



**ethnic
communities'
council of
victoria**

Patron

The Right Hon Malcolm Fraser AC, CH,
former Prime Minister of Australia

**ECCV SUBMISSION
TO
THE UNITED NATIONS
ON
PROTECTING THE RIGHTS OF OLDER PEOPLE**

**May 2013
Melbourne**

The Ethnic Communities' Council of Victoria (ECCV) welcomes the opportunity to present to the United Nations a submission on behalf of ethnic and multicultural communities in the State of Victoria, Australia on protecting the rights of older people.

ECCV supports the UN resolution 67/139 to set up *a comprehensive and integral international legal instrument to promote and protect the rights and dignity of older person.*

This legal instrument needs to ensure that the culturally, linguistically, and spiritually diverse preferences and rights of seniors from a migrant and refugee background are met, and that migrant populations have access to culturally responsive health and aged care services in their country of residence.

We hope that the submission will contribute to development of international standards and guidelines that recognise and foster the culturally, linguistically, and spiritually diverse preferences and rights of older migrant populations in their respective country of residence.

Sincerely

**Joe Caputo OAM JP
Chairperson**

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Background to ECCV

The Ethnic Communities' Council of Victoria (ECCV) is the peak body for ethnic and multicultural organisations in Victoria, Australia. It is a community based, member-driven organisation committed to empowering people from diverse and multicultural communities in Victoria. Since 1974, the ECCV has advocated and lobbied local, state and federal governments on behalf of multicultural communities in areas like aged care and ageing, human rights and justice, access and equity, racism and discrimination, community harmony, employment and education, health and community services, and arts and culture.

Multiculturalism in Victoria

Victoria has the highest proportion of population from a migrant background in Australia. About a quarter of the population speaks a language other than English at home.ⁱ As 31 per cent of Victorians over 65 are from a non-English speaking background, we are constantly lobbying for the cultural responsiveness of aged care services in Victoria and beyond.

According to the Multiculturalism Policy Index of 2010, Australia has been considered the country with the most developed multicultural policies.ⁱⁱ The ECCV was the first ethnic communities' council established in Australia. The fact that various ethnic communities cooperated to establish a peak body representing migrant communities in Victoria in 1974 has contributed strongly to the development of vital and robust multicultural policies in Victoria and Australiaⁱⁱⁱ.

Aged care advocacy for seniors from a migrant and refugee background

Since our establishment, ageing and aged care have been a major focus of our policy advocacy. Examples of successful outcomes of our policy work have been:

- The establishment of an Aged Care Policy Sub-Committee. The 50 member strong sub-committee, consisting of representatives from the ethnic and multicultural community aged care sector, drives our aged care policies.
- The development of an Ageing and Cultural Diversity Strategy.^{iv}

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- A pilot project that raises awareness on elder abuse prevention in ethnic communities^v.

ECCV RECOMMENDATIONS

To a United Nations Convention on protecting the rights of older people

ECCV supports an international human rights framework for the protection of the rights of older people.

Recommendation 1

That an international human rights framework protects the rights of older people, including seniors from a migrant and refugee background.

More and more seniors live outside their country of birth or origin due to forced migration, economic hardship or voluntary migration. Seniors with a migrant or refugee background may experience the following challenges in their country of residence:

- Trauma due to forced migration or persecution.^{vi}
- Reversion to their mother tongue when ageing.^{vii}
- Challenges to participation in the workforce.
- Lack of recognition of their culturally, linguistically, and spiritually diverse preferences and rights.
- Difficulty in access to health and aged care services.

There is a need to protect the rights of seniors from a migrant and refugee background.

Recommendation 2:

That a United Nations Convention on protecting the rights of older people includes the rights of older migrant populations. The Convention needs to recognise the culturally, linguistically and spiritually diverse preferences and rights of seniors from a migrant and refugee background.

Recommendation 3:

That a Convention establishes mechanisms to consult and engage with older migrants and agencies representing seniors from a migrant and refugee background on an ongoing basis.

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ECCV's ongoing consultations through its Aged Care Policy Sub-Committee and ECCV papers, such as the Ageing and Cultural Diversity Strategy^{viii} have shown that seniors from a migrant and refugee background in Victoria prefer same language health and welfare services when ageing.

Recommendation 4:

That the Convention calls upon non-governmental organisations and Governments to foster the delivery of same language aged care services for seniors from a migrant or refugee background in their country of residence.

The ECCV study *Mainstream versus ethno-specific services – It's not an either\ or^{ix}* has shown that seniors from a migrant background in Victoria prefer ethno-specific aged care services. There is a need to meet the culturally, linguistically and spiritually diverse preferences and rights of older migrants in their country of residence. ECCV believes that culturally responsive aged care service delivery consists of the following main elements:

- Engagement with and support for ethno-specific welfare agencies that cater for the needs of older migrants.
- Cultural responsiveness of generic aged care services. This includes the implementation of diversity strategies and the training of workforce to be culturally and linguistically competent.

Recommendation 5:

That the Convention acknowledges the competence of ethno-specific and multicultural welfare agencies in the delivery of culturally responsive aged care services.

It is also recommended that non-governmental organisations and Governments engage with and provide a framework of support to ethno-specific and multicultural welfare agencies in delivering culturally appropriate care (for example to build the capacity of ethno-specific welfare agencies).

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Recommendation 6:

That the Convention calls upon non-governmental organisations and Governments to promote the cultural responsiveness of generic and mainstream aged care services.

Taking into account the increasing numbers of seniors living outside their country of birth, there is a need for an international entity or network to lobby on behalf of seniors from a migrant and refugee background to ensure that their preferences and rights are recognised and promoted. Older people moving across borders deserve settlement and adaptation support to ensure their dignity and quality of life. This will prevent health and wellbeing crises.

Recommendation 7:

That the Convention establishes an entity or network that internationally advocates on behalf of older migrants. The main purpose of the entity or network being the promotion of culturally, linguistically, and spiritually responsive health and aged care services on an international level in order to meet the growing needs of older migrant populations in UN member states.

It is further recommended that this entity has a high degree of autonomy.

An international entity advocating on behalf of seniors from a migrant or refugee background will give those seniors a *global voice*.

Recommendation 8:

That the established entity under the Convention has the following responsibilities:

- To collect, link, and evaluate research on older migrant and refugee communities around the world.
- To initiate consultations with older migrants and agencies that represent older people from a migrant or refugee background.



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- To develop guidelines for and recommendations to non-governmental organisations and Governments on how to ensure that seniors from a migrant or refugee background have access to culturally, linguistically, and spiritually responsive aged care services in their country of residence.
- To advise the United Nations and Governments on how to meet the diverse need of seniors from a migrant and refugee background.
- To establish an international network of organisations and agencies that delivers welfare services to and lobbies for seniors from a migrant or refugee background.
- Observe and report on the cultural, linguistic, and spiritual responsiveness of aged care services in UN member states.

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- ⁱ VMC 2013, *2011 Census: a snapshot of our diversity*, available at: <http://www.multicultural.vic.gov.au/population-and-migration/victorias-diversity/2011-census-a-snapshot-of-our-diversity>, accessed on 13 May 2013.
- ⁱⁱ MPI 2012, *Multiculturalism Policy Index*, available at: <http://www.queensu.ca/mcp/>, accessed on 13 May 2013.
- ⁱⁱⁱ Hinz, B., 2009, *Many Hopes, One Dream: The Story of the Ethnic Communities 'Council of Victoria*, Australian Scholarly Publishing Pty Ltd, Melbourne.
- ^{iv} ECCV 2011, *Ageing and Cultural Diversity Strategy*, available at: http://www.eccv.org.au/library/file/policy/eccv_Ageing_and_Diversity_Strategy_Feb_2011.pdf, accessed on 13 May 2013.
- ^v ECCV 2010, *Elder abuse prevention in ethnic communities*, available at: <http://eccv.org.au/projects/elder-abuse-prevention-in-ethnic-communities/>, accessed on 13 May 2013.
- ^{vi} NSW Refugee Health Service, 2006, *Caring for Older Refugees in NSW: A Discussion Paper*, available at: <http://www.swslhd.nsw.gov.au/refugee/pdf/OlderRefugees.pdf>, accessed at 14 May 2013.
- ^{vii} De Bot, K. and Clyne, M., 1989. *Language Reversion Revisited*. *Studies in Second Language Acquisition*, 11, pp 167-177.
- ^{viii} ECCV 2011, *Ageing and Cultural Diversity Strategy*, available at: http://www.eccv.org.au/library/file/policy/eccv_Ageing_and_Diversity_Strategy_Feb_2011.pdf, accessed on 13 May 2013.
- ^{ix} Radermacher, H., Feldman, S., Browning, C., Monash University and ECCV, 2008, *Delivery of Community Aged Care Services to Ethnic Groups, Mainstream versus Ethno-specific services, it's not an either/ or*, available at: http://eccv.org.au/library/file/policy/Sept08_MUECCV_FINAL_aged_care_review_%283%29.pdf, accessed on 13 May 2013.