



Socio-Economic Rights Project
Community Law Centre
University of the Western Cape

BACKGROUND NOTE TO THE WORKSHOP

Promoting the socio-economic rights of older persons

22 February 2011

Ageing is recognised as a global phenomenon, and in 2002, its inclusion in the international development agenda was supported by the Second World Assembly on Ageing. The United Nations estimates that within 36 years, there will be more people over the age of 60 than children under 15 years old globally. The United Nations (UN) further estimates that by 2050, the number of older persons would be at over 2 billion, or 22 per cent of the global population, an unprecedented doubling of the present 11 per cent of the population that is over 60 (General Recommendation No. 27 of the Committee on Elimination of Discrimination against Women, CEDAW/C/2010/47/GC.1, para 4).

As we draw close to the 2015 Millennium Development Goals (MDGs) deadline, various bodies at the international and national levels (such as the United Nations – UN doc. A/64/665) have called for the acceleration of progress in achieving the MDGs among all stakeholders. Accordingly, the theme for the 2010 International Day of Older Persons (01 October) was 'Older persons and the achievement of the MDGs. It should, however, be noted that the MDGs do not explicitly refer to ageing. As a result, the needs of these groups are often not given the required attention.

South Africa has one of the most rapidly ageing populations in Africa. In mid-2009, Statistics South Africa estimated South Africa's population aged 60 years or older at 3.7 million (that is 5% of the population). Other estimates actually place this figure higher. The number is projected to increase to 4.42 million (9.5% of the population) by 2015. This increasing numbers and proportions of older persons have implications for the planning of social and health services in South Africa. The majority of the older population is income poor. Women, with an estimated 61.6%, represent the largest number and proportion of older people in South Africa.

An estimated 2.3 million older persons receive the old-age grant. In terms of the overall distribution of older person in South Africa, the largest concentration of older persons is reportedly in the provinces of KwaZulu-Natal and the Eastern Cape.

The challenges facing older persons in South Africa that have been identified by the Department of Social Development and non-governmental organisations (NGOs), among others, include: abject poverty; social exclusion; lack access basic services and health care; lack of access to water, with some sources of water located far from their homes; food insecurity; lack of access to adequate (including affordable) housing; lack of information regarding services that are available to them; administrative hurdles in accessing the old age grant; educational disadvantages; highly fragmented, poorly managed, racially divided and under-resourced social services for them. While the Department of Social Development is working hard to ensure significant progress in addressing these challenges, older persons continue to struggle to survive in poverty and are still discriminated against. Older women, who represent the largest number and proportion of older people, are even more vulnerable due to the burden of becoming primary care givers in the face of HIV and AIDS.

South Africa has also adopted an Older Persons Act (OPA), 2006, aimed at improving the lives of older South Africans. The main objectives of the Act are to maintain and promote the status, well-being, safety and security of older persons, recognise the skills and wisdom of older. Regulations to the OPA have also been adopted. However, many challenges exist in ensuring implementation of the OPA and regulations including budgetary constraints and ensuring that service providers and older persons are aware of the

content of the Act and regulations, and in ensuring that older persons are not discriminated against. Also, the Social Assistance Amendment Act 6 of 2008 ensures gender parity among older persons.

South Africa has further committed itself to the UN's salient principles on older persons, being independent, participation, care, self-fulfilment and dignity. Also, the Department of Social Development has called for 'concerted effort towards strengthening the capacity of older persons to play a more meaningful role in society, to enjoy active ageing, healthy and independent living, by creating an enabling environment for them' and for 'concerted effort from all sectors of society to comprehensively address the needs of older persons.

In February 2010, the United Nations Commission on Social Development called on UN member states:

- to adopt appropriate measures to promote and protect the rights of older persons and measures aimed at providing economic and social security and health care, while mainstreaming a gender perspective, full participation of older persons in the decision-making process affecting their lives, and ageing with dignity;
- to promote the development of, and strengthen, networks of experts and practitioners from government, non-governmental organisations, academia and the private sector in order to increase the potential for policy action on ageing;
- to undertake a range of awareness-raising activities (UN doc. E/CN.5/2010/L.6).

Accordingly, on 22 February 2011, the Socio-Economic Rights Project of the Community Law Centre (University of the Western Cape) will host a one-day workshop in Cape Town on promoting the socio-economic rights of older persons. Within socio-economic rights, specific emphasis will be placed on housing, health care, food and social security. This event is significant as it would be held after the World day of Social Justice (20 February), a day proclaimed by the UN to encourage people to look at how social justice affects poverty eradication. It is a day to recognise the importance of tackling poverty, exclusion and unemployment, in order to promote solidarity, harmony and equality of opportunity within and between societies.

The workshop would seek to:

- Raise awareness of the socio-economic rights of older-persons;
- Provide a forum for engaging on the challenges older persons face in enjoying their socio-economic rights and how these could be addressed;
- Explore opportunities for ensuring that the rights of older persons are promoted and protected;
- Provide an opportunity for evaluation of the extent to which the government considers the needs of older persons when working towards meeting the MDGs;
- Strengthen networks of experts and practitioners working towards promoting the rights of older persons.



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