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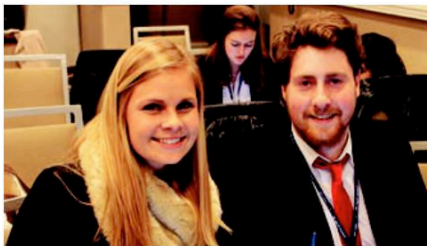
GENERAL ASSEMBLY THIRD COMMITTEE

BACKGROUND GUIDE

2017



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NATIONAL MODEL UNITED NATIONS



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Abbreviations

ADRC	Asian Disaster Reduction Center
CERF	Central Emergency Response Fund
CESCR	Committee on Economic, Social and Cultural Rights
CSO	Civil society organization
ECOSOC	Economic and Social Council
ERC	Emergency Relief Coordinator
EU	European Union
HAS	Humanitarian Affairs Segment
HPC	Humanitarian Programme Cycle
HRC	Human Rights Council
IASC	Inter-Agency Standing Committee
ICCPR	<i>International Covenant on Civil and Political Rights</i>
ICPD	International Conference on Population and Development
IFA	International Federation of Ageing
INPEA	International Network for the Prevention of Elder Abuse
LGBT	Lesbian, gay, bisexual, and transgender
LGBTI	Lesbian, gay, bisexual, transgender, and intersex
MDG	Millennium Development Goal
MIPAA	Madrid International Plan of Action on Ageing
NGO	Non-governmental organization
NPOP	National Policy on Older Persons
OCHA	Office for the Coordination of Humanitarian Affairs
OEWG	Open-Ended Working Group
OHCHR	Office of the UN High Commissioner for Human Rights
PGA	President of the General Assembly
PoA	<i>Programme of Action</i> of the International Conference on Population and Development
SDG	Sustainable Development Goal
SG	Secretary-General
SOGI	Sexual orientation and gender identity
UDHR	<i>Universal Declaration of Human Rights</i>
UN	United Nations
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFE	United Nations Free & Equal
UNHCR	Office of the United Nations High Commissioner for Refugees
UNISDR	United Nations Office for Disaster Risk Reduction
UNODC	United Nations Office on Drugs and Crime
VIPAA	<i>Vienna International Plan of Action on Ageing</i>
WASH	Water, sanitation, and hygiene
WEAAD	World Elder Abuse Awareness Day
WG	Working group
WHO	World Health Organization
WHS	World Humanitarian Summit

Committee Overview

Introduction

The General Assembly Third Committee is one of the six main committees of the United Nations (UN) General Assembly.¹ Following the Second World War, the UN was formed to act as a deliberative and co-operational forum for Member States to better prevent the outbreak of future hostilities.² The General Assembly, one of the six principal organs of the UN created under the *Charter of the United Nations* (1945), was created to act as the wholly representative and deliberative arm of the organization.³ The large variance in the scope of its mandate led the General Assembly to allocate its work among six committees that would allow each to focus on a specific theme.⁴ The stated mandate of the Third Committee is the discussion of all matters related to social, humanitarian, and cultural affairs.⁵ Since its foundation, this mandate has naturally developed to also include a particular specialism as the primary forum for issues around human rights, thereby making it the world's largest and most prominent forum for international human rights norm creation.⁶ This overview will introduce the committee through a contextualization of it within the wider General Assembly structure, an overview of its governance and membership, an analysis of its mandate and associated powers before examining its current priorities.

Governance, Structure, and Membership

In accordance with the Charter, the General Assembly is comprised of 193 UN Member States, as well as a number of Observer States and non-governmental organizations.⁷ All main General Assembly committees begin their annual session in mid-September, following the drafting and allocation of agenda items by the General Committee to each specific committee, according to theme and content.⁸ Relevant reports of the Secretary-General are issued just before each corresponding agenda item, followed by an allotted time for questions for clarification or analysis.⁹ As is the case for all General Assembly committees, the Third Committee adopts draft resolutions on each agenda item and a report to the General Assembly Plenary.¹⁰ Based on this, the Plenary then adopts, either through a vote or by consensus, the draft resolutions as recommended in the committee report.¹¹

The President of the General Assembly (PGA) is the largely ceremonial head of the General Assembly, elected each year by a simple majority to a one-year nonrenewable term.¹² The PGA's duties are to facilitate Plenary sessions by directing discussion, managing the administration of meetings, and enforcing the General Assembly Rules of Procedure.¹³ The PGA does not preside over all six General Assembly committees separately; rather, Chairs and Vice Chairs are the facilitators of individual committees.¹⁴ The PGA also performs executive duties such as meeting regularly with the Secretary-General, the President of the Security Council, and the President of Economic and Social Council; communicating with the press and the public; and organizing high-level meetings for certain thematic issues.¹⁵

All General Assembly committees are supported by secretariats, which provide substantive and logistical support to the committees. The Office of the UN High Commissioner for Human Rights (OHCHR) serves as the primary

¹ UN General Assembly, *Main Committees*, 2016.

² *Charter of the United Nations*, 1945, Art. 55-60.

³ *Ibid.*; UN General Assembly, *About the General Assembly*, 2016.

⁴ *Charter of the United Nations*, 1945; UN General Assembly, *Main Committees*, 2016.

⁵ UN General Assembly, *Social, Humanitarian & Cultural: Third Committee*, 2016.

⁶ UN HRC, *Institution-building of the United Nations Human Rights Council (A/HRC/RES/5/1)*, 2007; UN HRC, *Review of the work and functioning of the Human Rights Council (A/HRC/RES/16/21)*, 2011; UN DESA, *The UN General Assembly's Third Committee – social, humanitarian and cultural issues*, 2013.

⁷ UN General Assembly, *Member States*, 2016.

⁸ Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, pp. 37-38, 62.

⁹ *Ibid.*, p. 65.

¹⁰ *Ibid.*, p. 62.; UN General Assembly, *Third Committee- Reports to the Plenary*, 2016.

¹¹ Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 62.

¹² *Ibid.*, p. 16.

¹³ *Ibid.*

¹⁴ *Ibid.*, pp. 15, 18.

¹⁵ *Ibid.*, pp. 16-17.

substantive support wing of the Third Committee’s secretariat, acting as a natural focal point for human rights bodies, reports, and other publications.¹⁶ Given the varied nature of its work, various other UN entities may serve as substantive secretariats for the Third Committee, such as the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the United Nations Children’s Fund, the United Nations Volunteers program, and the Office of the United Nations High Commissioner for Refugees (UNHCR).¹⁷ Furthermore, as a subsidiary body of the General Assembly, the United Nations Human Rights Council (HRC) provides an annual report to the Third Committee on its own recent sessions and discussions.¹⁸ Independent Experts, Special Rapporteurs, and Working Groups that compile reports and advise the HRC will also engage in interactive dialogues with the Third Committee on a variety of subjects.¹⁹

Mandate, Functions, and Powers

The Third Committee derives its direction from a variety of UN documents. Generally, Articles 10-17 of the Charter are the principal guidelines for the substance and scope of all General Assembly committees.²⁰ These articles state that the General Assembly has the authority to “initiate studies and make recommendations,” as well as “receive and consider reports” from other organs of the UN, including the Security Council.²¹ Article 1 also speaks of “promoting and encouraging respect for human rights and for fundamental freedoms for all,” which has been said to be the foundation of the *Universal Declaration of Human Rights* (UDHR) (1948) and the mandate of much of the Third Committee’s work.²² Nearly every international human rights instrument since the UDHR has built upon its core principles, thereby enlarging the Third Committee’s mandate by extension.²³ For example, the Third Committee used the UDHR as the groundwork to adopt additional and more specific international human rights instruments, chief among them the *International Covenant on Civil and Political Rights* (1966) and the *International Covenant on Economic, Social, and Cultural Rights* (1966).²⁴ These documents, along with the two optional protocols to the *International Covenant on Civil and Political Rights*, make up what is known as the *International Bill of Human Rights*.²⁵ Both covenants differ from the UDHR in that they are legally binding multilateral treaties to those Member States that have either ratified or acceded to them.²⁶

Under its overall mandate as the Social, Humanitarian and Cultural Committee, the Third Committee spends a large portion of its time discussing matters relating to human rights and rights norm setting, demonstrated by the fact that around half of its work is based on the single agenda item “Promotion and protection of human rights.”²⁷ However, the Third Committee’s work can encompass a broad variety of issues, including those beyond human rights, demonstrated during its 70th session wherein topics including crime prevention and criminal justice, international drug control, young people’s social development, and the advancement of women were discussed.²⁸

As part of the General Assembly, the work of the Third Committee is of a normative nature, in that it does not actually carry out the operations or tasks called for in its resolutions.²⁹ The Third Committee primarily works through the initiation of studies and the creation of nonbinding recommendations.³⁰ The task of operationalizing the Third Committee’s recommendations is primarily delegated to the various agencies and offices of the UN

¹⁶ OHCHR, *Human Rights – New York: Mainstreaming human rights*, 2016.

¹⁷ UN General Assembly, *Organization of work of the Third Committee: Note by the Secretariat (A/C.3/70/L.1/Rev. 1)*, 2015.

¹⁸ UN General Assembly, *Report of the Human Rights Council (A/70/53)*, 2015.

¹⁹ Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 65; UN DESA, *The UN General Assembly’s Third Committee – social, humanitarian and cultural issues*, 2013.

²⁰ *Charter of the United Nations*, 1945, Art. 10-17.

²¹ *Ibid.*, Art. 13, 15.

²² OHCHR, *Fact Sheet No.2 (Rev.1), The International Bill of Human Rights*, 1996; UN General Assembly, *Universal Declaration of Human Rights (A/RES/217 A (III))*, 1948.

²³ OHCHR, *Fact Sheet No.2 (Rev.1), The International Bill of Human Rights*, 1996.

²⁴ *Ibid.*; UN General Assembly, *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*, 1966; UN General Assembly, *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*, 1966.

²⁵ OHCHR, *Fact Sheet No.2 (Rev.1), The International Bill of Human Rights*, 1996.

²⁶ *Ibid.*

²⁷ Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 65.

²⁸ UN General Assembly, *Allocation of agenda items to the Third Committee (A/C.3/70/1)*, 2015

²⁹ UN General Assembly, *Functions and Powers of the General Assembly*, 2016.

³⁰ *Ibid.*

Secretariat.³¹ The Third Committee can request studies to be undertaken by relevant UN bodies such as OHCHR, UNHCR, UN-Women, and the United Nations Office on Drugs and Crime (UNODC).³² UN-Women, for example, delivers the “Report of the Secretary-General on trafficking in women and girls” (A/69/224) to the Third Committee, and UNODC similarly issues the “Report of the Secretary-General on international cooperation against the world drug problem” (A/69/111) prepared pursuant to resolutions 67/145 (2012) and 68/197 (2013), respectively.³³ The Third Committee can also call for conferences to highlight certain issues, with a notable recurring example being the World Conference on Women, originating from the Third Committee resolution 3276 (XXIX) (1974), and monitored regularly through follow-up reviews every five years.³⁴

Recent Sessions and Current Priorities

During its 70th session, beginning in September 2015, the Third Committee addressed a variety of issues and topics, culminating in 64 final texts being adopted by the Plenary.³⁵ This was the first meeting of the Third Committee since the adoption of the Sustainable Development Goals (SDGs), and the significant overlap and synergy between the Goals and the overall mandate of the Committee was highlighted.³⁶ This was shown through discussions around the role of older people within society, with the SDGs consistently highlighting the need to better integrate the unique needs of older people within rights-based discussions and the development agenda, and leaving “no one behind.”³⁷ In addition to this, multiple draft resolutions were approved and adopted by the Plenary on the subject of protecting certain vulnerable members of populations, including those belonging to ethnic or linguistic minorities, those with disabilities, those at risk of religious discrimination, and women and girls in rural areas.³⁸ These discussions, highlight the key role the Third Committee plays in working towards the achievement of the SDGs.³⁹ The objective of creating a stronger focus on human rights across all aspects of society is “at the heart” of all SDGs, and it was on this note that the General Assembly convened a High-level Thematic Debate in July 2016 entitled, “UN@70 - Human Rights at the center of the global agenda.”⁴⁰ At this meeting, the PGA reinforced the need for Member States to do more to secure human rights and prevent discrimination, with representatives calling for “a creative approach” and a “cooperation framework.”⁴¹

Reacting to recent crises, the resolution titled “Protection of Migrants” was adopted, urging Member States to protect the liberty and human rights of migrants, regardless of their status.⁴² In a rare break from the general tradition of unanimity in the Committee, delegates requested a recorded vote on, and ultimately adopted, a draft resolution based around the rights of the child, with specific language stipulating this to include the right to a “comprehensive

³¹ OHCHR, *Human Rights – New York: Mainstreaming human rights*, 2014; Switzerland, *The PGA Handbook: A practical guide to the United Nations General Assembly*, 2011, p. 65.

³² UN General Assembly, *Organization of work of the Third Committee: Note by the Secretariat (A/C.3/71/L.1/Rev. 1)*, 2016.

³³ *Ibid.*; UN General Assembly, *International cooperation against the world drug problem: Report of the Secretary-General (A/69/111)*, 2014; UN General Assembly, *Trafficking in women and girls: Report of the Secretary-General (A/69/224)*, 2014.

³⁴ UN General Assembly, *Conference of the International Women’s Year (XXIX) (A/RES/3276 (XXIX))*, 1974; UN-Women, *World Conferences on Women*, 2016.

³⁵ UN DPI, *General Assembly Adopts 64 Third Committee Texts Covering Issues Including Migrants, Children’s Rights, Human Rights Defenders (GA/11745)*, 2015.

³⁶ UN DPI, *In Shadows of New 2030 Agenda, Third Committee Opens Session with Speakers Sharing Achievements, Concerns on Social Development Challenges Ahead (GA/SHC/4129)*, 2015.

³⁷ UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015.

³⁸ UN DPI, *General Assembly Adopts 64 Third Committee Texts Covering Issues Including Migrants, Children’s Rights, Human Rights Defenders (GA/11745)*, 2015.

³⁹ UN General Assembly, *Follow-up to the International Year of Older Persons: Second World Assembly on Ageing: Report of the Secretary-General (A/70/185)*, 2015.

⁴⁰ UN PGA, *High-level Thematic Debate on Human Rights: Concept Note and Provisional Programme*, 2016.

⁴¹ UN DPI, *To Overcome Urgent, Immense Challenges, States Should Adopt Human Rights-Based Actions, Speakers Say as High-Level Thematic Debate Concludes (GA/11805)*, 2016.

⁴² UN DPI, *General Assembly Adopts 64 Third Committee Texts Covering Issues Including Migrants, Children’s Rights, Human Rights Defenders (GA/11745)*, 2015.

evidence-based education on human sexuality,” which was criticized by some Member States as imposing cultural and social preferences on others.⁴³

The 71st session of the General Assembly opened on 13 September 2016 and looks to advance the initial work of implementing the SDGs, particularly in the context of the recent identification of a series of thematic foci for the next three years.⁴⁴ Secretary-General Ban Ki-moon began the General Debate by calling on world leaders to find

“new heights of solidarity... amid gulfs of mistrust” and noted the risks that ongoing conflicts posed to the milestones of the SDGs.⁴⁵ The Third Committee opened its discussions on 3 October 2016, and across its 71st session, it will discuss issues around the promotion and protection of the rights of children, empowerment of women, and indigenous peoples, amongst others, as well as receiving its annual reports from other UN bodies.⁴⁶ Furthermore, in the context of ongoing events, the Third Committee will continue to discuss and monitor various situations relating to the movement of refugees and displaced persons, including an updated report from UNHCR.⁴⁷ This will take place within the wider context of ongoing discussions around the issue of the movement of refugees, and in the wake of the adoption of the *New York Declaration for Refugees and Migrants* (2016), which outlined a rights-based approach to mass displacements across the world.⁴⁸

Conclusion

The Third Committee continues to perform a central role within the UN system, providing an overarching forum of discussion for a wide variety of social, humanitarian, and cultural issues and as the largest representative body for human rights norm-setting. Particularly within the context of the adoption of the SDGs, and the foundational underpinning its mandate has across many of them, the Third Committee’s work continues to be of the utmost importance. Delegates should aim to understand the historical precedents the Committee has set through its work on human rights and humanitarian issues, as well as how these achievements continue to contextualize and influence the work it does today across a broad spectrum of topics and situations.

Annotated Bibliography

Charter of the United Nations. (1945). Retrieved 25 August 2016 from:

<http://www.un.org/en/documents/charter/>

The Charter is the fundamental document that underpins and informs all of the subsequent work of the United Nations. Delegates should understand the document as the foundational blueprint of the UN, both in terms of its structure and powers, but also its guiding ideals and objectives. Although much subsequent work has expanded upon the core principles of the Charter, it is essential that delegates understand the primary document and its context. Of particular interest is Article 17, which outlines the primary functions and powers of the General Assembly.

Switzerland, Permanent Mission to the United Nations. (2011). *The PGA Handbook: A practical guide to the United Nations General Assembly*. Retrieved 25 August 2016 from:

http://www.unitar.org/ny/sites/unitar.org.ny/files/UN_PGA_Handbook.pdf

The PGA Handbook is an essential read for delegates who will be a part of a General Assembly committee. The entirety of the Handbook is relevant and delegates are encouraged to study it carefully; however, of particular interest is page 65, which offers a comprehensive breakdown of the basic information of the Third Committee, including details of proceedings and voting information. This handbook is an essential 'first-step' for delegates to understand the structures, processes and traditions of the General Assembly Committees.

⁴³ UN DPI, *In a Rare Call for Vote over 'Rights of Child' Resolution, Third Committee Delegates Heatedly Debate Sex Education, Approving Package of 13 Texts (GA/SHC/4160)*, 2015.

⁴⁴ UN DPI, *General Assembly Adopts Resolution on Follow-up to, Review of 2030 Agenda for Sustainable Development, in Consensus Action (GA/11809)*, 2016.

⁴⁵ UN DPI, *As Annual General Debate begins, Secretary-General calls for World Leaders' Commitment to 'New Heights of Solidarity' in forging better future (GA/11822)*, 2016.

⁴⁶ UN General Assembly, *Organization of the work of the Third Committee (A/C.3/71/L.1)*, 2016.

⁴⁷ UN General Assembly, *Provisional agenda of the seventy-first regular session of the General Assembly (A/71/150)*, 2016, p. 5.

⁴⁸ UN General Assembly, *New York Declaration for Refugees and Migrants (A/RES/71/1)*, 2016; UN DPI, *General Assembly adopts Declaration for Refugees and Migrants, as United Nations, International Organization for Migration sign key agreement (GA/11820)*, 2016.

United Nations, Department of Public Information. (2015, December 17). *General Assembly Adopts 64 Third Committee Texts Covering Issues Including Migrants, Children's Rights, Human Rights Defenders (GA/11745)*

[Meetings Coverage]. Retrieved 16 July 2016 from: <http://www.un.org/press/en/2015/ga11745.doc.htm>

This coverage of the work of the 70th session provides delegates with useful insight into the recent priorities of the committee. It provides a concise overview of resolutions adopted by the Plenary on the report of the Third Committee, and also a summary of statements made with actions undertaken on draft resolutions. Not only does this give delegates an understanding of the breadth of subject matter under consideration at the Third Committee, but it also serves as a useful starting point in their research that shapes and focuses lines of inquiry.

United Nations, General Assembly. (2016). *Functions and Powers of the General Assembly* [Website]. Retrieved 17 August 2016 from: <http://www.un.org/en/ga/about/background.shtml>

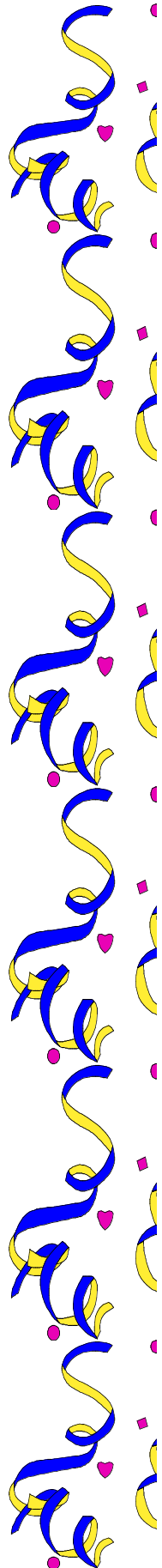
This is a basic overview of the work of the General Assembly, and how it is permitted to do such work under the Charter. The page is very easy to understand and has links on the side that can take delegates to other pages with valuable information on the General Assembly, such as the Subsidiary Organs, Rules of Procedure, and Observers. All the functions of the General Assembly are clearly laid out in bullet points, and delegates should study these points carefully.

United Nations, General Assembly, Third session. (1948). *Universal Declaration of Human Rights (A/RES/217 A (III))*. Retrieved 28 August 2016 from: <http://www.un.org/en/universal-declaration-human-rights/index.html>

The UDHR is the cornerstone of international human rights, and, along with the Charter of the United Nations, is one of the most important documents delegates should study during their preparation. Delegates should seek to fully understand these principles, given their foundational role as the fabric of how human rights are viewed today. Special attention should be paid to the principles of equality and inalienability of these rights, as well as the strong desire that Member States express for the UDHR to be enshrined as the global standard for human rights.

United Nations, General Assembly, Seventieth session. (2015). *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. Retrieved 19 July 2016 from: <http://undocs.org/A/RES/70/1>

Although the overall reach of the Sustainable Development Goals extends beyond the remit of the Third Committee, there is significant overlap between the mandates of the two. A rights-based approach is highlighted in nearly all of the Goals, and many touch upon topics that the Third Committee regularly discusses. The SDGs represent the primary development agenda of the UN and it is therefore important that delegates understand the organization's overarching objectives and how these interplay with and influence the work of the Committee.



Bibliography

Charter of the United Nations. (1945). Retrieved 25 August 2016 from:
<http://www.un.org/en/documents/charter/>

Switzerland, Permanent Mission to the United Nations. (2011). *The PGA Handbook: A practical guide to the United Nations General Assembly*. Retrieved 25 August 2016 from:
http://www.unitar.org/ny/sites/unitar.org.ny/files/UN_PGA_Handbook.pdf

United Nations, Department of Economic and Social Affairs. (2013). *The UN General Assembly's Third Committee – social, humanitarian and cultural issues* [Website]. Retrieved 25 August 2016 from: <http://www.un.org/en/development/desa/news/ecosoc/un-ga-third-committee.html>

United Nations, Department of Public Information. (2015, December 17). *General Assembly Adopts 64 Third Committee Texts Covering Issues Including Migrants, Children's Rights, Human Rights Defenders (GA/11745)*. [Meetings Coverage]. Retrieved 27 August 2016 from: <http://www.un.org/press/en/2015/ga11745.doc.htm>

United Nations, Department of Public Information. (2015, November 24). *In a Rare Call for Vote over 'Rights of Child' Resolution, Third Committee Delegates Heatedly Debate Sex Education, Approving Package of 13 Texts (GA/SHC/4160)*. [Meetings Coverage]. Retrieved 27 August 2016 from: <http://www.un.org/press/en/2015/gashc4160.doc.htm>

United Nations, Department of Public Information. (2015, October 6). *In Shadows of New 2030 Agenda, Third Committee Opens Session with Speakers Sharing Achievements, Concerns on Social Development Challenges Ahead (GA/SHC/4129)* [Meetings Coverage]. Retrieved 27 August 2016 from: <http://www.un.org/press/en/2015/gashc4129.doc.htm>

United Nations, Department of Public Information. (2016, July 29). *General Assembly Adopts Resolution on Follow-up to, Review of 2030 Agenda for Sustainable Development, in Consensus Action (GA/11809)* [Meetings Coverage]. Retrieved 28 August 2016 from: <http://www.un.org/press/en/2016/ga11809.doc.htm>

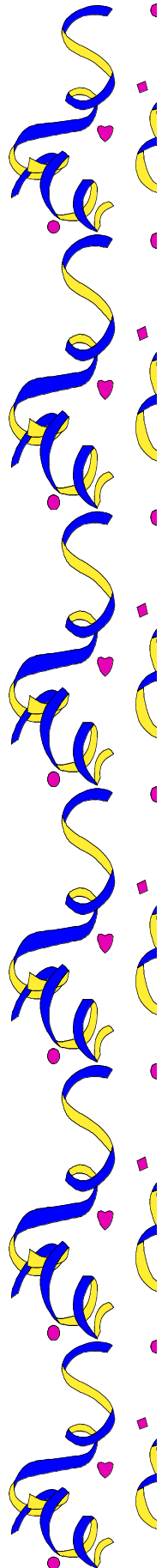
United Nations, Department of Public Information. (2016, September 19). *General Assembly Adopts Declaration for Refugees and Migrants, as United Nations, International Organization for Migration Sign Key Agreement (GA/11820)* [Meetings Coverage]. Retrieved 27 August 2016 from: <http://www.un.org/press/en/2016/ga11820.doc.htm>

United Nations, Department of Public Information. (2016, July 13). *To Overcome Urgent, Immense Challenges, States Should Adopt Human Rights-Based Actions, Speakers Say as High-Level Thematic Debate Concludes (GA/11805)* [Meetings Coverage]. Retrieved 26 August 2016 from: <http://www.un.org/press/en/2016/ga11805.doc.htm>

United Nations Entity for Gender Equality and the Empowerment of Women. (2016). *World Conferences on Women* [Website]. Retrieved 27 August 2016 from: <http://www.unwomen.org/en/how-we-work/intergovernmental-support/world-conferences-on-women>

United Nations, General Assembly. (2016). *About the General Assembly* [Website]. Retrieved 26 August 2016 from: <http://www.un.org/en/ga/about/index.shtml>

United Nations, General Assembly. (2016). *Functions and Powers of the General Assembly* [Website]. Retrieved 17 August 2016 from: <http://www.un.org/en/ga/about/background.shtml>



United Nations, General Assembly. (2016). *Main Committees* [Website]. Retrieved 24 August 2016 from: - <http://www.un.org/en/ga/maincommittees/index.shtml>

United Nations, General Assembly. (2016). *Member States* [Website]. Retrieved 24 August 2016 from: <http://www.un.org/en/member-states/index.html>

United Nations, General Assembly. (2016). *Third Committee – Reports to the Plenary* [Website]. Retrieved 22 August 2016 from: <http://www.un.org/en/ga/third/70/reports.shtml>

United Nations, General Assembly. (2016). *Social, Humanitarian & Cultural: Third Committee* [Website]. Retrieved 26 August 2016 from: <http://www.un.org/en/ga/third/index.shtml>

United Nations, General Assembly, Third session. (1948). *Universal Declaration of Human Rights (A/RES/217 A (III))*. Retrieved 28 August 2016 from: <http://www.un.org/en/universal-declaration-human-rights/index.html>

United Nations, General Assembly, Twenty-first session. (1966). *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*. Adopted on the report of the Third Committee. Retrieved 28 August 2016 from: [http://undocs.org/A/RES/2200\(XXI\)](http://undocs.org/A/RES/2200(XXI))

United Nations, General Assembly, Twenty-first session. (1966). *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*. Adopted on the report of the Third Committee (A/6546). Retrieved 28 August 2016 from: [http://undocs.org/A/RES/2200\(XXI\)](http://undocs.org/A/RES/2200(XXI))

United Nations, General Assembly, Twenty-ninth session. (1974). *Conference of the International Women's Year (XXIX) (A/RES/29/3276)* [Resolution]. Adopted on the report of the Third Committee (A/9829/Add.1). Retrieved 11 October 2014 from: [http://undocs.org/A/RES/3276 \(XXIX\)](http://undocs.org/A/RES/3276 (XXIX))

United Nations, General Assembly, Sixty-ninth session. (2014). *International cooperation against the world drug problem: Report of the Secretary-General (A/69/111)*. Retrieved 26 August 2016 from: <http://www.undocs.org/A/69/111>

United Nations, General Assembly, Sixty-ninth session. (2014). *Trafficking in women and girls: Report of the Secretary-General (A/69/224)*. Retrieved 26 August 2016 from: <http://www.undocs.org/A/69/224>

United Nations, General Assembly, Seventieth session. (2015). *Allocation of agenda items to the Third Committee (A/C.3/70/1)*. Retrieved 26 September 2016 from: www.undocs.org/A/C.3/70/1

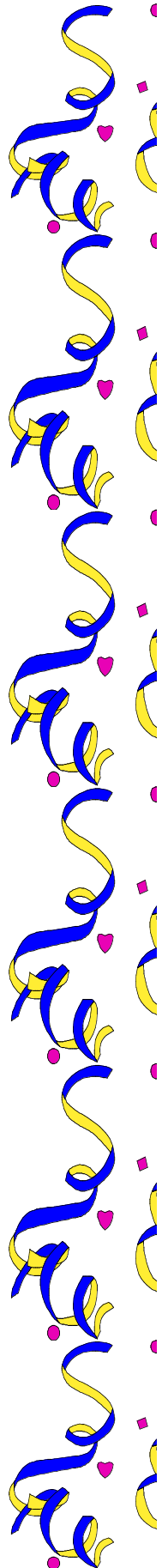
United Nations, General Assembly, Seventieth session. (2015). *Follow-up to the International Year of Older Persons: Second World Assembly on Ageing: Report of the Secretary-General (A/70/185)*. Retrieved 27 August 2016 from: <http://www.undocs.org/A/70/185>

United Nations, General Assembly, Seventieth Session. (2015). *Report of the Human Rights Council (A/70/53)*. Retrieved 26 September 2016 from: <http://www.undocs.org/A/70/53>

United Nations, General Assembly, Seventieth session. (2015). *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. Retrieved 24 August 2016 from: <http://undocs.org/A/RES/70/1>

United Nations, General Assembly, Seventieth session. (2016). *Provisional agenda of the seventy-first regular session of the General Assembly (A/71/150)*. Retrieved 27 August 2016 from: <http://www.undocs.org/A/71/150>

United Nations, General Assembly, Seventy-first session. (2016). *New York Declaration for Refugees and Migrants (A/RES/71/1)*. Retrieved 27 October 2016 from: <http://undocs.org/A/RES/71/1>



United Nations, General Assembly, Seventy-first session. (2016). *Organization of the work of the Third Committee: Note by the Secretariat (A/C.3/71/L.1/Rev. 1)*. Retrieved 27 August 2016 from: [http://www.undocs.org/A/C.3/71/L.1/Rev. 1](http://www.undocs.org/A/C.3/71/L.1/Rev.1)

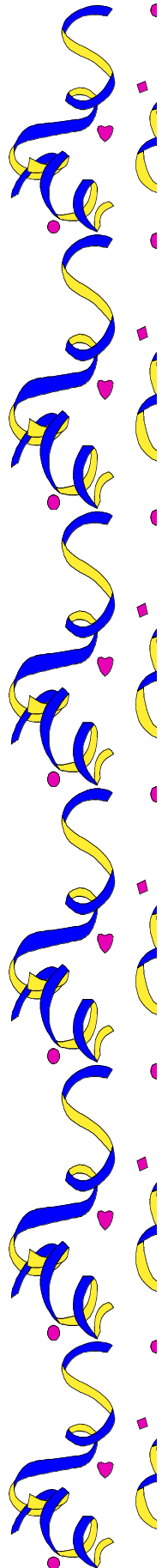
United Nations, General Assembly, Office of the President of the 70th session. (2016). *High-level Thematic Debate on Human Rights: Concept Note and Provisional Programme*. Retrieved 28 August 2016 from: http://www.un.org/pga/70/wp-content/uploads/sites/10/2015/08/24-june_Briefing-by-OPGA-on-HL-Thematic-Debate-on-Human-Rights-24-June-2016.pdf

United Nations, Human Rights Council, Fifth session. (2007). *Institution-building of the United Nations Human Rights Council (A/HRC/RES/5/1)* [Resolution]. Retrieved 28 August 2016 from: http://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_5_1.doc

United Nations, Human Rights Council, Sixteenth session. (2011). *Review of the work and functioning of the Human Rights Council (A/HRC/RES/16/21)* [Resolution]. Retrieved 26 August 2016 from: <http://www.undocs.org/A/HRC/RES/16/21>

Office of the United Nations High Commissioner for Human Rights. (1996). *Fact Sheet No.2 (Rev.1), The International Bill of Human Rights*. Retrieved 26 August 2016 from: <http://www.ohchr.org/Documents/Publications/FactSheet2Rev.1en.pdf>

Office of the United Nations High Commissioner for Human Rights. (2016). *Human Rights – New York: Mainstreaming human rights* [Website]. Retrieved 28 August 2016 from: <http://www.ohchr.org/EN/NewYork/Pages/MainstreamingHR.aspx>



I. Preventing Violence and Discrimination Based on Sexual Orientation and Gender Identity

“As men and women of conscience, we reject discrimination in general, and in particular discrimination based on sexual orientation and gender identity...where there is a tension between cultural attitudes and universal human rights, rights must carry the day.”¹⁷²

Introduction

Discussion of the human rights of lesbian, gay, bisexual, transgender, and intersex (LGBTI) people has been expressed through treaty bodies, rapporteurs, and independent experts within the United Nations (UN) since the early 1990s.¹⁷³ Violence and discrimination based on sexual orientation and gender identity (SOGI) continues in every region of the world, carried out by both state and non-state actors.¹⁷⁴ The UN typically refers to people of diverse sexual orientations and gender identities (SOGI) as LGBTI people.¹⁷⁵ This guide will be using the acronyms LGBTI and SOGI, and will cover brief definitions of each demographic.¹⁷⁶ These terms do not encompass every population that is included within this topic, and it is important to note that discrimination and violence based on SOGI affects not only LGBTI people, but also those who may be perceived as LGBTI.¹⁷⁷ The United Nations Free & Equal (UNFE) Campaign has defined sexual orientation as “a person’s physical, romantic, and/or emotional attraction towards other people.”¹⁷⁸ This umbrella term encompasses various sexual orientations including heterosexual, homosexual, bisexual, pansexual, and asexual.¹⁷⁹ Gay is a term that is typically associated with men, although it has now become broadly interchangeable with homosexual, or someone who is emotionally, romantically, or sexually attracted to other individuals of the same gender.¹⁸⁰ A homosexual woman is typically referred to as lesbian.¹⁸¹ Bisexuality is an emotional, romantic, or sexual attraction to more than one sex or gender.¹⁸² Asexuality is a lack of sexual attraction or desire for other people.¹⁸³

In contrast, gender identity is defined as one’s innermost concept of self as male, female, a blend of both, or neither, and how individuals perceive and present themselves.¹⁸⁴ One’s gender identity can be the same as or different from sex assigned at birth, rendering an individual either cisgender or transgender, respectively.¹⁸⁵ UNFE defines transgender as an umbrella term for anyone whose appearance and characteristics are considered gender atypical.¹⁸⁶ Transwomen and transmen are individuals who were classified as a sex different from their gender when they were born.¹⁸⁷ People who are born with atypical sexual anatomy, reproductive organs, and/or chromosome patterns are classified as intersex.¹⁸⁸ Intersex characteristics may be apparent at birth or become apparent later in life.¹⁸⁹ Intersex individuals may identify themselves as men, women, both, or neither; however, the status of being intersex is distinctly separate from SOGI.¹⁹⁰ Due to their gender presentation or atypical sexual anatomy, however, intersex

¹⁷² Ban, *Secretary-General’s remarks at events on ending violence and criminal sanctions based on sexual orientation and gender identity [as delivered]*, 2010.

¹⁷³ OHCHR, *Combating discrimination based on sexual orientation and gender identity*, 2016.

¹⁷⁴ OHCHR, *Equality and non-discrimination*, p. 2; OHCHR, *Homophobic and transphobic violence*, p. 1.

¹⁷⁵ OHCHR, *LGBT Rights: Frequently Asked Questions*, 2013, p. 1.

¹⁷⁶ *Ibid.*

¹⁷⁷ Weinberg, *Gender Nonconformity: An Analysis of Perceived Sexual Orientation and Gender Identity Protection Under the Employment Non-Discrimination Act*, 2009, pp. 1-4.

¹⁷⁸ OHCHR, *LGBT Rights: Frequently Asked Questions*, 2013, p. 1.

¹⁷⁹ University of California, Santa Barbara, *Overview of Sexual Orientations*, 2015.

¹⁸⁰ University of Wisconsin, *Trans, Genderqueer, and Queer Terms Glossary*, p. 5.

¹⁸¹ *Ibid.*, p. 6.

¹⁸² *Ibid.*, p. 2.

¹⁸³ *Ibid.*, p. 1.

¹⁸⁴ *Ibid.*, p. 4.

¹⁸⁵ *Ibid.*, pp. 2, 8.

¹⁸⁶ OHCHR, *LGBT Rights: Frequently Asked Questions*, 2013, p. 1.

¹⁸⁷ *Ibid.*

¹⁸⁸ *Ibid.*

¹⁸⁹ *Ibid.*

¹⁹⁰ *Ibid.*

people often face the same violence and discrimination that persons of diverse SOGI do, hence their inclusion within this topic.¹⁹¹

International and Regional Framework

Concepts of sexual orientation and gender identity are generally not well-developed in existing international human rights law.¹⁹² There has, however, been an increased level of discussion across the UN supporting the interpretation and application of broad human rights legislation so as expressly to include LGBTI people as a protected group and SOGI as prohibited grounds of discrimination.¹⁹³ While most human rights frameworks list specific populations that are protected from discrimination, these are not exhaustive.¹⁹⁴ Due to the principles of universality and non-discrimination enshrined within cornerstone UN documents, some Member States and UN entities, including the UNFE, support the idea of SOGI inclusion within human rights law.¹⁹⁵ Article 2 of the *Universal Declaration on Human Rights* (1948), the foundational document of all subsequent human rights legislation, explicitly makes no distinction “of any kind such as race, colour, sex...or any other status”.¹⁹⁶ The Committee on Economic, Social and Cultural Rights (CESCR) has confirmed that discrimination based on SOGI is prohibited under the *International Covenant on Economic, Social, and Cultural Rights* (1966).¹⁹⁷ In its *General Comment No. 20* (2009) from its 42nd session, CESCR states that “other status” listed in article 2.2 of the Covenant includes SOGI.¹⁹⁸ The Human Rights Committee, which monitors the implementation of the *International Covenant on Civil and Political Rights* (ICCPR) (1996), has also urged states to guarantee LGBTI people individual rights, such as the civil and political rights enshrined within the ICCPR.¹⁹⁹

However, some Member States hold positions against LGBTI inclusion in human rights law based on the fact that the phrases and definitions pertaining to SOGI have not been sufficiently defined and are not explicitly stated in any universally agreed-upon human rights document.²⁰⁰ Diverse SOGI has also been seen as contradictory to many religious, cultural, and traditional values, which further contributes to dissent towards the inclusion of LGBTI people within this legislation.²⁰¹

The General Assembly has adopted numerous resolutions that mention SOGI; however, these have all been under the agenda item “Extrajudicial, summary or arbitrary executions,” and do not address any other aspects of violence or discrimination based on SOGI.²⁰² However, the UN Human Rights Council (HRC) has adopted resolutions and reports on the matter of violence and discrimination against LGBTI people.²⁰³ Human Rights Council resolution 17/19 (2011) spoke of the universality, interdependence, indivisibility, and interrelatedness of human rights and expressed concern at violence and discrimination against LGBTI people.²⁰⁴ This resolution commissioned a study to be conducted by the UN High Commissioner for Human Rights.²⁰⁵ This, in turn, produced the report, “Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity.”²⁰⁶ This report was submitted to the General Assembly in 2011 and is a basis of knowledge for

¹⁹¹ Ibid.

¹⁹² OHCHR, *International Human Rights Law and Sexual Orientation & Gender Identity*, p. 2.

¹⁹³ Gary & Rubin, *Are LGBT rights human rights? Recent developments at the United Nations*, 2012.

¹⁹⁴ UN HRC, *Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity: Report of the United Nations High Commissioner for Human Rights*, 2011, p. 4.

¹⁹⁵ Ibid., p. 7; OHCHR, *LGBT Rights: Frequently Asked Questions*, 2013, p. 1.

¹⁹⁶ UN General Assembly, *Universal Declaration of Human Rights (A/RES/217 A (III))*, 1948.

¹⁹⁷ UN CESCR, *General Comment No. 20*, 2009, p. 9.

¹⁹⁸ Ibid.

¹⁹⁹ UN HRC, *Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity: Report of the United Nations High Commissioner for Human Rights*, 2011, p. 7.

²⁰⁰ UN HRC, *Human Rights Council panel on ending violence and discrimination against individuals based on their sexual orientation and gender identity: Summary of discussion*, 2012, pp. 5-6.

²⁰¹ Ibid.

²⁰² OHCHR, *United Nations Resolutions – Sexual orientation and gender identity*, 2016.

²⁰³ Ibid.

²⁰⁴ UN HRC, *Human rights, sexual orientation and gender identity (A/HRC/RES/17/19)*, 2011, p. 1.

²⁰⁵ Ibid., p. 2.

²⁰⁶ UN HRC, *Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity: Report of the United Nations High Commissioner for Human Rights*, 2011, p. 1.

concerned parties to understand and contextualize violence and discrimination based on SOGI.²⁰⁷ The HRC has also released a joint statement in conjunction with other UN entities urgently calling upon states to end violence against LGBTI adults, adolescents, and children.²⁰⁸ In recent months, the HRC has adopted a resolution regarding protection against violence and discrimination for LGBTI people, which cites the *Universal Declaration of Human Rights* as well as the *Vienna Declaration and Programme of Action* (1993) in regards to the universality of human rights.²⁰⁹ It also creates the position of an Independent Expert on the matter.²¹⁰ The Human Rights Committee heard a case in 1994, *Toonen v. Australia*, wherein the Committee rejected the argument that criminalization of consensual, same-sex sexual relations between adults can be justified on the grounds of protecting public health or morals, and stated that criminalizing such relations was inappropriate.²¹¹

As the international community continues its work on the Sustainable Development Goals (SDGs), LGBTI people are likely to take a more central role in the discussion of universal human rights.²¹² At a high-level event regarding SOGI inclusion in the SDGs, protecting the rights of LGBTI people was discussed in conjunction with progress in achieving the SDGs.²¹³ Inclusion is a main aspect of the SDGs and delegates should expect SOGI to become a main point of discussion in consideration of the SDGs, especially in regards to universalizing human rights standards.²¹⁴

Whereas the UN has held limited discussions on this issue, there has been emerging dialogue from specific regional organizations, predominantly from the European Union (EU).²¹⁵ Provisions have been added to the *Treaty of the Functioning of the European Union* (2007) to include combatting discrimination on the grounds of sexual orientation.²¹⁶ Article 21 of the EU's *Charter on Fundamental Rights* (2012) explicitly states that discrimination based on sexual orientation is prohibited.²¹⁷ The African Commission on Human and Peoples' Rights has adopted a resolution which cites the *African Charter on Human and Peoples' Rights* (2014) as a precedent for the protection of LGBTI people.²¹⁸ The resolution states the Commission's concern over various forms of violence against LGBTI people by both state and non-state actors, and condemns any increased incidence of violence and human rights violations against people based on SOGI.²¹⁹ The resolution calls upon Member States to ensure that human rights defenders have an enabling environment to advocate for and protect the human rights of LGBTI people.²²⁰ The resolution also goes a step further to urge all states to end all acts of violence and abuse against LGBTI people by enacting laws that prohibit such actions.²²¹

An additional framework to consider is the *Yogyakarta Principles*, established in 2006 by a group of international human rights experts.²²² Though these principles were not developed by the UN, many Member States have used

²⁰⁷ Ibid.; UN DPI, *UN issues first report on human rights of gay and lesbian people*, 2011.

²⁰⁸ UN HRC et al, *Ending Violence and Discrimination Against Lesbian, Gay, Bisexual, Transgender and Intersex People*, 2015, p. 2

²⁰⁹ UN HRC, *Protection against violence and discrimination based on sexual orientation and gender identity (A/HRC/RES/32/2)*, 2016.

²¹⁰ Ibid.

²¹¹ UN General Assembly, *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*, 1966; UN HRC, *Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity: Report of the United Nations High Commissioner for Human Rights*, 2011, p. 4-6.

²¹² Martinez-Soliman, *Ending LGBTI discrimination is key to achieving SDGs*, *United Nations Development Programme*, 2015.

²¹³ OHCHR, *UN chief on LGBT rights: "Leave no one behind"*, 2015.

²¹⁴ Martinez-Soliman, *Ending LGBTI discrimination is key to achieving SDGs*, *United Nations Development Programme*, 2015.

²¹⁵ Council of the European Union. (2010). *Toolkit to Promote and Protect the Enjoyment of all Human Rights by Lesbian, Gay, Bisexual and Transgender (LGBT) People (11179/10)*; European Parliament's Intergroup on LGBT Rights, *Work* (2016).

²¹⁶ European Union, *Consolidated Version of The Treaty on the Functioning of the European Union*, 2012, p. 7.

²¹⁷ European Union, *Charter of Fundamental Rights of the European Union*, 2012, p.10.

²¹⁸ African Commission on Human and Peoples' Rights, *275: Resolution on Protection against Violence and other Human Rights Violations against Persons on the basis of their real or imputed Sexual Orientation or Gender Identity*, 2014.

²¹⁹ Ibid.

²²⁰ Ibid.

²²¹ Ibid.

²²² International Panel of Experts in International Human Rights Law and on Sexual Orientation and Gender Identity, *The Yogyakarta Principles: Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity*, 2007.

these principles as guidelines to developing national policies.²²³ The principles set out a wide variety of goals for Member States to consider in creating national policies regarding LGBTI people.²²⁴ With increased dialogue regarding SOGI on the international scale, the *Yogyakarta Principles* are likely to take a formative role in future national, regional, and international policymaking.²²⁵

Role of the International System

As the primary normative body on issues relating to human rights and the prevention of discrimination, there have been multiple joint statements and resolutions presented to the General Assembly Third Committee both in favor and against LGBTI inclusion and protection.²²⁶ Achieving consensus on a topic of this nature across such a large body is, however, difficult, and a multitude of contexts and opinions have to be taken into account in order for policies to be successful.²²⁷ A precedent for this can be seen through the *Convention on the Elimination of all forms of Discrimination Against Women* (1976).²²⁸ While over 90% of Member States are party to the convention, there is still violence and discrimination against women in many of these states, and there is significant work yet to be done regarding gender-based violence and discrimination.²²⁹ This suggests a similar pattern of progress on the topic at hand through the General Assembly and its subsidiary bodies, especially those working to promote human rights.²³⁰

While normative discussions on the topic of SOGI discrimination have been limited, there are a number of initiatives in development across a number of UN specialized bodies. The United Nations Development Programme (UNDP), for example, has developed partnerships with governments, civil society, human rights organizations, and actors in the private sector.²³¹ These partnerships work to measure LGBTI inclusion, identify data trends and gaps, and provide evidence to support best practice sharing.²³² Its main goal is to address inequalities experienced by LGBTI people, particularly through addressing health issues.²³³ Under the purview of SDG 4, the United Nations Educational, Scientific and Cultural Organization (UNESCO) has recently worked to eliminate discrimination in education for LGBTI people.²³⁴ Pursuant to this, UNESCO has increased activities that work to collect evidence on homophobic and transphobic violence in educational settings, share best practices, and raise awareness on issues facing LGBTI people.²³⁵

The Office of the UN High Commissioner for Human Rights (OHCHR) is spearheading LGBTI visibility within the UN system through its collection of articles and web pages entitled “Speak Up Stop Discrimination.”²³⁶ OHCHR has also released the *Born Free And Equal Report (HR/PUB/12/06)* (2012), which outlines core obligations that states have towards LGBTI people, including five steps to combat violence and discrimination.²³⁷ These steps include protection for LGBTI people against violence, prevention of mistreatment in detention facilities, repealing laws that criminalize same-sex sexual relations between consenting adults, prohibiting discrimination of any kind based on SOGI, and safeguarding civil rights and freedoms of LGBTI people.²³⁸ The most notable action that the UN has taken in regards to the protection of LGBTI people is UNFE. UNFE, unlike its namesake report, is a public education program, administered by the OHCHR, working to raise awareness of violence and discrimination against LGBTI people, mostly through the distribution of fact sheets and videos.²³⁹ In its most recent progress report, UNFE

²²³ Ibid.

²²⁴ Ibid.

²²⁵ Ibid.; International Panel of Experts in International Human Rights Law and on Sexual Orientation and Gender Identity, *An Activist’s Guide to the Yogyakarta Principles*, 2010.

²²⁶ ARC International, *SOGI Statements*, 2016.

²²⁷ Goldberg, *On the UN General Assembly’s Historic Vote for LGBT Rights*, 2008.

²²⁸ Ibid.

²²⁹ Ibid.

²³⁰ Ibid.

²³¹ Martinez-Soliman, Ending LGBTI discrimination is key to achieving SDGs, *United Nations Development Programme*, 2015.

²³² Cortez, When people are counted, no one is left behind, *United Nations Development Programme*, 2015.

²³³ Martinez-Soliman, Ending LGBTI discrimination is key to achieving SDGs, *United Nations Development Programme*, 2015.

²³⁴ UNESCO, *What UNESCO does on Homophobic and Transphobic Violence in Education*.

²³⁵ Ibid.

²³⁶ OHCHR, *Speak Up Stop Discrimination*, 2016.

²³⁷ OHCHR, *Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law*, 2012, pp. 10-13.

²³⁸ Ibid., p. 50.

²³⁹ OHCHR, *About Us*.

stated that it has reached more people than ever to raise awareness of sexual, gender, and bodily diversity and to promote equal rights and fair treatment for LGBTI people.²⁴⁰

Violence and Discrimination Based on SOGI

Violence and discrimination against LGBTI people is perpetrated in every region of the world.²⁴¹ Forms of violence based on actual or perceived SOGI include physical attacks, sexual violence, corrective rape, mutilation, torture, murder, and honor killings.²⁴² Intersex people may be subjected to surgical or other medical intervention without their own or their parents' consent to correct any perceived sexual anomaly, even in cases where the anomaly has no threat to life or health.²⁴³ LGBTI people, particularly children and youth, are also vulnerable to bullying, psychological trauma, forced marriage, or institutionalization brought upon them by peers, teachers, or family members.²⁴⁴

Currently, 76 Member States have laws that criminalize sexual relations between consenting adults of the same sex, some of which include the death penalty as a form of punishment.²⁴⁵ Many of these laws use vague wording, such as debauchery, in order to bring ambiguity to the application of the law.²⁴⁶ According to the UN Special Rapporteur on the right to health, sanctioned punishment by states tends to reinforce prejudices and typically justifies violence and police brutality.²⁴⁷ The United Nations Working Group on Arbitrary Detention has also stated that detaining an individual based on real or perceived SOGI breaches international law.²⁴⁸ According to UNFE, Member States often fall short of full protection and non-discrimination for LGBTI people, and national laws and policies are the source of both direct and indirect discrimination.²⁴⁹ OHCHR has also stated that LGBTI people are regularly discriminated against in the context of the workplace, housing, healthcare, identification, and seeking asylum.²⁵⁰ Many countries have laws allowing employers to fire employees based on real or perceived SOGI, as well as denying them the ability to hold certain jobs.²⁵¹ Transgender people are often denied legal documentation, such as identification cards, that confirms their gender, without which individuals are unable to work, travel, or access financial and public services.²⁵² In order to obtain gender-confirming paperwork, many Member States require transgender people to submit to medical sterilization.²⁵³ There is also often a vacuum in state policy regarding recognition of personal and familial relationships such as marriage, adoption, and parental rights if they involve LGBTI people.²⁵⁴

The absence of international consensus on this issue can cause states to take a position against compulsory recognition of LGBTI people and any attempt to force such change can challenge the principles of cultural and/or religious pluralism.²⁵⁵ This can contribute to states' existing cultural and social standing against supporting LGBTI rights on an international level.²⁵⁶ There are many contributing factors as to why Member States create and uphold

²⁴⁰ OHCHR, *UN Free & Equal Campaign Progress Report 2015*, 2016, p. 2.

²⁴¹ OHCHR, *Homophobic and transphobic violence*, 2016, p. 1.

²⁴² *Ibid.*; O'Flaherty, Fisher, *Sexual Orientation, Gender Identity and International Human Rights Law: Contextualizing the Yogyakarta Principles*, 2008, p. 210, 224, 240; OHCHR, *Homophobic and transphobic violence*, 2016, p.1

²⁴³ OHCHR, *LGBT Rights: Frequently Asked Questions*, 2013, p. 1.

²⁴⁴ *Ibid.*

²⁴⁵ *Ibid.*1; OHCHR, *International Human Rights Law and Sexual Orientation & Gender Identity*, p. 2.

²⁴⁶ OHCHR, *Criminalization*, p.1.

²⁴⁷ UN HRC, *Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity: Report of the United Nations High Commissioner for Human Rights*, 2011, p. 14.

²⁴⁸ *Ibid.*, p. 15.

²⁴⁹ *Ibid.*, p. 16.

²⁵⁰ *Ibid.*; O'Flaherty & Fisher, *Sexual Orientation, Gender Identity and International Human Rights Law: Contextualizing the Yogyakarta Principles*, 2008, p. 208.

²⁵¹ OHCHR, *Equality and non-discrimination*, 2016, p. 2.

²⁵² OHCHR, *LGBT Rights: Frequently Asked Questions*, 2013, p. 1.

²⁵³ OHCHR, *Equality and non-discrimination*, 2016, p. 2.

²⁵⁴ O'Flaherty & Fisher, *Sexual Orientation, Gender Identity and International Human Rights Law: Contextualizing the Yogyakarta Principles*, 2008, p. 208.

²⁵⁵ UN HRC, *Human Rights Council panel on ending violence and discrimination against individuals based on their sexual orientation and gender identity: Summary of discussion*, 2012, pp. 5-6.

²⁵⁶ *Ibid.*, p. 6.

laws that contribute to instances of violence and discrimination based on SOGI.²⁵⁷ For example, dialogue in Africa regarding SOGI has led to increased stigma against LGBTI people due to its link with HIV/AIDS, which is seen as synonymous with moral degradation.²⁵⁸

Roadblocks to Policy Development and Existing Best Practices

The suggestions for states presented by OHCHR, HRC, UNFE, and other entities are generally founded with the intent of and inclusivity for LGBTI people; however, Member States may not find them actionable.²⁵⁹ For example, due to a lack of capacity or funding, quantifying violence and discrimination based on SOGI is difficult, particularly for developing Member States.²⁶⁰ Systems that allow for comprehensive monitoring, recording, and reporting of instances of violence and discrimination are rare, and are especially difficult to access in developing states.²⁶¹ By having these systems in place, Member States would be able to track and report upon various forms of violence and discrimination, and start to act against them.²⁶² Even when these mechanisms do exist, incidents may go unreported or misreported due to the victim's distrust of the criminal justice system.²⁶³ Victims of violence and discrimination are reluctant to reveal themselves for fear of privacy infringements or of legal, social, or political ramifications.²⁶⁴ Even if acts of violence and discrimination are reported, there is often a lack of applicable national laws related to such acts.²⁶⁵ Criminal investigation and reporting of violence and discrimination against LGBTI people can often be deficient compared to equivalent cases involving non-LGBTI people.²⁶⁶

There are, however, existing best practices that may assist Member States in adapting laws to support inclusivity for LGBTI people.²⁶⁷ Multiple Member States have explicitly guaranteed protections from discrimination within their constitutions, and several others guarantee protection within regional or provincial constitutions.²⁶⁸ For example, South Africa has a clause in its constitution, developed in 1996, protecting citizens from any discrimination based on sexual orientation.²⁶⁹ Other states have guarantees of non-discrimination due to various court rulings and statutory interpretations.²⁷⁰ Banning discrimination and penalizing hate crimes and discriminatory practices, having some level of legal recognition for same-sex relationships, or providing documentation for transgender individuals are legal steps that can be taken to reduce the incidence of violence and discrimination based on SOGI.²⁷¹ Many Member States have launched training programs for criminal justice professionals in order to help them recognize, register, and respond to reports of violence and discrimination based on SOGI.²⁷² Public information campaigns, either by civil society organizations or by the state, have helped increase public awareness and tolerance.²⁷³

Combatting Violence and Discrimination

Due to a relative lack of dialogue on the topic at the international level, there is greater progress required to fully combat violence and discrimination against LGBTI people. A report from the Human Rights Council, at the request

²⁵⁷ Reid, *Two Steps Forward, One Step Back*, 2012.

²⁵⁸ *Ibid.*

²⁵⁹ UN HRC, *Human Rights Council panel on ending violence and discrimination against individuals based on their sexual orientation and gender identity: Summary of discussion*, 2012, p. 6.

²⁶⁰ UN HRC, *Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity: Report of the United Nations High Commissioner for Human Rights*, 2011, p. 9.

²⁶¹ *Ibid.*

²⁶² *Ibid.*, p. 25.

²⁶³ *Ibid.*, p. 9.

²⁶⁴ *Ibid.*

²⁶⁵ *Ibid.*, p. 25.

²⁶⁶ *Ibid.*, p. 9.

²⁶⁷ *Ibid.*, p. 18.

²⁶⁸ *Ibid.*, p. 16.

²⁶⁹ South Africa, *Constitution of the Republic of South Africa No. 108 of 1996*, 1996, p. 5.

²⁷⁰ UN HRC, *Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity: Report of the United Nations High Commissioner for Human Rights*, 2011, p. 16.

²⁷¹ OHCHR, *Equality and non-discrimination*, 2016, p. 2.

²⁷² UN HRC, *Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity: Report of the United Nations High Commissioner for Human Rights*, 2011, p. 23.

²⁷³ *Ibid.*

of resolution 17/19 of 2011, has provided suggestions as to how to prevent perpetuating violence and discrimination through a list of state obligations which include methods of protecting the economic, social, cultural, civil, and political rights of LGBTI people.²⁷⁴ In 2012, the HRC convened a panel with participants that were selected based on suggestions from regional groups to discuss responding to homophobic and transphobic violence on the national level.²⁷⁵ The first topic of discussion was the decriminalization of consensual same-sex relationships between adults, in order to both decrease stigma towards LGBTI people and ensure that no arbitrary arrests or detentions occur.²⁷⁶ The panel also discussed the importance of developing anti-discrimination legislation, universalizing the age of consent, and ensuring that there is no room for misinterpretation of existing laws pertaining to detention.²⁷⁷ Proper legal documentation for LGBTI people, such as inclusive gender registration, marriage certificates, and adoption paperwork, is another essential legal step in combating violence and discrimination based on SOGI.²⁷⁸ Legal documents, familial recognition, and legal recognition of the principle of non-discrimination will promote normalization and decrease stigma within the community at large.²⁷⁹

OHCHR recommends that all Member States promptly investigate all reported killings and violence perpetrated against individuals based on SOGI.²⁸⁰ An established system in order to record and report incidents of violence and discrimination is necessary for the protection of LGBTI people, regardless of whether the perpetrators are state or non-state actors.²⁸¹ The OHCHR recommends that, after detention, states must take measures to prevent inhumane conditions for LGBTI people and thoroughly investigate and prosecute any individuals or organizations that are perpetrating these infractions.²⁸² It also suggests that states should recognize that persecution based on SOGI is valid justification for seeking asylum.²⁸³

Another potential tool in reducing violence and discrimination based on SOGI is the training of professionals.²⁸⁴ Sufficient education and training programs for criminal justice professionals is essential for de-stigmatization of LGBTI people in the criminal justice system.²⁸⁵ The HRC's panel discussion has also suggested that school officials be trained on the inclusion and non-discrimination against LGBTI people in order to promote equal enjoyment of human rights, just as healthcare professionals must be trained to diagnose and treat cases that are specific to LGBTI people, particularly intersex people.²⁸⁶ It has also been suggested that states must prohibit medically unnecessary procedures up to and including surgery on the sexual anatomy of intersex children.²⁸⁷ In this vein, intersex children and their families should also have access to counseling and support from adequately trained professionals in order to make an informed decision on the medical needs of the child.²⁸⁸

Conclusion

In recent years, violence and discrimination based on SOGI have become a highly contentious topic within the UN. While the UN has engaged in some significant dialogue on the issue, there is still a lack of information and action in

²⁷⁴ Ibid. 2011 p. 22.

²⁷⁵ Ibid.; OHCHR, *Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law*, 2012.

²⁷⁶ OHCHR, *Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law*, 2012, p. 37.

²⁷⁷ UN HRC, *Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity: Report of the United Nations High Commissioner for Human Rights*, 2011, p. 15.

²⁷⁸ UN HRC, *Human Rights Council panel on ending violence and discrimination against individuals based on their sexual orientation and gender identity: Summary of discussion*, 2012, p. 3.

²⁷⁹ UN HRC, *Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity: Report of the United Nations High Commissioner for Human Rights*, 2011, p. 22.

²⁸⁰ Ibid., p. 24.

²⁸¹ Ibid.

²⁸² Ibid., p. 12.

²⁸³ Ibid., p. 25.; OHCHR, *Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law*, 2012 p. 13.

²⁸⁴ UN HRC, *Human Rights Council panel on ending violence and discrimination against individuals based on their sexual orientation and gender identity: Summary of discussion*, 2012, p. 3.

²⁸⁵ Ibid.

²⁸⁶ Ibid.

²⁸⁷ OHCHR, *Intersex*, pp. 1-2.

²⁸⁸ Ibid.



regards to protecting LGBTI people, particularly in the General Assembly itself.²⁸⁹ With the adoption of the SDGs, Member States will likely discuss SOGI in many different contexts, and work closely to maximize cultural respect while minimalizing violence and discrimination based on SOGI. Member States have yet to agree on the proper approach to preventing violence and discrimination based on SOGI, even with a relative consensus on the presence of the issue.

Further Research

While researching this topic, delegates should consider the best practices, shortcomings, and difficulties contributing to each Member State's position on this topic. What possible actions can the General Assembly take in order to mitigate the effects of violence and discrimination against LGBTI people while maintaining sovereign equality and cultural respect? Additionally, delegates should consider the direction of international human rights law in the context of the SDGs. How will the SDGs' focus on inclusivity impact policies regarding SOGI?

Annotated Bibliography

African Commission on Human and People's Rights et al. (2016). *Ending violence and other human rights violations based on sexual orientation and gender identity* [Report]. Retrieved 20 July 2016 from: http://www.ohchr.org/Documents/Issues/Discrimination/Endingviolence_ACHPR_IACHR_UN_SOGI_dialogue_EN.pdf

Despite its small size, this document had a large impact on the consideration of this topic, both on a national and international level. The African bloc has not put out much dialogue on this topic, especially within the UN System. In drafting this document, the African Commission on Human and People's Rights created an important precedent for the African continent and the entire international community. Since this is a regionally developed document, this resolution opens dialogue on a taboo topic in a way that allows for cultural sensitivity and flexibility.

International Panel of Experts in International Human Rights Law and on Sexual Orientation and Gender Identity. (2007). *The Yogyakarta Principles: Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity*. Retrieved 18 July 2016 from: <http://www.yogyakartaprinciples.org/principles-en/>

The Yogyakarta Principles were drafted in order to form a list of recommendations to states regarding the protection of LGBTI persons. While they have not been developed or adopted by the UN, it is a useful document for considering future goals of the UN, as many Member States have considered these principles in their drafting of national policy. It highlights issues that are present in existing customs and laws. The Principles address these deficiencies through the application of existing human rights law to LGBT persons and the obligations of states to protect their populations, regardless of SOGI.

Office of the United Nations High Commissioner for Human Rights. (2012). *Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law* [Report]. Retrieved 18 July 2016 from: <http://www.ohchr.org/Documents/Publications/BornFreeAndEqualLowRes.pdf>

This document is the most comprehensive approach the UN has taken towards the protection of LGBTI persons. It was developed as part of the UN's Born Free and Equal Campaign, which was launched in 2013, with this document including suggested core legal obligations of Member States in the protection of human rights for LGBT persons in compliance with international law. It cites existing international human rights law and relates the set precedents to the protection of peoples based on SOGI.

Office of the United Nations High Commissioner for Human Rights. (2013). *LGBT Rights: Frequently Asked Questions* [Fact Sheet]. Retrieved 18 July 2016 from: https://www.unfe.org/system/unfe-7-UN_Fact_Sheets_v6_-_FAQ.pdf

²⁸⁹ UN DPI, *To Overcome Urgent, Immense Challenges, States Should Adopt Human Rights-Based Actions, Speakers Say as High-Level Thematic Debate Concludes*, 2016.

This simple document is highly useful for developing a basic understanding of the various populations included in this topic and the difficulties they face. It separates information into easily digestible pieces of information that are consumer-friendly, factual, and useful. Delegates starting with UNFE fact sheets will be able to form a basic understanding of the topic in an expedited manner.

O’Flaherty, M., & J. Fisher. (2008). Sexual Orientation, Gender Identity and International Human Rights Law: Contextualizing the Yogyakarta Principles. *Human Rights Law Review*, 8 (2): 207-248. Retrieved 31 July 2016 from: <https://globalfop.files.wordpress.com/2012/11/sexual-orientation-gender-identity-and-international-human-rights-law-contextualising-the-yogyakarta-principles.pdf>

This article is an in-depth examination of the Yogyakarta Principles and their potential impact on the international system. While the Principles were not developed within the UN, this paper helps to contextualize the issues facing LGBTI people. It also examines the goals set out by the Yogyakarta Principles and gives suggestions about the implementation of these ideals.

United Nations, Human Rights Council. (2011). *Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity: Report of the United Nations High Commissioner for Human Rights (A/HRC/19/41)*. Retrieved 18 July 2016 from: <http://www.undocs.org/A/HRC/19/41>

This document was developed in response to a request in HRC resolution 17/19 for the UN High Commissioner for Human Rights to commission a study that documents discrimination and violence against people based on SOGI. It covers, in great detail, various forms of discrimination that LGBTI people face on social, political, and economic levels. It also highlights emerging responses to violence and discrimination, and concludes with recommendations for future legislative development, which delegates can reference in the development of their position and goals of this topic.

United Nations, Human Rights Council, Seventeenth session. (2011). *Human rights, sexual orientation and gender identity (A/HRC/RES/17/19)* [Resolution]. Retrieved 18 July 2016 from: <http://undocs.org/A/HRC/RES/17/19>

This document was the first major piece of legislation adopted by a UN body that is centered on LGBTI rights. It passed by a narrow margin and created significant discussion on the topic at hand. It also brought about the report from the High Commissioner for Human Rights, which explored violence and discrimination based on SOGI.

United Nations, Human Rights Council. (2012). *Human Rights Council panel on ending violence and discrimination against individuals based on their sexual orientation and gender identity: Summary of Discussion*. Retrieved 20 July 2016 from: <http://www.ohchr.org/Documents/Issues/Discrimination/LGBT/SummaryHRC19Panel.pdf>

This document summarizes the first panel discussion on violence and discrimination against individuals based on SOGI, which was organized as a result of the Human Rights Council resolution 17/19. The panel utilized the report entitled Discriminatory Laws and Practices and acts of Violence Against Individuals Based on their Sexual Orientation and Gender Identity as a resource to prepare for the discussion of the topic. The discussion centered on universality of rights, responding to violence on national levels, development of legislation, sensitization, and gender recognition.

United Nations, Human Rights Council, Thirty-second session. (2016). *Protection against violence and discrimination based on sexual orientation and gender identity (A/HRC/RES/32/2)* [Resolution]. Retrieved 22 October from: <http://undocs.org/A/HRC/RES/32/2>

This resolution is a significant step in regards to protection of LGBTI people by the UN System. It cites cornerstone human rights documents and calls upon Member States to recognize SOGI as legitimate grounds for human rights protections. Though this resolution passed, delegates should closely examine the voting record to consider and understand the contextual significance behind yes votes, no votes, and abstentions.



United Nations, Human Rights Council et al. (2015). *Ending Violence and Discrimination Against Lesbian, Gay, Bisexual, Transgender and Intersex People* [Joint Statement]. Retrieved 20 July from: http://www.ohchr.org/Documents/Issues/Discrimination/Joint_LGBTI_Statement_ENG.PDF

This statement is a useful document for delegates to consider when establishing an understanding of goals and expectations that UN bodies have in regards to combatting violence and discrimination based on SOGI. It is also a joint statement from multiple UN bodies that takes a previously unprecedented united stance against human rights violations based on SOGI. The language in this statement may provide a useful framework for broader normative actions that could be taken by the General Assembly.

Bibliography

African Commission on Human and Peoples' Rights. (2014). *Resolution on Protection against Violence and other Human Rights Violations against Persons on the basis of their real or imputed Sexual Orientation or Gender Identity (275)*. Retrieved 18 July 2016 from: <http://www.achpr.org/sessions/55th/resolutions/275/>

African Commission on Human and Peoples' Rights et al. (2016). *Ending violence and other human rights violations based on sexual orientation and gender identity* [Report]. Retrieved 20 July 2016 from: http://www.ohchr.org/Documents/Issues/Discrimination/Endingviolence_ACHPR_IACHR_UN_SOGI_dialogue_EN.pdf

ARC International. (2016). *SOGI Statements* [Website]. Retrieved 25 October 2016 from: <http://arc-international.net/global-advocacy/sogi-statements/>

Ban, K. (2010, December 10). *Secretary-General's remarks at events on ending violence and criminal sanctions based on sexual orientation and gender identity [as delivered]*. United Nations News Centre. Retrieved 27 August 2016 from: http://www.un.org/apps/news/infocus/sgspeeches/search_full.asp?statID=1034

Cortez, C. (2015, December 10). When people are counted, no one is left behind. *United Nations Development Programme*. Retrieved 26 August from: <http://www.undp.org/content/undp/en/home/blog/2015/12/10/When-people-are-counted-no-one-is-left-behind.html>

Council of the European Union. (2010). *Toolkit to Promote and Protect the Enjoyment of all Human Rights by Lesbian, Gay, Bisexual and Transgender (LGBT) People (11179/10)*. Retrieved 19 July 2016 from: <https://www.consilium.europa.eu/uedocs/cmsUpload/st11179.en10.pdf>

European Parliament's Intergroup on LGBT Rights. (2016). *Work* [Website]. Retrieved 19 July 2016 from: <http://www.lgbt-ep.eu/work/>

European Union. (2012). *Charter of Fundamental Rights of the European Union*. Retrieved 31 July 2016 from: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT>

European Union. (2012). *Consolidated Version of The Treaty on the Functioning of the European Union*. Retrieved 31 July 2016 from: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012E/TXT&from=EN>

Gary, J., & N. Rubin. *Are LGBT rights human rights? Recent developments at the United Nations*. (2012 June). *Psychology International*. Retrieved 22 October 2016 from: <http://www.apa.org/international/pi/2012/06/un-matters.aspx>

Goldberg, M. (2008, December 19). On the UN General Assembly's Historic Vote for LGBT Rights. *UN Dispatch*. Retrieved 23 October 2016 from: <http://www.undispatch.com/on-the-un-general-assemblys-historic-vote-for-lgbt-rights/>

International Panel of Experts in International Human Rights Law and on Sexual Orientation and Gender Identity. (2007). *The Yogyakarta Principles: Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity*. Retrieved 18 July 2016 from: http://www.yogyakartaprinciples.org/principles_en.pdf

International Panel of Experts in International Human Rights Law and on Sexual Orientation and Gender Identity. (2010). *An Activist's Guide to the Yogyakarta Principles*. Retrieved 19 July 2016 from: <http://www.ypinaction.org/activists-guide/>

Martinez-Soliman, M. (2015) Ending LGBTI discrimination is key to achieving SDGs. *United Nations Development Programme*. Retrieved 29 August 2016 from: <http://www.undp.org/content/undp/en/home/blog/2015/9/29/Ending-discrimination-based-on-gender-identity-and-sexual-orientation-is-key-to-achieving-the-SDGs.html>

Office of the United Nations High Commissioner for Human Rights. (n.d.). *Criminalization* [Fact Sheet]. Retrieved 19 July from: [https://www.unfe.org/system/unfe-43-UN_Fact_Sheets_-_FINAL_-_Criminalization_\(1\).pdf](https://www.unfe.org/system/unfe-43-UN_Fact_Sheets_-_FINAL_-_Criminalization_(1).pdf)

Office of the United Nations High Commissioner for Human Rights. (n.d.). *Equality and non-discrimination* [Fact Sheet]. Retrieved 19 July 2016 from: https://www.unfe.org/system/unfe-8-UN_Fact_Sheets_v6_-_Equality.pdf

Office of the United Nations High Commissioner for Human Rights. (n.d.) *Homophobic and transphobic violence* [Fact Sheet]. Retrieved 19 July 2016 from: https://www.unfe.org/system/unfe-5-UN_Fact_Sheets_v6_-_Homophobic_and_transphobic_violence.pdf

Office of the United Nations High Commissioner for Human Rights. (n.d.). *International Human Rights Law and Sexual Orientation & Gender Identity* [Fact Sheet]. Retrieved 19 July 2016 from: https://www.unfe.org/system/unfe-6-UN_Fact_Sheets_v6_-_International_Human_Rights_Law_and_Sexual_Orientation_Gender_Identity.pdf

Office of the United Nations High Commissioner for Human Rights. (n.d.). *Intersex*. [Fact Sheet]. Retrieved 19 July 2016 from: https://www.unfe.org/system/unfe-65-Intersex_Factsheet_ENGLISH.pdf

Office of the United Nations High Commissioner for Human Rights. (2012). *Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law* [Report]. Retrieved 18 July 2016 from: <http://www.ohchr.org/Documents/Publications/BornFreeAndEqualLowRes.pdf>

Office of the United Nations High Commissioner for Human Rights. (2013). *About Us*. [Website]. Retrieved 19 July 2016 from: <https://unfe.org/en/about>

Office of the United Nations High Commissioner for Human Rights. (2013). *LGBT Rights: Frequently Asked Questions* [Fact Sheet]. Retrieved 18 July 2016 from: https://www.unfe.org/system/unfe-7-UN_Fact_Sheets_v6_-_FAQ.pdf

Office of the United Nations High Commissioner for Human Rights. (2015). *UN chief on LGBT rights: "Leave no one behind"* [Website]. Retrieved 27 September 2016 from: <http://www.ohchr.org/EN/NewsEvents/Pages/UNchiefonLGBTrights.aspx>

Office of the United Nations High Commissioner for Human Rights. (2016). *Combating discrimination based on sexual orientation and gender identity* [Website]. Retrieved 21 October 2016 from: <http://www.ohchr.org/EN/Issues/Discrimination/Pages/LGBT.aspx>

Office of the United Nations High Commissioner for Human Rights. (2016). *Speak Up Stop Discrimination* [Website]. Retrieved 20 July 2016 from: <http://www.ohchr.org/EN/Issues/Discrimination/Pages/LGBT.aspx>

Office of the United Nations High Commissioner for Human Rights. (2016) *UN Free & Equal Campaign Progress Report 2015*. Retrieved 19 July 2016 from: https://www.unfe.org/system/unfe-75-UNFE_2015_progress_report.pdf

Office of the United Nations High Commissioner for Human Rights. (2016). *United Nations Resolutions - Sexual Orientation and Gender Identity* [Website]. Retrieved 27 August from: <http://www.ohchr.org/EN/Issues/Discrimination/Pages/LGBTUNResolutions.aspx>

O'Flaherty, M., & J. Fisher. (2008). Sexual Orientation, Gender Identity and International Human Rights Law: Contextualizing the Yogyakarta Principles. *Human Rights Law Review*, 8 (2): 207-248. Retrieved 31 July 2016 from: http://www.ypinaction.org/files/48/Yogyakarta_ArticleHuman_Rights_Law_Review.pdf

Reid, G. (2012) Two steps forward, one step back. *Global the International Briefing*. Retrieved 25 October 2016 from: <http://www.global-briefing.org/2012/10/two-steps-forward-one-step-back/#auth>

Republic of South Africa. (1996). *Constitution of the Republic of South Africa*. Retrieved 29 September 2016 from: <http://www.gov.za/sites/www.gov.za/files/images/a108-96.pdf>

United Nations, Committee on Economic, Social and Cultural Rights. (2010). *Non-discrimination in economic, social and cultural rights General Comment No. 20*. Retrieved 26 August 2016 from: <http://undocs.org/E/C.12/GC/20>

United Nations, Department of Public Information. (2011, December 15). *UN issues first report on human rights of gay and lesbian people* [Press Release]. Retrieved 18 July 2016 from: http://www.un.org/apps/news/story.asp?NewsID=40743#.V4_aELgrK01

United Nations, Department of Public Information. (2016). *To Overcome Urgent, Immense Challenges, States Should Adopt Human Rights-Based Actions, Speakers Say as High-Level Thematic Debate Concludes (GA/11805)*. [Meetings Coverage]. Retrieved 29 August 2016 from: <http://www.un.org/press/en/2016/ga11805.doc.htm>

United Nations Educational, Scientific and Cultural Organization. *What UNESCO does on Homophobic and Transphobic Violence in Education* [Website]. Retrieved 28 September 2016 from: <http://en.unesco.org/themes/homophobic-and-transphobic-violence-education/action>

United Nations, General Assembly, Third session. (1948). *Universal Declaration of Human Rights (A/RES/217 A (III))*. Retrieved 3 November 2016 from: <http://www.un.org/en/documents/udhr/>

United Nations, General Assembly, Twenty-first session. (1966). *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*. Adopted on the report of the Third Committee. Retrieved 20 August 2016 from: [http://undocs.org/A/RES/2200\(XXI\)](http://undocs.org/A/RES/2200(XXI))

United Nations, Human Rights Council. (2012). *Human Rights Council panel on ending violence and discrimination against individuals based on their sexual orientation and gender identity: Summary of Discussion* [Meeting Summary]. Retrieved 20 July 2016 from: <http://www.ohchr.org/Documents/Issues/Discrimination/LGBT/SummaryHRC19Panel.pdf>

United Nations, Human Rights Council, Nineteenth session. (2011). *Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity: Report of the United Nations High Commissioner for Human Rights*. Retrieved 8 August 2016 from: <http://www.undocs.org/A/HRC/19/41>

United Nations, Human Rights Council, Seventeenth session. (2011). *Human rights, sexual orientation and gender identity (A/HRC/RES/17/19)* [Resolution]. Retrieved 18 July 2016 from: <https://undocs.org/A/HRC/RES/17/19>

United Nations, Human Rights Council, Thirty-second session. (2016). *Protection against violence and discrimination based on sexual orientation and gender identity (A/HRC/RES/32/2)* [Resolution]. Retrieved 22 October from: <http://undocs.org/A/HRC/RES/32/2>



United Nations, Human Rights Council et al. (2015). *Ending Violence and Discrimination Against Lesbian, Gay, Bisexual, Transgender and Intersex People*. Retrieved 20 August 2016 from: http://www.ohchr.org/Documents/Issues/Discrimination/Joint_LGBTI_Statement_ENG.PDF

University of California Santa Barbara. (2015). *Overview of Sexual Orientations* [Website]. Retrieved 20 October 2016 from: <http://www.soc.ucsb.edu/sexinfo/article/overview-sexual-orientations>

University of Wisconsin. *Trans, Genderqueer, and Queer Terms Glossary* [Website]. Retrieved 22 October 2016 from: https://lgbt.wisc.edu/documents/Trans_and_queer_glossary.pdf

Weinberg, J. (2009). Gender Nonconformity: An Analysis of Perceived Sexual Orientation and Gender Identity Protection Under the Employment Non-Discrimination Act. *University of San Francisco Law Review*. Retrieved 25 August 2016 from: <http://lawblog.usfca.edu/lawreview/wp-content/uploads/2014/09/1-SAN-44-1-Weinberg.pdf>

II. Promoting Rights and Strengthening Protections for Older Persons

*“Nearly two thirds of older persons live in developing countries, yet older persons are still largely excluded from the wider global, regional and national development agendas. [...] Older persons are vibrant and essential contributors to the development and stability of society, and more can and should be done to utilize their potential.”*²⁹⁰

Introduction

An aging population stands as a testament to our advancement in development, as “people are living longer due to better nutrition, sanitation, health care, and education.”²⁹¹ Our world’s aging population is growing rapidly: currently 12.3% of the world’s population is aged 60 or older, and this is estimated to rise to 22% by 2050.²⁹² In order to ensure an active and healthy aging population, the United Nations (UN) Secretary-General (SG) affirmed the need to overcome barriers such as discrimination, poverty, and abuse, which restrict human rights and hinder older persons’ contributions to society.²⁹³ The UN now has an even wider range of opportunities to promote the rights and strengthen protections of older persons through the *2030 Agenda for Sustainable Development* (2030 Agenda) based on the “leave no one behind” global commitment.²⁹⁴

When defining an older or elderly person, demographers often use the age of 60 or older as a threshold, which is how the UN defines “older persons.”²⁹⁵ The challenge of defining older persons arises from the varying definitions of “old” and their application in different societies.²⁹⁶ In most developed countries, for example, 65 is the age at which a person becomes eligible for old-age social security benefits.²⁹⁷ However, least developed countries do not have the same mechanism.²⁹⁸ Additionally, definitions of “old” have varied with the dramatic increase in average lifespans since the beginning of the 20th century.²⁹⁹ For example, while average life expectancy around 1900 was between 45 and 50 years in developed countries, it has now reached 80 years.³⁰⁰ In stark contrast, the World Health Organization (WHO) estimates that current life expectancy in developing countries can be as low as 46 years.³⁰¹

Poverty is known as “the single most pressing challenge to the welfare of older persons,” as it can result in inadequate living conditions, homelessness, malnutrition, and income insecurity, which are some of the most critical human rights issues at large for this group.³⁰² Ageism, which includes prejudice against and stigmatization of older persons, is widespread and found as a persistent challenge in both developed and developing countries.³⁰³ Older persons often face neglect and abuse, in addition to threats to their property, income, and goods through fraud, deprivation, theft, and exploitation.³⁰⁴

International and Regional Framework

Article 25 of the *Universal Declaration of Human Rights* (UDHR) (1948) protects the right to a standard of living that is sufficient for the health and well-being of oneself and one’s family.³⁰⁵ This includes food, clothing, housing,

²⁹⁰ Ban, *Secretary-General Calls for Ensuring that Social Protection, Care for Older Persons Not Undermined, in Message for International Day*, 2011.

²⁹¹ UNFPA, *Ageing: Overview*, 2008.

²⁹² *Ibid.*

²⁹³ Biggs & Fredvang, *The Rights of Older Persons*, 2012; United Nations, *Secretary-General’s Message for 2014*, 2016.

²⁹⁴ UN DESA, *Secretary-General’s Message for 2014*, 2016.

²⁹⁵ UNFPA & HelpAge International, *Ageing in the Twenty-First Century*, 2012, p. 20.

²⁹⁶ *Ibid.*

²⁹⁷ *Ibid.*

²⁹⁸ *Ibid.*

²⁹⁹ *Ibid.*

³⁰⁰ *Ibid.*

³⁰¹ WHO, *The World Health Report 2003 – Shaping the Future*, 2003.

³⁰² UN General Assembly, *Follow-up to the Second World Assembly on Ageing (A/66/173)*, 2011.

³⁰³ *Ibid.*

³⁰⁴ UN World Assembly on Ageing, *Political Declaration and Madrid International Plan of Action on Ageing*, 2002; UN General Assembly, *Follow-up to the Second World Assembly on Ageing (A/66/173)*, 2011.

³⁰⁵ UN General Assembly, *Universal Declaration of Human Rights (A/RES/217A (III))*, 1948.

medicine, social services, and the right to security in times of unemployment, sickness, disability, and old age.³⁰⁶ In

1978, the General Assembly adopted resolution 33/52 on “World Assembly on the Elderly,” which recognized the need to raise awareness of serious problems facing the world’s growing population.³⁰⁷ Then, in 1982, the international community addressed issues facing older persons when the UN General Assembly convened the first World Assembly on Ageing, which produced the *Vienna International Plan of Action on Ageing* (VIPAA).³⁰⁸ The VIPAA contains 62 points that call for specific action on issues including health and nutrition, housing and the environment, social welfare, income and employment, education, and family.³⁰⁹ In order to achieve positive outcomes, the VIPAA outlines national governments’ obligation to develop national policies and strategies that recognize sensitive factors to the aging population, giving special attention to elderly women.³¹⁰ Furthermore, the VIPAA lays out how international and regional cooperation can aid Member States, such as through the global action of technical cooperation and information sharing.³¹¹

In furtherance of the VIPAA, the General Assembly adopted resolution 46/91 in 1991, which encouraged governments to incorporate a list of principles for older persons, as outlined in the annex, into their national programs.³¹² These principles, known commonly as the *United Nations Principles for Older Persons*, range from independence, care, and inclusive participation to self-fulfillment and dignity of older persons.³¹³ Additionally, in 1990, the General Assembly adopted resolution 45/106 on the “Implementation of the International Plan of Action on Aging and related activities.”³¹⁴ Within this resolution, the General Assembly recognized the complexity and rapidly changing nature of the world’s aging population and the need for protection and promotion of its rights.³¹⁵ In 1992, resolution 47/5 on the “Proclamation on Ageing” was adopted by the General Assembly, noting the unparalleled policy and program challenges that the world’s aging population presents for governments and urging the international community to promote resolution 45/106 and disseminate the *Principles of Older Persons*.³¹⁶ Most importantly, the proclamation urges for the support of national initiatives on aging that address issues such as economic conditions, health care, and inclusion, as they are considered a part of overall development.³¹⁷ The resolution also expresses the urgent need to implement policies and programs that respond to the special characteristics, needs, and abilities of older women.³¹⁸ Further action was called upon for elderly persons in the *Programme of Action* (PoA) of the International Conference on Population and Development, which was held in Cairo in September 1994.³¹⁹ The PoA expresses how the aging of populations presents both opportunities and challenges for the economic and social aspects of society.³²⁰ Upon recognizing the principle that elderly people constitute a valuable and important component of society’s human resources, the PoA calls for the enhancement of elderly persons’ self-reliance and the development of health care, economic, and social security systems.³²¹

The 2002 Second World Assembly on Ageing, which resulted in the *Political Declaration and Madrid International Plan of Action on Ageing* (MIPAA), marked a turning point for the notion that the international community should keep in mind the needs of people of all ages.³²² Article 5 of the Declaration reaffirms the commitment to promote the right to development, as well as to endorse the elimination of age discrimination.³²³ It further recognizes that older persons “should enjoy life’s fulfillment, health, security, and participation in economic, social, cultural, and political

³⁰⁶ Ibid.

³⁰⁷ UN General Assembly, *World Assembly on the Elderly* (A/RES/33/52), 1978.

³⁰⁸ UN DESA, *Ageing*, 2016.

³⁰⁹ UN World Assembly on Ageing, *Vienna International Plan of Action on Ageing*, 1983.

³¹⁰ Ibid.

³¹¹ Ibid.

³¹² UN General Assembly, *United Nations Principles for Older Persons* (A/RES/46/91), 1991.

³¹³ Ibid.

³¹⁴ UN General Assembly, *Implementation of the International Plan of Action on Aging and related activities* (A/RES/45/106), 1990.

³¹⁵ Ibid.

³¹⁶ UN General Assembly, *Proclamation on Ageing* (A/RES/47/5), 1992.

³¹⁷ Ibid.

³¹⁸ Ibid.

³¹⁹ UNFPA, *Programme of Action*, 2004.

³²⁰ Ibid.

³²¹ Ibid.

³²² UN World Assembly on Ageing, *Political Declaration and Madrid International Plan of Action on Ageing*, 2002.

³²³ Ibid.

aspects of society,” and expresses a determination to enhance recognition of older persons and eliminate forms of negligence, abuse, and violence.³²⁴ Article 16 of the Declaration specifically highlights the reciprocal relationship between and among generations when trying to strengthen and promote human rights for older persons, which aids in creating an inclusive society for all ages.³²⁵ Following the Assembly, in 2002 the General Assembly adopted resolution 57/167 as a “Follow-up to the Second World Assembly on Ageing,” recognizing the evolving process of global aging and calling upon Member States to work on the MIPAA’s three priority areas.³²⁶ The MIPAA’s three priority themes are older persons and development, advancing health and well-being, and ensuring and enabling supportive environments.³²⁷ There are over one hundred recommendations for action that focus on the three priority themes; some of them include recognizing social, cultural, economic, and political contributions of older persons by providing programs and support to encourage such participation.³²⁸

Since the MIPAA’s adoption, the World Assembly has vocalized how important it is to implement its recommendations into regional action plans that target demographic, economic, and cultural aspects of each region.³²⁹ For example, the 2007 *Resolution on the Rights of Older Persons in Africa*, from the African Commission on Human and People’s Rights (African Commission), has set up a Committee of Experts to draft its first *Protocol to the African Charter on the Rights of Older Persons in Africa*, which protects the rights of older persons.³³⁰ The adoption of this resolution demonstrates the regional commitment to the MIPAA by reinforcing regional and national policies and frameworks on the rights of older persons.³³¹

The strengthening and protection of human rights for older persons is further advocated by a 2011 report of the Secretary-General, which identifies four consistent challenges for older persons: poverty and living conditions, age-related discrimination, violence and abuse, and lack of special mechanisms and services for older persons.³³² The report mentions the use of independent experts, who are appointed by the UN Human Rights Council (HRC).³³³ They gather critical information and express their views in an independent capacity when they examine and report to the HRC on thematic or country-specific targets throughout the world.³³⁴ The report further calls for action to be taken on both the national and international level to strengthen the international protection regime, establish care facilities, enable participation, and fight financial exploitation and employment discrimination.³³⁵ In 2010, the HRC released its annual report, conducted by independent experts on some of the issues faced by aging populations.³³⁶ To address this, the report called upon Member States to “recognize social pensions as critical elements for the progressive realization of the right to social security,” upholding the human rights of older persons and addressing extreme poverty.³³⁷ Such an example is observed with South Africa’s Social Assistance Act of 2004, which allows those who require full-time care and are already receiving old age, disability, or war veterans’ benefits to qualify for additional money through a direct payment method known as “grant in aid.”³³⁸ However, the dilemma with this program is that the monthly amount received is insufficient in covering the medical bills.³³⁹

³²⁴ Ibid.

³²⁵ Ibid.

³²⁶ UN General Assembly, *Follow-up to the Second World Assembly on Ageing (A/RES/57/167)*, 2003.

³²⁷ UN DESA, *Outcomes on Ageing*, 2016.

³²⁸ UN World Assembly on Ageing, *Political Declaration and Madrid International Plan of Action on Ageing*, 2002.

³²⁹ UN DESA, *Outcomes on Ageing*, 2016.

³³⁰ African Commission on Human and People’s Rights, *106: Resolution on the Rights of Older Persons in Africa*, 2016; African Union, *Draft Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Older Persons in Africa*, 2014.

³³¹ African Commission on Human and People’s Rights, *106: Resolution on the Rights of Older Persons in Africa*, 2016.

³³² UN General Assembly, *Follow-up to the Second World Assembly on Ageing (A/66/173)*, 2011.

³³³ OHCHR, *The Independent Expert on the Enjoyment of All Human Rights by Older Persons*, 2016.

³³⁴ Ibid.

³³⁵ UN General Assembly, *Follow-up to the Second World Assembly on Ageing (A/66/173)*, 2011.

³³⁶ UN HRC, *Report of the Independent Expert on the Question of Human Rights and Extreme Poverty (A/HRC/14/31)*, 2010; OHCHR, *Older Persons and Social Protection – Independent Expert on Human Rights and Extreme Poverty*, 2016.

³³⁷ Ibid.

³³⁸ WHO & World Bank, *World Report on Disabilities*, 2011.

³³⁹ Ibid.

The connection between older persons and development is reinforced in the General Assembly *Report of the Second World Assembly on Ageing*.³⁴⁰ This report recognizes the impact that sustainable development has on older persons and how older persons, in turn, can contribute to sustainable development within their communities.³⁴¹ Having realized the urgent need to incorporate sustainable development into all aspects of life, the international community adopted the *2030 Agenda for Sustainable Development* (2015) and its Sustainable Development Goals (SDGs).³⁴² Through a holistic approach, the SDGs, such as 1, 2, 3, 8, 10, and 11, provide targets that address concerns and needs of older persons, such as socio-economic contributions and inclusion within the political and decision-making processes.³⁴³ For instance, target 8.5 of SDG 8 specifically strives to achieve full and productive employment for all women and men.³⁴⁴ When Member States localize the SDGs in tandem with developing inclusive national policies, older persons can present greater opportunities for the development of society in the social, cultural, political, and economic fields.³⁴⁵ In relation to this, SDG 11 provides specific targets, such as targets 11.2, 11.3, and 11.7, on issues such as improving infrastructure to meet the special needs of older persons, enhancing urbanization for inclusive and sustainable participation for all, and providing universal access to green and public spaces, particularly for older persons.³⁴⁶

Role of the International System

In order for Member States to implement the recommendations of MIPAA and strengthen the protection of older persons' human rights, in 2010, the General Assembly created the Open-Ended Working Group (OEWG) on Ageing in resolution 65/182.³⁴⁷ This working group considers the existing international framework of older persons' human rights and identifies possible gaps and how to address them.³⁴⁸ Also, the General Assembly adopted resolution 67/139 in 2012, in which they request the OEWG to present "main elements that should be included in a comprehensive and integral international legal instrument in order to promote and protect the rights and dignity of older persons."³⁴⁹ Upon review of the OEWG and the MIPAA, Member States express diverging views on the need to foster the promotion and protection of the rights of older persons.³⁵⁰ Some Member States see a need to further implement and uphold existing standards of human rights at the national and regional level and, for the time being, do not see the need to develop new mechanisms or host new international conventions on the rights of older persons.³⁵¹ Other Member States have reiterated the need to have a new legally binding international convention and call for specifying the main elements in such an instrument on the protection and strengthening of the human rights of older persons.³⁵²

WHO assists Member States by shaping of research, establishing norms and standards for promoting and monitoring implementation, and conducting data compilation on demographical groups based on health situations and trends.³⁵³ Through the scope of promoting awareness with social determinants of health, gender, equity and human rights, WHO published its 2011 "World Report on Disabilities" which highlights how disabilities can be exacerbated by old age.³⁵⁴

³⁴⁰ UN Second World Assembly on Ageing, *Report of the Second World Assembly on Ageing*, 2002.

³⁴¹ *Ibid.*

³⁴² UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015.

³⁴³ *Ibid.*

³⁴⁴ *Ibid.*

³⁴⁵ UNDP, *Human Development Report 2015*, 2015.

³⁴⁶ UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015.

³⁴⁷ UN General Assembly, *Follow-up to the Second World Assembly on Ageing (A/RE/65/182)*, 2011.

³⁴⁸ UN DESA, *Open-ended Working Group on Ageing for the purpose of strengthening the protection of the human rights of older persons*, 2011.

³⁴⁹ UN General Assembly, *Towards a comprehensive and integral international legal instrument to promote and protect the rights and dignity of older persons (A/RES/67/139)*, 2013.

³⁵⁰ UN DESA, *Strengthening the Protection of the Human Rights of Older Persons*, 2016.

³⁵¹ *Ibid.*

³⁵² *Ibid.*

³⁵³ WHO, *What We Do*, 2016.

³⁵⁴ WHO & World Bank, *World Report on Disabilities*, 2011.

Non-governmental organizations (NGOs), such as the International Federation of Ageing (IFA), assist in strengthening the rights and choices of older people, ensuring that they are both protected and respected.³⁵⁵ IFA has helped bring about achievements such as the codification of the *UN Principles for Older Persons*.³⁵⁶ Furthermore, it is committed to being a source for connections and networks in collaborating with and across government and the private and public sectors.³⁵⁷

In response to a request by the International Network for the Prevention of Elder Abuse (INPEA), the General Assembly established World Elder Abuse Awareness Day, to be commemorated each year on 15 June.³⁵⁸ The INPEA, founded in 1997, shares the view of Member States urging for a new international convention on the rights of older persons and is dedicated to spreading information as part of its objective for the worldwide prevention of abuse of older persons.³⁵⁹

Other organizations, such as HelpAge International, provide older people with assistance in overcoming discrimination and poverty.³⁶⁰ HelpAge helps older persons claim their rights and advocates for policy change in Member States.³⁶¹ The challenges older persons face in enjoying their human rights vary greatly, as discrimination stems from numerous factors, including age, sex, socio-economic conditions, ethnicity, and state of health.³⁶²

Advancing Social and Economic Inclusion of Older Persons

The MIPAA expresses the importance of including older persons in society.³⁶³ Article 6 of the Political Declaration accompanying the MIPAA mentions that the modern world has presented extraordinary opportunities to empower men and women to reach old age, and that the international community therefore needs to seek the full inclusion and participation of older persons in society. This way they contribute more effectively to their communities and further development of their societies.³⁶⁴ In order to create opportunities for older persons, the MIPAA provides suggestions on how the international community should move toward inclusive measures for job security and social empowerment.³⁶⁵ One recommended action is to provide sufficient minimum income for older persons, with specific attention to social and economically disadvantaged groups, by organizing social protection and/or social security systems.³⁶⁶

According to the *World Population Ageing 2015 Report*, older persons were found to be more likely to live in poverty than younger persons in countries where pension systems are not in place or fail to provide adequate incomes.³⁶⁷ Conversely, the prevalence of poverty among older persons is less than or equal to that among the general population in countries with pension systems and broad coverage, such as countries in Europe and Latin America.³⁶⁸ Older persons in low- to middle-income countries face the threat of poverty due to the lack of a reliable social security system, which in turn contributes to slow economic growth.³⁶⁹ In other regions such as sub-Saharan Africa and Asia, where pension systems do not exist or are failing to provide sufficient income, elderly persons face higher risks of human rights violations and extreme poverty.³⁷⁰ It is estimated that nearly half of the world's population does not receive a pension upon reaching the retirement age, and those who do are not receiving

³⁵⁵ International Federation on Ageing, *About*, 2016.

³⁵⁶ Ibid.

³⁵⁷ Ibid.

³⁵⁸ UN DPI, *The World Elder Abuse Awareness Day (WEAAD)*, 2016.

³⁵⁹ INPEA, *About INPEA*, 2016; INPEA, *Human Rights Resources*, 2016.

³⁶⁰ HelpAge International, *About Us: Our Values*, 2016.

³⁶¹ Ibid.

³⁶² OHCHR, *Human Rights of Older Persons*, 2016.

³⁶³ UN World Assembly on Ageing, *Political Declaration and Madrid International Plan of Action on Ageing*, 2002.

³⁶⁴ Ibid.

³⁶⁵ Ibid.

³⁶⁶ Ibid.

³⁶⁷ UNDP, *Human Development Report 2015*, 2015.

³⁶⁸ Ibid.

³⁶⁹ UN DESA, *World Population Ageing 2015 Report*, 2015.

³⁷⁰ Ibid.

sufficient pensions.³⁷¹ A gender disparity is also observable in the fact that women tend to have lower pension coverage overall when compared with men.³⁷²

With the global population expected to reach 9.6 billion by 2050, the change in aging is reflected in the old-age dependency ratio, which is based on the number of people aged 65 and older compared to the number of people working.³⁷³ The old-age dependency ratio may be understood by considering that a developing country in 2015 had a working age ratio of 1 older person to 10 working people, figures now estimated to increase to 4.7 to 10 respectively by 2050.³⁷⁴ Countries experience different stages of the age-dependency ratio depending on their level of development and the stage of their demographic transition.³⁷⁵ In contrast, the ratio of dependency in highly developed countries is similarly split between the young and old populations; this may change since the older population is predicted to dominate soon, which would cause the ratio to become inversed.³⁷⁶ The ratio of dependency in highly developed countries, especially in Europe, is more similar to 10 older persons to 1 working person.³⁷⁷ The fluctuation in old-age dependency ratio in relation to development will pose a major challenge to developed countries in the future, as governments will need to ensure that social security systems sufficiently cover the needs of a larger older population.³⁷⁸

Preventing Abuse and Discrimination

The World Health Organization (WHO) defines elder abuse as “a single, or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person.”³⁷⁹ According to WHO, an estimated 10% of older persons are affected by elder abuse.³⁸⁰ Within the MIPAA, there are set objectives on eliminating all forms of neglect, abuse, and violence targeting older persons, such as educating the general public, passing laws, and strengthening legal systems in order to eliminate elder abuse.³⁸¹ One example is India’s National Policy on Older Persons (NPOP) IV Annual Plan of Action 2005-2006, which explicitly draws attention to how older persons are often vulnerable to becoming victims of crimes.³⁸² Some steps within the NPOP, such as governments working directly with the police to pay special attention to older persons, reviewing cases and monitoring sensitive issues as they arise, aim to provide security of life and property for older persons.³⁸³ NPOP strengthens government oversight and social justice within police departments.³⁸⁴

Although both men and women experience age discrimination, women experience the double burden of gender discrimination, which is apparent throughout their lifespan and old age, which exacerbates this inequality.³⁸⁵ Discrimination against older women often results from disproportionate allocation of resources, neglect, poor treatment, and limited access to social services.³⁸⁶ Discrimination may also arise from socio-economic factors and socio-cultural environments, as gender inequalities are often deeply rooted in cultural and social norms.³⁸⁷ The neglect, abuse, and violence towards older persons is carried out in physical, psychological, emotional, and financial forms; communities must work together in order to prevent such transgressions from occurring, as it impedes health and development of the elderly, as called upon within the MIPAA.³⁸⁸ In his message for the 2016 World Elder

³⁷¹ Ibid.

³⁷² Ibid.

³⁷³ UNDP, *Human Development Report 2015*, 2015.

³⁷⁴ Ibid.

³⁷⁵ Ibid.

³⁷⁶ Ibid.

³⁷⁷ Ibid.

³⁷⁸ Ibid.

³⁷⁹ WHO, *Elder Abuse*, 2016.

³⁸⁰ Ibid.

³⁸¹ UN World Assembly on Ageing, *Political Declaration and Madrid International Plan of Action on Ageing*, 2002.

³⁸² India, *National Policy on Older Persons IV Annual Plan of Action 2005-2006 for Implementation*, 2005.

³⁸³ Ibid.

³⁸⁴ Ibid.

³⁸⁵ UN CEDAW, *Convention on the Elimination of All Forms of Discrimination against Women: General recommendation No.27 on older women and protection of their human rights (CEDAW/C/2010/47/GC.1*, 2010.

³⁸⁶ Ibid.

³⁸⁷ Ibid.

³⁸⁸ UN World Assembly on Ageing, *Political Declaration and Madrid International Plan of Action on Ageing*, 2002.

Abuse Awareness Day, SG Ban Ki-moon firmly reiterated how imperative it is for the world to end neglect, abuse, and violence against older persons, as it is vital for achieving the 17 SDGs and the fulfilment of the “leave no one behind” pledge.³⁸⁹

Case Study: Japan and Its Ageing Population

Among the challenges that countries face is the additional pressure placed on national health care systems as the aging population grows, as there is an increase in demand for care, medicine, and technologies that prevent and treat non-communicable diseases and chronic conditions due to old age.³⁹⁰ Japan is home to the world’s most aged population, which accounted for 33% of its population in 2015.³⁹¹ Different age groups have different needs of care, with the care of infants traditionally predominating.³⁹² As aging and growth change and fertility rates fall, the need of care for children is likely to decrease, but the need of care for older persons will grow and increase in importance.³⁹³ Japan is an exceptional case study in observing the need of care for older persons being assessed and carried out, and the cost for health care is expected to more than double by 2050.³⁹⁴ Japan has developed a system in which providing care to older persons or people with disabilities in their own homes is given in exchange for “time credits.”³⁹⁵ Electronic tickets are paid into a computerized savings account to caregivers by older persons.³⁹⁶ This system emerged from urban grassroots groups such as Help of Daily Living Association in Tokyo and the Kobe Life Care Association. ; the electronic tickets may be saved for use in the future or transferred to someone else’s care.³⁹⁷

The system helps older persons avoid expensive retirement homes and can also reduce the time they spend in hospitals after medical problems, overall improving emotional and psychological comfort and quality of life.³⁹⁸ A report produced in 2013 by the Ministry of Health, Labour and Welfare of Japan titled “The Current Situation and the Future Direction of Long-Term Care Insurance System in Japan” demonstrates the need for long-term care that not only addresses the concern of over-populated elderly housing, but also provides social insurance systems, is flexible to one’s choice, and supports independence for elderly persons.³⁹⁹ Alternative ways, such as the program developed by the Help of Daily Living Association and Kobe Life Care Association, contribute to the need for long-term care without additional stress to the existing elderly housing system and ensure the rights and protection of rights for elderly persons.⁴⁰⁰

Conclusion

There is no question that the challenges faced by older persons, such as discrimination, poverty, and abuse, all restrict their human rights and hinder their contribution to the communities they live in.⁴⁰¹ By strengthening and promoting the rights of older persons, communities experience positive growth and overall positive development within society.⁴⁰² The challenges in protecting and ensuring their human rights vary greatly based on age, gender, socio-economic status, ethnicity, and health.⁴⁰³ In order to create a social and economically inclusive society, one that is secure in health and safety and allows for a robust, social, and active aging population, it is necessary to overcome barriers of discrimination that are detrimental to the rights of older persons.⁴⁰⁴ Member States have an obligation to address the concerns facing older persons regarding their rights and protections and to mitigate the

³⁸⁹ UN DESA, *Secretary-General’s Message for 2016*, 2016.

³⁹⁰ UN DESA, *World Population Ageing 2015 Report*, 2015.

³⁹¹ *Ibid.*

³⁹² UNDP, *Human Development Report 2015*, 2015, p. 120.

³⁹³ *Ibid.*

³⁹⁴ *Ibid.*

³⁹⁵ *Ibid.*

³⁹⁶ *Ibid.*

³⁹⁷ *Ibid.*

³⁹⁸ *Ibid.*

³⁹⁹ Japan, *The Current Situation and the Future Direction of the Long-Term Care Insurance System in Japan*, 2013.

⁴⁰⁰ UNDP, *Human Development Report 2015*, 2015, p. 120.

⁴⁰¹ Biggs & Fredvang, *The Rights of Older Persons*, 2012.

⁴⁰² *Ibid.*

⁴⁰³ OHCHR, *Human Rights of Older Persons*, 2016.

⁴⁰⁴ UN DESA, *Secretary-General’s Message for 2014*, 2016.

challenges they face.⁴⁰⁵ Through the 2030 Agenda, the international community has the opportunity to improve upon existing frameworks and systems in the UN that strengthen the rights and protection of older persons, bolstering their contributive role in society.⁴⁰⁶

Further Research

Delegates are recommended to read thoroughly through the sources provided and the work already done by the UN. What should be noticed is the progress made through the international community, the progress made in recognizing the challenges faced by older persons, and the remaining work to be done. How can governments strengthen and protect the rights of older persons? Through what mechanisms, currently existing or not, can action on older persons' human rights be taken? What are the different views on how to go about strengthening and protecting the rights of older persons? How can national governments work with civil society, regional organizations, and the international community to provide tools that help overcome challenges faced by older persons? How can developed Member States improve social security systems and their capacity to handle the needs of a growing aging population? How can developing Member States fortify social security systems that tackle current development challenges and adapt as society develops further? How can Member States work together to address conditions of economic and health disparities that older persons face between developed and developing regions? What can be done at the local, national, and international levels to overcome challenges within the existing systems to strengthen the rights and protections of older persons?

Annotated Bibliography

International Network for the Prevention of Elder Abuse. (2016). *Human Rights Resources* [Website]. Retrieved 27 August 2016 from: <http://www.inpea.net/reportsresources/humanrights.html>

The International Network for the Prevention of Elder Abuse is a helpful source with substantial resources that focus on elder abuse. This source displays a plethora of information relevant to the rights of older persons. Among this vast array of resources are reports on elder abuse and neglect from numerous Member States and organizations around the world. This source can be helpful in gaining insight and guiding research into recent actions done in certain countries and regions. Delegates are encouraged to review the information mentioned in the reports and to build upon their research with such data provided on specific Member States.

United Nations, Committee on the Elimination of Discrimination against Women, Forty-seventh session. (2010).

Convention on the Elimination of All Forms of Discrimination against Women: General recommendation No.27 on older women and protection of their human rights (CEDAW/C/2010/47/GC.1). Retrieved 26 August 2016 from: <http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAW-C-2010-47-GC1.pdf>

This document is a general recommendation for older women and the protection of their human rights within the Convention on the Elimination of All Forms of Discrimination against Women, which demonstrates an additional move by the international community to address discrimination faced by women. The document demonstrates the added focus on age-related issues towards human rights of older persons. Delegates should examine this report because it provides in-depth background on the issue of age discrimination targeting women with specific areas of concern. Furthermore, this document can guide delegates in researching specific areas of concern, such as education, participation, and pension benefits, as these pertain to issues of protection of the human rights of older persons.

United Nations Development Programme. (2015). *Human Development Report 2015: Work for Human Development*. Retrieved 18 July 2016 from:

https://docs.google.com/gview?url=http://sustainabledevelopment.un.org/content/documents/22212015_human_development_report.pdf&embedded=true

Through this report, the factors that impact human development are contextualized in order to help understand the progress society has made and the challenges that are present in a changing

⁴⁰⁵ UN General Assembly, *Towards a comprehensive and integral international legal instrument to promote and protect the rights and dignity of older persons (A/RES/67/139)*, 2013.

⁴⁰⁶ UN DESA, *Secretary-General's Message for 2014*, 2016.

world. Specific attention is given to page 67 on the topic of population growth and structure, where the topic of older persons is discussed in terms of work and development. Additionally, the report provides important measures of data and figures that illustrate human development in terms of age and dependency ratio. Furthermore, the following section discusses the growing population in general and its relation to urban development. It is important for delegates to read both sections, as the link between a growing older population and overall development are found to be both a strength and challenge to older persons and the international community. Delegates are encouraged to use this source to start their research on key concepts or for information pertaining to aging and employment.

United Nations, General Assembly, Forty-sixth session. (1991). *United Nations Principles for Older Persons (A/RES/46/91)* [Resolution]. Adopted on the report of the Third Committee (A/46/704). Retrieved 17 July 2016 from: <http://undocs.org/A/RES/46/91>

The United Nations Principles for Older Persons (A/RES/46/91) ties together relevant information on the International Plan of Action on Ageing and other works throughout the international community addressing the issues faced by the aging population. This document is important because it defines targets on aging and urges Member States to identify specific national targets for the year 2001. Delegates should review this source because it demonstrates evolving efforts to address the concerns of older persons through an international framework. Something that delegates can question, and that can help guide research, is how these actions have allowed Member States to implement a similar course of action to address the concerns of aging populations.

United Nations, General Assembly, Sixty-fifth session. (2011). *Follow-up to the Second World Assembly on Ageing (A/RES/65/182)* [Resolution]. Adopted on the report of the Third Committee (A/65/448). Retrieved 26 August 2016 from: <http://undocs.org/A/RES/65/182>

Resolution 65/182, passed on 21 December 2010, officially established the Open-Ended Working Group on Ageing. The working group considers the current international framework pertaining to older persons' human rights by reviewing legal instruments, government policies, and actions within the international community. The working group identifies any gaps within the framework and suggests how to best address them. This resolution lays out the criteria needed in creating the working group and provides additional actions to be taken at the national level toward achieving previous works, such as the Madrid Plan of Action. Delegates are encouraged to review this resolution to stimulate research on how much progress has been made since the working group's creation.

United Nations, General Assembly, Seventieth session. (2015.) *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. Retrieved 17 July 2016 from: <http://undocs.org/A/RES/70/1>

Adopted in September of 2015, the 2030 Agenda for Sustainable Development identifies 17 Sustainable Development Goals (SDGs) to be achieved by the year 2030. This historic turning point for the UN transitions the focus of the international community from the previous Millennium Development Goals to the current SDGs. Within the 17 addressed SDGs, its concurring targets dive further into pressing international issues. What is critical for delegates to understand is that the targets within the SDGs incorporate older persons on the premise of inclusion. In this case, the term "older persons" is not directly stated; however, the targeted goal is connected through both inclusion and high priority as determined by issues prevalently faced by aging populations. Delegates are thus challenged to think how this helps or hurts the momentum behind addressing issues concerning older persons in terms of strengthening and protecting their human rights.

United Nations Population Fund. (2004). *Programme of Action*. Retrieved 24 August 2016 from: https://www.unfpa.org/sites/default/files/event-pdf/PoA_en.pdf

This Programme of Action was adopted at the International Conference on Population and Development (ICPD) in Cairo in September 1994. The Cairo Conference was the largest intergovernmental conference on population and development ever held, with participants from governments, the UN, intergovernmental organizations, non-governmental organizations, and media. Also known as the ICPD Programme of Action (PoA), this document underscores the integral and mutually reinforcing linkages between population and development. It is within Chapter VI: Population Growth and Structure that actions and objectives on behalf of elderly persons are recognized directly. Delegates should read through this PoA thoroughly, identify the recommended actions and desired outcomes, and assess whether or not these have been achieved by their assigned country.

United Nations Population Fund & HelpAge International. (2012). *Ageing in the Twenty-First Century: A Celebration and A Challenge* [Report]. Retrieved 24 August 2016 from: <https://www.unfpa.org/sites/default/files/resource-pdf/UNFPA-Report-Chapter1.pdf>

This source provides an immense amount of data and information that illustrates the numerical changes within the world's population. Such information is important because it provides a historical perspective on population trends and relevant factors such as demographic, geographic, socio-economic, and developmental influencers. Delegates are encouraged to utilize this source in aiding their country research as some Member States are specifically mentioned and delegates can build upon this information as necessary. Furthermore, the information provided here can challenge delegates to think of alternative measures in strengthening and protecting human rights of older persons that the source may not have touched upon.

United Nations, World Assembly on Aging. (1983). *Vienna International Plan of Action on Aging*. Retrieved 18 July 2016 from: <http://www.un.org/en/events/elderabuse/pdf/vipaa.pdf>

The Vienna International Plan of Action on Aging is the first international document drawing attention to older persons and the rights and special needs they have. This source provides a foundation for delegates to recognize older persons' rights. The plan of action provides demographic background information on older persons, agreed principles, and then recommendation for actions and implementation. Delegates should read this document thoroughly in order to assess the actions mentioned here and compare these actions to future calls. This source contributes to delegate research as it may demonstrate how the international community has, since then, adapted to the growing needs of older persons and changing society functions based on these recommendations.

United Nations, World Assembly on Ageing. (2002). *Political Declaration and Madrid International Plan of Action on Ageing*. Retrieved 18 July 2016 from: http://www.un.org/en/events/pastevents/pdfs/Madrid_plan.pdf

During the Second World Assembly on Ageing, the Political Declaration and Madrid International Plan of Action on Ageing were adopted. This document serves as the next major international document on older persons after the Vienna International Plan of Action. This source provides two parts: the Political Declaration, which recognizes the potential contributions to society from older persons, and the Madrid Plan of Action, which goes further in recognizing other crucial factors that contribute to the betterment of care for older persons. The recommendations for actions are divided into three priority directions: development, health and well-being, and enabling supportive environments. Delegates are encouraged to read through this source carefully to assess the needs and desires of older persons as found through the World Assembly on Ageing, and how these may have changed since the Vienna Plan of Action.

Bibliography

- African Commission on Human and People's Rights. (2016). *106: Resolution on the Rights of Older Persons in Africa* [Website]. Retrieved 30 September 2016 from: <http://www.achpr.org/sessions/41st/resolutions/106/>
- African Union. (2014). *Draft Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa*. Retrieved 2 October 2016 from: http://www.au.int/en/sites/default/files/newsevents/workingdocuments/27995-wd-protocol_older_person_-_english_-_final.pdf
- Ban, K. (2011, September 27). *Secretary-General Calls for Ensuring that Social Protection, Care for Older Persons Not Undermined, in Message for International Day* (SG/SM/13848-OBV/1032) [Press Release]. Retrieved 17 July 2016 from: <http://www.un.org/press/en/2011/sgsm13848.doc.htm>
- Biggs, S., & M. Fredvang. (2012). *The Rights of Older Persons: Protection and Gaps Under Human Rights Law*. Retrieved 24 August 2016 from: <http://social.un.org/ageing-working-group/documents/fourth/Rightsfolderpersons.pdf>
- Government of India, Ministry of Home Affairs. (24th October 2005). *National Policy on Older Persons IV Annual Plan of Action 2005-2006 for Implementation* [Website]. Retrieved 30 September 2016 from: <http://mha.nic.in/NPOP>
- HelpAge International. (2016). *About Us: Our Values* [Website]. Retrieved 9 October 2016 from: <http://www.helpage.org/who-we-are/>
- International Federation on Ageing. (2016). *About* [Website]. Retrieved 9 October 2016 from: <https://www.ifa-fiv.org/about/>
- International Network for the Prevention of Elder Abuse. (2016). *About INPEA* [Website]. Retrieved 27 August 2016 from: <http://www.inpea.net/about.html>
- International Network for the Prevention of Elder Abuse. (2016). *Human Rights Resources* [Website]. Retrieved 27 August 2016 from: <http://www.inpea.net/reportsresources/humanrights.html>
- Japan, Ministry of Health, Labour, and Welfare. (2013). *The Current Situation and the Future Direction of Long-Term Care Insurance system in Japan* [Website]. Retrieved 25 October 2016 from: http://www.mhlw.go.jp/english/policy/care-welfare/care-welfare-elderly/dl/ri_130311-01.pdf
- Office of the United Nations High Commissioner for Human Rights. (2016). *Human Rights of Older Persons* [Website]. Retrieved 17 July 2016 from: <http://www.ohchr.org/EN/Issues/OlderPersons/Pages/OlderPersonsIndex.aspx>
- Office of the United Nations High Commissioner for Human Rights. (2016). *The Independent Expert on the Enjoyment of All Human Rights by Older Persons* [Website]. Retrieved 27 August 2016 from: <http://www.ohchr.org/EN/Issues/OlderPersons/IE/Pages/IEOlderPersons.aspx>
- Office of the United Nations High Commissioner for Human Rights. (2016). *Older Persons and Social Protection – Independent Expert on Human Rights and Extreme Poverty* [Website]. Retrieved 27 August 2016 from: <http://www.ohchr.org/EN/Issues/Poverty/Pages/OlderPersons.aspx>
- United Nations, Committee on the Elimination of Discrimination Against Women, Forty-seventh session. (2010).

Convention on the Elimination of All Forms of Discrimination against Women: General recommendation No.27 on older women and protection of their human rights (CEDAW/C/2010/47/GC.1). Retrieved 26 August 2016 from: <http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAW-C-2010-47-GC1.pdf>

United Nations, Department of Economic and Social Affairs. (2011). *Open-ended Working Group on Ageing for the purpose of strengthening the protection of the human rights of older persons* [Website]. Retrieved 26 August 2016 from: <http://social.un.org/ageing-working-group/>

United Nations, Department of Economic and Social Affairs. (2015). *World Population Ageing 2015 Report*. Retrieved 27 August 2016 from: http://www.un.org/en/development/desa/population/publications/pdf/ageing/WPA2015_Report.pdf

United Nations, Department of Economic and Social Affairs. (2016). *Ageing* [Website]. Retrieved 24 August 2016 from: <http://www.un.org/en/globalissues/ageing/>

United Nations, Department of Economic and Social Affairs. (2016). *Outcomes on Ageing* [Website]. Retrieved 25 August 25, 2016 from: <http://www.un.org/en/development/devagenda/ageing.shtml>

United Nations, Department of Economic and Social Affairs. (2016). *Secretary-General's Message for 2014* [Website]. Retrieved 24 August 2016 from: <http://www.un.org/en/events/elderabuse/2014/sgmessage.shtml>

United Nations, Department of Economic and Social Affairs. (2016). *Secretary-General's Message for 2016* [Website]. Retrieved 27 August 2016 from: <http://www.un.org/en/events/elderabuse/2016/sgmessage.shtml>

United Nations, Department of Economic and Social Affairs. (2016). *Strengthening the Protection of the Human Rights of Older Persons* [Website]. Retrieved 27 August 2016 from: <http://www.un.org/en/development/desa/news/social/protecting-rights-of-older-persons.html>

United Nations, Department of Public Information. (2016). *The World Elder Abuse Awareness Day (WEAAD)* [Website]. Retrieved 27 August 2016 from: <http://www.un.org/en/events/elderabuse/>

United Nations Development Programme. (2015). *Human Development Report 2015: Work for Human Development*. Retrieved 18 July 2016 from: https://docs.google.com/gview?url=http://sustainabledevelopment.un.org/content/documents/22212015_human_development_report.pdf&embedded=true

United Nations, General Assembly, Third session. (1948). *Universal Declaration of Human Rights (A/RES/217 A (III))*. Retrieved 18 July 2016 from: <http://www.un.org/en/documents/udhr/>

United Nations, General Assembly, Thirty-third session. (1978). *World Assembly on the Elderly (A/RES/33/52)* [Resolution]. Retrieved 23 October 26 from: <http://undocs.org/A/RES/33/52>

United Nations, General Assembly, Forty-fifth session. (1990). *Implementation of the International Plan of Action on Aging and related activities (A/RES/45/106)* [Resolution]. Adopted on the report of the Third Committee (A/45/755). Retrieved 18 July 2016 from: <http://undocs.org/A/RES/45/106>

United Nations, General Assembly, Forty-sixth session. (1991). *United Nations Principles for Older Persons (A/RES/46/91)*. Adopted on the report of the Third Committee (A/46/704). Retrieved 17 July 2016 from: <http://undocs.org/A/RES/46/91>

United Nations, General Assembly, Forty-seventh session. (1992). *Proclamation on Aging (A/RES/47/5)* [Resolution]. Adopted without reference to a Main Committee. Retrieved 18 July 2016 from: <http://undocs.org/A/RES/47/5>

United Nations, General Assembly, Fifty-seventh session. (2003). *Follow-up to the Second World Assembly on Ageing (A/RES/57/167)* [Resolution]. Adopted on the report of the Third Committee (A/57/546). Retrieved 18 July 2016 from: <http://undocs.org/A/RES/57/167>

United Nations, General Assembly, Sixty-fifth session. (2011). *Follow-up to the Second World Assembly on Ageing (A/RES/65/182)* [Resolution]. Adopted on the report of the Third Committee (A/65/448). Retrieved 26 August 2016 from: <http://undocs.org/A/RES/65/182>

United Nations, General Assembly, Sixty-sixth session. (2011). *Follow-up to the Second World Assembly on Ageing: Report of the Secretary General (A/66/173)*. Retrieved 18 July 2016 from: <http://undocs.org/A/66/173>

United Nations, General Assembly, Sixty-seventh session. (2013). *Towards a comprehensive and integral international legal instrument to promote and protect the rights and dignity of older persons (A/RES/67/139)* [Resolution]. Adopted on the report of the Third Committee (A/67/449 and Corr.1). Retrieved 26 August 2016 from: <http://undocs.org/A/RES/67/139>

United Nations, General Assembly, Seventieth session. (2015). *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. Retrieved 17 July 2016 from: <http://undocs.org/A/RES/70/1>

United Nations, Human Rights Council, Fourteenth session. (2010). *Report of the Independent Expert on the Question of Human Rights and Extreme Poverty (A/HRC/14/31)*. Retrieved 27 August 2016 from: <http://undocs.org/A/HRC/14/31>

United Nations Population Fund. (2004). *Programme of Action*. Retrieved 24 August 2016 from: https://www.unfpa.org/sites/default/files/event-pdf/PoA_en.pdf

United Nations Population Fund. (2008). *Ageing: Overview* [Website]. Accessed 24 August 2016 from: <http://www.unfpa.org/ageing>

United Nations Population Fund & HelpAge International. (2012). *Ageing in the Twenty-First Century: A Celebration and A Challenge* [Report]. Retrieved 24 August 2016 from: <https://www.unfpa.org/sites/default/files/resource-pdf/UNFPA-Report-Chapter1.pdf>

United Nations, Second World Assembly on Ageing. (2002). *Report of the Second World Assembly on Ageing*. Retrieved 18 July 2016 from: <http://undocs.org/A/CONF.197/9>

United Nations, World Assembly on Aging. (1983). *Vienna International Plan of Action on Aging*. Retrieved 18 July 2016 from: <http://www.un.org/en/events/elderabuse/pdf/vipaa.pdf>

United Nations, World Assembly on Ageing. (2002). *Political Declaration and Madrid International Plan of Action on Ageing*. Retrieved 18 July 2016 from: http://www.un.org/en/events/pastevents/pdfs/Madrid_plan.pdf

World Health Organization. (2003). *The World Health Report 2003 – Shaping the Future*. Retrieved 25 October 2016 from: <http://www.who.int/whr/2003/chapter1/en/index1.html>

World Health Organization. (2016). *Elder Abuse* [Website]. Retrieved 27 August 2016 from: http://www.who.int/ageing/projects/elder_abuse/en/

World Health Organization. (2016). *What We Do* [Website]. Retrieved 29 September 2016 from: <http://www.who.int/about/what-we-do/en/>

World Health Organization & World Bank. (2011). *World Report on Disabilities*. Retrieved 29 September 2016 from: http://www.who.int/disabilities/world_report/2011/report.pdf