

INTERNATIONAL NETWORK FOR THE PREVENTION OF ELDER ABUSE (INPEA) INPUT FOR OPEN-ENDED WORKING GROUP ON AGEING REGARDING HUMAN RIGHTS INSTRUMENT FOR OLDER PERSONS

The International Network for the Prevention of Elder Abuse, an international NGO whose mission is to work toward the prevention of elder abuse world-wide, adds its voice through this statement for specific inputs to the open ended working group on ageing. The challenges facing older persons globally have been well - documented and should be addressed by a legally binding global human rights instrument that addresses gaps in existing instruments and consolidates non-binding human rights documents like the Madrid International Plan of Action on Aging and the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW) General Recommendation No. 27 on human rights of older women. The International Network for the Prevention of Elder Abuse (INPEA) supports a comprehensive Convention on the Rights Of Older Persons.

INPEA provides comments (below) on *definitions, equality and non-discrimination as applied to older persons, and specific human rights to be included.*

DEFINITIONS

INPEA supports a single age based standard of 60 years and older only in developed countries. In the case of less developed countries, where old age starts at a younger age any definition of age should allow for a lower floor as appropriate. In the case of widows living in less developed countries, no minimum age should apply.

INPEA supports the World Health Organization (WHO) definition of abuse, to include financial, physical and psychological or emotional abuse, and neglect, This should also include social exclusion.

EQUALITY AND NON-DISCRIMINATION AS APPLIED TO OLDER PERSONS

Age and gender are two underlying issues that result in marginalization of older persons, particularly women. Ageism is a term coined by Dr. Robert Butler in 1968 to describe the "systematic stereotyping of and discrimination against older people because they are old, in much the same way as racism and sexism are responses to skin color and gender (Butler, 1989). The International Longevity Center identifies four categories of ageism. *Personal ageism* is defined as ideas, attitudes, beliefs and practices on the part of individuals that are biased against persons or groups based on their older age. *Institutional ageism* is defined as missions, rules and practices that discriminate against individuals or groups because of their older age. *Intentional ageism* include ideas, attitudes, rules or practices that are carried out with the knowledge that they are biased against individuals or groups based on their older age. This might include practices that take advantage of the vulnerabilities of older people. *Unintentional ageism*, or *inadvertent ageism*, include ideas, attitudes, rules or practices that are carried out without the perpetrators' awareness that they are biased against persons or groups based on their

older age (International Longevity Center, 2006). Another definition of ageism includes *positive ageism* as any prejudice for or against an age group, such as assuming all old people are wiser and happier than younger people (Palmore, 1990). Mistreatment of older people has been linked to ageism, age discrimination and age prejudice (International Longevity Center, 2006). Ageism can be manifested in the home, institutions and the workplace, and is both a civil and human rights issue. Abuse of older adults occurs in large part due to negative attitudes toward older people (Canadian Network for the Prevention of Elder Abuse, 2011). Ageist behavior has been identified as a sub-set of age-differentiated behavior, and of identified types of age-differentiated behaviors, elder abuse is considered the most egregious type of hurtful behavior directed at older adults (Pasupathi and Lockenhoff, 2004).

Gender discrimination interacts with age discrimination for women. In the CEDAW General Recommendation No.27, under specific areas of concern, it is stated (11): "While both men and women experience discrimination as they become older, older women experience ageing differently. The impact of gender inequality throughout their lifespan is exacerbated in old age and is often based on deep-rooted cultural and social norms. The discrimination that older women experience is often a result of unfair resource allocation, maltreatment, neglect, and limited access to basic services."

INPEA supports incorporation of statements in the Madrid International Plan of Action on Ageing and the CEDAW General Recommendation No. 27, both non-binding human rights instruments that address normative gaps in human rights for older people, into a binding Convention for the Human Rights of Older Persons. INPEA also supports the mandate that there be the inclusion of language in all UN human rights programs and policies identifying adults "of all ages".

SPECIFIC HUMAN RIGHTS TO BE INCLUDED

The human rights identified in the Universal Principles of Older Persons (1991): specifically the principles of independence, participation, care, self-fulfillment, and dignity. **DIGNITY:** Older people should be able to live in dignity and security and be free of exploitation, violence and abuse. Older people should be treated fairly regardless of age, gender, racial or ethnic background, disability or other status, and be valued independently of their economic contribution.

From the Madrid International Plan of Action on Ageing, Priority Area III, Issue 1, Objective 1, there should be the elimination of all forms of neglect, abuse and violence of older persons. Harmful traditional and customary practices, exacerbated by poverty and lack of access to legal protection, resulting in the abuse and violence against older women and widows should be abolished.

INPEA strongly recommends that a carefully considered Convention on the Rights of Older Persons be enacted. When all older adults are deemed worthy of protection and valued as contributing members of society, all will benefit.