



**United Nations Open-ended Working Group on Ageing
Fifth Working Session**

30 July – 1 August 2014

Theme: *How to strengthen the rights of older persons through enhanced implementation of the Madrid International Plan of Action on Ageing.*

AARP Statement to the Fifth Working Session of the UN Open-ended Working Group on Ageing

AARP is a nonprofit, nonpartisan organization, with a membership of more than 37 million, that helps people turn their goals and dreams into real possibilities, strengthens communities and fights for the issues that matter most to families such as healthcare, employment and income security, retirement planning, affordable utilities and *protection from financial abuse*.

AARP has collaborated with the United Nations (UN) for nearly 40 years by participating in major conferences and helping to forge an international constituency on ageing. Since its founding in 1958, AARP has served as a key source of global information and advocacy on issues affecting ageing populations, and strengthened the network of advocates who believe that everyone should age with dignity and purpose.

AARP is honored to be participating in the Fifth Session of the UN Open-ended Working Group on Ageing and commends the UN for its previous work targeting abuse of older persons.

Reflecting back on the Madrid International Plan of Action on Ageing, AARP calls attention to Commitment 7 which reads: “To strive to ensure quality of life at all ages and maintain independent living including health and well-being; in order to work towards *a sustainable society for all ages*, societies should combat age discrimination and age-related violence. Abuse prevents older people from living life in dignity and from fully participating in society.”

Fast forward to today. Demographic trends are transforming the issue of elder abuse and exploitation into a crisis, one that will grow exponentially as the ageing population increases in the coming decades. By 2030 older people will constitute 16% of the world's population and those over 60 will number more than those aged under 10. And so globally, the number of cases of elder mistreatment is projected to rise while resource constraints persist.

Of particular concern is financial abuse against older persons. Lacking the overt character of other more visible forms of abuse against older persons, financial abuse is insidious because it thrives silently in contexts of ageing, where physical, emotional, psychological, and economic security are in question. Financial abuse of older persons preys on diminished wherewithal – and diminished wherewithal often flows from reduced engagement in society, compromised health, and a disabling environment.

For older women, the problem of financial abuse is especially daunting. Again, demographic trends are at play. CEDAW, in its 2010 Recommendation #27 on older women and the protection of their human rights, noted that the gendered nature of ageing reveals that women tend to live longer than men, and that it is more common for older women to live alone than it is for older men. As well, 80% of men over 60 are



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married, compared to only 48% of women. Such demographic patterns create conditions of economic insecurity for older women and expose them to systemic discrimination and financial abuse.

What isn't clear, however, is what these numbers and trends *mean* from country to country. This information void is a *systemic* problem that continues to jeopardize the security of millions of older women around the world. In many countries, the lack of information is so abysmal for older women that basic identification documentation to access entitlements and social protections is unobtainable.

Anecdotally, we know that older women experience discrimination and financial abuse in a myriad other ways. Employers view older women as unprofitable investments for education and vocational training. Older women lack opportunities to develop skills in information technology. And illiteracy and innumeracy continue to restrict older women's full participation in public life and development.

Older women may not be eligible to claim family benefits if they are not the parent or legal guardian of children in their care. Under some statutory and customary laws, women do not have the right to inherit and administer marital property on the death of their spouse. Some systems do provide widows with other means of economic security, but in reality, such provisions are rarely enforced and widows are often left destitute. Worse, it is not uncommon for the legal capacity of older women to be deferred to lawyers or family members, thereby extending a form of financial abuse.

Older women are subject to misappropriation of assets and savings, coercion to change wills or other documents, financial control over personal assets, or lack of financial support. In all of these circumstances, older women may not even be aware of their rights or of the avenues available to seek redress.

The limited knowledge about the problem of financial abuse tells us that older persons, more than any other age group, are targets of fraudulent schemes. A recent study conducted in the United States found older women to be twice as likely as men to be victims of financial abuse. Still, much better data is needed, and will become increasingly important as the number of people 60+ – in the U.S. and globally – grows.

Whatever the dimensions of the problem may be, any financial abuse or exploitation is too much. As an organization with a special interest in strengthening social protections that enable older women to enjoy greater economic security and healthier lives, AARP hopes for more robust actions on the part of governments aimed at meeting their commitments to women. With the increase in life expectancy and rising numbers of older women, their concerns require particular attention.

As the problem of financial abuse of older women has vaulted into prominence, the state of the data that would allow the global community to better monitor and address the issue has improved only slightly. It remains very difficult for Member States to obtain useful disaggregated (by gender, age) numbers.

In this regard, a data revolution is required – one that both uses existing data sets and adjusts data systems to ensure those aged 50 and over are fully captured.

This is important and relevant because financial abuse of older women is embedded in a broader context of structural discrimination intermingled with the global feminization of aging. Around the world, systemic



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disadvantages that marginalize women from economic flows, civic participation, and social protection also make them vulnerable to financial abuse as they age.

CEDAW Recommendation #27 goes on to note that the impact of gender inequality on older women throughout their lifespan is exacerbated in old age and is often based on deep-rooted cultural and social norms. The discrimination that older women experience is often a result of unfair resource allocation, maltreatment, neglect and limited access to basic services.

It is common in many developing countries for older women to face neglect as they are no longer considered useful in their productive and reproductive roles. On the contrary, they are seen as a burden on their families. Widowhood and divorce further exacerbate discrimination.

In the formal workforce, women have traditionally been discriminated against in terms of pay equity, a reality that eventually sets up older women for smaller old-age pensions. And since so many women around the world work in the informal sector, they do not pay into health coverage schemes, leaving them extremely vulnerable to medical setbacks as they age. Again, the deck is stacked against older women.

In broad terms, financial abuse and exploitation of older women is often the culmination of lifelong discrimination. The structural causes of abuse and exploitation – poverty, gender and age discrimination, sociocultural norms, inadequate health care and protective services, among many others – must be addressed with a holistic, human rights approach. And this begins with more systematic global data collection and monitoring, so that the dimensions of the problem can be more clearly understood.

While there is indeed a lack of coordinated data on financial abuse of older persons, AARP research has revealed some patterns in the United States. For example, more than half of financial abuse in the U.S. is committed by family members, caregivers, and friends. Investment swindlers have damaged the nest eggs of one in every five Americans over the age of 65. And older women in receipt of services, divorced, separated, lonely or isolated were found to be at increased risk of financial abuse and exploitation.

As well, AARP research shows that there is a definite “profile” for online fraud victimization, a profile that comports with common elements of an older woman’s life. Indeed, research show that the typical victim is white, female, between the ages of 70 and 89, isolated, and cognitively impaired. And more generally, this AARP study identifies a typical online fraud victim profile based on 15 key behaviors and life experiences that increase a person’s vulnerability. Among them are feeling personally isolated, losing a job, or experiencing a negative change in financial status.

The data suggests that older persons, particularly older women, need to fully participate in inclusive societies, enjoy dignity within and outside the workplace, and retain independence as autonomous individuals throughout their life courses.

Special attention should be drawn to the connection between certain health conditions and financial abuse. As the population ages and the incidence of Alzheimer’s disease and other dementias grows, older people are at risk of having diminished capacity to handle their financial affairs.



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Simply stated, cognitively impaired people are more vulnerable to financial exploitation. Dementia affects memory, thinking, language, judgment, and behavior. And Alzheimer's victims lose their ability to manage a budget while the natural lapse for an elderly person would just be to miss a monthly bill payment.

In general, detection of abuse among people with limited or reduced capacity is difficult because afflicted persons may not be able to articulate their need for support.

Again, the situation for older women is particularly perilous. Alzheimer's disease among older women is ground zero for financial abuse, seeing as women over 60 are twice as likely to develop Alzheimer's as breast cancer. This increases their vulnerability to exploitation, fraud and abuse.

Outreach and education are critical to combating financial abuse of older women. At AARP, we believe people must be armed with information about what makes them vulnerable and provide them with access to the tools and information they need to outsmart the con artists before they strike.

AARP has a long history of fighting for protections against financial abuse of seniors. AARP has recorded a number of successes in combating financial abuse of older persons at the state level in the U.S. We have supported advocacy efforts to prevent, detect, report, and address financial abuse, and backed legislative bills that would make it a crime. Our work in this area comports with the idea of shaping an enabling environment that protects older persons.

As well, AARP has fought to protect and enhance funding for APS (adult protective services), the front line responders in cases of financial abuse of older persons. In fact, at present, AARP is one of scores of organizations supporting the introduction of the Elder Justice Act, which, if passed into law, would provide a dedicated funding stream for adult protective services in the U.S.

What AARP has learned over the years is that, while elder financial abuse impacts millions of seniors every year, efforts to prevent it through passage of stricter laws is usually cost neutral. The enactment of safeguards against this type of abuse is a win, win, win situation for states, older adults and their families.

One of the many tragic costs of abuse and exploitation of older persons is the loss of social capital and the reduced ability of people to productively contribute to society. For AARP, an organization that fervently believes in expanding the possibilities for life at 50+, this is regrettable.

Elder abuse will prevail as long as older people are not considered equal citizens and valued contributors to society. Protecting older people against all forms of abuse, including financial abuse, has to be part of a broad policy response that involves research, prevention and interventions – all of which affirm the independence, dignity and equal participation of older persons. We call upon Member States to begin to focus on the main elements of a new legal instrument to protect the human rights of older persons.