

Recognizing Older Persons Needs, Rights and Contributions The Need for a UN Convention on Ageing

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According to United Nations (UN) projections, the number of persons aged 60 years or older will grow from an estimated 629 million in 2002 to almost 2 billion in 2050. Older persons will take over the population of children, marking an unprecedented event in human history.

In the near future older persons will constitute a large part of our world population. However, the international community has done little to safeguard older persons' needs and potentials in the rising world economy, particularly in poor countries, which experience the most rapid growth in their aging populations.

The UN has initiated two major actions to address global population aging: In 1982, the World Assembly on Ageing in Vienna, Austria adopted the "Vienna International Plan of Action on Ageing"¹ and in 2002, the Second World Assembly on Ageing in Madrid, Spain, agreed on the "Madrid International Plan of Action on Ageing (MIPAA)."² The Vienna Plan was the first international instrument to guide policies on aging. This Plan, however, does not fully take into account the problems of older persons in poor countries, provide mechanisms to incorporate aging into national and international policies, or provide ways for poor countries to deal with rapid population aging. The Madrid Plan, on the other hand, deals more thoroughly with older persons' issues in poor countries, including older persons' needs, rights and potential in the global development agenda. By adopting MIPAA, UN Member States committed themselves to include aging in all social and economic policies on a national and international level. While the Madrid Plan represents a big step toward securing older persons' rights and recognizing their needs on a global scale, the Plan is not legally binding. Instead, implementation relies on a government's political will and financial and structural capacity to put it into action. The first major review of the Madrid Plan, during the UN Commission on Social Development in February 2007, will indicate how governments set out implementation. Considering the lack of funding and scarce resources for aging related issues in most countries around the world, however, no one expects a positive result of the review.

The main arguments in the Vienna and the Madrid Plans resonate through international frameworks on human rights, such as the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the historic Universal Declaration of Human Rights, adopted by UN Member States in 1948. Although these documents address the rights of all human beings, advocates argued that the rights and needs of certain groups were not adequately covered and called for additional, independent documents. The first group to obtain specific rights were women.

Equal rights for women constitutes part of United Nations Charter and further reaffirmed in the Declaration of Human Rights, which proclaims rights to all “without distinction,” as to, inter alia, sex. Since existing human rights instruments failed to address discrimination against women in a comprehensive way, women’s rights activists pushed for separate documents to safeguard their rights. And so, a process that started in 1965 reached a conclusion in 1981 when the UN signed the “Convention on the Elimination of All Forms of Discrimination against Women.” Nine years later, efforts to protect another group bore fruits: In 1990, the UN Convention on the Rights of the Child became the most widely ratified human rights treaty in history. Children’s rights activists summarized the need for a convention by arguing that the international community often viewed children en masse and treated them as “objects of charity rather than as individual human beings with their own needs and rights.”³ The international community thus considered children issues as non-political and failed to address their human rights.

Both legally binding Conventions have strong oversight bodies - the Committee on the Elimination on Discrimination against Women (CEDAW) and the Committee on the Rights of the Child (CRC) - that monitor progress and implementation made by signatory countries on the rights laid down in the Conventions. In addition, two UN agencies, the UN Development Fund for Women (UNIFEM) and the United Nations Children’s Fund (UNICEF), base their work on the principles of the conventions. Furthermore, the conventions supported yet another UN mechanism to protect the rights of women and children. In 1999 and 2000, the UN Security Council adopted resolutions 1261- On Children in Armed Conflict and 1325- On Women, Peace and Security, recognizing the unique vulnerabilities, needs and contributions of women and children in and after conflict situations.

Most recently, another group has demanded acknowledgment of its specific rights and needs and has successfully pushed through a convention on their behalf. Persons with disabilities have probably faced the most complex and difficult struggle of any other group to achieve international recognition - from the basic definition of disability to opposition from some UN Member States to another human rights treaty. After more than five years of struggle, disability advocates and the UN Secretariat expect Member States to adopt the “International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities” in August 2006.

Acknowledging the specific rights of certain groups within societies contributes to global peace and security. For women, children and soon also persons with disabilities, the adoption of UN conventions means that their needs, rights and contributions are recognized and that international law protects them. The international community now must acknowledge that older persons also need and deserve an international convention to protect their rights. In the light of the current demographic shift the world’s governments must implement measures safeguarding the fastest growing age group in society.

Rich countries have experienced the growth of their older populations over many decades. Currently, one-fifth of the population in rich countries is 60 years or older; by 2050, the UN predicts the ratio to rise to one-third, equaling two older persons for every child.⁴ Until now, poor countries have had an overall slower increase in their older populations; currently only 8 per cent of the population is 60 years or older. They are expected to experience a much more rapid growth, however, so that by 2050 older populations will constitute 20 per cent of the total population.⁵ Poor countries thus have a much shorter time frame to prepare for population aging and will rely on the international community for resources in order to facilitate the transition. Another pressing fact is that the aging population itself is becoming older than ever before. The oldest-old, those 80 years and over, are the fast growing social group in the world. Their number will increase from 86 million in 2005 to 394 million in 2050.⁶

Older persons, especially older women, are the poorest of the poor, becoming more and more vulnerable in old age.⁷ And yet, most development and relief agencies do not include or involve older persons in their programs, and neither does the international community. The ambitious UN Millennium Development goals, which aim to half poverty around the globe by 2015, target youth and children but do not mention older persons. Old age poverty brings along other problems, such as hunger, bad health and homelessness, building a cycle that spirals older persons deeper and deeper into poverty. Excluding older persons from general development programs only makes them more invisible and vulnerable.

Our societies should by no means perceive older persons as a burden. On the contrary, older persons contribute greatly at the socio-economic level, often without recognition or reimbursement. In the HIV/AIDS crisis, for example, older persons often act as the sole caretakers for their grandchildren and also for other children in the community, taking on a huge financial and emotional burden. Their work, however, has only slowly started to receive recognition from international relief efforts. Older persons also contribute to society in ways that cannot be compensated. Older persons are key to cultural identity – they often keep families together, pass on expertise and values, and bestow our cultural heritage. In the UN Secretary General Kofi Annan’s words: “Trees grow stronger over the years, river wider and like with the age, human beings gain immeasurable depth and breadth of experience and wisdom. That is why older persons should not only be respected and revered but they should be utilized as the rich resource to society that they are.”⁸

By adopting a convention on the rights of older persons, the international community will recognize the rights and needs of those who have actively contributed to the world economy and society in many ways. By adopting the Madrid Plan, 160 UN Member States already acknowledged that older persons require specific protection and that human rights treaties do not adequately cover many of their needs. Although commitments in the Madrid Plan are a good beginning, they are by no means ambitious or sufficient. The Plan lacks implementation and monitoring mechanisms and fails to designate financial and technical resources for implementation, particularly for poor countries. A convention should mirror the Plan’s key points - Older Persons and

Development, Advancing Health and Wellbeing into Old Age, Ensuring Enabling and Supportive environments – and in addition address its inadequacies by instituting strong oversight mechanisms and provisions for financial and technical assistance. In particular, a convention should spell out measures to secure income for older persons, to help lift elderly out of poverty. A convention should also prioritize older persons’ access to appropriate and affordable health care. Furthermore, a convention could pave the way for a Security Council resolution, protecting older persons in armed conflict and other emergency situations, similar to those for children and women.

Just like when internationally binding conventions required the international community to turn its attention to the plight of women, children and persons with disabilities, older persons now need to come into the spotlight. Aging issues such as age related diseases, immobility, vulnerability and income insecurity affect all humans sooner or later. For many people in poor countries, these issues have a far more severe effect on their lives and those of their families than for many in rich countries. Being able to live life longer is a great gift to humanity and it is up to us to ensure that we can all age with self- respect and dignity.

Footnotes:

¹ Resolution adopted by the UN General Assembly (A/RES/37/5), December 3, 1982.

² Resolution adopted by the UN General Assembly (A/RES/57/167), January 16, 2003.

³ “UN Convention on the Rights of the Child: Why has a special body of rights been created for children?” *Children’s Rights Alliance*, <<http://www.childrensrights.ie>>

⁴ “Population Ageing: A Larger - and Older Population,” *UN Population Fund*, December 15, 2005, <<http://www.unfpa.org/pds/ageing.htm>>

⁵ “World Population Ageing 1950-2050,” *UN Department on Economic and Social Affairs, Population Division*, 2001, <<http://www.un.org/esa/population/publications/worldageing19502050/>>

⁶ “Population Ageing: A Larger - and Older Population”

⁷ “Operational Challenges in Developing Countries,” *Population Ageing and Development*, Nr 5, *UN Population Fund*, 2002, <<http://www.unfpa.org/publications/detail.cfm?ID=67&filterListType>>

⁸ UN Secretary-General, Kofi Annan on the occasion of the Second World Assembly on Ageing in Madrid, Spain, 2002.