

# **AFRICA REGIONAL HIGH-LEVEL CONFERENCE**

## **The Human Rights Situation of Older Persons in Africa**

**ECOWAS Parliament Complex, Abuja-Nigeria**

**25<sup>th</sup> and 26<sup>th</sup> November 2019**

### **CONFERENCE DECLARATION AND CALL FOR ACTION**

The Federal Republic of Nigeria co-hosted the African Regional High Level Conference on the Situation of Human Rights of Older Persons in Africa from 25 to 26 November 2019 in Abuja, the National Human Rights Commission of Nigeria, Stakeholder Group on Ageing - Africa, Africa Union Commission, Federal Ministry of Health (HEPIQ-C), Nigeria, the Economic Community of West African States (ECOWAS) Parliament, the Network of African National Human Rights Institutions, the United Nations Department of Economic and Social Affairs (UNDESA) and the Office of the High Commissioner for Human Rights (OHCHR). The event brought together ministers, members of parliaments and senior representatives from 22 African countries, development partners, UN entities, academia, NGOs and older persons representatives.

Participants in the conference:

- Take note that the number of older persons in Africa between 2017 and 2050 is expected to grow with a projected 229 per cent increase from 69 million to 226 million, a cause for celebration that is the result of improved healthcare and nutrition, better education and stronger economies.
- Recognize that there are more older women than men, both in Africa and globally.
- Bear in mind that the rapid population ageing and increased longevity requires longer-term planning that will ensure societies are able to cope and prepare for the opportunities that longer life expectancy brings.
- Recognize the significant efforts made by various countries in Africa to protect the rights of older persons, including through the adoption of national development plans and other policies on older persons
- Note that Africa has the highest proportion of economically active people over the age of 65 in the world, contributing to society in many ways as farmers, enterprises and mentors, professional personnel in different field, care givers among others.
- Further recognize that the experience of ageing is diverse, with older persons facing multiple and intersecting levels of discrimination and inequality.
- Recognize with concern that older persons can also be among the most vulnerable in society and among those who are furthest left behind. Ageing can be characterized by increased risk of ill-health and disability.
- Understand that a person's health can be improved at any age and that healthy ageing can help increase older persons' full participation in society to the benefit of all.
- Recognize that factors such as weakened family and community structures due to migration, conflict, natural disasters, climate change, urbanization and the impact of HIV and AIDS can create obstacles to older persons' full participation in society and the enjoyment of their human rights.
- Note with concern that many older persons face challenges in accessing social security, justice, loans, housing, nutrition, health and health support services (like insurance, long-term and palliative care), employment, property, lifelong learning and education, participation and accessibility. And that they are often denied the right to participate in development activities.
- Acknowledge that older persons are experiencing ageism and age discrimination throughout Africa, that current legal mechanisms and policies are insufficient to protect them, and that existing measures need to be better implemented.

Participants further note that:

- Agenda 2063 and the Sustainable Development Goals specifically include the rights and needs of older persons but recognize that they will not be achieved unless legal, development and humanitarian strategies take direct action to enhance social, economic, cultural and political rights of older persons.
- African governments have already adopted some legal and policy measures to respond to the rights of the growing ageing population in Africa, and that these include: the African Charter for Human Rights, the 2002 Africa Union Policy Framework and Action on Ageing, the 2010 African Common Position on Human Rights for Older Persons, the 2016 African Union Protocol to the African Charter on Human and People's Rights on the Rights of Older Persons in Africa, the 2017 and 2019 African Union Common Position on Long Term Care, the Africa Union Protocol to the African Charter on Human and Peoples' Rights on the Rights of Citizens Rights to Social Protection and Social Security and the Social Agenda 2063.
- The UN General Assembly established an Open-Ended Working Group to strengthen the protection of the human rights of older persons ([A/RES/65/182](#)), with the mandate to consider the existing international framework of the human rights of older persons and to identify possible gaps and how best to address them, including by considering the feasibility of further instruments and measures.
- The UN General Assembly further requested in December 2012 that the OEWG submit to the General Assembly "at the earliest possible date, a proposal containing, inter alia, the main elements that should be included in an international legal instrument to promote and protect the rights and dignity of older persons, which are not currently addressed sufficiently by existing mechanisms and therefore require further international protection" ([A/RES/67/139](#)).
- The outcomes of the United Nations and international conferences and summits held on 11 -12 April 2016 in Brdo pri Kranju, Slovenia, on 3-4 October 2017 in Santiago, Chile, and on 12-13 November 2018 in Vienna, Austria, as they pertain to the promotion and protection of the human rights of older persons.
- The work done by the OEWG on ageing and welcome the increasing participation by Member States, civil society, National Human Rights Institutions, UN agencies, older persons and experts.

Participants at the conference recognize that:

- Human Rights are universal and do not change as one gets older.
- Member States have fundamental responsibility for upholding, protecting and promoting the rights of older persons, including eliminating social and cultural stereotypes against older persons.
- International human rights laws and mechanisms, including the Universal Declaration of Human Rights, and other human rights conventions establish that human rights are for all, including older persons.
- The ratification of the African Union Protocol to the African Charter on Human and People's Rights on the Rights of Older Persons in Africa, adopted in 2016, is urgently needed with only 14 countries to date having signed the Protocol, and only two having ratified. 15 ratifications are needed for the AU protocol to come into force.
- The African Union Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa and on-going discussion on the need for a UN convention on the rights of older persons provide important opportunities for ensuring older persons enjoy their full rights and freedoms on an equal basis with others.

Participants at the Conference agree that:

- National legislation and policies need to be adopted in line with international and regional human rights standards to protect the human rights of older persons, through ensuring the eradication of all forms of discrimination against older persons, protecting them against abuse, and clearly stipulating obligations of the family and the State in line with human rights legal frameworks/standards.

- Member States should urgently establish cross-sector and multi-stakeholder mechanisms at national and regional levels to enhance coordination and partnerships that help ensure progress on the implementation of the human rights of older persons in the areas of civic, political, economic, social and cultural rights with the view to improving social protection of older persons.
- Member states should integrate the human rights of older persons in their reporting and implementation of all relevant international human rights treaties to which they are signatories.
- There is a need for increased investment in institutional and human resource capacity to address the rights and needs of older persons, including the collection of disaggregated data.
- A bi-annual conference on human rights of older persons under the auspices of the African Union in collaboration with national human rights institutions and other stakeholders should be institutionalized.
- Greater investment in reliable long-term funding for ageing and older persons issues and rights in national budgets and in those of development partners is necessary.
- Efforts to promote gender equity across the lifecycle need to be enhanced, including by: reducing gendered barriers to schooling, enabling women to enter/reenter the labor force, increasing their employment and earnings in the formal sector, recognizing the unpaid labor of women of all ages, expanding access to formal child and elder care services to promote women's ability to remain working, including into older age, and securing rights on access to property.
- Developing age-friendly cities and communities that respond to the abilities of older persons and people of all ages.
- Humanitarian responses must be inclusive of older persons and provide age-appropriate support.
- Establishing and strengthening comprehensive and integrated family and community level care with primary care systems for geriatric care services to prolong the healthy life of older persons' helping them remain productive, independent and autonomous.
- African member states should ensure the commitment to *leave no one behind and reaching the furthest behind, focusing on the protection of the human rights of older persons, including through guaranteeing free and affordable health care services/health insurance to all older persons.*
- *Ensure the rights of older persons are included in the implementation of the Agenda 2063 and the 2030 Agenda on Sustainable Development Goals, including the gathering and analysis of disaggregated data on older persons.*
- African Member States should promote the rights of older persons with all countries across the African Union, and wherever international policy is being made – beginning with the upcoming Commonwealth Heads of Government Meeting in Kigali, Rwanda in June 2020.
- Governments should urgently ratify and implement the AU Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa.
- African Member States should fully participate in and strengthen the work of the OEWGA and commit to drafting a binding international human rights legal instrument to protect the human rights of older persons.
- ECOWAS parliament committed to strengthening the human rights of older persons in Africa, including: a) advocating with member states in the sub-region to ratify the Protocol to the African Charter on Human and People's Rights on the Rights of Older Persons in Africa; and to b) reviewing ECOWAS Protocol on the Rights of Vulnerable Groups with specificity of rights of women, children and persons with disabilities, to include specific rights and privileges for older persons; and c) support the work of the OEWG towards the drafting of a normative instrument on the human rights of older persons; and d) undertake needs assessment of the human rights situation of older persons in the sub-region bearing in mind the peculiarities of every Member States in the sub-region; and e) develop strategic plan for protection, promotion and enforcement of human rights for older persons for a defined period of time.
- Regional partnerships and collaboration to enhance capacity building, and research development to enhance ECOWAS community interventions Human rights of older persons and issues on Ageing.