

Janica Aniina Puisto

From: Agewell Foundation <agewellfoundation@gmail.com>
Sent: 27 August 2022 19:15
To: Janica Aniina Puisto
Subject: Draft on Human Rights of Old People for intervention during the Geneva conference



(In **Special Consultative Status** with the **ECOSOC** at **United Nations** since 2011)
(In association with **UN-DPI**)

Dear Janica Puisto,

As discussed, I am happy to submit a draft for each of my four proposed interventions for your reference and information. Hope you will find them in order and useful.

Session 1: Limitations and gaps of selected human rights norms and obligations

Human rights are rights inherent to all human beings regardless of age, gender or race. Everyone is entitled for right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and dignity without any discrimination.

Like in many other countries, in India too Older People have to suffer a lot due to their vulnerability. The majority of older people have no support available for institutional care and they mostly depend upon family members or the immediate neighbourhood for assistance and support. World over women live longer than men but have lesser availability of any kind of support in Old Age and they usually suffer more than men. Older People look forward to stronger emotional support, but they have to face elder abuse and denial of their Human Rights, be it urban or rural areas.

Though, elder abuse, mistreatment and torture of older people are a manifestation of the timeless phenomenon of interpersonal violence. Still, there is no systematic collection of statistics or prevalence studies, crime records, journalistic reports, social welfare records and studies to provide evidence or quantum on the existence of abuse, neglect and financial exploitation of older people.

In spite of being a traditional family system in India, studies conducted by Agewell Foundation over the years conclude that older persons are being mistreated, verbally abused, and denied proper food, medication and care by younger members of their own family. With eroding social values in India, cases of elder abuse and mistreatment in every neighbourhood is a daily routine.

Studies suggest that in Indian societies, older people, particularly older women and 80+ elderly are forced to suffer violation of their human rights due to several factors, ranging from their poor physical, emotional, financial and social status... to their fragile and usually deteriorating health conditions. Many elderly family members never raise their voice against any form of elder abuse for the sake of their spouses, children and generally peaceful environment in their old age.

Ironically, in India older generations are not aware of their human rights due to high prevalence of illiteracy and lack of awareness. On the other hand, due to comparatively high physical as well as psychological vulnerability their cries for help remain within four-walls. That's why only a few cases of violation of human rights of elderly come out. Ever-increasing numbers of distress calls from older people received by Agewell Helpline for older people clearly indicate the disturbing condition of Human Rights of Older people in India.

Session 2: Adequacy of existing human rights mechanisms in responding to the challenges

Keeping in view the rising incidences of human rights violation among the Older People in India, it is obvious that there is no adequate human rights mechanism in the country particularly for Old People. However, to protect rights and interests of older people several initiatives have been initiated by the government from time to time at various levels. Ironically most of them remain on papers and are hardly ever being implemented.

The well-being of older people is mandated in the Constitution of India under Article 41. The Right to Equality is guaranteed by the Constitution as a fundamental right and social security is the concurrent responsibility of the central and state governments.

National Policy on Older people also aims to create awareness regarding elderly persons to help them lead a productive and independent life. Several other initiatives include - launching of dedicated helplines for older people, setting up of Senior Citizen Security Cell, home visits to protect older people who live alone, etc. However, these are so far limited. According to the Agewell Foundation Study, more than 95% elderly in India have no idea about such initiatives.

Older people of India face problems similar to older people across the world today, be it social, financial, psychological, medical, legal or interpersonal.

Today, India has 14 million+ older persons and 17000 additional people turn 60 in India everyday. With every passing day, life is becoming tougher for each one of them as the generation gap is also increasing day by day. Due to the fast-growing population of older people, inroads of digital knowledge and most importantly cut throat competition all around the entire mankind is becoming increasingly self centered and introverted. This is leading to an ever-increasing gap between generations resulting in the majority of older people having to struggle to protect even their basic human rights.

The Government of India had enacted a dynamic Maintenance and Welfare of Parents and Senior Citizens Act in 2007 and National Health Policy 2017 with an objective to protect the needs and rights of older persons. But on the ground nothing concrete has been done in this direction so far.

Several studies conducted by Agewell Foundation indicate that due to lack of implementation of existing schemes and policies, protection of Human Rights of Old People is not visible on the ground, resulting in issues concerning Human Rights of Old People remain unaddressed.

Session 3: Strengthening coordinated actions for the protection of the human rights of older people

Today, we urgently need an inclusive social security program for older people at the grass root level while utilizing tools like value-based education, awareness generation, research & advocacy in order to protect their Human Rights. Since now the human life cycle has increased almost everywhere in the world and people are living longer, there is an urgent need to make every older person financially independent in old age, so that they can get food, shelter, healthcare as per their needs.

Collectively we all must try to develop a mechanism to ensure protection of human rights of older persons, so that they could not be violated at any level. There should be an awareness among the entire human race that wherever there are Old People they must be provided proper assistance – be it emotional, interpersonal, social, financial, legal or medical, wherever and whenever they need it.

With longer life spans the number of bedridden elderly persons and long-term elderly patients is increasing rapidly. There is an urgent need to conceptualize and initiate some innovative programs and schemes for them. At the same time, for destitute older people who are bedridden and suffering from acute mobility issues their right to get proper healthcare equipment and relief material should be protected on priority basis in every part of the world.

On the basis of studies conducted on issues concerning older people over the years, Agewell Foundation recommends that in order to protect human rights of older people coordinated actions should be undertaken internationally at all levels – be it individual, family, society or the state.

Human rights of older persons, pertaining to their social, financial, medical, legal or interpersonal needs are common across the world. Standardization of the care system including the human rights protection system should be ensured at national as well as international level. It must be ensured that concerned stakeholders including the state, local bodies, and the non-government sector make collective efforts to protect human rights of older people.

At society level, efforts should be undertaken to create respectful and supportive environments for the elderly, where older people can find themselves safe and secure and human rights of older people are well protected and respected. Individual Old People can not protect their own Human Rights and they need the support from all concerned.

At the National level, concerned stakeholders should be made fully responsible and accountable towards implementation of policies/schemes related to older people. At the same time, every state needs to review the status of their own older people on a regular basis and modify policies or frame new policies accordingly.

At international level research and advocacy initiatives pertaining to human rights of older people should be shared with concerned stakeholders across the world in a much more assertive manner.

Session 4: Towards strengthening the protection of the human rights of older people

In India, taking care of an individual in old age is considered as more of a moral responsibility of the family members. No one seems to be concerned about the fact that an individual who is old has certain basic human rights.

It has been observed that older people are facing almost similar problems, globally, be it social, financial, psychological, medical or interpersonal. Hence a standard mechanism **must** be devised to protect the human rights of older people.

In order to protect and strengthen the human rights of older people, concerned stakeholders at various levels should focus on the following;

- Ensuring proper and nutritious food for all older people
- Availability of adequate healthcare facilities and medicines
- Ensure hygiene and sanitation in old age
- Ensure respectful and elderly-friendly environment for older people
- Ensuring independence in old age
- Ensure long-term / palliative care for frail elderly
- Ensuring social security for all elderly
- Ensuring safety and security of elderly
- Promoting family support system
- Creating awareness about needs & rights of older people
- Sensitizing younger generations towards issues concerning older people
- Bringing perceptual change towards old age in general **across every society**

Today, we urgently need an inclusive social security program for older people at grass root level while utilizing tools like value-based education, awareness generation, research & advocacy in order to protect Human Rights of Older people.

The Status of older women is more critical **all over the world** and their human rights are violated more wildly due to their high level of dependency on others for their needs & requirements, particularly in view of their longer life span in old age. To strengthen the protection of human rights of older women, concerned stakeholders **must** also focus on the following, while framing policies **specifically** for older women;

- Empowering women from an early age to develop them as strong older women
- Spreading awareness **among** older women about their rights & powers
- Bringing attitudinal change in families towards girl child from the time of their birth
- Initiating the process to strengthen and ensure human rights of older women

We, at Agewell Foundation, understand that there is an urgent need to relook at the existing human rights protection related provisions and come up with more equitable, effective and strong Human Rights Protection provisions, recognised globally to encourage an older people-friendly environment **around the world**.

Please feel free to suggest / advise any changes or improvements in the drafts. Kindly do acknowledge receipt.

Best wishes,
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