



## **EURAG-Europe**

### **Back ground paper**

# **Rights and Responsibilities of Older Persons<sup>1</sup>**

*All elderly people in Europe, regardless of sex, race, religion, life conviction, income, disability or sexual preference, have the right to lead valued and independent lives and to participate in social and cultural life.  
The rights of the elderly also emphasise their personal responsibility to fellow human beings as well as to the community and future generations.*

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<sup>1</sup> The document "Rights and Responsibilities of Older Persons" was initiated by PCOB The Netherlands and drafted by Alice Schippers, Knowledge Centre on Ageing, Netherlands Institute for Care and Welfare, on the occasion of the XVIII. International EURAG Congress, Ljubljana, 30 September – 1 October 2005 and adopted by the General Council of EURAG-Europe as official background paper.

## **Introduction**

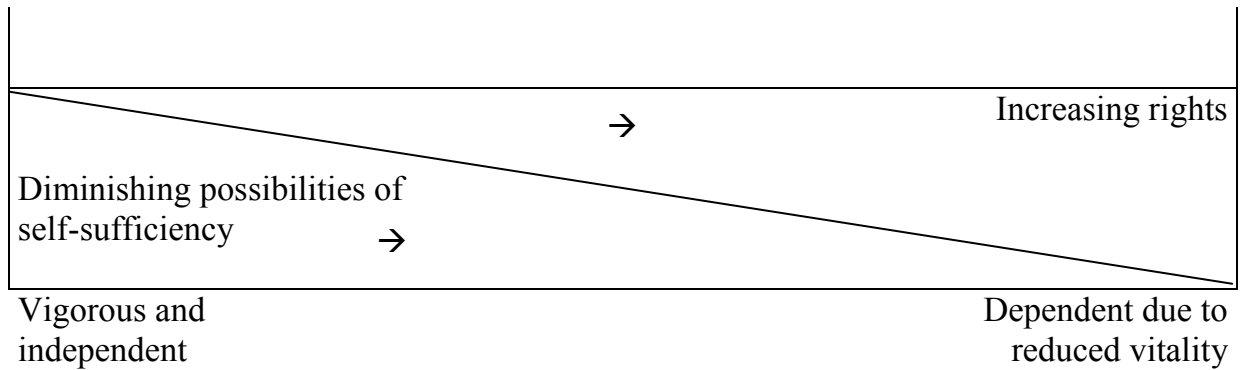
European society is aging, maturing, greying and becoming more individualistic. People's life expectancy is increasing. In combination with the post-war baby boom, this results in a growing number of elderly in Europe. Furthermore, the number of aging immigrants is growing. In recent decades, couples are having fewer children and, as a consequence of this, the working population, the percentage of people between the ages of 15 and 65, is becoming comparatively smaller. The chance exists that these developments will lead to intergenerational tensions. On account of the changed demographic composition, we are well advised to give the social position of the elderly some consideration. This Charter offers seniors a means by which to enter into the discussion with governmental authorities and organisation at various levels. However, the Charter also appeals to the active commitment of the older members of the community as well as their involvement with others.

Social security, protection from the environment, the availability and accessibility of care institutions, housing, the right to social and cultural development, leisure-time activities and education are basic social rights that apply to everyone. The standards established in the Universal Declaration of Human Rights and the international agreements about human rights also pertain to all population groups. These fundamental human rights remain in effect as people age and apply without limitation to the oldest and most vulnerable group of the elderly and to older persons who are restricted in their ability to function. The United Nations International Plan of Action on Aging (Madrid 2002) also applies to seniors living in Europe.

The income position, educational level and life situation of the elderly vary widely. There may even be increasingly greater diversity. The standard life, which consisted of school, work and pension for men and, conventionally, school and care for women, has been replaced by less unambiguous and predictable patterns. As a consequence of the better living conditions, seniors remain healthier longer, even well into old age. However, the increased length of life and the greying of the population also cause the number of vulnerable older people to grow. At advanced age, the elderly can encounter limitations that result in loss of control over their lives or the threat of such loss. Growing older requires adjustment to changed circumstances and the learning of ways to implement practical solutions. Loss of self-reliance must be as far as possible avoided and quality of life must be safeguarded in all phases of life.

EURAG intends to translate social concepts into practices that benefit seniors. Respect and consideration for each other, justice, equality, solidarity with weaker members of the community and the striving for a measure of humanity are at the core of its enterprise. In the vision of EURAG, older persons not only have rights but also responsibilities. They have a responsibility to the community as a whole and to the generations that come after them. The responsibilities of the elderly entail the making of productive contributions to society. This is appropriate to a longer active phase of life, one that involves paid work, as well as volunteer activities and informal care. A positive image of the elderly is important because the way in which the community regards its older members partly determines the manner in which they are treated and the extent to which they are able to participate in society.

Vulnerable older people, individuals who are not sufficiently self-reliant, have a right to care and deserve protection. This however does not apply to all of the older population group. It is EURAG's view that the elderly themselves are, first of all, responsible for finding solutions to their problems and for creating a living environment meant to last a lifetime.



## **Rights and Responsibilities**

### **Autonomy and self-determination**

- The elderly have the right to autonomy and control over their own lives.
- The elderly have the right to free movement. Sufficiently affordable means of transportation must be accessible to older people with limitations. Elderly persons with limitations have the right to support insofar as mobility is concerned.
- Within the limits set by applicable laws, the elderly have the right to make their own decisions about starting, continuing or terminating medical treatment.
- The elderly have the right to person-oriented care based on individual wishes and suited to their manner or style of life.

### **Respect for the elderly**

- The elderly have the right to participate in a community that treats them with respect and allows them their value.
- The elderly have the responsibility to fulfil their social roles in accordance with their abilities. In this way, they can provide an effective contribution to a positive image of older people.
- Even when living in independent circumstances, older people have their rights and responsibilities, including the right to decide about their own quality of life.

### **Equal treatment**

- Age discrimination is prohibited. Age limits do not provide the basis for any judgement concerning the opportunities of individuals.
- The elderly have the right to equal treatment insofar as the sharing of living space is concerned. Age does not alter the need for housing meant to last a lifetime.
- The elderly have the right to perform (volunteer) work in accordance with their capacities. Age has no influence on an individual's aptitude to perform (volunteer) work.
- Financial provisions and tax-related issues must also be applicable to persons over the age of 65.

### **Social participation**

- The elderly have the right and the responsibility to participate in society and to make a contribution to the community in ways according to their capacities.
- The elderly have the right and the responsibility to share their values, standards, knowledge, life-experience and skills with younger generations.

- Older employees have the right and the responsibility to participate in training programs, schooling and the advancement of expertise in order to keep their knowledge and skills up to date.
- Opportunities must be offered for a gradual transition from work to retirement. Retirement age must be made flexible.
- Companies must give some consideration to aging employees and create flexible working conditions so to prevent work disruptions.
- The elderly who perform volunteer work have the right to compensation for expenses, legal protection and guidance.

### **Active citizenship**

- Just like other citizens, the elderly have the responsibility of contributing, in accordance with their capacities, to the financing of the social security system and community services.
- The elderly must be able to exercise their democratic rights at all levels and are responsible for making their voices heard.
- The elderly who are able to do so have the responsibility of making themselves available for political and social functions.
- The elderly have the right to form organisations to promote their material and immaterial interests.
- The elderly have the right to have their own representatives to protect their own interests.

### **Financial security**

- Just like other citizens, the elderly contribute, in accordance with their own capacities, to the financing of community services.
- The elderly have the right to financial security and an income that is related to salary developments. This also applies to single women and older immigrants.
- The elderly have the right to enjoy economic independence and to manage their own finances. This responsibility may only be taken from them in cases of incompetence.

### **Personal development, social contact and meaningfulness**

- The elderly have the right to personal development, social contact and meaningful lives. They must have access to educational programmes, schooling and all levels of training in order to both maintain and improve their knowledge and skills.
- The elderly have the right to their own views on life.
- The elderly have the right to spiritual care and must be able to attend church services and other religious assemblies.
- The elderly have the right to their own social network. They have the right to establish social relationships and to maintain contact with children, grandchildren, other next of kin and friends.
- The elderly have the right of access to culture activities, leisure-time activities and sport facilities, all tailored to suit their wishes and needs.

### **Access to information**

- The elderly have the right to the information enabling them to make decisions for themselves and to maintain control over their lives. They are furthermore responsible for familiarising themselves with such information.
- The elderly have the right to information about a healthy way of life and are themselves responsible for a healthy and active manner of living.

- The elderly have the right to participate in courses that promote self-reliance and able-bodiedness.
- The elderly are responsible for informing themselves about modern information technology and have the right to participate in courses on this subject.
- In developing information technology and other technological applications, consideration must be given to their accessibility for older persons.

### **Housing and living environment**

- The elderly are themselves responsible for securing a suitable housing situation and have the right to a physical and social infrastructure that make it possible to continue living in a self-supporting manner for as long as possible.
- The elderly have the right to security inside and outside their homes. This implies an adequate application of communication technology.
- If necessary, the elderly have the right to live in a protected residential environment in which an adequate level of care is guaranteed.

### **Care and service provision geared to a good quality of life**

- The elderly have the right to care that contributes to a good quality of life.
- In the last phase of their lives, the elderly have a right to palliative care and to recognition of any wish to die in a dignified manner, as long as it complies with existing laws.
- The elderly have the right to treatment for psychiatric illness and to counselling about psycho-social problems.
- Partners, family members and other volunteer aids that take care of vulnerable older people have a right to support.

## **Conclusions**

Communal life involves living with each other in a caring and respectful manner. This requires solidarity between young and old, rich and poor, sick and healthy, dependent and independent. Living in a community requires an investment from everyone, even the elderly. The rights and responsibilities in the Charter open the way to further development and social participation for the elderly. Rights also entail responsibilities and presuppose an outlook concerned with one's fellow human beings and with society. It is for this reason that the charter is both for the elderly and, simultaneously, a task imposed on the elderly.