

# **Input by the UNECE Population Unit**

## **to the 8<sup>th</sup> session of the Open-ended Working Group on Ageing**

### **Neglect, violence and abuse**

The 2012 [Vienna Declaration](#) which set the regional agenda for the third cycle (2012-2017) of the implementation of the Madrid International Plan of Action on Ageing and its Regional Implementation Strategy in the UNECE region (MIPAA/RIS) clearly stated the commitment of UNECE member States to promote dignity, health and independence in older age by “safeguarding the dignity of older persons, particularly those with disabilities, and fostering their sense of belonging and self-esteem through measures aimed at, inter alia, **combating any form of prejudice, neglect, abuse and discrimination**”.

In the currently ongoing review and appraisal exercise of the 2012-2017 cycle of MIPAA/RIS, member States have reported to UNECE on the policy measures that they have undertaken to address neglect, violence and abuse of older people. The measures that they have shared are enclosed as an annex to this input. These measures will be reviewed and outlined in the UNECE Synthesis Report to be launched at the 4<sup>th</sup> UNECE Ministerial Conference on Ageing. The national reports submitted by member States from which they have been drawn can be accessed at this [link](#).

The UNECE Working Group on Ageing, whose mandate it is to contribute to the implementation of commitments taken by member States and to promote exchange of experience and policy discussion, included specifically the topic in its programme of work in 2013 and dedicated one issue of its Policy Briefs on Ageing series to the topic [Abuse of Older Persons](#) (#14)

The Brief defines and categorizes different forms of abuse, reviews data available and suggests prevention strategies and assistance in case of abuse. Several member States shared concrete policy examples. To ensure the wider distribution among national practitioners the brief was translated by member States into French, German, Russian and Spanish. Also, the Secretariat, based on the policy brief, provided the framework for general debate and group work at the seminar “Elder abuse in Ukraine” held by the Ukrainian NGO “Age Concern Ukraine” and UNFPA office in Ukraine (February 2014) as well as for several other national or subregional workshops thereafter. Elder abuse and neglect issues were also addressed in the policy briefs dedicated to innovative and empowering strategies of care (#15) and dignity and non-discrimination for persons with dementia (#16).

The upcoming 4<sup>th</sup> UNECE Ministerial Conference on Ageing that will be held in Lisbon, Portugal, on 20-22 September 2017 will highlight the importance of ensuring ageing with dignity and it is expected that Ministers will reconfirm their commitment to combat all forms of neglect, violence and abuse against older people in their Ministerial Declaration, in which they set the priorities for implementation in the next five years.

## **Equality and non-discrimination**

In the 2012 Vienna Declaration which set the agenda for the 3<sup>rd</sup> implementation cycle of MIPAA 2012-2017 member States committed to promoting participation, non-discrimination and social inclusion by “Taking measures to **combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual discrimination**”.

For all three MIPAA/RIS review cycles (2007, 2012 and 2017) UNECE member States reported on their efforts in this respect. The measures they implemented and reported on for the 2012-2017 cycle are included in the annex. The forthcoming UNECE Synthesis Report will address them as well.

Combatting age-based and other forms of discrimination is seen as key to *realizing the potential of living longer* – the theme of the 2017 UNECE Ministerial Conference on Ageing - and it requires a holistic, cross-sectoral approach. Mainstreaming of both gender and ageing across policy fields is the method that has been recommended in [UNECE’s Regional Implementation Strategy of MIPAA](#) (Commitments 1 and 8).

The UNECE Working Group on Ageing produced policies briefs on [Mainstreaming Ageing](#) (#1) and [Gender Equality, work and old age](#) (#2). The next policy brief on Realizing the Potential of Living Longer, which is currently in preparation, will address the need to rethink ageing to more fully realize the potentials of longevity and it will address the importance of combatting age-based discrimination and persisting inequities.

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## **Annex – Policy measures reported by UNECE member States**

Policy measures implemented by UNECE member States as reported in national reports submitted for the 3<sup>rd</sup> cycle review of the implementation of MIPAA/RIS (non-edited).

The full reports are published on the UNECE website: <http://www.unece.org/population/areas-of-work/pauageing/ageing/populationageing/populationmipaareviewandappraisal/pauagemica2011country-reports-2017.html>

## **Neglect, violence and abuse**

A number of UNECE member States reported on their efforts to combat neglect, violence and abuse.

### **Austria**

At the conference “Ageing with Dignity. Without Discrimination and Violence”, organized by the Federal Ministry of Labour, Social Affairs and Consumer Protection in Vienna in 2014, experts looked at what ageing with dignity means, how current values and attitudes towards older persons affect the way in which we deal with them, and how it can be ensured that different life designs and contexts of meaning can be taken into account even if older persons need support, assistance and care.

The folder “Identifying Violence. Older Persons in Institutions” was published in 2012; the “Guide to Preventing Violence in Care Organizations” was developed in 2013/2014. In 2015/2016 multipliers were trained. Senior citizens’ organizations were involved in the organization of two series of interdisciplinary workshops in all Laender titled: “Identifying violence against older persons and taking proper action”. In 2015 the Federal Ministry of Labour, Social Affairs and Consumer Protection published the study “Protection against Violence for Older Persons. Interviews with experts about options and obstacles in the implementation of legislation in Austria”.

The Land of Lower Austria produced a folder with information about the most important anti-discrimination provisions and offers of the Anti-Discrimination Office. In 2015 the government of the Land of Tyrol organized a survey of the regional parliament on the prevention of violence. It also marked the launch of a new violence prevention campaign of the Land of Tyrol, which offers continuing education and training for nursing staff in cooperation with South Tyrol.

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### **Belgium**

La Commission communautaire française soutient le service d’écoute pour les personnes âgées maltraitées ainsi que le colloque annuel que ce service organise (en 2016 : lieux de vie pour les séniors : n’attendons pas pour accueillir la diversité).

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### **Canada**

In line with the Government of Canada’s commitment to helping protect at-risk seniors and prevent their mistreatment, measures to raise awareness of elder abuse have included television and print advertising, Internet-based resources and research funding. In addition, community-based and pan-Canadian projects on elder abuse awareness (e.g. development of screening tools, curricula and fact sheets for front-line service providers) are funded through the New Horizons for Seniors Program, a grants and contributions program that supports projects led or inspired by seniors who make a difference in the lives of others and in their communities. These projects have supported the development, replication, adaptation and dissemination of resources and promising practices across the country.

As part of these efforts, the Government of Canada supported a national prevalence study on the mistreatment of older Canadians to increase the understanding of these issues and the challenges faced by vulnerable seniors. Undertaken by the National Initiative for the Care of the Elderly, the results of this study provide new evidence to inform all partners working to address elder abuse. During this period, the Government also funded the Université de Sherbrooke to undertake a project in partnership with the Service de Police de la Ville de Montréal entitled L’intervention policière auprès des aînés maltraités [Policing Intervention among Abused Seniors]. This project will enhance the ability of police forces across Canada to detect and address elder abuse incidents.

The Canada.ca website provides links to a variety of resources about preventing elder abuse, including a booklet about powers of attorney and joint bank accounts developed by the Forum of Federal/Provincial/Territorial Ministers Responsible for Seniors. Moreover, the Government of Canada supported the development and dissemination of the brochure, It’s Not Right!, a publication that provides tips on how to recognize the warning signs and risk factors of elder abuse, along with similar products focusing on the legal perspective.

To better protect seniors from mistreatment, the Government of Canada put into force the Protecting Canada's Seniors Act in January 2013, which amends the Criminal Code of Canada so that age of the victim is considered an aggravating factor for criminal sentencing purposes; while Newfoundland and Labrador passed An Act Respecting the Protection of Adults in June 2014, which protects adults who are at risk of abuse and neglect. A number of provinces have released elder abuse strategies and programs, including British Columbia, Alberta, Quebec and Manitoba. For instance, Manitoba's strategy includes: a full-time elder abuse consultant; a 24-hour seniors abuse support line; community or regional prevention strategies; education, awareness and training; and funded partnerships with senior-serving organizations that provide direct services.

More recently, the Government of Canada hosted a number of roundtables with elder law experts, academics, the financial services industry, and police service representatives on financial abuse, powers of attorney and substitute decision-making across Canada. To assist in the prevention of financial abuse, the Government funded the Uniform Law Conference of Canada to develop a uniform Enduring Powers of Attorney Act. The Act, developed in conjunction with and for enactment by provinces and territories, contains specific measures to ensure that protections and remedies to protect against the financial abuse of seniors exist in a harmonized way across Canada. The Government of Canada has developed numerous financial literacy programs and initiatives, including a Seniors' financial literacy strategy, Strengthening Seniors' Financial Literacy, to address specific challenges faced by seniors. The strategy is being implemented in collaboration with the public, private, and not-for-profit sectors, to improve seniors' financial well-being, and to help prevent fraud and elder financial abuse.

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### **Czech Republic**

Through the network of CINESTR multiplexes, preventive visuals of the Hradec Králové Region were disseminated. Funds of the Ministry of Interior supported the implementation of the project You will not Get us – Bastards. It is an innovative theatre performance that should teach older persons to reject assertive and initiative sellers through the interactive approach. Within cooperation of the Police with Dechovka Rádio various educational programmes were implemented. Cooperation with Dechovka Radio is for the Police of the Czech Republic important and, concurrently, unique as the high radio rating enables getting information and preventive recommendations to the large number of households of the oldest citizens.

Since May 2013, the Ministry of Trade and Industry, implements a system of the so-called consumer ombudsman, which is the system, which with the help of the contact points on the trade offices and their cooperation with non-governmental organisations allows deceived and abused consumers, in particular, older persons, to enforce their consumer rights in efficient, quick way and free of charge. The defender of consumer rights has been introduced in particular in connection with promotion actions, at which, in many cases, goods or services were offered using the so-called unfair practices. In the period from January to December 2015, a total of 1,613 cases was registered by contact places, of which 967 cases were closed by providing advice or information, 510 cases by contacting a seller and 67 cases using by filing a motion.

The Czech Trade Inspection (hereinafter "CTI") focused long-term its attention on protecting older persons, especially in promotional events and consumer loans. In 2015, the CTI conducted 420 inspections of promotional events, of which 339, i.e. 80.71%, were with the findings. In 2015, the CTI

imposed a total of 258 legitimate fines in the total amount of CZK 29.56 million for ascertained defects during promotional events. In the area of consumer loans, where just older persons represent one of the endangered groups, in 2015, 258 inspections were carried out, of which 105 (40.7%) were with the findings. A total of 176 legitimate fines in the total amount of CZK 5.54 million were imposed for the ascertained defects.

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## **France**

Un numéro national d'écoute et d'aide a été créé en février 2008, le 39 77, pour répondre aux situations de maltraitance envers les personnes âgées et les personnes handicapées adultes, vivant à domicile ou en établissement. Destiné au public mais aussi aux professionnels, ce dispositif est prolongé par un réseau de proximité, chargé d'assurer un suivi et un accompagnement individualisé des situations signalées, en relation, le cas échéant, avec les autorités administratives et judiciaires concernées en vue de traiter les situations de maltraitance. Au 1er janvier 2015, 80 % des départements bénéficient de ces relais de proximité. La couverture territoriale totale de ce réseau de proximité devra être effective au 1er janvier 2017.

La loi 2002 du 2 janvier 2002 rénovant l'action sociale a prévu que les directeurs de ces autorités administratives signent un protocole de signalement avec chacun des établissements hébergeant des personnes vulnérables. Des programmes pluriannuels d'inspection ont été mis en place en vue du repérage des risques de maltraitance dans les établissements médico-sociaux. Le programme en cours pour la période 2013-2017 cible plus particulièrement les structures et activités à risque ou ayant fait l'objet de réclamations ou de signalements, afin de remédier aux dysfonctionnements, de sanctionner les abus, mais aussi d'accompagner les évolutions nécessaires. Ainsi, ces dix dernières années, ce sont 9 000 établissements hébergeant des personnes âgées et des personnes handicapées (enfants et adultes) qui ont fait l'objet de contrôles par les services de l'Etat.

Afin de développer et de promouvoir une culture active de la « bientraitance », les pouvoirs publics mènent des actions visant à modifier le regard porté sur les personnes vulnérables et à améliorer leurs conditions de vie. Ces actions portent notamment sur l'effectivité de la mise en œuvre des dispositions de la loi n° 2002-2 du 2 janvier 2002 qui garantissent le respect des droits des usagers et de leur entourage : démarches d'amélioration continue de la qualité dans les services et les établissements, sensibilisation et formation des personnels à la bientraitance, démarche d'analyse et de gestion des risques et diffusion de recommandations et guides de bonnes pratiques...

Pour soutenir ces actions, plusieurs outils et structures d'appui ont été mis en place.

L'Agence nationale de l'évaluation et de la qualité des établissements et services sociaux et médico-sociaux (ANESM), créée en mai 2007, a élaboré plusieurs recommandations de bonnes pratiques professionnelles et des procédures d'évaluation interne et externe.

Le « Comité national de vigilance contre la maltraitance des personnes âgées » a été réactivé en février 2013, sous l'appellation de « Comité national pour la bientraitance et les droits des personnes âgées et des personnes handicapées » (CNBD)<sup>23</sup>. Il arrête un programme de travail, dont la réalisation mobilise les acteurs concernés par les thématiques définies. Ces travaux font l'objet de rapports et de préconisations d'actions concrètes présentées en séances plénières présidées par les ministres concernés.

La formation et la sensibilisation des personnels des services ainsi que des personnels encadrant constituent les principaux leviers de promotion de la bientraitance. La refondation de l'aide et de l'accompagnement à domicile sous la forme d'un conventionnement notamment autour d'objectifs de qualification professionnelle, prévu par la loi doit ainsi contribuer à la promotion de la bientraitance.

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## **Ireland**

The Safeguarding Vulnerable Persons at risk of Abuse, National Policy & Procedures was launched in December 2014. This national policy applies to all Health Service Executive and Health Service Executive funded services for older people and people with disabilities. The policy outlines the procedures to be followed when there is a concern of abuse, neglect or self-neglect of a vulnerable adult. The types of abuse outlined include physical, sexual, psychological and financial/material abuse, neglect and acts of omission, discriminatory abuse and institutional abuse. Self-neglect is also covered. The HSE has established a number of structures to implement the policy, including a National Safeguarding Office and a National Intersectoral Safeguarding Committee. Safeguarding and Protection Teams to deal with suspected abuse have been established in each of the nine Community Healthcare Organisation (CHO) Areas. There is a system in place to monitor the safeguarding concerns from the CHO's and this data is reported in the monthly HSE national performance reports.

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## **Israel**

Awareness of the need to protect the elderly from abuse has increased in recent years in Israel. This protection rests on three main laws: 1) The Law for the Defense of Protected Persons 1966; 2) The Penal Code 1977, expanded in 1989 to include elderly victims of physical or mental abuse; 3) The Law for Prevention of Violence in the Family 1991, permitting therapeutic intervention and protection of elderly victims of abuse.

Government policy led to the development of assistance programs for situations of abuse and neglect of senior citizens: operating units to prevent abuse in the Social Service Departments of local authorities (65 units); training social workers regarding the Protected Persons Law, and training professionals treating the elderly as regards abuse and neglect; operating multidisciplinary teams (physician, attorney, social worker) in complex cases (committees for at-risk elderly); establishing an inter-ministerial forum in collaboration with NGOs on behalf of the elderly that works to formulate national policy on the topic. The development of the units to prevent abuse at the SSDs included a pilot stage in three local authorities, accompanied by an evaluation study by the Myers-JDC-Brookdale Institute. The study findings reinforced the model, which was disseminated countrywide. Information on elder abuse and neglect is disseminated in written material, including "A Guide to Identify Abuse and Neglect in the Elderly" (published by JDC-Israel-Eshel). It includes a tool to evaluate the risk of abuse and neglect and a guide for establishing a unit to treat and prevent abuse in the rural sector. Social services in Israel are working to intensify treatment of the topic by: 1) Identifying measures to prevent and treat a greater number of cases of abuse and neglect in the elderly by developing more units in local authorities; 2) Raising awareness of the public and service providers of elder abuse and neglect. (In this respect, a number of professional events have been held, including a national conference on the topic as part of World Elder Abuse Awareness Day); 3) Equipping community services with the tools to identify elderly

persons at risk of abuse and neglect, and developing appropriate interventions for such situations; 4) Establishing "abuse committees" in long-term care institutions and hospitals in order to raise awareness and design interventions and proper procedures to be followed in the case of abuse; 5) Establishing a central information service to keep a record of the cases of abuse of the elderly handled by the social services.

NII volunteer force: A professional division of the NII runs a volunteer force to identify older adults in situations of risk or distress (the lonely, people with disabilities, the housebound and so forth). The volunteers make social visits to the housebound, and host information days for people on the verge of retirement, for widow/ers, and for families of relatives with dementia.

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### **Republic of Moldova**

At the same time, despite the positive experience in training MDTs to intervene in cases of violence against elderly people, as well as in training elderly to mobilise the community against this scourge ("reaking the silence. Elder abuse in the Republic of Moldova" 2013–2015 project (HelpAge, Gender enter, IEDDO / EIDHR), we still find cases of elderly abuse and discrimination/ "One in four elderly people in Moldova do not receive any help from the close relatives. The situation is even worse in case of elderly men (28.3%) and of elderly from rural area (27.9%), while over 12% of the elderly from Moldova have absolutely no one whom to address for help ("Discrimination, Abuse and Violence against Elderly" Social Study (2015, HelpAge, UNFPA, DRC). According to experts, the Republic of Moldova shows significant arrears in AAI: participation in social life -since only one in ten elderly people are involved in social life. The elderly still encounter barriers that hinder them from participating in social and political activity, even if there are no legal impediments on age or sex grounds in this respect.

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### **Netherlands**

The older population is vulnerable to discrimination, social exclusion and abuse. Research that was conducted in 2012, highlighted that around 0.5% of older people became victim of domestic abuse in the last five years, which means around 15 000 victims. Note that this survey did not include financial exploitation or neglect; therefore it is likely that the numbers are an underrepresentation of the actual number. About 40 to 50% of the professional and volunteers reported that they experienced some sort of elderly abuse throughout their career (note that the professionals and volunteers could report about the same case). Most often it was related to physical violence, followed by financial exploitation (Plaisier & de Klerk 2015). In March 2011, an action plan was implemented to dismantle elderly abuse: 'The Elderly in Safe Hands' Action Plan (Actieplan Ouderen in veilige handen). The elements that were included in this action plan were: prevention, information campaign, 'Declaration of Good Conduct', toolkit for volunteer organizations, training and education, elderly abuse reporting centers, victim support, and prosecution of offenders.

Due to successful results and the increasing recognition of the necessity to eliminate abuse among older persons, the program will be continued until 2017. For instance, the number of reports regarding elderly abuse in 2010 was 855, and in 2014 this increased towards 2,432. This does not necessarily mean that more older persons became victim of abuse; it is more likely that more people recognized the problem as such and were less reluctant, or experienced fewer obstacles, to report this malpractice (Sociaal en Cultureel Planbureau , 2014).

The continued program of 2015-2017 includes a public campaign to raise awareness of elderly abuse (i.e. physical, financial and emotional) and prevention of abuse by informal care givers. The overall objectives are that the municipalities will design specific policies to tackle elderly abuse, together with various partners (i.e. health care organizations, volunteers, health care purchasing organizations 'zorgkantoren', Public Prosecution Service 'openbaar ministerie OM', and the police). This subject became a crucial element on the agenda of the partners and the municipalities (De Staatssecretaris van Volksgezondheid, Welzijn en Sport. M.J. van Rijn, 2015a).

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### **Romania**

The Plan of actions of National Active Ageing Strategy stipulates specific measures in order to improve legislation on prevention of elder abuse and neglect and to develop curriculum on prevention, detection and resolution of identified elder abuse cases. The National Agency for Equal Rights between Women and Men has in view to implement a 24-hour social emergency helpline for provision of counselling, referrals and psychological help, older persons being a priority target group. Since 2015, Princess Margaret of Romania Foundation has initiated the Elderly' Phone Project, successfully implemented by volunteers. Unfortunately, the present legislation has very few provisions related to the prevention of the risk of abuse or neglect among older persons. The Law no.17/2000 stipulates some rules to protect elderly from a potential financial or material abuse, if they intend to sell their houses under the condition of receiving care from the new owners of the dwellings.

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### **Sweden**

National strategy on violence towards elderly people in the care and health sector

In the past 10 years the Government has contributed towards improving quality in preventing, counteracting and tackling violence against elderly people through legislation and different stimulation initiatives geared towards municipalities. The measures have mainly focused on three strategic areas: the dignity and wellbeing of the individual, the quality of care, and help and support to relatives who are carers. In order to further support the municipalities' quality development, in June 2014 the Government decided on a national strategy on violence towards elderly people in care and medical care. The intention of the strategy is to inspire municipalities to raise their sights and improve quality in terms of working to prevent, identify and tackle violence against older people that occurs in the care and health sector.

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### **United States of America**

The U.S. has made great strides in enhancing national responses to preventing and addressing elder abuse since 2012. The ongoing implementation of the Elder Justice Act has resulted in significant new resources and approaches for preventing and combating elder abuse, neglect, and exploitation. HHS chairs the Elder Justice Coordinating Council, which coordinates elder justice activities taking place across the Federal Government. The work of the Elder Justice Coordinating Council involves many sectors of government, law enforcement, and economic stakeholders, reflecting the complex challenges



of elder abuse. The most recent report to Congress demonstrates the multidisciplinary approaches: [http://www.aoa.acl.gov/AoA\\_Programs/Elder\\_Rights/EJCC/docs/EJCC-2012-2014-report-tocongress.pdf](http://www.aoa.acl.gov/AoA_Programs/Elder_Rights/EJCC/docs/EJCC-2012-2014-report-tocongress.pdf).

There has been significant progress in developing new national systems that are responsive to elder abuse. ACL is overseeing the launch of the National Adult Maltreatment Reporting System, the first national reporting system for states to submit data on adult maltreatment, as well as the development of the first national Adult Protection Services guidelines that highlight best practices for an effective APS system.

Combating Violence, Abuse, and Neglect of Older Persons: The Elder Justice Act (EJA) of 2009 (Title XX of the Social Security Act, Subtitle B), was signed into law on March 23, 2010 to address weaknesses in Federal and state responses to elder abuse. The EJA provides funding to implement a number of provisions, including to:

- Improve and enhance adult protective services programs;
  - Enhance the long-term care ombudsman program; and
  - Receive reports of crimes in long-term care facilities.
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- The Elder Justice Act also established the Elder Justice Coordinating Council (EJCC) to coordinate activities related to elder abuse, neglect, and exploitation across the Federal government. As Chair of the EJCC, the Secretary of HHS has lead responsibility for identifying and proposing solutions to the problems surrounding elder abuse.
  - In 2014, as part of the continued roll-out of the EJA, ACL created the Office of Elder Justice and Adult Protective Services (OEJAPS), expanding our administration of elder abuse prevention, legal assistance, and pension counseling programs by officially designating this office as the home for APS in the federal government. Through this office, ACL leads and supports the development and implementation of a comprehensive, national infrastructure for preventing, detecting, and responding to adult maltreatment, while also emphasizing a consumer-directed approach.
  - Title VII-A3 of the Older Americans Act also provides funding for elder justice programming through the Prevention of Elder Abuse, Neglect, and Exploitation program. Through this title, ACL distributes funds via formula grants to states and territories based on their share of the population aged 60 and over, roughly \$5 million annually. With an emphasis on training for prevention, the program is focused on technical assistance and capacity building for law enforcement, medical professionals, and others working with older adults to recognize elder abuse.
  - ACL also funds the National Center on Elder Abuse (NCEA). The NCEA provides relevant information, materials, and support to enhance state and local efforts to prevent and address elder mistreatment. The NCEA makes available news and resources; collaborates on research; provides consultation, education, and training; identifies and provides information about promising practices and interventions; answers inquiries and requests for information; operates a listserv forum for professionals; and advises on program and policy development. NCEA also facilitates the exchange of strategies for uncovering and prosecuting fraud and scams targeted at seniors.

- Since 2000, the Enhanced Training and Services to End Abuse in Later Life Program, a discretionary grant under the Violence Against Women Act (VAWA), addresses elder abuse, neglect, and exploitation, including domestic violence, dating violence, sexual assault, or stalking, against victims who are 50 years of age or older through training and services. The Department of Justice Office on Violence against Women administers approximately \$3.1 million for this grant program annually, which funds approximately eight to nine communities a year to work collaboratively to address abuse in later life.

Legal Assistance and Elder Rights: Legal assistance and elder rights programs under Title III-B of the Older Americans Act (OAA) are instrumental in addressing the harmful consequences of elder abuse including financial damage caused by exploitation and fraud. Legal services provided under Title III-B, Section 321, of OAA are part of the essential core of ACL's legal assistance and elder rights programs. There are approximately 1,000 OAA-funded legal services providers nationwide, which provide over one million hours of legal assistance per year. Legal services under Title III-B can protect older persons against the direct challenges to independence presented by elder abuse. These cases involve complex legal issues which may include: cases of financial exploitation, fiduciary abuses, and consumer fraud; cases of physical abuse; and cases of neglect/self-neglect.

Adult Protective Services: Adult Protective Services (APS) is a social services program provided by state and local governments nationwide serving older adults and adults with disabilities who are in need of assistance because of abuse, neglect, self-neglect, or financial exploitation (adult maltreatment). ACL oversees Federal coordination of APS services, and in 2016 published the first ever national APS guidelines that highlight best-practices for an effective APS system. The majority of states have adopted these national guidelines or plan to do so, which will result in significant improvements in APS provision, evaluation, and expansion. 2016 saw the launch of the National Adult Maltreatment Reporting System, the first national reporting system for states to submit data on adult maltreatment. This system will result in the first ever national data on elder abuse and will greatly improve the Federal government's ability to evaluation progress.

National Adult Protective Services Resource Center: In response to the growing need for APS programs to improve investigation and response, train APS staff, and develop and disseminate best practices for interventions into reported incidents of elder abuse, neglect, and exploitation, in FY 2011 AoA/ACL established the first-ever Federal grant program to provide a National APS Resource Center (NAPSRC). The goal of the NAPSRC is to provide current and relevant information and support to enhance the quality, consistency, and effectiveness of APS programs across the country. The NAPSRC works to enable state APS programs to enhance their critical role in responding to elders and adults with disabilities who are facing abuse, neglect, and exploitation.

Elder Justice AmeriCorps: In 2016, the U.S. Department of Justice, through its Elder Justice Initiative and its Office for Victims of Crime with support from the Office for Access to Justice, and the Corporation for National and Community Service, announced Elder Justice AmeriCorps, a \$2 million grant program to provide legal assistance and support services to victims of elder abuse, neglect and exploitation – the majority of whom are women – and to promote pro bono capacity building in the field. This grant to Equal Justice Works will be the first-ever army of new lawyers and paralegals to help victims of those who prey on our nation's elders.

## **Combating discrimination and inequality and raising awareness**

The 2012 Vienna Ministerial Declaration states the commitment of UNECE member states to Goal II, which focuses on promoting participation, non-discrimination, and social inclusions of older persons by taking measures to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation and by combating ageism through awareness campaigns and encouraging the media and other opinion-making actors to give an age-balanced image of society.

The following input reflects the policies that UNECE states have implemented to combat discrimination and raise awareness. The country reports can be accessed at this link.

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### **Albania**

Gender is becoming an important issue in Albania. There is law and a national strategy about gender equality. As result, there are tangible outcomes; The number of women in Parliament grew from 16.4% in 2009 to 20.7% in 2014; the number of women in municipal councils grew from 12.2% in 2011 to 35%

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### **Armenia**

According to clause 7, “Implementation of measures, aimed at representation of men and women equality issues, overcoming gender-based discriminatory practices and dissemination of the latter in mass media” of the program, in 2014-2015 in Yerevan and regions awareness raising campaigns with regard to gender equality principle and gender-based discrimination were carried out. On 20 May 2013 the Law of The Republic Of Armenia “On ensuring equal rights and equal opportunities for men and women” was passed. The Law defines the guarantees of ensuring equal opportunities for men and women in political, social, economic, cultural and public, etc. areas of life and regulates relations,

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### **Austria**

The Austrian Senior Citizens’ Council has found that despite of the conferral of the “Senior Citizen Rose”, a media award for especially fine reporting on older persons and of the “Senior Citizen Nettle”, which is awarded for particularly discriminatory presentations of older people, even major media often continue to perpetuate the obsolete and prejudice-ridden image of older persons.

This is why, in 2013, the Federal Ministry of Labour, Social Affairs and Consumer Protection i.a. organized a series of films on positive images of ageing under the motto “Seeing Age” and the expert conference “Images of Ageing – Real Life instead of Stereotypes” to mark the International Day of Older People. In 2015, the Ministry showed the European exhibition “How to get to 100 – and enjoy it” at the Vienna University of Economics and Business to foster a positive attitude towards ageing in young and old people alike.

In the Laender, travelling exhibitions such as “How young is old? Life into Years” and panel discussions about how the media affect our view of old age (Upper Austria) are organized. In Styria the project and travelling exhibition “ALTERnative Schönheit” (“alternative beauty”, a title involving a play on the German word for age) aims at giving more visibility to older women in public whilst countering against age(ing) stereotyping and raising awareness for the diversity of this target group.

## **Belgium**

Le programme quinquennal de la Cohésion sociale 2016-2020 de la Commission communautaire française s'engage dans cette direction.

Ces processus visent en particulier la lutte contre toute forme de discrimination et d'exclusion sociale par le développement de politiques d'intégration sociale, d'interculturalité, de diversité socio-culturelle et de cohabitation des différentes communautés locales.

Ils sont mis en œuvre, notamment, par le développement d'une action communautaire de quartier et du travail en réseau ».

Depuis 2014 en Wallonie, il existe une obligation de faire une analyse par genre pour toutes les politiques (Plan gender mainstreaming)

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## **Cyprus**

The Equal Treatment in Employment and Work Law ensures protection against discrimination in employment and occupation on grounds of race or ethnic origin, religion or belief, sexual orientation and age. Age discrimination is prohibited and equal treatment is promoted, ensuring equal opportunity to older persons to access labour market. Any person, who considers himself wronged by a breach of the provisions of the Law, has the right to complain to the Department of Labour and the Ombudsperson's Office, which acts as Equality Authority in cases of age discrimination in employment and occupation.

The government implements the following measures to strengthen the mechanisms for equality and women's rights:

- . The Gender Equality Committee in Employment and Vocational Training, to overview the implementation of the equality principle
- . The enhancement of the National Mechanism for Women's Rights
- . The handling of claims related to gender equality issues by the Ombudsperson's Office
- . The establishment of the Office of Commissioner for Gender Equality, in 2014.

The government has finalised a new Strategic Action Plan for Equality between Men and Women (Ministry of Justice and Public Order) for 2014-2017.

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## **Denmark**

The Danish Gender Equality Acts prohibits sexual discrimination outside as well as on the labour market. One the acts obligates public authorities to work to promote equality by taking equality into account in all public planning and activities – the so- called gender-mainstreaming strategy.

## **Estonia**

To reduce inequality in the society, Estonia has created the institution of the Gender Equality and Equal Treatment Commissioner to help people protect their rights and prevent discrimination of any kind. The commissioner advocates for women, men, and representatives of different minority groups to have equal rights and opportunities in every sphere of social life. The Equal Treatment Act is valid in Estonia as of 2009 with the purpose of ensuring people protection against discrimination, including on the basis of age or disability.

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## **Finland**

According to the Finnish Non-Discrimination Act all public authorities, employers and educational institutions must assess and promote equality in their activities. When fulfilling this obligation on promotion, age must be taken into account among other discrimination grounds. The purpose of these fostering measures is to safeguard everyone's equal opportunities for using services provided by different authorities, obtain training and advance their career. This sets clear obligations to all employers for active measures to promote equal opportunities of elderly employees. The plans must be effective by 1 January 2017 and they must be updated on a regular basis.

The Non-Discrimination Act prohibits discrimination on the basis of age, ethnic or national origin, nationality, language, religion, belief, opinion, health, disability, sexual orientation or other personal characteristics. The Constitution guarantees individual civil rights. The Non-Discrimination Ombudsman is an independent and autonomous authority, whose task is to advance equality and to prevent and tackle discrimination on all bases, including age.

Several research projects and initiatives focus on eradicating age discrimination. Minority groups within the elderly population are in a fragile position and require special attention. In 2014, the Ministry of the Interior published a report on the experiences of discrimination by elderly minority members. According to the report, older persons rarely experience immediate discrimination and mistreatment within the public service system. Most of the time discrimination takes place in an indirect or structural way.

According to the Government's Gender Equality Programme 2016-2019, strengthening gender equality is one of the preconditions for improving employment rate and welfare growth. The programme includes measures to promote gender equality and gender perspective in working life and salaries, supporting the parenthood of both genders and supporting reconciling work and family life, promoting gender equality in education and sports, reducing violence towards women and improving gender equality through all public decision-making.

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## **Hungary**

The pension gap between genders is changing favorably in Hungary; it is only 15% (as opposed to the average 40% difference recorded in the EU). The legal framework allows for positive discrimination in the case of women. In this context, the Women 40 Programme was launched, which makes early retirement possible for women, in case they have an appropriate eligibility period of at least 40 years.<sup>14</sup>

Since the launch of the programme, more than 160,000 women have used the possibility of early retirement ensured for them.

### **Israel**

One way to promote the rights of the elderly and prevent ageism is legislation. Three amendments have recently been made: to the Mandatory Tenders Law; the Patient's Rights Law (see also below in Chapter 3, with reference to health services); and prohibition against ageism as regards products and public services. An amendment to the Mandatory Tenders Law stipulates a prohibition against discrimination based on age. This issue of ageism was not addressed previously in the law dealing with government and public sector contracts for goods, property and services. –Concomitantly, the prohibition was extended to tenders for hiring civil servants by virtue of the Civil Service Law (Appointments). The preamble to the law noted that the need to add the prohibition against ageism grew out of a sharp rise in complaints on this issue, submitted to the Commission for Equal Employment Opportunity, and in light of various studies indicating a clear preference for younger workers. Given that ageism may also occur in medical care, the Patient's Rights Law was amended in 2010 to prohibit this form of discrimination: it stipulates that a caregiver or medical institution will not discriminate between patients on the basis of age.

Changes in the Patient's Rights Law: Given that ageism may also occur in medical care, the Patient's Rights Law was amended in 2010 to prohibit this form of discrimination: it stipulates that a caregiver or medical institution will not discriminate between patients on the basis of age. However, if a distinction between different ages is warranted for medical reasons, it is not considered discrimination. In 2014, another amendment was added, imposing a fine for discriminating against patients on the basis of age. Until then, there had been no sanctions for ageism.

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### **The former Yugoslav Republic of Macedonia**

In accordance with the Law on Prevention and Protection Against Discrimination – revised text (Official Gazette no. 177 dated 14.10.2015) adopted in 2010, a Commission for Protection against Discrimination as an independent body was established. According to the Law, the Commission works on petitions received on various grounds, including age. Since the establishment, the Commission has received 28 petitions in the grounds of age, and has identified discrimination in three of them.

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### **Malta**

The Maltese Government is planning to further promote awareness of ageism and age discrimination, including also legal amendments to address both direct and indirect discrimination.

Malta has made significant strides during the past years in overcoming issues of discrimination and to promote women's full social participation. A gender equality perspective is incorporated into all policies at all levels and at all stages.

The principles of gender equality and non-discrimination are protected by the Maltese Constitution. This includes also discrimination on the place of work. The subject of discrimination in employment is treated in Articles 26-32 of the Employment and Industrial Relations Act (chapter 452 of the laws of Malta) and in the Equality for Men and Women Act (Chapter 456 of the laws of Malta).

Recently the parliament has approved amendment to the Social Security Act, which eliminated any form of discrimination based on gender that had been present for many years. Thanks to these amendments differences in the minimum or fixed rates of pensions will be abolished. Pension rates of these women

are being revised to eliminate any form of discrimination based on gender.

### **Republic of Moldova**

There is a comprehensive legal and regulatory framework on gender equality, an institutional mechanism in the field and a set of gender-sensitive indicators. Regarding Commitment VIII, the government reiterates gender mainstreaming in all documents on ageing, and a comprehensive legal and regulatory framework on gender equality exist.

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### **Netherlands**

The Dutch government facilitates various projects aimed at the more than 300.000 LGBT people of 50+ years of age, through the support of the 'Gay-Straight Alliance LGBT Elderly' (Homo en Hetero Ouderen-alliantie 2012 – 2014; project van 'Consortium Roze 50+ Nederland'). LGBT people run a higher risk of social isolation and therefore loneliness compared to their heterosexual peers, especially at older age. Although the 50+ generation has paved the way for the improvement of social acceptance of LGBTs in the Netherlands, they still need to empower themselves. It is also notable that many elderly citizens hide their sexual orientation or gender identity.

The focus of the policies lies on visibility, advocacy and empowerment of these 50+ citizens. For seniors, the visibility is stimulated by special events such as the "out & proud" boat at the Amsterdam Canal Parade and the presence during the national 50+ fair. Also, awareness-raising activities are taking place at regional and local levels for the well-being of this policy target group, which are done by 'pink ambassadors' from the community. A tolerance scan ('Pink Passkey') has been developed to assess care facilities on their LGBT friendliness.

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### **Norway**

Age-discrimination is forbidden by law, as is also discrimination due to gender, ethnicity, religion, disability and sexual orientation. The Equality and Anti-discrimination Ombudsman helps people who experience discrimination. The Ombudsman has also the responsibility of ensuring that Norwegian law corresponds with the UN Conventions against discrimination. Ca. 10 % of all complaints to the Ombudsman and ca 20 % of all complaints concerning working life issues are about age discrimination (2007-2017). A proposal for a new and comprehensive Equality and Anti-Discrimination Act was sent on public consultation in October 2015 with reply deadline in January 2016. The proposal is to replace the four existing gender equality and anti-discrimination acts with one comprehensive equality and anti-discrimination act, thus giving a less fragmented legal system. Today, discrimination based on age is protected in working life (the Working Environment Act). In relation to the work on a comprehensive equality and anti-discrimination act, the Government is considering the present regulation of age as a ground for discrimination.

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### **Sweden**

To ensure that older people are fully integrated and able to participate in society, it is important to counter all forms of discrimination due to age or disability. Expanded protection against age discrimination entered into force on 1 January 2013. The ban on discrimination linked to age previously

only applied at work and in education, but this has now been expanded to also cover the areas of society – goods, services, housing, general assemblies, public office, care and health care, social services, social insurance, unemployment insurance, government study grants and public appointments.

According to the current Discrimination Act (2008:567) all employers – not only government agencies – are obliged to run goal-oriented work to actively promote equal rights and opportunities at work, irrespective of sex, ethnic origin or religion or other faith. However, there is no requirement that active measures are taken regarding age in the workplace or in education. In order to tackle this, in March 2016 the Government submitted a bill that proposes that work on active measures should also cover age as grounds for discrimination. The changes will enter into force on 1 January 2017. Sweden has a feminist government. A feminist government makes sure that the gender equality perspective is included in shaping policy on a broad front, both in the national and international arenas. The aim of gender equality policy is for women and men, irrespective of their age, to have the same power to shape society and their own lives.

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### **United Kingdom**

A new Equality Act came into force on 1 October 2010. The Equality Act brings together over 116 separate pieces of legislation into one single Act. Combined, they make up a new Act that provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. The Act simplifies, strengthens and harmonises the current legislation to provide Britain with a new discrimination law, which protects individuals from unfair treatment and promotes a fair and more equal society.

All legislation in the UK is accompanied by the need for due regard to the equality impact of policy on protected groups – of which age is one. In line with Government's approach where we regularly consult organisations representing older people on specific pieces of legislation, other Government Departments also mainstream consultation within policy development. The broad purpose of the equality duty is to integrate consideration of equality and good relations into the day-to-day business of public authorities. The embedding of engagement in policy development rather than through quarterly meetings will build effective relationships between older people and officials to ensure policy is designed to have the intended effect.

This Government is committed to increasing employment for people from Black and Minority Ethnic backgrounds, specifically to increase the level of BME employment by 20 per cent by 2020. Last year we estimated that a further 665,000 BME people would need to move into employment to meet the target; and to date around 207,000 have.

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### **United States**

In 2015, the U.S. Government, under the Obama Administration, expanded its commitment to combating violence against women of all ages by hosting several roundtables focused on understanding and supporting the unique challenges older adults face. For the first time, elder justice was put on the agenda of the 2015 White House Conference on Aging.



The U.S. Department of State and U.S. Agency for International Development jointly produced the U.S. Strategy to Prevent and Response to Gender-Based Violence Globally to recognize the pervasive role of violence against women and girls of all ages and a hindrance to democratic, stable societies, and sustainable development. The Strategy outlines a definition of gender-based violence that articulates the impact of violence and abuse across the life cycle, including elder abuse.