



# General Assembly

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**Sixty-seventh session**

Agenda items 27 (b) and (c)

## Resolution adopted by the General Assembly on 20 December 2012

[on the report of the Third Committee (A/67/449 and Corr.1)]

### **67/139. Towards a comprehensive and integral international legal instrument to promote and protect the rights and dignity of older persons**

*The General Assembly,*

*Reaffirming* the purposes and principles of the Charter of the United Nations and the obligations contained in the relevant human rights instruments,

*Reaffirming also* that the Universal Declaration of Human Rights<sup>1</sup> proclaims that all human beings are born free and equal in dignity and rights, and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as age, race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

*Recalling* all General Assembly resolutions on matters relating to older persons, including older women, beginning with resolution 2542 (XXIV) of 11 December 1969, and recalling also all relevant resolutions on the promotion and protection of the rights and dignity of older persons of the Economic and Social Council and the Commission for Social Development, as well as of the Commission on the Status of Women, as appropriate,

*Reaffirming* the outcomes of the World Assembly on Ageing,<sup>2</sup> the United Nations Principles for Older Persons of 1991,<sup>3</sup> the global targets on ageing for the year 2001, as agreed in 1992,<sup>4</sup> and the Proclamation on Ageing of 1992,<sup>5</sup> as well as the outcomes of the Second World Assembly on Ageing<sup>6</sup> and the respective

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<sup>1</sup> Resolution 217 A (III).

<sup>2</sup> See *Report of the World Assembly on Ageing, Vienna, 26 July–6 August 1982* (United Nations publication, Sales No. E.82.I.16).

<sup>3</sup> Resolution 46/91, annex.

<sup>4</sup> A/47/339, sect. III.

<sup>5</sup> Resolution 47/5, annex.

<sup>6</sup> See *Report of the Second World Assembly on Ageing, Madrid, 8–12 April 2002* (United Nations publication, Sales No. E.02.IV.4).



follow-up reviews, in particular as they pertain to the promotion of the rights and well-being of older persons on an equal and participatory basis,

*Recognizing* that different efforts made to increase cooperation and integration and increasing awareness of and sensitivity to ageing issues since the adoption of the Madrid International Plan of Action on Ageing, 2002,<sup>7</sup> by Governments, relevant bodies of the United Nations system and civil society, including non-governmental organizations and the private sector, have not been sufficient to promote full and effective participation by and opportunities for older persons in economic, social, cultural and political life,

*Recalling* its resolution 65/182 of 21 December 2010, in which it decided to establish an open-ended working group, open to all States Members of the United Nations, for the purpose of strengthening the protection of the human rights of older persons by considering the existing international framework of the human rights of older persons and identifying possible gaps and how best to address them, including by considering, as appropriate, the feasibility of further instruments and measures,

*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,

*Recognizing also* the essential contribution that the majority of older men and women can continue to make to the functioning of society if adequate guarantees, means and resources, as well as the highest possible level of health care, are in place, and that older persons must be full participants in the development process and also share its benefits,

*Reaffirming* the outcomes of the major United Nations conferences and summits and their respective follow-up reviews, in particular as they pertain to the promotion of the human rights and the well-being of older persons on an equal and participatory basis,

*Encouraged* by the increasing interest of the international community in the promotion and protection of the rights and dignity of older persons in the world under a comprehensive and integral approach,

*Acknowledging* that there are numerous obligations vis-à-vis older persons implicit in most core human rights treaties but that explicit references to age in core international human rights treaties are scarce, that there is no such instrument for older persons and that only a few instruments contain explicit references to age,

*Taking note* of the reports of the Open-ended Working Group on Ageing, and welcoming the report of the United Nations High Commissioner for Human Rights on the human rights situation of older persons,<sup>8</sup> in which it is stated that dedicated measures to strengthen the international protection regime for older persons are called for without further delay, including a new dedicated international instrument,

1. *Decides* that the Open-ended Working Group on Ageing, which shall be open to all Member States and observers of the United Nations shall, as part of its mandate and starting from its upcoming fourth session, to be held in 2013, consider proposals for an international legal instrument to promote and protect the rights and dignity of older persons, based on the holistic approach in the work carried out in

<sup>7</sup> Ibid., chap. I, resolution 1, annex II.

<sup>8</sup> E/2012/51 and Corr.1.

the fields of social development, human rights and non-discrimination, as well as gender equality and the empowerment of women, and taking into account the inputs of the Human Rights Council, the reports of the Working Group and the recommendations of the Commission for Social Development and the Commission on the Status of Women, as well as the contributions from the second global review and appraisal of the Madrid International Plan of Action on Ageing, 2002,<sup>7</sup> to be held during the fifty-first session of the Commission for Social Development;

2. *Requests* the Working Group to present to the General Assembly, at the earliest possible date, a proposal containing, inter alia, the main elements that should be included in an international legal instrument to promote and protect the rights and dignity of older persons, which are not currently addressed sufficiently by existing mechanisms and therefore require further international protection;

3. *Invites* States and relevant bodies and organizations of the United Nations system, including relevant human rights mandate holders and treaty bodies and the regional commissions, as well as intergovernmental organizations with an interest in the matter, to make contributions to the work entrusted to the Working Group, as set out in paragraph 1 above, and invites relevant non-governmental organizations to contribute, as appropriate, on the basis of the modalities for participation agreed by the Working Group;<sup>9</sup>

4. *Requests* the Secretary-General, with the support of the Office of the United Nations High Commissioner for Human Rights, the Division for Social Policy and Development of the Department of Economic and Social Affairs of the Secretariat and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), to submit to the Working Group by its fourth session and from within existing resources a compilation of existing international legal instruments, documents and programmes that directly or indirectly address the situation of older persons, including those of conferences, summits, meetings or international or regional seminars convened by the United Nations and intergovernmental and non-governmental organizations;

5. *Also requests* the Secretary-General to provide the Working Group with the facilities necessary for the performance of the work entrusted to it in the present resolution;

6. *Further requests* the Secretary-General to include in the report to the General Assembly at its sixty-eighth session under the sub-item entitled "Follow-up to the International Year of Older Persons: Second World Assembly on Ageing" of the item entitled "Social development" comprehensive information on the implementation of the present resolution.

*60th plenary meeting  
20 December 2012*

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<sup>9</sup> A/AC.278/2011/2, sect. F.