

## **HelpAge International submission on the normative content related to economic security**

13<sup>th</sup> Session of the Open-ended Working Group on Ageing, 2023

### **Right to social protection and social security<sup>1</sup>**

Older persons have the right to social protection and social security without discrimination based on age or any other ground, so they can live with dignity and fully participate in society.<sup>2</sup>

Older persons have the right to unconditional, autonomous use of income and in-kind entitlements from social protection and social security schemes.

Older persons have the right to social protection and social security systems which provide universal coverage, whether in cash or kind, contributory or non-contributory, to ensure an adequate standard of living, adequate income security, access to health care, medication and assistive devices, and access to support and care services for autonomous and independent living in older age.

Older persons have the right to social protection and social security measures, whether in cash or kind, that are of a high enough value, quantity and quality, and for the full period of life, for an adequate standard of living and so that they can live autonomous, independent lives with dignity and can fully participate in society.

Older persons have the right to affordable social protection social security measures, with any contributions stipulated in advance and any direct or indirect costs being affordable for all.

Older persons have the right to information on all aspects of social protection and social security schemes, including eligibility and qualification.

Older persons have the right to social protection and social security measures provided in a timely manner which are accessible in whatever setting they live.

Older persons have the right to social protection and social security measures without discrimination on the ground of sex, gender or any other grounds.

---

<sup>1</sup> On the right to social protection and social security, also see HelpAge International, [Living, not just surviving: what older people say about their rights to social protection and social security, and to education, training, lifelong learning and capacity building](#), HelpAge International, 2019.

<sup>2</sup> See Article 9 International Covenant on Economic, Social and Cultural Right; article 9 Convention on the Elimination of All Forms of Discrimination against Women; article 11 Convention on the Rights of Persons with Disabilities. Also see International Covenant on Economic, Social and Cultural Right, General Comment No. 19 (2008) on the right to social security.

Older persons with disabilities have the right to social protection and social security measures on an equal basis with others without discrimination on the basis of their age, disability or any other ground.

Older persons who have been forcibly displaced, older refugees and asylum seekers have the right to access social protection and social security measures available to the general population.

Older persons with migration histories have the right to the recognition of their social security contributions and pension entitlements.

Older persons have the right to participate in the decision-making processes regarding the shape and content of social protection and social security measures for older persons.

Older persons have the right to participate in the management and administration of social protection and social security measures for older persons.

Older persons have the right to cash and in-kind social protection and social security, including support and care services, that is appropriate and acceptable for their needs and preferences. Remedies and redress Older persons have the right to make complaints, appeal and seek redress for practices that deny their right to social protection and social security.

### **Right to an adequate standard of living**

Older persons and their families have the right to an adequate standard of living, including adequate food<sup>3</sup>, safe drinking water and sanitation,<sup>4</sup> clothing, housing,<sup>5</sup> fuel and to the continuous improvement of living conditions, on an equal basis with others, without discrimination on the basis of age or any other ground.<sup>6</sup>

Older persons have the right to food that is adequate, available, accessible, acceptable, affordable and meets their dietary needs, including in times of crisis, conflict and emergency.

Older persons have the right to accessible water supply technologies and sanitation facilities wherever they reside, including in residential facilities.

Older persons have the right to access to poverty reduction programmes on an equal basis with others.

Older persons have the right to adequate, affordable, habitable, appropriate and accessible housing, including in times of crisis, conflict and emergency.

Older persons have the right to access public housing, subsidies and land programmes which take into account their specific needs.

Older persons have the right to access fuel and other energy sources.

Older persons have the right to be included and heard in the development of human rights based national strategies to ensure an adequate standard of living for all.

---

<sup>3</sup> See UN Committee on Economic, Social and Cultural Rights, General Comment No. 12 (1999) on the right to adequate food.

<sup>4</sup> See UN Committee on Economic, Social and Cultural Rights, General Comment No. 15 (2003) on the right to water.

<sup>5</sup> See C (1991) on the right to adequate housing.

<sup>6</sup> See Article 11 International Covenant on Economic, Social and Cultural Rights; article 28 Convention on the Rights of persons with Disabilities.

Older persons have the right to legal remedies and redress.

### **Right to work and access to the labour market**

Older persons have the right to work on an equal basis with others and without discrimination on the basis of their age or any other ground, with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions.<sup>7</sup>

*For more detailed provisions on the scope of older persons' right to work and States' obligations, see [HelpAge's submission to the 12th session](#) of the Open-Ended Working Group on Ageing.*

### **Right to health**

Older persons have the right to the highest attainable standard of physical and mental health, on an equal basis with others and without discrimination on the basis of age or any other status.

Older persons have the right to access goods, facilities and services that meet their physical, mental, cognitive and psychosocial health and care needs.<sup>8</sup>

*For more detailed provisions on the scope of older persons' right to health and States' obligations, see HelpAge's submission to the 13th session of the Open-Ended Working Group on Ageing.*

### **Implementation**

States Parties should designate one or more focal points within government for matters relating to the implementation of the Convention, and establish or designate a coordination mechanism within government to facilitate related action in different sectors and at different levels.

States Parties should, in accordance with their legal and administrative systems, maintain, strengthen, designate or establish within the State Party, a framework, including one or more independent mechanisms, as appropriate, to promote, protect and monitor implementation of the Convention.

Civil society, in particular older persons and their representative organizations, must be actively involved and participate fully in the monitoring process. States Parties should provide the necessary support to enable their meaningful participation at all stages of the monitoring process.<sup>9</sup>

---

<sup>7</sup> See Article 6 read in conjunction with article 2(2) International Covenant on Economic, Social and Cultural Rights.

<sup>8</sup> See Article 12 International Covenant on Economic, Social and Cultural Rights; UN Committee on Economic, Social and Cultural Rights, General Comment No. 14 (2000) on the right to the highest attainable standard of health.

<sup>9</sup> See Article 33 UN Convention on the Rights of persons with Disabilities.