

Preventing Abuse of Older Persons: Progress in Implementing the Madrid International Plan of Action on Ageing

Statement by Sergei Zelenev, Chief, Social Integration Branch UN/DESA presented at World Elder Abuse Awareness Day conference organized by the International Network for Prevention of Elder Abuse and co-hosted by the Canadian Network for Prevention of Elder Abuse, Ottawa, Canada, June 16-17, 2008.

Dear colleagues, ladies and gentlemen, it is a pleasure for me to address this audience on a subject that is most important—preventing the abuse of the elderly. The role that the International Network for the Prevention of Elder Abuse has been playing in this regard is truly crucial and should be commended.

My presentation here today is an attempt to have a look at the issue in the context of the intergovernmental process as exemplified of the implementation of the Madrid International Plan of Action on Ageing and its vast and forward-looking agenda.

The Madrid International Plan of Action on Ageing emphasized that promotion and protection of all human rights and fundamental freedoms is essential for the creation of an inclusive society for all ages in which older persons participate fully and without discrimination. Combating discrimination based on age and promoting the dignity of older persons is fundamental to ensuring the respect that older persons deserve. Article 5 of the Political Declaration of MIPAA stressed that members states “are determined to enhance the recognition of the dignity of older persons and to eliminate all forms of neglect, abuse and violence.” It is not an exaggeration to claim that the entire philosophy of the Madrid Plan, as well as the Political Declaration, is geared at promoting a new vision of population ageing as both a challenge and an opportunity for development, as well as promoting a new image of older persons as powerful contributors to society, combating a caricature image of them as primarily weak and dependant.

Rising concern over the mistreatment of older persons has been heightened by the realization that the demographic landscape is rapidly changing and in the coming

decades, in both developing and developed countries, there will be a dramatic increase in the population of the older age segment.

Let me start with demographics.

The basic premises, policy objectives and implementing actions of the Madrid International Plan of Action on Ageing are tied to the current demographic shifts in the world leading to a growing share of older persons. Data compiled by the United Nations Population Division show that the number of persons aged 60 and over is expected to triple by 2050. Currently 1 person in every 10 is aged 60 years or over; by the year 2050 more than 1 in every 5 will be aged 60 years or over. In absolute terms the number of persons aged 60 years or over is estimated to be 673 million in 2005 and is projected to grow to 2 billion by 2050, at which time (for the first time in human history) the population of older persons will be larger than the population of children (0-14 years).

Meanwhile, the older population is itself ageing. Currently, the “oldest old” segment, namely people aged 80 and over, represents 13 per cent of the population aged 60 and over; yet projections show that by 2050 that proportion will have grown to some 20 per cent of those aged 60 and above.

The world has experienced major improvements in longevity. Life expectancy at birth has increased by 21 years since 1950, to the current level of 67 years. Of those surviving to age 60, men can expect to live another 18 years and women an additional 21 years. As noted in the Madrid Plan, such a profound global transformation has far-reaching consequences for every aspect of individual, community, national and international life; and every facet of humanity will be affected: social, economic, political, cultural, psychological and spiritual. In a certain sense, elder abuse represents a “by-product” of global ageing, and growing number of older persons are potentially prone to abuse.

The point of departure in MIPAA was the acknowledgment that ageing represents more than just a “challenge”; it actually marks a tremendous social achievement and a

milestone of human progress. The commitments made in Madrid make a compelling, practical framework for adjusting to an ageing world.

The Second World Assembly called for changes in attitudes, practices and policies at all levels and in all sectors so that the potential of an ageing world would be set on a positive course: to create a “society for all ages”. The emphasis on the need to harness the fruitful potential of ageing societies represented a radical shift away from the welfare approach to ageing that had generally prevailed since the 1980s.

Elder abuse is a deeply emotional issue. It is hardly possible to imagine anybody with a heart who could be left indifferent to the plight of the elderly who have been neglected or abused in any way. But, leaving emotions aside, it is important that elderly abuse has been increasingly viewed as a human rights issue because mistreatment of older persons violates their fundamental rights. So, I would like to refer to the legal context which could be used for presenting the framework to address this issue.

First of all, commitments and guiding principals that have been adopted at United Nations Conferences and Summits with particular reference to advancing the rights of older persons are very important. In this sense the Madrid Plan provides an excellent point of reference and sets a general direction for Governments and international development agencies in implementing its recommendations, with two distinct layers in the implementation process, namely, national and international. Recognizing the need for enhanced and focused international cooperation on ageing, the Madrid Plan highlighted that neglect, abuse and violence against older persons takes many forms-- physical, psychological, emotional, financial, and occurs in every social, economic, ethnic and geographic sphere. It is very important to see the issue of abuse and violence not in a narrow context, but in a much wider policy setting, linking ageing and development issues. For example, while it is essential to underscore political commitment and legal actions needed to eliminate elder abuse, it is also important to link it to lack of opportunities for older persons in society and particularly emphasize that vulnerability and poverty can exacerbate denial of basic human rights as well as limit choices and opportunities for a tolerable life. It is not a secret that in many societies older persons

comprise a disproportionate number of the poor and of the poorest among the poor. In this sense poverty eradication and the reduction of violence are complementary human rights goals in many regions of the world, representing important components of social development.

While historically elder abuse, particularly abuse of older persons by family members, dates back to ancient times, it has become a point of particular concern, attention and action relatively recently. Calls to prevent abuse of the elderly coincided with broader initiatives to address child abuse and domestic violence. In many ways, these initiatives are complementary. The loss of autonomy for older persons and dependence in one or another area make them vulnerable to abuse. Living alone is one of the risk factors apart from poverty or social isolation.

Taking a broader approach to the issue of preventing abuse of older persons, we inevitably start talking about the rights of older persons. Yes, older persons are often a vulnerable group, and this vulnerability increases with age. Vulnerability of older persons can expose them to the risk of marginalization and violation of their rights. The rights of older persons may be at risk of violation in a variety of institutional, community and family settings. In the public domain, older persons may be denied equity in opportunities available to them and in resources allocated to them. Unfortunately, sometimes traditions, as well as history and culture, combined with ageism, influence the extent to which older persons are discriminated against in mainstream social, economic, political and community life.

Legal and justice systems, when they fail to effectively protect the rights of older persons, may lead to the denial of human rights as a precursor to neglect, violence and abuse. But here inevitably, a question comes to mind—what could be done to buttress the rights of older persons? What specific policy measures could be taken to empower older persons in this basic yet vital area of human rights? The answer to this may sometimes seem straightforward--the rights of older persons have to be guaranteed-- yet, it is clear that in many cases this answer becomes complicated in the national context. Should a

special international convention on the rights of older persons be adopted? Or are the existing human rights instruments such as the UN Covenants that cover Political, Economic, Social and Cultural Rights of all people sufficient? There are no easy answers to these questions and much work need to be done to answer them in a convincing manner.

One can probably name some specific measures that could be within reach and could definitely advance the cause of human rights. First of all, Governments should provide a legal basis, introducing new laws, specifically aimed at protecting older persons. The Madrid Plan outlines a rich palette of specific measures, but the Madrid Plan is not legally binding and national measures are indispensable. Secondly, relevant criminal and civil laws that already exist should explicitly cover the abuse, neglect and exploitation of older persons. Existing laws on domestic or inter-family violence should be extended to include older persons as a group. Overall, countries around the world may find themselves at varying stages in their national and local approaches to the care and protection of older persons. While some countries include elder abuse under their legal statutes and have fully developed systems for reporting and treating cases of abuse, others have a much more limited response. In many cases, ill-treatment of older persons can happen because there are no hard core data and statistics and specific measures are difficult to adopt and implement. But more often it happens because it takes place within a realm of family and it is still considered to be a private matter. Prevention campaigns organized on a national scale may be most important in this regard. But what is also very important is to agree on the definition of what represents elder abuse and use it consistently on all levels.

Talking about the essential components that may be required to eliminate abuse of older persons in its entirety, one can say that there is a need for confluence of political commitment, rights-based approaches and legal support. But, again and again I would like to emphasize that the global problem of elder abuse may not be addressed successfully until people's basic needs are met, and their rights are respected throughout the life course. Lack of social protection and failure to provide a means of existence to

older persons deals a blow to their dignity, representing the greatest abuse of older persons. In this sense, addressing structural causes of poverty can impact the physical and emotional security of older persons, therefore reducing their vulnerability to neglect, abandonment and violence. One could add here that an older person's vulnerability to abuse may also be reduced through enabling them to remain productive, active and independent and to contribute to society, community and family. In this sense, a positive environment where there is no place for ageist sentiment does matter. Needless to say the antithesis to the negative attitudes is independence, participation, care, self-fulfillment and dignity.

The value of older persons to society was strongly affirmed at Madrid by the participating Governments in Article 10 of their Political Declaration: "the potential of older persons is a powerful basis for future development. This enables society to rely increasingly on the skills, experience and wisdom of older persons, not only to take the lead in their own betterment but also to participate actively in that of society as a whole." Older persons thus represent a great asset to society. The protection dimension reinforces empowerment of older persons by giving them scope for individual development.

Awareness-raising is one of the most important policies that could be promoted to eliminate abuse and violence against older persons. Abuse of older persons is not exactly a nice topic to read about in the press or at the media at large, nevertheless it is very important to bring this issue out of the shadows and shed light on the circumstances that create a fertile ground for such abuse, and also identify perpetrators whether in a family setting or in an institutional setting. Awareness-raising is clearly linked to sensitization of professionals who are dealing with older persons as well as educating the general public, using media and other awareness-raising campaigns.

Responding to the problem requires a careful, comprehensive and cross-sectoral approach. Apart from raising-awareness and understanding the causes of abuse of older persons, specific measures may include regulation of care, better identification of cases, and careful and forward looking planning. Apart from legal action, it is obvious that cooperation between government and civil societies in addressing elder abuse and

developing community initiatives is clearly essential. It is essential not only because it can inform government action in the legal area and lead to better laws, but it is also very important in addressing these painful issues at the community level.

Community efforts may be indispensable, providing informal support networks so important in the fight against abuse of older persons, and complementing the effort of families and individuals. First of all, the community can become aware of suspected elder abuse, much faster than outside observers, and community representatives could encourage health and social service professionals to deal immediately with suspected cases. Time is a very important factor here. Another issue is training of the care professionals who could facilitate treatment of the victims and create network support in enabling environments. As the number of various emergency situations increases, due to natural disasters or some other factors, there is a need for raising awareness and protect older persons specifically in such different situations. So, older persons should not be an overlooked group, but rather a group that is receiving constant attention.

Creating a legal basis to criminalize the abuse of older persons, as well as to increase penalties for crimes against older persons, have been implemented as a policy option in several countries. Quite often there is a need to establish enforcement systems, specifically designed to protect older persons from abuse. There is an obvious need not only to penalize violence and address the mistreatment of older persons, but also to introduce prevention programmes either to remedy the mistreatment or to prevent abuse.

The gender dimension has been specifically singled-out. We know that women live longer and this factor alone may become a risk factor when the number of older women is growing. It is necessary to pay particular attention to the gender dimension and protect older women from such neglect, abuse and violence. MIPAA underscored that older women face greater risk of physical and psychological abuse due to discriminatory social attitudes and the non-realization of human rights. One can mention here some harmful traditional and customary practices that may result in abuse and violence directed at older women. In some African countries, for example, older women are routinely

accused of witchcraft and are abused. These practices are exacerbated by poverty and lack of access to legal protection. Another dimension is creation of support services to address elder abuse when it has occurred. Of course it is better when it has not occurred, and when preventive measures are effective, but if there is a need to address facts of elder abuse, services for victims of abuse should be rendered while abusers should be punished according to the law and maybe even put into rehabilitation programmes.

The feminization of ageing merits special policy attention because many women in developing countries are single, illiterate and outside of the labour force.

Gender concerns are a critical subset of issues in the design of the Madrid Plan, especially because the attention accorded to them in the Vienna Plan was felt to be insufficient. Most older persons today are women. Many older women bear the brunt of the negative effects of development, advanced age and social prejudice. Growing feminization of poverty, ever present in many regions, as well as abuse and violence against older women, have made imperative a special focus on gender issues on a continuous basis, as well as elaboration of effective strategies to remedy them.

Another dimension of the gender perspective on ageing to be reckoned with is changes in the living arrangements of older persons: worldwide 19 per cent of older women live alone, compared with 8 per cent of older men. Generally older persons living either alone or in “skipped-generation” households tend to be an especially disadvantaged group in the less developed regions; and older women are most likely to be found in such situations. Not only in the developing world are women affected; for example, in the United States, at the threshold of the twenty-first century, 25 per cent of divorced, separated or never-married women over age 65 lived in poverty.

Intergenerational ties, obligations and solidarity remain at the very heart of every society regardless of its stage of development. The empowerment of older persons as well as the positive images of ageing advocated in the Madrid Plan are therefore important from many standpoints and may facilitate multigenerational cohesion in society. Such relationships may be seen in different manifestations, from the intergenerational pact

between workers and retirees that forms the basis of many public pension systems created on the “pay-as-you-go” premise, to the family, where most care for older persons is still provided the world over.

The recommendations of the Madrid Plan are aimed at giving it as much practical significance as possible, establishing a framework for national action regarding policy and programme design, but leaving enough room for particular concerns that older persons themselves may have in specific country contexts.

In setting an optimal environment for policymaking to be based on its recommendations, the Madrid Plan introduced innovative criteria of evaluation. Success was not to be measured by technocratic or economic standards, but rather “in terms of social development, the improvement for older persons in quality of life and the sustainability of the various systems, formal and informal, that underpin the quality of well-being throughout the life course”. The emphasis on quality of life and the life-course dimension allows for intergenerational thinking and a holistic approach to policymaking.

For effective implementation, the Madrid Plan calls for increased and better-coordinated efforts by Member States, the United Nations system and civil society organizations. The translation of policy design into real achievements is a well-defined goal of the Plan that links practical aspects of work at the national level with international support.

The Madrid Plan recognizes the need for enhanced and focused international cooperation, along with an effective commitment of developed countries and international agencies. A key parameter of the Plan is the linking of ageing with the development agenda. That can hardly be done, however, without building national capacity to implement suitable policies. The capacity to address ageing challenges varies significantly from country to country, reflecting values and priorities in policymaking as well as particular national circumstances, including population and development trajectories. While many countries had ageing-specific policies even before the Madrid Plan was adopted, the Plan has played a very useful role as a catalyst of change, bringing ageing concerns into policy agendas and enhancing awareness. The intergovernmental

process involving the Madrid Plan also facilitates the exchange of best practices regarding policies on ageing, including recognition of the contributions of older persons to socio-economic development.

Within the United Nations Secretariat, the Department of Economic and Social Affairs has been designated the focal point on ageing for the United Nations. The Department also provides substantial and continuous support to intergovernmental activities including servicing of the Commission for Social Development in its efforts to advocate a means for the “mainstreaming” of ageing at the global level.

The Department of Economic and Social Affairs helps Governments strengthen national capacity regarding ageing policies. The Department has completed the work on *Guide to the National Implementation of the Madrid Plan*, geared to supporting capacity development on ageing matters. The *Guide* takes two broad approaches: (a) the development of effective age-specific policies and (b) the mainstreaming of ageing concerns into all aspects of development planning and policymaking. Major subsections of the *Guide* cover such areas as: promoting a harmonious relationship between development and demographic change; making social protection work effectively for older persons; taking account of population ageing in health policy; exploring different aspects of care-giving and service provision in different settings, and last, but not least, ensuring the social inclusion and political participation of older persons. The policy *Guide* for national implementation activities also incorporates the preliminary outcomes of the review and appraisal of the Madrid Plan during 2007–2008.

Accurate assessment of national capacity to design and conduct realistic policies can be a tricky exercise. The existence of the best-laid plans is no guarantee that they are going to be implemented or that the objectives in the Madrid Plan are going to be achieved. However, national commitment to ageing policies does matter. Some objective indicators do exist that can facilitate appraisal of national capacity on ageing and the prospects for success.

Institutional machinery matters. Many Governments have established fully fledged offices on ageing at the ministerial or similar level. Examples include the

Department of Health and Ageing (Australia), the Division of Ageing and Seniors of the Public Health Agency (Canada), the National Committee on Ageing (China), the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (Germany) and the Administration on Ageing (USA), demonstrating consistency in achieving goals of age-specific policies.

Previously only the developed countries in Europe and North America paid particular attention to the issues of elder abuse and neglect. Recently the situation has been changing for the better in other parts of the world. Recent policy examples include Japan where the Elder Abuse Prevention and Caregiver Support Law, enacted in 2005, stipulates that efforts to prevent abuse of older persons and provide support for those who provide care to them should be undertaken by prefectural or municipal authorities while efforts are made through the formulation of guidelines and policies to ensure that such work is smoothly implemented by local governments. In New Zealand, the Government increased funding for elder abuse and neglect prevention services and appointed a national coordinator; the Philippines operates and maintains a 24-hour public and private Residential Care Facility for abandoned, abused, and neglected older persons. In Latin America, Argentina has been developing a programme to prevent discrimination, abuse and ill-treatment; in Peru, local Government social services are taking measures to prevent mistreatment of older persons, while Chile, Colombia, El Salvador, Mexico, Nicaragua and Venezuela initiated campaigns to raise awareness. There are numerous examples regarding similar steps made in other countries.

The Commission for Social Development, one of the functional Commissions of ECOSOC, is responsible for follow-up and appraisal of national implementation of the Madrid International Plan of Action on Ageing. The review and appraisal cycle began with the forty-fifth session of the Commission in February 2007 and was concluded with its forty-sixth session in 2008.

In order to assist Governments in carrying out the review and appraisal of their activities, DESA prepared *Guidelines for review and appraisal of the Madrid*

International Plan of Action on Ageing: Bottom-up Participatory Approach, targeted to national focal points on ageing.

The Guidelines are geared for a bottom-up, participatory approach that has been effectively applied by Governments and civil society in diverse research and policy monitoring activities. The guiding principle is that persons everywhere should be able to grow old with security and dignity while continuing to participate in their societies as citizens with full rights. The guidelines explain how to:

- Identify stakeholders (deciding with whom to work and how)
- Review national policies in response to ageing (defining challenges and priorities for action on ageing and determining what to review using a bottom-up approach)
- Review the implementation of the Madrid Plan (conducting bottom-up participatory assessment of policy impact on older persons)
- Provide for information analysis at national, regional and global levels (identifying policy-relevant implications and recommendations)
- Conduct a bottom-up review and appraisal with older people (involving discussion about collection, analysis and dissemination of policy-related information)

The policy implications and recommendations are expected to be considered and discussed with policymakers and civil society representatives at all levels, whether local, provincial or national, with older people present. The aim is to empower older persons and ensure that they have an opportunity to express their views on the impact of national policy actions affecting their lives.

At the end of the first round of the review and appraisal exercise, the record of achievement in matters of ageing has been mixed at both national and international levels. The explanation may lie in the varying acuteness of ageing challenges as well as the amount of attention accorded to them. One positive feature is a growing awareness of the various dimensions of ageing as well as apprehension of factors that make older persons vulnerable in society — exclusion, discrimination, lack of social protection — and of their overlap with other issues on the development agenda, including human

rights, participation and empowerment. The need to give older persons voices of their own is widely recognized, but their messages are not always listened to. Undeniable achievements at the national level in various ageing-specific sectors do exist, although significantly little progress has been achieved in mainstreaming ageing into the wider policy discourse and development strategies — a very important, but not easy, task.

At both national and international levels, the gap between the philosophy of the Madrid Plan and translation of the Madrid commitments into national programmes remains substantial.

The general assumption is that Governments are responsible for addressing the challenges and opportunities of ageing at the country level, while the United Nations has a collective responsibility to facilitate the intergovernmental process and monitor the unprecedented demographic shift, drawing attention to its long-term consequences, promoting cross-national collaboration and sharing experiences of successful policy actions on ageing.

While national goals often specify that older persons must benefit from protection and social welfare efforts, it is an open question how often Governments, faced with competing priorities and resource constraints, are willing to commit themselves to treating older persons as valued members of society who possess a full range of social rights and social entitlements. A related question concerns how often national plans for older persons are part of an integrated approach and are designed to empower older persons and unleash their potential. Much remains to be done in this crucial area.

In launching the review and appraisal exercise in February 2007 at the Commission for Social Development, several key issues were raised. The facts reveal a very mixed picture at best. There is widespread global inequality in availability and access to social protection. Pensions, which are taken for granted in more developed regions, still do not exist in many developing countries. Progress to extend social protection schemes to old-age recipients (including such schemes as “social pensions”) remains very modest in most developing countries.

Priority-setting on ageing matters at the national level leaves much to be desired. Older persons' priorities could and should be linked with the priorities of national development, but often are relegated to a second-class status. Priority goals for the eradication of poverty and the improvement of health-care provision, particularly if accompanied by well-focused strategies and practical actions, clearly could facilitate improvements in the standard of living of older persons. Governments in many cases need society-wide support to achieve these objectives, bringing all stakeholders together to identify goals and targets and implement policy.

The dignity of older persons is an important variable in all discussions on ageing, one that should not be overlooked. Human dignity has long been recognized as a key United Nations principle for older persons, and is at the core of all the major human rights texts. In whatever mode society views the dignity of older persons — as a value, a principle or a right — it could and should be a true measure of progress in countering stigma, discrimination and prejudice, thus deepening the meaning of “a society for all ages”.

Thank you for your attention.

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