

## HUMAN rights for Older Persons

### ***A SOCIETY FOR ALL GENERATIONS***

*“A Society for all is one that adjusts its structures and functioning, as well as its policies and plans, to the needs and capabilities of all, thereby releasing the potential of all, for the benefit of all.*

*A “society for all ages” would, additionally, enable the generations to invest in one another and share in the fruits of that investment, guided by the twin principles of reciprocity and equity.”*

*UNO / Social department 1995*

**Recognizing that, by 2050, more than 20 per cent of the world’s population will be 60 years of age or older, and recognizing also that the increase in the number of older persons will be greatest and most rapid in the developing world,** Austria adopted in 2012 a federal plan for older persons, developed with the participation of representatives of older persons, which forms the cornerstone of that country’s policy regarding older persons. The plan contains, *inter alia*, awareness-raising and other measures against age discrimination, including multiple discrimination against women.

Older persons have the right to respect for their inherent dignity. They are entitled to lead their lives independently, in a self-determined and autonomous manner.

Member States should implement sufficient measures aimed at raising awareness among medical staff, care workers, informal carers or other persons who provide services to older persons to detect violence or abuse in all settings, to advise them on which measures to take if they suspect that abuse has taken place and in particular to encourage them to report abuses to competent authorities. Member States should take measures to protect persons reporting abuses from any form of retaliation.

**In Austria,** workshops are organised to establish regional expertise in counselling older persons in cases of violence and set up a regional network of advisory contact points interlinking competent services, care homes and medical staff to provide help to victims. 22. Member States should take measures to facilitate mobility of older persons and proper access to infrastructure for them.

**Care: Good practices** Austria grants, at federal level, a long-term care allowance partially covering the care requirements of the person. In the recent past, provinces have also participated in the payment of allowances. Austria has established a project for care institutions for older people who suffer from dementia, targeting health professionals and their management. The project aims at achieving greater awareness of gender equality with regard to dementia patients, taking into account their special gender-dependent needs and different life stories.

Article 23 (The right of elderly persons to social protection), in the light of its interpretation by the European Committee of Social Rights, as well as the relevant provisions of the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine (ETS No. 164);

### ***Consent to medical care***

Article 36: Older persons should receive medical care only upon their free and informed consent, and may freely withdraw consent at any time.

Article 37: In case an older person is unable, in the particular circumstances to give consent, the wishes expressed by that person relating to a medical intervention, including life-prolonging measures, should, in accordance with national law, be taken into account.

Article 38: When an older person does not have, according to law, the capacity to consent to an intervention, in particular because of a mental disability or a disease, the intervention may only be carried out with the authorisation of his or her representative, an authority or a person or body provided for by law. The older person concerned should as far as possible take part in the authorisation procedure. Appropriate and effective safeguards should be provided to prevent abuse.

### ***Good practices residential care***

*Austria* has introduced a national quality certificate for care homes for older persons based on a unified and objective process for assessing the quality of services on criteria such as the level of satisfaction of older persons living and staff working in those homes, as well as the organisation of daily routines to meet the needs of older persons.

### ***Good practices palliative care***

In *Austria*, the Hospiz Österreich is an umbrella association of organisations and a powerful promoter of integration of the principles of palliative care into standard long-term care services. The province of Styria has a network of mobile palliative care teams composed of doctors, care staff and social workers, who collaborate with family doctors and carers free of charge for the benefit of older persons. Palliative care teams receive training and supervision prior to and during their service.

**Human rights counsel 2012:** *Recognizing* that older persons face specific vulnerabilities and challenges in the enjoyment of all human rights, that current international initiatives on the matter have been insufficient and that enhanced measures are needed without delay, *Recognizing* that older persons face specific vulnerabilities and challenges in the enjoyment of all human rights, that current international initiatives on the matter have been insufficient and that enhanced measures are needed without delay, and *Conscious* that older persons represent a large and growing segment of the population and that greater attention is needed to the specific human rights challenges affecting them

Recommendation 1619 (2003) on the rights of elderly migrants, and Recommendation 1418 (1999) on the protection of the human rights and dignity of the terminally ill and the dying; in society: improving the quality of life of people with disabilities in Europe (2006-2015); Conscious of the demographic changes in Europe and the ever-increasing number of older persons in our societies; Stressing that the great increase in life expectancy which has taken place in the past century should not be perceived as a burden for society but as a positive trend; Recognising that, as a result of these implementation gaps, including in information and monitoring, older persons may be victims of abuse and neglect and have their human rights ignored or denied, and stressing therefore that effective measures should be taken to ensure the full enjoyment of their human rights; Solidarity and respect between generations are of great importance and should be encouraged, both in the family and on the individual level, as well as on the private and public institutional level.