



## Statement of the German Women's Council /DFR, October, 2016

### on the UN review process of the implementation of the Madrid International Plan of Action on AGING (MIPAA) 2017 and 2018 related to the German and international implementation

The German Women's Council (Deutscher Frauenring e.V.- DFR) welcomes the recommendations of the Independent Expert of the United Nations Human Rights Council, Rosa Kornfeld-Matte. In her report of 8 July 2016 before the 33rd session of the UN Human Rights Council (A /HRC/33/44), she reaffirms the human right of all human beings of all ages to enjoy all human rights.

The DFR endorses her recommendations as well as the recommendations of the *Open End-ed Working Group on Aging* at the UN Committee on Social Development, which are

1) concerning the MIPAA review processes+15

2) on the justification and necessity of a new human rights treaty that, in contrast to the Madrid International Plan of Action on AGING of 2002, would be "**designed to comprehensively address existing protection gaps [of the full human rights of elderly persons] and will therefore be sufficient to ensure the full enjoyment and the protection of the full human rights by older persons**" through an explicit instrument of human rights protection.

1) We call on the German Federal Government to initiate a dialogue process at the local (municipal), state and federal level on the implementation and continuation of the MIPAA. This had already been proposed by the UN Secretary-General and the UN Subcommittee on Social Affairs for this year 2016. It is high time to inform and involve the entire population. We are eagerly awaiting the publication of the government report by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) on the implementation of the Madrid International Plan of Action on AGING.

We call on the federal government to design these dialogues as participatory processes at both stages of the review process in 2017 in the Europe region and at the UN international level in 2018 in accordance with the requirements of the UN Secretary General Ban Ki-moon (E/CN/2015/4;VI and V, Para 46-48) from 4 to 12 February 2015.

We call for these dialogues to be organized in such a way that civil society, including women's (human) rights organizations (NGOs), which represent the elderly in all their diversity and in which the elderly are themselves represented, and of women of all ages are

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given comprehensive access to the processes to actively participate in the processes of the evaluation and the negotiations for the further implementation. According to their rights and obligations of NGOs under the UN-ECOSOC statutes and objectives, they must be able to observe and evaluate the discussions of the member states and receive a voice by their statements. Where these rights and obligations are restricted, the Federal Government and the European Union shall jointly work towards the eliminate of all such restrictions and against the so called "Shrinking space for NGOs".

In regard to the participation, we follow the recommendations of the UN Secretary-General:

- an inclusive approach, i.e., a bottom-up process of civil society dialogues with all relevant ministries, should be implemented by an inter-ministerial group, with a wide range of participations, from the planning stage, beyond the review and implementation phase, which follow the intention of the UN for the review processes
- ensure that the views and demands of human beings of all ages and especially all elderly people including women are included in the process, outcome and implementation
- the process itself should already provide for the social inclusion and participation of the elderly, including the LGBTIQ, elderly people from all minorities and from all particularly vulnerable groups. It is intended to provide attention, understanding and progress, and as such it has to be effectively communicated to the public
- ensure the equal representation of women and other groups (CEDAW Art 4.1 e.g. quotas, CRPD Art 6)
- in order to ensure barrier-free access, the federal government should provide financial resources for the participation of inhabitants, CSOs and NGOs at all forums, dialogues and process phases and levels (local / municipal, regional, international)
- necessary assistances for to access the dialogues on all levels shall as well be financed by the government, e.g. in the context of the government delegation, translation, transport
- in order to ensure the broadest possible accessibility, all forums, dialogues and evaluation processes shall be accessible via social media (live coverage in public TV channels as e.g. Phoenix in Germany, Skype, UN webcast etc.), as well as dialogically via Twitter, chats, submissions via e-mail, etc.
- without delay the Madrid International Plan of Action on AGING and other regional action plans and relevant documents shall be disseminated and made accessible to / in the population, and particularly among the elderly; the issues shall be addressed in public by the federal government, Laender (provinces, states) and municipalities.

2) We call on the German Federal Government to work for a **new UN Convention on the Elimination of All Forms of Discrimination against Elderly Persons and for the protection of their human rights** by additional means of an Optional Protocol and to launch its draft with the final document of the review procedures 2017/2018.

The Federal Government, including the EU, will ensure that civil society and (women's rights) NGOs are involved in this process of drafting such a Convention and its Optional Protocol. Women on a parity basis (at least 50%) should be represented in the delegations of the states, the NGO delegates and the UN staff.

### **The Optional Protocol**

- should already define the procedural rules for the conduct of complaints and investigation procedures in the text itself and
- must recognize that elderly people and especially high agers have only a very limited amount of life time left. The time for a complaint or inquiry under a treaty's Optional Protocol must be correspondingly short and the resources of a treaty body must be adjusted to deliver a timely result of justice.
- Access to justice at all levels must not fail at the income or social, economic and cultural situations of the legal individual. As elderly people have a reduced income, only in some regions have a pension income of a welfare status, since an increasing number of elderly people- especially women due to gender pay & pension gap- have an income under the OECD and EU poverty line, - an independent international body is to set up which holds support funds to allow access to the legal process at national and international level of an Optional Protocol of the new Human Rights Covenant (analogous to the German legal aid).

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### **Sources:**

**Madrid International Plan of Action on AGING (MIPAA, 2002) in UN languages**<https://www.un.org/development/desa/ageing/madrid-plan-of-action-and-its-implementation.html>

Further implementation of the Madrid International Plan of Action on Ageing, 2002 Report of the Secretary-General (2015) <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/634/45/PDF/N1463445.pdf?OpenElement>

**Webpage of Rosa Kornfeld-Matte, Independent Expert of the UN Human Rights Council**

<http://www.ohchr.org/EN/Issues/OlderPersons/IE/Pages/IEOlderPersons.aspx>

Videos: <http://www.ohchr.org/EN/Issues/OlderPersons/IE/Pages/Videos.aspx>

**07 2016 complete report at OEWGA with the recommendations, p. 20 (121-126)**

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/147/83/PDF/G1614783.pdf?OpenElement>