



2023 ROUNDTABLE | BUILDING MOMENTUM AND MOVING THE AUSTRALIAN GOVERNMENT TO SUPPORT A NEW UN CONVENTION ON THE HUMAN RIGHTS OF OLDER PERSONS

CONCEPT NOTE

INTRODUCTION

On 24 June 2022 the Australian Human Rights Institute at the University of New South Wales, Sydney, the EveryAGE Counts Campaign and Community Legal Centres Australia convened an online roundtable to discuss ways to encourage the Australian government to support the development of a new United Nations treaty on the human rights of older persons and to engage constructively in the international discussions on that subject. The roundtable brought together civil society organisations and individuals working on these issues and older person human rights more generally and built on the work of organisations and individuals who have advocated for a new treaty over the years.

The same bodies, in conjunction with other members of the Rights of Older Persons (ROPA) network founded after last year's roundtable, are convening **a follow-up online roundtable on Wednesday, 31 May 2023 from 0930-1315 AEST**. The online roundtable will be hosted by the Australian Human Rights Institute at UNSW Sydney. The draft program for the event is attached. The roundtable is by invitation and registered participants will be sent a Zoom link after they have registered. Registration is free and you can register [here](#).

GOALS OF THE ROUNDTABLE

This roundtable has **five goals**:

- (a) **To review the progress** made since June 2022 in organising Australian civil society collaboration around the issue of a new United Nations convention on the human rights of older persons, in particular the establishment of the ROPA network and the steps it has taken since the June 2022 roundtable, and how we can build on that progress to better coordinate our activities and leverage our energy, expertise and networks;
- (b) **To review developments** at the United Nations General Assembly Open-ended Working Group on Ageing in New York and at the United Nations Human Rights

- Council in Geneva relating to the human rights of older persons and a new convention, including Australia's stance on the question and its engagement with those processes;
- (c) **To identify emerging or pressing human rights issues relating to older persons and older age in Australia;**
 - (d) **To consider the extent to which a human rights approach has been adopted in recent procedures and substantive policy development by the Australian government, in particular in relation to the ongoing reform of the aged care legislative framework; and**
 - (e) **To further develop further our collaboration and our advocacy strategy to persuade the Australian government to express its support for a new convention on the human rights of older persons.**

The starting-point for this roundtable is that much needs to be done in Australia and elsewhere to ensure that all older persons fully enjoy all their human rights on the basis of equality with others, and that a new international treaty on the human rights of older persons is a critical component of any strategy to achieve that goal. Accordingly, the focus of the roundtable will once be on how to advance discussions in Australia to persuade the Australian government to support a new convention and also to support and expand the work of Australian civil society organisations at the national and international levels in the process of developing a new binding international instrument.

BACKGROUND – DEVELOPMENTS SINCE JUNE 2022

Following the 2022 Roundtable those involved in its organisation established an informal organising group (the ROPA Interim Organising Group) and set up working groups to implement the consensus decisions adopted by the meeting by:

- (a) Establishing a new network of organisations committed to achieving a new convention: the upshot is the Rights of Older Persons Australia (ROPA) [network](#);
- (b) Drafting our Mission/[Terms of Reference](#) which set out the basis of membership of ROPA and procedures to enhance collaboration in advancing the network's goals;
- (c) Drawing up our [Call to action](#), urging the Australian government to support a convention and to engage actively and constructively in the UN processes working on this issue;
- (d) Preparing a detailed [Discussion paper](#) that sets out the major issues relating to human rights of older persons, the history and current status of efforts to develop a convention, the arguments for and against a convention and the stance of the Australian government on the issue;
- (e) Developing an initial advocacy strategy to bring the matter to the attention of Ministers and to persuade them actively to support a convention.¹

ROPA has made progress on all of these fronts, though achieving the last and critical goal of persuading Ministers – or getting them to engage substantively in discussions over the need for and benefits of a new treaty – has thus far been challenging and is a priority for future advocacy.

¹ The principal documents developed by working groups are available on the ROPA website: www.rightsofolderson.org.au.

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The ROPA Interim Organising Group has also written to Ministers drawing their attention to its existence, urging them to support a convention, and seeking formal meetings with them. Some organisation and individuals who are members of ROPA have also participated in the work of the Open-ended Working Group on Ageing and the UN Human Rights Council on this matter.

PARTICIPANTS

The participants in this by-invitation roundtable will include civil society organisations, community representatives, academics and others with relevant experience and expertise in the field of human rights and older persons, human rights, public policy making and other relevant fields.

REGISTRATION

After you register [here](#), we will send you a personal link to register for the roundtable, which will be conducted on Zoom.

THEMES

The roundtable will be organised around four main topics:

1. *Events of the last year*: (a) what has ROPA done since the June 2022 Roundtable, and (b) what is the state of play internationally on efforts to develop a convention and nationally as regards
2. *Emerging issues*: what pressing issues have emerged in the work of participants and their organisations (two-minute interventions, with speakers to register before the meeting for a slot);
3. *The status of efforts to fully embed a human rights-based approach* as the conceptual foundation of aged care legislative reforms: process and substance; and
4. *Strategic planning*: collaboration and coordination of advocacy efforts and ROPA governance processes.

ANTICIPATED OUTCOMES OF THE ROUNDTABLE

The organisers anticipate that the outcomes of the roundtable may include: (a) a better understanding of the Australian government's current position in relation to a new convention and how we might make our advocacy on this issue more effective; and (b) the development of concrete proposals for the continuing coordination and collaboration of ROPA members and affiliates; work on the issues of older person's human rights, including in relation to the reforms of the developing aged care legislative and regulatory framework.

FURTHER INFORMATION'

For further information, please contact us on info@rightsofolderpersona.org.au.

We gratefully acknowledge the support of the staff of the Australian Human Rights Institute in the organisation of this event.

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ROPA Interim Organising Group

Beverly Baker, President, National Older Women's Network

Andrew Byrnes, Emeritus Professor of Law, Faculty of Law and Justice UNSW and
Australia Human Rights Institute, UNSW

Dr Susan Cochrane, National Policy Manager, Relationships Australia

Samantha Edmonds, Director Policy and Systemic Advocacy, OPAN

Sue McGrath, former Senior Policy Advisor, EveryAGE Counts Campaign

Bill Mitchell, Principal Solicitor, Townsville Community Law

Catherine Renshaw, Professor of Law, Western Sydney University

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STRATEGIC ROUNDTABLE 2023

BUILDING MOMENTUM AND MOVING THE AUSTRALIAN GOVERNMENT TO SUPPORT A NEW UN CONVENTION ON THE HUMAN RIGHTS OF OLDER PERSONS

DRAFT PROGRAM (3 May 2023)

Wednesday, 31 May 2023, 0930-1315 (AEST) (online)

Zoom link (participants to be advised one day before the event):

INTRODUCTION (0930-0945)

- Acknowledgement of country
- Welcome to the Roundtable
- Overview, interaction rules and housekeeping

SESSION 1 (0945-1045): Developments since our first Roundtable in June 2022

- What has ROPA done in the last year?
- Where is the state of play in the international discussions on a new convention on the rights of older persons?
- What is the position of the Australian government on participation in UN processes and on the need for a convention?

Discussion

Break (1045-1100)

SESSION 2 (1115-1145): Emerging issues

SESSION 3 (1145-11230): Human rights and aged care legislative reform: process and substance [also *Human rights of older persons in the AHRC's Free and Equal conversation – or would that be too much*]

SESSION 4 (1230-1310): Looking forward: future collaboration, advocacy strategies and ROPA governance processes

WRAP-UP AND NEXT STEPS (1310-1315)

- Where do we go from here?

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ANNEX

USEFUL BACKGROUND RESOURCES

BAGSO (German National Association of Senior Citizens' Organizations), *Better Protecting the human rights in older age: The contribution of the Open-Ended Working Group for the Purpose of Strengthening the Protection of the Human Rights of Older Persons of the United Nations (2010/11 – 2022)*, BAGSO Briefing, 2022,

<https://www.bagso.de/publikationen/kurz Dossier/better-protecting-the-human-rights-in-older-age/>

Mitchell, W, 'Making the case for a convention on the human rights of older persons' (2021) 27(3) *Australian Journal of Human Rights* 532-553, DOI: [10.1080/1323238X.2021.2009634](https://doi.org/10.1080/1323238X.2021.2009634)

Office of the United Nations High Commissioner for Human Rights (OHCHR), *Update to the 2012 analytical outcome study on the normative standards in international human rights law in relation to older persons, Working paper prepared by OHCHR*, March 2021,

<https://social.un.org/ageing-working-group/documents/eleveth/OHCHR%20HROP%20working%20paper%202022%20Mar%202021.pdf>

Office of the United Nations High Commissioner for Human Rights (OHCHR), *Normative standards and obligations under international law in relation to the promotion and protection of the human rights of older persons*, UN Doc [A/HRC/49/70](https://www.unhcr.org/refugees/49/70) (2022)

Office of the United Nations High Commissioner for Human Rights (OHCHR), *Summary of the multi-stakeholder meeting on the human rights of older persons*, [A/HRC/52/49](https://www.unhcr.org/refugees/52/49) (2022)

Rights of Older Persons Australia (ROPA), *Towards ta United Nations Convention on the Human Rights of Older Persons: A Discussion Paper* (October 2022)

United Nations General Assembly Open-ended Working Group on Ageing, Decision adopted at the 13th session (3-6 April 2023), [A/AC.278/2023/L.1/Rev.1](https://www.unhcr.org/refugees/278/2023/L.1/Rev.1) (finalised version with additional co-sponsors including Australia not yet issued as of 13 April 2023)

United Nations Human Rights Council resolution [48/3](https://www.unhcr.org/refugees/48/3) (2021)

United Nations, *Policy Brief: The Impact of COVID-19 on older persons*, May 2020.