



ARGUMENTS AGAINST A U.N. CONVENTION ON THE RIGHTS OF OLDER PERSONS(A) AND RESPONSES (R)

- **A:** Those arguing against a Convention often note that older persons' rights have been enshrined in other UN instruments.
- **R:** If that were the case, why are there Conventions to protect people with disabilities, women and children?
- **A:** That soft law e.g. the Madrid International Plan of Action on Aging protects seniors' rights.
- **R:** My personal experience in government negates that argument, as does academic research. Specifically, the former UN Expert on Aging, Ms. Rosa Kornfeld-Matte, in her 2018 Report noted that the Madrid Plan stated, "It is not designed to comprehensively address existing protection gaps is therefore not sufficient."
- **A:** Some argue that a Convention is too costly.
- **R:** Are the rights of older people not worth the investment that protect the rights of other groups?
- **R:** What are the direct and indirect costs of not protecting their rights e.g. as witnessed during the COVID-19 pandemic?
- **A:** Drawing attention to older persons increases their social stigma against them
- **R:** This is not borne out in the *evidence* on Convention effectiveness
- **A:** Why do we need a Convention in Canada when we have laws against age discrimination where older persons are protected by a comprehensive legal framework?
- **R:** The treatment of older people in Canada during the pandemic has certainly proven that to be untrue.
- **A:** Why do we need a Convention when the Charter of Rights and Freedoms prohibits discrimination based on age as does the Canadian Human Rights Act and provincial codes.
- **R:** Added protection with the Convention due to a complaint mechanism.
- **R:** Governments are accountable for human rights violations through public access to the UN Human Rights Council. Governments would be required to explain and rectify failures to fulfill the Convention obligations, a requirement that could stimulate new initiatives to help older Canadians.
- **R:** Given the demographic shift with an aging population, a Convention on older persons' rights should be a key component of the federal government's human rights policies.
- **R:** Research shows that states that have ratified human rights treaties and in which international NGO's are active, are more likely to comply with the treaties.