Mandates of the Working Group on discrimination against women and girls and the Independent Expert on human rights and international solidarity

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(Please use this reference in your reply)

15 May 2026

Excellency,

We have the honour to address you in our capacities as Working Group on discrimination against women and girls and Independent Expert on human rights and international solidarity, pursuant to Human Rights Council resolutions 59/14 and 53/5.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning allegations of gender discrimination in the context of pension legislation, particularly impacting women born in the 1950s. It is alleged that these women are discriminatorily impacted by the Pensions Act 1995 (the 1995 Act), which changed the age of pensionable retirement for women from 60 to 65, bringing it into alignment with the pension qualification age of 65 years for men. This affects approximately 3.9 million women who were born in the 1950s.

According to the information received:

The Old Age and Widows' Pensions Act 1940 set the State Pension age at 60 for women and 65 for men. In 1995, the Pensions Act 1995 was adopted, equalizing the retirement age for men and women to 65. This required a transition plan, which was set out in a Schedule for the 1995 Act. Later changes were introduced through the Pensions Act 2007 and the Pensions Act 2011, setting the qualification age for receipt of the State Pension for both women and men at 66 by 2020. The State Pension age will rise from 66 to 67 between 2026 and 2028, and a further increase from 67 to 68 is planned from 2044 to 2046, these changes apply to both women and men.

Reportedly, women born in the 1950s were not notified about this change or about the specific manner in which it impacted them, considering that the changes to their State Pension Age varied according to their date of birth. The change meant that some women received their pension on their date of birth, but not on their sixtieth birthday, while others received it on another date. The change was variable: some women received their pension three months after their sixtieth birthday, while others experienced delays of three or six years, with dates in between according to the Schedule of the 1995 Act and the Schedule of the 2007 Act.

It was only in 2007 that the Department for Work and Pensions (DWP), which administers State Pensions, determined that there was a need to notify affected women by letter. This timeline corresponded with additional changes in the age of pensionable retirement for men and women to 66. Nevertheless, notice of the changes is reportedly inconsistent. While a few advertisements were published in newspapers, they were limited, poorly framed and not targeted. The advertisements are alleged to demonstrate that the DWP considered it necessary to advise individuals of the changes but chose a method that was ineffective and perfunctory.

In 2019, a coalition of women known as “Back to 60” (since renamed CEDAWinLaw) initiated a judicial review raising claims of direct and indirect discrimination, as well as maladministration in the failure to notify affected women. At the initial stage before the Administrative Court, no issue of time arose; however, to safeguard against the possibility that such an issue might later be raised, the judge granted an extension of time should that be considered necessary.

In 2020, the High Court found against the applicants but granted permission to appeal to the Court of Appeal on all grounds. The Court of Appeal likewise found against the applicants but granted permission to appeal to the Supreme Court on all grounds. On the day scheduled for the Supreme Court hearing, and without hearing submissions from counsel, the Supreme Court issued a one-line judgment ruling that the judicial review was out of time.

CEDAWinLaw subsequently instituted a People’s Tribunal, composed of five members, which heard evidence from witnesses attesting to discrimination against women in the United Kingdom and the failure of successive governments to comply with their obligations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

In the absence of a compensation scheme to address the failure to notify women born in the 1950s of the change to the State Pension Age, affected women reportedly faced the need to revise retirement plans, attempt to remain in employment beyond the age of 60, or seek alternative employment to sustain themselves until their State Pension became payable. These options were reportedly unrealistic in light of age discrimination, particularly in women’s employment and other aspects of society and the economy. In this context, CEDAWinLaw instituted a Tribunal specifically addressing the pension-related impacts on women born in the 1950s.

The Judge’s Report took evidence from expert witnesses, including representatives of UNISON, the Vice-Chairperson of the Committee on the Elimination of Discrimination against Women, and other experts, as well as testimony from women affected by the 1995 Act and by failures of the DWP to notify them. Having analyzed the judgments of the High Court and the Court of Appeal and taken into account the Supreme Court’s finding that the case was out of time, the Report concluded that women born in the 1950s had been subjected to direct sex discrimination, as they were afforded far less consideration than men of the same cohort. The Report emphasized that given the well-researched societal context of discrimination against women in employment, finance, income and pensions, this decision dealt a particularly harmful blow, both instantiating gender discrimination and amplifying existing inequalities faced by women in the United Kingdom of Great Britain and Northern Ireland.

The Report further examined allegations of marital status discrimination. While the Equality Act of 2010 does not explicitly employ the term "marital status", marriage and civil partnership constitute protected characteristics. The Tribunal heard evidence that changes to the State Pension Age disproportionately affected women undergoing divorce, as divorce settlements were made on the assumption that women would qualify for the State Pension at 60. The failure to notify women of the change reportedly resulted in serious financial consequences. The Tribunal considered this to constitute indirect discrimination, noting that alternative means of implementing the policy could have avoided such disproportionate impact.

The Report also examined allegations of maladministration), including decisions to target women born in the 1950s as the cohort for implementation of the pension age equalization and repeated administrative actions taken by the DWP to implement the changes without adequate notification of women around their altered entitlements.

In March 2024, the Parliamentary and Health Service Ombudsman issued a report in which he recommended that affected women should receive financial compensation, establishing 6 levels of injustice and a range of economic compensation. In December 2024, the Government accepted the Ombudsman's finding of maladministration and apologised for a 28-month delay in writing to 1950s-born women. However, it stated that those circumstances could not justify paying compensation.

In February 2025, Women Against State Pension Inequality (WASPI), a group of women who were affected by the 1995 decision to increase the pension age to 65, issued a letter before claim, challenging the Government's reasons for not paying compensation, to which the response was not favourable. In March 2025, WASPI issued a judicial review claim.

In January 2026, the latest decision was released, confirming that no compensation should be paid. In the 'Government's new decision: Women's State Pension age communications. Response to the Parliamentary and Health Service Ombudsman's investigation' by the Department for Work and Pensions, it was concluded that the decision is not to offer a financial remedy to the women born in the 1950s.

While we do not wish to prejudge the accuracy of these allegations, we express serious concern at reports that the increase in the State pension age from 60 to 65 may amount to gender-based discrimination against women born in the 1950s, an already vulnerable group of older women, undermining their equal rights to pension compensation in retirement. As articulated in article 11 of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), retired women are entitled to the same pension benefits as their male counterparts, and the CEDAW Committee has stressed that the implementation of pension policies must be equal across genders.

Further concern is expressed regarding potential age-based discrimination, since women born before 1950 were exempted from these changes, and the cohort of 1950s-born women had to bear this burden based on their age and sex. Moreover, concerns are raised over internal age discrimination within the cohort of women born in the 1950s as, depending on their dates of birth, some of these women were affected by a matter of days, while others were impacted by six years.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.

2. Please provide detailed information on actions taken or planned to address the discriminatory impact of pension legislation on women born in the 1950s.

3. Please provide information on measures taken to ensure the meaningful participation of affected women and their representative associations in the development of pension-related policies and responses.

4. Please provide any information on steps taken to address the concerns raised in the present communication.

This communication, and any response received from your Excellency's Government, will be made public via the communications reporting website at the 60 days mark. Should Your Excellency's Government respond within 60 days, both the communication and the response, may be published before the 60 days mark. The communications and responses will also be made available in the subsequent periodic report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Please accept, Excellency, the assurances of our highest consideration.

Claudia Flores
Chair-Rapporteur of the Working Group on discrimination against women and girls

Cecilia M. Bailliet
Independent Expert on human rights and international solidarity

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw the attention of your Excellency's Government to articles 2, 3, 23 and 26 of the International Covenant on Civil and Political Rights (ICCPR), ratified by the United Kingdom of Great Britain and Northern Ireland on 20 May 1976, which establish the duty to respect and to ensure the rights recognized in the Covenant to all individuals, regardless of their sex, the right to equal enjoyment of all civil and political rights of men and women, the right to equal rights and responsibilities of spouses in the dissolution of a marriage, and the right of all persons to be equal before the law and to be entitled without any discrimination to the equal protection of the law. We also recall article 11 (1)(e) of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), ratified by the United Kingdom of Great Britain and Northern Ireland on 7 April 1986, which provides that States parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the right to social security in retirement. We further recall articles 2, 3, 9, 11 and 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified by your Excellency's Government on 20 May 1976, which provide for the right to non-discrimination based on sex, the equal right of men and women to the enjoyment of all economic, social and cultural rights, and the right of everyone to social security, including social insurance and the rights to adequate housing and to health.

The Committee on the Elimination of Discrimination against Women, in its general recommendation No. 27 (2010) on older women and the protection of their human rights, has clarified that States parties have an obligation to ensure that retirement ages in both the public and private sectors do not discriminate against women. The Committee emphasizes that pension policies must not be discriminatory in any manner, even when women opt to retire early, and that States parties must ensure that all older women who have been economically active have access to adequate pensions. The Committee further stresses that States should adopt all appropriate measures, including where necessary temporary special measures, to guarantee such pensions (CEDAW/C/GC/27, para. 42). The Committee further notes that women should be subject to an optional retirement age in order to protect older women's right to continue working if they wish, and to accumulate pension benefits on a basis equal to men (CEDAW/C/GC/27, para. 20).

In its general comment No. 19 (2007) on the right to social security, the Committee on Economic, Social and Cultural Rights explains that social security is of central importance for the realization of human dignity, particularly in old age, and that States parties must ensure access to benefits without discrimination (E/C.12/GC/19, paras. 22, 23, 29-31). The Committee underscores that contributory pension schemes can exacerbate existing gender inequalities, as women are more likely to receive lower pensions due to structural discrimination throughout their working lives, and emphasizes the need for states to ensure gender equality in social security policy and implementation (E/C.12/GC/19, para. 32).

In its concluding observations on the eighth periodic report of the United Kingdom of Great Britain and Northern Ireland of 2019, the CEDAW Committee expressed concerns that the increase in the State pension age for women from 60 to 66, following several legislative changes, has affected the pension entitlements of women born in the 1950s and is contributing to poverty, homelessness and financial hardships among the affected women. The Committee recommended that your Excellency's Government take effective measures to ensure that the increase in the State pension age does not have a discriminatory impact on women born in the 1950s (CEDAW/C/GBR/CO/8 paras. 51 and 52).

We would like to recall that the Working Group on discrimination against women and girls (WGDAWG) in its report 'Gendered inequalities of poverty: feminist and human rights based approaches' highlighted that women's and girls' inequality and poverty are the result of historical and continuing economic policy choices at the global, regional and national levels. It stressed that these policy priorities are not gender-neutral, as they have been developed within patriarchal political, legal and socioeconomic systems and institutions that ignore the specific experiences and rights of girls and women while privileging the dominant forms of male and corporate power that perpetuate existing hierarchies (A/HRC/53/39, para. 11). Additionally, it stated that many predominant approaches to women's poverty concentrate on increasing the economic productivity of individual women, rather than analysing the systems of power that generate and reproduce unequal gender relations within families, communities, institutions and markets. It pointed out that these dominant models fail to recognize and value women's unpaid care, domestic and agricultural work which undergirds the economy (A/HRC/53/39, para. 21).

In its report 'Gendered dimensions of care and support systems', the WGDAWG stated that the gender gap in earnings results in a gap in pensions and savings and increased poverty among older women (A/HRC/59/45, para. 30). Additionally, in the Report of the Working Group on the issue of discrimination against women in law and in practice, it pointed out that 'Discrimination is also found with regard to access to credit, equal retirement age and social security rights' (A/HRC/26/39, para. 14).

We also wish to draw to your attention that reduced pension benefits for certain age cohorts of women in the United Kingdom, inevitably result in difficulties for several of the affected women to afford their housing costs and thus undermine the non-discriminatory enjoyment of the right to adequate housing set out in articles 3 and 11 of the ICESCR. General comment No. 4 of the Committee on Economic, Social and Cultural Rights specifies that affordability of housing is a core element of the right to adequate housing.