

The Rights of Older Persons

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Rights of Older Women

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The assignment

- Social constructs of ageing (difference and lack of autonomy);
- The standardisation of human rights of older persons (drawing from the UN system) and;
- Specific issues relating to the rights of older women (such as dignity, autonomy, discrimination)

Language

- What are they called?

The Language

- What are they called?
- The Aged
- The Elderly
- Elderly people
- Old biddies
- Old geysers
- The elders
- **OLDER PERSONS/PEOPLE**

Defining Older Persons

- Why is it important to define older persons?
- Who is an older person in Africa?

Defining Older Persons

- Important for censuses/data – Africa is poor in terms of collecting census data for older people & guesses the numbers
- For targeting - in programmes and other activities
- For policy making

Defining OP cont.....

- The UN chronological definition is 60 (1982)
- In countries that do not yet have policies on older people, definition is being linked to retirement (52, 55, 65, etc)
- But there are two major challenges in Africa:-
 1. The absence of accurate birth records for many older people
 2. Use of socially ascribed definitions:-
 - Physical signs
 - Status, etc.
 - Culturally defined factors – e.g. women:-
 - Failure to give birth
 - Menopause
 - Widowhood

Question

- When does the ageing process start?

The Ageing Process

- It is important to note that everyone ages
- Ageing is natural
- It is a gradual process
- It starts at birth
- It can be accelerated by other factors such as disease
- Individuals age differently
- Older people are not a homogenous group
- **Women generally live longer**

Population.....

- Population of older people worldwide is increasing
 - 200 million (1950),
 - 350 million(1975),
 - 630 million (2002),
 - 680 million in 2009
 - 2 billion (2050)
 - Women are the majority
- (UN & US Census Bureau Figures)*

Population....

- In Africa:-
- 2007 - 50.5 million,
- 2010 - 55.4 million
- Projection for 2050 - 213 million
- Regions of Africa such as North & West and East are experiencing larger increases

Rights of Older Persons are covered in International/Continental Frameworks

Universal Declaration of Human Rights (1948)

- **Article 1:**
- “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood “
- **Article 2:**
- “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or any other status.”.

Frameworks.....

- African Charter on Human and People's Rights
- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- UN Declaration on the Right to Development – 1986
- The Convention on the Elimination of Racial Discrimination (CERD) – 1965

Frameworks....

- The Convention on the Elimination of all forms of Discrimination against Women (CEDAW) – 1979
- The Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) – 1984
- International Labour Organisation Conventions (Various)

Older People Specific Frameworks

- Vienna International Plan of Action on Ageing – 1982
- UN Principles for older Persons – 1991
- UN Proclamation on Ageing – 1992
- Madrid Plan of Action on Ageing (2002)
- AU Policy Framework and Plan of Action on Ageing (2002)
- AU Social Policy Framework (2009)

Frameworks.....,

- **Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) – All Women**
- Protocol on the Rights of Older Persons in Africa (2012)
- Protocol on the Rights of Persons with disabilities – now awaiting approval by Heads of State and Government
- Protocol on the Rights of Citizens to Social Protection and Social Security (in draft – Nhongo/Olivier)

National Policies/legislation on Older Persons

- While there has been some efforts in putting place Policies at the international level, Africa has lagged behind quite badly with only a few countries having policies in place
- Egypt – completed
- Ghana - Completed
- Kenya - Completed
- Mali – completed

National Policies/legislation

- Mauritius – completed
- Mozambique – completed
- South Africa – completed
- Tanzania – Completed
- Tunisia – completed
- Uganda – completed
- Zimbabwe - Completed

National Policies/legislation.....

- Benin - in progress
- Cameroon – in progress
- Ethiopia???
- Guinea - in progress
- Nigeria – in progress
- Senegal – in progress

Last night

- Last Night

Witch

- I saw a witch in my room last night, Gosh it was frightening!!!!!!
- Can you describe – in one word or two - the witch I saw – please?

The Violation of the Rights of Older Women

At the Social and cultural levels

- Older women are experiencing a lot of abuse (physical, psychological and financial), mainly at the hands of those close to them
- They are raped (in many cases by their own grand children) with no prospects of protection from the law
- They are accused of all sorts of evil, mostly witchcraft for which they are assaulted, maimed, banished and killed

Social and Cultural.....

- ▶ In a research in Kenya and Zimbabwe (Nhongo, 2002), 96.7% of the respondents said that they believed in the existence of witchcraft and yet 70% of them said they were Christians
- ▶ Asked what image immediately came to their minds when they heard the word, "witch", 75% said it was an old woman, ugly, wrinkled face, with rotten and protruding teeth and shabbily dressed
- ▶ 25% of them said it was both older men and older women - Non said it was anybody younger
- ▶ Asked what should be done to witches, 66% said that they should be killed while the remainder either said they should be jailed for life, sent to isolated places or paraded in public

Inheritance

- Older women are being disinherited of their properties
- Killed so that sons can inherit their property
- Cheated and coned so that they lose their possessions

Care of OP

- Research conducted in many parts of Africa suggests that older people prefer to live with their families until they die
- But this is proving challenging, especially due to the poor relationship between mothers in law and daughters in law - older people being pushed into Old People's Homes
- The quality of care in most of the Old People's Homes is poor with many older people being abused

Health

- Old age is not an illness, but there will be some common diseases among OP
- Two major problems for older people:-
 - Access – cost and distance – with health facilities found very far away
 - Negative Attitudes of health practitioners – poorly trained, poorly equipped and very bad manners
- Issue of sexual and reproductive health – not considered for older women and information not given

Food and nutrition

- Older people in many situations not accessing food either because they are not given or it is not available
- Where food is available:-
 - It is probably inappropriate, poorly selected and inadequately cooked

Education

- Disadvantaged from the start with no opportunities, especially for women
- Adult education not developed and where it had been started, funds have been restricted
- Older people denied educational opportunities with no avenues for enrolment

HIV/AIDS

The Majority of those that provide care in HIV/AIDS situation are women & are affected in two main ways:-

- They can get infected
 - Through the sexual and other routes
 - There is a ***chance of infection through the caring process***
- But are not provided with life serving information about prevention and treatment of the virus
- Older people are heavily impacted by HIV/AIDS
 - Provide care and support to PLWAs
 - Providing care to orphans and OVC
- But home based care is not recognized/ rewarded

Economic Impact

- Older people are the poorest in the world
- No income (no social security provisions)— in Zimbabwe during colonial times, it was against the law to provide any social security to black workers even if they were able to contribute
- Only about 5% of workers are covered by social security In Africa (agricultural and domestic sectors are not covered)
- Not given employment opportunities
 - In fact they are the first to be retrenched when companies downsize

Conflicts and disasters

OP, especially women, are affected by disasters in 3 phases

- At the onset of the disaster
 - They are invisible to the rescue efforts and are left behind when others are rescued & are left to suffer
- At the point of settlement
 - Their needs and circumstances are not always given due attention - No food, little food or inappropriate food , No shelter or inappropriate shelter, No clothing or inappropriate clothing
- At point of Resettlement
 - They are last to be considered for resettlement or left behind in host countries

Gender, Ageing and Disability

- The majority of OP are women, about 55%
- Older women experience double discrimination – being women and older
- Women with Disabilities who get older fall into double or triple discrimination
- When older women get disabled, the world just changes instantly

Interventions to Protect the Rights of Older Persons

- Policy and legislation
- Social Protection
- Inclusion in activities/programmes
- Work with them in schools to impart knowledge
- Improve health, including traditional medicine

End

- Thank you

- Thank you