



**Call for Input 6 July 2026  
by UN Independent Expert  
on the enjoyment of all human rights by old persons  
Submitted by Age Knowble Consulting Inc.**

## **1. Introduction**

Age Knowble welcomes the Independent Expert's focus on the autonomy, participation and human dignity of older persons with cognitive impairment. This issue is both urgent and timely. As populations age and the number of people living with dementia and other forms of cognitive impairment increases, growing numbers of older persons face barriers to the enjoyment of their human rights. Too often, cognitive impairment is assumed to diminish a person's capacity, agency and social value, leading to exclusion from decisions, community life and the full enjoyment of human rights.

This submission builds on Age Knowble's June 2026 submission to the Independent Expert on *Autonomy, Dignity and Human Rights in Situations of Dependency in Older Age*. That submission demonstrated that dependency should not be understood as an individual deficit but as a condition shaped by social, environmental and systemic barriers. It emphasised that dignity, participation and health remain central rights in situations of dependency and that human rights are realised through supportive and enabling environments.

The present submission extends and deepens that analysis by focusing specifically on cognitive impairment in older age. It demonstrates that cognitive impairment does not diminish personhood or human rights. Rather, many of the risks experienced by older persons with cognitive impairment arise because environments, systems and relationships fail to recognise and support their continuing rights, voice, participation and agency.

The submission applies the Age Knowble Human Rights Principles Framework to reinterpret three rights particularly relevant to cognitive impairment and examines illustrative examples of law, policy, programmes and practices from different regions of the world. The reinterpretation exercise also compares these rights with corresponding provisions of the Convention on the Rights of Persons with Disabilities (CRPD) to explore areas of convergence and divergence and to generate insights relevant to older persons with cognitive impairment. Drawing on the interpretation of rights and the illustrative examples, the analysis identifies cross-cutting human rights insights and proposes recommendations for strengthening the recognition, protection and realisation of the rights of older persons with cognitive impairment.

## **2. Human Rights Principles Analytical Framework**

This submission applies the Age Knowble Human Rights Principles Framework (Version 3.0) to three existing human rights that are foundational in addressing the questions posed in the Call for Input. The Framework comprises eight human rights principles and each principle has three complementary interpretive dimensions: Rights Realisation in Everyday Life; Convention and State Application; and Rights-Enabling Ecosystem Transformation.

As part of preparing this submission, the Framework (version 2.0) used in June Call for Input was revisited against evidence from the [2026 Global Rally Event on Human Rights Principles That Matter to Older Persons with Dementia](#). This validation refined the expression of three existing principles, strengthening their universal applicability across the broader and diverse experiences

of older persons. It did not result in new principles or fundamental restructuring. Rather, the exercise showed that population-specific experiences can deepen and clarify the universal expression of human rights principles without changing their underlying foundations. A summary of the validation exercise and resulting refinements is provided in [Annex](#).

### **3. Reinterpretation of Existing Rights**

Using the validated Framework, this submission reinterprets the three rights particularly relevant to older persons with cognitive impairment. The full reinterpretation of these rights, including their complementary interpretive dimensions, is provided in [Annex](#). Following are the three reinterpreted rights and their definitions:

#### **Right to Equality and Non-Discrimination**

The right to equality and non-discrimination requires that older persons with cognitive impairment enjoy all human rights on an equal basis with others, without exclusion, restriction or unequal treatment based on age, cognitive change, disability, perceived capacity or support needs. It requires substantive equality through measures that address stigma, assumptions of incapacity, inaccessible systems and structural barriers.

#### **Right to Freedom of Expression and Access to Information**

Older persons with cognitive impairment retain the right to seek, receive and impart information and ideas, and to express their wishes, preferences, values, emotions and identity through all forms of communication. This right includes verbal, non-verbal, relational, supported and fluctuating forms of expression. It requires accessible information, communication support and environments that enable older persons to be heard, understood and meaningfully involved in decisions and relationships affecting their lives.

#### **Right to Recognition as a Person before the Law**

The right to recognition as a person before the law requires that older persons with cognitive impairment continue to be recognised as persons and rights-holders before the law, including in relation to legal agency, decision-making, consent, identity and participation in decisions affecting their lives. Cognitive impairment must not be treated as a basis for denying personhood, legal recognition or equal decision-making rights.

### **4. Core Questions and Illustrative Examples**

The Call poses three core questions. This submission responds to them through a human rights-based analysis using the reinterpreted rights and their three complementary interpretive dimensions, informed by illustrative examples of law, policy, programmes and practices from different regions of the world. Detailed analysis is provided in [Annex](#).

#### **a. How can older persons with cognitive impairment continue to enjoy equality and non-discrimination on an equal basis with others?**

Illustrative examples included dementia-friendly communities in Singapore, the Dementia Supporters Caravan in Japan and the STRiDE Kenya anti-stigma intervention.

#### **b. How can older persons with cognitive impairment continue to exercise their voice, express their will and preferences, and access the information and communication supports necessary to participate in decisions affecting their lives?**

Illustrative examples included Supported Conversation for Adults with Aphasia and Communicative Access (Canada), the DEEP Network of Dementia Voices (United Kingdom) and the Canadian Charter of Rights for People with Dementia.

**c. How can the personhood, identity and agency of older persons with cognitive impairment continue to be recognised and supported?**

Illustrative examples included British Columbia's health care consent framework, Ireland's Assisted Decision-Making (Capacity) Act and Spark of Life Africa.

**5. Cross-Cutting Human Rights Insights from Analysis**

The analysis of the three reinterpreted rights and illustrative examples revealed several cross-cutting human rights insights that transcend individual rights and specific contexts. Together, these insights provide a coherent understanding of the conditions that enable or impede the continued enjoyment of human rights by older persons with cognitive impairment:

**Cognitive impairment does not diminish personhood, dignity or human rights.**

Across all three reinterpreted rights, the examples consistently affirm that older persons with cognitive impairment remain rights-holders with continuing dignity, identity, voice and agency. Cognitive impairment may change how rights are exercised, but it does not diminish entitlement to those rights.

This finding reinforces the conclusion reached in the June submission that dependency and support needs do not diminish human dignity or human rights. Cognitive impairment should therefore never be viewed as a basis for reduced rights, diminished participation or the denial of legal recognition and agency.

**Barriers to rights enjoyment are created primarily by social, environmental and systemic factors rather than by cognitive impairment itself.**

The examples demonstrate that exclusion frequently arises from stigma, inaccessible communication, assumptions of incapacity, inflexible systems and discriminatory attitudes. Risks therefore arise not solely from impairment but from social, environmental and systemic barriers that fail to recognise and support the continued exercise of rights.

This finding is consistent with the June submission's conclusion that barriers, rather than age or dependency itself, create vulnerability and risk.

**Support enables the exercise of rights.**

Across all three reinterpreted rights, the examples demonstrate that rights are realised through support rather than substitution. Communication support, supported decision-making, dementia-inclusive communities and relationship-centred approaches all enable older persons with cognitive impairment to continue exercising rights, expressing preferences and participating in decisions and community life.

The findings suggest that support is not a substitute for autonomy but an essential means through which autonomy, participation and dignity are realised.

**Participation and belonging remain central to human rights in older age.**

The examples consistently demonstrate that older persons with cognitive impairment seek not only protection and care, but also opportunities to participate, contribute, belong and remain connected to others and their communities.

This reinforces a central finding of the June submission: human rights in older age encompass both autonomy and relational dimensions of life.

### **Human rights must be realised in everyday life.**

The examples illustrate that rights are not realised solely through legal recognition. They are experienced through everyday interactions, communication, care practices, relationships and community environments. Legal and policy frameworks are necessary but insufficient unless they are accompanied by practical measures that support the exercise of rights in everyday life.

This finding reinforces the importance of the Age Knowble Framework which includes Rights in Everyday Life.

### **Realising rights requires transformation across legal, social and care systems.**

The examples collectively point to the need for transformation:

- from paternalism toward supported agency;
- from stigma toward inclusion;
- from substitute decision-making toward support;
- from deficit-based approaches toward recognition of continuing personhood, participation and belonging.

The findings suggest that advancing the rights of older persons with cognitive impairment requires transformation across legal, social, care and community systems, alongside broader cultural change.

## **6. Recommendations**

The cross-cutting insights point to the need for action at multiple levels. The following recommendations seek to strengthen the recognition, protection and realisation of the rights of older persons with cognitive impairment by addressing barriers, promoting support and participation, and creating environments that enable the continued exercise of rights.

### **Overarching Recommendations:**

- ❖ Frame cognitive impairment within a human rights approach that recognises continuing personhood, dignity, voice, agency and equal rights-holder status.
- ❖ Emphasise that barriers to rights enjoyment arise primarily from social, environmental and systemic factors rather than from cognitive impairment itself.
- ❖ Highlight support, participation and belonging as essential conditions for the exercise and realisation of human rights in older age.

### **Recommendations for States**

- ❖ Promote dementia-inclusive communities and environments that support participation, inclusion and belonging.
- ❖ Provide accessible information and communication support in health, care, legal and community settings.
- ❖ Develop supported decision-making measures and safeguards that respect the will, preferences and participation of older persons with cognitive impairment.
- ❖ Train health, social care and legal professionals on rights-based approaches to cognitive impairment.
- ❖ Strengthen opportunities for the direct and meaningful participation of older persons with cognitive impairment in decisions, policies and services affecting their lives.

### **Recommendations for a Future Convention on the Rights of Older Persons**

- ❖ Affirm that cognitive impairment does not diminish personhood, legal recognition, identity, voice, agency or entitlement to human rights.
- ❖ Recognise communication support and supported decision-making as essential means through which rights are exercised.
- ❖ Recognise participation, inclusion and belonging as integral dimensions of human rights in older age.
- ❖ Require positive measures that address ageism, stigma, exclusion and assumptions of incapacity.
- ❖ Promote enabling environments that support the continued exercise of rights, participation and recognition of older persons with cognitive impairment.
- ❖ Draw upon relevant insights from the CRPD while recognising the need for an older-age lens to address the distinct experiences and human rights implications of cognitive impairment in older age.

### **Recommendations for Research and Practice**

- ❖ Develop stronger evidence regarding rights outcomes, including participation, inclusion, communication and supported decision-making.
- ❖ Expand research involving people living with cognitive impairment as partners and co-producers of knowledge.
- ❖ Strengthen evaluation of rights-based programmes and practices to better understand what enables the realisation of human rights in everyday life.

## **7. Conclusion**

The experiences of older persons with cognitive impairment challenge long-standing assumptions that autonomy, participation and dignity depend upon unimpaired cognition or complete independence. The examples examined in this submission demonstrate that cognitive impairment does not diminish personhood or human rights. Rather, they show that the continued enjoyment of rights depends upon whether societies recognise and support personhood, provide appropriate support and create environments in which rights can continue to be exercised.

Ultimately, the experiences of older persons with cognitive impairment invite a broader rethinking of human rights in older age. They challenge deficit-based assumptions about capacity and dependence and reaffirm that autonomy, participation and dignity are realised not in isolation, but through relationships, support and enabling environments. Advancing the rights of older persons with cognitive impairment therefore requires a shift from paternalistic approaches toward rights-based systems that enable older persons to continue exercising their rights, participating, contributing and flourishing as equal members of society.

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## Annex A



## Age Knowble Human Rights Principles Framework (Version 3.0- June 2026)

### An Enduring Framework for Understanding, Interpreting, Implementing, and Advancing the Human Rights of Older Persons

The Age Knowble Human Rights Principles Framework (Version 3.0) provides an enduring, principle-based approach for understanding, interpreting, implementing, and advancing the human rights of older persons. It recognises the diversity of older age and offers a coherent framework that remains applicable across different identities, circumstances, and structural conditions, while remaining responsive to emerging knowledge, evolving realities, and the progressive development of international human rights standards.

The Framework comprises eight principles. Each principle identifies a human rights consideration that matters to older persons and includes a name, principle statement, and definition. Each principle is further interpreted through three complementary dimensions: Rights Realisation in Everyday Life, which describes what the principle looks like when rights are experienced in practice; Convention and State Application, which identifies implications for a United Nations Convention and State implementation; and Rights-Enabling Ecosystem Transformation, which uses “current reality → rights-enabling future” statements to illustrate the broader shifts needed to make rights real in practice.

Version 3.0 reflects a validation exercise that revisited one of the [original evidence sources](#) that is intersectionally based to validate Version 2.0 of the Framework (June Call for Input submission). The exercise confirmed the framework’s robustness and enduring relevance, resulting in only modest refinements that strengthened the universal expression of Principles 1 to 3 and one interpretive dimension.

### Key Learnings from Validation

The validation exercise yielded several important learnings for the stewardship of enduring human rights frameworks:

- diverse experiences and populations strengthen the universal expression of human right principles framework rather than rewrite it;
- enduring frameworks should evolve through modest and deliberate refinement, with disciplined and justified changes, rather than continual redesign;
- conceptual coherence and stability are themselves indicators of increasing maturity and enduring relevance; and
- validation is an ongoing process of stewardship that helps ensure frameworks remain responsive to emerging knowledge and changing realities

### The Architecture of the Eight General Principles

The Principles move through four connected dimensions:

#### Part I — The Person: Who I am and my inherent human worth

The first three Principles establish the individual as a rights-holder before considering relationships, services, or institutions.

### 1. Dignity and Equal Worth

I matter. Every older person possesses inherent dignity and equal worth simply by being human. This is the moral foundation from which every other principle flows.

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### 2. Personhood and Self-Determination

My life remains my own. I remain a full person and rights-holder, entitled to direct my own life, exercise legal agency, and make decisions according to my own will, preferences, and values, with appropriate support where needed.

This establishes agency.

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### 3. Equality and Non-Discrimination

I am treated fairly. My age should never diminish my equal enjoyment of human rights. Equality requires removing barriers and responding fairly to diverse circumstances.

This establishes equal standing.

## **Part II — Living a Human Life**

Once dignity, personhood, and equality are established, the Framework turns to the lived experience of older age. The fourth, fifth, and sixth Principles outlines how an individual live, connect, flourish, and experience everyday life.

### 4. Participation and Relational Belonging

I belong. I remain connected, included, recognised, and an active participant in the relationships and communities that give life meaning. This establishes belonging.

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### 5. Protection and Security

I can live safely and securely. I am protected from harm while receiving the safeguards and supports needed to live with dignity, security, and self-determination.

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### 6. Possibilities and Choice

My future remains open. Older age should never close off opportunities. Human rights should keep possibilities open so I can continue pursuing the life I value.

## **Part III — The Systems Around Me**

Human rights depend not only on individuals but also on the institutions, services, laws, and systems that enable them. The seventh principle is on how society makes rights real.

### 7. Accountability and Rights-Realising Systems

The systems around me make my rights real. Laws, institutions, services, environments, and remedies should work together so that human rights are realised consistently in everyday life. This establishes implementation and accountability.

## **Part IV — Across Time**

The final Principle recognises that societies and environment change, but human rights must continue to guide action and endure.

### 8. Future Readiness and Enduring Relevance

This Human Rights Principles Framework continues to guide the understanding, interpretation, implementation, and advancement of human rights as the world changes. The interpretation and application of human rights, through these Principles, should remain responsive to changing contexts, proactive in anticipating emerging realities, and grounded in enduring human rights values and standards. This establishes continuity, adaptability, and enduring relevance.

## Outline of Principles:

The following is an outline of the eight principles, their definitions and their complementary dimensions.

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### Principle 1. Dignity and Equal Worth

#### Principle Statement

Every older person possesses inherent dignity and equal worth throughout older age.

#### Definition

Older persons are entitled to equal dignity, respect, and recognition throughout older age. Their dignity and worth are inherent, universal, and unconditional and do not depend on age, productivity, health status, disability, dependency, cognitive change, income, or social role. The need for support or care must never diminish their equal status, rights, respect, or recognition as valued members of society. Older age should be recognised not as diminished human status, but as a continuing stage of equal human dignity and worth within our shared human future.

#### A. Rights Realisation in Everyday Life

- respect in everyday interactions
- being seen, heard, and taken seriously
- privacy across homes, hospitals, care, and services
- support without shame, pity, or loss of standing
- freedom from burden narratives or devaluing treatment
- recognition of identity, culture, faith, language, and life history
- confidence that their lives continue to matter

#### B. Convention and State Application

- affirm inherent dignity and equal worth in all settings
- prohibit degrading, humiliating, dehumanising, or age-based disrespectful treatment
- require dignity-centred standards in healthcare, care, housing, detention, emergency response, and other public services
- provide accessible remedies where dignity is violated
- challenge ageist and devaluing narratives in laws, institutions, services, and society

#### C. Rights-Enabling Ecosystem Transformation

- valuing people by productivity → valuing people by humanity
- burden narratives → equal social worth
- invisibility → recognition
- dependency stigma → dignity across interdependence

- institutional convenience → person-centred respect
- older age as decline → older age as continuing human value

## **Principle 2. Personhood and Self-Determination**

### **Principle Statement**

Every older person remains a full person and rights-holder throughout older age, with the right to direct their own life according to their will, preferences, and values.

### **Definition**

Older persons remain full persons and rights-holders throughout older age, including where disability, dependency, or cognitive change is present. Personhood must not only endure; it must continue to be recognised, respected, and acted upon by others. Older persons are entitled to self-determination: to direct their own lives, express their will and preferences, make personal decisions, and continue pursuing meaning, relationships, contribution, work, service, creativity, learning, and personal development. Self-determination includes the exercise of legal agency, with appropriate support where needed, while remaining guided by the older person's own will, preferences, and values. Equal legal agency and decision-making rights, including legal capacity on an equal basis with others, should be recognised and protected.

### **A. Rights Realisation in Everyday Life**

- control over daily lives, routines, and priorities
- respect for will and preferences
- support to make personal decisions where needed
- being listened to in healthcare, housing, financial, care, and family matters
- choices about where and with whom to live, where possible
- opportunities for meaning, purpose, growth, and contribution
- recognition that their lives remain their own

### **B. Convention and State Application**

- affirm continuing personhood and equal rights-holder status
- recognise equal legal agency and decision-making rights, including legal capacity on an equal basis with others
- require supported decision-making guided by will and preferences
- prohibit age- or diagnosis-based exclusion from decisions
- protect free and informed consent
- ensure communication and decision supports where needed

### **C. Rights-Enabling Ecosystem Transformation**

- substituted control → supported self-determination
- independence-only ideals → supported decision-making
- decline narratives → continuing personhood and development
- speaking for older persons → listening to and being guided by older persons
- care as compliance → care as partnership
- passive dependency → continued agency, purpose, and contribution

## **Principle 3. Equality and Non-Discrimination**

### **Principle Statement**

Every older person is entitled to equality before and under the law, and to the equal enjoyment of all human rights and fundamental freedoms without discrimination.

### **Definition**

Equality requires more than identical treatment. It requires substantive equality through fair, responsive, and inclusive measures that remove barriers, address disadvantage across the diverse circumstances of older age, and recognise each older person as an individual rather than through assumptions, stereotypes, or generalisations. Equality requires not only equal recognition before and under the law, but also the equal enjoyment of rights in law, policy, institutions, work, services, and everyday life.

### **A. Rights Realisation in Everyday Life**

- fair treatment in healthcare, employment, housing, banking, insurance, transport, and services
- opportunities to work, volunteer, learn, and participate without arbitrary age barriers
- decisions based on individual circumstances rather than stereotypes
- equal access to information, technology, justice, and participation
- barriers removed where systems create or reinforce disadvantage
- being believed and taken seriously when asserting concerns or rights

### **B. Convention and State Application**

- prohibit direct, indirect, multiple, and intersectional age discrimination
- guarantee equality before and under the law, and equal enjoyment of rights in practice
- require accessibility, accommodation, and barrier removal where needed
- review unjustified age limits and discriminatory exclusions
- ensure equal access to justice, remedies, and complaints mechanisms
- address ageism in institutions, markets, and services

### **C. Rights-Enabling Ecosystem Transformation**

- formal equality → substantive equality
- neutral rules with unequal effects → fair and responsive systems
- tolerated ageism → equality cultures
- exclusion by design → inclusion by design
- discounted older voices → authoritative participation
- hidden discrimination → visible accountability

## **Principle 4. Participation and Relational Belonging**

### **Principle Statement**

Every older person has the right to remain connected, included, and an active participant in the relationships and communities that give life meaning.

### **Definition**

Older persons have the right to participate meaningfully in family, community, civic, cultural, economic, and public life, and to remain connected, recognised, and included in the relationships and communities through which dignity, identity, wellbeing, citizenship, and contribution are sustained. Meaningful participation includes opportunities to contribute, influence decisions, maintain valued relationships, and continue belonging throughout older age.

### **A. Rights Realisation in Everyday Life**

- meaningful contact with family, friends, peers, and trusted networks

- opportunities to work, volunteer, mentor, care, learn, worship, create, and contribute where desired
- support to participate despite disability, language, mobility, sensory, or digital barriers
- continuity of valued relationships during illness, relocation, bereavement, or care transitions
- being welcomed and included rather than isolated or socially erased
- opportunities to share knowledge, skills, leadership, culture, and lived experience

### **B. Convention and State Application**

- ensure meaningful participation of older persons in decision-making, design, implementation, and review
- establish consultation mechanisms through which views genuinely influence outcomes
- protect family life, visitation, communication, and continuity of relationships
- support community living and prevent unnecessary segregation or isolation
- promote age-friendly communities, housing, transport, and digital environments
- recognise the civic, cultural, caregiving, economic, and social contributions of older persons

### **C. Rights-Enabling Ecosystem Transformation**

- consultation without influence → shared decision-making
- isolation cultures → belonging ecosystems
- segregation → community connection
- ageing at the margins → active social citizenship
- older persons as recipients → workers, carers, mentors, creators, and community builders
- loneliness as a private issue → shared public responsibility

## **Principle 5. Protection and Security**

### **Principle Statement**

Every older person has the right to live safely and securely, free from abuse, neglect, violence, exploitation, coercion, abandonment, degrading treatment, and arbitrary deprivation of liberty.

### **Definition**

Older persons are entitled to the protection, safeguards, and supports necessary to live safely and securely throughout older age. This includes timely, appropriate, accessible, affordable, and rights-respecting supports that uphold dignity, self-determination, participation, wellbeing, and security across all aspects of life, including social, economic, housing, care, and relational security. Protection should never diminish rights, voice, autonomy, or community connection.

### **A. Rights Realisation in Everyday Life**

- freedom from abuse, neglect, violence, coercion, abandonment, and degrading treatment
- support that preserves dignity, choice, privacy, and relationships
- timely assistance with care, housing, mobility, communication, finances, or daily living
- confidence that needed income, housing, care, and support will not suddenly disappear
- safety without loss of voice, autonomy, or community connection
- access to trusted help, advocacy, and remedies when harm occurs

### **B. Convention and State Application**

- prevent, investigate, punish, and remedy abuse, neglect, violence, exploitation, coercion, and abandonment
- regulate institutions and care settings to prevent confinement, restraint, and rights violations

- ensure accessible community-based supports that reduce abandonment, homelessness, and unnecessary institutionalisation
- support social protection, income security, affordable housing, and essential care supports
- require least restrictive, lawful, necessary, and proportionate measures where intervention is needed
- establish accessible complaints, advocacy, oversight, and remedies mechanisms

### **C. Rights-Enabling Ecosystem Transformation**

- protection as control → rights-enabling support
- insecurity and crisis dependence → dependable security across later life
- risk elimination → dignity of risk
- abuse-only responses → preventing abuse and structural neglect
- care as compliance → care as partnership
- passive recipients of protection → rights-holders entitled to safe, secure, and supported lives

## **Principle 6. Possibilities and Choice**

### **Principle Statement**

Every older person has the right to continue pursuing a life of possibilities and choice throughout older age.

### **Definition**

Human rights should keep possibilities open throughout older age. Older age should never be treated as a barrier to continued learning, relationships, creativity, contribution, enjoyment, exploration, spirituality, or personal fulfilment. Every older person should remain free to shape their own path according to their aspirations, circumstances, values, and preferences. Human rights should expand—not limit—the possibilities available throughout older age so that every person can continue pursuing the life they value.

### **A. Rights Realisation in Everyday Life**

- opportunities to pursue new interests, aspirations, and experiences throughout older age
- opportunities to continue learning, growing, creating, and discovering
- opportunities to contribute according to one's interests, abilities, and aspirations
- opportunities for social, cultural, recreational, and community participation
- opportunities to enjoy recreation, leisure, travel, culture, and spirituality
- confidence that new possibilities remain open regardless of age or changing circumstances
- freedom to imagine and pursue new goals and aspirations throughout older age

### **B. Convention and State Application**

- remove unnecessary age-based barriers that limit possibilities and life choices
- promote lifelong opportunities for learning, work, volunteering, creativity, recreation, and civic participation
- ensure equitable access to opportunities regardless of age, disability, income, geography, culture, language, gender, or support needs
- invest in accessible environments, information, transport, technology, and services that expand possibilities throughout older age
- recognise that aspirations, goals, and interests continue to evolve throughout later life
- support diverse pathways for living well, recognising there is no single model of successful ageing

### **C. Rights-Enabling Ecosystem Transformation**

- age-based limitation → lifelong possibilities

- assumptions of decline → continuing possibilities
- prescribed pathways → expanded opportunities and choices
- fixed life expectations → evolving aspirations
- preparing for retirement → investing in later-life possibilities
- one model of ageing well → many ways of living a valued later life

## **Principle 7. Accountability and Rights-Realising Systems**

### **Principle Statement**

Every older person is entitled to laws, institutions, services, systems, and remedies that make human rights real in everyday life.

### **Definition**

Human rights become meaningful only when they can be exercised in practice. Older persons are entitled to laws, institutions, services, age-friendly environments, communities, and remedies that are accessible, coordinated, responsive, and accountable. Rights should not depend on where a person lives, what services they can navigate, or whether they are able to overcome unnecessary barriers. Systems should uphold rights consistently, fairly, and effectively throughout older age.

### **A. Rights Realisation in Everyday Life**

- understandable, reachable, and easy-to-navigate services
- timely and respectful responses when help is needed
- continuity of income, housing, care, transport, and community supports
- real options to challenge unfair decisions and seek remedies
- systems that work equally for people who are offline, isolated, poor, disabled, rural, migrant, or living with cognitive change
- confidence that public institutions act fairly and consistently

### **B. Convention and State Application**

- align laws, budgets, institutions, and services with Convention rights
- establish accountability, complaints, remedies, and independent oversight
- coordinate health, housing, income, care, transport, justice, and community systems
- ensure systems are accessible, multilingual, navigable, and not digital-only
- involve older persons in design, delivery, monitoring, and review
- ensure adequately resourced, skilled, and rights-based workforces across services

### **C. Rights-Enabling Ecosystem Transformation**

- fragmented services → coordinated systems built around people's lives
- bureaucratic gatekeeping → rights-guided access
- complaint-only accountability → accountability by design
- expert-only governance → co-governance with older persons
- digital exclusion → inclusive service ecosystems
- hidden system failures → visible and clear accountability

## **Principle 8. Future Readiness and Enduring Relevance**

### **Principle Statement**

The interpretation and application of human rights should remain responsive to changing contexts, proactive in anticipating emerging realities, and grounded in enduring human rights principles.

## **Definition**

As societies, technologies, institutions, and experiences of ageing continue to evolve, the interpretation and application of human rights should remain informed by lived experience, emerging knowledge, evolving evidence, and the clarification, progressive development, and emergence of international human rights standards. This enables the Framework to respond thoughtfully to changing realities while preserving its enduring human rights foundation. In this way, the Framework remains an enduring guide for understanding, interpreting, implementing, and advancing the human rights of current and future generations of older persons across diverse experiences and changing contexts.

### **A. Rights Realisation in Everyday Life**

- confidence that human rights remain relevant and effective as circumstances change
- protection from new and emerging forms of exclusion, discrimination, and inequality
- continued enjoyment of human rights across changing technologies, services, environments, and social conditions
- confidence that innovation promotes inclusion rather than creating new barriers
- recognition that human rights continue to respond to longer, more diverse, and evolving later lives
- trust that current and future generations of older persons will enjoy equal protection and effective enjoyment of their human rights

### **B. Convention and State Application**

- interpret and apply Convention rights in ways that remain responsive to changing contexts and emerging realities
- periodically review laws, policies, guidance, and implementation to ensure their continuing relevance and effectiveness
- anticipate and respond to emerging forms of exclusion, discrimination, and inequality arising from technological, environmental, demographic, humanitarian, and societal change
- strengthen interpretation and implementation through continuous learning from lived experience, emerging knowledge, evolving evidence, and the clarification, progressive development, and emergence of international human rights standards
- use foresight, evidence, and the meaningful participation of older persons to inform future interpretation, implementation, and review

### **C. Rights-Enabling Ecosystem Transformation**

- static interpretation → living interpretation grounded in enduring principles
- reactive implementation → proactive and anticipatory implementation
- responding to yesterday's realities → preparing for tomorrow's realities
- fixed assumptions about ageing → evolving understanding informed by lived experience
- isolated learning → continuous learning and improvement
- fixed understanding of human rights → evolving interpretation informed by developing international human rights standards

## Annex B Existing Rights Reinterpreted

This Annex presents the reinterpretation of three rights that are particularly relevant to the autonomy, participation and human dignity of older persons with cognitive impairment. For each right, the Annex presents:

- the source treaty article and its existing international human rights definition;
- a reinterpreted definition of the right and three interpretative dimensions by applying the eight General Principles from the Age Knowble Human Rights Principles Framework (v3.0);
- a comparison with corresponding provisions of the Convention on the Rights of Persons with Disabilities (CRPD) to identify areas of convergence and divergence and generate insights relevant to older persons with cognitive impairment; and
- observations regarding potential implications for a future UN Convention on the Rights of Older Persons.

The CRPD comparison is intended to be informative rather than determinative and also provides insights into the relevance and potential limitations of the CRPD's application to older persons whose cognitive impairment may give rise to disability-related barriers and support needs.

### Methodology

1. Identify the existing international human rights definition of the right from its source treaty article.
2. Reinterpret the right through the lens of the Age Knowble Human Rights Principles Framework (v3.0), including a revised definition and three interpretative dimensions:
  - Rights Realisation in Everyday Life;
  - Convention and State Application; and
  - Rights-Enabling Ecosystem Transformation.
3. Compare the reinterpreted right with corresponding provisions of the CRPD to identify convergence, divergence and insights relevant to the rights of older persons with cognitive impairment.
4. Identify observations and potential implications for a future UN Convention on the Rights of Older Persons.

### Right to Equality and Non-Discrimination

Source: International Covenant on Civil and Political Rights (ICCPR), Article 26

"All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

#### Reinterpretation through the V3 Human Rights Principles Framework

*"Older persons with cognitive impairment remain equal before and under the law and are entitled to the equal protection and enjoyment of all human rights and fundamental freedoms without discrimination. Equality requires the continued recognition of their equal dignity, personhood, voice, and agency and the removal of barriers, stigma, assumptions of incapacity, and exclusion that impede their full and effective participation in society."*

### *Rights Realisation in Everyday Life*

- *being treated as a person of equal worth and equal status;*
- *being listened to and taken seriously;*
- *decisions based on individual circumstances rather than stereotypes or diagnosis;*
- *equal opportunities for relationships, participation, contribution and belonging;*
- *freedom from stigma, infantilisation and social erasure;*
- *equal access to information, services, supports and justice.*

### *Convention and State Application*

- *guarantee equality before and under the law and equal enjoyment of rights in practice;*
- *prohibit direct, indirect, multiple and intersectional discrimination, including discrimination based on age, cognitive impairment, dementia, disability, dependency or support needs;*
- *address ageism, dementia stigma and assumptions of incapacity in laws, policies and institutions;*
- *require accessibility, accommodation and support measures necessary for equal enjoyment of rights;*
- *ensure accessible remedies, complaints mechanisms and accountability.*

### *Rights-Enabling Ecosystem Transformation*

- *formal equality → substantive equality;*
- *tolerated ageism and dementia stigma → cultures of equality and inclusion;*
- *assumptions of incapacity → recognition of equal personhood, voice and agency;*
- *exclusion by design → inclusion by design;*
- *invisible discrimination → visible accountability;*
- *social erasure → equal recognition and belonging.*

### Comparative Exercise

Reinterpreted Right to Equality and Non-Discrimination compared with CRPD Article 5: Equality and Non-Discrimination

#### Areas of Convergence

Both recognise:

- equality before and under the law;
- equal protection and equal enjoyment of rights;
- substantive equality rather than merely formal equality;
- prohibition of discrimination;
- removal of barriers and discriminatory practices;
- the need for accommodations and measures to achieve equality in practice.

#### Areas of Divergence

The reinterpretation highlights dimensions that are particularly salient in older age and cognitive impairment, including:

- ageism and age-based stereotyping;
- dementia stigma and assumptions of incompetence or incapacity;
- social invisibility and symbolic loss of adulthood;
- equal recognition of personhood, voice and agency;
- cumulative disadvantage and intersectional inequalities across the life course;
- changing and fluctuating support needs associated with cognitive impairment.

### Comparative Synthesis

The reinterpreted right and CRPD Article 5 share a common commitment to substantive equality, equal protection and freedom from discrimination. However, the reinterpretation highlights dimensions of equality that are particularly salient in older age—including ageism, dementia stigma, social invisibility, assumptions of incapacity and cumulative disadvantage—which are not expressly articulated in Article 5. These findings suggest that while CRPD Article 5 provides useful points of comparison and relevant insights, an older-age lens remains necessary to fully understand and address the lived experiences and rights of older persons with cognitive impairment.

### Convention Implications

Taken together, the reinterpretation and comparative analysis suggest that a future Convention should:

- affirm that cognitive impairment does not diminish the equal dignity, status, personhood or entitlement of older persons to the full enjoyment of human rights;
- prohibit discrimination arising from age, cognitive impairment, dementia, disability, dependency, support needs or assumptions of incapacity;
- recognise that equality requires both protection from discrimination and positive measures that enable participation, inclusion and belonging;
- require measures to address ageism, dementia stigma and social invisibility in laws, policies, institutions and communities;
- recognise the equal personhood, voice and agency of older persons with cognitive impairment; and
- promote environments that support the continued participation, inclusion and recognition of older persons with cognitive impairment as equal members of society.

### **Right to Freedom of Expression and Access to Information**

Source: International Covenant on Civil and Political Rights (ICCPR), Article 19(2)

"Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."

### Reinterpretation through the V3 Human Rights Principles Framework

*"Older persons with cognitive impairment retain the right to seek, receive and impart information and ideas, and to express their wishes, preferences, values, emotions and identity through all forms of communication. This right includes verbal, non-verbal, relational, supported and fluctuating forms of expression. It requires accessible information, communication support and environments that enable older persons to be heard, understood and meaningfully involved in decisions and relationships affecting their lives."*

### *Rights Realisation in Everyday Life*

- *being listened to and taken seriously;*
- *access to information in understandable forms;*
- *time, support and trusted communication partners where needed;*
- *recognition of non-verbal, emotional or fluctuating expression;*
- *participation in daily decisions, relationships and care;*
- *freedom from being spoken over, ignored or spoken for.*

### *Convention and State Application*

- *require accessible information and communication support;*
- *recognise diverse forms of expression, including non-verbal and supported communication;*
- *ensure communication support in health, care, legal, financial, housing and service settings;*

- *prohibit practices that silence or bypass older persons because of cognitive impairment;*
- *require training for professionals and service systems.*

#### *Rights-Enabling Ecosystem Transformation*

- *speech-only communication → multiple forms of expression;*
- *speaking for older persons → listening to and supporting expression;*
- *inaccessible information → understandable and usable information;*
- *communication barriers → communication-enabling environments;*
- *silence or social erasure → voice, recognition and participation.*

#### Comparative Exercise

Reinterpreted Right to Freedom of Expression and Access to Information compared with CRPD Article 21: Freedom of Expression and Opinion, and Access to Information

#### Areas of Convergence

Both recognise:

- the right to seek, receive and impart information and ideas;
- the importance of communication in exercising rights;
- the need for equal access to information;
- the importance of communication support;
- the obligation to remove communication barriers;
- the importance of exercising the right on an equal basis with others.

#### Areas of Divergence

The reinterpretation highlights dimensions that are particularly salient in older age and cognitive impairment, including:

- fluctuating communication abilities;
- non-verbal and relational expressions of wishes and preferences;
- preservation of identity and personhood through communication;
- the importance of being heard and recognised as a continuing subject of one's own life;
- communication support that may involve trusted persons, familiar environments, additional time and relationship-based approaches;
- the risk of being spoken over, ignored or socially erased.

#### Comparative Synthesis

The reinterpreted right and CRPD Article 21 share a common commitment to ensuring that persons can seek, receive and impart information and ideas and exercise freedom of expression through all forms of communication and on an equal basis with others. However, the reinterpretation highlights dimensions that are particularly salient in older age and cognitive impairment—including fluctuating communication abilities, non-verbal and relational expressions of wishes and preferences, preservation of identity, and the importance of being heard and recognised as a continuing subject of one's own life. These findings suggest that while CRPD Article 21 provides useful points of comparison and relevant insights, an older-age lens remains necessary to fully understand the communication experiences and participation needs of older persons with cognitive impairment.

#### Convention Implications

Taken together, the reinterpretation and comparative analysis suggest that a future Convention should:

- affirm that cognitive impairment does not diminish the right of older persons to seek, receive and impart information and ideas and to express their wishes, preferences, values, emotions and identity;

- recognise diverse forms of communication, including verbal, non-verbal, relational, supported and fluctuating forms of expression;
- require accessible information, communication support and communication-enabling environments across health, care, legal, financial, housing and service settings;
- prohibit practices that silence, bypass or substitute the expression of older persons because of cognitive impairment; and
- promote environments that enable older persons with cognitive impairment to be heard, understood and meaningfully involved in decisions, relationships and community life.

### **Right to Recognition as a Person before the Law**

Source: International Covenant on Civil and Political Rights (ICCPR), Article 16

"Everyone shall have the right to recognition everywhere as a person before the law."

#### Reinterpretation through the V3 Human Rights Principles Framework

*"Older persons with cognitive impairment retain the right to recognition everywhere as persons before the law. Cognitive impairment does not diminish a person's equal dignity, legal personhood, identity, voice, agency or status as a holder of rights. Recognition requires that older persons continue to be acknowledged as subjects of their own lives whose wishes, preferences, relationships and participation remain entitled to respect, support and protection in all areas of life."*

#### *Rights Realisation in Everyday Life*

- *being recognised as a person of equal worth and continuing identity;*
- *being treated as an adult and not infantilised or socially erased;*
- *having one's wishes, preferences and relationships acknowledged and respected;*
- *remaining visible and included in family, community and care settings;*
- *being presumed to have something to say and contribute;*
- *continuing to be recognised as a rights-holder regardless of cognitive changes.*

#### *Convention and State Application*

- *recognise that cognitive impairment does not diminish legal personhood or status as a rights-holder;*
- *prohibit laws, policies and practices that deny or diminish personhood on the basis of age or cognitive impairment;*
- *ensure that older persons remain recognised and included in decisions affecting their lives;*
- *protect against social and legal exclusion arising from assumptions of incapacity;*
- *ensure safeguards and supports that uphold personhood, identity and participation.*

#### *Rights-Enabling Ecosystem Transformation*

- *diminished personhood → continuing personhood;*
- *social invisibility → recognition and belonging;*
- *assumptions of incompetence → recognition of voice and agency;*
- *substitute approaches → relationship-centred recognition and support;*
- *seeing dementia as loss of self → recognising continuity of identity and personhood.*

#### Comparative Exercise

Reinterpreted Right to Recognition as a Person before the Law compared with CRPD Article 12: Equal Recognition Before the Law

Areas of Convergence

Both recognise:

- equal recognition everywhere as persons before the law;
- continuing status as rights-holders;
- equal dignity and worth;
- the importance of autonomy, agency and participation;
- the need for support in exercising rights and decision-making.

#### Areas of Divergence

The reinterpretation highlights dimensions that are particularly salient in older age and cognitive impairment, including:

- preservation of identity and continuity of self;
- social visibility and symbolic adulthood;
- recognition within family, community and care relationships;
- the experience of social erasure and infantilisation;
- relational dimensions of personhood and agency;
- the importance of remaining recognised as a subject of one's own life despite cognitive change.

In contrast, CRPD Article 12 places greater emphasis on:

- legal capacity;
- exercising legal agency;
- decision-making support mechanisms;
- legal and procedural safeguards.

#### Comparative Synthesis

The reinterpreted right and CRPD Article 12 share a common commitment to the continued recognition of persons as holders of rights and to supporting autonomy and agency on an equal basis with others. However, the reinterpretation highlights dimensions that are particularly salient in older age and cognitive impairment—including preservation of identity, social visibility, symbolic adulthood, relational personhood and the experience of social erasure—which are not expressly articulated in Article 12. It also places greater emphasis on recognition as a subject of one's own life whose wishes, preferences, relationships and participation remain entitled to respect, support and protection despite cognitive change. These findings suggest that while CRPD Article 12 provides useful points of comparison and relevant insights, an older-age lens remains necessary to fully understand the personhood and recognition experiences of older persons with cognitive impairment.

#### Convention Implications

Taken together, the reinterpretation and comparative analysis suggest that a future Convention should:

- affirm that cognitive impairment does not diminish legal personhood, continuing identity, voice, agency or status as a holder of rights;
- recognise that older persons with cognitive impairment remain subjects of their own lives whose wishes, preferences, relationships and participation are entitled to respect, support and protection;
- prohibit laws, policies and practices that deny, diminish or substitute the personhood of older persons on the basis of age or cognitive impairment;
- require safeguards and supports that uphold continuing personhood, identity, participation and recognition in family, community and care settings; and
- promote environments that recognise older persons with cognitive impairment as continuing persons, rights-holders and participants in society despite cognitive change.

## **Annex C: Addressing the Core Questions of the Call for Input through Rights-Based Analysis of Illustrative Examples**

This Annex examines how illustrative examples of law, policy, programmes and practices contribute to the realisation of the reinterpreted rights and their three interpretative dimensions in order to answer each Core Question. It also identifies the rights strengths and opportunities of each example. Collectively, the analysis generates insights into how the rights of older persons with cognitive impairment can be more fully recognised, protected and realised.

### Analytical Approach

For each Core Question:

1. The corresponding reinterpreted right is identified.
2. Illustrative examples are assessed through a rights-based lens against:
  - Definition of the reinterpreted right and its three complementary dimensions;
  - Rights Realisation in Everyday Life;
  - Convention and State Application; and
  - Rights-Enabling Ecosystem Transformation.
3. The analysis also identifies the rights strengths and opportunities of each example in advancing the reinterpreted right.
4. A synthesis is then undertaken to identify the collective insights that emerge in response to the Core Question regarding:
  - Rights Realisation in Everyday Life, including how the right is experienced and exercised in practice;
  - Convention and State Application, including measures and approaches that support rights realisation; and
  - Rights-Enabling Ecosystem Transformation, including the broader legal, social and cultural changes needed to advance rights.
5. These collective insights then inform concise Convention implications regarding potential considerations for future international standards and State implementation.

**Core Question 1:** How can older persons with cognitive impairment continue to enjoy equality and non-discrimination on an equal basis with others?

Reinterpreted Right: Right to Equality and Non-Discrimination

Older persons with cognitive impairment remain equal before and under the law and are entitled to the equal protection and enjoyment of all human rights and fundamental freedoms without discrimination. Equality requires the continued recognition of their equal dignity, personhood, voice and agency and the removal of barriers, stigma, assumptions of incapacity and exclusion that impede their full and effective participation in society.

Illustrative Examples:

1. Dementia-Friendly Singapore Initiative (Singapore)
2. Dementia Supporters Caravan (Japan)
3. STRiDE Kenya Dementia Anti-Stigma Intervention (Kenya)

<b>Rights-Based Assessment of Illustrative Example</b>	<b>Contribution to Elements of the Reinterpreted Right</b>	<b>A. Rights Realisation in Everyday Life</b>	<b>B. Convention and State Application</b>	<b>C. Rights-Enabling Ecosystem Transformation</b>	<b>Rights Strengths</b>	<b>Rights Opportunities</b>
<p><a href="#">Dementia-Friendly Singapore Initiative (Singapore)</a></p> <p>Additional Information:  <a href="#">Source 1</a>  <a href="#">Source 2</a></p>	<p>Advances the removal of barriers, stigma and exclusion by supporting persons living with dementia to feel understood, respected and safe, participate meaningfully, access help within reach and be empowered to make choices and live with dignity. It aligns with equal dignity, participation and belonging and contributes more indirectly to voice and agency.</p>	<p>Supports older persons with cognitive impairment to remain included in community life, access nearby support and participate in social initiatives. It addresses everyday exclusion by making community environments more understandable, supportive and enabling.</p>	<p>Demonstrates that equality and non-discrimination require positive measures by States and public agencies, including national movements, community partnerships and local initiatives that make inclusion practical and accessible.</p>	<p>Shifts dementia from being treated as an individual or family issue toward a shared community responsibility. It supports a social environment in which persons living with dementia are recognised as continuing participants in community life.</p>	<p>Whole-of-community approach; clear public-sector leadership; focuses on dignity, safety, participation, accessible support and choice; practical alignment with equality in everyday life.</p>	<p>Further strengthen leadership of persons living with dementia in design and evaluation; develop stronger rights-outcome measures; deepen links to communication support and supported decision-making.</p>

Rights-Based Assessment of Illustrative Example	Contribution to Elements of the Reinterpreted Right	A. Rights Realisation in Everyday Life	B. Convention and State Application	C. Rights-Enabling Ecosystem Transformation	Rights Strengths	Rights Opportunities
<p><a href="#">Dementia Supporters Caravan (Japan)</a></p> <p>Additional Information: <a href="#">Source 1</a></p>	<p>Advances the removal of stigma, prejudice and assumptions of incapacity that impede the equal enjoyment of rights. It promotes recognition of persons living with dementia as equal members of society and seeks to create communities that understand, support and include them. Its contribution to voice and agency is more indirect, as the programme focuses principally on awareness and social attitudes rather than communication support or supported decision-making.</p>	<p>By increasing knowledge and understanding of dementia, the initiative can improve everyday interactions and reduce fear, misunderstanding and social exclusion. It supports greater social acceptance and creates conditions that enable older persons with cognitive impairment to remain visible and connected within their communities.</p>	<p>Demonstrates that States can play an active role in advancing equality and non-discrimination through national public education campaigns, community mobilisation and standardised training programmes delivered at scale. It illustrates that equality requires positive measures that address stigma and misconceptions, not merely legal protection from discrimination.</p>	<p>Promotes broader social and cultural transformation by normalising dementia, fostering community responsibility and building dementia-friendly communities. It seeks to shift societal attitudes from prejudice and avoidance toward understanding, inclusion and support.</p>	<p>National scale and sustained implementation; Public education infrastructure; directly addresses stigma and assumptions of incapacity; explicitly linked to dementia-friendly communities and social inclusion; demonstrates the role of awareness and community mobilisation in advancing equality.</p>	<p>Stronger evidence is needed on whether increased awareness translates into sustained support activities and improved rights outcomes for people living with dementia and their families. Greater leadership and participation of people living with dementia in programme design, delivery and evaluation would strengthen its rights basis and deepen its contribution to voice and agency.</p>

Rights-Based Assessment of Illustrative Example	Contribution to Elements of the Reinterpreted Right	A. Rights Realisation in Everyday Life	B. Convention and State Application	C. Rights-Enabling Ecosystem Transformation	Rights Strengths	Rights Opportunities
<p><a href="#">STRiDE Kenya Dementia Anti-Stigma Intervention (Kenya)</a></p> <p>Additional Information: <a href="#">Source 1</a> <a href="#">Source 2</a></p>	<p>Advances the removal of stigma, discriminatory beliefs and exclusion. It directly addresses myths, misconceptions, discriminatory language, witchcraft-related beliefs and rights violations, while reinforcing dignity, personhood and social inclusion. Voice and agency are present but less central than stigma reduction and equal recognition.</p>	<p>Addresses everyday harms such as shame, fear, hiding family members, social isolation and exclusion. By improving understanding, it supports greater acceptance, belonging and access to help for persons living with dementia and their families.</p>	<p>Demonstrates the need for culturally responsive equality measures. It shows that States and partners must address local forms of stigma and discrimination through community education, rights awareness and locally adapted tools.</p>	<p>Challenges deeply rooted social norms and misconceptions that block equal recognition. It supports transformation toward communities that understand dementia, reject discriminatory beliefs and recognise persons living with dementia as rights-holders.</p>	<p>Rights language; culturally grounded; explicitly addresses myths, stigma, discriminatory language and human rights; feasible in rural and low-resource settings; evaluation shows acceptability and preliminary stigma-related benefits.</p>	<p>Further develop long-term evidence on behaviour and rights outcomes; strengthen participation of people living with dementia in design and evaluation; expand and sustain implementation across communities.</p>

Summary Insights in Response to the Core Question

A. Rights Realisation in Everyday Life

The examples collectively demonstrate that equality and non-discrimination are realised when older persons with cognitive impairment are understood, respected, visible and able to remain connected and participating within their communities. The examples also show that exclusion and diminished expectations often arise not from cognitive impairment itself but from stigma, fear, myths and discriminatory attitudes.

## B. Convention and State Application

The examples collectively demonstrate that equality and non-discrimination require positive measures that address stigma, misconceptions and social exclusion through public education, community mobilisation, dementia-inclusive initiatives and culturally responsive approaches. Legal protection against discrimination alone is insufficient to secure equality in practice.

## C. Rights-Enabling Ecosystem Transformation

The examples collectively point to the need for broader social and cultural transformation that moves societies from prejudice, fear and assumptions of incapacity toward understanding, recognition, inclusion and community responsibility. Realising equality requires environments that recognise older persons with cognitive impairment as continuing participants in family and community life.

### Convention Implications

The examples collectively suggest that a future Convention should:

- affirm that cognitive impairment does not diminish the equal dignity, status or entitlement of older persons to the full enjoyment of human rights;
- prohibit discrimination arising from age, cognitive impairment, dementia, support needs or assumptions of incapacity;
- recognise that equality requires both protection from discrimination and positive measures that enable participation, inclusion and belonging;
- encourage States to address stigma, ageism and social exclusion through public awareness, education, community mobilisation and dementia-inclusive initiatives; and
- promote enabling environments that support the continued participation, inclusion and recognition of older persons with cognitive impairment as equal members of society.

**Core Question 2:** How can older persons with cognitive impairment continue to exercise their voice, express their will and preferences, and access and communicate information necessary to participate in decisions affecting their lives?

### Reinterpreted Right: Right to Freedom of Expression and Access to Information

Older persons with cognitive impairment retain the right to seek, receive and impart information and ideas and to express their wishes, preferences, values, emotions and identity through all forms of communication. This right includes verbal, non-verbal, relational, supported and fluctuating forms of expression. It requires accessible information, communication support and environments that enable older persons to be heard, understood and meaningfully involved in decisions and relationships affecting their lives.

Illustrative Examples:

1. Supported Conversation for Adults with Aphasia (SCA™) and Communicative Access
2. DEEP – The UK Network of Dementia Voices
3. Canadian Charter of Rights for People with Dementia

Rights-Based Assessment Illustrative Example	Contribution to Elements of the Reinterpreted Right	A. Rights Realisation in Everyday Life	B. Convention and State Application	C. Rights-Enabling Ecosystem Transformation	Rights Strengths	Rights Opportunities
<p><a href="#">Supported Conversation for Adults with Aphasia (SCA™) and Communicative Access</a></p> <p>Additional Information: <a href="#">Source 1</a> <a href="#">Source 2</a></p>	<p>Advances the recognition of voice, expression and agency by treating communication difficulty as a barrier to be supported rather than evidence of incapacity. SCA™ is designed to acknowledge and reveal competence, using speech, writing, gestures, drawings, pictographs, time and verification to enable people who “know more than they can say” to express opinions and feelings.</p>	<p>Supports people with communication barriers to participate in conversations, healthcare encounters and everyday decisions. It enables wishes, feelings and preferences to be expressed and verified, helping people feel heard, understood and valued.</p>	<p>Demonstrates that States and service systems should provide communication support, train professionals and remove communication barriers in healthcare, care, legal and service settings. It illustrates that access to information and expression require practical supports, not merely formal recognition of the right.</p>	<p>Shifts responsibility from the individual’s impairment to the communication environment and conversation partners. It promotes a culture of communicative access in which systems adapt to enable expression and participation.</p>	<p>Evidence-informed; directly addresses voice and supported expression; recognises competence; highly transferable to cognitive impairment where communication is altered or fluctuating.</p>	<p>Originally developed for aphasia, so adaptation to dementia and broader cognitive impairment contexts should be explicit; stronger evidence is needed on implementation in dementia care, legal capacity and everyday decision-making settings.</p>
<p><a href="#">DEEP – The UK Network of Dementia Voices</a></p>	<p>Advances voice, participation and expression by creating spaces for people living with dementia to speak for themselves,</p>	<p>Enables people living with dementia to participate in groups, public conversations, policy discussions</p>	<p>Demonstrates that laws, policies and programmes should include mechanisms for the direct participation of</p>	<p>Helps transform systems from speaking about people with dementia to creating structures</p>	<p>Dementia-specific; grounded in lived experience; strengthens participation, voice and co-production;</p>	<p>More robust outcome evidence would strengthen the rights case; broader inclusion of people with</p>

Rights-Based Assessment Illustrative Example	Contribution to Elements of the Reinterpreted Right	A. Rights Realisation in Everyday Life	B. Convention and State Application	C. Rights-Enabling Ecosystem Transformation	Rights Strengths	Rights Opportunities
<p>Additional Information:  <a href="#">Source 1</a>  <a href="#">Source 2</a></p>	<p>share experiences, influence policy and services and challenge assumptions about dementia. It reinforces the idea that persons with dementia remain contributors, communicators and rights-holders.</p>	<p>and service improvement. It creates opportunities for lived experience to shape decisions that affect everyday life.</p>	<p>people living with dementia, not only consultation through families, carers or professionals. It illustrates the importance of accessible engagement methods and co-production.</p>	<p>where they speak for themselves. It strengthens public recognition of dementia voices and challenges exclusion from decision-making.</p>	<p>challenges assumptions that people with dementia cannot contribute to policy and practice.</p>	<p>advanced cognitive impairment, diverse communication needs and marginalised communities may require additional supports.</p>
<p><a href="#">Canadian Charter of Rights for People with Dementia</a></p> <p>Additional Information:  <a href="#">Source 1</a></p>	<p>Advances the normative recognition of voice, information and participation. Developed by people living with dementia, it affirms rights to be informed, supported, involved in decisions and included in matters affecting one's life and care. It also reinforces personhood and agency.</p>	<p>Provides a rights-based articulation of what it means for people living with dementia to be heard, informed, included and supported. It can guide families, services and communities to respect wishes, preferences and participation.</p>	<p>Demonstrates the value of rights statements developed by persons with lived experience. It suggests that States and institutions should recognise information, support and participation as essential to the exercise of rights by persons with cognitive impairment.</p>	<p>Challenges deficit-based approaches by positioning people living with dementia as rights-holders with voice, preferences and decision-making roles. It supports a shift toward “nothing about us without us” in dementia policy and practice.</p>	<p>Developed by people living with dementia; clear rights-based language; aligned with voice, participation and access to information; useful as a normative and advocacy tool.</p>	<p>As a charter, it is not legally binding; implementation depends on uptake by institutions, communities and policymakers. Further work is needed to translate its rights statements into enforceable standards, service practices and accountability mechanisms.</p>

## Summary Insights in Response to the Core Question

### A. Rights Realisation in Everyday Life

The examples collectively demonstrate that voice and expression continue even when communication becomes difficult, altered or fluctuating. Rights are realised when communication barriers are addressed through support, time, accessible information, trusted conversation partners and environments that presume competence and enable participation.

#### B. Convention and State Application

The examples suggest that States and institutions should recognise communication support and access to information as necessary conditions for participation and decision-making. This includes training professionals, ensuring accessible engagement methods, and creating mechanisms for people with cognitive impairment to express views and influence decisions that affect their lives.

#### C. Rights-Enabling Ecosystem Transformation

The examples collectively point to a shift from speaking for older persons with cognitive impairment toward supporting them to speak, express and participate for themselves. Realising this right requires systems and communities to recognise diverse forms of expression and to adapt communication environments so that voice, will, preferences and identity remain visible.

#### **Convention Implications**

The examples collectively suggest that a future Convention should:

- affirm that cognitive impairment does not extinguish voice, expression, will or preferences;
- recognise supported, non-verbal, relational and fluctuating forms of communication as part of freedom of expression and access to information;
- require accessible information and communication support in health, care, legal, financial, housing and community settings;
- require States to support the direct participation of older persons with cognitive impairment in decisions, policies and services affecting their lives; and
- promote communication-enabling environments that allow older persons with cognitive impairment to be heard, understood and meaningfully involved.

**Core Question 3:** How can the personhood, identity and agency of older persons with cognitive impairment continue to be recognised and supported?

Reinterpreted Right: Right to Recognition as a Person before the Law

Older persons with cognitive impairment retain the right to recognition everywhere as persons before the law. Cognitive impairment does not diminish a person's equal dignity, legal personhood, identity, voice, agency or status as a holder of rights. Recognition requires that older persons continue to be acknowledged as subjects of their own lives whose wishes, preferences, relationships and participation remain entitled to respect, support and protection in all areas of life.

### Illustrative Examples

1. Health Care Consent and Care Facility Admission Act framework, British Columbia, Canada
2. Assisted Decision-Making (Capacity) Act, Ireland
3. Spark of Life Africa

Rights Based Assessment Illustrative Example	Contribution to Elements of the Reinterpreted Right	A. Rights Realisation in Everyday Life	B. Convention and State Application	C. Rights-Enabling Ecosystem Transformation	Rights Strengths	Rights Opportunities
<p><a href="#">Health Care Consent and Care Facility Admission Act framework, British Columbia, Canada</a></p> <p>Additional Information: <a href="#">Source 1</a></p>	<p>Advances legal personhood, agency and recognition as a rights-holder by affirming consent, refusal, capability and participation in health care decision-making. It reinforces that cognitive impairment does not automatically remove decision-making status.</p>	<p>Supports older persons with dementia to remain involved in health care decisions, be presumed capable unless assessed otherwise, and have their choices respected where they are able to decide.</p>	<p>Demonstrates the importance of statutory safeguards, consent requirements, capability assessment and substitute decision-making limits. It shows that State frameworks must protect personhood and agency in health and care settings.</p>	<p>Shifts practice away from automatic paternalism toward rights-based decision-making, where cognitive impairment triggers support and safeguards rather than automatic exclusion.</p>	<p>Legal rights framework; fit with agency and legal personhood; practical application to health care; reinforces presumption of capability and consent.</p>	<p>Further strengthen supported decision-making before substitute decision-making; improve accessible communication; ensure consistent implementation across care settings; strengthen accountability where rights are bypassed.</p>
<p><a href="#">Assisted Decision-Making (Capacity) Act, Ireland</a></p>	<p>Advances legal personhood, agency and supported decision-making. It replaces older substitute/wardship approaches with a</p>	<p>Enables people with cognitive impairment to receive decision-making support and remain involved in choices affecting their lives. It recognises that</p>	<p>Demonstrates how States can legislate supported decision-making structures, safeguards and legal recognition of will and</p>	<p>Supports systemic transformation from incapacity-based protection toward recognition of continuing agency,</p>	<p>Legal reform model; explicit shift toward supported decision-making; aligns closely with CRPD Article</p>	<p>Safeguards must ensure support does not become informal substitution; professionals and families need training; accessible</p>

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<p>Additional Information:  <a href="#">Source 1</a>  <a href="#">Source 2</a></p>	<p>framework based on decision-making support, functional capacity and respect for will and preferences.</p>	<p>capacity may be decision-specific and support-dependent.</p>	<p>preferences. It provides a model for moving from substituted status-based approaches toward supported legal agency.</p>	<p>autonomy and personhood.</p>	<p>12; reinforces agency and recognition before the law.</p>	<p>communication and practical support remain essential.</p>
<p><b>Spark of Life Africa</b>  Additional Information:  <a href="#">Source 1</a></p>	<p>Advances recognition of personhood, identity and relational belonging. Its main contribution is not legal capacity but the practical recognition that the person remains present, capable of connection and entitled to meaningful engagement despite dementia.</p>	<p>Supports older persons with dementia to be seen, known and engaged as persons with identity, relationships, emotions and capacity for connection. It helps sustain belonging and meaningful participation in care and community settings.</p>	<p>Demonstrates that State and institutional approaches should not limit recognition to legal frameworks alone. Policies and services should support person-centred and relationship-centred practices that preserve identity and belonging.</p>	<p>Shifts dementia care from task-based management toward relational recognition, identity, connection and meaningful life.</p>	<p>Personhood focus; culturally adaptable; highlights relationship, belonging and identity; complements legal examples by showing personhood in everyday practice.</p>	<p>Evidence base appears less robust; stronger evaluation of rights outcomes would help; can be linked more explicitly to participation, voice and supported agency.</p>

## Summary Insights in Response to the Core Question

### A. Rights Realisation in Everyday Life

The examples collectively demonstrate that personhood, identity and agency are realised when older persons with cognitive impairment remain involved in decisions, recognised as rights-holders and supported as persons with continuing relationships, preferences and identity. Recognition is not limited to formal legal status; it must be experienced in health care, care relationships, family life and community settings.

### B. Convention and State Application

The examples show that States should protect recognition before the law through safeguards, consent requirements, supported decision-making and limits on substitute decision-making. They also show that legal recognition must be accompanied by practical supports, accessible communication and professional training so that personhood and agency are respected in practice.

### C. Rights-Enabling Ecosystem Transformation

The examples point to a shift from incapacity, paternalism and task-based care toward supported agency, relational recognition and continuity of identity. Realising this right requires systems that presume personhood, support decision-making and recognise older persons with cognitive impairment as subjects of their own lives.

## Convention Implications

The examples collectively suggest that a future Convention should:

- affirm that cognitive impairment does not diminish legal personhood, identity, agency or status as a rights-holder;
- require States to recognise and support decision-making capacity in ways that are functional, contextual and support-responsive;
- promote supported decision-making and safeguards against automatic substitute decision-making;
- require health, care and legal systems to respect will, preferences, identity and participation; and
- recognise that personhood must be protected not only in law but also through relational, person-centred and community-based practices that sustain identity, belonging and agency.

## **Cross-Cutting Human Rights Analysis**

The analysis of the three rights and illustrative examples revealed several cross-cutting human rights insights that transcend individual rights and specific contexts. Together, these insights provide a coherent understanding of the conditions that enable or impede the continued enjoyment of human rights by older persons with cognitive impairment:

1. Cognitive impairment does not diminish personhood, dignity or human rights.

Across all three rights, the examples consistently affirm that older persons with cognitive impairment remain rights-holders with continuing dignity, identity, voice and agency. Cognitive impairment may change how rights are exercised, but it does not diminish entitlement to those rights.

2. Barriers to rights enjoyment are created primarily by social, environmental and systemic factors rather than by cognitive impairment itself.

The examples demonstrate that exclusion often arises from stigma, inaccessible communication, assumptions of incapacity, inflexible systems and discriminatory attitudes. Risks therefore arise not solely from impairment but from environments that fail to recognise and support the continued exercise of rights.

3. Support enables the exercise of rights.

Across all three rights, the examples demonstrate that rights are realised through support rather than substitution. Communication support, supported decision-making, dementia-inclusive communities and relationship-centred approaches all enable older persons with cognitive impairment to continue exercising rights, expressing preferences and participating in decisions and community life.

4. Participation and belonging remain central to human rights in older age.

The examples consistently demonstrate that older persons with cognitive impairment seek not only protection and care, but also opportunities to participate, contribute, belong and remain connected to others and their communities. Human rights therefore encompass both autonomy and relational dimensions of life.

5. Human rights must be realised in everyday life.

The examples illustrate that rights are not realised solely through legal recognition. They are experienced through everyday interactions, relationships, communication, care practices and community environments. Legal and policy frameworks are necessary but insufficient without practical measures that support the exercise of rights in daily life.

6. Realising rights requires transformation across legal, social and care systems.

The examples collectively point to the need for broader transformation—from paternalism toward supported agency, from stigma toward inclusion, from substitute decision-making toward support, and from deficit-based approaches toward recognition of continuing personhood, participation and belonging.