### **Check against delivery**



**Claudia MAHLER**

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

**Berlin, 21 September 2020**

UNITED NATIONS HUMAN RIGHTS COUNCIL

45th session

President,

Excellencies,

Distinguished delegates,

Ladies and Gentlemen,

It is an honor for me to address you for the first time today – remotely from Berlin – in my capacity of Independent Expert on the enjoyment of all human rights by older persons.

At the outset, allow me to pay tribute to my predecessor, Rosa Kornfeld-Matte. I wish to express my gratitude for her substantive analysis towards the data gap report that I will introduce today (A/HRC/45/14). More generally, I wish to acknowledge her path-breaking work in advancing the human rights of older persons during her tenure as first special rapporteur on the human rights of older persons.

The comprehensive report (A/HRC/33/44) presented to the Council in September 2016 constitutes a global status determination on the human rights of older persons. It provides the analytical framework for advancing the human rights protection for older persons, while it concludes that existing arrangements are inadequate and that dedicated measures to strengthen the international protection regime are required. As part of my mandate, it will be my role to provide further analysis on the existing challenges and protection gaps to contribute to the realization of the rights of older persons.

Ladies and Gentlemen,

I have the honor to refer to the reports on the country visits conducted by my predecessor that are before the Council at this session. The former Independent Expert visited China from 25 November to 3 December 2019 and New Zealand from 2 to 12 March 2020. Both countries are undergoing a significant age-structural change with specific implications for the enjoyment by older persons of their human rights. Let me emphasize that I very much hope to continue this constructive dialogue that my predecessor initiated.

President,

Excellencies,

Ladies and Gentlemen,

In the face of the further spreading of COVID-19, I would like to extend my profound sympathies and condolences to all those who have suffered loss and bereavement.

The pandemic has – until now - had a disproportionate impact on older persons and has magnified existing violations of their rights. In light of this, I have dedicated my first report to the General Assembly, that I will officially present to the Third Committee in October, to the impact of COVID-19 on the enjoyment of all human rights by older persons (A/75/205).

Excellencies,

Ladies and Gentlemen,

One of the issues the pandemic also exposed is the flagrant lack of data on older persons to capture their lived realities and the enjoyment of their human rights.

This data gap constitutes, in itself, an alarming sign of exclusion and renders meaningful policymaking and normative action practically impossible. The exclusion of older persons from surveys and national censuses affects the ability to understand the extent to which they are able to participate in society and enjoy their human rights on an equal basis with others. Due to the lack of significant data and statistics, inequalities faced by older persons often remain invisible.

Comprehensive, meaningful and reliable data plays a key role in enhancing the understanding of global ageing. It fosters essential knowledge about the needs of older persons. It creates the conditions for assessing the effectiveness of existing measures. And, it provides the evidence base required to identify concrete gaps, to improve the formulation of targeted measures, to monitor their implementation and to report on progress.

Another key function of data is its contribution to awareness-raising and empowerment. Data is needed to shed light on structural and systematic ways in which older persons are left behind. It allows to highlight the contributions of older persons to society. It is needed to change perceptions of later life, especially for it to be more than an inevitable stage of deficit and decline.

Excellencies,

There is a need for a fundamental conceptual shift in method and process. A life-course approach is essential to be able to provide more comprehensive, comparable and nuanced data on older persons.

To improve the existing data ecosystem, we need standards and reporting requirements. This will be an important impetus for statistical offices to gather more data on older persons.

A central element for a human rights-based approach to data is its disaggregation. This allows for an initial comparison and appraisal of older persons with other population groups and forms part of the human rights obligations of States. Data used in assessments needs to be disaggregated by age and other critical sociodemographic variables and to expose life-course specificities. Age cohorts need to reflect the heterogeneous nature of the older population to allow for a differentiation of older and very old persons, who have different needs, priorities for their lives and capacities. They have to be granular enough to make it possible to take into account the relativity of the notion of age, depending on the context.

Gaps in areas such as care, age discrimination and poverty remain key concerns. For example, demographic and health surveys typically exclude women aged 50 and over and men aged 55 or 60 and over from their remit which essentially renders them invisible.

Another key human rights requirement is the participation of older persons at all stages of data collection, analysis, use and reporting, including in the development of surveys. There is increasing evidence of how citizen-generated data can help reveal the situation of marginalized groups, fill in data gaps and drive policy change.

Ladies and Gentlemen,

The data revolution creates unprecedented possibilities for addressing the data gap on older persons. It is essential in this regard to provide guidance on data linkage, including of official and unofficial data, and on the integration of traditional and non-traditional data-collection methods. This particularly applies to data from new technologies and their use in artificial intelligence and automated decision-making, in view of potential risks.

Collected data must exclusively be used for the purpose that older persons have consented to, with full respect for the principle of data minimization and for human rights standards. There is a need for robust data protection in view of the challenges related to privacy, individual data sovereignty and informational self-determination, including those arising from the increasing passive collection of data.

Excellencies,

Ladies and Gentlemen,

The data gap is yet another manifestation (and a cause) of the invisibility of older persons. Giving older persons a voice will be my guiding principle in discharging the mandate this august body entrusted to me. I attach particular importance in continuing the constructive dialogue with Member States of all regions and to safeguard a space for meaningful engagement and exchange with a broad array of actors and stakeholders, including regional organizations, medical research centers, the private sector, civil society, associations of older persons and, most importantly, with older persons themselves.

I thank you for your attention and support.

\*\*\*