

20th Informal ASEM Seminar on Human Rights (ASEMHRS20) “Human Rights of Older Persons”

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Concept Note

I. Introduction

Global Population Ageing

Population ageing is a global phenomenon that has been happening at an unprecedented rate. According to the UN World Population Prospects 2017, the population aged 60 or above is about 960 million (13 percent of the world’s population) as of 2017, and the population will more than double by 2050 (about 2.1 billion) and more than triple by 2100 (about 3.1 billion).

The World Health Organization (WHO) described that the world is experiencing an unprecedented pace of ageing and predicted that the population aged over 60 will outnumber the population of children aged under five by 2020.

While the ageing is a global phenomenon, this should be considered as one of the most important challenges as well as cooperation agendas to ASEM partners in particular, given that the European region represents the highest percentage of older persons while Asia has the highest number of elderly populations. In Europe, 25 percent of the total population is aged 60 or older, and in Asia, 12 percent of the total population is aged 60 or above which accounts for 57 percent of the world’s aged population in 2017.ⁱ

The increased longevity, which is one of the main drivers of the global population ageing, has been achieved by improved nutrition, hygiene, medical treatment, health, education, and economic standard, and it is one of the greatest achievements of mankind. In this respect, population ageing should not be regarded as a problem but as an opportunity, but the unavoidable fact is that global ageing could present various social, economic and cultural challenges to every society. Especially, various issues of human rights of older persons, such as poverty, abuse, alienation and age discrimination have been emerging internationally due to rapid ageing. This has led to the garnering of more international attention to the issue of protection of human rights of older persons. In particular, the global health crisis created by **COVID-19** pandemic, and the adverse effects on older persons, has acted as a wake- up call to the strengthening of the promotion and protection of the rights of older people. Despite having been the most affected group by the pandemic, human rights experts have noted that the collective voice of older persons has been absent in the process of handling the COVID-19 crisis responses and their differential needs and vulnerabilities have been overlooked. The Secretary-General of the United Nations, António Guterres highlighted that against the backdrop of age discrimination, disparities in social protection and healthcare, and lack of autonomy and decision-making power, the pandemic has “exacerbated pre-existing human rights gaps and social-economic challenges for older persons”ⁱⁱ;

and has called on countries to adopt a more cooperative, global and human rights-based approach in their response to it.

Thus, it is more important than ever that countries take stock of the existing policies and practices surrounding the elderly to ensure that not only are they adequate in addressing the challenges of ageing population, but that they take the needs and rights of elderly into account on an equal basis with others.

Human Rights of Older Persons and International Context

Like other age groups, older persons are the subject of human rights who could enjoy all their rights. In this sense, human rights of older persons encompass all the rights that respect older persons' dignity and that are necessary for the elderly to enjoy decent lives.

The United Nations (UN), a representative international organization that encompasses virtually every nation and people, recognized population ageing as a global pending issue and promoted the issue to be one of the important cooperation agendas of the international community. In this regard, the **UN held the First World Assembly on Ageing in Vienna** in 1982 and adopted the **Vienna International Plan of Action on Ageing (VIPAA)**. Moreover, the UN has been highlighting the importance of ageing-related issues by publishing **the 1991 UN Principles for Older Persons** and **1992 UN Proclamation on Ageing**.

Following the rapidly increasing population of older persons worldwide, the Second World Assembly on Ageing was held in Madrid in 2002, in order to discuss urgent and various agendas which were not discussed at the First World Assembly on Ageing. Since the adoption of **the Madrid International Plan of Action on Ageing (MIPAA)** at the Second World Assembly on Ageing, the international community has been facing a paradigm shift from a welfare approach to a human rights approach, recognizing the elderly as the subject of human rights rather than the passive benefit and welfare recipients.

In this context, the UN established the UN Open-ended Working Group on Ageing (UN OEWGA) in 2010, with the aim of strengthening the protection of human rights of older persons. Also, the first UN Independent Expert on the enjoyment of all human rights by older persons was appointed in 2014 to address the ageing and human rights of older persons' related issues. The Global Alliance of National Human Rights Institutions (GANHRI) also established the Working Group on Ageing in 2016 which encouraged the National Human Rights Institutions to be actively involved in highlighting the importance of human rights-based approach toward older persons.

Furthermore, international society has also made various efforts to protect human rights of older persons at the regional level. In Europe, the **United Nations Economic Commission for Europe (UNECE)** and the **Working Group on Ageing of UNECE**, have been working on addressing ageing issues of Europe by supporting their member states to adjust to demographic change through mainstreaming population ageing in the national policy and regulatory frameworks and creating an enabling environment.ⁱⁱⁱ Moreover, the **Council of Europe** adopted the Recommendation on the Promotion of Human Rights of Older Persons in 2014, which applies a human rights-based approach to the situation of older persons and provides principles and good practices of member states intending to ensure fundamental rights and freedoms for all older persons.^{iv} The **United Nations Human Rights Regional Office for Europe (OHCHR ROE)** has also done significant works

to emphasise the importance of the human rights mechanisms to address the rights of older persons.^v

Asian countries are also actively cooperating on addressing the ageing and human rights of older persons' related issues. ASEAN member states adopted the **Kuala Lumpur Declaration on Ageing** in 2015, and three Northeast Asian countries (Republic of Korea, People's Republic of China, Japan) and the ASEAN member states agreed on the **ASEAN Plus Three Statement on Active Ageing in 2016**, in order to prepare for and respond to rapid population ageing in Asia and to promote human rights of older persons.

International Mechanisms to Protect Human Rights of Older Persons

The UN has endeavored to develop and improve domestic laws, policies, and institutions to guarantee human rights in each member state through the **Universal Declaration of Human Rights (UDHR)** and various international norms, including the human rights conventions for protecting vulnerable groups. The human rights conventions for women, children, migrant workers and persons with disabilities have been enacted, but the international convention for human rights of older persons is still absent.

Although existing international human rights conventions include some provisions that could be applied to the protection of older persons' rights, such as the prohibition of age discrimination and emphasis on equality, there are clear limits to provide specific measures to prevent age discrimination and to fully address issues related to human rights of older persons. Due to the absence of an international convention for human rights of older persons, there are gaps between each country's national laws and systems. Also, the lack of grounds in international law has resulted in difficulties in establishing concrete cooperative measures for human rights of older persons.

Up to now, each UN member state has shown different views and opinions on the necessity of the convention for human rights of older persons. In order to discuss the establishment of the convention, the UN General Assembly has decided to establish the **UN OEWGA** in 2010 and has held the annual meetings since 2011. Since then, the UN OEWGA has been continuing their works while the Tenth Working Group Session was held in 2019, but there still remains a clear difference between the two positions.

The majority of developing countries and accredited NGOs support the establishment of the convention, whereas most developed countries are opposed to creating another convention. Those who are in favor of the new convention emphasise the necessity given the lack of provisions related to human rights of older persons in existing norms, the lack of implementation, and the lack of interrelationship and systematicity due to the scattered regulations. On the contrary, the countries that are opposed to the new convention consider that existing international norms are sufficient to protect human rights of older persons, while the implementation should be improved with the efforts of each country.^{vi}

II. 20th Informal ASEM Seminar on Human Rights

The Informal ASEM Seminar on Human Rights series was launched in 1997 to deepen relations between civil society actors and governments in Asia and Europe on major human rights issues. The Seminar series is co-organised by the Asia-Europe Foundation (ASEF), the Raoul Wallenberg Institute (nominated by the Swedish Ministry of Foreign Affairs), the French Ministry for Europe and Foreign Affairs, the Philippines Department of Foreign Affairs, the Swiss Federal Department of Foreign Affairs, and the Ministry of Foreign Affairs of the People's Republic of China.

The 20th Informal ASEM Seminar on Human Rights, under the topic of “Human Rights of Older Persons”, will be co-hosted by the Ministry of Foreign Affairs of Republic of Korea, the ASEM Global Ageing Center, an international specialised institution to promote and protect human rights of older persons of ASEM Partners¹, and the National Human Rights Commission of Korea. The Seminar will be followed by public events and capacity-building activity to disseminate the outcomes of the Seminar and to improve the knowledge and capacity of relevant actors in Asia and Europe on the theme of the Seminar. The follow-up activities will be delivered in 2021.

Objectives and Working Group Discussion Topics

Given the circumstances that the importance of human rights of older persons has been continuously emphasised while a binding international instrument is still absent, the efforts to improve domestic laws and institutions would be necessary to promote and protect human rights of older persons. In this respect, facilitating international cooperation and sharing best practices and policies of each country would be beneficial to address relevant issues.

Against this backdrop, to discuss ageing and human rights of older persons' related issues more actively within ASEM Partners and to build collective understanding by sharing major issues and current status, the 20th Informal ASEM Seminar on Human Rights will be held under the topic of “*Human Rights of Older Persons*”. The Seminar will provide a forum for discussion among all relevant stakeholders, including government officials from ASEM partners, academic experts, and civil society activists, to jointly seek and devise measures to promote and protect human rights of older persons and strengthen mutual cooperation.

Among many issues related to human rights of older persons, the discussion during the Seminar will focus on four major sub-topics that require urgent efforts from the international community. The participation in the 20th Informal ASEM Seminar on Human Rights will take place in four simultaneous working group discussions on the following topics:

- 1. Autonomy and Independence of Older Persons**
- 2. Social Protection and Human Rights of Older Persons**
- 3. Age Discrimination against Older Persons focusing on Labor Markets**
- 4. Empowerment of Older Persons through Education and Training**

¹ Currently the 53 ASEM partners are: Australia, Austria, Bangladesh, Belgium, Brunei Darussalam, Bulgaria, Cambodia, China, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, India, Indonesia, Ireland, Italy, Japan, Kazakhstan, Korea, Lao PDR, Latvia, Lithuania, Luxembourg, Malaysia, Malta, Mongolia, Myanmar, Netherlands, New Zealand, Norway, Pakistan, Philippines, Poland, Portugal, Romania, Russian Federation, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, United Kingdom, Viet Nam, the ASEAN Secretariat and the European Union (Source: <https://www.asef.org/about/faq>)

III. Working Group Discussion Topics

Autonomy and Independence of Older Persons

The right to autonomy and independence of older persons is interrelated with the right to life, the right to freedom of expression, and the right to an adequate standard of living, including health, well-being, housing, medical care and necessary social services, that are recognised by the UN UDHR. The right to autonomy affects various aspects of older people's lives, including in making decisions about their support and care, personal freedom and their leisure time. Also, this right encompasses the autonomy in terms of informed consent for and choice of treatment.

Although older persons have the freedom to decide according to their own values and preferences, these rights are often denied by the ageist beliefs and attitudes that older persons could not make their own decisions. This negative perception is widespread throughout societies from governments to family members, which prevents older people from making important decisions in their lives, including about their finances, property, employment, who to vote for, family life, and participation in social or voluntary activities.^{vii}

Moreover, when solving personal problems or difficulties of older persons, such as in determining their place of living, medical treatment, and health services, many of them do not have chances to express their own personal preferences or choices. In particular, with an increase in life expectancy that generates rapid population ageing, receiving comprehensive long-term care and support services became one of the important issues for older persons. However, many older persons do not have the right to self-determination regarding their own treatment and care between the care by family members and care providers, and in many cases, they are forced to choose between the two options without any other alternatives or informed consent. In Korea, a survey on older persons reveals that 60% of the older persons living in nursing home facilities were admitted to the facilities against their will.^{viii} Furthermore, the issue of self-determination often triggers an intense debate with regard to persons with dementia. Notwithstanding the fact that the person living with severe dementia might have limited capacity and consciousness to make their own decisions, we should bear in mind that the common ground for all these issues is to safeguard the dignity, autonomy, and right to self-determination of older persons in their choices of care and treatment.^{ix} Therefore, regardless of illness or functional impairment, the institutional strategies and social environment, including the design of care services and residential settings, should guarantee the autonomy and participation of the people concerned.

Likewise, older persons' right to autonomy and independence has not been fully realised within our societies due to ageist traditions and negative perceptions against older persons, usually by government and local authorities, service providers and other family members. In this context, efforts by governments and civil society to identify restrictive practices and to improve factors that undermine the right to freedom, autonomy, and independence of older persons are required.

Social Protection and Human Rights of Older Persons

The social protection system plays a significant role in ensuring basic human rights in later life. Based on the UN Independent Expert's report, social protection refers to "encompassing a wide range of policies designed to address the risks and vulnerabilities of individuals and groups, irrespective of whether they can or cannot work".^x Due to the high possibility of issues such as

health care, income-earning after retirement, caregiving, housing, etc., social protection ensures older persons to secure their safety and well-being. In terms of human rights of older persons, the social protection has tended to be focused on income security and health care security by means of social insurance (basic or income-related pension) and social assistance (public assistance) in old age.

In recent decades, international society has achieved significant development of a social protection system. Among diverse segments of social protection, a social pension is the most well-known and well-established policy instrument that ensures income security of older persons. At the global level, 68% of the population who are aged above retirement age receive the social pension.^{xi} And a recent study shows significant progress in the establishment of the social pension system among developing countries.

However, such a basic and fundamental protection system still contains a wide range of blind spots. The current pension systems do not usually provide adequate coverage as well as equal outcomes for women and men. In developing countries, merely 20% of older persons above retirement age receive the pension.^{xii} In other words, the majority of older persons heavily rely on family supports. Even in developed countries that have a long history of the social pension system, pension benefits are often not enough to cover older persons' cost of living. Thus, not only the institutionalization of the social pension system but also adequacy of benefit should be ensured.

Furthermore, a gender perspective is essential for the social protection system, considering that women have a higher risk of ending up with the lack of income security and economic independence in older age, although women tend to live longer than men. Women are more likely to face poverty in older age because of a lifetime of gender-based and multiple discrimination, including the rights to education, work, and social security. Due to various cumulative disadvantages and inequalities throughout life-course as well as inappropriately designed pension systems, many countries present gender pension gaps. In other words, women are less likely than men to receive a pension at all, and if they do, they often receive lower benefits than men.^{xiii} Given that women participate less in the labor market, experience wage differentials, and are over-represented in informal and unstable work, the contributory pension could create gender-biased rules and result in inequalities between men and women.^{xiv} Therefore, the design and improvement of the pension system must consider the situation of women in order to guarantee gender equality in older age.

In order to develop a stable and appropriate social protection system, including social pension, the human rights framework should be considered in the process of social protection system development. Above all, social protection rights and the right to universal (non-contributory) pension should include all people, especially those who are marginalised and living in poverty. Other human rights areas that should be assured include, but not limited to, access to information, benefit adequacy, gender equality, and older persons' self-determination and participation throughout the process of the social protection system.

Age Discrimination against Older Persons focusing on Labor Markets

Age discrimination is a typical phenomenon of ageism which is defined as an unreasonable and negative judgement about thoughts, behaviors, and productivity of people on the ground of age. Ageism and age discrimination should be prevented in our societies, as non-discrimination is a

fundamental human right of all ages recognized by the UN UDHR, and also by many other human rights norms.

Although age discrimination and ageism appear in all areas of life, the most frequent area of age discrimination is related to the right to work and occurs in labor markets.^{xv} In terms of age discrimination in relation to the right to work of older persons, non-discrimination on the ground of age in recruitment, mandatory retirement system, and decent working conditions are the major issues. Work is one of the important elements to older persons in maintaining decent lives, as it helps the elderly to sustain their connection with society and also to stabilize their economic condition with a source of income. Thus, the right to work of older persons should be guaranteed within the societies. However, many often view older persons as burdens and pose negative stereotype about their productivity which cause age discrimination in workplaces.

Meanwhile, a gender perspective is also important to the issue. Women are exposed to more difficulties and gender-based disadvantages in the labor markets, which end up with significant inequality between women and men. Women workers tend to experience multiple and interconnected discrimination throughout their life-course, including wage differentials, gendered perspectives on productivity, gendered work norms, etc. These denials of rights related to women workers end up with shorter work histories, work experience in informal and low-paid employment, and less training, which cause a lack of income security in older age. In this respect, a gender perspective should also be considered when addressing ageism within the labor markets.

In order to resolve age discrimination in labor markets and workplaces, policies and institutions should be devised from various angles and pursued with the participation of various stakeholders. In particular, both labor demand and supply sides should change their perception and endeavor to put efforts to address this issue.^{xvi} While employers should improve their negative and discriminatory perceptions against the elderly, especially about their productivity, the older workers should continue their retraining efforts to adapt to changing labor patterns and new forms of work environments. In addition, the government should provide sufficient training programs for older workers and provide various employment services such as career consultation.

Moreover, the concept of 'encore career' could be an alternative to retirement and guarantee the right to work of older persons without age discrimination, which is a new form of work for retirees that combines continued income, and meaningful contribution and engagement to the society. Likewise, governments should devise various measures to guarantee older persons' decent lives and connection to society by ensuring the right to work. Meanwhile, international society puts greater importance to the 'Future of Work', which examines how to successfully respond to the new opportunities and forms of work. Some of the human-centered agendas include, guaranteed social protection from birth to old age, universal entitlement to lifelong learning, adaptation to technological change, etc.,^{xvii} which are related to human rights of older persons in the way that these policies and strategies will help older workers to proactively prepare and to expand choices for the future of work transitions.

Against this backdrop, European and Asian partners should share measures and recommendations to address age discrimination in labor markets and to establish an institutional and legal system to ensure that labor markets remain accessible to older persons and all older workers can work without discrimination.

Empowerment of Older Persons through Education and Training

Education and training have been proved as the most effective way of empowering all ages throughout human history. As the UN UDHR recognises the right to education as one of the fundamental human rights for all ages, education is understood as the basic standard and mechanism to guarantee the full enjoyment of human rights.

The role of education is much more highlighted in particular to older persons who are experiencing social and life transitions. As people age, they are likely to be exposed to rapid changes of socio-cultural, labor and industrial environment, including lack of income security due to their retirement, lack of adaptation to the new technology and limited physical performance. The sudden changes and lack of adaptability can negatively impact older persons making more vulnerable to poverty, discrimination, and social isolation. In this regard, education and training during the process of life transitions are critical for their life with dignity.

However, in reality, older persons face multiple challenges with regard to access to education, training and life-long learning. Although the right to education for all ages is grounded in international human rights laws and other international treaties such as the International Covenant on Economic, Social, and Cultural Rights (ICESCR) and the **United Nations Educational, Scientific and Cultural Organisation (UNESCO) Convention against Discrimination in Education**^{xviii}, education system in most of the states is designed to focus on children and youth, lacking of the national legislation and policies on education targeting middle and older ages. Considering the increase of older population with various needs and self-motivation, barriers and limited access to education for older ages can be regarded as human rights infringement that hampers their needs and empowerment. Thus, equal access to education and adequate quality of training for older persons should be guaranteed in light of the protection of human rights.

In terms of human rights protection for older persons, the institutionalisation of life-long education and vocational training should be noted. Firstly, life-long education encourages to expand education targets and foster continuous development and empowerment; through life-long education, older persons experience their life transitions successfully seeking their new roles in their communities. It encompasses a wide range of aspects, including communication skills based on intergenerational understanding as well as adaptation to rapid social and industrial changes such as the fourth industrial revolution and utilisation of Information and Communications Technology (ICT). Secondly, vocational training is a part of life-long education, which is needed to fulfill older persons' needs, self-motivation, and income security. A global phenomenon of an increase in life expectancy requires re-skilling and up-skilling training on the basis of life-course perspectives which expect all generations to empower themselves pursuing personal fulfillment, financial security, or social relations throughout their life. Also, in terms of guaranteeing the rights to work, vocational training is essential to be institutionalised for older persons encouraging them to continuously develop their skills to adapt to the new technology and rapid changes in the labor market.

20th Informal ASEM Seminar on Human Rights: Working Groups

Participation in the 20th Informal ASEM Seminar on Human Rights will take place in 4 simultaneous working group discussions (on Day 2) on the 4 following topics:

1. Autonomy and Independence of Older Persons

2. **Social Protection and Human Rights of Older Persons**
3. **Age Discrimination against Older Persons focusing on Labor Markets**
4. **Empowerment of Older Persons through Education and Training**

In addition to the guiding questions specific to each working group, there are cross-cutting questions which are valid across all the 4 working groups. The cross-cutting questions and the working group questions are the following:

Cross-cutting questions

1. “Older persons” is an evolving concept and cannot be definitively defined. Yet, does the lack of an **international definition** have implications for policy coherence (both horizontal and vertical; at international, regional and national levels) when in many countries definitions of older persons do exist for policy-making?
2. While there have been significant advocacy efforts calling for enhanced international attention and action on the human rights of older persons in recent years, there is still no dedicated **international protection regime** on older persons, and explicit references to older persons in binding international human rights instruments are scarce. In your opinion, is there a need for an **international convention** on the rights of older persons? Would such a convention make any real-life difference? What are some of the main learnings from the **COVID-19** pandemic that should be taken on board when drafting this instrument?
3. How successful are the current available **regional instruments** in addressing the rights of older persons? (i.e. ASEAN Human Rights Declaration; Charter of Fundamental Rights of the European Union)? What role do regional organisations (i.e. ASEAN Centre for Active Ageing and Innovation, ACAI and AGE Platform Europe, European Union) play in improving capacity of member states?
4. What efforts are needed to assist older persons in **understanding legal procedures and proceedings**? Their rights and options? What provisions should be made for older persons with disabilities or health issues? What kind of **training and support** should be given to **judges, prosecutors** and **law enforcement officials** to protect the best interests and rights of older persons? How do they ensure that older persons understand their rights, the legal procedures involved, and the implications of their participation?
5. The **right to participate** is important. What are the best practices for ensuring older person’s participation is not tokenism, but informative and effective participation? How can older persons’ participation in the **policy** arena and **decision-making** be enhanced? (Discuss in relation to **COVID-19** crisis response).

Working Group I: Autonomy and Independence of Older Persons

1. In 2015 the Independent Expert on the enjoyment of all human rights by older persons, Rosa Kornfeld-Matte identified the **principle of autonomy as a central right** for older persons in her report to the Human Rights Council. This principle of autonomy connects to both economic and social rights. How can the principle of autonomy be clearly included in policies relating to the protection of the human rights of older persons? How can it be

further strengthened in policies relating to access to healthcare and choice of treatment? (Discuss in relation to **COVID-19** response).

2. The narrative in relation to older persons is important and powerful. The focus on '**positive ageing**' may introduce an unforgiving narrative which shuns frailty, disability and illness. How can policies ensure that this is not the narrative projected to the general population? What role did **language** and **ageist words** play in the **COVID-19** response?
3. How should respect for independence and autonomy of older persons be strengthened during **health crisis**? What should the key learnings from **COVID-19** in this regard be?
4. AGE Platform Europe (2012) has found that older persons are having their agency removed regarding **care delivery**. This includes care-givers failing to consider the preferences of the older persons that they care for, especially in relation to the daily routine of the older persons including food, clothes and sleeping patterns (Nena Georgantzi). How can these aspects of independence and autonomy be **protected**?
5. For older persons, including those with disabilities, who have been placed under **legal guardianship**, what guarantees need to be in place to ensure there is no breach of trust in that position?
6. The **intersectionality** of identity can increase the vulnerability of older persons in different scenarios. What are the special considerations for women, older persons from indigenous, cultural and ethnic groups, older persons with disabilities, etc.?
7. Rosa Kornfeld-Matte (2018) identifies the issue of the closure or privatising of sheltered housing and community centres. This reflects the **diminishing role of the state**. How does this affect the autonomy and independence of older persons? And how can these effects be mitigated?
8. The importance of access to information and the **role of technology** as way to connect with family, friends and the community was amplified by measures related to **COVID-19**. What are some good practises for the use of technology to enable independence of older persons? How can the use of different technologies be further enhanced?

Working Group II - Social Protection and Human Rights of Older Persons

1. In many societies, older persons comprise a disproportionate number of the poor, the persistent poor and the poorest among the poor (Kornfeld-Matte, 2018). To what extent can social pensions (non-contributory cash income usually given by the government) help to address old-age poverty? What can be done to accelerate progress towards achieving **universal social protection** (and Sustainable Development Goal 1.3, concerning implement nationally appropriate social protection systems and measures for all)?
2. There has been a **fundamental shift in social and family structure**, this has left many older persons more vulnerable without familial support systems. How can new support structures be created, or existing support systems enhanced, to help protect older persons?
3. The current narrative of older persons often contains concerns about the "costs" of older persons and the risk of them being a "**drain on society**". How can this narrative be changed into something positive? Are there examples of policies which have attempted to change this narrative? What kind of narrative would be preferable?
4. Research by the Organization for Economic Cooperation and Development (OECD) has found that **older women** face a greater risk of **poverty** than their male counterparts. How can this disparity be rectified? How can policies be drafted so that this disparity can be minimised? Research further shows that **caregiving responsibilities** in midlife are associated with old-age poverty among women (see e.g. Wakabayashi & Donato, 2005, 2006) due to intermittent work history and inadequate retirement savings. What

measures should be taken by governments to support informal caregivers, and to encourage more equal sharing of caregiving responsibilities?

5. The **COVID-19 pandemic** did not only threaten the lives and safety of older persons, but it also endangered their social safety nets, their jobs and pensions. Overall, how has the socio-economic response to COVID-19 taken the needs of older persons into account? What kind of social care reform should take place to better protect human rights of older persons in crisis?
6. Are the current social protection provisions taking the **needs of elderly immigrants** into account? What about older **LGBT persons** or older persons who are **chronically ill**? If not, how can the needs of these vulnerable groups be protected?

Working Group III - Age Discrimination against Older Persons focusing on Labor Markets

1. How does one **improve labour market participation** when, in spite of legislation and policy measures, the employment needs of many older persons remain unmet? Will changing the societal perception of older persons be an important step? How can we improve the involvement of stakeholders including employers and the private sector?
2. Many policies are focused on keeping or re-introducing older persons in the labor market. However, questions arise as to whether work will be available to older persons, and what type of work this will be. What are the best strategies to ensure that the most **disadvantaged and precarious workers** (especially older women) are protected? Including in the situation of health crisis (**COVID-19**)?
3. **Women** tend to have more limited access to education and other resources over their lifetime. This leads to disadvantages in their formal and informal job opportunities. How can governments ensure that for older persons (especially for older women) that the decision to remain in the workforce is a real choice? It is important to ensure that **older persons returning to the workforce** do not end up doing demeaning and physically demanding work.
4. Keeping or re-introducing older persons in the labor market can also be linked to the concept of "**encore career**" which is a new form of work for retirees which combines income and meaningful contribution with society. Is this a suitable concept for governments to include in their older persons policy? How can we ensure that sufficient training programmes are provided to support this concept?
5. Many states have discrimination laws which are applicable to older persons. How effective are **age discrimination laws** in preventing discrimination based on age in workplace? Are there further steps that need to be taken to protect older persons in the labor market against age discrimination?
6. Older person's labour is mostly prevalent in the informal sector, so how can states push for **standard setting and regulations**?

Working Group IV - Empowerment of Older Persons through Education and Training

1. Although the **right to education** for all ages is grounded in international human rights laws and addressed in national plans, policies and strategies too, older persons are given fewer opportunities to learn and the vast majority of resources and policy attention are directed to the young. What can be done to improve the implementation of policies? Should governments be required to allocate **more resources to lifelong learning**?
2. **Access to information and education** is a key issue. What efforts have been made to improve access to information and education via the internet? Is this information in a

suitable format for older persons? What are the resources available to service providers to ensure wider access?

3. What are some **potential strategies** to help older persons become **more independent**? This could include classes on nutrition, fitness, basic health care, finances, housework and other 'life skills'. How can these strategies be delivered in a way that will empower older persons and promote both self-sufficiency and wellbeing?
4. To what extent have local **community-based interventions**² (interventions that target not just older persons but also the larger society) successfully utilised poverty-reduction and social inclusion strategies? What are the factors determining success? Do these interventions empower older persons through educational opportunities? How to strengthen such programmes?
5. **Older women** are especially at a disadvantage as they usually both live longer than men and have had limited access to education and training. How can older women's access to education and training be improved?

Endnotes

ⁱ https://population.un.org/wpp/Publications/Files/WPP2017_DataBooklet.pdf

ⁱⁱ <https://news.un.org/en/story/2020/05/1063052> (accessed on 20 May 2020)

ⁱⁱⁱ <https://www.unece.org/population/wga.html>

^{iv} Council of Europe. (2014). Recommendation CM/Rec(2014)2. Retrieved from <https://rm.coe.int/1680695bce>

^v UN OHCHR ROE. (2018). Seminar Report on the Human Rights of Older Persons in Europe. Retrieved from <https://europe.ohchr.org/Documents/Publications/OlderPersonsInEurope.pdf>

^{vi} Choi, Sung-Jae. (2018). "International Trend and Issues in Protecting and Promoting the Rights of Older Persons". *Journal of the Korean Gerontological Society*

^{vii} <https://www.helpage.org/newsroom/latest-news/freedom-to-decide-for-ourselves-older-peoples-rights-are-denied-says-new-report/>
^{viii} ASEM Global Ageing Center. (2018). "A Study of Human Rights-Based Improvements for the Long-Term Care Service System: The Right to Self-Determination in Admission to and Discharge from Nursing Home Facilities".

^{ix} <https://www.coe.int/en/web/commissioner/-/the-right-of-older-persons-to-dignity-and-autonomy-in-care>

^x UN General Assembly. (2010). Report of the independent expert on the question of human rights and extreme poverty, Magdalena Sepúlveda Carmona. Retrieved from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G10/125/83/PDF/G1012583.pdf?OpenElement>

^{xi} International Labour Organization. (2017). World Social Protection Report 2017-19. Retrieved from <http://www.ilo.org/gimi/gess/RessourcePDF.action?ressource.ressourceId=54887>

^{xii} Ibid.

^{xiii} HelpAge International. (2019). Statement to the 63rd Commission on the Status of Women. Retrieved from https://age-platform.eu/sites/default/files/HelpAge_Statement_to_CSW2019.pdf

^{xiv} Ibid.

^{xv} Ji, Eun Jung. (2018). "A survey on Ageism in Korea – Focusing on Labor Market".

^{xvi} Ibid.

^{xvii} International Labour Organization. (2019). Work for a brighter future – Global Commission on the Future of Work

^{xviii} UN. 2019. Substantive Inputs on the Focus Area "Education, training, life-long learning and capacity-building (A/AC.278/2019/CRP.2).

² See for an example of community initiatives in Thailand <https://www.straitstimes.com/asia/se-asia/girding-thailand-for-a-greying-future>