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Overcoming age-based discrimination against older persons

Reply to Recommendation¹: Recommendation 2291 (2025)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly [Recommendation 2291 \(2025\)](#) “Overcoming age-based discrimination against older persons” and has forwarded it to the Steering Committee for Human Rights (CDDH), the Steering Committee on Anti-Discrimination, Diversity and Inclusion Education (CDADI), the European Committee of Social Rights (ECSR) and the Governmental Committee of the European Social Charter and the European Code of Social Security (GC) for information and possible comments.
2. The Committee of Ministers fully agrees with the Assembly on the importance of taking a human rights-based approach to combating age-based discrimination against older persons. With regard to Recommendation [CM/Rec\(2014\)2](#) of the Committee of Ministers to member States on the promotion of human rights of older persons, it recalls the work already carried out by the CDDH on follow-up to that recommendation, including a Workshop on “Promotion of human rights of older persons” that it organised in June 2018 and the report on the implementation of [CM/Rec\(2014\)2](#) that it adopted later that year.
3. The Committee of Ministers nonetheless considers that there may now be scope for further activities relating to [CM/Rec\(2014\)2](#), including a review of its implementation and substantive content as suggested by the Assembly. This review could include consideration of the possibility of updating the relevant provisions of [CM/Rec\(2014\)2](#), notably section II of the appendix, on non-discrimination, so as to address more extensively the phenomenon of ageism, as suggested in paragraph 3.2. of Parliamentary Assembly [Recommendation 2291 \(2025\)](#).
4. As regards the proposal in paragraph 3.1. of [Recommendation 2291 \(2025\)](#), the Committee of Ministers is of the view that any consideration to be given to a possible additional specific legal instrument for the protection of the human rights older persons – which should be distinguished from the existing [CM/Rec\(2014\)2](#) – should focus on non-binding options, bearing in mind the proposal for a possible binding instrument already being considered by the UN Human Rights Council.
5. The Committee of Ministers invites the CDDH to take into account the possibility of work on these issues during the mid-term review of the CDDH’s terms of reference for 2024 to 2027. It would also invite the Committee to follow closely the work of the open-ended intergovernmental working group for the elaboration of a draft legally binding instrument on the promotion and protection of the human rights of older persons recently set up by the United Nations Human Rights Council.
6. The Committee of Ministers would also underline the relevance and importance of Article 23 of the Revised European Social Charter (ETS No. 163) (‘The right of elderly persons to social protection’) which specifically protects the rights of older persons. It requires that States Parties adopt comprehensive legislation to combat age-based discrimination in all areas. States Parties, in addition to adopting comprehensive legislation prohibiting discrimination on grounds of age, must take a wide range of measures to combat ageism in society. Such measures should include reviewing (and as necessary amending) legislation and

1. Adopted at the 1529th meeting of the Ministers’ Deputies (28 May 2025).



policy for discrimination on grounds of age, adopting action plans to ensure the equality of older persons, promoting positive attitudes towards ageing through activities such as society-wide awareness campaigns, and promoting inter-generational solidarity.

7. The Committee of Ministers encourages States Parties who have not yet done so to accept Article 23 of the Revised Charter.

8. The Committee of Ministers also invites the CDDH to take due account of the standards of the Revised European Social Charter when exploring the possibility of supplementing the Organisation's normative framework on ageism.

9. Finally, the Committee of Ministers would also draw attention to the fact that the CDADI, the terms of reference of which primarily focuses on racism and intolerance towards LGBTI people, also covers age discrimination as part of its work on intersectional discrimination and to a certain extent its cross-cutting work on discrimination, intolerance and equality mainstreaming. This work includes issues relating to hate speech and hate crime, equality of Roma and Traveller women and girls, and access to health care.