

REVIEW

Towards a dignified old age: policies, rights and realities

Hacia una vejez digna: políticas, derechos y realidades

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ABSTRACT

Population ageing in Latin America, and especially in Argentina, has become a progressive phenomenon that has transformed demographic structures. The combination of increased life expectancy and low birth rates has resulted in an increasingly ageing population. In 2040, for the first time, the number of older adults will exceed the number of children in the region. In Argentina, it was projected that by 2030, people over 60 would represent 17,5 % of the population. In response to this scenario, international organisations promoted actions such as the World Assembly on Ageing (1982), the Madrid Declaration (2002) and the Decade of Healthy Ageing (2021-2030). The Inter-American Convention on the Protection of the Rights of Older Persons also established key principles such as autonomy, dignity and access to comprehensive health and justice services. However, beyond these regulatory frameworks, the real challenge lay in the effective implementation of policies that would ensure real rights. The health system played a fundamental role in sustaining the functional independence of older persons by providing care, rehabilitation and prevention. In addition, the need to rethink community and family practices to actively include older persons in social life was emphasised. Ultimately, ensuring a dignified old age involved not only recognising rights, but also transforming attitudes and social structures, promoting an inclusive and caring society.

Keywords: Ageing; Independence; Health; Rights; Inclusion.

RESUMEN

El envejecimiento poblacional en América Latina, y especialmente en Argentina, se consolidó como un fenómeno progresivo que transformó las estructuras demográficas. La combinación del aumento en la esperanza de vida con la baja natalidad trajo como consecuencia una población cada vez más envejecida. En 2040, por primera vez, el número de adultos mayores superaría al de niños en la región. En Argentina, en 2030 se proyectó que los mayores de 60 años representarían el 17,5 % de la población. Ante este escenario, organismos internacionales impulsaron acciones como la Asamblea Mundial sobre el Envejecimiento (1982), la Declaración de Madrid (2002) y la Década del Envejecimiento Saludable (2021-2030). La Convención Interamericana sobre la Protección de los Derechos Humanos de las Personas Mayores también estableció principios claves como la autonomía, la dignidad y el acceso a servicios integrales de salud y justicia. Sin embargo, más allá de estos marcos normativos, el verdadero desafío residió en la implementación efectiva de políticas que asegurasen derechos reales. El sistema de salud jugó un rol fundamental en sostener la independencia funcional de las personas mayores, ofreciendo cuidados, rehabilitación y prevención. Además, se enfatizó la necesidad de repensar las prácticas comunitarias y familiares para incluir activamente a los mayores en la vida social. En definitiva, garantizar una vejez digna implicó no solo reconocer derechos, sino transformar actitudes y estructuras sociales, promoviendo una sociedad inclusiva y solidaria.

Palabras clave: Envejecimiento; Autonomía; Salud; Derechos; Inclusión.

INTRODUCTION

A country's increased longevity and life expectancy, together with a decline in fertility, result in an aging population, which poses a social, health, and coexistence challenge for the coming years.

According to ECLAC forecasts, in Latin America, the number of older adults will exceed that of children for the first time in 2040, shifting from a young structure in 1950 to a population in apparent decline. In 2010, the proportion of the population under 15 years of age in the total population declined from 40 percent in 1950 to 28 percent, and is expected to represent only 15 percent by 2020.

The increase in the proportion of older people is becoming increasingly significant. Between 1975 and 2000, the percentage of the population aged 60 and over rose from 6,5 percent to 8,2 percent in Latin America and the Caribbean. By 2025, this figure is expected to be close to 15 percent and by 2050 to reach 25 percent of the population, meaning that one in four people will be 60 years of age or older.⁽¹⁾

In Argentina, according to INDEC data, out of a total population of 40 million, people over 60 currently account for 15 % of the total population. By 2030, it is estimated that they will reach 17,5 % with a population of 48 million. In numbers, this means going from 6 000 000 older people today to 8 550 000 in 2030.

The progressive changes that have been observed in population growth and dynamics, as well as in epidemiology, i.e., the distribution, frequency, and determining factors of existing diseases, both in Argentina and in many countries with similar characteristics in Latin America and the world, have highlighted the need to rethink public health policies.⁽¹⁾

This aging population is in itself a multidimensional event with economic, social, political, and health sector consequences, constituting one of the most significant challenges for the world today. Although an extended life expectancy is a success of modern society, it has given rise to unprecedented health problems, such as an increase in chronic and degenerative diseases, greater dependence, and changes in the characteristics of health service users, among others.^(2,3)

Today, it is widely recognized that older people are often victims of discrimination and abuse, and that their specific needs are often not adequately met by their governments or communities, gradually leading to social isolation with negative repercussions for physical and mental health. All these situations that are being envisioned for the not-too-distant future highlight the importance of acting now, not only with predictions and proposals, but with awareness and action to mitigate existing problems and move forward with those to come.⁽³⁾

The Inter-American Convention on the Protection of the Rights of Older Persons is the instrument that covers the range of rights to be protected for older persons, from civil and political rights to economic, social, and cultural rights. Its objective, as the world's first legally binding instrument, is to promote, protect, and ensure the recognition and full enjoyment and exercise, under conditions of equality, of all human rights and fundamental freedoms of older persons, to contribute to their full inclusion, integration, and participation in society.

The "Decade of Healthy Aging 2021-2030," declared by the United Nations General Assembly in December 2020, is the primary strategy for building a society for all ages. This global initiative brings together the efforts of governments, civil society, international organizations, professional teams, academia, the media, and the private sector to improve the lives of older persons, their families, and their communities. It is based on previous frameworks such as the World Health Organization's "Global Strategy and Action Plan on Aging and Health 2016-2020," the United Nations Madrid Political Declaration and International Plan of Action on Aging, and the Sustainable Development Goals of the United Nations 2030 Agenda for Sustainable Development. The Pan American Health Organization is leading the concerted agenda for the Decade of Healthy Aging in the Americas 2021-2030.

DEVELOPMENT

The world's population is aging at a steady and significant rate, bringing with it major social changes.

To begin addressing these issues, the General Assembly convened the World Assembly on Aging in 1982, which produced a 62-point report known as the Vienna International Plan of Action on Aging. The Assembly called for specific actions to be taken in areas such as health and nutrition, protection of older consumers, housing and the environment, the family, social well-being, income and employment opportunities, education, and the compilation and analysis of research data.

In 1991, the General Assembly adopted the United Nations Principles for Older Persons, which list 18 rights of older persons relating to independence, social participation, social security, personal fulfillment, and dignity. The following year, the International Conference on Aging met to review the Plan of Action and adopted the Proclamation on Aging. Following the recommendations of the Conference, the UN General Assembly proclaimed 1999 as the International Year of Older Persons. The International Day of Older Persons is celebrated on October 1 each year.

Action on aging continued in 2002 when the Second World Assembly on Aging was held in Madrid. It adopted

a Political Declaration and the Madrid International Plan of Action on Aging to design an international policy on aging. The Plan of Action called for a change in attitudes, policies, and practices at all levels to harness the enormous potential of older persons in the 21st century. The Plan's specific recommendations for action give priority to older persons and development, the promotion of health and well-being in old age, and the protection of an enabling and supportive environment for older persons.

In 2015, with the adoption of the 2030 Agenda for Sustainable Development, older persons, age, or both, were explicitly included in some of the Goals. This inclusion was not random; it was civil society organizations working for the human rights of older people that generated debate and proposals to include them in the 2030 Agenda. Their action ensured that the slogan "no one left behind" included older people.⁽¹⁾

Among all the visions for the future, it is idealized that increased life expectancy will be accompanied by a healthy older adult population, able to enjoy the last stage of their lives to the fullest and with the most significant possible autonomy, no longer seen as a burden on society and taking advantage of opportunities, breaking myths, enjoying their freedom and rights like everyone else, remaining active in the community for as long as possible, for which a society that stimulates and promotes this autonomy is necessary.

Argentina is undergoing an advanced demographic transition and is one of the oldest countries in Latin America.

Life expectancy in Argentina has increased in recent decades, but the big question is whether the additional years of life are lived in good health. If people live longer but a high proportion have functional limitations and reduced mobility, the demand for health and social care will be considerably higher.^(4,5)

The launch of the decade in Argentina presents an opportunity to coordinate inter-institutional efforts that contribute to achieving the country's goals in the areas of action for 2021-2030.

Decade of Healthy Aging in the Americas (2021-2030)

According to the Pan American Health Organization, the population is aging faster worldwide than in the past. However, in Latin America and the Caribbean, this demographic transition is occurring even more rapidly. More than 8 % of the population was 65 years of age or older in 2020, and that percentage is estimated to double by 2050 and exceed 30 % by the end of the century.⁽⁶⁾

One of the main effects of this drastic demographic change is that many older people lack access to the basic resources necessary to enjoy a dignified life, and many others face multiple obstacles to participating fully in society.

The Decade of Healthy Aging 2021-2030, declared by the United Nations General Assembly in December 2020, is the primary strategy for building a society for all ages. This global initiative brings together the efforts of governments, civil society, international organizations, professional teams, academia, the media, and the private sector to improve the lives of older people, their families, and their communities. It builds on previous frameworks, such as the World Health Organization's Global Strategy and Action Plan on Aging and Health 2016-2020, the United Nations Madrid Political Declaration and International Plan of Action on Aging, and the United Nations 2030 Agenda for Sustainable Development's Sustainable Development Goals. The Pan American Health Organization (PAHO) is leading the concerted agenda for the Decade of Healthy Aging in the Americas 2021-2030.

The 4 Areas of Action for the Decade:

1. Change the way we think, feel, and act toward age and aging.
2. Ensure that communities foster the capacities of older persons.
3. Provide integrated, person-centered care and primary health services that are responsive to older persons.
4. Provide access to long-term care for older persons who need it.

Changing the way we think, feel, and act toward age and aging; ensuring that communities foster the capabilities of older people; providing integrated, person-centered care and health services that are responsive to older people; and providing access to long-term care for older people who need it.

Older adults play an important role in society for several reasons. They bring a wealth of experience and wisdom accumulated throughout their lives, which can be invaluable in guiding younger generations and making informed decisions in different aspects of life. They are also often important pillars in families, providing emotional support, care, and guidance to younger members. Their presence and active participation in the community can also help keep local history and culture alive.

It is important to recognize and value older adults in society, ensuring that they have access to adequate resources and services to maintain their physical, emotional, and social well-being. Doing so promotes a more inclusive and respectful society for all ages.

Among the social systems that are fundamental to the community is the healthcare system, which provides

assistance to people of all ages and constitutes one of the essential driving forces throughout our lives.

Opportunities for older people are clear. First, they should no longer be treated solely as recipients but become active participants in an environment that respects their differences and promotes their full inclusion.

Protection of the human rights of older adults.

The Inter-American Convention on the Protection of the Rights of Older Persons establishes guidelines to promote, protect, and ensure the full enjoyment and exercise of the rights of older persons (Law 27.360).⁽⁷⁾

This Convention has constitutional status, meaning it is part of the National Constitution.

For the Convention, an older person is defined as a person aged 60 or over, unless the law of each country determines a different age. The Convention establishes that the base age at which a person should be considered older cannot be higher than 65.

The principles of the Convention are:

- The promotion and protection of the human rights and fundamental freedoms of older persons.
- The appreciation of older persons, their role in society, and their contribution to development.
- The dignity, independence, autonomy, and active participation of older persons.
- Equality and nondiscrimination.
- Full and effective participation, integration, and inclusion in society.
- Wellbeing and care.
- Physical, economic, and social security.
- Selffulfillment.
- Gender equity and equality and a life course approach.
- Solidarity and strengthening of family and community protection.
- Good treatment and preferential care.
- A differentiated approach to the effective enjoyment of the rights of older persons.
- Respect and appreciation of cultural diversity.
- Effective judicial protection.
- The responsibility of the State and the participation of the family and the community in the active, full, and productive integration of older persons into society, as well as their care and attention, in accordance with their domestic legislation.

State duties:

States Parties shall protect the human rights and fundamental freedoms of older persons. To fulfill this duty, States shall:

- Take measures to prevent, punish, and eliminate practices of social isolation, abandonment, physical restraint, overcrowding, expulsion from the community, denial of nutrition, infantilization, inadequate or disproportionate medical treatment, and all cruel, inhuman, or degrading treatment or punishment of older persons.
- Refrain from taking legislative measures that are incompatible with the Convention.
- Adopt measures to give older persons differentiated and preferential treatment in all areas.
- Adopt measures to achieve the full realization of the economic, social, and cultural rights of older persons.
- Promote public institutions specializing in the protection and promotion of the rights of older persons and their comprehensive development.
- Promote civil participation in the development, implementation, and monitoring of public policies and legislation aimed at implementing the Convention.
- Promote the collection of adequate information to give effect to the Convention. Rights of older persons:
 - The rights of older persons protected by this Convention are:
 - Equality and non-discrimination on the basis of age. Discrimination on the basis of age in old age is prohibited.
 - The right to life and dignity in old age.
 - Right to independence and autonomy: older persons are recognized as having the right to make decisions, to lead an autonomous and independent life, and to choose their place of residence and where and with whom they live.
 - Right to community participation and integration.
 - Right to security and a life free from violence of any kind.
 - Right not to be subjected to torture or cruel, inhuman, or degrading treatment or punishment.
 - Right to accessibility and personal mobility. Health:

- Right to health.
- Right to give free and informed consent in the field of health. Health institutions and professionals may not carry out any medical or surgical treatment, intervention, or research without the consent of the older person.
- Right to receive long-term care services. Freedom:
- Right to personal freedom.
- Right to freedom of expression and opinion and access to information.
- Right to nationality and freedom of movement.
- Right to privacy and intimacy. Work and social security:
- Right to social security. All older persons have the right to social security to lead a life of dignity.
- Right to work. Older persons have the right to decent work and equal opportunities and treatment with other workers, regardless of their age.

Education and culture:

- Right to education. Older persons have the right to education on an equal footing with other sectors of the population and without discrimination.
- Right to culture. Older persons have the right to their cultural identity, to participate in the cultural and artistic life of the community, and to share their knowledge and experience.
- Right to recreation, leisure, and sports. Right to property:
- Right to property. No older person may be deprived of their property except by payment of fair compensation, for reasons of public utility or social interest, and in cases provided for by law.
- Right to housing. Environment.
- Right to a healthy environment. Public rights.
- Political rights.

Older persons have the right to participate in political and public life on an equal basis with others and not to be discriminated against on the basis of age.

- Right of assembly and association.

Situations of risk:

- Older persons must be protected in situations of risk, such as armed conflict, humanitarian emergencies, and disasters.
- Access to justice.
- Access to justice. Older persons have the right to be heard, with due guarantees and within a reasonable time, by a competent, independent, and impartial tribunal.
- Equal recognition as a person before the law. Older persons have legal capacity on an equal basis with others in all aspects of life.
- Judges must act swiftly if the health or life of an older person is at risk.

Key concepts.

The Inter-American Convention on the Protection of the Rights of Older Persons understands the following terms:

- Aging: A gradual process that occurs during life and involves biological, physiological, psychosocial, and functional changes with varying consequences, which are associated with dynamic and permanent interactions between the individual and their environment.
- Active and healthy aging: A process by which opportunities for physical, mental, and social well-being are optimized, as well as opportunities to participate in social, economic, cultural, spiritual, and civic activities, and to enjoy protection, security, and care, to extend healthy life expectancy and the quality of life of all individuals in old age, thus enabling them to continue to contribute actively to their families, friends, communities, and nations. The concept of active and healthy aging applies to both individuals and population groups. Older person: A person aged 60 or over, unless domestic law specifies a higher or lower age, provided that this is not higher than 65. This concept includes, among others, that of the older adult.
- ART. 7-Right to independence and autonomy (Chapter IV - Protected Rights):
 - The States Parties to this Convention recognize the right of older persons to make decisions, to define their life plan, to develop an autonomous and independent life by their traditions and beliefs, on an equal basis with others, and to have access to mechanisms to exercise their rights.
 - The States Parties shall adopt programs, policies, or actions to facilitate and promote the full enjoyment of these rights by older persons, promoting their self-fulfillment, the strengthening

of all families, their family and social ties, and their emotional relationships. In particular, they shall ensure:

- a) Respect for the autonomy of older persons in their decision-making, as well as their independence in carrying out their actions.
- b) That older persons have the opportunity to choose their place of residence and where and with whom they live, on an equal basis with others, and are not compelled to live by a specific system of life.
- c) That older persons have progressive access to a range of home care, residential care, and other community support services, including personal assistance necessary to facilitate their existence and inclusion in the community and to prevent their isolation or separation from the community.

The health system plays a crucial role in supporting the independence of older adults. It provides preventive medical care, treatment for chronic and acute illnesses, physical and emotional rehabilitation, and support for functional autonomy. All of this contributes to maintaining independence and improving the quality of life of older adults. It allows them to maintain a sense of control over their lives, make decisions that affect their health and lifestyle, and maintain their dignity and autonomy. Promoting this autonomy is essential to ensuring that they can live independently and satisfactorily during old age. Societal awareness, the promotion of family support and ties, and state protection are key aspects in achieving these goals. Society contributes to the inclusion of older adults' families by supporting and valuing their actions. The State ensuring the fulfillment of their rights and, above all, their efforts, such as through the health sector, which contributes directly and indirectly to the maintenance and promotion of healthy and active older adults, fostering and restoring their autonomy, encouraging their independence, and restoring their health as much as possible in cases of deterioration and/or relapse.

As can be seen, there is significant awareness among global organizations and the State regarding the looming phenomenon, including intentions, commitments, proposals, and actions aimed at mitigating the disadvantages of demographic change as much as possible. The situations that will arise as a result of this phenomenon are being rethought and addressed. All these efforts, visions for the future, and actions at the macro level force us to rethink whether this effort and time invested is being put to good use, whether it is taking shape in society at the micro level, that is, whether all these proposals and investments are being carried out in everyday social organizations, by local governments, in family groups, among others. Are there good links and connections between global plans and the reality of citizens' lives? Are the commitments made by governments being translated into concrete actions? Analyzing whether we are effectively carrying out the proposed actions for the future and whether we are on the right track toward our goals will help us understand the issues more closely, establishing contact with the people who live this reality every day and who we consider key to this change. Their opinions and actions provide us with a more precise and more realistic picture.

Understanding the reality of older adults from the perspective of the professionals who support them will allow for better adaptation of public initiatives, health services, and community initiatives to meet their specific needs, improve their quality of life, and promote healthy aging with autonomy and independence.

CONCLUSIONS

Population aging in Latin America, and particularly in Argentina, represents one of the most significant and complex challenges of the 21st century. While this demographic phenomenon reflects advances in public health and social development, it also implies a profound transformation of social, economic, and health structures, which requires adequate and sustained responses at all levels of government and community.

Throughout this document, it has been shown that, beyond international declarations, regulations, and action plans such as the "Decade of Healthy Aging" and the Inter-American Convention on the Protection of the Rights of Older Persons, the actual impact of these policies is measured by their concrete application in the daily lives of older adults.

Ensuring healthy and dignified aging cannot be achieved through laws alone, but rather through effective coordination between governments, professionals, community organizations, families, and society as a whole. It is essential to promote the autonomy, active participation, and inclusion of older adults, combating age discrimination and ensuring equitable access to health, education, housing, and social protection services.

It is also essential to translate the commitment made at the global level into tangible actions at the local and family levels, recognizing older adults not as a burden, but as a valuable, active, and essential part of society.

Only through this coherent integration of public policies, professional practices, and public awareness will it be possible to successfully address the challenges of demographic aging and build truly inclusive, supportive, and sustainable societies for all ages.

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