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WPA Position Statement on Human Rights of Older Persons with Mental Health Conditions: a call for action

Introduction

In 2020, there are 703 million people aged 65 or older and projected to reach 1.5 billion by the year 2050¹. Of these, approximately 20 percent will have some mental health conditions, including but not limiting to dementia, depression, anxiety, and substance use, which are often complicated by physical and psychosocial comorbidities culminating in significant disabilities.

According to the Global Burden of Diseases 2019^{2,3} mental disorders remained among the top ten leading causes of burden worldwide. In the group of persons aged 50 years and over, depression and anxiety disorders are the leading causes of disability (DAYLS) and years lived with disability (YLDs). Further, the number of people with dementia is expected to increase from 57 million cases globally in 2019 to 153 million cases in 2050. These projected increases are attributed to population growth and aging population, although their relative importance will vary by regions/countries³.

In a world of limited resources and with the majority of mental health systems around the globe in pandemic-related crisis, the gap between older people's needs in terms of health and well-being and support to meet these needs has increased sharply, accompanied by several violations of basic human rights. Older persons may experience multiple jeopardies of discrimination and stigma conferred by age itself (ageism) and by having a mental disorder ("mentalism")⁴. Some of the most disadvantaged older individuals are sometimes segregated to spend their lives in institutions often becoming "invisible" and have "no voice" with limited support to protect themselves against abuse, neglect and violence.

Older persons with mental health needs are often left behind and disproportionately excluded from protection, including life sustaining measures which was particularly observed during COVID-19 pandemic in jurisdictions⁵. This "grossly unmet need" resulted from a combination of multiple factors including failure to incorporate these vulnerable people's voices in health and government policies, in the context of inadequate environmental, social, and crumbling home and family support⁶. Human Rights assure each one of us the peaceful attainment of our personal objectives in life, including our "will and preferences" and promote the feeling

that each life counts for the global community. Older persons should not be deprived of these vital aspects of health ageing.

The WPA supports the efforts of the international community as expressed through various international rights covenants and conventions, but recognizes the limitations of these documents in actualizing the rights of older people due to ageism, systemic inertia, and failure to recognize the specific needs of older adults with mental health conditions. Critical health perspectives and social considerations tailored to the needs of older people are warranted to safeguard their human rights and promote health equity.

What the Position Statement aims to achieve

The World Psychiatric Association (WPA), a global organization representing nearly 250,000 psychiatrists, urges ALL Governments and Intergovernmental agencies to ensure that older persons with mental health conditions are not discriminated against based on their age and on their mental health status and are treated as full citizens enjoying all rights on an equal basis with other citizens. The respect of basic Human Rights is essential to ageing with dignity. Human Rights sustain the ethical and the legal framework to support healthy ageing and to protect those whose autonomy and self-determination may be compromised by the presence of mental health conditions.

Main text

The WPA reiterates that older adults with mental health conditions are owed exercise of these rights and to be treated with respect and dignity on an equal basis with other citizens. Human Rights most relevant to older persons' mental health include, but are not limited to, the rights to (not in any hierarchical order)⁶:

1. enjoyment of the highest attainable standards of affordable mental and physical health, including at the end of life, and respecting specific needs that arise on account of disability;
2. autonomy with equal recognition before the law, including the right to equal legal capacity, expression of will and preferences, with support for decision-making when required;
3. dignity and quality of life;
4. an ageism-free world;
5. the absence of any distinction based on gender;
5. safeguarding against undue influence and abuse, freedom from cruel, inhumane, degrading treatment, and punishment;
6. living independently and being included in the community, participating in the cultural and social life of the community;
7. making contributions to the community through work or other activities, and to be protected during these activities as any other citizens;
8. provision of adequate income to meet basic needs for food, housing, clothing, and other necessities;
9. accessible, integrated, affordable housing, the right to which is protected even when legal capacity is compromised;
10. living in a safe environment, including protection against climate negative consequences on mental health;
11. accessible leisure and education as available to other citizens;
12. respect for family, relationships, sexual health, and the right to intimacy;
13. confidentiality and privacy; and
14. to practice a spiritual life of one's choosing.

Recommendations for Action

WPA has identified key strategies to promote, sustain and protect these rights and recommend^{7, 8}:

- the publication of a **United Nations convention on the rights of older persons** that could provide a framework for limiting social and economic inequities, insecurities and vulnerabilities; to promote opportunities to improve older persons quality of life and to articulate further developments in the future;
- the creation of an **international agency** with capacity and resources to lead and coordinate UN activities related to human rights of older persons, to propose guidance to promote physical, mental, social wellbeing and related political and economic aspects. This agency could offer support to national governments, collaborate with the efforts of civil organizations working in the field and implement policies, programmes and services;
- **active collaboration and joint advocacy** by all national and international organizations working for the rights of older people, especially with respect to sensitizing the Governments for action.

WPA strongly recommends integration of future generations of older persons in all such developments related to the Human Rights of older persons in coordination with other agencies to support the humanity-enhancing need to age well. An international convention will go a long way in providing a legal and systemic framework for protecting the human rights of older adults and thus facilitate healthy ageing.

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