

# THE IMPORTANCE OF THE PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS ON THE RIGHTS OF OLDER PERSONS

---

**MR LEFHOKO KESAMANG  
SENIOR SOCIAL WELFARE OFFICER  
DEPARTMENT OF SOCIAL AFFAIRS  
AFRICAN UNION COMMISSION**

# BACKGROUND TO THE DEVELOPMENT OF THE PROTOCOLS

- Both the Draft Disability Protocol and the Protocol on Older Persons were prepared by the Working Group on Older Persons and People with Disabilities in Africa (Working Group).
- 
- The terms of reference of the Working Group, which was established by the African Commission on Human and Peoples' Rights (Commission) via Resolution 118, were:
    1. To hold comprehensive brainstorming sessions to articulate the rights of older persons and persons with disabilities;
    2. To draft a concept paper for consideration by the African Commission that would serve as a basis for the adoption of the Draft protocol on Older Persons and Persons with Disabilities;

# BACKGROUND TO THE DEVELOPMENT OF THE PROTOCOLS

3. To facilitate and expedite comparative research on the various aspects of human rights of older persons and persons with disabilities on the continent, including their socioeconomic rights;
4. To collect data on older persons and persons with disabilities to ensure proper mainstreaming of their rights in the policies and development of Member States;
5. To identify good practices to be replicated in Member States.
6. The Working Group undertook consultations with stakeholders from across Africa in face-to-face meetings as well as by posting for feedback early drafts of the Protocol onto the Commission's website.

# PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS ON THE RIGHTS OF OLD PERSONS IN AFRICA

- Establishes the content and institutional basis to enable older persons to seek redress wherever their rights are violated;
- 
- Will offer political and diplomatic possibilities at the Continental level for rallying advocacy and action to ensure the rights of older persons in Africa.

# THE PROTOCOL

➤ The Protocol reaffirms the rights of older people in Africa and outlines what Governments must do to protect them.

---

➤ It covers a wide range of rights including:

- i) prohibition of all forms of discrimination against older people;
- i) access to justice and equal protection before the law;
- ii) the right to make decisions;

# THE PROTOCOL

- i) protection from abuse and harmful traditional practices;
- ii) the right to care and support; and
- iii) the rights to employment, social protection, health, and
- i) access to education, transport and credit facilities, amongst others.

# SITUATION OF OLDER WOMEN

---

- Older people often face harmful, negative ageist attitudes and behaviour towards them.
- Older women and men are also denied their human rights across different aspects of their lives.
- They are subjected to different types of violence and abuse, denied access to health care and an adequate standard of living and treated with disrespect because of their older age.

# PROTECTION OF OLDER WOMEN

States Parties shall: (**ARTICLE 9**)

---

1. Ensure the protection of the rights of Older Women from violence, sexual abuse and discrimination based on gender;
2. Put in place legislation and other measures that guarantee protection of Older Women against abuse related to poverty and land rights; and
3. Adopt appropriate legislation to protect the right of inheritance of Older Women.



# PROTOCOL ON OLDER PERSONS

- Thank You!
- Dankie!
- Ke A Leboga!
- Mercie!
- شكرا لك