

**International Longevity Center**  
**Draft Convention on the Rights of Older Persons**

*The General Assembly,*

*Recalling* its resolution 37/51 of 3 December 1982 endorsing the Vienna International Plan of Action on Ageing, by which it called upon States to make continuous efforts to implement the principles and recommendations of the Plan,

*Recalling* its resolution 46/91 of 16 December 1991 on United Nations Principles for Older Persons, by which it encouraged States to incorporate principles promoting independence, participation, care, self-fulfillment, and dignity for older persons into national programmes,

*Recalling also* General Comment No. 6 on the Economic, Social and Cultural Rights of Older Persons adopted by the Committee on Economic, Social and Cultural Rights in 1995,

*Recognizing* the continuing importance of The Second World Assembly on Ageing's Political Declaration and Madrid International Plan of Action on Ageing, 2002,

*Guided by* the purposes and principles of the Charter of the United Nations, and good faith in the fulfillment of the obligations assumed by States in accordance with the Charter,

*Recognizing* that the peoples of the United Nations, in adopting the Charter of the United Nations, declared a commitment to fundamental human rights and the dignity and worth of the human person,

*Noting* the elaboration of those rights in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and other conventions and declarations to ensure the application of universal standards to particular groups,

*Affirming* that older persons have the right to the equal enjoyment of all civil, political, economic, social, and cultural rights,

*Affirming further* that older persons have made and continue to make valuable contributions to the societies in which they live,

*Reaffirming* that older persons should be free from all forms of discrimination in the exercise of their rights,

*Considering* that many more people are living longer and in better health than ever before,

*Recognizing* that older persons must be provided with opportunities to participate in and contribute to society,

*Concerned* that older persons have long been discriminated against, exploited, abused, and neglected on the basis of their age,

*Observing* that the vulnerability and invisibility of older persons perpetuates discrimination, exploitation, abuse, and neglect,

*Emphasizing* the unique challenges confronted by older women, who often live longer than their male counterparts, take care of others into old age, and lack access to the same rights and services as men,

*Noting* that meaningful action to support the rights of older persons entails support to those who care for them,

*Recognizing* that the diversity in the situation of older persons, not only among countries but within countries and among individuals, requires a variety of appropriate policies,

*Recognizing further* that there is no universal definition of an older person, especially considering the wide variance in life expectancy across nations,

*Encouraging* States to comply with and effectively implement all their obligations under international law as they apply to older persons, in consultation and cooperation with the persons concerned,

*Emphasizing* the potential for international cooperation to help achieve equal respect for older persons in all nations,

*Emphasizing further* the need for States to incorporate these rights and mechanisms for their protection into domestic law and undertake steps to achieve the full realization of the rights recognized in the present Declaration,

*Urging* States to intensify efforts to promote universal respect for the rights of older persons,

*Further urging* States to convene a conference for the purpose of drafting a Convention on the rights of older persons,

*Solemnly proclaims* the following United Nations Declaration on the Rights of Older Persons as a standard of achievement to be pursued in a spirit of partnership and mutual respect:

### *Article 1*

Older persons are free and equal to all other persons and have the right to be free from discrimination on the basis of age, gender, racial or ethnic background, nationality, disability, financial situation, or any other status.

### *Article 2*

1. Older persons have the right to be free from physical, sexual, emotional, and financial abuse.
2. States shall take effective measures to ensure that older persons are free from all forms of exploitation.

### *Article 3*

Older persons have the right to enfranchisement and participation in their state's political system, including the right to participate in policy formation that affects their well-being.

### *Article 4*

1. Older persons have the right to adequate food, water, shelter, clothing, and health care.
2. States shall take measures to ensure the provision of income, family and community support, and self-help.

### *Article 5*

Older persons have the right to social, legal and medical services that enhance their autonomy and protect their vulnerabilities.

### *Article 6*

1. States shall create mechanisms that guarantee respect for the dignity, beliefs, needs, and privacy of older persons in health care and other institutions.
2. States shall take measures to establish family leave programs and other policies to enable families to care for older persons, which may allow older persons to live under the care of family members rather than in an institution.

### *Article 7*

1. Older persons have the right to the highest attainable standard of physical and mental care, including preventative and rehabilitative treatment.
2. Older persons have the right to be free from discrimination on the basis of age in accessing all medical institutions, health services, and medical care.
3. Older persons with a terminal illness or a permanent disability have the right to adequate continuing medical care, including adequate pain relief, provided by the State.
4. Older persons have the right to compulsory and comprehensive medical insurance, in accordance with the national law of their respective country.

### *Article 8*

1. Older persons have the right to work and have access to other income-generating opportunities.
2. Older persons have the right to be free from discrimination in hiring, promotion, and discharge.
3. Older persons have the right to participate in determining when and at what pace they withdraw from the labor force.
4. Older persons have the right to exercise trade-union rights both while working and after retiring from the labor force.

### *Article 9*

1. Older persons have the right to benefit from social security, including social insurance, in accordance with the national laws of their respective countries.
2. Social security and medical benefits may be granted based on the resources and the circumstances of the elderly persons and/or persons responsible for their maintenance and/or care.
3. States shall guarantee the provision of survivors' and orphans' benefits to the heirs of any person covered by social security or who was receiving a pension.

*Article 10*

Older persons have the right to receive a non-contributory, state-funded pension.

*Article 11*

1. Older persons have the right to equal access to educational, cultural, spiritual, and recreational resources.
2. Older persons have the right to education, including literacy training.

*Article 12*

Older persons have the right to participate in community services appropriate to their interests and capabilities.

*Article 13*

Older persons have the right to form movements or associations of older persons.

*Article 14*

Older persons have the right to live in environments that are safe and adaptable to personal preferences and changing capacities.

*Article 15*

Older persons shall have the right to enjoy the benefits of scientific progress and research on medical, biological, physiological and social aspects of aging.

*Article 16*

States shall take measures to enable older persons to have access to facilities, including medical institutions, in which they seek or receive medical care.

*Article 17*

Older persons have the right, during and after natural or other disasters, to receive timely and effective assistance from relief workers who have been trained to assist older persons.

*Article 18*

States shall adopt all reasonable measures to ensure that older persons are free from negative stereotypes in general and specifically in media portrayals.