



Gender and Ageing in African Contexts

Policy, Legal and Institutional Development

Regional Workshop Report, Nairobi, 4-5 June 2019



HelpAge International is a global network of organisations promoting the right of all older people to lead dignified, healthy and secure lives.

Gender and Ageing in African Contexts: Policy, Legal and Institutional Development

Published by HelpAge International
Africa Regional Office,
P.O Box 14888-00800,
Westlands, Nairobi
Kenya

Tel.: +254 (0) 721 361 608

Email: helpage.africa@helpage.org

www.helpage.org

Registered charity no. 288180

The workshop was a result of collaboration on research and policy development between the three institutions, represented by: Professor Ann Stewart, School of Law, University of Warwick, UK; Dr Prafulla Mishra, Roseline Kihumba and Enos Omondi (HelpAge International, Africa region); and Dr Agnes Meroka, University of Nairobi, Law Faculty, Kenya, in conjunction with David Otieno, Mount Kenya Law School. It was funded by a grant from the Warwick University Global Challenges Research Fund.

The report was edited by Kathryn O'Neill

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Contents

Executive summary	4
Recommendations	4
Introduction	6
Key priorities that emerged from the workshop	7
Customary, local, national, regional and international legal frameworks	7
Voice and agency in decision making for older persons	9
A life-course perspective on ageing	10
The need for evidence-based policy making and responses –	12
Who cares? Family and social care	13
Urbanisation and migration	15
Conclusions and recommendations	16
Recommendations	16
Annexes	Error!
Bookmark not defined.	
Annex 1: Country overview	19
Annex 2: Workshop Participants List	22

Executive summary

HelpAge International, the University of Nairobi (Kenya) and the University of Warwick (United Kingdom) brought together 45 participants from Ethiopia, Kenya and Malawi as well as from regional institutions for a two-day workshop (4–5 June 2019) to discuss gender and ageing issues.

The African Union (AU) has produced a pioneering rights framework for older persons – the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Older Persons in Africa (2016). It has a regional Policy Framework and Plan of Action on Ageing (2002) and an Africa Common Position on Long Term Care (2017). National governments are developing laws that respect and protect the rights of older people and include their needs in policy frameworks. A growing number of countries are also providing social pensions.

Workshop participants confirmed that despite these positive developments, there is still much more to do to ensure that older people in Africa are able to live good lives now and in the future, and to ensure that those who care for them are not disadvantaged as a result when they themselves reach older age.

The workshop aimed to build support for and capacity among key stakeholders to deliver policies/practices based on a gender-inclusive, life-course perspective on ageing; and to identify knowledge gaps to support evidence-based legal and policy frameworks.

Recommendations

A. Research and teaching institutions should:

- Create a *repository/resource base* to promote the small but growing body of evidence on ageing in African contexts as well as the situation of older people and those who support and care for them. This would provide evidence for policy makers, educators, civil society advocates and older persons’ associations.
- Develop *think tanks or centres of excellence* within higher education institutions to develop this resource base and to build capacity to identify and address knowledge gaps through contextually appropriate interdisciplinary research.
- Offer courses on ageing and the rights of older persons, on gendered/intersectional life-course approaches to ageing, and on the interactions between customary and state law, to build capacity among legal professionals, social workers, health service workers and other public officials.
- Undertake *research* to provide the evidence base for policy making. There is a need for *contextually specific studies* to understand:
 - how ‘age’ is understood, and what this means for older people and those who care for them
 - how older people understand their position in specific settings, from rural and peri-urban contexts, and within formal and informal settlements
 - whether older people are able to exercise their rights, and how gender, ethnicity and other intersecting identities affect their lives. Do customary understandings of duties and responsibilities support (some or all) older people?
- Develop courses that *focus on the rights of older persons* in order to inform the development of national legislation, scrutinise laws from the perspective of older people, inform judicial practice, and provide evidence for advocacy for older persons’ organisations.
- Adopt a life-course approach to reflect the intersecting inequalities that affect women and men of different social identities over their lifetime and in older age. It should also be comparative and take account of devolved government – with fieldwork in different counties in Kenya, different states in Ethiopia and different districts in Malawi – to identify different issues and enable learning from different approaches.

B. Civil society organisations should:

- Recognise population ageing and older people' rights as key issues and factor them into discussions and initiatives around human rights, poverty reduction, equality and social justice.
- Recognise older people's capacities as well as their vulnerabilities, and challenge ageist attitudes and language, and all discrimination based on age.
- Adopt inclusive approaches to programming with communities, across the development and humanitarian spectrum.
- Build capacity to ensure that the voices of all older people – women, men, older people with disabilities, and other marginalised groups – are heard and represented in policy making and more widely in society, including in the media.
- Ensure that older people of different genders, abilities and settings are represented in organisational governance structures.
- Identify strategic partners with whom to collaborate to deliver improvements in older persons' rights – for example, disability and gender campaigning groups interested in addressing the issues facing older people with disabilities or older women and men.
- Strengthen older persons' associations and ensure that they have the opportunity to share their experiences in key advocacy forums.
- Monitor and evaluate impact of services or programmes through participatory methods, and by including older persons' voices and using feedback to improve services.

C. African governments should:

- Ratify the AU Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa.
- Sensitise staff across multiple sectors to a life-course perspective on ageing and ensure that they have access to appropriate expertise on data, policy, equality and human rights when drafting policies on ageing.
- Ensure that social protection policies are designed to take into account the interests, needs and rights of older persons.
- Ensure that policies aimed at redressing inequities are adequately tailored to the context.
- Ensure that policies to protect and support those providing care for older persons are in place.
- Create inclusive and enjoyable shared urban spaces that encourage social activity and provide easier access to services and opportunities.
- Help older urban residents feel safe and secure by involving them in disaster preparedness planning, promoting better coordination between humanitarian actors and city authorities to ensure that older people's needs are met in times of emergency, and recognising the specific challenges facing older people who are displaced from their homes due to conflict.
- Develop gender-sensitive, non-contributory social pension systems.
- Build capacity in data collection expertise to enable policy making that responds to intersecting vulnerabilities.

D. Donors and research funders should:

- Support capacity building within civil society organisations to help them develop an intersectional life-course approach to ageing to ensure that ageing is included in advocacy across sectors.
- Support capacity building for older people's associations.
- Support capacity building within higher education institutions to develop centres of excellence/think tanks on ageing in Africa.
- Support contextually specific research to provide an evidence base for the development of legal and policy frameworks on ageing, from a life-course perspective.

E. The workshop organisers should:

- Develop research proposals building on the discussions and questions raised during the workshop.
- Create further opportunities for partnership between various stakeholders that attended.
- Explore the possibility of an online resource hub on gender and ageing for practitioners

Introduction

Although Africa is currently the 'youngest' continent in the world in terms of average age of the population, it is also ageing rapidly. Today, sub-Saharan Africa is home to an estimated 46 million older people – a figure projected to more than triple to 165 million by 2050. While longer life expectancy is to be celebrated, as it reflects remarkable achievements and growing prosperity, most countries have not adapted well to this new reality. Perceptions and narratives regarding older people are often discriminatory and ageist, while public policies often overlook older people's needs and undervalue their contributions.

Nonetheless, the African Union (AU) has produced a pioneering rights framework for older persons – the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa (2016). It has developed a Regional Policy Framework and Plan of Action on Ageing (2002) and an Africa Common Position on Long Term Care (2017). It has also developed a strong women's rights framework via the optional protocol on the Rights of Women, which pays particular attention to the position of older women, widows and women with disabilities. At national level, governments recognise the need to include older persons in their policy frameworks; a growing number are also providing social pensions.

On 4 and 5 June 2019, HelpAge International, the University of Nairobi (Kenya) and the University of Warwick (United Kingdom) brought together 45 participants from Ethiopia, Kenya and Malawi for a regional workshop to discuss gender and ageing issues. Among those attending were: national and regional policy makers with mandates relating to gender, ageing, social protection and care provision; academics; non-governmental organisations (NGOs) with expertise in gender, women's rights, older people's rights, and disability rights; and representatives of older persons' associations.

The workshop highlighted that despite these positive measures, there is still much more to be done to ensure that older people in Africa live healthy and fulfilling lives, and to ensure that those who care for them are not disadvantaged as a result when they themselves reach old age. Legal and policy frameworks are developing but often not implemented effectively. We do not know the impact such frameworks may have on relationships within communities and families.

The workshop aimed to establish whether there is sufficient policy and academic interest in conducting legal and public policy-oriented research into ageing, the position of older persons and the provision of care in Ethiopia, Kenya and Malawi to support co-design and co-ownership of future projects. Specifically, it aimed to:

- build support for and capacity among key stakeholders to deliver policies/practices based on a gender-inclusive, life-course perspective on ageing
- identify the gaps in knowledge necessary to support evidence-based legal and policy frameworks.

The format of the workshop

The format included plenary presentations, a roundtable discussion, and breakout sessions (in which people identified their top three takeaway priorities). Four working papers had been shared with participants prior to the workshop. Discussions were guided by the following four frameworks.

Framework 1: Gender-inclusive, life-course perspective on ageing

Gender equality throughout the life course is essential if all people are to flourish in older age. While policy makers and advocacy groups recognise that intersecting inequalities must be addressed – including those related to gender – inequalities associated with older age are often ignored. The working paper prepared on this framework (extracted from a longer policy briefing) argues that older women and men have a right to a better life now, but action needs to be taken during earlier life stages to ensure that future generations of older women and men can flourish when they reach older age. Gender relations must be transformed over the whole life course.

Framework 2: National and regional legal/policy frameworks and older persons

How do African regional conventions, constitutions and state legislative codes, and customary legal systems define an 'older person'? How do any provisions within these intersect with other provisions relating to discrimination (for example, due to sex, gender, disability, and cultural identity)? The working paper prepared on this framework analyses the opportunities present within African regional legislative frameworks on ageing, and how these can help fill gaps identified in the three national contexts represented at the workshop.

Framework 3: Caring and ageing under customary law in Africa

How are older people defined within customary law and how does this affect the provision of care, within their families and communities? Most older people in Africa live in rural areas, which often places them within customary settings where care is provided on the basis of clan and family in line with their respective customary laws. The working paper presented on this framework explores a range of questions. Do family structures guarantee care? To what extent do cultural norms exclude (some) older people from care? What is the impact of the disruption of traditional family care through migration and urbanisation?

Framework 4: Legal/policy frameworks based on a rights approach

Older people in both rural and urban settings continue to be marginalised and excluded from legal, policy and programmatic frameworks, which makes it difficult for them to access services they need and to participate in public policy processes. The working paper prepared for this framework highlights successes, challenges and gaps in the role played by older people in shaping such frameworks. It explores the gaps in knowledge and understanding in tackling discrimination and marginalisation based on age.

Post-workshop evaluation: The feedback was very positive, with 100 per cent of participants considering that the workshops had met its objectives; 44 per cent had their expectations exceeded, with 85 per cent having their expectations met. It was able to build a consensus, based on participants' knowledge and expertise, on the key issues and priorities ahead. Participants appreciated the opportunity to discuss and learn about the issues facing other countries in the region.

Key priorities that emerged from the workshop

Customary, local, national, regional and international legal frameworks

African countries are clearly making significant strides in improving legal protections for older people. Workshop participants discussed the protections afforded by various international instruments, including:

- the 1982 International Plan of Action on Ageing
- the UN Principles for Older Persons
- the UN Proclamation on Ageing 1992
- the Madrid International Plan of Action on Ageing 2002
- the African Charter on Human and Peoples' Rights
- the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa.

There was also discussion of the various domestic legislation on older people in Ethiopia, Kenya and Malawi.

Ethiopia

Legal/policy context

- National Constitution
- Social Welfare Policy (2014)
- National Plan of Action on Older Persons (1998–2007)
- Growth and Transformation Plan II (2015/16–2019/20)
- National Development Framework (2015–2020)

Ethiopia is in the process of adopting an Older Persons' Act. Participants wanted to understand how traditional and modern care systems interact to ensure that older persons have autonomy and dignity, and the options for quality care provided by the state. Communal rules about restoring lost property due to manmade or environmental disasters may also affect older persons and participants wanted to explore this further. There was some frustration at the slow pace of implementation of policies and the lack of involvement of devolved government (states) in the drafting and implementation process. Participants wanted to explore how a rights-centred approach to law, policy making and implementation could ensure that Africa was leading the world on holistic approaches to ageing.

Kenya

Legal/policy context

- National Constitution (2010)
- Older Persons Policy (2018)
- National Policy for Older Persons and Ageing (revised 2014)

Participants from Kenya regretted the fact that the Social Assistance Act had not yet been operationalised. There are currently two separate bills on older persons at different stages of the policy making process.

The workshop discussed the role of domestic laws and policies, regional protocols and various components of international human rights law that cover the needs of older persons. Participants called for exploratory studies on the extent to which laws made by county assemblies reflect older persons' interests. It was felt that this would shed more light on county budgetary allocations for older people and reveal any complementary or overlapping efforts between national and county government interventions for older people.

Malawi

Legal/policy context

- National Constitution (2010)
- National Policy for Older Persons (2016)
- National Social Welfare Policy: Promoting Social Inclusion and Human Dignity 2018
- National Social Support Programme II (2018-2013)
- Growth and Development Strategy 111 (2017-2022)

Participants from Malawi highlighted the failure to involve the judiciary in the protection of older persons, and the functional and operational overlap between different laws and policies. They also recognised the importance of understanding not just the formal legal and policy framework but also *informal/customary laws* that affect the care and protection of older people.

Common themes across all three countries

In all three countries, customary law shapes how older people are protected and cared for, although it can undermine the care and wellbeing of some older persons. For example, older women often fare worse than older men, reflecting gender inequalities at each stage of the life course.

Participants noted the *lack of an intersectional approach* in existing policy and legislation, as well as substantial implementation challenges. They also noted the challenges involved in integrating ageing

into national development agendas, including recognition of the issues by ministries of finance – reflected in limited budget allocations for policies supporting older persons.

Devolved government structures across all three countries (counties, states, districts) presented a challenge in that this requires collaboration at each level to deliver protections afforded to older persons. However, existing laws were not always clear on the specific contribution and role of each level of government.

Domestic laws across the three countries did not reflect the intersection of gender, ageing and disability. Accordingly, older people with disabilities were marginalised even within laws and policies designed to support older persons. Similarly, laws and policies did not take sufficient account of differences based on gender.

Issues raised at the workshop included the following:

- *Translating the AU protocol on the Rights of Older Persons* into local languages would facilitate dissemination and lead to increased public understanding of the issues facing older persons.
- Participants strongly supported the *ratification of the AU Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa*. Some suggested that a United Nations (UN) Convention on the rights of older persons could be part of Africa's forward-planning legacy if governments from the continent led in its development.
- There is a *lack of awareness* on existing policies and programmes by the agencies charged with implementation, such as *state officials*. This has compromised intra-government partnerships in the implementation of joined up/intersectional policy making.
- Failure to involve the *judiciary and other legal professionals* and provide them with training on the rights and entitlements of older persons has limited the development of a rights-based framework.
- There is a strong desire to *learn more about how customary and formal laws combine* to promote the protection of older persons.
- Participants from Kenya and Malawi observed that *colonial laws on witchcraft* in their respective countries had validated the victimisation of older persons as witches, which was a factor contributing not just to dispossession of assets but also in some cases physical and psychological torture of older people, even death. This issue must be urgently addressed.
- It is vital to *understand the role of the family* in caring for and protecting older people, within both customary and state law. For example, is the present framework of duties and responsibilities appropriate?

What are the priorities for further research?

- What are the economic costs of implementing the rights of older persons in line with regional and national policies? *More research* needs to be done to obtain data that would convince governments on the economic consequences of ignoring older persons.
- How do existing legal frameworks support older persons or discriminate against them?
- How are budget commitments for older persons developed, agreed and implemented? Civil society organisations (CSOs) could undertake national budget analysis to generate relevant information to guide the process (similar to budget audits for gender equality).

Voice and agency in decision making for older persons

Participants from all three countries wanted to ensure that older persons were present in discussions on policy and programmes that affect their lives. They also wanted to see older persons represented within CSOs (as board members, staff and volunteers). Their concerns and aspirations must be fully integrated into policy development and programme implementation in line with global, regional and domestic obligations. Accordingly, those with responsibilities for agendas relating to older persons at national and international level should seek to involve older persons in all relevant processes. The workshop discussed the strategies and obstacles to achieving this.

Participants from Ethiopia were hopeful that CSOs and older persons associations could be further strengthened to protect social spaces for older persons, and provide training and capacity building to empower older people to advocate for their rights. They suggested that legal rights centres could improve older people's understanding of the issues affecting them and how to claim their entitlements. Governance structures of charities and rights organisations should also be improved to ensure that older people are represented in decision making.

Issues raised at the workshop included the following:

- *Human rights organisations and other CSOs* supporting women's rights and gender justice, and those campaigning on disability issues, should be encouraged to address the issues facing *older persons* within their areas of interest, and to undertake advocacy to augment the activities of older persons' organisations.
- *Board members of various human rights organisations and government agencies* should receive training to understand the need to include older persons' voices. Older persons should also be involved in evaluating programme impacts to ensure that successes or failures relating to older people are considered.
- *Older persons* (whether associations or influential individuals) should be facilitated to *engage government directly* in advancing their rights so that measures to support older people are mainstreamed across all sectors of government.
- *Older persons' organisations* must become much more visible at the grassroots level to ensure that their voices are included in the development of policies and programmes and in monitoring. Except for those working directly with HelpAge, the *nature and number of such organisations is largely unknown*.

What are the priorities for further research?

- What are the institutions that can access and augment older people's voices?
- What are the perceptions of communities and policy makers when it comes to securing older people's participation in consultations?
- Is the relationship between disability, age and gender understood? Are the concerns of women and men with disabilities voiced?
- What resources are needed to enable older people to participate meaningfully?
- What is the most appropriate mechanism for the engagement of older persons and their organisations? What is the most appropriate/feasible level of engagement (regional; state/county/district/locality?)

A life-course perspective on ageing

From the moment we are born, we experience different events and make different choices. We also face the consequences of policies and systems, and of intersecting forms of discrimination that influence our lives and create inequalities. As we grow older, the impact of each of these different experiences accumulates.

Policies and programmes – and the way they are implemented – affect each of us across the entire life course and influence our wellbeing in older age. When designing a given policy, it is important to look forward and consider its impact on people in older age. For example, early marriage can affect women's health and wellbeing throughout their lives but can have particular impacts in older age. To achieve the aspirations of the AU's Agenda 2063 ('the Africa

Today's 19-year-old Africans will become 63-year-old Africans. If policies designed to achieve 'the Africa We Want' and to 'Leave No One Behind' can counter the disadvantages and inequalities that people face across their life course, which create and sustain inequalities, then hopefully those 63-year-olds will flourish to become 83-year-olds or 93-year-olds.

We Want') and Vision 2030 ('Leave No One Behind'), policy makers must adopt an intersectional life-course perspective on ageing.

Issues raised at the workshop included the following:

- To what extent can *property ownership in older age*, including security of tenure, help anchor the wellbeing of people in older age?
- The *gendered dimensions of land ownership* give cause for concern. There is a need for *more research* on the links between age, gender and property ownership (or lack thereof).
- How does *masculinity affect ageing*? There is a need to test whether assumptions about the position of older men are valid. For example, an economically or socially disadvantaged older man may not be regarded as an elder or may be excluded from distribution of resources.
- Government initiatives tend to focus on *pensions* and other measures that target people who have been in formal sector employment. In African settings, however, many older people (particularly in rural areas) will not have worked in the formal sector, so tend not to benefit from state social security schemes. Participants welcomed the development of *social pensions* but regretted the *lack of evidence and information on older people's livelihood strategies*.
- There is a need to develop a *gendered/intersectional life-course approach* to ageing, to inform policy and planning not just for today's older people but for tomorrow's.
- Policy must recognise the *impact of care responsibilities on older women and men who undertake this role* or who are obliged to take on new care responsibilities for grandchildren in older age.

Country-specific issues

Ethiopia

The Ministry of Labour and Social Affairs has requested that the impacts of policies on older persons be reported systematically across departments and ministries. While its request is yet to be operationalised, such reporting could inform decision making across many policy areas. *This is an important first step!* When accompanied by training to increase awareness among government ministries of how to design policies in ways that address intersecting vulnerabilities, and alongside efforts to include the voices of older persons in policy design and implementation, systematic reporting would significantly enhance the chances of policies improving older persons' wellbeing. It could also contribute to more informed policy making by recognising how liabilities and assets have been accumulated (or not) over time.

Kenya

The Kenyan participants were much more concerned with the scope of government intervention vis-à-vis the individual and the market, particularly the implications of the Big 4 Agenda (government development blueprint) on the life-course approach. Other concerns about obstacles to a life-course approach include the absence of old age savings plans for those outside the formal sector, and the failure by the market to develop saving plans for low-income non-formal sector employees. Participants suggested more training for government officials and those in the informal sector, as well as a strong partnership between the state, the market and citizens in developing a life-course programme, especially on savings for retirement by many of today's youths who are not in formal employment.

Malawi

People in urban areas tend to be younger and have more resources, so they are more likely to be aware of their entitlements. Older people in rural areas are more rooted in traditional community values and beliefs. Younger people, particularly those from better-off households, are likely to have a better life in older age. However, older people provide as much support as they can to younger people in their families and communities. This transfer of assets enables younger people to avoid lifelong poverty.

The Malawi government has commissioned two studies that impact policies targeting older women and men: *Social Protection in Malawi: Assessment Based National Dialogue*; and *Realising Income Security in Old Age: A Study into the Feasibility of a Universal Old Age Pension in Malawi*. It is also exploring a universal pension to facilitate social justice to vulnerable population groups such as women, to mitigate the potential impact of accumulated disadvantage throughout the life course in older age.

What are the priorities for further research?

- How do different contexts (rural–urban, occupations–livelihoods) and different social identities (male–female) affect people’s experiences throughout the life course and compound inequalities in older age?
- How do public policies alter or improve these life courses? What is needed to provide evidence of effectiveness?
- What is the nexus between institutional and family care?
- Are older women and men treated as full citizens and their rights respected? Are older women and men abused? In what ways? Is this different for women than for men? Is violence against older women ‘normalised’ in society?
- How do customary laws affect ageing and care provision? How do these interact (positively or negatively) with national legislation to provide long-term support and assistance?

The need for evidence-based policy making and responses – why collecting data on intersecting issues is vital

Good-quality evidence and data can enable governments to better understand citizens’ needs and measure progress in the implementation of strategies and policies. It can also help citizens lobby governments to make change and hold them to account.

Africa’s Agenda 2063 and the UN’s Vision 2030 both recognise the importance of gender equality and human rights more generally. The SDGs explicitly include older people while Agenda 2063 recognises the importance of Africa’s cultural identity, norms and values. Both strive to reduce or eliminate poverty and achieve prosperity for all. Achieving those aims will require better quality data, capable of capturing intersectional inequalities and disaggregating by age (in cohorts of 10 or ideally 5 years).

Issues raised at the workshop included the following:

- *People of all ages should be included in data collection and analysis*, including older people in multidimensional poverty measurement, and disaggregating a household-level multidimensional poverty index by age.
- There is a *growing body of literature on the position of older people* in Africa (whether on livelihoods, social pensions or cash transfers) but it needs to be disseminated more widely to inform education, training and policy.
- There are still *many knowledge gaps*, particularly on: the position of older people in different rural settings, in different peri-urban and urban localities (including informal settlements) and those who live on the streets; and the position of older women and men with disabilities acquired at different life stages.
- *Citizen-generated data* also has a key role to play as evidence for use in advocacy work. Policy makers need to hear the *choices that older people want* to make about their lives.

Country-specific issues

Ethiopia

Participants expressed a need for research that collects data on the impact of ageing disaggregated by other vulnerability factors such as poverty, homelessness, gender, disability, sexuality, gender identity, ethnicity, nationality or other factors. They also talked about standardising data collection

when monitoring and evaluating the impact of policies on vulnerable groups. In this way, data collection can help inform policy making that is sensitive to intersecting vulnerabilities. However, participants also spoke of the need for capacity building in relation to appropriate data collection.

Participants were interested to find out what research is being undertaken to understand the obstacles faced by older peoples socially, politically, economically and/or culturally excluded on account of their age but potentially also geography, poverty, gender, indigenous or minority status and disability, national or social origin, birth or other status.

Kenya

There is no comprehensive data collected on older persons' situation in Kenya. Although the National Gender and Equality Commission and the Kenya National Commission on Human Rights have conducted studies, that research was done in response to specific events (such as elections) and based on a small regional sample. There is thus a need for more comprehensive policy-based research to inform legal and policy initiatives. Lack of disaggregated data, including on intersecting identities, has contributed to the invisibility of older persons within the current limited data pool on social welfare.

Malawi

There is very limited data on the effectiveness of current government programmes on care for older people. National surveys collect data on older persons but are ad hoc.

What are the priorities for further research?

- What research tools are currently used at country level to collect information on older people (eg, the Multi Indicator Survey on Ageing tool in Malawi).
- Research studies should take account of local contexts, including geographical differences, and intersecting inequalities (addressing specific vulnerabilities such as accusations of witchcraft linked to gender and age).
- Research studies on informing evidence-based policies for ageing and health. This would be aligned to the Agenda 2030 and AU Agenda 2063.

Who cares? Family and social care

Those who do (unpaid) work looking after family members (whether children, relatives with disabilities or older people) are often disadvantaged in older age because they have not had an equal opportunity to accumulate assets, income and savings, either from paid labour or entrepreneurial activities. Recent figures from the International Labour Organization (ILO) show that globally, women perform more than three-quarters of the total hours of unpaid care work – more than three times as much as men.¹ Women are more likely than men to live in poverty at all ages but in older age the difference can be more significant. Women are more likely to be widowed, to live alone and to face discrimination. Many older men are also involved in caring for other older people and children in their families. Their role should be better recognised and supported.

In many contexts, as older people withdraw from the labour force, families take responsibility for their financial and material support. However, this support can be irregular, limited and exclude many older people. A 2017 HelpAge International study finds that, while a significant amount of older people receive support from their children, the level of support is often inadequate to ensure income security. Only a few older people can rely on a pension provided by the state or their employer. Some states provide cash transfers and social pensions (including those represented at the workshop). While these provide welcome support, they are not sufficient to sustain an older person.

Participants discussed how care is provided in families and what was expected of families by state laws and policies. They identified the need for greater understanding of the pressures on families but

1 International Labour Organization, 'ILO: Women do 4 times more unpaid care work than men in Asia and the Pacific', Press release, 27 June 2018, www.ilo.org/asia/media-centre/news/WCMS_633284/lang--en/index.htm (11 July 2019)

also the need to determine what older people want. They discussed the provision of social care and the role of care within institutional settings.

Issues raised at the workshop included the following:

- *Women, who are usually the ones that do household and care work, are particularly vulnerable.* Public policies need to address the root causes of gender inequalities, particularly in education, employment and social protection (including care). *Caring across the life course* – for the young and for older people – *disadvantages the carer* when they are older. Adopting a life-course approach to care – providing support for caring at all stages in line with SDG 5, target 4 – will tackle the accumulation of disadvantage.
- Participants noted the need to recognise the *impact on older women and men who are carers* or who are obliged to take on new care responsibilities for grandchildren in older age.
- Workshop participants spoke passionately about the *lack of geriatric healthcare specialists* across the continent.
- There is a need to develop systems of social care that provide older persons with autonomy and dignity, and provide older people with choices of good-quality care, whether provided by the community or state.

Country-specific issues

Ethiopia

Ethiopia is developing a social protection fund that includes community-based health insurance for older persons and other forms of protection. The Constitution directs families to care for children and older persons. Participants were interested to identify best practice in caring and to see what quality institutional care looked like.

Kenya

Participants recommended that the rights of older persons be embedded into the country's Big 4 Agenda, with the government seeking to make significant achievements by 2022. (The Agenda seeks to operationalise access to universal healthcare, affordable housing and food security, and to increase the country's manufacturing.) There appears to be an emerging trend in which older women are abandoning older men in the villages and moving to the cities to care for their grandchildren. Due to traditional gender roles, these older men find it difficult to adjust to these new realities, which compel them to rely on paid care or other family members.

Malawi

In Malawi, institutional care has been firmly rejected (largely owing to weak monitoring and regulation of care providers). The Constitution actually directs families to care for children and older persons. Older women who live with their adult children tend to have better mental and physical health compared to those living only with grandchildren. Further, older men who live in larger households or in households with a higher proportion of females have better physical health.

Malawi's National Social Support Programme is based on three pillars: (1) consumption support (through timely, predictable and adequate cash and/or in-kind transfers to poor and vulnerable people throughout the life cycle); (2) promoting resilient livelihoods (through tailored packages based on individual, household, and community needs via poverty graduation pathways and inter-programme linkages); and (3) a shock-sensitive social protection system that meets seasonal needs, prepares for and responds to unpredictable shocks, and aids recovery and the return to regular programming.

Urbanisation and migration

Urbanisation and population ageing are occurring rapidly in African countries. Research shows that for older people, cities present physical, social and economic barriers that prevent them realising their right to live in dignity and safety, enjoying their surroundings. The challenges facing urban populations have been rising up the international development agenda, with Agenda 2030 and the SDGs, the World Humanitarian Summit and the New Urban Agenda (as part of the Habitat III process) united in calling for inclusive urbanisation.

What are the priorities for further research?

- The value of care by and for older persons – is this seen as a 'burden' or 'duty'?
- Do older people want to always rely on their families for support? Do some prefer to make their own decisions about how to live in older age? What choices do they have?
- What is the role of more social forms of care, including that provided in institutional settings or through home care or day care centres?
- How is quality ensured in the provision of these forms of social care?
- What regulation is necessary? What training do those providing care undertake?

Issues raised at the workshop included the following:

- *Rapid urbanisation* had led to towns expanding into areas previously considered rural. This has not only displaced older people as they are forced to surrender their ancestral land and seek land elsewhere but has also disrupted traditional family structures that older people rely on for care.
- Many young people have moved to urban areas, leaving *older persons to care both for each other as well as for grandchildren* who are sometimes left behind when their parents migrate.
- Migration to cities and towns has led to a *sizeable number of older persons in urban areas*. Some have spent their entire working life in the towns and cities but may lack proper social networks to return to rural areas if they wished to. Urban infrastructure, including transport, is often unresponsive to older people's needs, leading to isolation.

Country-specific issues

Ethiopia

A recent study found that almost 10 per cent of homeless people in Addis Ababa were older people. Policies designed to re-connect homeless older people with their family – often living in rural areas – failed. Neither rural areas nor the city are well equipped when it comes to protecting and promoting older persons' rights. Participants were interested in further research on best practices in protecting the rights of older persons amid rapid urbanisation.

Kenya

Intersecting identities combine to leave certain groups of older people very vulnerable in the urban environment. Effective intersectional policy making requires accessible public services, including transportation. Some participants observed a trend of older women moving to the cities or overseas to live with their daughters-in-law/ sons-in-law ostensibly to care for their grandchildren (and help offset househelp bills) in line with customary law. Older men are therefore left vulnerable and isolated in rural villages. At the same time, many older people with terminal illnesses migrate to urban areas in search of better public/private medical services.

Malawi

Despite the fact that many older people had been left alone in rural areas, the continued resistance to institutional care on the basis of culture needs to be re-examined. Participants suggested conducting further studies on how to work with communities to overcome barriers to institutional care and find ways of tailoring the concept to local realities.

What are the priorities for further research?

- There is a need for *more evidence* to understand the *position of older people in different urban contexts*, including the forms of care and support they can call upon.
- How do urban areas increase or reduce vulnerabilities for older people who have intersecting vulnerabilities, including gender and disability?
- How can technological innovation support older people to live better lives?

Conclusions and recommendations

We prepared a mind map showing how the workshop discussions developed over the course of the two days (Figure 1).

Key themes that emerged included:

- 1) the importance of understanding customary practices as well as formal law and policies;
- 2) the need to adopt a life-course perspective within cross-cutting and intersectional policy development;
- 3) support for ratification of the African Older Persons Protocol was seen as essential; and
- 4) the need for more evidence-based policy making, which requires more research and disaggregated data collection.

Figure 1: Mind map of the two-day workshop on Gender and Ageing in African Contexts



Recommendations

Research and teaching institutions should:

- Create a *repository/resource base* for the small but growing body of source material on ageing in African contexts, and the situation and rights of older people and those who provide support and care for them. This will provide valuable information for policy makers, educators, civil society advocates and older persons' organisations.
- Develop *think tanks or centres of excellence* within higher education institutions to develop this resource base, and build capacity to identify knowledge gaps and develop contextually appropriate interdisciplinary research to fill those gaps. This expertise will enable the development of undergraduate/postgraduate modules and training.

- Offer courses in higher education institutions on ageing and the rights of older people; on gendered/intersectional life-course approaches to ageing; and on the interactions between customary and state law. This will strengthen capacity among legal professionals, social workers, health service workers and other public officials.
- Undertake *research*, particularly in the areas discussed at the workshop, to provide evidence for policy making. There is a need for *contextually specific studies* to understand:
 - how 'age' is understood and what this means for older people and those who care for them
 - how older people understand their position in specific settings – including rural and peri-urban contexts, and within informal settlements in urban areas
 - the extent to which older people are able to exercise their rights. How do gender, ethnicity and other intersecting identities affect older people's lives and their position in their community? Do customary understandings of duties and responsibilities support (some or all) older people? How is family-based care understood? Who is expected to provide what form of care? How is family support affected by migration (of older people or their relatives)? How is family support affected by state support programmes? How is 'institutionalised' care provided and what regulation is in place to ensure quality?
- Develop courses that *focus on the rights of older persons* to: inform the development of national legislation; to scrutinise laws from the perspective of older people; to inform judicial practice; and to provide the knowledge that older persons' organisations and those working on disability and gender need to advocate for the rights of older people.

Research should be based on a life-course approach to reflect the intersecting inequalities that affect women and men from different backgrounds over their lifetime and affect their lives in older age. It should be comparative in nature and take account of devolved government, with fieldwork in different counties (Kenya), states (Ethiopia) and districts (Malawi) to identify different issues and enable learning across contexts. Comparative studies within and across countries would enable good practice to be shared and more effective policy development and implementation.

Filling evidence gaps with contextual research and disaggregated data collection will provide an unprecedented opportunity to include all people who are ageing in national and international development agendas.

Civil society organisations should:

- Recognise population ageing and older people's rights as key issues and factor them into discussions and initiatives on human rights, poverty reduction, equality and social justice.
- Recognise older people's capacities as well as their vulnerabilities, and challenge ageist attitudes and languages, and all discrimination based on age.
- Adopt inclusive approaches to programming with communities, across development and humanitarian interventions.
- Build capacity to ensure that the voices of all older people – women, men, older people with disabilities, and other marginalised groups – are heard and represented in policy making and more widely in society, including in the media.
- Ensure older people of different genders, abilities and from different settings are represented in organisational governance structures.
- Identify strategic partners with whom to collaborate to deliver improvements in older persons' rights – for example, disability and gender campaigning groups interested in addressing the issues facing older people with disabilities or older women and men respectively.
- Strengthen older persons' associations and ensure that they have the opportunity to share their experiences in key advocacy forums.
- Monitor and evaluate the impact of programmes or services using participatory methods and include older persons' voices in feedback to drive improvements in service provision.

African governments should:

- Ratify the AU Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa.

- Sensitise staff across multiple sectors to a life-course perspective on ageing and ensure that they have access to appropriate expertise on data, policy, equality and human rights when drafting policies on ageing.
- Ensure that social protection policies are designed to take into account the interests, needs and rights of older persons.
- Ensure that policies aimed at redressing inequities are adequately tailored to the context (for example, older persons living in rural areas are likely to have very different needs to older persons in urban areas).
- Ensure that policies to protect and support those providing care for older people are in place.
- Create inclusive and enjoyable shared urban spaces that encourage social activity and provide easier access to services and opportunities.
- Help older urban residents feel safe and secure by involving them in disaster preparedness planning, promoting better coordination between humanitarian actors and city authorities to ensure that older people's specific needs are met in times of emergency, and recognising the specific challenges facing older people who have been displaced from their homes.
- Develop gender-sensitive, non-contributory social pension systems.
- Build capacity in data collection expertise to enable policy making that responds to intersecting vulnerabilities.

Donors and research funders should:

- Support capacity building within CSOs to help them develop an intersectional life-course approach to ageing to ensure that ageing is included in advocacy work across sectors .
- Support capacity building for older people's associations.
- Support capacity building within higher education institutions to develop centres of excellence or think tanks on ageing in Africa.
- Support contextually specific research to provide an evidence base for the development of legal and policy frameworks on ageing in African contexts, including from a life-course perspective.

The workshop organisers should:

- Develop research proposals building on the discussions and questions raised during the workshop.
- Create further opportunities for partnership between the various stakeholders that attended.
- Explore the possibility of an online resource hub on gender and ageing for practitioners.

Annex 1: Country overview

Characteristic	Kenya	Ethiopia	Malawi
Population (60+)	1.9 million (in 2009) (5% of population); 53.4% women, 46.6% men; unevenly distributed counties Projected to be 2.6 million by 2020 (6% of population); and 9.5 by 2050 7%?	75 million (in 2006) 4.4% (3.3 million); 2011 5% of 81 million; ex 12.2 million urban dwellers 538,800; ex 62.9 million rural dwellers 2.8 million Projection 9% 2050	4.6% (2000) to 6.5% (2050) (from 550,000 to 2 million); 727,377 in 2016; 92% in rural areas
International/regional rights African Optional Protocols Women Older Persons	African Charter; International Convention on the Elimination of All Forms of Racial Discrimination (CERD); Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); International Convention Against Torture (CAT) (torture/degrading treatment); disabilities; International Labour Organization (ILO) various UN Plan of Action on Ageing; AU Policy Framework on Ageing (2002) Ratified Not signed	CEDAW/ Declaration on the Elimination of Violence Against Women (DEVAW) Madrid International Plan of Action (2002); AU Policy Framework on Ageing (2002) Signed not ratified Not signed	CEDAW Ratified Not signed
Constitution Articles	57: rights of older persons to participate fully; pursue personal development; dignity/respect free from abuse; reasonable care/assistance from families and state; 10(2) (b) states obliged to protect; 21(3) address needs; 27(4) equality/non-discrimination; 43(3) appropriate social security to older persons in need	41(5): economic and social rights - within available means allocate resources to provide rehabilitation and assistance to people with physical or mental disabilities, the aged; 25: equality; 35(1): women have equal rights with men (2) in marriage (3) entitled to affirmative measures (4) eliminate harmful practices, customs, laws (6) full consultation in policy processes	(13): policies and legislation for welfare (a) gender equality (g) disability (j) respect and support older people via community services and participation (20) equality sex, disability not age but other status; (24) rights of women
National policy/provisions	National Policy on Older Persons and Ageing (revised 2014) within Vision 2030; National Hospital Insurance Fund Act;	National Plan of Action on Older Persons (1998–2007) E.C National Policy of Ethiopian Women (1993)	National Social Welfare Policy: Promoting Social Inclusion and Human Dignity (2018)

	Pensions Act; National Social Security Fund Act	National Action Plan on Gender Equality into End Poverty Plan; National Gender Mainstreaming Guidelines (2010)	National Policy for Older Persons; National Gender Policy
Ministry responsibilities	Ministry of Labour, Social Security and Services	Ministry of Labour and Social Affairs (MOLSA)	Department of Disability and Elderly Affairs in Ministry of Gender, Children, Disability and Social Welfare
Age			
Gender	Ministry of Public Service, Youth and Gender Affairs	Ministry of Women, Children and Youth	Ministry of Gender, Children, Disability and Social Welfare
Devolution	47 counties mainstream, identify/implement programmes over 5 yrs County Integrated Development Plans National Council for Older Persons and Ageing	9 Member States share legislative, executive and judicial powers according to Articles 51 and 52; state-level family laws; woreda, zonal, regional, federal	Local government authorities (ch XIV constitution) Local Government Act 1998 but consultative forums
Rights commissions	National Gender and Equality Commission Kenya National Human Rights Commission; Kenya Human Rights Commission (NGO)	Ethiopian Human Rights Commission	Malawi Human Rights Commission
Key issues identified	No specific law at national/county level on older people's rights but bill ; pressure on extended family support/traditional social protection systems; some older people in urban areas destitute; unregulated institutions; intersection gender, disability, age	Not included in design and implementation of programmes/projects; no monitoring and evaluation systems; pressure on family/community support but crucial; destitution in urban areas; older women; widows need care/care for grandchildren; Need for awareness raising; promotion of solidarity; rights	Need data; need civic education; Grave lack of social welfare human resources (HR) capacity; rising poverty among older people but gender differentials important – older women have higher rates of chronic illness; older women 5 times more likely to be widowed, live alone; strain on systems of care; violence, abuse and neglect
Research for evidence-based policy making	Little research; focus on rural areas; urban areas almost non-existent; need for diverse contexts	Little research: no data/policy on care for older persons or VAN or older women in regions	There is little research available but what there is suggests that African families are not always able to provide care; rather self-

			sufficiency and reciprocity in rural subsistence livelihoods
Research with partner organisation		HelpAge 2011 HelpAge 2013	HelpAge 2016 with Ministry of Gender, Children, Disability and Social Welfare
Social pension	Universal 70-plus Jan 2018 + health insurance via National Hospital Insurance Fund	No universal pension/cash transfer Integrated basic social services with social cash transfer – Productive Safety Net Programme	Social Cash Transfer Programme 2006 Universal Pension Scheme 2018



www.helpage.org

HelpAge International
P.O Box 14888-00800,
Westlands, Nairobi
Kenya.

Telephone: +254 721 361 608

Email: helpage.africa@helpage.org

www.helpage.org

 @HelpAgeAfrica  HelpAge International