

REPORT ON THE SEVENTH (7TH) SESSION OF THE OPEN-ENDED WORKING GROUP ON AGEING

UNITED NATIONS HEADQUARTERS IN NEW YORK FROM 12TH -15TH
DECEMBER, 2016



Introduction

Ghana joined other UN member states to 7th session of the Open-ended Working Group on Ageing at the United Nations Headquarters in New York from 12th -15th December, 2016.

The aim of the conference is to discuss modalities to strengthen the human rights of older persons in societies.

The four-day meeting brought together human rights organisations such as the Human Rights Watch and other international such as the European Union and UN Member States.

It follows the Paris Principles, adopted by the general Assembly resolution 48/134 in December 1993, calling on national institutions vested with competence to promote and protect human rights and be given broad mandate with a constitutional or legislative backing.

The Open-ended Working Group on Aging was established by the UN General Assembly to consider the existing international framework of the human rights of older persons and identify possible gaps and how best to address them, including by considering as appropriate the feasibility of further instruments and measures.

Opening

Mr. Mateo Estreme, Chair of the Open-ended working group in his open statement indicated that, the working group was established by the General Assembly through its resolution 65/182 for the purpose of strengthening the protection of the human rights of older persons. Older persons represent a large, and the fastest growing, segment of the global population. By 2050, for the first time, there will be older persons than children under the age of 15 worldwide, and it is projected that the number of older persons will more than double from 900 million currently to nearly 2 billion. A demographic transformation of such magnitude has far-reaching implications for society at all levels.

He welcomed the adoption of the 2030 Agenda for Sustainable Development, and stressed on the need to ensure that no one is left behind, including older persons. He recognize the recent regional developments towards the effective protection and promotion of the human rights of older persons, such as the Inter-American Convention on Protecting the Human Rights of Older Persons and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa,

He therefore call on Member States to continue to contribute to the work of the Open-ended Working Group on Ageing, in particular by presenting concrete

proposals, practical measures, best practices and lessons learned that would contribute to promoting and protecting the rights and dignity of older persons, in order to enable fulfill its mandate.

GHANA’S DELEGATION TO THE CONFERENCE

S#.	NAME	DESIGNATION
1	HON. NANA OYE LITHUR	MINISTER, MOGCSP
2	Mr ERIC ARMO-HIMBSON	CHIEF DIRECTOR, MoGCSP
3	Mr MAWUTOR ABLO	DIRECTOR PPME, MoGCSP
4	Mr ABDUL-RAZAK UMAR	DIRECTOR RSIM, MoGCSP
5	Mr KENNEDY OSEI	PPME DIRECTORATE
6	Mr NASSAM SUALISU ADAM	PPME DIRECTORATE
7	Ms JOCELYN ADII	Brong Ahafo Regional DIRECTOR, GENDER
8	Mr LESLIE N. AYI TETTEH	Gray Weston Media, Broadcast Journalist
9	Mr EDWARD AMEYIBOR	VICE PRESIDENT, Help Age Ghana
10	CHIEF SUPT. MICHAEL K.A. TEKU	Ghana Police Command and Staff College
11	Ms KARIMATU ANAS	PUBLIC RELATIONS OFFICER, MoGCSP
12	Ms REBECCA DUHO	JOURNALIST, Graphic Communications
13	Ms RITA BOTCHWAY	JOURNALIST, Obonu Fm

GHANA’S PARTICIPATION

The Ghanaian delegation led by the Hon Minister; Hon. Nana Oye Lithur, Minister for Gender, Children and Social Protection head of Ghana's delegation, delivered a statement to the working Group on the theme “The Ghanaian perspective in the promotion of the rights of older persons” at the 7th Session of the Open-Ended Working Group on Ageing on 13th December, 2016. The Hon. Minister in her statement informed participants that, Ghana achieved the feat of advancing the rights of Older Persons under the Madrid International Plan of Action on Ageing (MIPAA).



Hon. Nana Oye Lithur delivering statement at the conference

In her statement indicated that Ghana has strengthened its legislation and implementation of specific public policies and interventions to promote the rights of older persons: She mentioned the following as some of the achievements of Ghana in promoting the rights of older persons:

1. Established Aged Desk to coordinate the implementation of the National Ageing Policy (NAP) that was launched in July 2010 to address issues of older persons.
2. On 13th October, 2016 approved an Aged Persons Bill, which would be laid before Parliament for its passage into law. The introduction of the Aged Bill is to further solidify government's commitment to ensuring that there is a strong legal framework that integrates the human rights and diverse needs of older persons into national. The Bill (if passed into law) will create legally mandated systems which will ensure the effective operation and implementation of the structures and strategies aimed at promoting and protecting the rights, welfare and dignity of aged persons. The law will eventually enforce the implementation of strategic objectives that will promote the improvement of the standard of living for older persons in Ghana.

3. In 2015, the Ministry of Gender, Children and Social Protection launched the “Eban” Elderly Welfare Card. The Eban” Elderly Welfare Card is an innovation of the Government of Ghana which give priority access to social services which the elderly may require to make their lives more enjoyable after contributing to national development during their working life. Over 25,026 elderly persons in all the 10 Regions of Ghana have been issued with the Eban Cards. Older Persons who we have registered on this card are given priority access to social services such as banks, transport services, hospitals and other social services. They also receive 50% rebated on Metro mass public transport fares to any destination in Ghana.
4. As part of our social protection interventions for the older persons our Ministry in collaboration with Ghana National Health Insurance Authority has registered over 27,820 elderly women and men 65 years and above free of charge onto the National Health Insurance Scheme across the 10 regions of Ghana to enable them access basic health care services.
5. Currently, 156,848 elderly persons without any productive capacity receive cash transfer to enhance their living condition under our Livelihood Empowerment Against Poverty (LEAP) programme.
6. The Ministry as part of its efforts in addressing the health care needs of the elderly in accordance with the Madrid International Plan of Action on Ageing Priority Direction II “Advancing Health and Well-Being into Old Age” has also initiated processes for the implementation of a Memorandum of Understanding (MOU) signed between Ghana and the Aarhus Social Health Care Collage of Denmark to support the introduction and mainstreaming of geriatrics at the various health training schools in Ghana as well as health care delivery system. A draft proposal on the implementation of the MoU prepared by the College of Physicians and Surgeons, Nurses and Midwives Council, I Care Health Training College; Akrowa Aged Life Foundation and Ark Lyfestyle Lounge Care Home was presented by the Ministry and reviewed by Aarhus Social Health Care College. The revised proposal will be forwarded to Arhus for implementation in 2017. In this proposals there will be the training of geriatric doctor, geriatric nurses and professional care givers for the older person’s through-out the country.

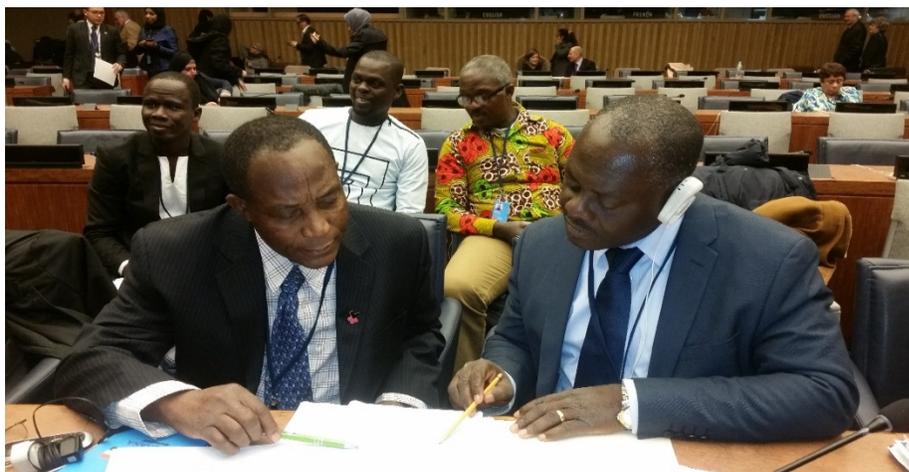
7. In the promotion of the human rights of the older persons in Ghana, a witch camp which had 70 per cent of its inmates being older women 70 years and above was closed down and the inmates reintegrated into society. This is an effort in dealing with abuse and discrimination against older persons and older women in particular.

Note: See full statement in Appendix 1

SIDE EVENTS

There were seven side events organized throughout the conference by different organizations and countries. The Ghana Delegation participated in the following side events How States can respect, protect, and fulfil the right to palliative care for older persons, this was organized by Worldwide Hospice and Palliative care Association, Ghana again took part in Intergenerational Model UN: A pathway to Age-Friendly Community development organized by: European Federation for the Welfare of the Elderly (EURAG) and Age-Friendly Yarmouth, MA, USA.

Another side event Ghana participated was on Protecting the Rights of Older Persons to Live Free of Violence, Abuse and Neglect: The importance of Universal Social Policies organized by: Permanent Mission of Argentina to the United Nations, the International Network for the Prevention of Elder Abuse (INPEA) and the NGO Committee on Ageing in New York and Exploring multivariate panacea in addressing extreme poverty in the ageing community organized by: Barinu Institute for Economic Development. These side events helped the Ghanaian delegation to learn best practices on advancing the rights of older persons and shared experience of other countries.



Mr Mawutor Ablo and the Chief Director, Mr Kwesi Armo-Himbson brainstorming.

Presentation of Report by the Independent Expert on the enjoyment of all human rights by older persons

Note: This part only captures the conclusion and the recommendations of the Independent Expert Group Report. See Appendix 11 for the full report

Conclusions and recommendations

By 2050, there will be, for the first time, older persons than children under the age of 15 worldwide. A demographic transformation of such magnitude has far-reaching implications for society at all levels. As the world population continues to age, the human rights dimension of ageing becomes an ever-growing concern. It is essential that the analytical lens is all encompassing and embraces the full set of human rights, economic, social and cultural rights, but also civil and political rights.

Older persons face a number of particular challenges in the enjoyment of their human rights that need to be addressed urgently. Several good or promising practices in the implementation of existing laws have been reported on issues such as the development of national strategies or action plans on ageing, and in the area of care, the right to work, social protection, equality and non-discrimination, access to justice, violence and abuse, education, training and lifelong learning, the participation of older persons, accessibility and awareness-raising. None of those areas has however been covered extensively and little or no information has been received on some crucial issues such as legal capacity, quality of care, long-term care, palliative care, assistance to victims of violence and abuse, available remedies, independence and autonomy, or the right to an adequate standard of living, particularly housing. Each of the aforementioned areas raises a set of issues and protection concerns that deserve in-depth analysis. The information provided also demonstrates the need for South cooperation and the sharing of good practices at the regional level to guide national-level implementation taking into account regional specificities.

The information received appears to indicate that the implementation of the Madrid International Plan of Action on Ageing may have positive implications for the enjoyment of some human rights by older persons. However, uneven progress with regard to the implementation of the Madrid Plan of Action and gaps between

policy and practice remain major constraints. Moreover, while the Madrid Plan of Action contains a number of references to human rights, it is not a human rights instrument and it addresses ageing issues mainly from a developmental perspective. It has not been designed to comprehensively address existing protection gaps and is therefore not sufficient to ensure the full enjoyment of their human rights by older persons.

The former United Nations High Commissioner for Human Rights, in her 2012 report on the human rights situation of older persons, concluded that existing arrangements to protect the human rights of older persons were inadequate and that dedicated measures to strengthen the international protection regime were required, such as a new dedicated international instrument and/or a new special procedure mandate

Similarly, the Open-ended Working Group on Ageing concluded at its sixth session, held in 2015, that the existing mechanisms designed to guarantee the full exercise of the civil, political, social, economic and cultural rights of older persons have flaws. A variety of proposals have been made with regard to new instruments and measures, in accordance with the Working Group's mandate, including a dedicated convention or an optional protocol to an existing convention. As the present report and its findings will be brought to the attention of the Working Group, in accordance with Council resolution 24/20, the Independent Expert calls on States to step up their efforts to determine the best way to strengthen the protection of the human rights of older persons and to consider the various proposals that have been made, notably the elaboration of a convention on the rights of older persons. It is also hoped that the Working Group will in due course present to the General Assembly 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, as requested by the General Assembly in its resolution 67/139 of 20 December 2012.⁷ Considering that there is unanimity about the need to strengthen the protection of the human rights of older persons, existing divergences must urgently be overcome, given the millions of older persons waiting for their human rights to become a reality.

The creation of the mandate of the Independent Expert on the enjoyment of all human rights by older persons by the Human Rights Council in 2013 constituted a

paradigm shift from a predominant economic and development perspective to ageing to the imperative of a human rights-based approach that views older persons as subjects of law, rather than simply beneficiaries, with specific rights, the enjoyment of which has to be guaranteed by States. It has also kick-started a Geneva-based process that has received new impetus through the recent launching of the Group of Friends on the human rights of older persons. It is hoped that this will contribute to further deepening the discussions at the level of the Human Rights Council and to ensure that this human rights forum remains seized of this important matter and actively engaged in shaping tomorrow's society.

ISSUES RAISED/ MEMBER STATES POSITIONS

Followed from the consideration of the independent expert report on the best practices and gaps in the implementation of existing law, there were suggestions for the development of conventions in order to enable the world realized the protection and inclusion of older persons rights in socio-economic development.

However, some member states particular United States of America and European Union debated that the existing frameworks especially the Madrid International Plan of Action on Ageing is enough for the realization of the enjoyment of all human rights by older persons therefore no need for new convention on the rights of older persons.

Way Forward for Ghana

There is a need for Ghana as a country to independently assess and review the existing frameworks and plans on the rights of older persons to establish its position on this emerging worldly debate.