



Reference [OHCHR | Call for inputs: general framework, architecture, and guiding principles of a legally binding instrument on the human rights of older persons](#)

Observations of the Finnish NHRI / Human Rights Centre for the Call of inputs on general framework architecture, and guiding principles of a legally binding instrument on the human rights of older persons.

This document contains observations by the Finnish Human Rights Centre (HRC¹, NHRI) to the Office of the High Commissioner for Human Rights regarding the Call for inputs on general framework, architecture, and guiding principles of a legally binding instrument (LBI) on the human rights of older persons.

Should you have any further questions or need for additional information, do not hesitate to contact us at sanna.ahola@eduskunta.fi.

The document can be published on OHCHR's website.

Introduction

1. National Human Rights Institutions ([NHRIs](#))² are independent institutions established in accordance with the UN Paris Principles. NHRIs occupy a distinctive position at the interface between States, civil society and rights-holders. Through independent monitoring and mandates, advisory roles and direct engagement with the rights holders, NHRIs bring a perspective that is both grounded in national implementation and accountable to the international human rights framework.
2. The Finnish National Human Rights Institution aligns itself with the joint input of national human rights institutions and, in addition, wishes to submit the

¹ The Human Rights Centre represents the Finnish National Human Rights Institution (NHRI) in international NHRI cooperation and other international and European cooperation in human rights.

The NHRI comprises the Human Rights Centre, its pluralistic 39-member Human Rights Delegation, and the Office of the Parliamentary Ombudsman. The institution complies with the UN Paris Principles and the Global Alliance of NHRIs (GANHRI) accredited it with A-status in 2014, 2019 and 2025.

² <https://ganhri.org/nhri/>

following observations. They have been prepared in cooperation with Finnish organisations for older persons, researchers and the Finnish Ombudsman for Older People.

Overarching Framework

3. The Convention must establish a paradigm shift from welfare-based and paternalistic approaches to recognition of older persons as rights-holders entitled to autonomy and self-determination. At the same time, access must be ensured for older persons to the services they need in order to exercise their rights, including social and health services that adequately meet their needs. Older persons are often in a vulnerable position in society. In addition to strengthening their autonomy and agency, it is essential to ensure their protection against abuse and neglect.
4. The Convention must also reflect the diversity of older persons as a group, and recognize that the realization of their rights requires an intersectional approach. It must also be appreciated that old age is a cultural construction and can not be defined solely in relation to biological age.
5. The Convention should address ageism in all its forms and affirm the responsibility of states to ensure that older persons are entitled to enjoyment of all fundamental rights and freedoms, including participation and belonging to society. Particular attention must be paid to the rights of older women and to the contribution women make to society, as well as to the specific risks of discrimination to which women are exposed.
6. The objective of the instrument should be to commit Member States to taking active measures to ensure the full and equal enjoyment of all human rights by older persons on an equal basis with others, while fully and meaningfully involving older persons and their representative organisations in the development, implementation and monitoring of such measures.
7. The monitoring, protection and oversight of the implementation of the convention must be effectively organised and must likewise fully and meaningfully involve older persons and their representative organisations.
8. Nothing in the convention should affect any provisions which are more conducive to the realization of the rights of older persons in the law of a State party or international law.

Core Principles

9. In the view of the Finnish National Human Rights Institution, the convention should include the following **general principles**.
 - Respect for the inherent dignity of all human beings regardless of their age.

- The prohibition of discrimination, including age-based discrimination and discrimination on intersecting grounds such as minority status, indigeneity, family status and gender or sexual orientation.
- The right of older persons to self-determination and personal autonomy.
- Protection of older persons against arbitrary interference with their rights.
- The right of older persons to participation and inclusion.
- Accessibility

Structure and Architecture

10. Special attention should be given to the careful definition of the purpose and scope of the convention and to the clarity of its provisions, so as to ensure that they provide States parties with effective tools for implementation.

11. In the view of the Finnish National Human Rights Institution, the **general obligations** of the convention should, at a minimum, include the following.

- States parties should take all necessary measures to give effect to their obligations under the convention, including by modifying or abolishing laws, policies and practices that are incompatible with those obligations. States parties should also refrain from any actions or practices that would result in a situation contrary to the obligations of the convention.
- States parties should mainstream the rights of older persons across all relevant policies and other measures and, in doing so, should consult older persons and their representative organisations.
- States parties should ensure the effective implementation of the convention by providing appropriate training and awareness-raising activities, both for public authorities and more broadly.
- States parties should ensure that older persons have effective access to remedies to guarantee the realisation of their rights under the convention.

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