

**Third Regional Intergovernmental
Conference on Ageing in Latin
America and the Caribbean**

San Jose, Costa Rica, 9-11 May 2012

From commitment to action

Guide to the review and evaluation of the Brasilia
Declaration in Latin America and the Caribbean



UNITED NATIONS



Costa Rica
Intergovernmental
Conference on
Ageing **2012**

From commitment to action

Guide to the review and evaluation of the Brasilia Declaration in Latin America and the Caribbean



UNITED NATIONS

ECLAC



Costa Rica
Intergovernmental
Conference on
Ageing **2012**

Index

Introduction	7
I. Background.....	9
A. 2003-2007: from the Regional Strategy to the Brasilia Declaration.....	9
B. 2007 onwards: the growing momentum of the human rights of older persons.....	10
1. The contribution of the treaty committees	11
2. The contribution of the special procedures of the Human Rights Council	12
3. The United Nations Working Group	13
4. The Organization of American States Working Group	12
II. Methodology for reviewing and evaluating progress for the period 2007-2012	14
A. Inventory and general evaluation stage of actions aimed at older persons	15
1. The work areas to examine	15
2. Evaluation criteria of the work areas examined	16
B. Identification and analysis of best practices.....	18
1. Identification of potential best practices	18
2. Evaluation of initiatives	21
C. Key Actions.....	21
III. The national report.....	23
A. Report contents.....	24
B. Formalities.....	25
Bibliography	26

Introduction

The experience gained in the first review and evaluation of the Madrid International Plan of Action on Ageing shows that since 2002 the countries of the region have made progress in including issues of ageing and old age on the public agenda. Considering the recommendations of the Second World Assembly on Ageing, many have initiated actions for older persons, while others have taken steps towards the consolidation of their work in the field.

In practice, no country in the region has been apart from the process begun in Madrid for nine years. The Report on the Application of the Regional Strategy for the Implementation in Latin America and the Caribbean of the Madrid International Plan of Action on Ageing adopted in 2003, then the Brasilia Declaration, 2007, reinforced this momentum and opened new possibilities for action in the legislative, programmatic and institutional fields; however, challenges remain.

In the various working bodies convened to monitor the Brasilia Declaration the need has been stressed to consolidate the progress achieved, expand their reach, promote further development of actions aimed at older persons and strengthen South-South cooperation. This was expressed by member States of ECLAC in follow-up meetings of the Brasilia Declaration, held in Rio de Janeiro in 2008 and Buenos Aires and Santiago in 2009 - as well as the meeting of the Special Committee on Population and Development of ECLAC in 2010.

The second cycle of review and appraisal of the Madrid International Plan of Action on Ageing, which would start globally in 2011 and formally ended in 2013 under the 51st session of the Commission for Social Development, is an opportunity for countries in the region to review the actions undertaken in recent times, highlighting their significant achievements and identify key actions which will concentrate their efforts in the next five years.

It is hoped that the ongoing review process is designed as a continuous system of national assessment, which would also serve as a basis for reports to be presented at regional and international bodies (UN, 2010). In this framework, ECLAC member States can go beyond the development of a national report document, and use this situation to reaffirm their commitment to protect the human rights of older persons.

The review of the Madrid International Plan of Action cannot also be apart from the latest advances that have occurred in the field of human rights, many of which were initiated by the member States of ECLAC in compliance with the Brasilia Declaration. Consistent with this, it is proposed that the current cycle of review and evaluation, the current situation and national actions be considered in light of new guidelines on human rights issued, principally, by the different United Nations bodies.

The Secretariat has designed this guide in order to support member States in reviewing and evaluating the implementation of the commitments of the Brasilia Declaration. Additionally, through CELADE-Population Division, it will provide technical assistance to countries in preparing for the process to be relevant and effective, mainly to pick up the learning achieved.

The results of this process will be presented at the third Regional Intergovernmental Conference on Ageing in Latin America and the Caribbean to be held in San Jose, Costa Rica 9 to 11 May, 2012.

I. Background

A. 2003-2007: from the Regional Strategy to the Brasilia Declaration

In the regional action plan of the United Nations, ECLAC has undertaken two versions of the Regional Intergovernmental Conference on Ageing. The first took place in Santiago from 19 to 21 November 2003, and the second was held in Brasilia from 4 to 6 December, 2007.

In the first of these conferences the Regional Strategy for the Implementation in Latin America and the Caribbean of the Madrid International Plan of Action on Ageing was adopted,¹ which was ratified by resolution 604 of the thirtieth session of the Commission (see Table 1).

Table 1
Main recommendations of the Report on the Application of the Regional Strategy for the Implementation in Latin America and the Caribbean of the Madrid International Plan of Action on Ageing, 2003

Area	Recommendation
Older persons and development	Protection of human rights. Access to credit opportunities. Access to decent employment. Increased coverage of pensions (contributory and non-contributory). Promoting the participation of older persons.
Health and well-being in old age	Universal access to comprehensive health services. Promoting healthy behaviors and environments. Regulation of long-term care services. Human resources training in geriatrics and gerontology. Monitoring the health of the older population.
Enabling and supportive environments	Accessibility of the physical environment. Sustainability and adequacy of social support systems. Promoting a positive image of old age and ageing.

Source: Dirk Jaspers, "Report on the Application of the Regional Strategy for the Implementation in Latin America and the Caribbean of the Madrid International Plan of Action on Ageing," second regional intergovernmental Conference on ageing in Latin America and the Caribbean, Brasilia, 4 to 6 December 2007.

In 2007, the countries adopted the Brasilia Declaration, which reaffirms the commitment of member States to *"spare no efforts to promote and protect human rights and fundamental freedoms of all older persons, work towards the eradication of all forms of discrimination and violence and creating safety nets for older persons to exercise their rights."* Also, in paragraphs 25 and 26 of the Declaration they pledged to:

- request member countries of the United Nations Human Rights Council to assess the possibility of appointing a special rapporteur to ensure the promotion and protection of human rights of older persons;
- undertake appropriate consultations with governments to encourage the development of a convention on the rights of older persons within the United Nations.²

The Declaration includes specific recommendations in the areas of economic security, health and the environment (see Table 2). Its importance was reaffirmed in resolution 644 the thirty-second session of ECLAC, held in Santo Domingo, Dominican Republic, in June 2008.

¹ See [online], <http://www.eclac.org/celade/noticias/paginas/1/13611/FINAL-DSC-1-Ingles.pdf>.

² See [online], http://www.eclac.org/publicaciones/xml/1/32461/LCG2359_1.pdf.

Table 2
Brasilia Declaration: main recommendations for action

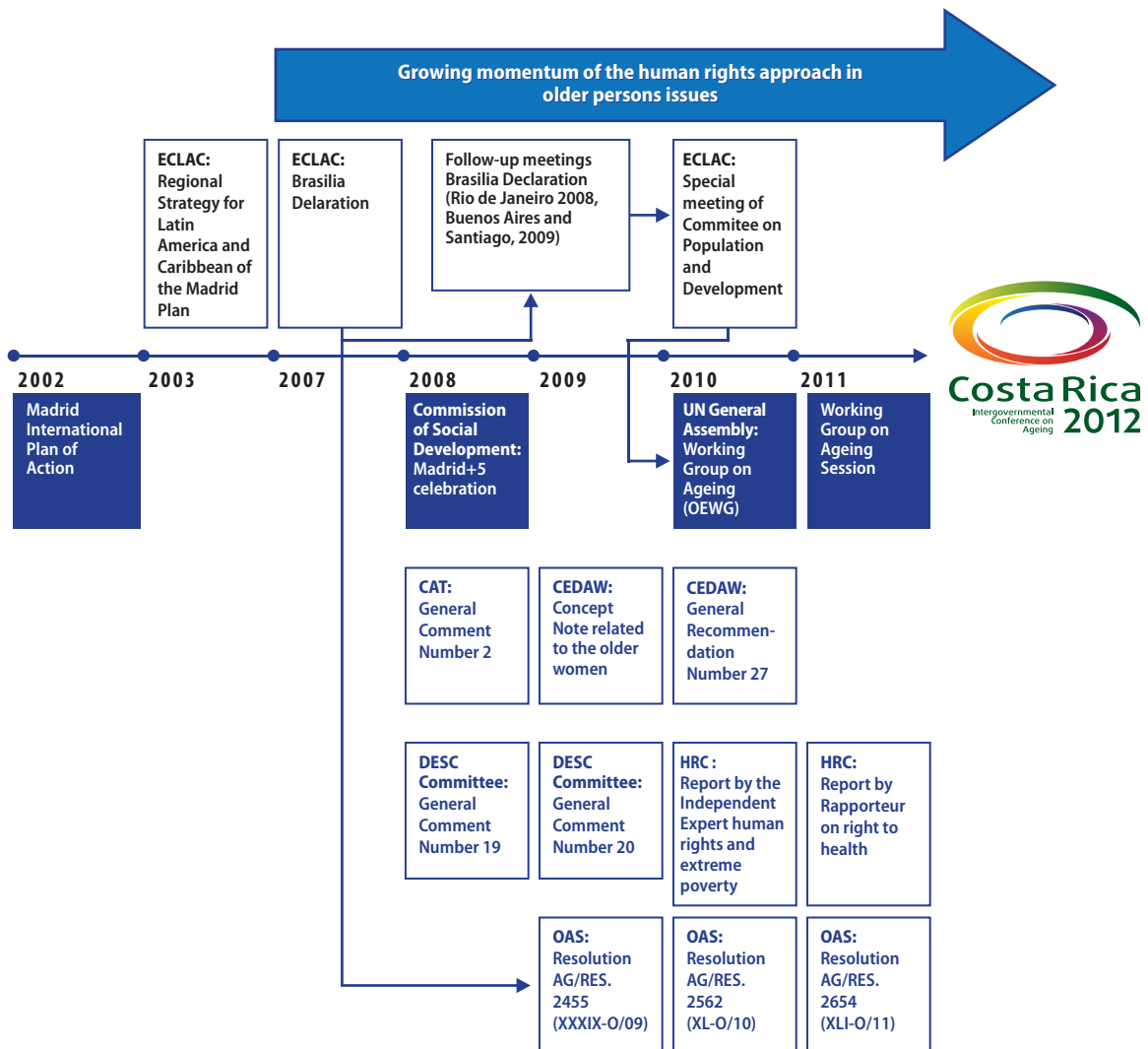
Area	Recommendation
Economic security	Access to decent work in old age. Increased coverage of social security systems (and non-contributory).
Health	Care of older persons with disabilities. Equitable access to health services. Monitoring of long-stay institutions. Creation of palliative care services. Access to health care for older persons with HIV.
Environment	Promotion of continuing education. Accessibility of public space and adaptation of housing. Elimination of discrimination and violence in old age. Recognition of the contribution of older persons in the care economy.

Source: José Luis Machinea, "Envejecimiento y desarrollo en América Latina y el Caribe: hacia una sociedad para todas las edades y de protección social basada en derechos", 46th session of the Commission for Social Development, New York, 2008.

B. 2007 onwards: the growing momentum of the human rights of older persons

Since the adoption of the Brasilia Declaration, the rights of older persons increasingly have occupied an ever more prominent role on the agenda of social development and human rights. Proof of this is the work of the Commission for Social Development—which is responsible for global monitoring of the Madrid International Plan of Action on Ageing—the work that the treaty committees have developed and the Human Rights Council—the first through their general comments and the second through specific mandates given to the special procedures—, resolutions adopted within the framework of the Organization of American States (OAS) in order to protect the rights of older persons and promote an Inter-American convention for that purpose and, of course, the creation of the United Nations Open-Ended Working Group on Ageing (OEWGA) (see figure 1).

Figure 1
International advances on the application of the human rights to the issues of older persons in the framework of the United Nations



Source: Created by author.

1. The contribution of the treaty committees

After 2007, the limited protection provided by existing conventions on the rights of older persons has been strengthened in part because of the progressive interpretation made by their monitoring bodies. This happens, for example, with the Committee on Economic, Social and Cultural Rights, which has developed further the content of these rights through various provisions or issues covered by the convention.³

In the last two years, the Committee has contributed to the understanding of economic, social and cultural rights in the context of ageing through two comments. General Comment N° 19 of 2008 on the right to social security focuses on the normative content of this right, States' obligations, violations and enforcement at the national level.⁴ General Comment N° 20 of 2009 on non-discrimination and economic,

³ In 1995, the Committee approved its General Comment N° 6 on the economic, social and cultural rights of older persons, in which obligations of States that are part of the International Pact on Economic, Social and Cultural Rights are specified that correspond to this area. In 2000, General Comment N° 14 on the right to health was adopted, which reaffirms the importance of an integrated approach on this matter, which encompasses prevention, healing and rehabilitation.

⁴ See [online], <<http://www.unhcr.org/refworld/docid/47b17b5b39c.html>>.

social and cultural rights, clarifies the interpretation of Article 2.2 of the Pact, including the scope of the obligations of States, the prohibited grounds of discrimination and its application at national level.⁵

The Committee on the Elimination of Discrimination against Women has also paid particular attention to the situation of older women, in particular in its concluding observations on certain member States, addressing issues such as violence against women, education, literacy and access to social benefits. After the concept note on older women and protection of human rights prepared in 2009⁶ —acknowledging that changes in population age structure have profound implications for human rights and increase the need to solve the problem of discrimination faced by older women—, the Committee adopted General Recommendation N° 27 in 2010. Its purpose is to identify the multiple forms of discrimination against older women and provide guidance on the obligations of States party to the Convention. It also includes policy recommendations, aimed at integrating their concerns into national strategies, development initiatives and positive action, so they can participate fully, without discrimination and on equal footing with men. Along with this, it provides guidance to include the situation of older women in the reports submitted by States party to the Convention.⁷

Finally, another committee that has addressed the issue of older persons is the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT), which in General Comment N° 2 of 2008 provides protection of certain people or groups most at risk of torture or reception of ill-treatment, among which include older persons. It also makes a significant contribution to the understanding of abuse and its relationship to the practice of torture.⁸

2. The contribution of the special procedures of the Human Rights Council

Independent experts and rapporteurs are part of the special procedures of the Human Rights Council. These are “unconventional” mechanisms —in the sense that they are not established by conventions, but by resolution of the political organs of the United Nations—, composed of experts or experts acting in an independent capacity and periodically reporting their activities to the Council (Rodríguez-Piñero, 2010).

In 2010, the independent expert on the issue of human rights and extreme poverty submitted its report pursuant to resolution 8/11 of the Human Rights Council, focusing on non-contributory pensions.⁹ It emphasizes that, given the vulnerability of older persons, States should take appropriate measures to establish social security schemes to provide benefits to all older persons without any discrimination and guarantee equal rights to men and women. The document contains recommendations for non-contributory pensions to meet basic standards of human rights.¹⁰

In 2011, the thematic study on the realization on the right to health of older persons by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health focused on older persons, in accordance with resolution 15/22 of the Human Rights Council.¹¹ This study suggests that society should stop aspiring exclusively that citizens should only grow old healthily and start promoting their full inclusion and development as rights holders. The report stresses that the human rights approach is appropriate to implement health actions aimed at older persons and makes recommendations in this regard.¹²

⁵ See [online], <<http://www.unhcr.org/refworld/docid/4a60961f2.html>>.

⁶ See [online], <http://www2.ohchr.org/english/bodies/cedaw/docs/AdvanceVersions/CEDAW_%20C_2009_II_WP1.pdf>.

⁷ See [online], <<http://www2.ohchr.org/english/bodies/cedaw/comments.htm>>.

⁸ See [online], <<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain/opendocpdf.pdf?reldoc=y&docid=47bee7f62>>.

⁹ See [online], <http://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_8_11.pdf>.

¹⁰ See [online], <http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.31_en.pdf>.

¹¹ See [online], <http://www2.ohchr.org/english/issues/health/olderpersons/docs/A_HRC_RES_15_22_E.pdf>.

¹² See [online], <http://www2.ohchr.org/english/bodies/hrcouncil/docs/18session/A-HRC-18-37_en.pdf>.

3. The United Nations Working Group

The United Nations Working Group on human rights of older persons was established by the United Nations General Assembly in its resolution 65/182 on 21 December 2010¹³ with the aim of enhancing the protection of human rights of older persons by examining the existing international framework in this area, identifying potential weaknesses and how best to address them, including through a feasibility study of new instruments and measures where appropriate.

During 2011, the Group held two working sessions. The first, from 18 to 21 April, focused on the situation of the rights of older persons in the world, and included discussion on international and regional structure for their protection. The second, developed 1 to 4 August, analyzed the situation of economic, social and cultural rights of older persons, considering multiple discrimination, violence and abuse in old age. On both occasions, the discussion identified the potential protection gaps and ways to overcome them.

The exchange and analysis developed in the first and second working session left in evidence, on the one hand, the need to strengthen the use of existing tools to protect the rights of older persons and, on the other, to establish a link between the Madrid International Plan of Action on Ageing and the human rights approach. In addition, countries in the region called for an international legally binding human rights instrument (a convention) to address regulatory gaps as well as the establishment of a new mandate to appoint an independent expert or special rapporteur.

The United Nations Secretary General's Report presented at the sixty-sixth session highlights the contribution of the Working Group and urges them to continue to discuss ways to address protection gaps and to consider the feasibility of other instruments and measures, all with priority.¹⁴

4. The Organization of American States Working Group

The commitment to make efforts to adopt an international convention on the rights of older persons is complemented by an initiative in the same direction that is in progress in the inter-American regional system.

Specifically, in May 2009, the OAS General Assembly adopted a resolution on human rights and older persons, in which the Permanent Council was requested to convene a meeting of experts to *“examine the feasibility of developing a convention on the rights of older persons”* (OEA, 2009). This request was reiterated in 2010 through resolution AG/RES. 2562 (XL-O/10), and October 28 of that year a meeting was held with representatives of the member States of the OAS, in which experts on the issue of human rights and older persons gathered at the headquarters of the hemispheric body in Washington, D.C., to discuss the feasibility of developing a convention to protect and promote these rights.

In 2011, through resolution AG/RES. 2654 (XLI-O/11) “Protection of Human Rights of Older Persons,” the General Assembly decided to request the Permanent Council to establish a working group composed of national representatives and experts from academia and civil society, as well as international organizations and specialized agencies. This group aims to develop an analysis of the human rights situation of older persons and develop a draft inter-American convention.

¹³ See [online], <<http://www.un.org/Docs/journal/asp/ws.asp?m=A/RES/65/182>>.

¹⁴ See [online], <<http://www.un.org/Docs/journal/asp/ws.asp?m=A/66/173>>.

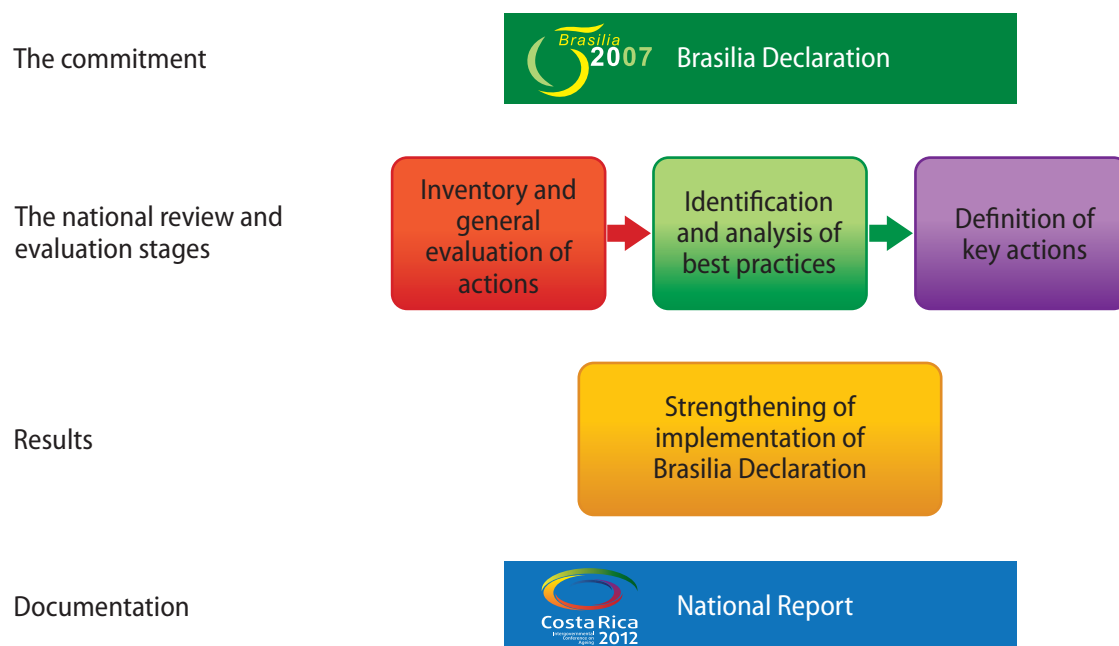
II. Methodology for reviewing and evaluating progress for the period 2007-2012

In this cycle of national review and appraisal, the progress made since the adoption of the Brasilia Declaration should be recorded and analyzed (2007 onwards). To this end, a method which involves the following stages is proposed (see Figure 2):

- a. Inventory and evaluation of actions aimed at older persons in the legislative, administrative, programmatic and institutional aspects.
- b. Identification and analysis of best practices from the perspective of the rights of older persons.
- c. Definition of key actions to be taken to strengthen the protection of the rights of older persons in the next five years.

The result of this process will strengthen the implementation of the Brasilia Declaration in the next five years, and will serve as input for the national report to be presented at the third Regional Intergovernmental Conference on Ageing in 2012.

Figure 2
Methodological stages to evaluate the national advances in the implementation of the Brasilia Declaration



Source: Created by author.

A. Inventory and general evaluation stage of actions aimed at older persons

This stage is divided into three phases. The first is the identification of actions (inventory), the second is the evaluation and the third is the documentation (see figure 3). The following are some guidelines to develop them.

Figure 3
Inventory and action evaluation stage

Inventory	Evaluation	Documentation
<ul style="list-style-type: none"> • Legislative • Administrative • Programmatic • Institutional 	<ul style="list-style-type: none"> • According to the criteria established for each work area 	<ul style="list-style-type: none"> • Inclusion of analysis result in the national report

Source: Created by author.

1. The work areas to examine

At the beginning of the review and evaluation legislative, administrative, programmatic and institutional changes shall be recorded that have been launched in order to protect the rights of older persons from 2007 onwards. The main feature to be met is that the selected measures should be concrete, deliberate and specific, taking as reference the work areas listed in Table 3.

Table 3
Work areas for the inventory and general evaluation of actions aimed at older persons

Ámbito	Líneas de trabajo
Legislative	<ul style="list-style-type: none"> - Constitutional reforms that explicitly incorporate the rights of older persons. - Develop specific rules for the protection of the rights older persons. - Reforms of the existing legislative bodies to increase protection of the rights of older persons. - Specific actions aimed at improving access to justice by older persons.
Administrative	<ul style="list-style-type: none"> - Regulation of laws aimed at older persons. - Decrees or administrative rules to protect the rights of older persons.
Programmatic	<ul style="list-style-type: none"> - Inclusion of older persons in national development plans, including plans for social development, social protection systems and strategies for poverty reduction. - Design of policies aimed at older persons or of national ageing plans. - Design and implementation of specific programs for older persons in the areas of economic security, health or favorable environments.
Institutional	<ul style="list-style-type: none"> - Creating public institutions aimed at older persons. - Strengthening of institutions aimed at older persons (through legislative changes, increase of public budget allocated to the issues of ageing, training of national teams, change of institutional dependence, among others).

Source: Created by author.

2. Evaluation criteria of the work areas examined

Once the inventory of the actions undertaken during the period under review is done, these should be subject to an evaluation, the basic criteria of which will be specific to each area of work. Here are proposed some of these criteria, which may be supplemented or enriched on the basis of national experience in the field.

a. Legislative and administrative area

To assess progress in these areas, the initiatives put in place must serve to ensure that the initiatives put in place serve to ensure the realization of the rights of older persons. To assist in this analysis we propose the following criteria:

- *Adequacy of legislation to international standards on human rights:* the national laws, regulations and decrees should not depart from the provisions of international human rights covenants ratified by the States.

The legislation must respond adequately to the characteristics and needs of the population that seeks to protect; hence, in the absence of a legally binding instrument to standardize the rights of older persons, States may resort to interpretations made by the treaties' committees through their general comments to examine the consistency of their efforts with the international human rights framework.¹⁵ This step involves, firstly, revising the content of the protected rights, and secondly, to identify the rights that are absent in national standards.

- *Provide the necessary guarantees for the realization of their rights:* laws, regulations and decrees should explicitly incorporate the mechanisms and devices that serve to ensure the effectiveness of a law, so that it becomes operable, enforceable and reasonable. This review should consider several requirements are met:
 - The specification of the content of the right is sufficient and beyond its utterance.
 - Consider that the rights protected consider institutional and citizen guarantees to make them effective.¹⁶
 - That the guarantees are in effect on the current situation and have led to progress in the realization of rights.

b. Program area

For the assessment of progress in this area, consideration of the criteria worked by the Committee on Economic, Social and Cultural Rights concerning the right to health, education, social security, among others, can be taken into account. This guide is used to analyze in depth the relevance and scope of the programs that are running the country to meet the commitments of the Brasilia Declaration.

- *Availability:* The programs should provide a sufficient number of goods, facilities and services that meet the problem that the initiative seeks to solve.
- *Accessibility:* the programs must be accessible to all, without discrimination on any grounds prohibited in international human rights covenants.
- *Acceptability:* the programs must respond appropriately to the needs of older persons and be sensitive to the requirements of gender and life-cycle perspectives.
- *Quality:* the programs must meet the methodological and organizational requirements that will allow its implementation and development. They must also have adequate staff to run and budget to implement them effectively.

¹⁵ See S. Huenchuan y L. Rodríguez-Piñero, 2010 [online], < <http://www.cepal.org/publicaciones/xml/8/42998/LCW353-I.pdf> >.

¹⁶ Institutional guarantees are protection and guardianship mechanism entrusted to the institutional bodies such as the government, administrator or judges. Citizen guarantees, meanwhile, are instruments that protect and defend rights that depend on the holders of those rights.

c. Institutional area

It is proposed that the criteria CELADE-Population Division of ECLAC is applying in the study of this subject be used, which has been submitted to the expert through a consultation process developed during 2011.

Aspects to be considered in the analysis of the developments in institutional arrangements aimed at older persons are:

- Formalizing the institutions through a specific law or the law instituting it within the government hierarchy.
- Budget allocation to cover the operating costs of staff and funding of actions.
- Existence of a plan or government program to organize actions to improve the problem that the institution undertakes.
- Development of expedited channels for citizen participation and coordination, especially for older persons and their organizations.
- Availability of skilled human resources in the area of competence and, where possible, with a background as civil servants.
- Establish monitoring mechanisms for the measures put in place to benefit older persons, through appropriate comparison indicators and benchmarks.

The documentation for this stage will be in the national report, whose structure is presented in the latter part of this guide.

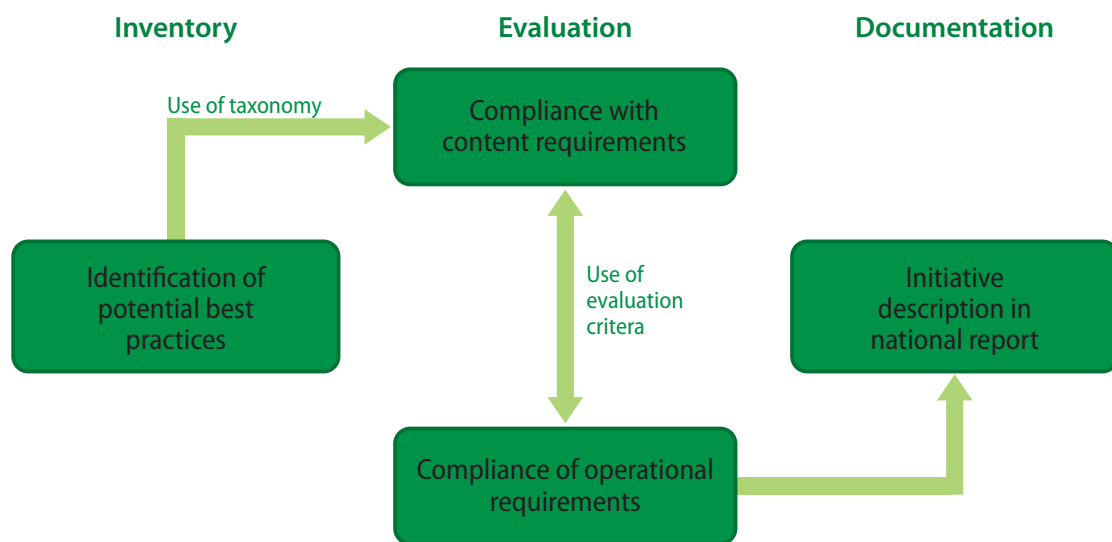
B. Identification and analysis of best practices

The second component of the methodology is the identification, analysis and documentation of best practices.

The concept of “best practices” to be used refers to *all programs, projects or intervention experiences that respond in an innovative and satisfying manner the demand for improving the exercise of economic, social and cultural rights of older persons.*

This phase consists of three stages: inventory, evaluation and documentation (see figure 4).

Figure 4
Identification and analysis of best practices stage



Source: Created by author.

1. Identification of potential best practices

To assist in the identification of initiatives that could qualify as a best practice, taxonomy can be used to build on the recommendations of the Regional Strategy for the Implementation in Latin America and the Caribbean of the Madrid International Plan of Action on Ageing and the Brasilia Declaration. Additionally, contents of the general comments are taken into consideration of the Committee on Economic, Social and Cultural Rights, Recommendation No. 27 of CEDAW, General Comment No. 2 of the Committee against Torture, as well as the recommendations of the Human Rights Council’s special procedures.

Table 4
Taxonomy for the Identification of Best Practices

Right	Work area	Lines of work
Promotion of the human rights of older persons	Legislation for older persons	<ul style="list-style-type: none"> • Special protection laws. • Legislative reforms to broaden legal coverage of rights in old age. • Regulation of laws for the benefit of older persons.
	Discrimination and abuse	<ul style="list-style-type: none"> • Legal, administrative and programmatic measures to protect the physical, mental and moral integrity of older persons. • Legal assistance to denounce and punish instances of discrimination or violence. • Specific protection for groups of older persons most at risk of abuse or violence (women, indigenous persons, persons with disabilities, among others).
	Participation	<ul style="list-style-type: none"> • Participation in the formulation and implementation of legal and public policy measures. • Promotion of association of older persons. • Integration in volunteer activities.
Work	Adequate working conditions up to retirement	<ul style="list-style-type: none"> • Retirement preparation. • Prevention or punishment of age discrimination. • Gradual reduction of working hours and/or part-time employment. • Dissemination of information about the rights and benefits of retirement.
	Decent and adequate work	<ul style="list-style-type: none"> • Jobs that facilitate the use of experience and knowledge. • Access to credit for productive activities. • Improvement of employability (incentives for hiring, training programs, funding for micro-enterprises). • Physical safety and health at work.
Social security	Non-contributory pensions	<ul style="list-style-type: none"> • Non-contributory programs for the older population. • Expanding the coverage of non-contributory programs.
	Contributory pensions	<ul style="list-style-type: none"> • Increased coverage and quality of pensions. • Legal reforms aimed at increasing the solidarity of the contributory social security systems. • Incorporation of sectors usually excluded from social security system (female homemakers, informal workers, rural workers, fishermen, among others).
Protection of the family	Care	<ul style="list-style-type: none"> • Training of family and community caregivers. • Social support services at home. • Care based in the community. • Respite services for family caregivers.
Adequate standard of living	Housing	<ul style="list-style-type: none"> • Property access or home improvements. • Housing options for older persons who live alone. • Access to basic services (water, electricity, etc.).
	Inclusive environments	<ul style="list-style-type: none"> • Community service and volunteerism. • Transport accessibility (regulation and monitoring of benefits). • Accessibility to public buildings. • Community infrastructure development for use by older persons.

Continued

Right	Work area	Lines of work
Health	Dependency prevention	<ul style="list-style-type: none"> • Basic plan of products and technologies (prosthetics, orthotics, medication, etc.). • Housing programs for dependent older persons. • Campaigns to promote healthy ageing. • Rehabilitation aids and services. • Information generation about people in situations of dependency.
	Facilities, goods and services	<ul style="list-style-type: none"> • Access to essential medicines. • Preferential assistance to older persons in poverty, disability and isolation situations and disasters victims. • Planning and coordination of health care services at national and sub-national levels. • Strategies and health training for human resources. • Multidisciplinary teams for gerontological-geriatric care. • Guaranteed coverage of chronic diseases and degenerative diseases.
Education and culture	Lifelong learning	<ul style="list-style-type: none"> • Access to adult education and opportunities for lifelong learning. • Use of new information technologies.
	Intergenerational exchange	<ul style="list-style-type: none"> • Communication and contact between different age groups. • Mutual learning among different generations. • Life-cycle perspective in the education of children and youth.
Specific groups	Older women	<ul style="list-style-type: none"> • Changing patterns of behavior that impair older women. • Equal access to contributory and non-contributory pensions. • Protection of older women with refugee, stateless, internally displaced status and migrant workers. • Greater protection of women against discrimination in property and inheritance.
	Older indigenous persons	<ul style="list-style-type: none"> • Intercultural and bilingual health care services. • Protection of land and heritage. • Protection and development of traditional medicine. • Social support services based in tradition.
	Persons in prison situation	<ul style="list-style-type: none"> • Preferential treatment in prisons. • Access to criminal measures other than deprivation of freedom. • Access to prison benefits because of age.
	Institutionalized persons	<ul style="list-style-type: none"> • Regulation of long-stay institutions. • Mechanisms for inspection of public and private long-stay institutions. • Ensuring care and treatment for institutionalized older persons. • Training of long-stay institution personnel on fundamental rights and freedoms of older persons.

Source: Created by the author on the basis of the Report on the Application of the Regional Strategy for the Implementation in Latin America and the Caribbean of the Madrid International Plan of Action on Ageing the Brasilia Declaration, the General Comments of the Committee on Economic, Social and Cultural Rights, Recommendation N° 27 of the CEDAW, General Comment N° 2 of the Committee against torture and the recommendations of the especial procedures of the Human Rights Council.

2. Evaluation of initiatives

Before qualifying an initiative as a best practice it should be evaluated, considering whether it contributes to the exercise of the rights of older persons. This means that it meets the content requirements presented below:

- **Differences in treatment:** the action gives special treatment to older persons because of their age or other circumstances that differ from the rest of the population (Rodríguez-Piñero, 2010).
- **Reasonable accommodation:** the act seeks to eliminate social, legal, institutional and even physical barriers preventing or impeding substantive equality for older persons compared to other sectors of the population (Rodríguez-Piñero, 2010).
- **Autonomy:** the action builds the capacity of older persons to make decisions without the influence of external or internal pressures.
- **Intergenerational solidarity:** the action facilitates contact and communication between children, adults and seniors, maintains and promotes mutual learning among people with different references in historical time, or promote the continuity and connection throughout life (Hagestad, 1998).

Simultaneously, the initiative must meet certain operational requirements that will qualify it as innovative, successful and replicable.¹⁷

- **Active participation of the agents involved in the development of the initiative:** the experience involves the participation of older persons and, where appropriate, families, professionals or other members of the community. The participation is envisaged in the design, development and evaluation of the initiative.
- **Transferability to other policy areas or contexts:** the experience can be generalized to other areas of care or other places with relative ease. Their characteristics suggest the possibility of being applied without major difficulties in other contexts.
- **Planning:** The experience is carried out based on a preset plan that includes the budget required for its implementation.
- **Efficiency in the organization of resources:** a job is clearly seen in network coordination and that its implementation has boosted the resources of individuals or communities that are the subject of the intervention.
- **Positive impact of its implementation:** there is evidence that the experience has meant a positive change in the exercise of the rights of older persons.
- **Durability of its application:** the experience is not a pilot/seed initiative or isolated within the scope of work of the institution that runs it, but is part of the institutional work.

Once confirmed that the initiative meets both requirements —the operational and content-related—, its documentation shall proceed through the template presented below.

¹⁷ Innovation refers to the creation of a new public good or the creative improvement of an already existing one. Satisfaction is the effective response to proposed attention needs and objectives or the improvement of the relationship between the State and older persons. Replication considers whether to generate similar initiatives elsewhere.

C. Key Actions

In the process of monitoring progress in the implementation of the Brasilia Declaration, member States should determine the factors that have facilitated or hindered the exercise of the rights of older persons, in order to clearly and precisely define actions which will be focused on over the next five years.

This definition involves identifying future priorities for action to enhance protection of the rights of older persons which form part of a national framework, which should consider, among other things:

- goals to reach and deadlines for achieving them;
- methods that could be used to achieve this end;
- the intended collaboration with civil society, the private sector and international agencies, and
- institutions responsible for the process and national monitoring mechanisms.

As can be seen, at this stage is very important to actively involve organizations of older persons, but is expected that they be present during the entire process to ensure relevance and increase the possibility of achieving optimal outcomes for their welfare.

III. The national report

Since implementing the process described in previous sections of this guide, we will proceed to the national report. Below are its structure and formal requirements.

A. Report contents

To standardize the presentation of national reports, we propose the following structure.

1. Background

Country	
Institution coordinating report	
Person in charge (name and post)	
Contact information (e-mail, telephone)	

2. Executive summary

Consists of a summary of the contents of the national report and putting emphasis on the main results.

3. Overall progress in implementing the Brasilia Declaration

The results of the first phase methodology will be presented, called "Inventory and general evaluation of actions aimed at older persons." It would be important to emphasize the results of the evaluation of individual work areas for which information was requested.

4. Best practices in human rights of older persons

Firstly an overview of the process undertaken will be presented to identify best practices along a general analysis, emphasizing the contribution that these actions represent for the exercise of the rights of older persons. Presented below is a detailed description of the initiatives, using a technical template for each.

5. Key actions to strengthen the implementation of the Brasilia Declaration

The results of the third stage methodology will be presented, including the goals to be reached and timeframes for achieving them, the means that could be used to get them, the intended collaboration with civil society, the private sector and international agencies, the institutions responsible for the process and national monitoring mechanisms.

6. Annexes

This will include supporting documentation if deemed necessary.

B. Formalities

National reports will be a good opportunity to publicize the actions being implemented by countries and highlight initiatives that can serve as examples for others, encouraging the development of South-South cooperation.

The length of the report depends on the outcome of the review and evaluation. This time, the spotlight should be on the richness of the process carried out, documenting clearly and precisely those aspects considered most relevant to be disclosed.

The executive summary will serve as a basis for national statements to be presented at the third Regional Intergovernmental Conference on Ageing. At that time, each country will have a maximum of five minutes for their presentations. In order to support the presentation to be held on that occasion, the summary report should not exceed 500 words.

The deadline for submitting the report due on **16 March 2012**.

Bibliography

- Hagestad, Gundhild (1998), "Hacia una sociedad para todas las edades: nuevo pensamiento, nuevo lenguaje, nuevas conversaciones", *Boletín sobre el envejecimiento*, Nos. 2 and 3, 1998 (edited in July, 1999), pp. 8-15.
- Huenchuan, Sandra y Luis Rodríguez-Piñero (2011), "Ageing and the protection of human rights: current situation and outlook," *Project Documents series*, N° 353 (LC/W.353), Santiago, CEPAL.
- Naciones Unidas (2010), "Modalities of the second review and appraisal of the Madrid International Plan of Action on Ageing, 2002. Report of the Secretary-General," (E/CN.5/2011/7), November, 2010.
- OAS (Organization of American States) (2009), General Assembly Resolution: "Human Rights and Older Persons" [AG/RES. 2455 (XXXIX-O/09)] adopted at the fourth plenary session, held on June 4, 2009.
- Rodríguez-Piñero, Luis (2010), "Los desafíos de la protección internacional de los derechos humanos de las personas de edad", colección *Documentos de proyecto* N° 305 (LC/W.305), Santiago, CEPAL.

