

Guiding questions for the focus area on participation in public life and in decision-making processes

Inputs by the Economic Commission for Latin America and the Caribbean (ECLAC)

Equality and non-discrimination

4. What are the challenges and barriers that older persons face regarding participation in public life and in decision-making processes, including the impact of intersectional discrimination and inequality based on age, gender, disability, race, ethnicity, migratory status and other grounds?

Despite increased policy attention on ageing and older persons and growing recognition of older persons as rights holders, deeply rooted negative perceptions continue to underpin policy and practice, which create barriers in the equal enjoyment of human rights by older persons.

The COVID-19 pandemic represented a critical moment for older persons, not only because it revealed the overwhelming prevalence of social inequalities, but also because it clearly demonstrated that ageism is the main obstacle to recognizing the dignity and rights of this population group. In some cases, ageism compromised the personal safety, health, food, and mobility of many older persons. In particular, isolation during lockdown had adverse effects on their physical, mental and social interaction, their physical and mental health, and their social support networks.

In Latin America and the Caribbean, gathering data on older persons' discrimination and abuse remains a challenge. However, countries and civil society organizations are increasingly including the issue of discrimination and abuse in their surveys, which makes it possible to obtain a more realistic picture of the problem.

Campaigns have been promoted by civil society organizations, such as the Older Adults Demand Action (ADA) campaign promoted by HelpAge International, which has been running for more than 10 years and aims to make sure the voices of older persons are heard.

The region's countries have also deployed strategies and campaigns to promote human rights, highlight the importance of eradicating discrimination, advocate for the recognition and appreciation of older persons, and promote images of ageing and old age that are free from prejudice and stereotyping.

Accountability

5. What judicial and non-judicial mechanisms are in place for older persons to complain and seek redress when their right to participate in public life and in decision-making processes is violated?

As detailed in ECLAC's 2022 report "Ageing in Latin America and the Caribbean: inclusion and rights of older persons",¹ many countries have strengthened existing institutions, or created new ones, to provide specific legal protection and assistance to older persons. Institutions providing legal assistance for denouncing and punishing abuse, violence and discrimination against older persons have proven effective

¹ See [online] <https://www.cepal.org/en/publications/48568-ageing-latin-america-and-caribbean-inclusion-and-rights-older-persons>.

in providing information for the design of programmes and actions to promote human rights, response to violence and legal advice.

For example, in the Plurinational State of Bolivia, the most commonly violated right reported in the register of complaints from older persons between 2017 and 2021 (3,046 complaints) is the right to a dignified old age and preferential treatment. The perpetrators most frequently denounced for violations are private individuals (2,427 complaints), autonomous municipal governments (1,209 complaints), indigenous native peasant organizations (548 complaints), the Judiciary (548), and the Plurinational Electoral Body (517 complaints), among other entities. October 2019 data from the Ombudsperson's Office, show that 130 of the country's 339 municipalities have offices to serve the needs of older persons.

In Costa Rica, the National Council for Older Adults (CONAPAM) has set up a coordination mechanism with the Emergency System, the Ministry of Public Security, the General Directorate of the Transit Police of the Ministry of Public Works and Transportation, and the Public Transportation Council. This system made it possible to respond to 582 complaints from older persons in the first half of 2020. Of these, 44.7% were made by men and 55.3% by women.

In the Dominican Republic, the National Council for the Ageing Person (CONAPE) reports a total of 2,483 cases of discrimination, abuse and mistreatment of older persons between 1 January 2017 and 11 November 2021.

In Uruguay, The types of abuse or mistreatment most commonly experienced by the people served by the Consultation and Intervention Service for Older Persons in Vulnerable Situations -mostly women between over the age of 65- are psychological mistreatment, financial exploitation, physical abuse and neglect.