

**Joint Written Statement Submitted by Outright International¹ and SAGE²
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Right to Social Inclusion

February 2023

I. Introduction

Age-friendly communities are “better places in which to grow, live, work, play, and age” where older adults can “continue to do the things they value and live dignified lives, irrespective of their level of physical or mental capacity.”³

It is essential that older adults are able to cultivate meaningful relationships, access resources and support, and feel respected and recognized as valued members of their societies. For LGBTI older adults, old age discrimination compounds stigma and discrimination on grounds of sexual orientation, gender identity, gender expression, and sex characteristics(SOGIESC), and hinders social integration.

II. International Human Rights Standards

The specific human rights needs of LGBTI older adults have been reported by the Committee on the Elimination of Discrimination Against Women (CEDAW) and the Independent Expert on Sexual Orientation and Gender Identity (IE SOGI).

CEDAW has stated:

The discrimination experienced by older women is often multidimensional, with the age factor compounding other forms of discrimination based on gender, ethnic origin, disability, poverty levels, sexual orientation and gender identity, migrant status, marital and family status, literacy and other grounds.⁴

The IE SOGI has reported:

Up to 40 per cent of lesbian, gay and bisexual persons live alone, [and] older LGBT and gender-diverse persons are even more likely to live alone and to experience social isolation and frequently report poorer physical health outcomes. They are reportedly less

¹ Outright International is an organization that works for better LGBTIQ lives, dedicated to working with partners around the globe to strengthen the capacity of LGBTIQ human rights movements, document and amplify human rights violations against LGBTIQ people, and advocate inclusion and equality.

² SAGE is the world’s largest and oldest organization dedicated to improving the lives of LGBTQ+ elders.

³ The United Nations Decade of Healthy Ageing (2021-2030).

⁴ United Nations Committee on the Elimination of Discrimination Against Women, General recommendation 27 on older women and protection of their human rights, CEDAW/C/GC/27, art. 13, 16 December 2010.

likely than their peers to reach out to health and ageing services providers, such as senior or meal centres, because of fear of discrimination and harassment, or because of costs that are prohibitive. Family rejection and limitations in the recognition of certain forms of families, and limited access to assisted reproduction techniques, mean that often older LGBT and gender-diverse people are more likely to rely on chosen family for caregiving support. These factors combined can leave older LGBT and gender-diverse people in precarious situations with regard to housing security and can increase the likelihood of the need for formalized social care.⁵

III. Findings of Outright International and SAGE Surveys and Elders Advisory Groups

Surveys conducted in 2022 by LGBTI groups in Nepal and the Philippines indicate chronic invisibility of LGBTI older adults within government and NGO services and professionalized elder care.⁶ Negative perceptions of LGBTI people in general contribute to unfriendly service environments that create barriers to help-seeking. This can delay timely interventions and psycho-social support for LGBTI older adults.

LGBTI elders advisory groups in Nepal, the Philippines, El Salvador and Costa Rica are helping inform about the experiences and impacts of intersectional discrimination on LGBTI older adults. These are some of the challenges identified: limited elder care available (within and outside traditional family structures), insecure or unstable housing, limitation of daily activities and social interactions with family members and friends, isolation, and difficulties accessing public assistance when eligibility is questioned, particularly where there are no legal protections for LGBTI people, such as, for same-sex marriage, property rights, or legal gender recognition.

Some LGBTI older adults face or have fear of stigma and exclusion in senior community centers and/or residential facilities if they are “out” about their SOGIESC. Some LGBTI older adults have “gone back into the closet” even if they were previously “out.” This exacerbates loneliness and invisibility and prevents social inclusion.

Without legal protections, LGBTI older adults are vulnerable to elder abuse, with limited options for safe reporting, remedy and redress.⁷

IV. Recommendations

To OWEGA:

- Advocate for a new Convention on the Rights of Older Persons with language that is inclusive of LGBTI older persons.

⁵ Independent Expert on Protection Against Violence and Discrimination Based on Sexual Orientation and Gender Identity, *Violence and discrimination based on sexual orientation and gender identity during the corona virus disease (COVID-19) pandemic*, A/75/258, 28 July 2020, ¶12.

⁶ Data gathering carried out by EnGendeRights Philippines, Mitini Nepal, Aspidh, and Centro de Investigación y Promoción para America Central de Derechos Humanos (CIPAC) for the LGBTI Elders Advancing Project managed by SAGE and Outright International.

⁷ Ibid.

To states:

- Regulate standards of home caregiving for LGBTI elders.
- Partner with LGBTI elder rights activists to show positive images of LGBTI older adults while also showing the inequalities they face.
- Sponsor safe learning exchanges with LGBTI older people's groups to help break silences about the harms of social exclusion.
- Partner with civil society and private enterprise stakeholders to provide LGBTI elder housing collectives or senior living centers with meeting spaces for multi-generational programming.
- Promote collective and community care for LGBTI elders living alone to address unwanted loneliness and social isolation that contribute to declining health and mental wellbeing.