

How to engage with UN Independent Expert on the Rights of Older Persons

On May 8th **Ms. Rosa Kornfeld-Matte (Chile)** was appointed by the UN Human Rights Council Independent Expert on the enjoyment of all human rights by older people. This new position in the UN human rights system aims to consolidate an understanding around older persons' rights and foster the implementation of measures that contribute to the promotion and protection of the rights of older persons.

The below information prepared by HelpAge International, explains the functions of the Independent Expert and how you can work with her during her mandate.

What will the new Independent Expert on older people's rights do?

The new Independent Expert on the full enjoyment of the human rights of all older persons was established by the Human Rights Council in its September 2013 Resolution A/HRC/RES/24/20.

http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/24/20

This Independent Expert is appointed with a 3-year mandate. The resolution creating the Independent Expert specifically tasked him with:

- Assessing how existing international human rights instruments have been implemented in relation to older people's rights, identifying both good practice and implementation gaps
- Assessing the human rights implications of the implementation of the Madrid International Plan of Action on Ageing (MIPAA).

The Independent Expert will also:

- Report to the Human Rights Council on an annual basis, with its first report in September 2014 and a final comprehensive report in September 2016
- Go on fact-finding visit countries and make recommendations on how States they can better promote and protect older people's rights
- Produce thematic reports on specific human rights issues to further understanding of the human rights challenges older people face and that serve as a guide on human rights norms and standards
- Communicate with Member States on either individual cases or structural issues of concern in relation to enjoyment of the rights of older people
- Raise awareness of the challenges older people face in realisation of their rights
- Attend the Open-ended Working Group on Ageing annual sessions in New York.

How does this fit in with the work of the Open-ended Working Group on Ageing?

Whilst the work of the Independent Expert will complement and contribute to that of the Open-ended Working Group on Ageing, it cannot replace it.

The Open-ended Working Group is an inter-governmental body that has been tasked through General Assembly Resolution A/67/139 with identifying the main elements of a new legal instrument dedicated to the rights of older people. This discussion among Member States is critical to build consensus around the need for and what should be in such an instrument. This consensus building process amongst Member States is essential

to deliver a strong instrument and the political will to implement it once adopted and ratified.

What opportunities do civil society organisations have to engage with the new Independent Expert?

Civil society organisations are one of the groups of stakeholders that the Independent Expert is mandated to consult with in her/his work.

1. Mandated assessments in Resolution A/HRC/RES/24/20 on the implementation of MIPAA and existing international law

Civil society organisations can

- Suggest priority areas for assessment
- Provide written evidence and recommendations as part of Independent Expert's consultation on the assessment
- Suggest who should be invited to any expert group meetings convened by the Independent Expert for the assessment
- Comment on the conclusions drawn by the Independent Expert in her/his final report on the assessments

2. Fact-finding country visits

Civil society organisations can

- Suggest and advise on which countries to visit.
- Provide the Independent Expert with information on older people's rights in the country to be visited
- Meet with the Independent Expert during the country visits
- Arrange meetings for the Independent Expert with older people and other civil society organisations during the visit
- Invite the Independent Expert to visit project sites during the visit

3. Thematic studies

Civil society organisations can

- Suggest areas for thematic studies
- Provide written evidence and recommendations as part of Independent Expert's consultation on the study
- Suggest who should be invited to any expert group meetings convened by the Independent Expert for a thematic study
- Comment on the conclusions drawn by the Independent Expert in her final report on the thematic study

4. Communications to Member States

Civil society organisations can

- Send information to the Independent Expert on individual cases or structural violations of human rights in a specific country and request that she communicate with the government on this

5. Annual reports to the Human Rights Council

Civil society organisations can

- Make oral statements commenting on the contents of the Independent Expert's annual reports

6. Awareness raising and information sharing

Civil society organisations can

- Invite the Independent Expert to speak at events
- Encourage the Independent Expert to comment on specific issues e.g. reports or research findings published, statements made by others etc.

- Encourage the Independent Expert to make statements around specific days e.g. 1st October International Day of Older Persons and 15th June World Elder Abuse Awareness Day

7. Interacting with other human rights mechanisms to improve how they address older people's rights

Civil society organisations can

- Suggest areas of joint work or collaboration with existing UN treaty bodies, the Universal Period Review (UPR) and other special rapporteurs, independent experts and working groups.

8. Engagement with the Open-ended Working Group on Ageing

Civil society organisations can

- Encourage the Independent Expert to use his/her influence and standing with this process to ensure that the debate is both substantive and furthers understanding of necessary standards and norms to protect and promote the rights of older people.

More information

- <http://www.ohchr.org/EN/Issues/OlderPersons/IE/Pages/IEOlderPersons.aspx>
- http://www.ohchr.org/EN/AboutUs/CivilSociety/Documents/Handbook_en.pdf