

Report of OWN, Europe biennial meeting Amsterdam, 8 – 9 May, 2009. Elizabeth Sclater, General Secretary

Summary

OWN, Europe's biennial meeting held in Amsterdam, 8-9 May, 2009 welcomed key note speakers, Bridget Sleaf from Help Age International and Professor Cees Flinterman, CEDAW distinguished expert from the Netherlands. They addressed the human rights issues and challenges facing older women in Europe as well as the CEDAW Committee's development of a General recommendation on Older Women.

Hosted by OWN, Netherlands, over 20 older women from across Europe gathered in Amsterdam for OWN, Europe's biennial meeting. This was the first meeting of the Board since its foundation meeting in Fermo, Italy, in September 2007. The meeting was held over two days.

The main aims of the meeting were to:

- Consider OWN, Europe's support to the CEDAW proposed General Recommendation (GR) on the human rights of older women
- Receive presentations on the lives of older working women in Hungary and the activities of OWN, Netherlands
- Review the activities of board members at local, national and international level
- Agree Board membership and the 2009 – 2011 work programme.

Following lively discussion on 8th and 9th May, the outcomes of the meeting are summarised as follows:

- The work of individual Board members to raise the voice, issues and concerns of older women at local, national and international level was recognised and valued
- Participants gained a deeper understanding of the work of the CEDAW Committee and how NGOs at local, national and international level can support its work
- Board members agreed to provide examples of discrimination experienced by older women as evidence for the CEDAW Committee and their work on the GR on older women. This would be the main focus of our work at international level for the next two years
- The new Board member from Hungary, Andrea Ferenczi, was agreed.

Shortly after the meeting we were delighted to hear that Liesbeth Huijts, a participant at the meeting and staff member of Unie KBO (Dutch Catholic organisation of older people), will support the work on the GR by contributing to the Dutch NGOs' Shadow report (for CEDAW meeting, January 2010) and consider a separate themed shadow report on older women for the same meeting.

CEDAW and the general recommendation on older women

A key element of OWN, Europe's biennial meeting was to focus on the work of the Committee on the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) and examine how as an NGO, OWN, Europe could support their work. We were delighted to welcome two keynote speakers, Cees Flinterman, Professor of International Law at the Universities of Utrecht and Maastricht, and distinguished expert from the Netherlands on the CEDAW Committee, and Ms Bridget Sleaf, Rights Policy Adviser, HelpAge International.

At their meeting in November 2008, the Committee, under the leadership of Ms Ferdous Ara Begum, the distinguished expert from Bangladesh, agreed to examine the relevance of the Convention to the human rights of older women with a view to developing a General Recommendation (GR). Once agreed, the GR will give guidance on relevance to states parties to the Convention and it will also indicate an expectation that their future reports will include evidence about actions to redress discrimination against older women.

Key points from the speakers included:

Professor Flinterman

- Human rights conventions and instruments at international and regional level are seen in international law as living documents which develop over time. Thus while older women may not have been mentioned specifically in the original 1979 text, other than in relation to social security in old age, the fact that population ageing is both a success and a challenge makes the work to develop a general recommendation on the significance of CEDAW for older women, relevant.
- All articles of the Convention are relevant to older women and Professor Flinterman encouraged us to become more aware of its potential. He highlighted article 5 regarding the elimination of stereotypes as they affect the role of men and women, This is unique to CEDAW and not seen in other HR instruments.
- The Committee is mandated in three areas: states party reporting, hearing individual communications or complaints and carrying out enquiries or investigations. The second and third areas stem from the Optional Protocol to the Convention, signed in 1999. Prof. Flinterman was present in the Dutch delegation at the adoption of CEDAW by the General Assembly of the UN in 1979, and was the Dutch representative at the negotiations for the optional protocol.

Reporting

- The role of NGOs has been crucial both in the adoption of CEDAW in the first place and in monitoring its implementation. Procedures allow for shadow reports and oral statements from NGOs. Professor Flinterman stressed the importance of these reports to allow an in-depth and constructive dialogue with states parties who have a tendency to paint a rosier picture than might be the case.
- It is more helpful for the Committee to have shadow reports addressing all the articles of the Convention than focusing on just one element. Identifying areas for further questions of state parties is also helpful, but the Committee has to be careful to be, and be seen to be, independent of both states parties and NGOs.
- Professor Flinterman encouraged older people's NGOs and Women's NGOs to work together to have more of a presence in contributing evidence and giving oral statements as it is only on issues raised in the dialogue with states parties that the Committee can give recommendations.
- CEDAW committee recommendations are arrived at by consensus. They are not legally binding but are authoritative statements to enable states parties to improve their legislation, policies and programmes to better comply with the Convention. At the following round of reporting the Committee checks compliance on previous recommendations.

Individual Communications or Complaints

- The Optional Protocol, has been signed by 100 of the 185 states parties to CEDAW. It was a landmark development that allows individual women and women's organisations to bring complaints to the CEDAW Committee if they believe their HR have been infringed, and they have exhausted all avenues for redress at domestic level.
- Professor Flinterman stressed the importance of NGOs supporting women to use these avenues and encouraged us to consider this route in relation to the violation of older women's rights as it would help the Committee to substantiate the significance of the Convention to the rights of Older Women. He gave the example of a complaint against the state of Austria not taking its obligations to protect women from violent abuse seriously. This complaint was upheld by the Committee.

Conducting investigations

- The OP gives the Committee the right to conduct enquiries where they have reliable information that there are grave or systematic violations of women's human rights. NGOs have a key role to play here as they are more likely to be able to collate and provide reliable information to the Committee. It is not considered a complaints procedure. Again this is a useful opportunity to bring older women's human rights abuses to the notice of the Committee.
- The Committee has only carried out one investigation into the disappearance and discovery of mutilated bodies of women and girls in a border town in Mexico. The investigation included discussions with the Federal Government, local authorities and relatives of the deceased. The report with recommendations is available on the CEDAW Committee website and is being used by Mexican NGOs lobbying for women's safety.

General recommendations

- NGOs play a significant role in the preparatory process of GRs. Recent examples cited were no 26, on Migrant Women and no 25, on Temporary Measures. Professor Flinterman is currently chairing a GR on article 2 where NGO input to the preparatory process has been particularly helpful. The provision for GRs can be found in article 21.
- GRs are reflective documents not standard setting exercises. Professor Flinterman encouraged us to get involved in the development of the national shadow reports of our countries as this will enable the issues of older women to be explored with states parties and aid the development of the GR.

Bridget Sleep

- As an international development organisation, HelpAge International (HAI) has recognised the links between human rights and effective outcomes for people in developing countries. It has therefore been important for them to work more explicitly with all national and international mechanisms to promote the human rights of older people.
- CEDAW is one way of doing this. HAI has monitored reports to the Committee over the last few years and there has been little evidence of systematic attention to the human rights of older women. As a result HAI

has been gathering evidence from its projects at village level in order to sensitise the Committee to the issues and to pressurise national governments to change their policies to redress discrimination faced by older women.

- Submitting shadow reports can be an effective mechanism to get the system to work better. However, the challenges are huge – not least the lack of data. For example in developing their shadow report on older women in Tanzania, they had to rely on project data, UN and national statistics as well as evidence from the media. Case studies have also proved effective, especially if you support an older woman to present her own story to the Committee. Setting the experiences of older women at local level within the articles of CEDAW, links that local experience to the international agenda.
- The Committee's recommendations are particularly helpful both at national level and as examples for other governments. In their experience, recommendations have been empowering for HAI in-country staff, as well as the local NGOs.
- The impact of their work has:
 - Increased the interest and knowledge of Committee members
 - Helped to shape questions for Committee members to ask state parties
 - Delivered recommendations to governments that can be used by national and local NGOs to lobby for change.
- In conclusion, Bridget stressed that a CEDAW general recommendation on older women would explain the articles from an ageing perspective, and provide guidelines on how States Parties can better promote and protect the rights of older women. It would help deepen our understating of discrimination based on age and gender and highlight any new areas of discrimination that may not have been apparent when the Convention was drafted. Ideally the Committee will systematically ask States Parties about older women's rights.

Discussion

Questions were asked across a range of the issues raised by the speakers and the following key points were made:

- Reporting back the results to older women in local areas is extremely important and HAI will be exploring ways to ensure information regarding

results and actions to lobby and monitor states parties is fed back to local project participants in indigenous languages.

- The role of the European Court of Justice (ECJ) was queried in the process of exhausting domestic redress. It is not necessary to go to ECJ before approaching the Committee. HR issues are more likely to be heard in European Court of Human Rights (ECHR). There are many fora linked to UN treaties and conventions. It is incumbent on NGOs to work together to consider which arena is likely to deliver the best result for a particular case. Because of the wide scope of CEDAW, in most cases for women from the ECE region, it is better to use CEDAW and its processes under the Optional Protocol, rather than the ECHR in Strasbourg.
- Given the importance of NGOs to the process, what role should states parties have to adequately fund NGOs? Care has to be taken for both NGOs and the Committee to be independent of States Parties. Prof. Flinterman would not interpret the convention to oblige states parties to fund NGOs. Though they welcome such actions, when NGOs are seen to be without obligation to speak on behalf of their funders.
- States parties should be promoting the role of NGOs and engaging them as much as possible in the preparation of the reporting process and give them the freedom to report independently as well as monitoring implementation. If there is no shadow report, the Committee will probe actions taken by states parties to enable this to happen and explore the particular circumstances why it has not.
- Most countries provide shadow reports. Much of this has been due to the work of International Women's Rights Action Watch (IWRAP) now based in the Asia Pacific Region. Funded by international development resources from governments, for example the Netherlands, they provide information, assistance and training for NGOs and the CEDAW process. Elizabeth confirmed this with an example of women from UK NGOs being trained in New York last June and the impact that this has had on NGOs in UK together with the government who have provided additional resources to facilitate the promotion and monitoring of the conclusions and recommendations of the Committee.
- IWRAP have also been invaluable to HAI in the preparation of their shadow reports on older women.
- Although there are exceptions, for example, Myanmar (Burma), NGOs from refugee camps and elsewhere outside the country do offer shadow

reports. International organisations such as IWRAW have provided information for example, on the Democratic Republic of Korea.

- Although not legally binding, conclusions and recommendations of the Committee do have political consequences for the states parties in terms of their reputation within the international setting as well as domestically, they will be used by NGOs as monitoring tools and on their return to the Committee they will be reminded of previous recommendations and asked about actions to implement them. In the view of Professor Flinterman this is the best way forward to secure progress.
- We should not forget that these recommendations can also be brought into the periodic review of states parties by the Human Rights Council. This is a state to state peer review mechanism which can provide additional pressure on states to implement recommendations. It also works both ways, the CEDAW committee looks at statements made in their periodic review and looks for congruence in the states party report to CEDAW. Any anomalies can be explored and lead to further comments and recommendations.
- Despite the importance to him of the Convention, the OP and progress by states parties to date, Professor Flinterman was asked about any worries and concerns he and other members of the Committee might have. He raised the following
 - There are still a number of countries which have not ratified the convention. For example, USA, Iran, Sudan. However we know that USA is committed to ratification following the election of the new administration in November 2008.
 - A number of states who are party to the Convention do not report despite Committee pressure to do so. The Committee now holds hearings without a state report as a mechanism to add pressure
 - States that are party to the convention still have discriminatory laws
 - The use of reservations, for example in some Islamic countries, that Shaira law prevails over the Convention. However the Committee is beginning to see some movement in the narrowing and modification of these reservations in some countries.

In conclusion, Professor Flinterman does believe that the Convention, and the Committee established to supervise its implementation, has achieved much and referred us to a book produced to celebrate 25 years of the CEDAW Committee and edited by himself and his German colleague. *'The Circle of Empowerment: 25 years of the work of the CEDAW Committee'* contains essays by present and former Committee members and officers of the secretariat reflecting on the progress made and the challenges still in hand.

An audio file (wave) has been posted at www.own-europe.org for those who would like to listen to the session in full.

Presentation from OWN, Netherlands, Joke de Ruiter

Joke gave a brief history of the development of OWN, Netherlands as an organisation which promotes the issues and concerns of older Dutch women. It is not a membership organisation, rather managed by a Board of older women who share common values and aims. OWN, Netherlands reviews and comments on national, European and international policy issues, with individuals also active within their communities. Recently it has commented on

- Government strategy on poverty
- Changes to health and care insurance

OWN, Netherlands keeps other organisations and individuals up to date and involved through the development of a growing mailing list of interested people.

Joke identified **poverty, health and care** as three key issues for Dutch older women. To illustrate poverty Joke looked at her extended family of 39 cousins of whom 33 were women. Four of the women had died, 22 were widows and there were three single (never married) women still alive. Of those still alive, 50% live on just the state pension or state pension plus about 100 euro. It is not enough to rely on ones husband's pension in old age – as Joke pointed out, one third of marriages ends in divorce.

Although as in most industrial societies Dutch older women do out live older men, however they do not necessarily do so healthier. Women see doctors more often than men. In terms of women's cancers, automatic screening for breast cancer stops at 70 – when we know the incidence of breast cancer increases with older age, and cervical cancer screening stops at 60. The particular health needs of migrant older women are not well understood and when children or other family members leave home there is often no-one to act as mediator on their behalf.

Recent changes in relation to social care services have transferred responsibility to local delivery of services. This has been done to meet individual preferences and, OWN, Netherlands feel, contain spiralling budgets. Under the new legislation, consideration is first given to how much the person can do themselves, what the family can offer, what volunteers might be able to give, before a professional carer can be allocated, OWN are monitoring developments closely, including the views of older women, as this change is not without its challenges for all concerned.

Joke concluded that they have a great deal of work to do – they are in a hurry and want to see change now – for as older women, the one thing they do not have is time.

**Presentation from Hungary
Andrea Ferenczi, President of the Association for Women's
Career Development in Hungary**

Andrea Ferenczi presented a lively, thoughtful and challenging presentation regarding the situation of older women in Hungary. She gave us a short history of her Association and the work to establish it as the first Hungarian NGO with consultative status at the UN.

As an association for women's career development, the organisation works to promote the careers of working-aged women. However this does not mean that the organisation was not concerned with girls and young women's education or with the needs of older, retired women. At the heart of their work was the recognition that the negative impact of discrimination against women during their working lives starts in childhood and extends to older age. Participants were shocked at the low life expectancy for women in Hungary – 76 years. On average, life expectancy for older women in the European Union is 81.

Andrea's presentation focused on the issues and challenges faced by older working women. In Hungary this means women over 40. Key points can be summarised as follows:

- Changes to democratic government and a capitalist economy have had both positive and negative impact on the lives of the population in general
- Women have experienced significant negative impacts with reduced labour force participation, forced early retirement and low pensions
- It has been important to encourage women, particularly women 40+, to consider career changes through personal and professional development
- Particular issues for women 40+, pay, care, work/life balance and representation at senior level in public and private sector organisations
- Women in rural areas with 'single industry' employment, have significant challenges in finding alternative work

To address these issues the Association has developed women-specific training programmes that:

- Promote the development of skills needed for a modern economy
- Encourage women to support each other through networks
- Target companies to provide in-house training for their staff

A key strategy in the development and sustainability of their work has been to capture the attention of government ministers and policy makers, ensuring they understand the contribution of women, including women 40+. to the economic development of the country. As a result they have been able to influence the development of policies and programmes to meet the needs of both business and women themselves.

Along with the Ministry of Labour and the National Assembly Committee on Employment and Labour, the Association for Women's Career Development in Hungary will hold a National Conference: '*Women's career for a lifetime*' on 21st of May, 2009, to which all participants were invited.

The Association also lobbies to increase the participation of women in public life and works with civil society and parliamentarians at national and European level to redress the low numbers of women representatives at national and international level. By contrast, in rural areas, there are many women mayors. It would appear that it is only the women who are willing to try and tackle the huge challenges of poverty, unemployment and environmental degradation in the countryside.

Country reports

Finland

Annikki is a member of the Board of the Finnish Association of Caregiving Relatives and Friends and chairperson of the Association's magazine. She writes a thoughtful and though provoking column in the magazine, read by carers and professionals all over Finland.

As in the majority of the European Union, Finland is an ageing society and by 2030 it is estimated that 25% of the population will be over 65. The status of older women and women's pensions has improved over the last 60 years. Older women are significant consumers. Advertising in Finland is beginning to recognise this. As Annikki put it succinctly, 'money talks'. So there is both obvious targeting of older women and 'hidden' targeting in areas of cosmetic surgery, for example lifting eyelids.

However there are still stereotypical images of older women in Finland, with women already considered old when they are no longer young. Annikki characterised older age for women as moving from work to retirement, marriage to widowhood and carer to being cared for. With regard to carers it was only in 1970 that the law requiring children to care for parents was abolished.

Given the rise of the 'baby boomers' and the tendency of governments to see this as an impossible burden, it is important that we work to demonstrate the contributions we make to society, as workers, carers, volunteers, consumers and taxpayers.

Belgium:

Els Messelis chairs the older women's group of the Flemish Women's Council of Belgium. She gave an overview of her work and the situation of older women in Belgium.

In the area of women's studies at universities in Belgium there is a small increase in older women's studies. With regard to the economic and social situation of older people in Belgium you can begin to see a polarisation between younger older people who have benefited from full employment and good jobs resulting in good pension provision and savings. The oldest old have almost no occupational pensions and older single women experience significant poverty.

Seniors are active and involved within organisations. For example, retired trade union membership is 28% of total membership with older women being the most active. However older women are significantly under represented in taking up positions on governing boards.

These proportions are also reflected in the governance of senior advisory committees in Flemish speaking towns and cities with only 18% of Chairpersons or Board members being older women. The average age of the membership is 70 – 75 years.

Els is also a member of LACHESIS, the office of expertise of ageing and gender within the Higher Institute for Family Services. She has recently been involved in an EU Daphne-funded project *Breaking the Taboo*, a guide for policymakers and professionals to recognise and take action on violence against older women in families. The guide has just been published in the EU languages and an education programme for professionals is being developed.

There followed a discussion on elder abuse and key issues such as suitable refuges for older women, as well as financial abuse by children. Els pointed out a key issue of support for older women who often did not want to recognise what is happening, feeling this would seem disloyal to the family or exclude them from contact with grandchildren. There was also concern about the influence of the church and their power over older women to influence decisions as to whether to speak out or not.

In responding to a question on the experience of migrant older women in Belgium, Els confirmed that they were more likely to be in the larger cities of Antwerp and Ghent in the Flemish speaking areas. There was some questions as to whether older migrants would be welcome in residential homes. However what was sure was that despite 40 years in Belgium, many older migrants had no occupational pension and were amongst the poorest older people.

In her work with the Flemish Women's Council, Els stressed the importance of using reliable and up-to-date data as this is the key to achieving a response from politicians.

Spain

Enrica spoke about the potential of working with older women in the social centres in Barcelona. There is also a group in Majorca that is interested in supporting the work of OWN, Europe. One of our challenges is to be clear how local groups can support our work and how our work will benefit them.

Together with a group of friends, Enrica is involved in offering palliative care support to families. A key part of this work is to develop and deliver training for professionals and family carers. She is also a Board member of *Fundació Felícia Fuster*, which offers bursaries to Catalan women poets and artists.

Mercedes spoke about her work in the Council of Elders in Barcelona. She also represents Barcelona at regional level, and the region at national level. She felt that the particular issues regarding older women are beginning to be addressed by older women themselves. At the end of May there will be a national older people's congress in Spain and the gendered implications of ageing will be discussed. Mercedes will be speaking about age and gender discrimination to the organisation *Donnas Mundi*.

Italy

Maria Teresa spoke about her work in adult education over the last five years using autobiography as a method of helping students explore personal development and change. The majority of students are women. Feedback indicates that the female students have used the training in their daily lives and there is evidence of increasing confidence and active citizenship.

Maria Teresa is also a volunteer with AUSER, the Italian independent organisation providing services to older people. Much of this work is delivered through volunteers. Maria Teresa chairs the group at provincial level in the Marche and has been successful in setting up a local group in the city of Fermo. This has the potential to develop into a very good network to consider issues of gender and age and develop services to meet need. Again the promotion and implementation of adult education within AUSER has the aim of providing a window for highlighting gender perspectives and different ways of ageing between women and men

United Kingdom

Elizabeth is active at local, national and international level. She is the treasurer of her local OWN, Lewisham group which recently published an evaluation of the user perspectives of a government-funded local project which aimed to save pressure on services by keeping vulnerable older people in the community. The report is posted on the OWN, Europe website. Currently the group have applied for funding to develop a pilot project for training in advocacy and lobbying skills.

At national level Elizabeth is a member of the older people's reference group to the UK Equality and Human Rights Commission. The group has been working to influence the new equality legislation currently before Parliament. There is concern that the Government will allow Health and Social Care organisations to delay their requirement to comply with legislation to ban age discrimination in relation to goods, facilities and services due to cost pressures.

Elizabeth is also involved with the UK-based *New Dynamics of Ageing* Research Programme. As a member of the Director's older people's reference group she has been part of the Commissioning Panel which has granted over £15m for cutting-edge research projects. These projects are unique in that they combine an integrated approach across medicine, biological sciences, technology and engineering, social sciences as well as arts and humanities. Elizabeth reported that gender and other equality-strand issues are being addressed within individually funded projects.

Elizabeth is also active at international level attending the United Nations' annual meeting of the Committee on the Status of Women. As a member of the NGO Committee on the Status of Women, Sub-Committee on Older Women (SCOW) she has been involved in pressing for a General Recommendation on Older Women.

Moving our work forward

Throughout Board member presentations on 9th May, there was lively debate regarding a number of key issues for OWN, Europe. These can be summarised as follows:

Promoting our work and benefits to associates

Alvy circulated a brochure she has developed from the old OWN, Europe leaflet. She can send this to others to use. There will need to be some alterations. Enrica was concerned that we make it clear how local or regional groups can benefit from our work.

We confirmed that as we were not a membership organisation the benefits were of a different kind. We identify and lobby on issues at European level, informed by our work at national or local level. Thus we need to be clear about what we have achieved and how the evidence from local groups is key and helps to shape our work.

Maximising the use of the website

Maria Teresa reported the progress made on the website. She proposed the development of a 'web forum' for the Board so that we can post ideas for all to see. We agreed this development.

Funding and other financial matters

Alvy presented accounts from our Dutch bank account. We were concerned about raising further funds for OWN, Europe to meet our minimal needs: website, registration etc.

It was agreed that when we are asked to speak as OWN, Europe and fees are paid, the money will be paid into the OWN, Europe account. Alvy has been doing this for some time. Elizabeth, although she has retired from full time work, is still active as a paid consultant. Part of this income will go to support OWN Europe.

Maria Teresa will explore further the most cost effective way to hold a small amount of money without bank charges being too onerous.

Board membership

We were delighted to welcome Andrea Ferenczi from Hungary to the Board. The work of the *Association for Women's Career Development in Hungary* will add an important and valuable perspective to our work, particularly in the area of older women workers and entrepreneurs.

Joke de Ruiter will take over from Alvy as the Dutch Board member in 2010.

We were concerned about representation from Germany. We have had little contact with Gisela. She had hoped to send a representative to the meeting but with such short notice from Giesela, this person could not make the dates. We know that Gisela is doing good work in Dresden and we would want to be able to use the evidence from her links, especially with former Eastern European countries. However we are hampered by the lack of contact and her lack of English.

It was agreed that Alvy will phone Giesela again to indicate that unless we have more contact with an English speaking member of her organisation we will regrettably have to look for another member from Germany.

We will continue to seek more members from former eastern bloc countries.

Our work programme

We agreed that promoting the development of the CEDAW GR on older women at national and local level, gathering evidence of discrimination to support the work of the Committee, attending CEDAW meetings were possible and working with and through national and international networks would be the main focus of our work until the next meeting.

Els and Elizabeth reported their interest in participating, on behalf of OWN, Europe, in a Swedish-led ESF project on discrimination and abuse. Should funding be successful it is likely a start date for the project will be early in 2010.

Alvy and Elizabeth will represent OWN, Europe in Prague at the EU-Presidency conference on care of older people and the prevention of abuse.

Conclusions

We were very appreciative of the care and attention to detail of our Dutch hosts and congratulated them on the excellent preparation for meetings, meals and accommodation.

Mercedes invited the Board to hold their next meeting in 2011 at Garaf, outside Barcelona.