean air, safe and sufficient water, healthy and sustainably produced food, non-toxic environments

⁵ A/CONF.48/14/Rev.1.

⁶ ILO Older Workers Recommendation No.162.

where they can live, work, study and play, healthy ecosystems and biodiversity, and a safe climate. It also comes with a toolbox of access rights, including access to environmental information, public participation in environmental decision-making, and access to justice if the right to a healthy environment is being violated or threatened. And finally, the interpretation of this right is guided by key human rights principles including prevention, non-regression, and non-discrimination.”⁷

8. The World Health Organization (WHO) reflected on available guidance to UN agencies and countries on making older persons visible in the context of Sustainable Development Goals, targets, and indicators as well as in developing, implementing, and monitoring Common Country Analyses and UN Sustainable Development Cooperation frameworks. Collective action by many stakeholders is needed to ensure national legal standards relate to older persons’ contribution to sustainable development on normative elements. The German Institute for Human Rights observed that despite the Sustainable Development Goals (SDGs) only mentioning older persons three times,⁸ they must be recognized as the active agents in societal development to achieve ensure truly transformative, inclusive sustainable development outcomes. The Portuguese NGO Associação de Aposentados, Pensionistas e Reformados (APRe!) also observed the failure to include older persons, including the demands of demographic ageing and human rights, explicitly and systematically in the SDGs, even though older persons play a role in their communities, taking on tasks and responsibilities that are aligned with SDG priorities such as promotion of economic and environmental activities. Ageing Nepal suggested that older persons are a target group of sustainable development, contributors to, and change makers for sustainable development. They contended it is impossible to achieve the SDGs without their active participation, particularly in countries where youth migration is high. Accordingly, older persons’ contribution should be highly recognized, with a platform for greater engagement.

9. Age Platform Europe noted all SDGs are advanced by improving the human rights of older persons, including reduction of poverty and social exclusion (SDG 1), labour market participation (SDG 8), and improved health (SDG 3) among others. However, Age Platform Europe noted that older persons are often excluded from the monitoring of such targets. For example, the European Pillar of Social Rights Action Plan proclaims a target to reach 60 per cent participation in training each year for ‘all’ adults by 2030, but the indicator measure only considers people until 65 years of age.

C. Normative elements

10. Inputs identified regional instruments, which include relevant articles on the right to contribute to sustainable development. Argentina, El Salvador, Mexico, Colombia, Costa Rica and other members of the the Organization of American States noted the relevant provisions of the Inter-American Convention on Protecting the Human Rights of Older Person’s (the Inter-American Convention). Inputs noted general principles recognizing older persons, their role in

⁷ Environmental Defenders Office, A Healthy Environment is a Human Right: Report on the Status of the Human Right to a Healthy Environment in Australia, p. 5, available at: <https://www.edo.org.au/publication/the-right-to-a-healthy-environment/>. See also A/HRC/49/53.

⁸ **2.2** By 2030, end all forms of malnutrition, including achieving, by 2025, the internationally agreed targets on stunting and wasting in children under 5 years of age, and address the nutritional needs of adolescent girls, pregnant and lactating women and older persons; **11.2** By 2030, provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the needs of those in vulnerable situations, women, children, persons with disabilities and older persons; **11.7** By 2030, provide universal access to safe, inclusive and accessible, green and public spaces, in particular for women and children, older persons and persons with disabilities. (Underlining added).

society, and their contribution to development (article 3); and the right to participation and community integration (article 8). Reference was also made of the right to a healthy environment, promoting the development of the older persons in harmony with nature and guaranteeing access to basic public services (article 25); and the right to accessibility and personal mobility to guarantee an independent life so that older persons have equal access to the physical environment, transportation, information, and communications (article 26). Similarly, the Commission Nationale Indépendante des Droits de l'Homme of Burundi and the National Human Rights Commission of Nigeria noted the need to adhere to regional and international human rights treaties aimed at promoting the rights of older persons and their inclusion in the development agendas at all levels. They referred to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa (the African Protocol), which requires that States develop policies that ensure the rights of older persons to enjoy all aspects of life, including active participation in socio-economic development, cultural programmes, leisure, and sports (article 17). The African Protocol was also noted by inputs wherein older persons have responsibilities towards their families, communities, the wider society, the state, and the international community, including to mentor and pass on knowledge and experience to the younger generations; and to foster and facilitate inter-generational dialogue and solidarity within their families and communities (article 20).

11. European inputs noted the European Union Charter of Fundamental Rights generally guarantees the right to participate in social and cultural life (article 25). Additionally, the Revised European Social Charter aims to enable older persons to remain full members of society for as long as possible, by means of adequate resources enabling them to lead a decent life and play an active part in public, social and cultural life; and provision of information about services and facilities available for older persons and their opportunities to make use of them (article 23). Further, the 2014 Council of Europe recommendation notes that older persons should have the possibility to interact with others and to fully participate in social, cultural and education and training activities, as well as in public life.⁹

12. The Food and Agriculture Organization of the United Nations (FAO) noted older persons' significant contributions to agrifood systems as rights-holders, consumers, producers, knowledge holders, and guardians of local and traditional practices. At the same time, millions of older persons, especially in rural areas of low-income countries, face serious food insecurity and poverty. Furthermore, FAO observed, ageing population and rural-to-urban migration have been placing considerable pressure on older persons living in rural areas of developing countries, in terms of burdens and responsibilities, exacerbating age-related inequalities and vulnerabilities.

13. Many inputs mentioned constitutional guarantees of the rights in the guiding questions and the 12th session's conference paper. Like regional instruments, constitutional guarantees were derived from suites of existing, predominantly general rights. Few specific examples were given of specific rights to sustainable development, whether generally or for older persons. For example, the Finnish National Human Rights Institution noted the combination of rights to equality, free expression, access to information, electoral and participatory rights, and responsibility for the environment, which obliges State to guarantee the right to a healthy environment and for the possibility to influence the decisions that concern their own living environment. Similarly, the Mali Commission Nationale des Droits de l'Homme noted

⁹ Recommendation CM/Rec(2014)2, Paragraph 10.

constitutional guarantees to freedom of enterprise and a healthy environment, whereby the protection and defense of the environment and the promotion of the quality of life is both an individual and a State duty.

14. The Portuguese NHRI Provedor de Justiça noted the constitutional requirement that policy for older persons shall include measures of an economic, social and cultural nature that tend to provide older persons with opportunities for personal fulfilment by means of an active participation in community life, and recognizes an autonomous and active ageing status for older persons when combined with other provisions. Member States such as Germany provided detailed examples of how national laws provide general protections for all or some of the human rights listed under the questionnaire. However, these laws were not specific or adapted to older persons' interests. An example of a specific national law on sustainable development was given by National Human Rights Commission of Korea who noted the Framework Act on Sustainable Development (Fundamental Principles), although it contains few explicit references to older persons.

15. Mexico noted the right was enforced through national law, which establishes older persons' right to participate in the planning of social development through decision-making. Colombia and Dominican Republic described similar arrangements creating legal frameworks that establish older persons' right to decide freely, responsibly, and consciously about their participation in the social development of the country. The National Human Rights Committee of Qatar stated that older persons participate in setting national development plans around implementation of the SDGs and multi-sectoral strategies. Similarly, Jordan noted its national strategy, prepared with the National Committee for the Elderly. The Strategy is an integrated national system to advance older persons' issues in all spheres of life, thereby increasing participation in sustainable development.

16. Age Platform Europe noted that volunteerism is a key aspect of how older persons exercise their right to participate, keeping them connected to their local community as well as aiding sustainable development. Many older persons engage in clubs, schools, associations, and NGOs. Age Platform Europe noted the need for national frameworks to support capacity-building, training, and funding. Gramin Vikas Vigyan Samiti India (GRAVIS) also noted national frameworks supporting older persons' contribution to sustainable development, including the Indian National Policy for Senior Citizens, wherein a key focus is to recognize that older persons are a valuable resource and create an environment that enables their full participation in society.¹⁰

1. Right to equality and prohibition of all forms of discrimination against older persons on the basis of age, alone or combined with other grounds, in the context of sustainable development

17. Inputs noted relevant articles of the Inter-American Convention on: equality and non-discrimination for reasons of age (article 5); right to safety and a life free of violence of any kind (article 9); and equal recognition before the law (article 30). Inputs also noted the relevant provisions of the African Protocol on elimination of discrimination against older persons (article 3) and access to justice and equal protection before the law (article 4). Member States (Dominican Republic, Luxembourg and Slovenia), NHRIs (Bosnia and Herzegovina and Finland) and NGOs referred to national constitutional guarantees of equality, while others (NHRIs of El Salvador and Guatemala) described national laws that guarantee or promote older persons' policy engagement.

¹⁰ <https://socialjustice.gov.in/writereaddata/UploadFile/dnpsc.pdf>

An example provided by the National Human Rights Commission of Korea was the Framework Act on Sustainable Development, which defines ‘sustainable development’ as development based on sustainability that seeks to achieve a balance between sustainable economic growth, social inclusion, and a clean and stable environment. The Act requires the State to establish and enforce policies on finance and social security to eliminate all forms of discrimination including based on age and social inequality. The Commission on Human Rights of the Philippines referred to laws to establish senior citizens’ affairs offices in cities, which are in turn mandated to facilitate programs and initiatives to link older persons to opportunities to contribute to their communities. Further, Commission on Human Rights of the Philippines noted the National Commission of Senior Citizens, headed by older persons, to guarantee older persons’ participation in programs for their development, and that of the nation.

2. Ageism and age discrimination

18. The WHO noted the Global Report on Ageism and the Global Campaign to Combat Ageism as a partnership with other stakeholders to support Member States combat ageism. The Report recommends three strategies: policies and laws (at local, national, and international level), educational and intergenerational contact interventions. Inputs noted that regional instruments address age discrimination but not ageism. Inputs also highlighted the absence of national laws or policies on ageism, including for sustainable development. Further, inputs stated that existing discrimination laws did not apply to sustainable development, or as the Institute of Human Rights Ombudsmen of Bosnia and Herzegovina noted, were potentially subject to legitimacy/proportionality exceptions. Many inputs also contended that except for employment, there were few other explicit prohibitions on age discrimination. Several inputs noted proposed laws for the protection of older persons’ rights, including Qatar’s anticipated elderly rights protection bill. Age Platform Europe noted that while the European Union has anti age discrimination as one of its core treaty principles, the policy area on ageism is not developed; the legal framework is limited and does not adequately cover sustainable development. Age Platform Europe suggested that the European Union Green Paper on Ageing¹¹ opened an opportunity to build a strategy around ageing based on non-discrimination and human rights and proposed an Age Equality Strategy¹² in this context.

3. Right to freedom of expression

19. Inputs noted article 14 of the Inter-American Convention on freedom of expression and opinion, and access to information. Member States (Dominican Republic, Mexico and Slovenia), NHRIs (Finland and Guatemala) and NGOs described general constitutional or legislative guarantees to right to freedom of expression, including freedom to seek, receive and impart information without specific application to older persons. The Institute of Human Rights Ombudsmen of Bosnia and Herzegovina and other inputs noted national freedom of information laws. The National Human Rights Commission of Korea also noted a general obligation in their

¹¹ European Commission, Directorate-General for Communication, *Green paper on ageing*, Publications Office of the European Union, 2022, <https://data.europa.eu/doi/10.2775/785789>.

¹² https://age-platform.eu/sites/default/files/AgeEqualityStrategy_FINAL.pdf.

Framework Act that the State shall disseminate knowledge and information regarding sustainable development in an accessible form, without explicit mention of older persons.

4. Right of peaceful assembly and freedom of association

20. Inputs referred to article 28 of the Inter-American Convention on freedom of association and assembly. Member States, NHRIs (Bosnia and Herzegovina, Finland and Guatemala) and NGOs described general constitutional and legislative guarantees to the rights of peaceful assembly and freedom of association without specific application to older persons. Inputs noted that older persons frequently engaged in activism around sustainable development but were not provided any specific consideration in law and policy. One example was given by the Procuraduría de los Derechos Humanos Guatemala with constitutional recognition and national law with specific State obligation to promote the formation of older persons' groups.

5. Right to take part in the conduct of public affairs, directly or through freely chosen representatives

21. Inputs noted article 27 of the Inter-American Convention on political rights, which provides older persons with the right to participate in political and public life on an equal basis with others and not to be discriminated against for reasons of age. The article includes State obligations to create and strengthen mechanisms for citizen participation with a view to including the opinions, contributions, and demands of older persons, their groups, and associations in government decision-making. Inputs described the right to stand for election and vote as well as participating in governmental processes. Various constitutional and national electoral laws were cited, describing methods of participation through dedicated entities without specific application to older persons. The Provedor de Justiça noted the law establishes no age limit for holding or running for political office.

6. Right to development, including older persons as active participants and beneficiaries of development

22. Inputs noted article 8 of the Inter-American Convention, which provides that older persons have the right to active, productive, full, and effective participation in the family, community, and society with a view to their integration. This includes State obligations to create and strengthen mechanisms for their participation and social inclusion in an environment of equality that serves to eradicate the prejudices and stereotypes that prevent them from fully enjoying those rights; promote their participation in intergenerational activities to strengthen solidarity and mutual support as key components of social development; and ensure that facilities and community services for the general population are available to them on an equal basis and that they take account of their needs. Similarly, the African Protocol in its article 17 establishes the State obligation to shall develop policies that ensure the rights of older persons to enjoy all aspects of life, including active participation in socio-economic development, cultural programmes, leisure, and sports.

23. Few inputs noted any guarantees (constitutional, legislative or policy) of the right to development, including older persons as active participants and beneficiaries of development. Mexico noted one of the main pillars of their special law is the promotion of participation, which

refers to the insertion of older persons in all aspects of public life, including by expressing their opinions and intervening in areas of their interest.

7. Active, free, and meaningful participation of older persons and their representative organizations in all matters related to sustainable development

24. Inputs noted article 27 of the Inter-American Convention. Few inputs described specific guarantees (constitutional, legislative, policy) of active, free, and meaningful participation of older persons and their representative organizations in all matters related to sustainable development. Inputs highlighted various methods of participation through dedicated entities. By example, the Commission on Human Rights of the Philippines discussed the Senior Citizens Sectoral Council of the National Anti-Poverty Commission as a formal mechanism for older persons to directly participate in government development processes. Tanzania noted National Elderly Advisory Councils exist at all levels, which are a platform for older persons to participate in discussions about social, economic and development issues. Mexico referred to national laws promoting participation through older persons' committees. Slovenia mentioned its Council for Active Ageing and Intergenerational Cooperation which is an umbrella for related measures including an Active Ageing Strategy.

25. The German Institute for Human Rights noted political participation of older persons is not explicitly mentioned in German basic law, but several Bundesländer regulate representation through older person's participation laws,¹³ including being informed, giving advice, and making proposals. The Provedor de Justiça noted that associations and organisations of older persons participate in political decision processes by means of consultations within legislative procedures. APRe!, Age Platform Europe and Agewell India submitted that vulnerable older persons are disadvantaged if participation is not assured, including through skills development and physical and digital accessibility. NGOs noted that State support through flexible retirement policies also helps to ensure older persons' active, free, and meaningful participation.

8. Access to prompt remedies and redress

26. Inputs noted articles 31 and 36 of the Inter-American Convention on access to justice and the system of individual petitions. Article 4 of the African Protocol contains a similar guarantee on access to justice and equal protection of the law. Inputs described a range of general remedies and mechanisms incorporating administrative, civil, and criminal sanctions, however none that specifically addressed a denial of older persons' right to contribute to sustainable development. Colombia noted that its National Council for Older Persons can express complaints about denials of older persons' rights to various entities. Age Platform Europe noted that the lack of a legal framework at European Union level covering age discrimination in access to goods and services is an important barrier to accessing justice in case of denial of older persons' right to participate in sustainable development.

D. State obligations

¹³ Berlin, Hamburg, Mecklenburg-Western Pomerania, and Thuringia.

27. The WHO noted good practices that allow older persons to be heard, seen, and meaningfully engaged in developing, implementing, and monitoring policies, programmes and research related to sustainable development. These include age-friendly environments, now developing for over a decade. They observed that voice, participation, and meaningful engagement of older persons is central to implementing the UN Decade of Healthy Ageing (2021–2030). Germany and others noted the importance of implementing the principle to “leave no one behind”, which they identified as an ultimate state obligation. The Finnish National Human Rights Institution contended that States must deliberately involve civil society in the development of policy approaches to sustainable development. Otherwise, they suggested, there is a danger that the issue of ageing does not include rights-based approach. Office of the Commissioner for Human Rights of Poland noted the importance of effective access to information and reasonable accommodation in ensuring older persons’ contribution to sustainable development. Mexico and the Dominican Republic similarly noted the need to address generalized ageism and stereotypes in society that lead to discrimination and exclusion from processes. NGOs also noted the need to encourage knowledge exchange synergies with and between CSOs, and to promote older persons associations to ensure effective policy consultation.

28. Inputs including NHRIs from Guatemala and Qatar suggested that States should advocate for a binding international convention on the rights of older persons, in which the right to contribute to sustainable development is explicitly guaranteed. Inputs suggested normative guarantees should include the right of older persons to freely participate in public conduct and free elections and ensure that the human rights noted in the guiding questions are protected, promoted and enforced. Inputs submitted that States should promote active participation of older persons in public discourses to enhance a self-determined way of life and influence societal development. This included creating frameworks that protect and improve civic engagement and cooperation with civil society to promote the older persons’ voices in sustainable development. Legal frameworks also need complaints mechanisms to ensure that older persons can fully exercise their rights.

29. Commission on Human Rights of the Philippines noted the need to develop national human rights agendas for older persons, which if formulated in coordination with government, civil society, and other stakeholders, can address the gaps and challenges in the implementation of development programs and services. HelpAge International observed States have an obligation to enact statutory equality duties, which should require the adoption of equality impact assessment to identify, anticipate and eliminate the discriminatory impacts of policies before they are adopted; ensure the adoption of specific equality policies and strategies that promote the equal participation of older persons in society; and mainstream the rights of older persons in the development of all other policies and strategies. Further, the National Human Rights Commission of Korea recommended the State identify the role of third parties including business and mandate expected activities to support older persons’ contributions. Many inputs noted that the need for comprehensive ageism and age discrimination laws. The Procuraduría de los Derechos Humanos Guatemala noted the need for national monitoring bodies with adequate financial resources for operation.

30. Age Platform Europe noted that increasingly States have ministers for older persons within national governments, but these positions lacked seniority and can seem tokenistic. Aligning these roles with health portfolios can negatively affect how older persons are perceived – i.e., it promotes the view that older persons are sick, vulnerable, or unhealthy. Age Platform

Europe observed that at an individual level, participation should be fostered by States through the establishment of service points for persons without access to the internet, transport arrangements and mobile outreach. The establishment of councils of residents, for example, within care facilities would allow for participation within an older person's immediate environment. The Dominican Republic and NGOs noted that State support for flexible retirement policies was critical to active participation of older persons. NGOs also contended that States had not effectively recognized the contribution of older persons in achieving the SDGs. Accordingly, they suggested States should formulate policies, so all programmes aligned with SDGs are inclusive of older persons, as target groups and as contributors.

E. Implementation – best practices and main challenges

31. Argentina, Mexico, and Slovenia noted the models of participatory councils at various levels, which facilitate meetings between authorities and older persons, and representatives such as pensioners' associations. The councils amplify older persons' voices, strengthen insight and perspectives, raise suggestions for policy improvement, promote participatory management and necessary interaction for planning institutional action. Tanzania highlighted the strategy of economic empowerment of older persons through involvement in community works, animal keeping, farming and other small income generating activities contributing to sustainable development. Similarly, The Procuraduría para la Defensa de los Derechos Humanos El Salvador referred to specific laws for older persons' active participation in consultation spaces for the development of regulations and policies, bringing legislative influence for the rules of specialized protection. Slovenia and Türkiye noted the creation of Councils on Ageing, and research bodies established to identify solutions to of older person's issues. The Slovenia and the Institute of Human Rights Ombudsmen of Bosnia and Herzegovina noted the good practice of NHRIs making recommendations to national authorities on older persons' human rights. Slovenia also noted 15 multigenerational centres in Slovenia, where different generations meet, cooperate through concrete activities, and contribute to reducing ageism. Intergenerational centres are an important core of cooperation, socializing and various forms of joint action of people regardless of age.

32. GRAVIS promoted older persons led community-based organizations in rural India such as older persons' associations that ensure participation in sustainable development. Examples included "Battling against droughts", "Taking along everyone", "Turning a new leaf", "Older Women Matter". Creation and strengthening of older persons associations and community-based organizations ensure older persons' leadership and helps to reducing ageism and related stereotypes. Cameroon also noted supporting older persons associations and promoting voluntary work among older persons, thereby strengthening intergenerational solidarity, and promoting mutual aid among generations. Cameroon noted that other benefits include mechanisms for valuing and monitoring the skills of older persons, public symbolic recognition of older persons and facilitating older persons' access to credit, income-generating activities, markets, and capital.

33. Age Platform Europe similarly noted several States have councils of older persons who provide recommendations and advice to government. However, the reach of these councils depends on local support; in some regions they are supported and respected but in others they are not. Challenges in representation exist for groups such as nursing home or care facility residents, Roma and other vulnerable groups who are typically underrepresented, if at all. The Mali Commission Nationale des Droits de l'Homme noted the establishment of a collective of

associations of older persons - the National Council of the Elderly of Mali that offers older persons a space for expression and opportunity to participate in the public and political life of the country.

34. The main challenges observed by the WHO in the development of age-friendly cities and communities initiatives include the absence or weak presence of healthy ageing in the political agenda, limited resources, and unfamiliarity or resistance to people-centered, multi-sectoral approaches. They also noted a lack of age-disaggregated data and analysis, that is critical to inform policies and programmes for older persons. The German Institute for Human Rights and others noted that older persons' limited recognition in the SDGs created major challenges. The Finnish National Human Rights Institution observed that the framing of ageing as a cost issue is detrimental to realising the rights of older persons, as it fails to acknowledge the rights and contributions of older individuals to sustainable development and society at large. Instead, they suggested, emphasis should be on inclusive approaches that involve older persons in the development, and implementation of sustainable policies. Office of the Commissioner for Human Rights of Poland stated that internalised ageism, loneliness of older persons, limited education opportunities and lack of information on support services created challenges.

35. The WHO, Agewell Foundation USA and others noted the connection between age-friendly communities and older persons' contribution to sustainable development. Understanding and leveraging those connections was a necessary challenge. Age Platform Europe noted practical challenges associated with volunteering, including the lack of formal status and formal barriers to participation, for example, the loss of certain benefits, the impact of stereotypes, and underrepresentation among older persons with lower educational achievements.

F. Summary and conclusions

36. The inputs received were diverse and highlighted that there is limited evidence of the existence of a normative definition of the right to participate in and contribute to sustainable development, including generally and specifically for older persons. Definitions included international, regional, and national examples, none of which adequately captured all the necessary features of specific normative content of older persons' right to contribute to sustainable development. Examples included relevant existing human rights including but not limited to those suggested by the guiding questions, such as the right to equality and prohibition of all forms of discrimination, right to freedom of expression, including freedom to seek, receive and impart information, right of peaceful assembly, right to freedom of association, right to take part in the conduct of public affairs, right to development and the right to a clean, healthy and sustainable environment. In addition, the 2030 Agenda for Sustainable Development and the Madrid International Plan of Action on Ageing were noted as relevant policy frameworks to inform the normative content of older persons' right to participate in and contribute to sustainable development.

37. Inputs noted that the normative definition of a such right should be broadly framed, connect other relevant human rights, address the issues of ageism, age discrimination, poverty and older persons' active, free, and meaningful participation in public affairs, decision-making processes and in all spheres of life, including in the community and family contexts. Definitions and normative content should encourage and maximize older persons' engagement, consultation,

and outcomes within the sphere of sustainable development, and recognize older persons as beneficiaries of sustainable development.

38. The normative content should also ensure engagement and integration of older persons' human rights in the framework of the Sustainable Development Goals, including in the post-2030 Agenda for Sustainable Development. Inputs highlighted that older persons should be recognized as contributors to, agents for and beneficiaries of sustainable development. As older persons help to advance sustainable development, so too should sustainable development advance older persons' human rights.

39. Inputs on the scope of the rights related to older persons' participation in and contribution to sustainable development noted that normative elements were generally guaranteed in some cases but rarely in specific terms or ways adapted to the needs of older persons. Gaps in general terms included the absence or inadequacy of comprehensive age discrimination laws, laws against ageism, laws promoting older persons' right to sustainable development and to remedial process when the right was denied. Guiding principles suggested by inputs included the need for a broad scope of the right to ensure equality of enforcement, overarching values of autonomy, independence and active decision-making and participation.

40. Inputs on State obligations noted that individual and collective rights would often be relevant in sustainable development planning, policies, and processes, whether for particular groups of older persons, or for particular areas of sustainable development. Regional standards cited by inputs reinforced that sustainable development placed obligations on States to balance older persons' rights and interests carefully and comprehensively. Measures to achieve this included formal consultation and participation mechanisms with evaluative inputs from older persons and their representatives. Good practices and main challenges all pointed to the need for meaningful and enforceable engagement, that is mainstreamed, multi-sectoral (public and private institutions) and across all levels of government.

III. Economic security

A. Conceptual basis

41. The working paper on economic security submitted to the twelfth working session of the Open-ended Working Group on Ageing (A/AC.278/2022/CRP.4) noted several interrelated dimensions of economic security and the challenges older persons face in their enjoyment of their right to an adequate standard of living and other related human rights, including: the impact of multi-dimensional poverty; gaining access to traditional economic rights including adequate standard of living, social security, healthcare and services, adequate housing, and work; and the impacts of intersectional discrimination and inequality based on age and other grounds.

42. Inputs noted that older persons' right to economic security involved the interplay of various human rights. Community Legal Centres Australia noted it includes economic rights that directly improve older person's economic security (e.g. adequate standard of living, housing, and social security) but also recognize context (e.g. pandemic, disaster, climate change, rurality)

and intersections (e.g. disability and indigeneity) that address the multi-dimensional nature of poverty and drivers of economic insecurity. The concept is reflected in the Madrid International Plan of Action on Ageing¹⁴ and the United Nations Principles for Older Persons.¹⁵ Inputs noted that various Special Procedures had considered conceptual bases and various dimensions and drivers of economic insecurity.¹⁶

43. Inputs noted that the Convention on the Rights of Persons with Disabilities does not define economic security but includes a right to an adequate standard of living for persons with disabilities and their families, including adequate food, clothing, and housing, and to the continuous improvement of living conditions (article 28). Further, the Convention guarantees equal access by persons with disabilities to retirement benefits and programmes (article 28(e)).

B. Definition

44. Common to all inputs was the absence of any clear definition of older persons' right to economic security. Inputs discussed the issue from several perspectives. Argentina, Colombia, Mexico, Costa Rica, and other members of the Organization of American States noted the Inter-American Convention protected fundamental rights to economic security including rights to social security (article 17), work (article 18), property and housing (article 24). Inputs noted that economic security is a cross-cutting and enabling right for others including life and dignity (article 6), and independence and autonomy (article 7). The National Human Rights Commission of Nigeria and the Universal Peace and Violence Amelioration Center observed that the African Charter on Human and Peoples' Rights recognizes the right to work in its article 15 and stipulates that every individual shall have the right to work under equitable and satisfactory conditions. References were also made to the article 7 of the African Protocol, which requires States to develop policies and legislation that ensure that older persons who retire from their employment are provided with adequate pensions and other forms of social security.

45. Mexico noted that economic security can be defined as older persons' ability to have and use economic resources to ensure the good quality of their lives and to achieve a dignified ageing with well-being. This, combined with the right to work, allows them to enjoy an income of their own to satisfy their material, social and cultural basic needs. The Dominican Republic echoed this view. HelpAge Spain noted that the Red Cross Committee defines economic security as "the ability of individuals, households, or communities to meet their basic needs in a sustainable manner and with dignity. This definition may vary depending on the physical needs of each individual, the environment and prevailing cultural norms. Food, basic shelter, clothing, and hygiene are considered basic needs, as are the expenses related to these items. Basic needs also

¹⁴ A/CONF.197/9, Political Declaration, arts 7 and 12.

¹⁵ A/RES/46/91, paras. 1 and 2.

¹⁶ Rosa Kornfeld-Matte, *Report of the Independent Expert on the enjoyment of all human rights by older persons, Enjoyment of all human rights by older persons*, A/HRC/42/43 (4 July 2019), p. 7; Claudia Mahler, *Report of the Independent Expert on the enjoyment of all human rights by older persons, Impact of the coronavirus disease (COVID-19) on the enjoyment of all human rights by older persons*, A/75/205 (21 July 2020); Claudia Mahler, *Report of the Independent Expert on the enjoyment of all human rights by older persons, Human rights of older women: the intersection between ageing and gender*, A/76/157 (16 July 2021), p. 10; Claudia Mahler, *Report of the Independent Expert on the enjoyment of all human rights by older persons, Report of the Independent Expert on the enjoyment of all human rights by older persons*, A/HRC/48/53 (4 August 2021), p. 7; Rosa Kornfeld-Matte, *Report of the Independent Expert on the enjoyment of all human rights by older persons, Enjoyment of all human rights by older persons*, A/HRC/39/50 (10 July 2018); Rosa Kornfeld-Matte, *Report of the Independent Expert on the enjoyment of all human rights by older persons, Enjoyment of all human rights by older persons*, A/HRC/30/43 (13 August 2015), pp. 3-4; Philip Alston, *Note by the Secretary-General, Extreme poverty and human rights*, A/73/396 (26 September 2018).

include the goods necessary for earning a living and expenses related to health care and education.” Age Platform Europe noted that economic security includes aspects of general wellbeing, health and social inclusion and the International Longevity Center Canada agreed that defining economic security in terms of poverty reduction can be limiting.

46. The Commission on Human Rights of the Philippines underlined the importance of economic security in their constitutional mandate for Congress to “give highest priority to the enactment of measures that protect and enhance the right of all people to human dignity, reduce social, economic, and political inequalities... by equitably diffusing wealth and political power for the common good.” The Provedor de Justiça noted a specific constitutional right, wherein older persons have the right to economic security and to conditions in terms of housing and family and community life that respect their personal autonomy and avoid and overcome isolation or social marginalisation.

47. Many inputs referred to legislative and policy measures. The National Human Rights Committee of Qatar noted that national laws provided economic security through social security and retirement from age 60. The National Human Rights Commission of Nigeria observed that while Nigeria has no specific provisions, constitutional imperatives provide that Government shall direct its policy towards ensuring that all citizens without discrimination have the opportunity for securing adequate means of livelihood. Türkiye cited several policies including strengthening older persons’ labour market status, combating age discrimination in social, political, and economic fields, prohibiting age discrimination in employment, and taking differential measures to ensure older workers’ occupational health and safety.

48. Age Action Ireland highlighted that Ireland defines poverty as a standard of living below what would be regarded as accepted by society, considering factors such as the ability to go for a meal or drink with friends and family. It further noted the European Union’s definition of ‘material deprivation’, which complements the monetary definition of poverty, whereby one is ‘materially deprived’ if three out of nine items identified for the material deprivation indicator¹⁷ cannot be accessed by a person. Inputs noted the European Union is currently developing the concept of ‘material and social deprivation’, extending the initial list of nine items to 13, including also access to leisure activity, socializing once per month or having ‘pocket money’. Réseau FADOQ similarly noted Canada’s use of the Market Basket Measure as an official poverty line, measuring the cost of a basket of goods and services required to meet basic needs and achieve a modest standard of living. In this regard, HelpAge International noted the normative description should ensure the specific needs and circumstances of older persons are addressed within rights to social protection and social security, adequate standard of living, work and access to the labour market and health.

C. Normative elements

1. Right to social security

¹⁷ The material deprivation rate measures the percentage of the population that cannot afford at least three of the following nine items: (1) to pay their rent, mortgage or utility bills; (2) to keep their home adequately warm; (3) to face unexpected expenses; (4) to eat meat or proteins regularly; (5) to go on holiday; (6) a television set; (7) a washing machine; (8) a car; and (9) a telephone.

49. The ILO noted the range of instruments,¹⁸ including those referred to in previous conference papers of the OEWSA.¹⁹ ILO instruments provide an international reference framework setting out the range and levels of social security benefits that are necessary and adequate for ensuring income maintenance and income security (regarding old-age pensions), as well as health and long-term care in older age. The extension of coverage to all older persons is an underlying objective of the standards, with the aim of achieving universality of protection, per Recommendation No. 202 and SDG target 1.3. Inputs noted general and specific guarantees of the right to social security. Spain's constitution specifically guarantees, through adequate and periodically updated pensions, a sufficient income for people in old age and promotion of their welfare through social services that provide for their specific problems of health, housing, culture, and leisure. Slovenia also reported a constitutionally entrenched right to a contributory pension. Türkiye noted a general constitutional right to social security, following ILO Convention No. 102. Germany like others noted the central importance of statutory pension insurance coverage. They reinforced the importance that pensions reflect the wages of the economically active population and thereby reflect society's increasing incomes and cost of living increases. International Longevity Center Canada also reinforced the importance of adjusted social pensions.

50. Inputs including Costa Rica and Finnish National Human Rights Institution noted that social security systems had contributory and discretionary non-contributory elements with additional, supplementary components depending on circumstances. By example, Jordan described a discount card for retirees. Many inputs such as Slovenia, Costa Rica and NHRIs of Germany and Portugal noted that regular adjustments were made. Various adjustment frequencies and methods were noted including the social support index, gross earnings, inflation, and consumer price index. The Procuraduría para la Defensa de los Derechos Humanos El Salvador reported that national laws required regular adjustment of benefits with changes in living costs and a 2023 law established a 30 per cent increase in the old-age pension. Réseau FADOQ warned however that indexation based on consumer index meant pensions become less adequate in replacing pre-retirement income as wages are rising faster. Inputs described the basis for social security laws including National Human Rights Commission of Korea highlighting imperatives for a stable source of income, providing protections against poverty, and preventing economic exploitation of older persons. Commission on Human Rights of the Philippines noted augmenting daily subsistence and medical needs, and to cushion the effects of economic shocks, disasters, and calamities. Age Action Ireland noted some older persons struggle to access an adequate pension, particularly women who perform unpaid or underpaid care work.

2. Right to an adequate standard of living

51. Inputs noted general constitutional and legislative guarantees to adequate housing, food, and water, though not all were comprehensively covered. Various inputs described general subsidies for water and electricity and tax exemptions for goods and services. Age Platform Europe noted that, at European level, elements of the right to an adequate standard of living are provided for in the European Union Charter of Fundamental Rights, the Revised European Social Charter,

¹⁸ These included the Social Security (Minimum Standards) Convention, 1952 (No. 102), the Old-Age, Invalidity and Survivors' Benefits Convention, 1967 (No. 128), and its accompanying Recommendation No. 131, the Medical Care Sickness Benefits Convention, 1969 (No. 130) and its accompanying Recommendation No. 134, and the Social Protection Floors Recommendation, 2012 (No. 202).

¹⁹ A/AC.278/2019/CRP.3 and A/AC.278/2021/CRP.2.

and the European Union Pillar of Social Rights. The provisions noted did not specifically target older persons, and do not equally cover all aspects of the right (e.g., food, clothing, housing, and social services). By example, the relevant European Union Charter provision in its article 25 merely mentions the right of older persons to live a life of dignity and independence and participation in social and cultural life. Member States such as Costa Rica referred to specific rights to housing in special national laws. Similarly, the Finnish National Human Rights Institution referred to the Act on General Housing Allowance that stipulates the rules of receiving compensation to cover housing costs. The German Institute for Human Rights noted that the German basic law provides no explicit right to housing but housing benefits are provided to older persons with low incomes.

52. The Provedor de Justiça noted the Portuguese Basic Housing Law implements the right to housing whereby the State must guarantee housing. Under the law, the right implies access to essential public services (e.g. domestic water supply and electricity), and to an adequate network of transport and social equipment, within the framework of land use planning and urbanism. The Defensoria del Pueblo Argentina noted a social tariff is granted to ensure access to different, essential public services through discounts on public transport, electricity, water, and gas. The Institution of Human Rights Ombudsman of Bosnia and Herzegovina also reported subsidies were available for electricity, firewood, and funeral expenses. The Age Action Ireland noted there is no right to housing in Ireland and many older persons live in inadequate housing, commonly caused by inadequate insulation. In 2020, more than one in eight persons aged 65 and above lived in a home with a leaking roof, damp walls, floors or foundation, or rot in window frames or floor. Additionally, they noted many mortgage products have a five-year minimum and must be repaid by age 70, excluding those aged 66 or older from finance. No law or State policy prohibits or discourages this practice or provides older persons with alternative means of accessing finance.

3. Right to work

53. ILO referred to a range of instruments²⁰ including those in previous working papers submitted to the working sessions of the Open-ended Working Group on Ageing.²¹ ILO noted profound transformations of the world of work and that the COVID-19 pandemic affected older workers disproportionately.²² Inputs referred to the article 18 of the Inter-American Convention. Various inputs (Spain, Costa Rica, Dominican Republic, Finnish National Human Rights Institution) noted general constitutional guarantees to the right to work. Member States such as Jordan noted general legislative protections for work. Member States (Slovenia and Spain) and a NHRI (Bosnia and Herzegovina) noted national legal arrangements for minimum wages, including updating wage rates. Some inputs like Finnish National Human Rights Institution noted that laws

²⁰ This included ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), ILO Older Workers Recommendation, 1980 (No. 162), Employment Policy Convention, 1964 (No. 122), Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169), Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), Vocational Rehabilitation and Employment (Disabled Persons) Recommendation, 1983 (No. 168), Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111), The Human Resources Development Recommendation, 2004 (No. 195), Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169), the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), ILO Home Work Convention, 1996 (No. 177), Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

²¹ A/AC.278/2021/CRP.3 and A/AC.278/2022/CRP.2.

²² Centenary Declaration on the Future of Work, 2019 and the 2022 Global call to action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable, and resilient.

protecting minimum wages did not exist and wage levels relied on collective negotiations between trade unions and employers' organizations. Inputs such as Age Action Ireland noted States permitted mandatory retirement ages and age limits in recruitment and that exceptions to age discrimination reinforced employment-based age proxies.

4. Prohibition of all forms of discrimination against older persons on the basis of age, alone or combined with other grounds, in all matters related to economic security

54. Inputs referred to the European Charter of Fundamental Rights on age discrimination, the Inter-American Convention (article 5) and the African Protocol (article 3). Costa Rica, Jordan and Türkiye highlighted specific constitutional protections for older persons. The International Longevity Center Canada noted Canadians' fundamental rights in the Charter of Rights and Freedoms include protection from age discrimination, freedom of movement and the pursuit of a livelihood. Inputs described general protections including Spain which included attributes of personal or social condition or circumstance. The Procuraduría para la Defensa de los Derechos Humanos El Salvador referred to specific laws prohibiting of all forms of discrimination against older persons, and the Procuraduría de los Derechos Humanos Guatemala noted that age discrimination could attract criminal sanctions. Member States such as Germany and Slovenia noted national laws that protect against discrimination on multiple grounds including age. Türkiye and other Member States noted that national discrimination laws applied to age, and to some areas of economic security such as work. Many inputs noted that age discrimination laws only applied to limited areas. NGOs noted that older women, African-American and older workers of color faced higher rates of discrimination.

5. Active, free, and meaningful participation of older persons and their representative organizations in all matters related to ensuring their economic security

55. Member States noted constitutional guarantees that facilitate participation in political, economic, cultural, and social life, including the establishment of councils of older persons, involving older persons associations, with advisory functions, in relation to social inclusion and quality of life policies for older persons. Germany noted that national laws generally guaranteed the right to form associations to safeguard and improve working and economic conditions for everyone and for all professions. The NHRIs of El Salvador and the Philippines noted state obligations to create participation spaces for older persons to guarantee their economic security, including participation in poverty alleviation planning and decision-making processes through national agencies.

6. Access to prompt remedies and redress

56. Inputs noted that low number of ratifications of regional instruments reduced the effectiveness of complaints mechanisms. Member States referred to various enforcement mechanisms including judicial and non-judicial forms. Examples included Constitutional Courts (Spain, Procuraduría para la Defensa de los Derechos Humanos El Salvador) and Ombudsman (Finnish National Human Rights Institution, Procuraduría para la Defensa de los Derechos Humanos El Salvador). The Provedor de Justiça noted the Ombudsperson can assess whether restrictions and decisions by public bodies are in conformity with the relevant international and

national legal standards and, where applicable, to take necessary recommendatory action. Age Action Ireland noted older persons' access to justice around economic security is threatened by limitations on legal aid schemes, in that legal aid is not available in quasi-judicial proceedings, whereas the Institution of Human Rights Ombudsperson of Bosnia and Herzegovina noted legal assistance is available to older persons in some cases.

D. State obligations

57. ILO noted an important social policy challenge is to secure an adequate level of income for all older persons without overstressing the capacities of younger generations. Further in view of the financing and sustainability challenge posed by demographic change, the State has a vital role to play in forecasting the long-term balance between resources and expenditure to guarantee that institutions will meet their obligations towards older persons. In this respect, the principle of the overall and primary responsibility of the State (reflected in ILO social security standards, strongly reaffirmed by Recommendation No. 202), will be critical to how future governments are accountable for the sustainability of social security systems in view of demographic change.

58. Argentina and the Dominican Republic suggested to expand pension coverage, to improve the income levels of older persons, and to promote indirect income mechanisms that contribute to improving the income levels of older persons. Mexico noted that State obligations include ensuring State, public and private institutions take measures to elaborate public policies, actions and programs that ensure the access to the labor market, allowing older persons to generate a salary to cover their needs, and access to social security. Costa Rica, Jordan, Colombia and NHRIs of Portugal and Bosnia Herzegovina noted the role of strategies to enforce national laws, and best practices at the national level to protect older persons without pensions. Policies need to promote autonomy and economic self-sufficiency of older persons, and guarantee active, satisfactory, and healthy aging. Office of the Commissioner for Human Rights of Poland pointed out that States should promote longer working life and provide retraining opportunities for older persons to enhance their skills needed at the labour market. The NHRIs of Germany and Portugal among many others suggested that States should advocate for a binding international convention on the rights of older persons, in which the right to an adequate standard of living of older persons is defined.

59. Inputs from HelpAge International, Human Rights Watch and others noted that States must guarantee the right of older persons to an adequate standard of living, non-discriminatory access to food, clothing, and housing services. This requires enacting comprehensive age discrimination laws and creating necessary legal and policy frameworks so that older persons can exercise their right to adequate living conditions, including judicial and non-judicial mechanisms to enforce their rights. Further, many NGOs noted that States must ensure access to care and housing facilities for older persons and prevent old-age poverty by establishing adequate pensions and social systems that older persons are sufficiently informed about. National Human Rights Committee of Qatar and Procuraduría de los Derechos Humanos Guatemala noted the challenges of budgetary allocations and prioritization, including within national institutions. They suggested legislating and institutionalizing the shift from a welfare model to a legal system of rights that guarantees dignity, equality, and lifelong participation in society on an equal basis with others. Inputs noted that older LGBTI persons experienced estrangement and isolation and

are disproportionately affected by the lack of adequate housing, health, and care programs and faced intersectional discrimination at work.

60. NHRIs and NGOs suggested protecting rights to workforce participation and social security coverage were central issues, as was the increased digitalization of public decision-making processes and public consultations, which can exclude many older persons. Specific system design was needed to ensure social and universal pensions were available, adequate, and accessible, including portable (a priority for bilateral or multilateral agreements), and that systems were age-friendly. Inputs including Dominican Republic and NGOs recommended access to micro-capital, special low or no interest rate loan programs and assistance with documentary requirements.

E. Implementation – best practices and main challenges

61. Member States such as Argentina and its NHRI noted successful implementation of high coverage of social security. The social security coverage of 97 per cent of older persons was achieved in Argentina by a combination of retirement, contributory and non-contributory pensions that guarantees an income and medical coverage. Best practices included the implementation of pension moratoriums allowing inclusion through retirement of older persons who had worked, but to whom no contributions had been made. Argentina noted that their 2021 central policy ensures the universality of women's right to retire, helping to repair the gap in access to social security that has affected women by recognizing their contributions to unpaid or underpaid care work. This measure seeks to make visible and repair a structural and historical inequality in the distribution of care work and recognize by valuing the time that women have devoted to providing care and support to their family and community members. Colombia, Dominican Republic, Mexico and others reinforced that universal, non-contributory pensions for older persons was a critical implementation issue to guarantee economic security. Age Platform Europe noted that while many countries had plans to tackle older persons' poverty levels, often in the form of subsidies and social pensions, these were not yet adequate. Many inputs noted the lack of adequacy, specifically inequalities for women and those belonging to ethnic or migrant groups. Spain and National Human Rights Committee of Qatar noted special training on the needs of older persons and capacity building actions to enable their use of new technologies and to bridge the digital gap. The NHRIs of Nigeria and the Philippines noted dedicated budgetary allocations for older persons as a good practice however the adequacy and enforcement posed challenges.

62. The Procuraduría para la Defensa de los Derechos Humanos El Salvador noted less than 20 per-cent of older persons receive a pension in El Salvador. Women are less likely to receive pension than men and pension adequacy does not meet human rights standards of dignity. Similarly, the German Institute for Human Rights noted the micro census of poverty in old age in Germany, and Slovenia noted significant gender pension gaps for older women. Germany noted inflation was a great challenge for economic security, especially energy price increases. NGOs noted out-of-pocket medical costs also contributed older persons' poverty. A further challenge was the depletion of savings because of lost employment or other income due to the pandemic or economic downturn. Many NGOs noted that older persons are in poverty where government only provides minimal non-contributory pensions. In many cases, non-contributory pensions did not support basic needs and accordingly many older persons are fully dependent on family. This is exacerbated by rising living costs. Age Platform Europe noted inequalities for older migrants and Roma. Older persons with long-term care needs with informal caregivers lacked financial support

or pension credits and were without affordable care options and support services. The Institution of Human Rights Ombudsperson of Bosnia and Herzegovina also noted the vulnerability of older persons who do not receive a pension, have no other sources of income, or have no relatives to take care of them.

63. Age Action Ireland noted significant barriers in the absence of a distinct government office with responsibility for ageing and older persons, suggesting the establishment of the Commissioner for Ageing and Older Persons. Such a position would improve the efficiency and effectiveness of society's approach to ageing populations by bringing an appropriate level of insight, representation, and transparency to economic policy. NGOs noted good practices also included the UN's 2017 briefing paper on Economic Inequalities in Old Age²³ wherein care work, including parental leave and other duties, is eligible for pension credits. Additionally, allowing older persons to work alongside collecting a pension provides a smoother progression from workforce to retirement.

F. Summary and conclusions

64. The inputs received were comprehensive and described older persons' right to economic security as combining existent human rights such as the rights to social security, adequate standard of living (including housing, clothing, food and water), work and health. They also noted additional elements that contextualize economic security such as the gender dimensions, pandemic, disasters, and rurality and intersections that address the multi-dimensional nature of poverty and drivers of economic insecurity. Definitions included international, regional, and national examples, none of which adequately captured all the necessary features of specific normative content of the right for older persons. This included examples of the right as framed by a single definition of economic security or a cluster of rights including but not limited to those suggested by the guiding questions and the previous working paper submitted to the Open-ended Working Group on Ageing.

65. Inputs noted the definition of older persons' right to economic security should be broadly framed, based on existing human rights, address issues of ageism, entrenched poverty, and the need for universal protections such as universal social pensions to ensure a dignified life in older age. The normative content should also protect continuous improvement of living conditions, without discrimination.

²³ Available at: https://www.un.org/development/desa/ageing/wp-content/uploads/sites/24/2016/08/Briefing-Paper_Economic-Inequalities_Final.pdf