



HUMAN RIGHTS AND EQUALITY INSTITUTION OF TURKEY

CONCLUSION STATEMENT OF THE ELDER'S RIGHTS WORKSHOP



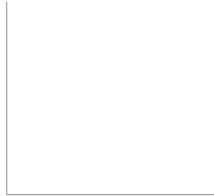
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Human rights, which have the mission of providing people with a better quality of life, strive to provide protection to every individual or group in society through both general and specific norms and institutions. Although human rights ideally aim to protect all segments of society, the current picture reveals that some segments are prioritized and some of them are relatively neglected. The studies on women, children, and the disabled have been and are being carried out in a wide variety of forms and levels by the state, international organizations, national human rights institutions, and non-governmental organizations. At this point, one of the areas that is neglected and where efforts are relatively low is unfortunately "elderly rights".

With the decrease in the population growth rate both in our Country and in the world, the elderly population has increased numerically and proportionally inside the general population. There have been changes in the population pyramids of many countries, including our Country. This situation has made the rights of the elderly, which was a visibility problem before, more on the agenda and has affected many policies of the countries from economy to work, social security to health.

In the light of these facts and the framework of needs, the Human Rights and Equality Institution of Turkey (TIHEK) carried out the Elder's Rights Workshop in Ankara on 02.12.2019 by the participation of the representatives of public institutions



and organizations, academics, and the representatives of non-governmental organizations in order to contribute to the solution of the visibility problem on the rights of the elderly and to identify the problems experienced in this field and to discuss possible solutions. The workshop consisted of two main parts; the Conference on the Rights of the Elderly and the Advisory Committee Meeting on Combating Discrimination against the Elderly. The academicians from different universities and the representatives of public institutions, organizations, and non-governmental organizations attended the workshop. The following issues have been determined as the results of the workshop:



01.

The problems experienced on the rights of the elderly are actually the common problem of all members of the society.

Old age that coincides with the late periods of life is a station and an unavoidable time period in the biological process. In this respect, "today's youth are tomorrow's old candidates". For this reason, the issue of old age is an issue concerning all of us. E.g., discrimination against the elderly differs from other types of discrimination in various aspects. The victims of discrimination against the elderly are dynamic. Those who are not exposed to age-based discrimination because they are young today may be exposed to age-based discrimination later in life. So, it should be kept in mind that the addressee of the problems regarding the rights of the elderly and the people exposed to it are potentially all members of the society. This attitude is important in terms of increasing awareness about the rights of the elderly and providing social support for the rights of the elderly.

02.

The structure of nuclear families of which the number is increasing with urbanization and excludes the elderly is not compatible with our fundamental values.

Our elders carrying our social and cultural elements from the past to the future have been one of the basic elements, guides, and mentors of the family in accordance with our fundamental values in the historical process. The elderly, in our culture, are considered as a source of abundance. However, the nuclear family structure, which emerged with urbanization and kept the elderly out of the family, causes these positive qualities and perceptions of the elderly to change. This situation leads the elderly to feel themselves worthless and to weaken the family ties as the foundation of our society.

03.

Staying elderly individuals away from the family environment and staying in nursing homes causes elderly individuals to feel themselves idle and our traditional family values to be eroded. Staying in nursing homes is not a choice for our elderly but a necessity imposed by the negative changes in our family structure.

It is observed that the elderly are forced to stay in nursing homes due to the spread of the nuclear family structure, the indifference and abuse of their relatives, domestic violence and the feeling of worthlessness arising from these situations. In other words, staying in a nursing home is not a choice but an imposition and necessity for the elderly. The situation that takes the individual away from his/her family and home where s/he feels a sense of belonging is essentially against human rights, and it is not compatible with our fundamental values. As the researches reveals; the majority of individuals who apply to the nursing homes are elder individuals who live alone. Policies and measures that will not alienate the elderly from their families should be implemented. Especially, it is important to expand the services of daycare center.



04.

Discriminatory practices against the elderly usually appear with indirect discriminatory appearances. This situation complicates the detection of discriminatory practices against the elderly and reduces their visibility. Violence and abuse against the elderly are also discriminatory practices and violation of human rights.

Discriminatory practices towards the elderly often emerge with indirect discriminatory appearances. Indirect discriminatory practices and different violence practices may occur due to that practices which do not take into account the special conditions of the elderly. Within an outside glance, it is seen that the practices applied equally to everyone and do not cause any different treatment can cause age discrimination because the special conditions of the elderly are not taken into account. For example; although the 20-second application at pedestrian crossings is not a direct discriminatory treatment for the elderly, it is an indirect discriminatory application because it does not take into account their special conditions and their slow-footed mobility. The fact that indirect discrimination cannot be understood at first glance and requires an additional examination makes it difficult to detect discrimination against the elderly. Therefore, it is necessary to pay particular attention to indirect discriminatory treatments and practices of violence regarding the rights of the elderly.



05.

In order to make violence and abuse against the elderly visible, field studies on statistics and data collection on this subject should be increased.

Active or passive violence against the elderly is intensely experienced all over the world. Although there are serious concerns about the extent of violence and abuse that the elderly are exposed to in the family and the society, there is an awareness problem due to the inadequacy of data and statistics on this issue. Considering the fact that the elderly generally apply less to legal remedies, it is seen that the lack of data in this subject renders the problem invisible. However, violence against the elderly is a violation of human rights and a form of discrimination against the elderly. So, it is necessary to implement programs and studies to ensure the collection of data on violence and abuse against the elderly.

06.

Not only the state, but the whole society, -especially their children, relatives and neighbors-, is responsible for the protection and development of the rights of the elderly. On elderly rights importance should be given to the horizontal responsibility.

The elderly rights are not a category of rights that can only be sustained by vertical effects and relations, which are the domain of individual-state relations. Indeed, State institutions have many duties and responsibilities in the vertical relationship in terms of elderly rights. However, it is clear that not only the state but also many actors that make up the society, especially their children, closest relatives and neighbors, are responsible for the protection and development of the rights of the elderly, even before the state. In addition, it is important for non-governmental organizations to assume responsibilities in order to reach the required level in the rights of the elderly. Family members and the neighborhood (district) have important responsibilities, especially for our elder people who suffer from urban loneliness and apathy. At this point, local governments, academic institutions, and non-governmental organizations besides the central government; all human rights actors and individuals should assume responsibilities, and necessary legal arrangements should be made in this framework.



07.

It should be persistently avoided from the discourses and attitudes that cause negative perceptions and values and from establishing them towards the elderly persons and/or that lead to encode elderly individuals negatively with negative stereotypes. especially in the representation of the elderly in the media, the fact that the roles and situations that are generally negative and include incapacity are included facilitates the establishment of these perceptions.

We witness that the perceptions towards our elder people who have an important and valuable position in the family and society as a guide and consultant within the family in our culture, have recently changed. It is seen that baseless prejudices and stereotypes have emerged, especially that the elderly cannot keep up with the times, are stubborn, unchangeable, and burden to the family. The picture that emerges especially in the representation of the elderly in the written and visual media causes the reinforcement of negative perceptions and values towards the elderly. It is essential to implement measures to prevent the use of roles and situations that encode the elderly as awaiting death, a burden to family, ignorant, old-fashioned, and helpless.

08.

In order to raise awareness regarding the rights of the elderly and to eliminate the negative perceptions started to place towards our elderly, an educational content compatible with our national and spiritual values should be included in the curriculum at all levels of education.

Education has an important and priority role in protecting and strengthening the rights of the elderly. Thus, such issues as protection of the elderly, respect for the elderly, and the importance of the rights of the elderly should be included in the curriculum at all levels from pre-school to graduate education in order to re-establish the respected and privileged roles of the elderly, as they are in our core values.

09.

It should be put into practice to develop publications and policies to sustain the healthy participation of elderly individuals in social life and to actualize quota practices and incentive practices to facilitate their participation in employment processes.

Today, the shrinkage of the extended family model towards the nuclear family model increases the need for older individuals to remain in employment. Therefore, in terms of minimizing the disadvantages caused by the difficulties experienced by elderly individuals in finding a job and their situation of being less-preferred in employment, it is important to make publications and to develop policies to continue the healthy participation of elderly individuals in social life in addition to implement age-based quota applications and incentive applications to employ elder individuals.

10.

Continuing education programs and experience transfer centers need to be developed to ensure more effective and confident participation of the elderly in all areas of social life.

In the present day, the intense change and progress in information and technology has increased the importance of information and made the need for information even more evident. So, the experience transfer centers and continuing education programs to enable the elderly to benefit from their knowledge and experience and to facilitate their integration into social life should be implemented by the cooperation of the central government and local authorities.





11.

Institutionalization on the rights of the elderly is lacking. Institutionalization in both the public and civil society areas should be supported.

In our country, it is important to found an organization at the level of the general directorate regarding services for the disabled and elderly at the national level. However, restructuring the disabled and elderly services as two separate general directorates contributes to better protection of both groups. On the other hand, the number of organizations that operate in the field of the rights of the elderly is very few, when we look at the field of civil society. When compared to children's rights, women's rights, and disability rights, the number of non-governmental organizations working in this area is insufficient. Although institutionalization in academic institutions is not at a desired level, it is important steps to form gerontology departments recently, and additionally, to open the research and application centers for the rights of the elderly. Thus, non-governmental organizations that work for the rights of the elderly should be supported.

12.

In our country, there is no special law on the protection and development of the rights of the elderly, and there is no independent convention binding states contracted in the international area. Our country should lead an international convention on the rights of the elderly as well as the legal regulations for the protection of the elderly.

It is an important development that age is regulated as a basis for discrimination with the Law No. 6701, on the Human Rights and Equality Institution of Turkey and that it is sanctioned with administrative fines in case of violation of the prohibition of discrimination. However, the absence of a special legal regulation for the protection of the elderly is an important lacking. In addition, unlike many groups in the society, an international binding norm/ international convention, which particularly regulates the rights of the elderly has not been established yet. This situation both increases the visibility problem regarding the rights of the elderly and causes judgments to be established that the rights of the elderly are not important enough. The lack of this norm prevents the establishment of international regularly reviewing mechanisms, makes it difficult to monitor the deficiencies and problems of the states about the rights of the elderly, complicates the countries to share good practice examples, and causes negligence for the protection and development of the rights of the elderly. Therefore, special legal arrangements should be made for the protection of the elderly in our Country. In addition, a binding norm should be established in the international arena, and a "Committee for Rights of Elderly" should be established to carry out international supervision and monitoring in addition. We believe in that our Country should lead this international convention in mention for the rights of the elderly.



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