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COMMISSION ON HUMAN RIGHTS
REPUBLIC OF THE PHILIPPINES

Open-Ended Intergovernmental Working Group on the Human Rights of Older Persons
Pursuant to Human Rights Council resolution 58/13 (2025)
Organisational Meeting
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Panel 2: Elements of a Legally Binding International Instrument on the Rights of Older Persons

Commissioner Beda A. Epres

Commission on Human Rights of the Philippines

Excellencies,

The esteemed panelists before me and the general statements yesterday have already provided thoughtful insights and recommendations on what elements of a treaty on the rights of older persons could or should be. I would like to add to the conversation based on the perspective of an A-status national human rights institution from the Asia Pacific region.

I commend and reference GAROP and their discussion paper,[1] which is among the most grounded framework by far that guides us in discussing basic principles before identifying elements of a draft treaty, and more importantly the voices of older persons themselves are included and echoed in the treaty discussion that usually tend to be technical and academic. It would have been great if older persons

[1] https://rightsofolderpeople.org/wp-content/uploads/2026/02/GAROP-DISCUSSION-PAPER-on-CONCEPTUAL-BASIS-AND-SCOPE-FINAL-30-Jan-2026.pdf

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themselves and the members of the Content Working Group of GAROP were part of this panel session as well.

May I recommend at least six underpinning principles raised beforehand by older persons, civil society and the Independent Expert. These principles are worth repeating in this room and even after we return to our respective countries, to drive a serious point we should deeply comprehend the background or prevailing situations before we delve into the actual drafting of the treaty. These are not exhaustive lists but can contribute to the deliberation and guide our work as NHRIs, member states, civil society and other relevant stakeholders.

First, ageism and age discrimination must be recognized in the draft text as cross-cutting, structural issues. Ageism is not simply a matter of individual prejudice; it is embedded in our laws, institutions, and everyday practices and experiences. It impacts access to justice, as we have seen in our monitoring of the prevalence of elder abuse and neglect that goes under-reported or overlooked; Ageism is exemplified in civil and political rights situations when older persons are sidelined from public life, stereotyped as “too old” to participate meaningfully in consultations and decision making. It affects economic, social and cultural rights when they are denied jobs, training, healthcare, or social protection simply because of their age. A strong treaty must identify ageism explicitly and require States to address age-based barriers in all areas of life.

Second, the binding instrument should put emphasis on intersectionality and visibility. Older persons are not a homogeneous group. Older women, older persons with disabilities, older migrants, older LGBTIQ persons, older people from indigenous communities, or those living in poverty often experience multiple and intersecting forms of discrimination. The treaty should require data, policies, and remedies that make these groups visible and respond to their specific realities.

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Third, we should explicitly protect rights during emergencies and disasters. Ageism in crises, whether we are talking about pandemics, armed conflict, climate-related disasters, or economic crises, can manifest as triage decisions that give the least priority to older persons for life saving treatment, inaccessible information that leaves them uninformed, or evacuation plans that assume everyone can move quickly and independently. The treaty should set clear obligations for inclusive preparedness, accessible early warning systems, age-responsive evacuation and shelter, continuity of care, and protection against neglect and abandonment during emergencies.

Fourth, we recommend the treaty to respond to the concrete priorities that older persons themselves consistently raise: social protection, autonomy and independence, life-long learning, and the right to health. Older people need adequate income, pensions and social protection systems that prevent poverty and allow them to live with dignity. They want to remain as independent as possible, with support for community-based living, accessible housing, transport, and assistive technologies. They have the right to continue learning, working, and contributing, if they choose, through life-long education and age-inclusive employment policies. And they must enjoy the highest attainable standard of physical and mental health throughout later life, including access to geriatric services and long-term care.

Fifth, emerging or contemporary human rights issues affecting the rights of older persons should be addressed in the treaty, including but not limited to climate justice, corporate accountability, technology, artificial intelligence and digital rights. If we aim for the treaty to be transformative, then we should give particular attention to these modern-day challenges and provide sustainable safeguards to protect older persons' rights now and the future of our children.

Finally, to make the international legally binding instrument effective, it should establish a strong and independent monitoring mechanism, with a clear role for

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NHRIs and relevant national bodies. Within this monitoring mechanism, NHRIs, primarily compliant with the Paris Principles, should be recognized as one of key actors together with NGOs and older persons themselves, providing independent information and data, bringing forward the voices and experiences of older persons, contributing to national monitoring, reporting and follow-up on recommendations at the national level, and coordinating with other stakeholders to monitor implementation. A provision of an individual complaints or communications procedure should be considered as embedded into the treaty, rather than a separate protocol, to enhance access to justice and protection of older persons against human rights violations if all domestic remedies have been exhausted.

We are talking about a comprehensive human rights treaty, not a welfare instrument. A treaty that guarantees civil and political rights, and equally protects economic, social and cultural rights through both immediate obligations and progressive realization, guided by the prohibition of age-based discrimination, will be meaningfully impactful for older persons' rights protection everywhere. Thank you, maraming salamat po.