



European Network of
National Human Rights Institutions

The human rights of older persons in long-term care in Europe, lessons from the ENNHRI Project

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Outline:

- ▶ ENNHRI and its work on older persons rights
- ▶ Project “The human rights of older persons in long-term care in Europe” (2014-2017)
- ▶ Key findings
- ▶ Brainstorming on normative elements

The European Network of National Human Rights Institutions (ENNHRI)

NHRIs:

- ▶ State bodies, independent of government
- ▶ Broad mandate to promote and protect human rights
- ▶ Accredited by reference to Paris Principles

ENNHRI:

- ▶ Brings together over 40 NHRIs across wider Europe
- ▶ Goal: enhance the promotion and protection of human rights by bringing together NHRIs to work on a wide range of human rights issues

ENNHRI Working Groups and thematic focus



▶ Other thematic focus:

- Sustainable Development Goals
- NHRIs in situation of conflict and post-conflict
- Human rights of older persons

Project “The human rights of older persons in long-term care in Europe” (2014-2017)

- ▶ Handbook on Monitoring the Human Rights of Older Persons and Long-term Care
- ▶ Toolkit on a Human Rights-Based Approach
- ▶ Policy briefs
- ▶ European Overview Report: *"We have the same rights": The Human Rights of Older Persons in Long-term Care in Europe*

+ Project Advisory Group bringing together European NHRIs and other stakeholders active in the topic

www.ennhri.org/publications
www.ennhri.org/rights4elders

Project Report:

- ▶ Six NHRIs from Belgium, Croatia, Germany, Hungary, Lithuania and Romania monitored residential LTC in their countries to assess if and how human rights are taken into account when planning and delivering services.
- ▶ National reports → final report with overview and key findings
- ▶ Methodology: visits; interviews with care providers, policy makers, older persons, family carers; review of legislation/policy.



“We have the same rights”

The Human Rights of Older Persons in Long-term Care in Europe



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LTC in Europe

▶ **Varies according to:**

- ▶ The way it is organised (public? Not-for-profit? NGOs?)
- ▶ The way it is financed (general taxation, social security, private?)
- ▶ The way it is delivered (home care, institutional care, mixed?)

LTC in Europe

- ▶ Public expenditure on LTC varies considerably: 4.5% of the GDP in Denmark to 0.2% in Cyprus (2010).
- ▶ Population projections: those aged 65 years or over will account for 29.1 % of the EU-28's population by 2080, compared with 19.4 % in 2017. (EUROSTAT). The change is even more noticeable for some countries.

Key findings:

- ▶ insufficient investment;
 - work conditions and rights of care workers;
 - Focus on expansion rather than improving quality
- ▶ lack of understanding of the human rights of older persons in LTC, both by care providers and older persons themselves -> human rights based approach
- ▶ Fragmented legislative framework; difficulty in translating rights into practice; support for new convention

Normative Elements, Long-term care

- ▶ Must reflect the diversity of practices globally – not limited to residential care
- ▶ Existing legal instruments (Inter-American Convention on Protecting the Human Rights of Older Persons + Protocol to the African Charter on the Rights of Older Persons)
- ▶ Still, clear on duty bearers and State responsibilities
- ▶ Respectful of rights to autonomy and independence
- ▶ In harmony with CRPD standards and paradigm shift (deinstitutionalisation)
- ▶ Still, needs to tackle residential LTC and States obligations there
- ▶ Definition of long-term care

Thank you!

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