

COVID-19 Pandemic and its Impact on the Human Rights of Older People

A Call for a United Nations Convention on the Rights of Older
Persons

Presentation to:

House of Commons

Standing Committee on Human Resources, Skills and Social
Development and Status of Persons with Disabilities (HUMA)

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Thank you for the opportunity to speak with you. I am Margaret Gillis, President of the International Longevity Centre Canada (ILC Canada), an organization that advocates for the human rights of older persons. We are part of a 16-country Global Alliance and are partnered with the LIFE Research Institute at the University of Ottawa.

Attending with me today is Dr. Kiran Rabheru, Chair of the Board of the ILC Canada, Professor of Psychiatry, University of Ottawa, and Geriatric Psychiatrist, The Ottawa Hospital.

We are here today to study our Government's response on the Covid-19 Pandemic. Like many Canadians, I am grateful for the unprecedented teamwork we have seen across party lines here in Parliament and between the federal, provincial and territorial governments, placing the needs of all Canadians before partisan and jurisdictional politics.

We are also grateful to have HUMA pause, to reflect and seek some initial views on the Canadian response to the COVID 19 crisis. However, this is but the first step in a longer process.

We all know that older people are one of the most severely impacted groups in this worldwide crisis. We know the rights and contributions of older people are often overlooked in politics and practice.

Canada needs to take a leadership role to rectify the horrifying treatment of Seniors during the pandemic through, among other actions, the sponsorship of a UN Convention of the Rights of Older Persons, which would work towards ensuring that older persons rights are not ignored.

While it is vital to be vigilant now, it is premature to think that narrowly focusing on Canada's response in the middle of this evolving crisis will provide us with the full assessment we will need for meaningful and lasting change. It is like trying to build an airplane mid-flight!!

We will need a comprehensive process to identify lessons learned. This process must involve looking at all aspects of the COVID 19 crisis:

- Prevention
- Preparedness
- Response
- Recovery

The challenges we are facing, as illustrated by the systemic problems in long term care (LTC), the rise in elder abuse, and patronizing, ageist attitudes towards older people in the press and in our society, have become even more visible and urgent during the pandemic.

We must embrace this unprecedented reality and boldly move forward to support human rights. We must be jointly accountable for results for Canadians. Instead of pointing fingers, we must all own part of this situation and move quickly to fix it.

We are encouraged by the words of Prime Minister Trudeau when he said “...we need to do better, because we are failing our parents, our grandparents, our elders - the greatest generation that built this country. We need to care for them properly.”

Indeed, we do need to do better, and we must find a way forward that reinstates and reinforces our Canadian values.

It is time to be bold. It is time to embrace this new post-COVID-19 era. Canadians want answers. Canadians need leadership, and Canadians must demand accountabilities for Seniors.

Timing is everything, and the stars are in alignment at this moment for Canada to make a difference.

I would like to use today’s discussion to advance ways we can strengthen the human rights of older people to ensure that their lives, health and well-being are not overlooked during and after the pandemic.

As I mentioned, there is no comprehensive, binding international human rights Convention for older persons, as currently exists for women, children and persons with disabilities.

ILC firmly believes that a binding international Convention would provide strong protection for older persons, protection which has been so lacking before and during the pandemic.

We should discuss how a Convention could help by examining two important examples of rights: the right to health, and the right to affordable, accessible long-term care.

Think for a moment of what we have seen in the last few weeks. Older people left to die in their beds without medical assistance, dealing with a virus that results in tremendous suffering, or older people dying of dehydration, malnutrition or being left in filthy beds. How can this cruel and unthinkable treatment be happening in Canada?

Who can forget the images of family members standing outside LTC facilities hoping to get a glimpse of a loved one whom they had not heard about for days, only to hear they had been abandoned and left to die unaided in the most horrific manner?

Is Canada a country that leaves its most vulnerable to die? A country that has left a system so incapable of handling a crisis that it has to rely on the Army to rescue vulnerable people? Where are the human rights of those people?

Ask yourself, also, if we would allow this to happen in our schools, in our daycares, hospitals or any other institution.

There is a basic lesson here, and it is that human rights cannot be an afterthought in a pandemic, or ever. Human rights need to be front and center in all that we do.

According to the latest data, 79% of the deaths in Canada during the pandemic have occurred in Long Term Care. We need to call this what it is - a human rights violation which is reflective of systematic ageism, and a devaluing of the importance and contributions of older Canadians.

While we can all claim to be saddened over the loss of lives, not many of us can say we are surprised by what has taken place.

You would have to be living in a bubble to miss the multiple reports of abuse in long term care: the blind 94 year old woman locked for two weeks in a room full of bedbugs, the sickening murder of 8 residents in Ontario which would have gone on had the murderer not told her pastor, or the multiple reports of chokings, beating and neglect that have led to death.

All these clear human rights abuses took place before the pandemic.

The treatment of older people in Canada is nothing less than a failure of human rights in our own backyard. It is heartbreaking to see how front-line workers have been struggling in an almost impossible situation. We need to take steps now to ensure that this never happens again.

ILC Canada encourages the Canadian Government and all Parliamentarians to work together to protect the rights of older citizens by leading the movement for a Convention on the Rights of Older Persons. Acting in this manner would go a long way to reestablishing our reputation as a country that values the lives of all citizens.

Why? Because a Convention would see older people as rights holders, it would combat ageism, it would allow the public to hold governments accountable for human rights abuses by giving them access to the UN Human Rights Council, and it would educate the public and empower older people.

A Convention would also help to promote and protect the rights and dignity of older persons. The impact of the pandemic has made it crystal clear that many policies and mechanisms currently in place are inadequate and insufficient from a human rights perspective. Such actions have had a severe impact on the lives of older persons.

We have all observed the changes in attitudes towards people with disabilities, and the actions undertaken by countries, that have resulted from the Convention on the Rights of Persons with Disabilities. We are certain that a UN Convention on the Rights of Older Persons would have the same positive influence and impact.

We call on Canada to lead the Convention in order to foster a better

understanding of the scope and meaning of human rights for older persons.

This move would be in keeping with the long proud history Canada has in protecting rights at the United Nations.

ILC Canada has been at the forefront of the movement for a UN Convention. For the past six years, we have been working actively at the UN Open-ended Working Group on Aging. In doing so, we have continually encouraged the Canadian government to act decisively.

In 2018, ILC Canada brought forward a petition to the UN to have Canada lead and support the Convention. We were very encouraged when the Canadian Delegate to the UN announced that the door was open to a Canadian support. Unfortunately, there has been no movement since then.

During the pandemic, we have begun a write-in campaign to Ministers Champagne and Schulte, asking that Canada lead and support a UN Convention on the Rights of Older Persons. Our letter has been tabled with the Committee.

We have been successfully reaching out to other groups and have had momentum from public and political support, including from prominent Canadians such as Major General Lewis MacKenzie (retired) whose letter of support I have also provided to the Committee.

We see the opportunity to speak to all of you today as a good sign that there is an openness to make the needed changes to better the lives of older Canadians. We sincerely and steadfastly hope you will support our call to defend the human rights of older Canadians.

And finally, Honorable Members of HUMA, I would like to leave you with 3 key takeaways:

- 1) Canada needs to learn and grow from the treatment of seniors in this pandemic. We need to bring about profound and substantive change to such treatment, as there is “no best-before date for human rights”; they begin at birth and end at death.

2) Canada needs to lead the development of UN Convention on Older Persons. This Convention is about fundamental human rights. It is in perfect alignment with our Canadian values and what we deeply believe.

3) Time is of the essence: we cannot afford to wait to do the right thing for the human rights of older people. We need to act now.