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NORMATIVE INPUT

**THE CHAIR OF THE UNITED NATIONS GENERAL ASSEMBLY
OPEN-ENDED WORKING GROUP FOR THE PURPOSE OF
STRENGTHENING THE PROTECTION OF THE HUMAN
RIGHTS OF OLDER PERSONS**

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Prepared by:

Universal Peace and Violence Amelioration Centre (UPVAC)

Contact Information:

Mobile: +2348064776827; +2348165881166

Website: www.upvac.org; Twitter: @UPVAC1

Email: info@upvac.org; Facebook: [facebook@universalspvac](https://www.facebook.com/universalspvac)



1. DEFINITION

Ageing has become a global phenomenon and a policy issue that is receiving attention by governments globally. In Africa, countries are experiencing demographic and epidemiological changes which pose a unique policy changes and information need. It is undisputable that Nigeria is the most populous black nation in Africa and there is a very high potential of rapid growth rate of the older population in the years ahead.

As Economic security requires having stable income or other resources to support a standard of living, this has a very great gap in Nigeria, especially for the older persons, Steady growth in the population of the aged implies change in the age structure of the society which may have serious implications for the economy.

2. Scope of the Rights

It is unarguable that the labour force is still rife with discriminatory practices. Among the several forms of discrimination, two major forms of discrimination are gender and age discrimination and they are prevalent in today's Nigeria. One of the sustainable development goals of the UN before 2030 is to reduce inequalities. "By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status".

The Nigerian legal jurisprudence scarcely provides against age discrimination in employment matters, as there is no specific legislation on age discrimination in the workplace. The Labour Act, which is the main extant legislative authority with respect to labour matters in Nigeria, only provides against the employment of a child or young person; though with some exceptions. The Act does not make provision against age discrimination or ageism with respect to recruitment, retainment or promotion of employees.

Older persons have a right to participate in decision-making processes and must be able to participate in policymaking in a meaningful way. They are, however, often excluded from mainstream policy development processes and face barriers to participation. Many older persons confront intersecting challenges related to poverty, social isolation, abuse, as well as stereotypes, prejudice, and discrimination, based on their age, gender, sexual orientation, ethnic background, religion, or limited ability or disability amongst other factors. This undermines the enjoyment of their fundamental rights and limits their opportunities for healthy and active ageing and contributing to society.

Older persons are often not consulted nor given the opportunity to meaningfully contribute to the development of services, policies and programmes built for them and are frequently excluded from mainstream policy processes.¹⁴ Promoting participatory policymaking means that older persons should have the opportunity and ability to meaningfully participate in public decisions that affect their lives and communities, hold decision-makers to account and provide feedback on the relevance and effectiveness of actions by various decision-makers. Older persons' participation in policymaking can take place both in individual and collective settings.

3. State Obligations

Nigeria has signed the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons and assured me that the ratification is already in process. Furthermore, Nigeria is strongly considering to be the next member of the African group at the bureau of the UN Open-Ended Working Group on Ageing (OEWG-A), which has a mandate to strengthen the human rights of older persons, including in preparing an international legally binding instrument. These are all encouraging developments at the international and regional level to further the human rights of older persons. The National Senior Citizens Center (NSCC), which started its work about a year ago, and which is currently the only distinct and first focal Federal Government Agency on ageing in Nigeria. The Centre's mandate is principally to identify the needs of older persons and to cater for them in varied domains, including health, income security, training, education, capacity enhancement, counseling, sports, recreation, and development of data system on older persons. This will contribute to the realization of the dignity, security, independence, care and wellbeing of older persons.

4. Implementation

To facilitate their establishment, the NSCC created National Stakeholders consultative forums on Ageing in 36 States to date, with the aim to coordinate activities at state level and exchange progressive ideas on ageing and the rights of older persons. Such mechanisms also involve traditional leaders, essential actors in raising awareness about ageing issues.

Furthermore, if an educational/information-based-campaign strategy can be adopted and implemented targeted at employers of labour at all levels, such as the private and public levels to help increase awareness against age discrimination, this will further help.

Some of the main challenges faced by Nigeria includes economic instability, poverty and corruption.