

West Africa Expert Meeting on the Rights of Older Women

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Value and Importance of AU Protocol to the African Charter on Human and People's Rights on the Rights of older persons in Africa

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Introduction

- Adopted by the Assembly of Head of States during the 26th Ordinary session January 2016
- A process that started in 2002 through the Adoption of the African Union (AU) Policy Framework and Plan of Action of Ageing
- Demonstrates the commitment of AU member states to ensuring human rights of people of all ages are respected and protected
- Commitment to ensures older women and men receive an equitable share of services, opportunities, resources and influencing opportunities
- Binding human rights instrument dedicated to the rights of older persons grounded on the African Charter on People's Rights

Importance of the Protocol

- Establish **norms** and standards
- Clarify State obligations
- Provide the framework for improved implementation of policies & provision of services
- Improve accountability
- Reframe how older people are viewed – rights holders and not recipients of welfare

This will facilitate the full and equal enjoyment of all human rights in older age

- Prohibiting all forms of discrimination in older age
- Implementation of measures to ensure enjoyment of human rights across all aspects of life in older age

Importance of ratification and domestication

Offers an opportunity to systematically and in a coordinated way undertake ageing development

Offers a basis to negotiate and support the ongoing discussions on UN Convention for the Rights of Older People.

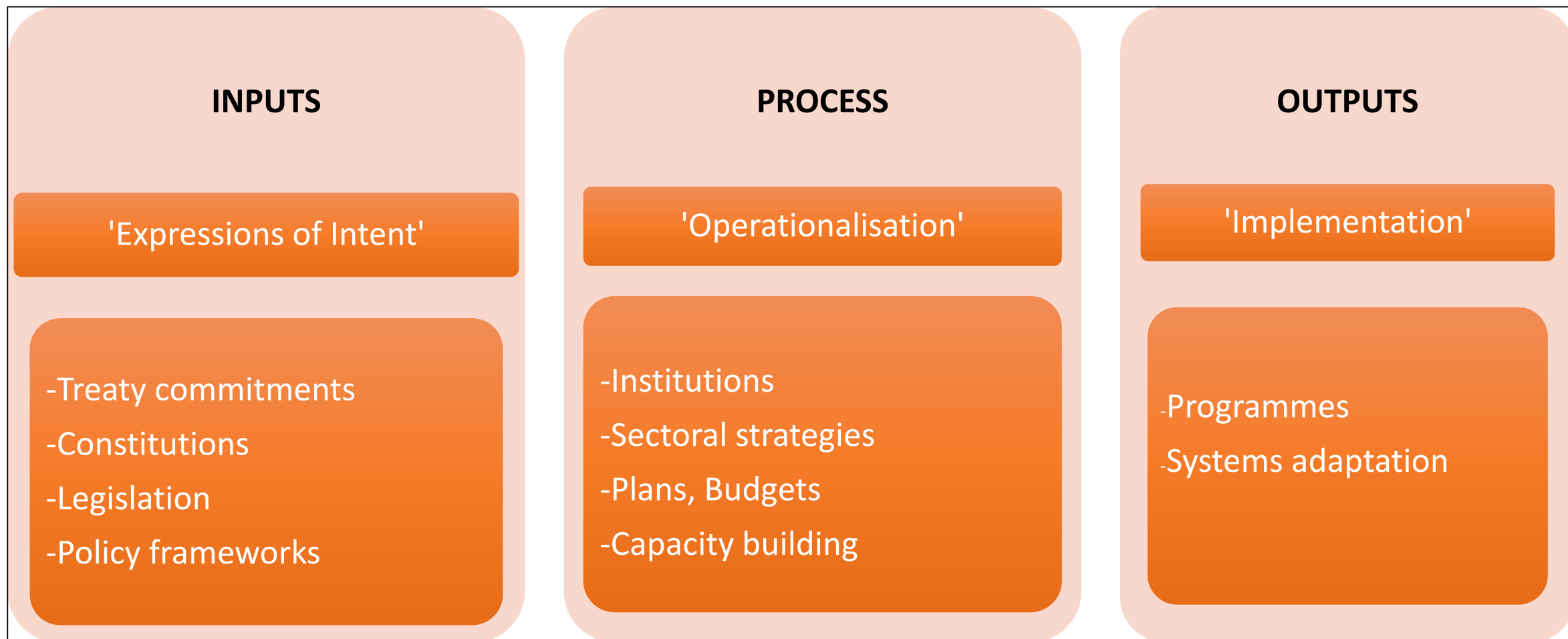
Access to rights and entitlements for older people and eliminate discrimination and abuse /-ve attitudes

MDGs sidelined older people and SDGs and Agenda 2063 offers an opportunity for inclusion

Recognition on contribution and vulnerability of older people while promoting their respect and dignity

Puts older people in the same level of importance as other groups – their relevance in wider African development agenda – UHC, SP, gender equality, empowerment, Human rights, demographic dividends

What we want to see at all level



Key Concerns of the Protocol

- Safeguard Clause (Article 24) of the Protocol does refer to a non-exhaustive list of all international human rights treaties in the preamble of the Protocol
- Definition of an older person as age sixty and above (Article 1) excludes anyone aged fifty-nine or below to claim their rights
- Article 3 fails to explicitly prohibit discrimination on the basis of age and instead prohibits “all forms of discrimination”. Article 2 of African Charter also fails to prohibit age discrimination.
- The above in turn will affect Article 5: Right to Make Decisions, Article 6: Protection against discrimination in Employment, Article 9: Protection of older women, Article: Care and Support and Article 11: Residential Care

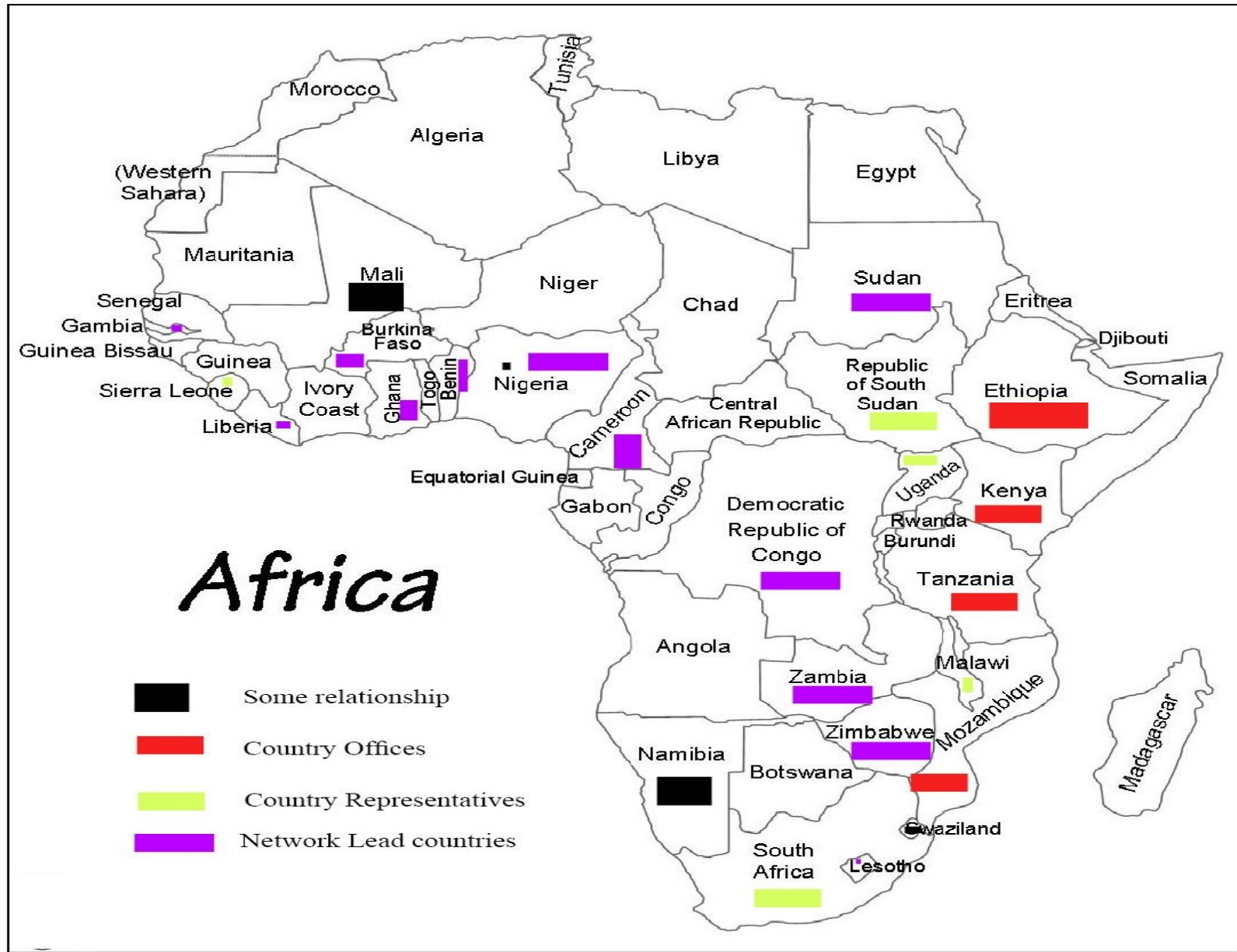
Key Recommendation and Asks

- The implementation of the protocol should be in line with international human rights values and principles.
- Allowing the claims of discrimination on the basis of older age by people below the age of sixty years.
- Ensure protection from multiple discrimination (intersectional and cumulative) discrimination.
- Protection from discrimination against an individual and from structural and systemic ageism including elimination of harmful ageist social norms and practices.
- Increased information, research and public awareness around equality and non-discrimination in older age

Key Asks

- Member states to accelerate the process of ratification and domestication of the Protocol
- Human rights civil society organisations, UN systems and member states human rights institutions, media including the sub-regional economic bodies to support the awareness creation, ratification and domestication processes of the Protocol
- Strengthening evidence/data availability, documentation of ageing development, dialogue and partnerships etc
- Seek ways of increasing technical and financial allocation to support a coordination and reporting mechanism for older people issues at AU and national levels

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Thank You

Challenges

- Limited awareness of the Protocol
- No member has signed