

AMNESTY INTERNATIONAL PUBLIC STATEMENT

19 September 2023 IOR 40/7192/2023

VIOLENCE AGAINST, ABUSE AND NEGLECT OF OLDER PEOPLE - THE NEED FOR AN INTERNATIONAL CONVENTION FOR THE PROTECTION OF THEIR RIGHTS

At the 54th session of the UN Human Rights Council, Amnesty International urges member states to support the drafting and adoption of an international treaty on the rights of older persons.

Amnesty International has documented how older people are disproportionately affected by violence and face different types of violations and neglect in armed conflict and displacement settings, including, for example, in Armenia¹, Azerbaijan², Northeast Nigeria³, and Ukraine⁴, as well as in Myanmar and the refugee camps in neighboring Bangladesh.⁵ Their rights are often not respected in the provision of humanitarian assistance; many do not have adequate access to essential goods and services, including sanitation, healthcare, housing, water, and food. Their exclusion is often compounded by the failure to ensure that information is accessible and distributed in ways that will reach older people.

The Covid-19 pandemic has shown the devastating impact of ageist and outright discriminatory policies and actions taken by governments in relation to older people – as reported by Amnesty International – which resulted in violations of the human rights to life, and health, and discrimination, particularly of older people living in care homes.⁶

The marginalization and neglect that older people endure, even in places not experiencing conflicts and crisis, make them more at risk of further abuse, age-discrimination, and social exclusion. The latest thematic report of the Independent Expert on the enjoyment of all human rights by older persons, which focuses on violence against and abuse and neglect of older persons, confirms the inadequate protection of older people and the need for an international convention focused on their rights and inclusion.

Existing international human rights treaties do not explicitly prohibit age-based discrimination, nor do they specifically highlight state obligations towards older people. The international human rights system provides clear protections for several other at-risk groups. Leaving older people out is simply not acceptable.

A dedicated international convention is essential for providing an adequate and comprehensive legal framework to combat age-based discrimination and protect the human rights of older people. It will offer

¹ Amnesty International, *Last to flee: Older people's experience of war crimes and displacement in the Nagorno-Karabakh conflict* (Index: EUR 54/5214/2022), 17 May 2022.

² Amnesty International, *"Life in a box": Older people's experiences of displacement and prospects for return in Azerbaijan* (Index: EUR 55/5215/2022), 17 May 2022.

³ Amnesty International, *"My heart is in pain" - Older people's experience of conflict, displacement, and detention in northeast Nigeria* (Index: AFR 44/3376/2020), 08 December 2020.

⁴ Amnesty International, *"I used to have a home": Older people's experience of war, displacement, and access to housing in Ukraine* (Index: EUR 50/6250/2022), 06 December 2022.

⁵ Amnesty International, *"Fleeing My Whole Life": Older people's experience of conflict and displacement in Myanmar* (Index: ASA 16/0446/2019), 18 June 2019.

⁶ Amnesty International and Amnesty International UK, *As if expendable: The UK government's failure to protect older people in care homes during the COVID-19 pandemic* (Index: EUR 45/3152/2020), 04 October 2020; Amnesty International Belgium and Amnesty International, *Les maisons de repos dans l'angle mort: Les droits humains des personnes âgées pendant la pandémie de Covid-19 en Belgique* (Index: EUR 14/5504/2020), 16 November 2020; Amnesty International and Amnesty International Italy, *Abandoned: highlighting human rights violations in care homes in Italy during the COVID-19 pandemic* (Index: EUR 30/5503/2020), 17 December 2020; Amnesty International Spain and Amnesty International, *Abandonadas a su suerte: La desprotección y discriminación de las personas mayores en residencias durante la pandemia COVID-19 en España* (Index: EUR 41/5502/2020), 03 December 2020.

guidance and support that will enable governments, donors, and humanitarian actors to ensure that older people's rights are respected, protected, and fulfilled. It will help advance their protection at the national level, empower older individuals worldwide to advocate for their rights, and improve how human rights violations against older people are recognized and reported on.

Amnesty International welcomes the focus of the draft resolution currently tabled at the Human Rights Council on the right of older persons to live free of violence, abuse, and neglect. Now, more needs to be done to ensure that older persons' rights are protected. We urge member states to support the establishment of an international treaty on the rights of older persons.

The need for action is undeniable. Older people have been waiting too long to fully enjoy their human rights.

BACKGROUND

This public statement is based on an oral statement Amnesty International prepared to be delivered to the Human Rights Council on 15 September 2023, on the occasion of the interactive dialogue with the Independent Expert on the enjoyment of all human rights by older persons, where the Independent Expert presented the thematic report on violence against and abuse and neglect of older persons, and the country visit reports to Bangladesh, Nigeria, and the Dominican Republic.