**Call for contributions: Ageism and Age-Discrimination**

In order to inform the preparation of her report, the Independent Expert would like to seek contributions from States, national human rights institutions, civil society, academia, international and regional organizations, and all other relevant stakeholders, with a particular emphasis on sharing concrete examples and good practices where available.

While the Independent Expert welcomes any information, reports, legislation or other materials deemed pertinent to ageism and age-discrimination, she is particularly interested in the following areas:

#### Forms and manifestations of ageism and age-discrimination

1. What forms does age discrimination affecting older persons take and which ones are the most prevalent? Where available, please provide concrete examples and collected data including in employment, education, social protection, and health, financial and social services.

Ageism is a phenomenon that discriminates persons according to age and is prevailing in contemporary western societies. In this sense, myths and stereotypes around age negatively impacting the lives of 65+ year-old-persons. They face several challenges in regard to the recognition of their role in society, the full enjoyment of their human rights and their active participation in all areas of collective life. You Next, it is highlighted some data from the Portuguese reality.

Portugal has an employment rate in relation to the 65+ year-old age group above the EU27 average, more precisely, it is twice as high. However, the at-risk-of-poverty rate after social transfers of the 65+ year-old age group in 2019 stands at 17.3%. Even so, this is a significant improvement considering that in 1995 this rate corresponded to 38% (PORDATA, 2020). Nevertheless, older persons face barriers in accessing the labor market due to age inference and sometimes even in selection processes by mentioning their age in their *curricula* .

Portugal has registered a significant reduction in the number of persons over 65 years of age with no education and an increase of those with higher education (PORDATA, 2021). Although there is a growing search for education opportunities throughout the life cycle, in Portugal, access to Higher Education is concentrated in the 19-21 age bracket with no age diversity (Working Group nominated by the Ministry of Science, Technology and Higher Education, 2019).

In 2004, it was found that the poverty rate remained significant within the population group under consideration and there were asymmetries in terms of income. Thus, in 2005, the Solidarity Supplement for Older Persons[[1]](#footnote-1) (CSI) was implemented. This situation represented the transition from a strategy based on social minimums for older persons to a policy based on resources (Nunes, 2013). In this sense, Joaquim et al. argue that the CSI is effective in combating poverty, as it is based on the level of income and the socioeconomic situation of the pensioner/pensioner household.

1. Please provide information and data collected about the causes and manifestations of ageism in society, both for younger and older generations, and how it translates into discriminatory practices.

Age discrimination is a more evident phenomenon in certain age groups. The 65+ year-old age group is still often seen in a stereotyped manner as fragile, sick and dependent.

There is also a tendency to view this population group as useless and incapable, as an economic and social burden. These negative and stereotyped perceptions associated to older persons lead to disrespect for their rights, to the exclusion and marginalization of those who are in a situation of vulnerability or deprivation.

There is a confrontation between older versus younger persons, which reflects a society that values ​​autonomy and independence and places older persons (as dependent, fragile and disabled) and younger persons in opposite poles.

In order to contribute to the National Strategy for the Integration of Longevity in Public Policies, *Santa Casa da Misericórdia de Lisboa* (SCML) carried out a telephone questionnaire, interviewing 2 500 persons over 55 years old, residing in Mainland Portugal. The primary results, which have not yet been officially released, showed that (SCML / Qmetrics):

* The vast majority of individuals do not feel, or rarely experience, prejudice for their age (92%);
* 17% of individuals believe that society's perception of older persons is negative;
* 13% of individuals indicated that society perceives older persons positively;
* 13% of individuals indicated that they are put aside, ignored or despised.

It is essential to deconstruct the myths and unrealistic representations that persist, dissociating them from the idea of ​​illness and social burdens, enabling a more equitable and more dignified participation of older persons in all areas of public life, regardless of the age group. Thus, lifelong learning should be promoted, as well as investments in intergenerational public solutions, policy drafting and integration of human rights principles. Values ​​such as empathy and respect for others with education and training for all persons throughout the life cycle are key.

1. From an intersectional perspective, are there specific factors that aggravate ageism and age discrimination and how? Please provide concrete examples and collected data where available.

Due to the existing social valorization of autonomy and independence, there are other variables that tend to aggravate the lack of representation and age discrimination, such as:

* chronic or disabling health conditions,
* economic situation,
* level of education,
* gender, and / or
* sexual orientation.

This requires projects / programs, measures and policies that seek to respond, preferably in an intersectoral way to these combined effects of factors, such as, for example, local offices (in municipalities) that facilitate information and accessibility to existing responses.

In this regard, Portugal presents solutions depending on the deprivation condition of this population group, such as:

* Social benefits (solidarity supplement for older persons, the widow/widower’s pension, disability pension, social benefit for inclusion);
* Access to health care and medication tends to be free or at reduced costs for chronically ill patients;
* Projects / Programs of integrated, articulated and proximity responses to a variety of situations in this population group, with a view to improving the quality of life and well-being of older persons, also boosting the maintenance and promotion of their autonomy and providing qualified care. As an example, the “Lisbon, City of All Ages” Program is based on 3 strategic axes - Active Life, Autonomous Life and Supported Life - with emphasis on the following measures:
  + Radar Project (aims to identify the population over 65 years old and build community-based systems of social integration);
  + Teleassistance for persons in situations of dependency and / or with disabilities;
  + InterAge Space (intergenerational space open to the community, planned within the scope of the requalification of 21 Day Centers);

- Discounts on transportation and cultural events for 65+ year-old persons and / or retired,

#### Legal, policy and institutional frameworks related to ageism and age-discrimination

1. What international, regional and national legal instruments are in place to combat ageism and age-discrimination?

At the international level, Portugal follows core international human rights standards, namely the Universal Declaration of Human Rights, which repudiates all forms of discrimination.

Additionally :

* Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);
* Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women;
* Council of Europe Convention for the Prevention and Combat of Violence against Women and Domestic Violence (Istanbul Convention);
* Beijing Declaration and Platform for Action and the 12 critical areas and commitment documents resulting from its reviews;
* EU Pact for Gender Equality of the EU Council, 2011 - 2020;
* Gender Equality Strategy 2020-2025 of the European Commission;
* Strategic Cooperation Plan for Gender Equality and Women's Empowerment (CPLP) 2010;
* Plan of Action for Gender Equality and Women's Empowerment (CPLP 2017 -2020);
* Recommendation CM / Rec (2010) 5 of the Committee of Ministers to the Member States of the Council of Europe on measures to combat discrimination based on sexual orientation or gender identity;
* The 2030 Agenda for Sustainable Development and the 17 Sustainable Development Goals;
* Program of Action of the International Conference on Population and Development and commitment documents resulting from its reviews;
* The New UN Urban Agenda 2016-2036;
* European Pillar of Social Rights;
* Council of Europe Strategy for Equality between Women and Men 2018-2023, which sets out six priority areas for action; and
* EU Action Plan 2017 -2019 to bridge the gender pay gap.

At the national level, there is the National Strategy for Equality and Non-Discrimination 2018-2030 (ENIND) «Portugal + Igual», approved by the XXI Constitutional Government on March 8, 2018, (Resolution of the Council of Ministers no. 61/2018, of 21 May). In this Strategy, Portugal defined strategic axes and objectives until 2030.

This long-term vision is reflected in the following three action plans that define concrete measures and targets for the next four years:

* Action Plan for Equality between Women and Men;
* Action Plan to Prevent and Combat Violence Against Women and Domestic Violence;
* Action Plan to Combat Discrimination on the grounds of Sexual Orientation, Gender Identity and Expression, and Sexual Characteristics.

The national strategy for Longevity is being prepared, with the objective of, in the wake of MIPAA (Madrid Ministerial Plan of Action on Ageing) and the purposes and measures recommended in 2017 in the Lisbon Declaration. Obviously, the fight against ageism and any form of discrimination is one of the structural objectives of all public policies in development.

1. Please also note any action plans or policies to raise awareness and combat ageism (including anti-ageism in school curricula) and to move toward a more age-friendly and inclusive society.
2. *Academia do Espaço Santa Casa* (SCML) - seeks to improve the well-being and quality of life of its users by promoting the teaching of artistic and literary activities. This Academy was created to promote and disseminate what is done, at an artistic level, at the *Santa Casa da Misericórdia* in Lisbon, offering 11 free courses to all those who want to enroll, whether they are *Santa Casa* users or not. The Academy has a weekly agenda of intergenerational activities with different themes (representation, dance, painting, languages, sewing, among others).
3. Advisory Council and Monitoring Committee - consultative assemblies created within the scope of the Radar Project / Program “Lisbon, City of All Ages”, with the aim of contributing with knowledge and listening to communities, in order to provide an improvement in monitoring and intervention carried out with and for older persons residing in the city of Lisbon). Based on a logic of lifelong learning and intergenerational solutions, the Advisory Council and Monitoring Committee guarantee the integration of human rights and values ​​such as empathy and respect for others, education and training for all persons.
4. InterAge Project - SCML and the Lisbon City Council[[2]](#footnote-2) aim to requalify 21 SCML day centers (corresponding to about 1/3 of the existing response in Lisbon), transforming them into intergenerational spaces and open to the community. The requalification of the centers will be carried out, in stages, until 2026.

The InterAge project will benefit more than 1600 users and represents an investment of 12 million euros. The main objective is to reduce the social isolation of the elderly residing in Lisbon, through investment in the care network, home support and requalification of the public space, promoting coexistence between generations, combining centers for the elderly and daycare centers. A response for everyone, open to the community, to all generations and to different social layers. Its operating model combines several social responses, streamlines services and products according to the needs of the population. It will work in a network with local entities, in a logic of co-government, flexible and adjusted to each territory and the interests of each one. It will promote the exercise of citizenship and the participation of people in a common project, stimulating social solidarity, flexible and adjusted to each territory and the interests of each one.

1. *A Avó Veio Trabalhar* (Gradma has come to work) - is a creative start-up for persons over 60 years of age. It is a project of individual learning, sharing and training, which, through traditional methods encourages the intervention of seniors in society, as part of a premise of socio-professional reintegration of older persons through intergenerational sharing.

The basic idea of ​​the project consists of a process of co-creating products (namely, textile-based) or services (tailor-made workshops linked to teaching of younger persons, partnerships with festivals, museums and artistic events, activities related to creative tourism and the dissemination of Portuguese culture and craftsmanship) in which an artistic direction works together with a team of older persons to obtain the best solutions. This initiative encourages participants to break down the barriers that they themselves impose on their conduct ("I no longer have the capacity to do anything", "I am too old to do anything", "I no longer have the strength or the vision to produce these things"), valuing their skills and returning them to society through the creation of products and services that can be purchased. About 70 women over the age of 60 are involved in *A Avó Veio Trabalhar.* This creative, collaborative and intergenerational initiative shows the potential of older persons (full of acquired knowledge and skills), placing them in the center of a community through a social business where value is produced from traditional culture.

1. Older Age Spaces - developed by the Municipality of Ílhavo, are intended to carry out activities of socio-cultural intervention, based on supporting older persons by promoting their well-being and self-esteem, combating social exclusion and enhancing of their skills, competences, knowledge and culture. Intergenerational activities have also been valued (for example, in 2017: project «is being old bad?» - sessions aimed at students from elementary schools in which the oldest are the animators in local kindergartens in a joint project with the local Senior University).

It is essential that school spaces are an engine for promoting intergenerational programs and solutions with a proven positive impact, stimulating the development and / or consolidation of training programs for older persons (for example, free courses, conference cycles, gatherings or initiatives volunteering opportunities open to all ages), fostering cooperation, interaction and sharing based on the potential of each individual and age group.

1. At the national level, please outline the legal protections available against age discrimination and indicate whether age is explicitly recognised as a ground for discrimination? If so, are there specific areas for which equality is explicitly guaranteed? Are there any areas where differential treatment based on older age is explicitly justified?

The Constitution of the Portuguese Republic (CRP) in article 13, paragraph 1, determines that all citizens have the same social dignity and are equal before the law. Discrimination based on age is expressly prohibited in Article 59 (1) of the CRP, which refers to workers' rights. It also states in article 72:

*1. The elderly have the right to economic security and to conditions in terms of housing and family and community life that respect their personal autonomy and avoid and overcome isolation or social marginalization.*

*2. The policy for the elderly shall include measures of an economic, social and cultural nature that tend to provide elderly persons with opportunities for personal fulfillment by means of an active participation in community life.*

Age should not be an absolute criterion since the intrinsic value of each person does not disappear with age. Rights must be respected in all circumstances in the best interests of the person. The organization of society must be based on a human rights approach , considering the specificities (ethnicity, age, sexual orientation and gender) in the development of public policies and legal provisions, which influence social performance. In this section, we recall that there are some positive discrimination measures based on age that seek to guarantee greater equality, as is the case of the *Casa Aberta* program (program that aims to improve the conditions of security and accessibility in the housing of older persons or persons with disability).

In the area of Social Security Systems, it should also be noted that the legislation on access to age pensions does not consider older persons as a homogeneous group, nor does it convey beliefs or stereotypes, for example, the fact that they are more affected by long-term unemployment, physical incapacity for work (disability) or illness. While there is the possibility of early access to age pensions that aim to compensate for segmentations of the labor market that particularly affect older persons (long-term unemployment), the legislation on access to age pensions also promotes active ageing and the autonomy of older persons.

The principle of positive differentiation, enshrined in the Social Security System Framework Law - Law 4/2007 of 16 January - allows flexibility and modulation of benefits, depending on income, social events, and other factors, such as demography, work, social and family nature.

1. Do the existing legal protections against age discrimination allow for claims based on intersectional discrimination, that is discrimination which is based on the intersection of age and other characteristics such as race, ethnicity, gender, disability, sexual orientation or other status?

Yes. In the field of social security, one of the principles of Law 4/2007, the principle of judicial safeguard, ensures access to the courts, in a timely manner, to claim the right to benefits.

Whenever someone considers himself/herself negatively affected in his/her own rights to benefits, he/she may submit claims or complaints to the institutions responsible for providing the benefits. The process for examining complaints is classified as urgent.

In this context, actions and omissions within the scope of Social Security can also be the subject of a contentious reaction under the terms of the Code of Procedure in the Administrative Courts.

1. What legal and other measures have been taken to address and protect from racism, sexism, ableism or other similar forms of discrimination that might be useful models for addressing ageism?

There were measures developed to address gender inequality with the aim of eliminating all forms of discrimination against women and on grounds of sex.

Please, see programs mentioned in the answer to question 4.

1. Please indicate if there are institutional or complaints mechanism to address inequalities or grievances related to ageism and age discrimination. If so, please provide statistics on cases and types of cases received?

There is no mechanism or legal body specialized in situations of age discrimination nor data at this level. It is essential to ensure a proximity response with competence to act in promoting and protecting the rights of persons who find it difficult to exercise them effectively, regardless of their age, based on the principle of minimum intervention with the objective of respecting and promoting autonomy and independence, preventing situations of vulnerability.

Situations of crime or more extreme chaos can be monitored by the Victim Support Association (APAV) and by the Union of Alternative Women and Response (UMAR), which guarantees emotional and specialized support - legal, psychological and social - for all survivors of crime.

#### Reports related to ageism and age discrimination and other relevant information

1. Please outline any other areas that you deem important in the context of ageism and age discrimination. Thank you for sharing any relevant reports about ageism and age discrimination.

The media has a considerable influence on the space and public debate, in this sense, through their cooperation. It is possible to foster a democratic, self-sustainable and conscious public space for the longevity paradigm, in which all persons are taken into consideration and can intervene fully in all areas of society, without restrictions based on age stereotypes and myths.

SCML, in partnership with the *Center for Research and Social Intervention and Fraunhofer Portugal*, developed the *Tec-Conhecimento project*, demonstrating that the use of new technologies by older persons can materialize in the acquisition of technical, personal and social abilities, such as learning essential functions, self-confidence and peer communication. Although the vast majority of older persons integrated in the project did not use new technologies due to the lack of accessibility, it was demonstrated that through the appropriate tools (tablet and an intuitive gaming platform with several levels) it is possible to improve their technological proficiency and increase motivation and interest in using new technologies.

## **Call for contributions: The Human Rights of Older Women**

In order to inform the preparation of her report, the Independent Expert would like to seek written contributions from States, national human rights institutions, civil society, academia, international and regional organizations, and all other relevant stakeholders, with a particular emphasis on sharing concrete examples and good practices where available.

While the Independent Expert welcomes any information, reports, legislation or other materials deemed pertinent to the protection and promotion of human rights of older women, she is particularly interested in the following areas:

#### The rights of older women in international, regional and national law, policies and programmes

1. What legal instruments, policies and programmes exist to address the particular challenges faced by older women, and how are they implemented and monitored?

Portugal is a State-party to the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW) approved by the UN General Assembly and in force since September 3, 1981, as well as to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, in force since 26 July, 2002.

Portugal is also a subscriber to the 1995 Beijing Declaration and Platform for Action.

The National Strategy for Equality and Non-Discrimination 2018-2030 (ENIND) «Portugal + Igual», approved by the XXI Constitutional Government on March 8, 2018 (Resolution of the Council of Ministers no. 61 / 2018, May 21) includes the following three action plans that define concrete measures and targets for the next four years, until 2021:

1. Action Plan for Equality between Women and Men;
2. Action Plan to Prevent and Combat Violence Against Women and Domestic Violence;
3. Action Plan to Combat Discrimination on the grounds of Sexual Orientation, Gender Identity and Expression, and Sexual Characteristics.

However, there is no available data on women disaggregated according to age.

The Standing Working Group on Ageing created within the framework of the UNECE (United Nations Economic Commission for Europe) and currently chaired by Professor Edmundo Martinho (*Santa Casa da Misericórdia de Lisboa)* has focused on creating mechanisms that encourage and assist Member States to adopt public policies that address the issue of longevity, and its numerous challenges, either from the point of view of ageing of their populations, or from an individual point of view. This is intended to establish a generalization of the treatment of issues related to older persons, the so-called mainstreaming, that is, the integration of issues related to this specific group in legislative and normative activity, both at the international level and at the same time, at national, regional and local levels.

In terms of national legislation, there is no special normative framework aimed at older women, nor legislation that specifically protects the rights of older persons. Rather, there are rules integrated into general legislation, which aim at safeguarding the dignity of older persons, for example in the Constitution of the Portuguese Republic:

* Principle of equality [article 2; Article 67, no. 2, para. b) and article 13 of the Constitution of the Portuguese Republic (CRP)].
* CRP, article 72, no. 1, imposes the guarantee of economic security and housing conditions and family and community life for the older persons, respect for their personal autonomy and the fight against isolation or social marginalization;
* CRP, article 72, no. 2, establishes that policies for older persons include measures of an economic, social and cultural nature that tend to provide them with opportunities for personal fulfillment, through an active participation in the life of the community;

However, from these constitutional provisions, there is no obligation to create specific legislation that cover these rights: it is up to the ordinary legislator to decide.

* Law 49/2018, intended for all those who, for reasons of health, disability or due of their behavior, cannot, without support, deal with matters related to their life.
* Regarding to the Informal Caregiver Statute regime, the rights of the person being cared for, regardless of age, are set out in Article 8 of Law 1007/2019, of September 6, 2019.
* In terms of criminal law, the victim's vulnerability resulting from his/her age appears as an aggravation of criminal conduct and as an element of the type of crime (for example, domestic violence and mistreatment are punishable if the victim is particularly defenseless due to age).

In Portugal, the rights of older persons are not protected by a specific legal diploma. We must clarify, however, that in our legal system there is no incrimination of any conduct only because the victim is an older person, which is the case in other European countries.

1. What type of statistical data are collected on older women, if any, and is it disaggregated by age, gender, and other relevant factors? How are older women defined for the purposes of law, policy and data collection?

There are more older women than men, especially in older age groups. In 2019, for every 100 women there were 85 men in the 65-69 age group. In the 80-84 age group, there were 64 men for 100 women and in those aged 85 or more, there were only 48 men for every 100 women. However, women have a greater number of years of unhealthy life with disabilities.

Unfortunately, older women are not specifically portrayed for the purpose of law making.

1. Please indicate how older women take part in participatory mechanisms?

There are still no specific mechanisms for the purpose of consulting older women in participatory mechanisms. Likewise, it is imperative that the addressees of the measures are included in the discussion and in the elaboration of measures appropriate to the diversity of profiles and the different contexts of ageing.

*Santa Casa da Misericórdia de Lisboa* (SCML) has the Public Policies on Longevity Project underway in response to the challenge launched by the Minister of Labor, Solidarity and Social Security (MTSSS) to contribute to the construction of a National Strategy in Longevity.

#### Economic, social and cultural realities lived by older women

1. What are the specific challenges and concerns faced by older women, including on the basis of their accumulated life experience as compared to older men, in enjoying their economic, social and cultural rights (for example in terms of social protection, health, education, work, adequate standard of living, land and property ownership)? Please provide related data and statistics, including disaggregated data, where available.

Studies show that the risk of poverty in Portugal has decreased in recent years, whereas in the population aged 65 and over, the risk of poverty or social exclusion was in 2019 (pre-Covid) 17.2% for men and 21.9% for women. However, the risk of poverty rate is closely associated with the level of education and the employment situation. Women have come to assume an increasingly important role both at the academic and at the professional level, sustaining attenuating discrepancies in relation to men. However, according to Eurostat, in 2016, 7% of women aged 75 and over (versus 4.8% of men) provided informal care in the same household, i.e. spouse care. Despite the constraints, informal care is mainly assumed by women, especially in the 55-64 age group.

Also, according to Eurostat, in 2014, 52% of older persons indicated having moderate or severe difficulties in at least one activity of personal and domestic care (such as bathing, housework or shopping). Of these, 69% were women while 30% were men, the discrepancy increases in the age group of 75 years old and over: 78% of women and 43% of men experience difficulties in daily activities. Portugal is the EU country where the differences between men and women on this matter are higher and the percentage of women who have at least one difficulty / limitation is always higher than that of men.

In addition, older women benefit from the same social protection exercise of the right to property, and access to health care (in a universal National Health Service, which is generally free of charge).

In the field of social protection, older women face a greater risk of living in poverty. In fact, pensions represent a substantial part of retirement income and pensions granted to women tend to be lower than those of men, either because they had lower earnings during their working lives or because they did not work as many years/worked discontinuously (often to care for children or other family members). The system guarantees minimum social supplements and benefits to deal with this situation, with the objective of guaranteeing social inclusion and minimum income, eliminating or mitigating the situation of poverty and exclusion.

1. What forms of gender-based discrimination and inequality experienced by women throughout the life cycle have a particular impact on the enjoyment of their human rights in older age?

From the legal point of view, all forms of discrimination are strictly prohibited. It should be noted that, in the past, women's access to education, to certain professions (such as the judiciary) and to basic civil rights (such as traveling abroad or having a business without the husband's permission) were limited or even prohibited.

Nowadays, no limitations persist. The Parity Law - Second amendment to the law on parity in organs of political power, approved by Organic Law 3/2006, of August 21 - establishes that the lists of candidates submitted to the National Parliament, to the European Parliament and to the elective bodies of the local authorities, as well as the list of candidates for parish councils, must ensure parity between men and women. Law no. 26/2019 of March 28 introduces gender quotas in Public Administration bodies.

Law no. 62/2017 established the balanced representation regime between women and men in the management and supervisory bodies of public and listed companies . Another issue that still requires great attention and inspection by the authorities is that of wage inequality, which obviously has repercussions on the level of retirement pensions for older women. It is essential that there is wage transparency in order to guarantee equal pay.

The issue of income is paramount because it is a factor that influences the ability to maintain autonomy, security and independence, in a perspective of quality of life and well-being. WHO considers income as one of the economic determinants (along with social protection and work) of active ageing. And, again, women are in particularly vulnerable situations, usually living alone (according to the 2011 Census, 20% of the population aged 65 and over lived alone, especially women).

According to Eurostat, 43% of women aged 65 and over are unable to cope with unexpected expenses and 27% have limitations when carrying out their daily activities.

Furthermore, historically accumulated inequalities persist and have an impact on the way women live their longevity. Only time and persistence in mainstreaming policies will debunk these inequalities. The results of the last population census, in 2011, show lower qualifications of women aged 65 and over: 41% did not complete any education level, against 22% of men. Inequality persists at all levels of education and in women over 75 years old, almost 50% had not completed any level of education. More recent data, from 2019, confirm this trend (10% of men and 27% of women have no schooling and only 58% and 49%, respectively, completed the 1st cycle of education (elementary). Only 8% of men and 7% of women completed higher education).

1. Has the COVID-19 pandemic affected older women differently than older men and how?

The Portuguese presidency of the European Union has requested a study on the impact of covid-19 on women, whose conclusions will serve as a basis for making political and economic decisions to recover from the crisis. As it is known, there are no gender-neutral crises and this certainly is not the case. At the moment, there is no data available.

According to the Commission for Citizenship and Equality (CIG), there is an urgent need to have an enlightened debate on the socio-economic impacts of covid-19 from a gender perspective, assessed by scientific and transparent research. The impacts are visible in unemployment and conciliation between personal, family and professional life.

This crisis imposed setbacks in gender equality. According to the CIG president, a real-time study on the impact of Covid-19 is required, which may influence the crisis recovery measures that may be designed and ensure that a gender perspective is applied.

In short, older women accumulate a set of factors that leaves them in a situation of greater vulnerability and social risk: lower education than that of men; greater risk of poverty; a lower number of years of healthy life, but increased life expectancy; they usually live alone.

1. Please share examples of how older women participate in and contribute to economic, social and cultural life, including inter-generational solidarity and support.

Most informal caregivers are women, and a significant proportion are older women. By caring for grandchildren and other relatives, they are contributing to improving the living conditions of other family members who have a professional activity or who are in a situation of greater vulnerability, thus practicing inter-generational solidarity and support, through socialization and care giving.

Also, social participation, a fundamental dimension of active ageing, has been identified as one of the weaknesses of a broad sector of the older population in general and women in particular. Health constraints lead to a lesser capacity to have a capable, autonomous and independent life. According to *Pordata*, in 2018, Portugal was the 24th out of 28 countries in terms of the Active Ageing Index, which shows the need for the development of social activities in the community.

#### Forms of discrimination against older women and gender-specific abuses

1. What forms of structural and systematic discrimination do older women face (for example through laws, policies, traditional and customary practices, etc.) and what measures have been taken to address them?

Promoting an autonomous and independent life also means implementing intersectoral measures that improve the number of years of healthy, meaningful, psychological well-being, income, use of information and communication technologies, social ties and support networks, schooling, lifelong training and empowerment, and eliminate gender inequalities, always respecting the fundamental rights of older women. These are the fundamental axes of the strategy of Public Policies for Longevity that is being developed.

1. How do intersectional factors exacerbate the combined effect of ageism and sexism, including the perspective of older LGBTI women, older women with disabilities, older migrant women, older women belonging to indigenous and minority groups, etc.?

There is no available data of cross factors that exacerbate discrimination against older women. It should be noted that, according to article 13 of the Constitution, the fundamental principle of Equality prevails, according to which all citizens have the same social dignity and are equal before the law. And that no one can be privileged, benefited, harmed, deprived of any right or exempt from any duty due to ancestry, sex, race, language, territory of origin, religion, political or ideological beliefs, education, economic situation, social condition or sexual orientation.

1. What forms does gender-based violence and abuse against older women take and how is such violence prevalent? Please share available data and statistics, including in relation to femicides.

Gender-based violence, in particular domestic violence, will be the subject of a specific chapter in the study of the impact of covid-19 on women. In this regard, one of the priorities of the equality agenda of the Portuguese Presidency of the EU Council is to mark the ten years of the Istanbul Convention, the Council of Europe Convention for preventing and combating violence against women and domestic violence. The Portuguese presidency celebrated this anniversary with a high-level conference on April 6.

Justice statistics in Portugal do not present disaggregated data on older persons, which makes it difficult to characterize those aged 65 or over who are victims of crime or violence.

In addition, older persons are normally seen as a homogeneous group. Gender, health condition, income, financial capacity or their degree of autonomy and self-determination, among other factors, are connected to the violation of fundamental rights of older persons.

The latest APAV Statistical Report (2019) for the years 2013-2018, indicates that 28% of the victims of crime and violence who resorted to this institution were between 65 and 69 years old, and that the vast majority of older persons victims of crime and violence are female (78.95%), married and have a nuclear family with children. In most cases, victimization is continued and occurs in the common residence of the victim and the aggressor. About 79% of crimes against older persons were crimes of domestic violence.

With regard to the gender of the victims, it is worth highlighting the conclusions, in 2011, of the AVOW Study of Abuse and Violence against Older Women, in which 2 880 women between 60 and 97 years old were interviewed. Of the 5 countries subject to the study, Portugal was the one with the highest prevalence rate of violence against older women, with 39.4% of the respondents being victims of violence in the 12 months preceding the interview.

The Ageing and Violence Project, on the other hand, reveals that, regardless of gender, from the age of 76, the risk of being a victim of violence increases by 10% every year. In addition, functional disability (that is, disability for activities of daily living) and lower levels of education increase the risk of violence.

The most prevalent types of violence against older persons are:

* Physical violence (according to the study Elder Abuse: A multinational prevalence survey - ABUEL, affecting mainly men between 60-64 and 80-84 years old);
* Psychological violence (according to the same study, it mainly affects women, in the 60-69 years old age group and in the 80 years old and over age group);
* Sexual violence (still according to the ABUEL study, women, aged 65-69 years old are the main victims);
* Economic and financial violence (with the main victims being men aged 80-84);
* Neglect and abandonment (neither the ABUEL study nor the Ageing and Violence Project provide data on these).

The Observatory of Murdered Women[[3]](#footnote-3) collected information from reported news and concluded that in 2020, 30 women were murdered: 16 in intimate relationships, of which 10 already showed signs of violence. Since 2004, 564 women have been murdered.

1. Please provide examples of how the life cycle perspective is integrated into policies and programmes to prevent and address gender-based violence against women and girls.

Please see the answers above.

1. Please share information about reporting, accountability, remedy and protective mechanisms available and targeted to older women victims of gender-based violence and discrimination.

There is a legal regime applicable to the prevention of domestic violence, protection and assistance to victims, Law No. 112/2009, of 16 September[[4]](#footnote-4), which does not establish differentiation according to age.

There are several state and non-state entities that provide support to victims of gender violence / domestic violence, but none specifically targeting older women.

* **Security forces (PSP and GNR)**
* **National Social Emergency Line (LNES)**
* **Information Service for Victims of Domestic Violence**  
  Tel. - 800 202 148 - 24 hours / 7 days a week
* **Commission for Citizenship and Gender Equality (IGC)**
* E-mail: [cidm@cidm.pt](mailto:cidm@cidm.pt)
* E-mail: [**cidmdelnorte@mail.telepac.pt**](mailto:cidmdelnorte@mail.telepac.pt)
* **Mission Structure Against Domestic Violence (EMCVD)**  
  E-mail address: [emcvd@seg-social.pt](mailto:emcvd@seg-social.pt)
* **Amnesty International Portugal**  
  E-mail: [aiportugal@amnistia-internacional.pt](mailto:aiportugal@amnistia-internacional.pt)
* **Association of Women Against Violence (AMCV)**  
  E-mail: [sede@amcv.org.pt](mailto:sede@amcv.org.pt)
* **Anti-Violence Center**  
  E-mail: [ca@amcv.org.pt](mailto:ca@amcv.org.pt)
* **Portuguese Victim Support Association (APAV)**  
  E-mail:[apav.sede@apav.pt](mailto:apav.sede@apav.pt)
* **National Network of Victim Support Offices (GAV)**
* **IAVE Project - Investigation and Support for Specific Victims -**

1. <https://dre.pt/legislacao-consolidada/-/lc/108223285/201808060720/diploma?rp=indice> [↑](#footnote-ref-1)
2. <https://mais.scml.pt/lisboacidadetodasidades/noticias/santa-casa-requalifica-21-centros-de-dia/> [↑](#footnote-ref-2)
3. <http://www.umarfeminismos.org/index.php/observatorio-de-mulheres-assassinadas/> [↑](#footnote-ref-3)
4. <https://dre.pt/web/guest/legislacao-consolidada/-/lc/149397986/202102260020/exportPdf/maximized/1/cacheLevelPage?rp=indice> [↑](#footnote-ref-4)