Human Rights of Older Persons in Care
Project Proposal and Draft Summary Work Plan

1 Background

The project on human rights of older persons in care (the Project) aims to embed a human rights based approach in the care of older persons in Europe.

ENNHRI’s September 2013 mapping report showed that many NHRIs in Europe work to promote and protect older persons’ human rights. They use multifaceted approaches including handling individual complaints, raising awareness, and addressing structural issues. In February 2014, the European Commission published a financing decision including a grant to ENNHRI for the Project, which will be overseen by DG EMPL, Unit D3.

ENNHRI’s May 2014 member survey provided information on its members’ recent, current and future work that could be included in the Project, as well as clear messages on the activities that would be most effective in supporting the implementation of human rights standards for older persons in care. A planning meeting in June 2014 reinforced the results of the survey and clarified the shape and substance of the Project.

2 Project Objectives and Scope

The Project aims to:

- Increase human rights protection for older persons in care, through introducing a human rights based approach to social and health policy;
- Clarify the international and regional human rights standards that apply to older persons in care;
- Develop activities to raise awareness of the human rights situation of older persons in care in Europe for: rights holders and their families; care workers; care homes; and policy makers;
- Make recommendations at the national and European levels to improve the human rights situation of older persons in care;
- Spread practice and experience among NHRIs for monitoring and a human rights based approach the human rights situation of older persons in care; and
- Increase recognition of the role of NHRIs in the human rights of older persons in care.

The Project will address all human rights that are relevant to older persons in care.
When considering the human rights of older persons in care, the Project will also take into account the underlying context, including:

- The inter-relationship between residential care and home care;
- The abuse of older persons in care;
- The diversity of older persons;
- The working conditions and human rights of care staff;
- The impact of the economic crisis;
- Age discrimination; and
- Developments at the Open-Ended Working Group on Ageing.

3 Project Activities and Deliverables

It is anticipated that the Project will run for a period of two years, beginning on 1 January 2015 (see example chronology at Annex 1).

3.1 Desk-Based Research
Members will collect and ENNHRI’s Secretariat will collate information on:

- The application of European and international human rights standards to older persons in care, including reference to UN mechanisms, the Council of Europe and the EU; and
- Experience and example practice of applying a human rights based approach to monitoring of the human rights of older persons in care; and
- Materials on training and awareness raising in this context.

➢ Deliverables:
  - Webpages outlining the Project and its development;
  - Report outlining the human rights framework applying to older persons in care in Europe (relevant standards and their interpretation);
  - Report outlining experience and practice of a human rights based approach to monitoring, training, and awareness raising in this context; and
  - A meeting of stakeholders to discuss and disseminate the findings.

3.2 Monitoring
A representative pilot group of ENNHRI members will monitor the human rights of older persons in care within their jurisdictions, with reference to the human rights standards and methodologies identified by the Secretariat study. The monitoring exercise will include some specific requirements on subject matter and scope, but members will also be able to broaden and diversify the monitoring by reference to their own mandates, work plans and national contexts.

The monitoring will focus on residential care homes (including with use of NPM functions), and also consider the home care environment. Monitoring will include a combination of activities, for example:
• Calls for evidence;
• Review of complaints received;
• Inspections of residential care homes;
• Focus groups and interviews with older persons, care workers and other key stakeholders;
• Review of legislation, jurisprudence and policies; and
• Review of follow-up to recommendations.

➢ Deliverables:
  o Reports from each pilot NHRI on the human rights situation for older persons in care in its jurisdiction, including general recommendations;
  o A report from the ENNHRI Secretariat collating the conclusions of all of the pilot NHRI’s, including general recommendations; and
  o A meeting of stakeholders to discuss and disseminate the findings.

3.3 Awareness-Raising and Recommendations
Planning for and developing awareness raising materials will be carried out, with a study for the most important recipients, on a regional and/or national level, and focusing on the specific recommendations for:
• Older Persons – for empowerment and increased awareness of rights and complaints mechanisms;
• Care Providers (including care homes and training establishments) – for a human rights based approach to care, taking into account human rights standards;
• Policy Makers (national, local and EU levels) – including specific recommendations to ensure that policy and legislative initiatives take into account human rights standards; and
• NHRI’s – so that monitoring and other human rights work on older persons in care takes into account good practice on human right standards and approaches;
• General Public / civil society – for increased understanding and support.

It is hoped that links can be made with the ENNHRI Communications Working Group in developing awareness raising and outreach materials. The type and extent of awareness raising activities will depend on the budget and time available. Some materials could be designed with a view for production and dissemination after the term of the Project.

The Project will develop some specific recommendations which will be advocated at both a regional and national level, by ENNHRI and its members.

➢ Deliverables:
  o Specific recommendations to policy makers (European and national level);
  o Awareness-raising materials, which could include, depending on budget available (target groups to be clarified) :
- Leaflets and guidelines on human rights standards for older persons;
- Promotional campaign on human rights situation of older persons in care, including a short animated video (for use in many states);
- Web materials; and
- Training materials;
  - A final report providing an overview of the Project (and translate and make accessible for older persons); and
  - A meeting of stakeholders to discuss and disseminate the findings, and to invite policy makers to respond to the specific recommendations.

3.4 Evaluation and Follow-up
Based on an evaluation of the Project, recommendations will be made for follow-up work to maximize the impacts of the Project.

4 Project Management

4.1 Management Group
The management group will meet regularly, in person or virtually, and work closely on the shape and direction of the Project, including review of the budget, work plan and progress. The management group will be limited to:
- ENNHRI Secretariat (reporting to internal governance structures); and
- A few ENNHRI members, self-selecting, including from pilot group.

4.2 Advisory Group
The advisory group will meet at least three times, and also have the opportunity to comment on the Project by email, when invited by the management group. The advisory group will include:
- ENNHRI Secretariat (reporting to internal governance structures);
- ENNHRI members, self-selecting;
- Unit D3 DG EMPL;
- OHCHR Europe Regional Office;
- Council of Europe;
- DG JUST;
- Age Platform Europe; and
- Potentially others, to be confirmed.

4.3 Stakeholder Group
The stakeholder group will meet at least three times (at conferences), when invited by the management group. The stakeholder group will include the advisory group, pilot group and relevant external stakeholders (see Annex 2).
4.4 Pilot Group
The pilot group will be made up of five or six ENNHRI members, which will carry out monitoring of the human rights of older persons in care in their jurisdictions (see section 3.2). Selection of pilot group NHRI, by management group based on objective criteria. It will depend on the budget, the need for representation of geographic areas, NHRI types, and care infrastructure models in Europe. Efforts will be made to seek funding to include non-EU members in the pilot group.

5 Next Steps

5.1 Work plan and budget
ENNHRI members will have an opportunity to comment on the draft summary work plan, and volunteer for membership of the management, advisory and pilot groups. Dependent on the contributions of ENNHRI members of the advisory group, and the needs of the pilot group, a work plan and budget will be drawn up by the management group. Targeted consultation will also take place with stakeholders (in the advisory group). It is intended that the work plan and budget will be submitted in September. Once the grant agreement has been signed, there will still be a possibility to amend the work plan and budget, through signing an amendment to the grant agreement.

5.2 Open-Ended Working Group (OEWG)
A side meeting at the next OEWG meeting (31 July 2014) will provide an overview of the Project, with presentations from the European Commission, ENNHRI and two other regions (Africa and Asia-Pacific). The side meeting will promote the Project and also receive feedback from a wide range of stakeholders. Proposed speakers are:
- Kasia Jurczak, European Commission, on previous work with OECD and new work focusing on human rights;
- Claudia Mahler, ENNHRI (German Institute for Human Rights), on the Project;
- Speakers from Asia-Pacific Forum and South Africa (TBC), on their own experience of monitoring human rights of older persons in care, and also to comment on the Project.

5.3 Kick-Off Meeting
A kick-off meeting had been planned to launch the project, generously funded by Unit DE DG EMPL. The date must be confirmed by 4 July 2014. The meeting will include:
- Meeting of stakeholder group (1 day), to include:
  - Feedback from OEWG meeting;
  - Examples of specific NHRI work in this area;
  - Overview of project, and feedback from stakeholders;
- Further meeting of management group to integrate comments from the stakeholder group (1 day).
<table>
<thead>
<tr>
<th>Time (m)</th>
<th>Secretariat—Central Coordination</th>
<th>Both</th>
<th>NHRIs—National Work</th>
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<tr>
<td>-5</td>
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<td>Meeting</td>
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<tr>
<td>-4</td>
<td>- Coordinate Work Plan and Budget</td>
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<td>- Input on Work Plan and Budget</td>
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| 0       | - Recruitment                    |       | - Collect Information on relevant human rights standards and practices  
|         |                                 |       | - Summarize, translate, and delimit Information |
| 2       | - Desk-based research  
|         | - Collate information from members  
|         | - Report on HR standards |       | - Send information to Secretariat  
|         |                                 |       | - Review draft report |
| 5       |                                 | Meeting |                      |
| 5 6     | - Write up meeting  
|         | - Coordinate Monitoring  
|         | - Collate information on best practice  
|         | - Consider possible awareness raising approaches |       | - Monitoring activities  
|         |                                 |       | - Report  
|         |                                 |       | - Send report to Secretariat |
| 11      |                                 |       |                      |
| 12      | - Collate information from members on monitoring activities  
|         | - Draft report on conclusions |       |                      |
| 15      |                                 |       |                      |
| 16      |                                 | Conference |                      |
| 16 17   | - Write up meeting  
|         | - Develop recommendations (European level) |       | - Develop recommendations (national level)  
|         |                                 |       | - Disseminate recommendations |
| 18      |                                 |       |                      |
| 20      | - Dissemination of recommendations  
|         | - Awareness-raising activities |       | - Dissemination of recommendations  
|         |                                 |       | - Awareness-raising activities |
| 22      |                                 | Conference |                      |
| 23      | Evaluation | Consider follow-up |                      |
ANNEX 2 – RELEVANT STAKEHOLDERS

EU institutions
- European Commission
  - DG EMPL (Unit 3)
  - DG JUST (Non-Discrimination, Persons with Disabilities and Fundamental Rights Units)
- European Parliament
- EEAS

Other EU-level bodies and International organisations
- EU Social Protection Committee
- Eurofound
- FRA
- Council of Europe
- ILO
- OECD
- UN Open-Ended Working Group on Ageing
- UNECE
- WHO

European Networks/CSOs/NGOs
- ABUEl
- Age Platform Europe
- AVOW
- EDE
- EASPD
- ECHI
- Equinet
- EURAG
- Eurodiaconia
- European Centre for Social Welfare Policy and Research
- European Social Network
- Help Age International
- MHADIE
- MHEDEA
- MILCEA
- OHCHR
- SAGE
- SHARE
- WeDo PARTNERS

National level
- ENNHRI Members
- National ministries, service providers, NGOs and CSOs