

UNECE Ministerial Conference on Ageing

Thursday 16 June 2022

Expert Panel II

Ensuring access to long-term care and support for carers and families

Ladies and gentlemen,

It is an honour for me to be part of this expert panel and share my reflections on access to long term care for older persons. First, allow me to warmly thank UNECE and the Government of Italy for inviting me today to contribute to this important discussion on long-term care, to which I would like to offer a human rights perspective, as the UN Independent Expert on the enjoyment of all human rights by older persons.

Today we gather within the context of the fourth review and appraisal cycle of the Madrid International Plan of Action on Ageing (MIPAA). MIPAA became in 2002 the global aspirational policy document on ageing, aiming at responding to the opportunities and challenges of population ageing in the twenty-first century. While MIPAA is not a human rights document, it contains a number of references relevant to human rights and adopts a conceptual approach that is in accordance with human rights principles.

However, MIPAA along with the current international human rights framework have shown their limitations, especially in the face of the recent global challenges, especially the COVID-19 pandemic. Since I started my tenure as Independent Expert in April 2020 in the beginning of the pandemic, I have stressed on several occasions that the lack of a comprehensive international legal instrument dedicated to the promotion and protection of the rights of older persons has significant implications. The absence of inclusion and recognition of age discrimination and ageism in the current human right framework has the most impact on the lives of older persons.

As we know, the impact of the COVID-19 pandemic has been horrifying for millions of older persons, especially those in need of long-term care. In many countries of the UNECE region, evidence shows that more than 40% of COVID-19 related deaths have been linked to long-term care facilities, with figures being as high as 80% in some high-income countries. Cases of neglect and abuse in institutions and care facilities were also on the rise, as well as the overall increase in age discrimination and ageist attitudes, leading to trauma and stigma. The COVID-19 pandemic demonstrated that current legal provisions are not enough to ensure the dignity of people of all ages.

In the face of new challenges and while the population continues to age older, policies and laws related to health and social support systems need to be adapted to the new and growing needs of our societies. Older persons are the most heterogenous group of the population.

The rising demand for long-term care s needs to be combined with actions to ensure adequate access to high quality care and support for formal and informal carers. This complex

equation further needs to integrate concrete action by States to end abuse, violence, and discrimination against older persons, especially while they receive long-term care.

There is not yet an accepted universal definition of the term “care” or “long-term care”. However, the United Nations Committee on Economic, Social and Cultural Rights reminds us in its General Comment No. 14 that it is important to adopt an “*integrated approach, combining elements of preventive, curative and rehabilitative health treatment*”. It is therefore essential that long-term care should encompass a wide range of services and assistance for older persons who require help with daily tasks and who need medical and social care on continual basis. Such services include homecare, private residence, and private/public institutional care.

According to the United Nations Principles for Older Persons, adopted by the General Assembly, in 1991, “*older persons should be able to enjoy human rights and fundamental freedoms when residing in any shelter, care or treatment facility, including full respect for their dignity, beliefs, needs and privacy and for the right to make decisions about their care and the quality of their lives*”. States must adjust their current social and health policies to the needs of older persons, including services that consider gender and disability. Older persons must be recognised as right-holders and should be able to exercise their rights in all circumstances.

A human rights-based approach for older people in long-term care, particularly when applied in social and healthcare systems will enable us to combine efforts and therefore, maximise the benefits available to older persons. It will also increase the human rights protection for older persons in long-term care.

It is important to prevent older persons from becoming dependent on long-term care. To do so, States should promote active and healthy ageing, foster age-friendly environments, protect autonomy and active participation in all aspects of society. States should also improve detection and early identification of disease, especially dementia, Alzheimer’s disease and Parkinson’ disease to minimize and help prevent dependency. Access to health services should also be improved by providing for those living in rural or in remote areas.

Habilitation and rehabilitation services and programmes should be also reinforced to maintain maximum independence and autonomy of older persons. In this context, much more should be done regarding the use of, and access to new technologies (including digitalization, robotics, automation, and artificial intelligence), as well as education, employment, transport, and housing.

The translation of all these measures into a comprehensive international legal framework would contribute to prevent or delay the need for long-term care. Older persons have a lot to contribute to our societies.

Thank you for your attention and I look forward to the discussion.