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### **SUPPORTING HRE FOR AGED PERSONS IN THE EU<sup>1</sup>**

#### **Introduction**

Since the proclamation of the UN Universal Declaration of Human Rights<sup>2</sup> more than 70 years ago, the international community has come to recognize and promote human rights and fundamental freedoms for all<sup>3</sup> through a vast body of in-

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<sup>1</sup> This paper supplements *Human Rights Education in the Era of Global Ageing; the Human Rights of Older Persons in Contemporary Society*; chapter submitted to 2019 edition of 22 Springer Book: “Globalization, Comparative Education and Policy Research” 2019, eds. J. Zajda, Sev. Ozdowski (in print).

<sup>2</sup> Despite the existence of the Universal Declaration of Human Rights, older people are not recognised explicitly under the international human rights laws that legally oblige governments to realise the rights of all people. Only one international human rights convention (The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families) mandates against age discrimination. Commitments to the rights of older people exist, such as with the Madrid International Plan of Action on Ageing (MIPAA). However, they are not legally binding and therefore only impose a moral obligation on governments to implement them. See more: *Human Rights Education in the Era of Global Ageing...*, *op. cit.*

<sup>3</sup> The Universal Declaration on Human Rights states in Article 1 that “all human beings are born free and equal in dignity and rights”. This equality does not change with age: older men and women have the same rights as people younger than themselves. The rights of older people are embedded yet not specific in international human rights conventions on economic, social, civil, cultural and political rights. Examples include the right to equal protection before the law, the right

ternational human rights law. Among these rights, the rights to education provides an entry point to the enjoyment of all human rights. It includes human rights education, the right to learn about those rights, and the ways and means to protect and promote them in our societies. Education is intrinsically valuable as humankind's most effective tool for personal empowerment. It is integral to and enhances human dignity through its fruits of knowledge, wisdom and understanding. Moreover, for instrumental reasons education has the status of a multi-faceted social, economic and cultural human right. It is a social right because in the context of the community it promotes the full development of the human personality. It is an economic right because it facilitates economic self-sufficiency through employment or self-employment. It is a cultural right because the international community has directed education toward the building of a universal culture of human rights. In short, education is very prerequisite for the individual to function fully as a human being in modern society. This is why older persons have a right to stay included in society through learning and education. While the right to education has been operationalized via prominent framework when applied to pre-school, primary, secondary and tertiary education, it has not been well enough conceptualized in its application in adult education, life-long learning and to older persons. At the same time, the profound changes in labour markets and societies linked to digitalization demand the ambitious roll-out of life-long learning process. Since there is no question that the rights to social security and social protection and to life-long education and learning are both rights in themselves and empowerment rights in that they empower people to participate in society and to pursue other human rights. As such they are fundamental to supporting other rights by ensuring older persons live autonomous and independent lives and are able to fully participate within the community on equal basis with others. While both rights are well established under international human rights law, older persons experience unique disadvantages and barriers to their enjoyment of these rights that are not adequately addressed by existing normative standards.

Education is not only a means to promote human rights. It is an end in itself. It is a never ending process which must be a part of a life-long learning for all citizens in all countries, regardless of age and level of education. It has the potential to change the way we think, behave, and treat one another. The ultimate goal is to form attitudes and provide knowledge which lead to good practices of human rights for all. Above all, the highest value of education is certainly tolerance.

In posing a human right to education, the framers of the UN Universal declaration relied on the notion that education is not a value-neutral. Education always relates to and supports values. But we must be aware of what values we are promoting through education. In this spirit, Art. 26 states that one of the goals

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to own property, the right to education, the right to work and the right to participate in government. See more: note 1.

of education should be “[...] the strengthening of respect for human rights and fundamental freedoms...” (Section 2). The human rights covenants<sup>4</sup> also elaborated on the right to education and the values such education should promote.

There is number of reasons why, within the education system, human rights education, together with education for democratic citizenship and education for mutual respect and understanding, is vital for the development of modern society. Mutual understanding and acceptance is perhaps the main challenge of modern society. Diversity is undoubtedly an asset, but cohabiting with people of different backgrounds, ideas and age calls for a new ethic of responsible relations in Europe and elsewhere. In brief, it is a means to develop societies where the human rights of all are respected, protected and fulfilled.

At this point it is necessary to explain that the term “human rights education” is often used in numerous resources and documents in a narrow sense as education on a school level. In this paper we will try to use it in a broader sense, in order to include education for mutual respect and understanding, which are all based on internationally agreed human rights standards.

The purpose of this paper is twofold. First, it aims to present old people, as vulnerable individuals or groups that face a particular risk of being exposed to discrimination and other adverse human rights impacts, including a reduced ability to cope with, or recover from, adverse impacts, from society are often particularly vulnerable. A core feature of human rights impact assessment is a focus on the ability to enjoy human rights at the individual level. Second, the factual information on the activity of AGE Platform Europe, presented in this paper serves as a bases for evaluation and identification non-governmental organizations, networks representing older people and a whole variety of community groups playing the undeniably leading role in enhancing old people’s awareness about their human rights.

## **Current situation and challenges**

The European Union’s anti-discrimination legislation is among the most extensive in the world. In 2000, the European Union adopted two very wide-ranging laws<sup>5</sup> to prohibit discrimination in the workplace based on racial or ethnic ori-

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<sup>4</sup> Later developed by the UN and coming into effect in 1976 to formalize the basis in international law of the rights declared in 1948.

<sup>5</sup> Directive 2000/43/EC of 29 June 2000 and Directive 2000/78/EC of 27 November 2000. Both directives are based on Article 13 of the Amsterdam Treaty establishing the European Community which reads: “the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation”. Discrimination occurring in the workplace on the grounds of sex is prohibited by several other directives that have been adopted since 1975.

gin, religion or belief, disability, age or sexual orientation. As far as racial and ethnic origin is concerned, this legislation extends to other aspects of daily life, such as education and social services. However, across the EU there exist laws, politics and practices that reflect ageist prejudices and deprioritize, disregard or even exclude older people. Therefore, it is not enough calling for equal rights and adopting laws to promote and protect them is not enough to ensure that equal opportunities are enjoyed by everyone in practice. Europe needs to tackle more determinedly its demographic challenge in a fair and sustainable way and fulfill the pledge to leave no one behind.

Europe has the largest percentage of older adults worldwide. Older persons are the fastest-growing age group in Europe, with the share of persons over 65 growing from currently one in five to one in three in 2080. The number of persons over 80 will more than double over the same period. These figures alone show that all policies should be made bearing in mind demographic change and its profound impacts, therefore both younger and older persons should sit at the table during these next five years to shape Europe's future. Building consensual projects starts with the constructive participation of civil society groups in political debates. Yet, there is a high prevalence of ageism defined as stereotypes, prejudice and discrimination towards people because of their age.

The composition of the EU population has changed dramatically in recent decades. Almost 700 million people are now over the age of 60. By 2050, 2 billion people, over 20 per cent of the world's population, will be 60 or older. With this in mind, enhanced attention to the particular needs and challenges faced by many older people is clearly required. Just as important, however, is the essential contribution the majority of older men and women can continue to make to the functioning of society if adequate guarantees are in place. Human rights lie at the core of all efforts in this regard.

In some EU countries the debate about how to adapt to changing demographic has been framed in terms of how working-age people will cope with the "burden" of an ageing population, rather than recognizing the value and potential of older people bring to their communities when they live healthier, longer, active lives. Experience show us that if discrimination is made legally unacceptable, impetus is given to a societal shift in attitude, for example, the transformation of women's lives in some countries where sex discrimination laws have been passed.

What it means to be "human" and to live with dignity, respect and security requires different responses from society, depending on our age and physical circumstances. This is already widely accepted for other demographic groups, and should be the bases for our approach to older people. Older people are not a homogenous group – differences of how we age, our economic status and social standing underline the arbitrary nature of age discrimination. It is as baseless as race or gender discrimination.

Diverse approaches have been chosen in setting priorities. These choices have highlight different perceptions of the role that older people play in the family and in society at large. In some cases, measures aim to capture the rapidly evolving dynamics of communities and societies, inviting a second look at current perceptions about older persons and work, elder-care mechanisms, intergenerational support systems and financial constraints. Some organizations have designed policies founded on the principle of active ageing and autonomy, aimed at facilitating the continuation of independent lives at home, with services and facilities that cater for various types of needs. Others emphasize family ties and support for the family unit as the primary source of care for older persons. In all cases, a network of private actors, including various volunteer organizations and community-based centres, are essential to the smooth functioning of the entire system.

Nevertheless, one has to admit, that, during the last two decades, population ageing has led to the introduction of new policies and programmes, in which the social sector has taken important stage. A considerable number of organizations involved in promoting and protecting the rights of older people have designed or piloted innovative policies in the health, social security or welfare systems. Additionally, several policy framework documents, including national plans of action on ageing have been enacted. Specific age-related legislative measures in areas as varied as building codes, licensing and monitoring of care centres and vocational training have also begun to emerge. It seems that, despite all difficulties, older people's rights are, slowly but firmly, gaining momentum as there is developing international debate on how to improve their protection on the ground.

## **AGE Platform Europe**

There is no doubt that a wide variety of human rights organizations and initiatives has been working in Europe. They have different educational programs. A general important principal of any human rights education program should be based on the assumption that if we need to reach people and sensitize them for the ideas of human rights and values we have to transfer human rights principals to their concrete language, culture, age and needs. The most fundamental principle of age discrimination education is to take proper account of personal difference and thereby to combat ageism and make it legally and socially unacceptable.

International non-governmental organizations, networks representing older people and a whole variety of community groups play the undeniably leading role in enhancing old people's awareness about their human rights. They help older people claim their rights, challenge discrimination and overcome poverty, so that they can lead dignified, secure, active and healthy lives. They conduct education programs, research and distribute information regarding the protection

of older people, the promotion of their rights and the elimination of any form of discrimination. Their work is strengthened through the global network of like-minded organizations – the only one of its kind in the world.

The role of NGOs is crucial in promoting the right to education and other rights associated with it. Among them, trade unions, the European Seniors Union, advocates for older persons' rights, activists and professionals associations have irreplaceable functions, especially at local and national level. They provide access to information. Pilot projects on active ageing in new social networks rely on volunteers willing to offer education on professional infrastructure and on cooperation across generations. In another example, a government's response to the need for education led to the creation of "universities of the third age", with departments of law, health care, political and economic studies, psychology and agriculture.

From a human rights perspective, the direct and informed participation of older persons in the design of public policy is central to their integration as rights-holders. Participation also constitutes a guarantee against social exclusion and isolation. Several EU Member States have emphasized the concept of "policies with older persons" in their multi-sectorial programming. They have created advisory councils to act as the official representative bodies for older people, taking up issues with public and private actors and taking part in policy debates in areas related to pension reform, social insurance, health care and long-term care. In some cases, States have developed national plans of action with the active participation of associations of retired persons.

Since, it is not possible to grasp in a competent manner the dynamics of the activity of numerous organizations engaged in enhancing seniors awareness about their human rights protection and progress in one relatively short article, this analyse offers an overview of the AGE Platform Europe activity – the voice of older persons at the EU level, the largest and the most important network representing older persons in the EU. AGE has a positive, verified and long lasting impact on ageing population's human rights protection and respect. For almost two decades, together with a large amount community groups, it has made an enormous impact on helping older people in promoting and enhancing awareness and education on abuse, they conduct research and distribute information regarding the situation of older people.

The AGE Platform Europe was set up in January 2001 following a process of discussion on how to improve and strengthen cooperation between older people's organizations at the EU level. Being a non-profit European network, it brings together about 150 non-profit organizations of or for people aged 50+, directly representing over 40 million older people in the European Union. AGE aims to fight age discrimination and promote the rights of older persons; voice the interests and concerns of older European citizens and foster their involvement at EU level to shape appropriate policy responses; and raise awareness of ageing

related issues and of the opportunities and challenges that arise from the ageing of the EU's population.<sup>6</sup> The membership is open to European, national and regional organizations, and to both organizations of older people and organizations for older people. Organizations of older people have the majority of votes in AGE's decision-making bodies. Membership is open only to non-profit-making organizations. Its' work is financed by grants of the European Union, membership fees and donations. In order to promote most effectively older peoples' rights and interests in Europe, AGE works at European and global levels with a number of the EU and non-EU bodies.<sup>7</sup>

At this point, it is important to refer the European Seniors Union (ESU), the largest political senior citizens' organization in Europe.<sup>8</sup> "Seniors standing up for Europe" was the theme of the 2019 10<sup>th</sup> ESU Congress and Sandanski Declaration.<sup>9</sup> In the declaration the ESU Congress underlined the role of citizens as active partners in the European policymaking. The congress also expressed its confidence in the new European Commission and welcomed the fact that Ursula von der Leyen has indicated her willingness to respond to today's challenges including all ages. With the reference to the demographic change as one of the key challenges confronting Europe and analyzing the importance of the recent European Election, the congress delegates commented on making by the new European Commission its top priorities demographic changes, nondiscrimination, civil dialogue and environmental sustainability. In view of the ESU these priorities are essential to guarantee a future for all generations in aging Europe.

As the most important network representing older people in the EU, AGE is often asked to join projects to bring the perspective of its members. By tracking the AGE activity it can be seen that the platform joins those European projects where it can bring the viewpoint of older people in the discussion and support the genuine implementation of the principle of the user involvement. The role of AGE in projects varies widely, from leading coordinator to partner, or member an advisory board or even as associated partner. Nevertheless, it must be pointed out that platform's objective is always to voice older people's perspectives, to

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<sup>6</sup> For more information on its activities visit: AGE Platform Europe, <http://www.age-platform.eu> [accessed: 9.10.2019].

<sup>7</sup> European Parliament (<http://www.age-platform.eu/european-parliamen>); European Commission (<http://www.age-platform.eu/european-commission>); Council of the European Union (<http://www.age-platform.eu/council-european-union>); EU consultative bodies (<http://www.age-platform.eu/eu-consultativebodies>); NON-EU institutions (<http://www.age-platform.eu/non-eu-institutions>).

<sup>8</sup> ESU is the member association of the European People's Party (EPP) and is represented in 27 states with 34 organizations and about 1.270.000 members. Since its foundation in 1995, ESU has been a meeting place for men and women; see: Senior Rights Service, <https://seniorsrightsservice.org.au/about-us/about-us-overview> [accessed: 9.10.2019].

<sup>9</sup> *Seniors Standing up for Europe-Engaging with Citizens and Developing a More United and Democratic Union*, Sandanski Declaration – ESU Congress 2019, [http://esu-epp.eu/wp-content/uploads/2019/10/Declaration\\_Sandanski\\_final\\_EN\\_adopted.pdf](http://esu-epp.eu/wp-content/uploads/2019/10/Declaration_Sandanski_final_EN_adopted.pdf) [accessed: 20.10.2019].

effectively involve end-users at all stages, and to ensure the main ethical and legal issues are correctly addressed.<sup>10</sup>

Since the awareness of human rights mechanisms as a tool for advocacy and social changes is still relatively low among organizations representing older persons, at global level AGE participates in the UN open working group on ageing, where key issues as discrimination, neglect and abuse, dignity, autonomy and independence, palliative care and lifelong learning are discussed. The objective is to develop recommendations on how to ensure that human rights can be maintained for older people. AGE, in collaboration with the European Office of the UN Commissioner for Human Rights (OHCHR), has been organizing annual trainings on how to use the International Covenant on Economic, Social and Cultural Rights to frame older people's challenges and claim their rights. During the training sessions the participants learn about the potential of using the International Covenant on Economic, Social and Cultural Rights, as well as, about some issues that have been relatively neglected by this instrument and the Committee that monitors its implementation, which could be included in a new international treaty.

Being the largest European network of self-advocacy organizations representing older people, AGE aims to reflect the situation at the EU level and provide a comparative overview of the ways to tackle demographic challenges in a fair and sustainable way during the forthcoming 11<sup>th</sup> session of the UN OEWG in April 2020.

Under the auspices of the UN, the Open-Ended Working Group on Ageing has been reflecting on the human rights of older persons and the obligations of the EU member states to protect them.<sup>11</sup> AGE has been taking part in OEWG sessions since 2012. AGE work at the OEWG is a part of its wider effort to protect human rights in older age. As it was mentioned above, AGE's work in Europe has been building links with international processes that focus on the rights of older persons, within the Council of Europe and the UN to ensure that they take into account the views of seniors in all international instances where the EU is represented. The 11<sup>th</sup> session of the OEWG for the purpose of strengthening the human rights of older persons will take place in April 2020 in New York.<sup>12</sup> The Members of the Working Group have been invited by the Chair of the Open-ended Working Group for the purpose of strengthening the protection of the human rights of older persons to provide substantive inputs on the two areas of the 11<sup>th</sup> session, namely: right to work and access to the labour market and access to justice

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<sup>10</sup> See more: <https://www.age-platform.eu/age-projects> [accessed: 10.20.2019].

<sup>11</sup> See more: *Human Rights education in the era of global ageing...*, *op. cit.*

<sup>12</sup> Open-ended Working Group on Ageing for the Purpose of Strengthening the Protection of the Human Rights of Older Persons, UNDESA, <https://social.un.org/ageing-working-group/eleventhsession.shtml> [accessed: 20.11.2019].

in the context of older persons. AGE Platform Europe responded to the OEWG call and prepared an input that will feed into the 11<sup>th</sup> session of the OEWG. AGE has focused its attention mainly on the following topics: right to work and access to the labour market; access to justice; content of the right to social protection and social security and related state obligations; content of the right to education, training, life-long learning and capacity-building and related obligations. At this stage it must be highlighted that according to the AGE principles right to work means a right and not an obligation. The right to access the labour market is about being able to continue participating in employment and economic activities, but there is no obligation. In its contribution, AGE highlighted that the right to access justice is about being able to get fair solution to a legal problem. When it comes to education AGE also submitted its proposals regarding the definition of the right to education and the specific ways in which states can address some of the key barriers to accessing education by old people.<sup>13</sup> In its contribution AGE explained that education is not just a right on its own merit, but the enabler that allows older persons to live autonomous, healthy and independent lives. In particular, on the base of its numerous experiences in providing education, training, life-long learning, and capacity building services for seniors in Europe, AGE points out that older persons should have access to all forms of formal and informal learning that is available to the general population, but also to benefit from training opportunities that meet their specific interests and needs.

One of the basic premise of the AGE's activities is also demographic ageing, fast technological changes and rapid digitalization, and other social developments that are changing societies in fundamental ways. In this new and changing environment older women and men should be able to speak out on their own behalf, and to know their human rights in order to better protect their interests and express their very diverse needs. AGE, therefore, places great importance on older people's awareness of the issues that concern them most. Involving the older population in the debates concerning them has been its overall objective and underpins AGE's work and structure. The AGE's *Older People and Human Rights Projects* aim to empower disadvantaged older people to use human rights principles and standards to influence the improvement of local public services, particularly in the areas of health and social care, through the delivery of awareness-raising, consultations, information, training and support. The best example of the recent AGE's research project addressing ageism is the *EuroAgeism* project.<sup>14</sup>

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<sup>13</sup> The right to acquire and utilize knowledge and skills as an essential element of better protection of human rights in older age was already highlighted by AGE for the UN, the Open-Ended Working Group on Ageing 10<sup>th</sup> session in 2019, <https://www.age-platform.eu/policy-work/news/human-rights-older-age-age-responds-united-nations-consultation-o> [accessed: 10.09.2019].

<sup>14</sup> See more: <https://www.age-platform.eu/project/euroageism.eu> [accessed: 11.05.2019].

The project was launched in November 2017. It has been sponsored by the Marie Skłodowska- Curie framework for Research and Innovation Horizon 2020, and coordinated by an international consortium and the Research Executive Agency of the European Commission. It is important to note, that despite the fact that Europe has the largest percentage of older adults worldwide, to date the majority of research has targeted racism and sexism and neglected to address ageism. Additionally, according to the AGE's studies, a similar neglect has been found on the policy side, as age is still not an explicit part of a UN declaration of human rights.<sup>15</sup> Therefore, the *EuroAgeism* project has been designed to address, in a three-years period, these shortcomings by enabling young researchers to evaluate how non-discrimination law influences the inclusion of older persons. *EuroAgeism* is a multi-disciplinary, multi-sectorial, science-policy international network of researchers, policy makers and social and health care professionals aimed at bridging the existing gap between science and policy while also advancing the research and policy in the area of ageism.

The innovation of the program lies in its comprehensiveness, holistic approach and the true mixture of disciplines and perspectives dedicated to addressing ageism in Europe. The unique collaboration of science and policy creates applied research, aimed towards societal change. In light of the multi-dimensional nature of ageism, research objectives are pursued from a multi-disciplinary, multi-sectorial perspective, by emphasizing the interplay between science and policy and through the crossing of disciplinary and sectorial boundaries. *EuroAgeism* aims to serve as a bridge between science and policy and provide an innovative response to current fragmented, non-policy oriented research in the field of ageism.

In general, the findings of a variety of other researches show that age discrimination takes place in the EU. There are different legal regulations EU law (Art. 10 or 19 of the TFEU)<sup>16</sup>, Art 21 of the CFR<sup>17</sup> and the Employment Equality Directive 2000/78/EC) which explicitly prohibit age as a ground of discrimination. However, in some countries, like Austria,<sup>18</sup> the national protective legislation on age discrimination covers for the most part only employment law issues, while the access to goods, services, accommodation and education is not protected. Other countries like Ireland enacted further legislation (e.g. Equal Status Acts)<sup>19</sup> to prohibit this kind of discrimination. These differences in legal framework form

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<sup>15</sup> See more: *Human Rights Education in the Era of Global Ageing...*, *op. cit.*

<sup>16</sup> Treaty of the Function of the European Union.

<sup>17</sup> Charta for the Fundamental Rights of the European Union.

<sup>18</sup> See more: *Country Report: Non-discrimination – Austria 2019. Transposition and Implementation at National Level of Council Directive 2000/42 and 2000/78*, <https://www.equality-law.eu/downloads/4984-austria-country-report-non-discrimination-2019-pdf-1-49-mb> [accessed: 12.10.2019].

<sup>19</sup> See more: Equal Status Act, ISB 2000; <http://www.irishstatutebook.ie/eli/2000/act/8/enacted/en/print.html> [accessed: 12.10.2019].

the basis for the different (legal) handling of age discrimination affect how older adults experience discrimination.

Having the above in mind, it is correct to indicate that this research project has two main goals: the first one to describe differences in age discrimination experience between older adults who live in a country that provides legal protection and those who live in a country without this kind of legislation. The second goal is to explore how different legal situations are connected to the different experiences. In sum, the major goal of this project has been to provide constant empirical evidence regarding the differences in older people's experience with legal systems, which either provide or lack protective legislation in the case of age discrimination.

The role of AGE in projects is manifold, and its activity can take different shape, from leading coordinator to partner. However, its objective is always to voice older people's perspectives, to effectively involve them at all stages, and to bring the viewpoint of older persons in the discussion concerning their rights to full participation in the society life. A major part of its work is providing training and consultancy on human rights to voluntary and community and public sector organizations working on various issues and with different groups of older people. This gives the organization an insight into the kind of human rights issues experienced by older people and how the use of human rights language, principles and legislation can make a practical difference to their lives. Many organizations request practical and accessible information on human rights written directly for older people. In order to fulfill this need the AGE published in 2017 *Older Persons' Self-Advocacy Handbook*. It is the best example of the AGE's role in raising awareness among older people. The aim of the Handbook has been to help older people to better know their rights and increase their participation in society as rights-holders and self-advocates. Ultimately the handbook contributes to better addressing the rights of senior citizens at international, European, national and local levels. This manual makes an important contribution to the human rights education of elderly by giving visibility to, and promoting awareness of, the human rights of older persons. It is a toolkit that can be used by different stakeholders, including associations for and of older persons, which will empower them to claim their rights. As rights-holders, older persons should be able to exercise their rights in all circumstances.

UN Independent Expert on the Enjoyment of All Human Rights by Older Persons, Rosa-Kornfeld Matte in her foreword to *Older Persons' Self-Advocacy Handbook* wrote:

I am delighted to write the foreword to this online toolkit *Older Persons' Self-Advocacy Handbook*. As the first United Nations Independent Expert on the enjoyment of all human rights by older persons, my mandate is an inclusive one, and implies a responsibility to raise awareness of the challenges faced in the realization of all human rights by older persons, and to ensure that they receive information about their rights. The following Handbook

focuses on international and regional human rights frameworks and institutional mechanisms that are aimed at protecting the rights of older persons and on ways in which they can be used by older persons themselves.<sup>20</sup>

The 70<sup>th</sup> anniversary of the adoption of the Universal Declaration of Human Rights (2018) by the UN General Assembly became an opportunity to launch the global campaign #Ageing Equal. The campaign was initiated by AGE Platform Europe, the network of older persons, to raise awareness of ageism and its negative consequences on the capacity of seniors to fully enjoy their human rights and fully contribute to society.<sup>21</sup> Since discrimination is deeply rooted in our cultures, institutional behaviors and attitudes, smashing age discrimination can only be tackled by collective efforts based on educational program of human rights targeted towards old people. It must be a constant and collective effort to challenge our own stereotypes and attitudes. Given the magnitude of ageism, reaching a critical mass of activists will be essential if we want to tackle it. The main aim of the campaign was to raise more awareness of the magnitude and gravity of ageism than ever before; to establish a lasting community and platform for action against ageism; to initiate new collaborations around ageing and ageism, and support the UN Campaign celebrating the 70<sup>th</sup> Anniversary of the Universal Declaration of Human Rights. The campaign started on October first 2018 the International Day of Older Persons and lasted 70 days to the 10<sup>th</sup> December 2018, the date of adoption in 1948<sup>22</sup> the UN Universal Declaration of Human Rights. The campaign was a great reminder that human rights do not diminish with age, and ageism leads to widespread marginalization, poverty and abuse of older people and has negative impacts on their health and well-being. Ageism is everywhere, and AGE Platform Europe, with the support of its partners and fellow civil society organizations, pointed out that the purpose of the campaign was to raise awareness on ageism as the first step to take action against it. The campaign brought to the fore the diverse realities faced by millions of older people across the globe. Ageing being a natural process, we are all likely to face ageism. Our experience of older age might, however, differ depending on our individual life trajectories. To help people relate to what ageism means, the #AgeingEqual campaign gathered evidences and shared life stories from the perspective of different groups of society (women, people with migrant background, lesbian,

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<sup>20</sup> Rosa Kornfeld-Matte UN Independent Expert on the Enjoyment of All Human Rights by Older Persons Foreword to: *The Older Persons' Self-Advocacy Handbook*. An Online Toolkit to engaging in processes on the human rights of older persons (2017, p. 4), <https://publications.age-platform.eu/-HumanRightsHandbook> [accessed: 10.09.2017].

<sup>21</sup> AGE Platform Europe is the largest European network promoting the rights of older persons. AGE has partnered with equality bodies, human rights institutions, civil society organizations, international organizations and experts to spread the word about the campaign and share experiences of ageism from different groups in society.

<sup>22</sup> See: <https://ageing-equal.org> [accessed: 18.08.2019].

gay etc.). The discussion concentrated around the issue how ageism impacts older persons' capacity to fully enjoy their social and political rights; how it pits generations against each other through the stereotyping of younger and older groups; how it legitimates abuse, violence and neglect and makes access to protection and justice more difficult for older persons. This collective effort to reach out to the wider public was made possible thanks to the partnerships developed by AGE with non-discrimination organizations and equality bodies that committed to raising awareness of Once in our 50s we may be considered too old to present TV programs to younger audiences,<sup>23</sup> to train as a doctor, to access a student loan and other financial products, to adopt<sup>24</sup> or to access surrogacy, to work in airport security; 55 may be the cut off for access to funding for further education, for some disability insurance products, or premiums may dramatically rise.'the magnitude and gravity of ageism among their own communities. The new born community of activists, partners and supporters that formed on the occasion of the campaign is going to be the key to defend human rights in older age in the coming years.

At the end of the #AgeingEqual campaign, Equinet – the European Network of Equality Bodies<sup>25</sup> published a Discussion Paper on *Fighting discrimination on the ground of age*.<sup>26</sup> The paper indicated growing interest of the prevalence of age discrimination in the European Union in the fields of employment, access to goods and services, housing as well as in relation to health and care.

Once in our 50s we may be considered too old to present TV programs to younger audiences<sup>27</sup>, to train as a doctor, to access a student loan and other financial products, to adopt<sup>28</sup> or to access surrogacy, to work in airport security. 55 may be the cut off for access to funding for further education, for some disability insurance products, or premiums may dramatically rise<sup>29</sup>.

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<sup>23</sup> *Miriam O'Reilly v BBC and Bristol Magazines Ltd*, Judgment of the Employment Tribunal, Case number 2200423/2010.

<sup>24</sup> Art 14 (ECHR) with Art 8: *Schwizgebel v. Switzerland* 25762/07

<sup>25</sup> Equinet is the European Network of Equality Bodies. 36 EU Member States belong to this organization. 49 national equality bodies have been affiliated in this network. Equinet is a European Network, supporting and assisting national equality bodies in Europe, but lacks any competence or power to investigate or in any other way deal with individual cases of discrimination; see: Equinet Activities, <https://equineteurope.org/equinet-activities> [accessed: 19.08.2019].

<sup>26</sup> An Equinet Discussion Paper: *How Are Equality Bodies Fighting Discrimination on the Ground of Age?*. This document is based on cases and analyses by 22 equality bodies, published in March 2019: <http://www.equineteurope.org/How-are-Equality-Bodies-Fighting-Discrimination-on-the-Ground-of-Age> [accessed: 19.08.2019].

<sup>27</sup> *Miriam O'Reilly v BBC and Bristol Magazines Ltd...*, *op. cit.*

<sup>28</sup> Art 14 (ECHR) with Art 8: *Schwizgebel v. Switzerland* 25762/07

<sup>29</sup> See: Discussion Paper *Fighting Discrimination on the Ground of Age*, [equineteurope.org/wp-content/uploads/2019/3/Age-Discrimination\\_updated-electronic](https://equineteurope.org/wp-content/uploads/2019/3/Age-Discrimination_updated-electronic) [accessed: 19.08.2019], p. 15.

The paper examines how the two trends of population ageing and rising inequalities have been developing and interacting, both within and across generations. Taking a life course perspective the report shows that inequalities in education, health, employment and earnings drive towards ageing inequality. On the base of the wide surveys carried out in a number of the European states the document has reaffirmed the importance of an integrated approach, combining elements of preventive and curative educational process of seniors based on measures aimed at maintaining the functionality and autonomy of older persons. Regarding the right to education, as underlined by the UN Committee on Economic, Social and Cultural Rights, in relation to article 13 of the International Covenant on Economic, Social and Cultural Rights<sup>30</sup> in the case of older persons, the paper points out that states should follow two complementary lines: (a) ensuring the right of older persons to benefit from educational programs; and (b) making the know-how and experience of older persons available to younger generations. The document recalled the United Nations Educational, Scientific and Cultural Organization (UNESCO) concept of life-long education, which includes informal, community-based and recreation-oriented programs for older persons in order to develop their sense of self-reliance and the community's sense of responsibility.

The Equinet Discussion Paper looks at the age discrimination from a legal point of view, identifying the trends and themes that have arisen linked to discrimination on the ground of age across Europe. The basis of the Discussion Paper were, previously issued by the Policy Formation group, two documents concerning discrimination on the ground of age: *Opening up the Issue. Equality Bodies Combating Discrimination Against and Promoting Equality for Young People* (2016)<sup>31</sup> and *Tackling Ageism and Discrimination* (2011).<sup>32</sup> The objective of the Discussion Paper is to provide the readers with a general legal overview on the topic of age discrimination including the European legal framework (developed by European Union and Council of Europe), international case law and work of national equality bodies. It identified several issues concerning older persons' discrimination that are common in various jurisdictions across European countries. Lack of comprehensive legal protection, age discrimination seen and portrayed as "less severe"<sup>33</sup> ageism presentation in courts –ready to accept generalizations instead of requiring an individualized approach, ageism often

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<sup>30</sup> See: E/1996/22, annex IV, paras. 36 and 37.

<sup>31</sup> [http://www.equineteurope.org/IMG/pdf/perspective\\_ebs\\_combating\\_discrimination\\_against\\_young\\_people.pdf](http://www.equineteurope.org/IMG/pdf/perspective_ebs_combating_discrimination_against_young_people.pdf) [accessed: 4.06.2019].

<sup>32</sup> [http://www.equineteurope.org/IMG/pdf/age\\_perspective\\_merged\\_-\\_equinet\\_en.pdf](http://www.equineteurope.org/IMG/pdf/age_perspective_merged_-_equinet_en.pdf) [accessed: 4.06.2019].

<sup>33</sup> Age discrimination is often seen and portrayed as a "less severe" form of discrimination when compared to, for example, racial discrimination. See for example in *Tackling Ageism and Discrimination*, Equinet, 2011, p. 7 and 13, [http://www.equineteurope.org/IMG/pdf/age\\_perspective\\_merged\\_-\\_equinet\\_en.pdf](http://www.equineteurope.org/IMG/pdf/age_perspective_merged_-_equinet_en.pdf) [accessed: 15.06.2019].

stipulated in legislation or public policies, prevalence of multiple discrimination can result in or exacerbate the experience of discrimination new technologies – opportunities and threats. The above mentioned issues have been thoroughly analyzed in the Discussion Paper.

The document recommends more effective multi-sectorial policies and programs on the rights of older persons, in line with the principles of equality and nondiscrimination, with due consideration for existing instruments and national plans of action on ageing. Governments can benefit from the technical cooperation and support of other stakeholders in their endeavor, including national human rights institutions, non-governmental organizations, national statistical institutions, academic entities and the specialized agencies and entities of the United Nations. The document is intended for equality bodies, lawyers, national authorities, NGOs and academia. It does not aspire to be a comprehensive analysis of all issues in the field of age discrimination but the authors' idea was that it will contribute to the discussions and will trigger further analyses.

In brief, this publication is a tool which includes descriptions and actual samples of successful education initiatives in the fields of human rights and democratic citizenship education, as well as educational practices aimed at fostering mutual respect and understanding. It covers key elements of successful human rights education, such as normative frameworks, the learning environment, teaching and learning tools, and professional development for educators and evaluation. The compendium is designed to serve as a tool for educational policy makers and educators in the formal education sector, and thus support the efforts undertaken by participating states in the area of citizenship and human rights education and education for mutual respect and understanding.

On June 13, shortly after the European elections in May 2019, AGE Platform Europe Annual Conference: “Equality & Participation in older age; what role for social protection and education?” took place in Brussels.<sup>34</sup> AGE members together with external experts and EU officials reflected on the rights of older persons including their equal participation in society. They explored what advocacy actions should be taken during the next European legislature to enhance access to adequate social protection and education in old age. Since the participation in society can only be possible when people have the material means to participate, social protection is a precondition for meaningful participation. The issue of fighting ageism in promoting rights was brought out by Ebbe Johanssen, President of AGE Platform Europe: “Still prevalent today, ageism remains a major obstacle

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<sup>34</sup> *Equality & Participation in Older Age: AGE Annual Conference Looks at the Role of Social Protection and Education*, AGE Platform Europe, 2.07.2019, <https://www.age-platform.eu/special-briefing/equality-participation-older-age-age-annual-conference-looks-role-social-protection> [accessed: 17.08.2019].

to social inclusion and participation in older age”.<sup>35</sup> At the opening session, Michael O’Flaherty, Director of the EU Agency for Fundamental Rights also referred to ageism indicating that ageism is “a lazy construct”, an “ill thought-through set of prejudices imposed on us, and which can be combated using human rights spectacles”.<sup>36</sup> Johan ten Geuzendam, Adviser at the European Commission DG Justice and Consumers, drew attention to the fact that the rights-based approach has been also adopted by the European Commission to address ageing issues. He pointed out a number of relevant EU and international initiatives to promote active ageing, older persons’ rights and age diversity.<sup>37</sup> According to the Conference participants’ opinions and recommendations, education for older persons should be conducted either apart from or integrated with other groups according to their specific needs and choices. Where feasible and desirable the aged must be granted the opportunity to take advantage of existing programs with both old and young learning from each other. However, alternatives must be provided with emphasize the felt needs of the aged at their particular stage in the life cycle. It was considered as particularly urgent. The expansion of older people educational programs should receive higher priority with due consideration being given to experimental and innovative programs.

The importance of the conference increased the fact that it was hold at a crucial moment regarding the European and international agenda on the rights of older people. Firstly the foreseeable changes of the European political landscape after the 2019 European Parliamentary elections, and secondly at international level, it followed 10<sup>th</sup> session of the UN Open-Ended Working Group. The 10<sup>th</sup> UN working session (15–18 April 2019) was dedicated to the issue of *Education, training, life-long learning, and capacity-building*. The session participants discussed how a right to education can be developed and applied to older persons

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<sup>35</sup> *Equality & Participation in Older Age: What Role for Social Protection and Education? – AGE Annual Conference*, AGE Platform Europe, 13.06.2019, <https://www.age-platform.eu/event/equality-and-participation-older-age-what-role-social-protection-and-education-age-annual> [accessed: 17.08.2019].

<sup>36</sup> *Ibidem*.

<sup>37</sup> Relevant EU and international instruments: The Employment Equality Directive which will have its 20th anniversary in 2020; The Charter of Fundamental Rights, which includes specific articles in relation to non-discrimination and the rights of older persons; Some voluntary initiatives, such as Diversity Charters, which seek to encourage employers to pursue inclusive human resources policies; The draft Equal Treatment Directive, proposed by the European Commission in 2008, but since then blocked within the Council of the EU; The Work-Life Balance Directive; The European Accessibility Act; The Active Ageing Index coming to an end in August 2019, which assesses EU countries’ policies to support active ageing. On the international level, major relevant policy frameworks are: the 2002 Madrid International Plan of Action on Ageing (MIPAA) as all EU countries have signed up to it, the Agenda 2030 and its Sustainable Development Goals (SDGs), the United Nations Open-Ended Working Group on Ageing that has been exploring on the protection gaps in the existing national and international legal frameworks protecting human rights in old age; see: *ibidem*.

in the context of the profound changes in labour markets. They looked at the role of social protection and education in old age. Referring to the # Ageing Equal Campaign the participants declared to raise more awareness of the magnitude and gravity of ageism than ever before; establish a lasting community and platform for action against ageism; initiate new collaborations around ageing and ageism and support the UN Campaign celebrating the 70<sup>th</sup> Anniversary of the Universal Declaration of Human Rights.

On 27–28 June 2019, Equinet – the European Network of Equality Bodies together with AGE Platform Europe organized subsequent capacity building seminar entitled *Tackling Age Discrimination against Older Persons: Building Bridges between Equality Bodies & Older Persons' Organizations*. It was hosted by the German Federal Anti-Discrimination Agency.<sup>38</sup> At the seminar a couple of important issues contained in the Discussion Paper were tackled. Building on the anti-ageism movement growing in Europe, the seminar took place at a strategic moment for AGE and Equinet members. Participants agreed on the importance to push forward joint evidence-based arguments to build a case for a new United Nations Convention on the Rights of Older People.<sup>39</sup> At European level, the two organizations committed to collaborate, especially in light of the new European Commission and Parliament taking office. The need to adopt the EU Equal Treatment Directive<sup>40</sup> was repeatedly stated as a crucial and necessary step to ensure full legal protection of age discrimination also beyond the field of employment. This capacity building seminar was a clear example of how important it is to build partnerships and strong connections with relevant actors that work for the same cause at both national and European level. Throughout the fruitful discussions NGOs and national equality bodies interacted and built relations leading to common actions for improvement of the older persons' organizations that have the potential to alert equality bodies who can, in return, take legal action and provide assistance to victims of discrimination.

A recent (2019) report from the AGE Platform Europe and Equinet capacity-building seminar<sup>41</sup> has found that a significant number of older persons has

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<sup>38</sup> The Federal Anti-Discrimination Agency (FADA) provides unbiased support to persons who have experienced discrimination on grounds of racism or their ethnic origin, gender, religion or belief, on grounds of disability, their age or their sexual orientation. It is competent in the following matters: publicity work, measures to prevent discrimination, academic studies into discrimination. It is predominantly promotion-type and legal support body. See more: [https://www.antidiskriminierungsstelle.de/EN/Home/home\\_node.html](https://www.antidiskriminierungsstelle.de/EN/Home/home_node.html) [accessed: 9.10.2019].

<sup>39</sup> See more: note 1.

<sup>40</sup> See more: note 1.

<sup>41</sup> See more: Capacity Building Seminar for Equality Bodies and Organizations of Older People; *How do We Tackle Ageism and Age Discrimination Against Older People*, Equinet, 4.07.2019, <http://equineteurope.org/2019/07/04/seminar-tackling-ageism-and-age-discrimination-against-older-people> [accessed: 9.10.2019].

still a low awareness of their rights, find it difficult to identify a legal problem and undertake minimal information-seeking. Difficulties accessing free legal assistance and legal aid, being subject to guardianship or experiencing financial abuse prevented older people from taking legal action. Therefore the seminar participants pointed out the urgent need for civil society organizations, human rights institutions and human rights advocacy etc. to work out a clearly defined set of international human rights standards that would promote older people's dignity, autonomy and independence and ensure that life in older age is about more than just surviving. The right to education is well established in international human rights law.<sup>42</sup> Nevertheless, this right has not been specifically applied to the context of a life-course approach to education or to education in older age in the international human rights framework.

The above report emphasized that ageism is one of the most widespread forms of discrimination. It affects or will affect everyone. It has been pointed out that there is now evidence that ageism is the most commonly experienced form of discrimination. Ageism does not only concern today's older generation, but in fact everyone, as, one day, we will all become old. Ageism is as harmful as other forms of discrimination. Ageism is often more acceptable than other forms of discrimination. For example, although it would be considered unacceptable to exclude someone from training on the basis of their sex or race, age limits that impede the participation of older workers in trainings are still widespread today. Therefore, there is necessary need to shed a light on the negative effects of ageism both for society and for individuals. Therefore education is the best way to raise awareness about its negative character. People's mindsets about ageing must be changed. Countering ageism requires changing the way people think, feel and act about ageing and older persons. At the end it was emphasized that all people have the capacities and potential to contribute to society regardless of age, but often ageist attitudes limit their opportunities to do so. Providing services and support for the older generation is a right and an investment, not a cost. Further on the impact of ageism on individuals can be very serious. From the perspective of society, the failure to tackle age discrimination and ageism means that there we do not fully realize the positive contribution that older people have to make. Despite the visible progress in applying into practice the international documents against discrimination (eg. Frame Convention about Minorities), the still serious problem at present is discrimination against old people. Legal and policy frameworks that do not adequately protect older persons in all areas of life perpetuate ageism and structural discrimination; AGE's members deem it vital that these frameworks are strengthened at

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<sup>42</sup> For example: UDHR Article 26, ICESCR Article 13 and CEDAW Article 10. Article 24 of the CRPD obligates States to ensure inclusive education systems and lifelong learning that is directed to "the full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity".

national and EU levels to ensure a more complete “coverage than currently exists and to inspire a new understanding of equality at all stages of life”.<sup>43</sup>

The report in the final conclusions indicates that ageism is the stereotyping of, prejudice against, or discrimination against a person because of their age. Age discrimination is when someone is treated differently because of their age. Ageism and age discrimination can result in violations of older men’s and women’s rights. They continue to be tolerated at all levels of society: by individuals and institutions; through local, provincial and national policies; as well as in the business sector. As previously mentioned, it is important to remember that older people are not a homogenous group. Older men and women age differently and the discrimination that they experience is often multi-dimensional, based not only on age but on other factors, such as gender, ethnic origin, where they live, disability, poverty, sexuality or literacy levels.

### **The new European Commission aiming towards more age-friendly Europe**

The elections of the new European Parliament in May 2019 came at a turning point for the EU which must urgently reconnect with its citizens and represent their interest, including the one of its older citizens that makes up a rapidly growing share of the EU population.

Elections are always a time of reshuffling. The European elections 2019 were no exception, with a substantial amount of new MEPs. This time, more than 50% of EU citizens eligible to vote took part in the elections, the highest turnout in 20 years and the first time since the first direct elections in 1979 that turnout has increased. The new European Parliament is more diverse than before, with shifts away from traditional parties, the emergence of smaller parties and, as a result of UK’s participation in the elections, a consolidation of a strongly euro-sceptic wing. A lot has been said about the new composition of the European Parliament. These elections have confirmed (in France) or created (in the United Kingdom) the rejection of dominant party systems, right-wing populism has been confirmed as a stable political group, albeit experiencing both gains and losses and a spread over at least three political groups. The former “smaller” parties, liberals and Greens, have grown in size and surpassed traditional parties in some member states. In the new European Parliament, there is no clear majority as neither of the big parties can mobilize a majority without at least two other parties. This political diversity is a challenge: any EU initiatives will need the votes of at least three political groups (instead of the two big ones in the past). It will definitely be more difficult to build coalitions for important EU projects across party lines. But here

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<sup>43</sup> See more: Capacity Building Seminar for Equality Bodies and Organizations of Older People; *How do We Tackle Ageism and Age Discrimination Against Older People...*, *op. cit.*

comes also a chance, that those projects which will succeed will build on larger compromises. The grown smaller parties (liberals and Greens) will want to imprint their mark on new initiatives. This is a chance for more consensual projects. Therefore, in my opinion, the time has come, when older persons' organizations should reach out to their new representatives and ensure that decisions "about us" are not taken "without us". The voice of older persons at the EU level after 2019 European Elections should be heard.

Ahead of the European Parliament elections in May 2019, seniors and their organizations across the EU adopted AGE Manifesto –“The Europe we want is for ages”<sup>44</sup> during the General Assembly in June 2018. It has been endorsed by Members of the European Parliament and candidates in the upcoming European elections. In this Manifesto, AGE members provided recommendations to the European Parliament candidates to help enforce older persons' equal rights to take active part in society and to live and age in dignity. The document pointed out that Europe needs to tackle its demographic challenge in a fair and sustainable way and fulfill the pledge to leave no one behind. To achieve this, the EU must be driven by its citizens towards actions that will embody Europe's common values of nondiscrimination, equality and solidarity.

An important message for the future EP members, contained in this document, was a call to push for the EU to support member states to develop national strategies on ageing with the active involvement of older persons and their organizations. Special emphasis has been placed on the MEP commitment to re-establish an Intergroup on Demographic Change and Solidarity between Generations<sup>45</sup> for the next term to ensure the European Parliament will be equipped with a dedicated forum to discuss all these matters and to keep ageing issues on the European Parliament's agenda. On the base of AGE's Manifesto the Intergroup on Demographic Change and Solidarity activity has been aiming to create a multi-party platform within the EU Parliament to discuss the transversal impact of democratic change on public policies and solutions that respect the rights and interests of all generations while promoting solidarity between generations. To achieve this, the Manifesto proposed couple of ideas that would help preserve older citizens' right to work and engage as active citizens in local communities, to access adequate social protection and care, as well as the right to live a later

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<sup>44</sup> [https://towardssanagefriendlyep.files.wordpress.com/2019/02/manifeste\\_en\\_final-2.pdf](https://towardssanagefriendlyep.files.wordpress.com/2019/02/manifeste_en_final-2.pdf) [accessed: 11.10.2019].

<sup>45</sup> The Intergroup on Demographic Change and Solidarity between Generations was created in 1982. It is one of the oldest intergroup. Over the last seven terms, it has achieved major milestones that shaped how the EU is supporting older citizens and exchange between generations. The intergroup played a significant role as in the adoption of the Equal Treatment in Employment Directive in 2000, the proposal for a Horizontal Non-Discrimination Directive in 2008, and the recognition and celebration of various European Years, the latest one being the European Year on Active Ageing and Solidarity between Generations in 2012. See more: <http://bit.ly/Ageing-Intergroup-2014-2019> [accessed: 11.10.2019].

life free from discrimination and abuse.<sup>46</sup> Since June 2019 older citizens and their representative organizations have been working in coordination to establish new contacts with their elected representatives.

There is no question that the European elections 2019 were an occasion to reflect on political myth and common stereotypes regarding older peoples' political behavior. During the debate with a students' organization<sup>47</sup>, AGE highlighted that older persons usually show a higher turnout, make their choice more often well before the elections and stick more often with their political choices over time. Therefore, in an age of political upheaval, they are a factor of stability. Results from some EU countries actually show that it is rather younger people (predominantly male) embracing new populist parties. Nevertheless, political ageism exist in and against both younger and older people, therefore more direct opportunities should be created to discuss policies across generations. Calling for a constructive atmosphere after the election, AGE General Assembly adopted a Final Declaration raising the concern of increasing polarization in European societies, including between young and old.<sup>48</sup> The demographic changes, and older persons being the fastest-growing age group in Europe show that the new EP and EC will have to face a great challenge in times when austerity, age discrimination and ageism tend to prevail. Therefore, AGE members called for a society for all ages because structural inequalities concern everyone and it impacts young and old throughout their lives. In their final conclusion the authors (the participants of AGE General Assembly and Annual Conference June 2019) urged the European policy makers at all levels to take action against age discrimination and ageism, and adopt a comprehensive life-course approach that supports solidarity within and between age groups. Building an intergenerational dialogue and cooperation was also the key point of a special letter send by AGE Secretary-General Anne-Sophie Parent to Ursula von der Leyen the candidate for the Presidency of the European Commission before her presentation to the European Parliament on July 16. AGE Platform Europe was calling for a Europe for all ages and intergenerational exchange as a tool to tackle the growing polarization in the EU.<sup>49</sup>

The next steps were crucial for the prospects to build a new coalition for active and healthy ageing and solidarity between generations. In November 2019 the European Parliament approved the new European Commission and Commissioners. European Council appointed dr. Ursula von der Leyen as President of the European Council. The political guidelines and the new style of governance for

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<sup>46</sup> See more: [https://towardsanagefriendlyep.files.wordpress.com/2018/12/TwoPaggers\\_EN\\_FINAL.pdf](https://towardsanagefriendlyep.files.wordpress.com/2018/12/TwoPaggers_EN_FINAL.pdf) [accessed: 11.10.2019].

<sup>47</sup> See more: <https://age-platform.eu/policy-work/news/young-voters-participation-older-voters-preferences-age-discusses-student> [accessed: 11.10.2019].

<sup>48</sup> See para: note 19.

<sup>49</sup> *Open Letter to the Candidate for the President of the EU Commission: Please Commit to a Europe for All Age*, Brussels, 10.07.2019, [www.age-platform.eu](http://www.age-platform.eu) [accessed: 11.10.2019].

the EU of the new Commission were assessed positively by AGE. Nevertheless, it was pointed out that many of their important demands concerning discrimination based on age were left aside, and there was only a commitment to propose new anti-discrimination legislation, while AGE had called for pushing forward with the proposed horizontal non-discrimination directive, which is blocked in the Council since 2008.<sup>50</sup>

However, it is necessary to notice that looking at the new EU Commission from the AGE perspective, there are some reasons to be optimistic as far as the issue of old people human rights protection and elimination of age discrimination is concerned. For the first time ever, a portfolio has been dedicated to democracy and demography.<sup>51</sup> The nomination of Dubravka Suica has reflected AGE's call for a dedicated commissioner to coordinate the European Commission's policies on demographic change. The new Commissioner, in her speech at her hearing in the European Parliament made a strong commitment:

I will put forward a Green Paper on ageing to assess what can and needs to be done, notably to foster active ageing and look at whether our social protection systems are fit for an older population. This will be done in close cooperation with this House, and of course with Member States, who have the competencies in most of these areas.<sup>52</sup>

Another important innovation within the new European Commission is the nomination of Helen Dalli, Commissioner for Equality. This is also a new portfolio which is key to ensure a coordinated approach across the different discriminations grounds to put additional pressure on EU Member States to unblock the Equal Treatment Directive, held up for 10 years by the European Council. In her mission letter to the Commissioner for the Equality – Helen Dalli, Ursula von der Leyen wrote:

Your task over the next five years is to strengthen Europe's commitment to inclusion and equality in all of its senses, irrespective of sex, racial or ethnic origin, age, disability, sexual orientation or religious belief. I want you to be active across the Union to raise awareness and promote equality.<sup>53</sup>

Taking the above into consideration one may assume that the current framework of new standards for protection and promotion of the rights of older people put forward by the new European Commission would ground ageing

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<sup>50</sup> See more: note 1.

<sup>51</sup> See more: [https://ec.europa.eu/commission/sites/beta-political/files/mission-letter-dubravka-suica\\_en.pdf](https://ec.europa.eu/commission/sites/beta-political/files/mission-letter-dubravka-suica_en.pdf) [accessed: 11.10.2019].

<sup>52</sup> Extract from D.Suica's speech at her hearing; [https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/621921/IPOL\\_BRI\(2019\)621921\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/621921/IPOL_BRI(2019)621921_EN.pdf) – European Parliament, 3.10.2019, [accessed: 11.20.2019].

<sup>53</sup> Extract from the mission letter addressed to Helena Dalli, 1.12.2019; [https://ec.europa.eu/commission/sites/beta-political/files/mission-letter-helena-dalli\\_2019\\_en.pdf](https://ec.europa.eu/commission/sites/beta-political/files/mission-letter-helena-dalli_2019_en.pdf) [accessed: 10.12.2019].

within broader human rights framework and strengthen the shift away from older people being seen solely through a charitable, social development perspective and into one they are equally valued members of societies with equal rights and responsibilities.

Future actions require engagement across many platforms and with many stakeholders. The Political Guidelines presented by the new European Commission for the years 2019–2024<sup>54</sup> are persuasive and targeted. Nevertheless, when it comes to the human rights challenges and trends presented by population ageing faster than at any other time in history AGE Platform Europe in its Manifesto called on the European Parliament to foster initiatives that will protect the rights of the Europeans at any age and preserve old people's right to work and right to be engaged as active citizens.

## Conclusion

Human rights education has the potential to change the way we think, behave, and treat one another. The human rights provide a secular set of internationally agreed universal standards to guide human behavior and actions in any society. In other words, human rights are agreed minimum standards of human decency. Effective human rights education has the potential to create a more equitable, just, tolerant, peaceful society for everyone for all in global culture. Seniors' rights education is a vitally important factor in helping to create a positive climate in our communities, one that certainly would be worth exploring as a good alternative in time of still existing ageism and intergenerational conflict. Honoring the rights of our oldest citizens has the potential for becoming a powerful, positive community change agent.

It can be concluded that demographic change takes place in all European countries, affecting all citizens of all ages and population groups. To mitigate this impact, there is a need to educate our societies in order to adopt the way they are organized to ensure that everyone is empowered to contribute to its community and to fulfill its potential. There is no question that human rights education has the power to improve individual lives of old persons, the social institutions, with whom they interact, and society as a whole. Although, the international trend highlights a consensus that the education system, regardless the age, plays a vital role in fostering respect, participation, equality and non-discrimination in our societies, it is necessary to emphasise that the situation of older people around the world requires constant attention on local, national, regional, and international levels. For the education system to play such a role, a comprehensive approach

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<sup>54</sup> [https://ec.europa.eu/commission/sites/beta-political/files/political-guidelines-next-commission\\_en.pdf](https://ec.europa.eu/commission/sites/beta-political/files/political-guidelines-next-commission_en.pdf) [accessed: 10.12.2019].

to implementing human rights education, addressing not only educational policies, processes and tools but also the environment within which education takes place, is needed. It is important to bear in mind that there is still no explicit general prohibition of age discrimination in international human rights law, and no dedicated international protection regime for the human rights of older persons.

Let us also note that standards at the national level are often weak, or absent altogether. Not least as they relate to autonomy, an adequate standard of living, participation, freedom from violence, abuse, or neglect. So much remains to be done. The chief problem will be that we make it clear to ourselves and our contemporaries that education about human rights has very much to do with the fact that violations of older people's rights are universal in terms of their geographic and socio-economic reach, of where they take place in the societal sphere and who is responsible for them, and of the impact on the victim.

In sum, the new European Commission, in making demographic change, non-discrimination, human rights education civil dialogue and environmental sustainability its top priorities, has recalled AGE's call made throughout the 2019 European Parliament election. In this sense, there are visible and promising implications for a genuine and empowering human rights education and social justice in the EU's future activity.

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## Supporting HRE for Aged Persons in the EU

In the field of education, human rights have played an important role over the past decades, especially in relation to the idea of civil dialogue and demographic changes. This paper examines human rights issue through the prism of the ageing societies and demographic changes taking place in contemporary Europe. In order to demonstrate the activities and involvement of the AGE Platform Europe and its impact on the reception of ageing in contemporary European politic, it offers a systematic analyses of the different phases of AGE' actions engagement during the preparation process of the 2019 European parliamentary election.

**Key words:** human rights, education, old persons, ageing, discrimination, demographic change, civil society

## Działania Unii Europejskiej w zakresie edukacji praw człowieka osób starszych

Od szeregu dekad, w płaszczyźnie szeroko rozumianej edukacji, prawa człowieka odgrywają istotną rolę. Poprzez wspieranie państw członkowskich w walce z ageizmem UE dąży do wzmocnienia integracji i spójności europejskiego społeczeństwa oraz do umożliwienia wszystkim obywatelom korzystania z równych szans w zakresie edukacji praw człowieka. Artykuł bada problematykę praw człowieka poprzez pryzmat dyskryminacji, wykluczenia społecznego seniorów i zmian demograficznych zachodzących we współczesnej Europie. Celem przedstawienia aktywności i zaangażowania AGE Platform Europe i jej wpływu na społeczny odbiór rosnącego starzejącego się społeczeństwa we współczesnej polityce europejskiej, publikacja oferuje systematyczną analizę szeregu faz działania AGE w trakcie przygotowań do europejskich wyborów parlamentarnych w 2019 roku.

**Słowa kluczowe:** prawa człowieka, edukacja, osoby starsze, dyskryminacja, zmiany demograficzne, społeczeństwo obywatelskie

