



# General Assembly

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## Human Rights Council

### Fifty-first session

12 September–7 October 2022

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Prahar, a non- governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2022]

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\* Issued as received, in the language of submission only.



## **Older Persons Rights Violations in India**

The population of the elderly aged has been increasing over the years. Their rights are being encroached upon each day. They are the most vulnerable class of our society. They are facing physical and mental health problems compounded by other challenges of social and economic aspects of life. My organization wants to bring council attention towards older persons who are in prisons. The provision of health care for older prisoners is a state responsibility. Prisoners should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status but in India older persons in jails are facing many violations of their rights. There are a large number of older persons in Indian prisons and the number has been growing.

These old persons in jails locked basic human rights and health facilities. In India, 90 per cent of older people in prisons have at least one moderate or severe health issue, and more than half have three or more. Older persons also face increased risk of different diseases in prisons. The total number of elderlies in Indian prisons cover about 23,013 convicts in jails out of which, male elderly prisoners constitute 21,760 and female elderly prisoners 1,253. The percentage of convicted elderly inmates in the prisons aged 50 years & above is 17.8. The total number elderly prison inmates in India constitute 28,615 male undertrial elderly prisoners and 1,959 female elderly inmates and the total undertrial prisoners are 30,574. The percentage of Under trial elderly inmates in the prisons aged 50 years & above is 11. Besides, these numbers are constantly changing but mainly increasing because number of detentions of elderly outnumber the releases. On 5 July 2021, an 84 years old tribal rights activist named Stan Swamy died in Indian jail due to lack of health facilities. We urge this Council to ask Indian government to address vulnerabilities of older people in prison by ensuring that their health- and age-related requirements are met.

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