

# OLD PEOPLE IN MIXED MOVEMENTS: The role of social protection

**HelpAge International is a global network of organizations that promote the right of all older people to lead dignified, healthy, and safe lives.**

HelpAge International's vision is a world where older people can lead active, dignified, healthy and safe lives. This applies above all to older people who are in a situation of human mobility or are going through a humanitarian crisis. In the light of the four principles of humanitarian action - humanity, neutrality, impartiality and operational independence, all persons without discrimination of age or nationality, have the right to enjoy the same rights and services, on equal terms. Compliance with and observance of international human rights law must be always demanded and places, indeed in situations of humanitarian crisis, which means that people in situations of human mobility must be guaranteed access to their rights, including the right to social security.

## **i. Justification: old people on the move**

Intersectionality between human mobility, ageing and social protection is not very frequent in the public debate. Applying this intersectional approach, **HelpAge has identified an urgent need to examine and address the situation of older people in mixed movements, in terms of access to social security.**

HelpAge launched in 2021, with the support of UNHCR's regional office, the regional assessment "A Claim to Dignity: Older People on the move". Its objective was to present an overview of the vulnerability conditions of older people in a situation of human mobility in Latin America. Among the rights analyzed, we examined the economic security, the state of which was found to be devastating. The proportion of those who have a pension is very low (e.g. in Colombia and Peru), or zero as in the case of Ecuador. Cruz-Martínez (2021) inventoried 30 social protection schemes in the region and concluded that one cannot speak of universalism, since citizenship and the residence status of old people are used as targeting mechanisms. Therefore, "undocumented migrants, refugees without convention status and older international migrants are left with minimal possibilities of accessing a social pension in Latin America and the Caribbean (HelpAge, 2021)

In this context, and building on the regional evaluation conducted by HelpAge, **the proposed study aims to provide new evidence, which would further enable the governments to manage migration and see it as an opportunity to address the ageing of the population and promote the sustainability of their social protection systems.** Based also in the key findings, HelpAge also will orient its advocacy strategies to tackle the lack of social security that old people in mixed movement face. It will thus contribute to both the International Labour Organization's (ILO) decent work agenda as well as the 2030 Agenda for Sustainable Development.

### **Aging in situations of human mobility**

In the last decade, nearly 80 million people were forced to flee their homes. In Latin America and the Caribbean (LAC), conflict, violence and natural disasters generated 1.2 million new forced displacements in 2019. It is estimated that 4% of the world's displaced populations are older people, but limitations in age-disaggregated data could mask a higher percentage (The UN Refugee Agency [UNHCR], 2020d). This proportion

is projected to increase as population ageing accelerates, particularly in Latin America, one of the fastest-aging regions in the world, where it is estimated that, by 2050, one in four inhabitants will be over the age of 60" (HelpAge, 2021)

Human mobility is no longer a temporary phenomenon, but rather a prolonged phenomenon, lasting on average 20 years for refugees and more than 10 years for 90% of internally displaced persons (IDPs) (Directorate-General for Civil Protection and Humanitarian Aid of the European Union [echo], 2020). As a result, many people in human mobility will age far from their homes and reach old age in refugee camps and host communities, often without the support systems they would have had in their countries" (HelpAge:2021, p.28)

## **ii. Context**

### **Data and evidence**

In the previously mentioned regional evaluation "A Claim to Dignity: Older People on the move", the evidence was alarming. According to the sample, in El Salvador and Honduras, only 10% received a social pension, and 5% received pensions for war veterans or disability. In relation to the social pension, there is a remarkable gender difference. Approximately 14% of all men receive a pension, compared to 4% of all women. Another aspect of concern is in the case of deported old people, who state that they were contributing for years in the country of destination, but with deportation, they return to the country of origin, losing their contributions to social security. In the Andean region, the evaluation shows that only 4% of the sample receives a social pension, most of them being internally displaced in Colombia. In Peru it is 3%. In Ecuador, there is no pension income.

These data reveal the low opportunity that people have had to contribute to contributory pensions, since they have had a working life with a high degree of informality and instability. 52% of the people surveyed had jobs before the pandemic, and 79% were informal. With pandemic, half of the sample that had a job, lost it.

Based on the sample of 725 surveys, "36% of those from El Salvador and Honduras received humanitarian aid, compared to 49% from the Andean region..." Most of the aid was concentrated in food, and toiletries, "with 48% in the countries of the northern region of Central America, and with 52% in the countries of the Andean region. Secondly, subsidies, economic support or monetary transfers stand out, with 35% in the countries of the northern region of Central America and 45% in the countries of the Andean region. (HelpAge International:2021)

These data show the economic fragility facing by old people on the move, especially those who are in mixed movements, which are cross-border movements and that include asylum seekers, refugees, victims of trafficking and smuggling of persons, unaccompanied or separated children and adolescents and migrants in an irregular situation. (HelpAge:2021)

### **COVID 19 in Latin America and Caribbean:**

The pandemic has been devastating in the region, being the one that has concentrated 28% of the lethal deaths from COVID 19, having barely 8.4% of the world population, presenting the highest number of deaths in the older population.

Cases of excess death by age in 2021:<sup>1</sup>

80 plus years: **25.3%**

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<sup>1</sup> [worldshealthorg.shinyapps.io/covid19excess/](https://www.who.int/shinyapps/covid19excess/)

70-79 years: **25.3%**  
60-69 years: **23.8%**  
50-59 years: 14.8%  
40-49 years: 6.3%  
25-39 years: 4.0%  
0-24 years: 0.5

However, there is a gap in the evidence as the data do not show the immigration status of the deceased. Although most countries offered their vaccines to both nationals and foreigners regardless of their immigration status, countries such as Belize or Mexico did vaccinate only national people.

## **Legal basis**

The right to social security is stipulated in different international and regional legal instruments, such as the Universal Declaration of Human Rights (Article 22), which provides for the right of everyone to receive a decent income. The International Covenant on Economic, Social and Cultural Rights contemplates as fundamental, the right to social security (Article 9), The Pact of San José stipulates that "everyone has the right to security that protects all people against the consequences of ageing and disability that make it impossible physically or mentally to obtain means of life to lead a dignified and decent life" (Article 9).

Trough the Montevideo Consensus (2013), governments committed themselves to "Promote the signing of bilateral and multilateral social security agreements that allow migrant workers to accumulate years of work. (Agreement 69)

The Sustainable Development Goals (SDGs) also reinforce the importance of access to social protection, as mechanisms for distribution, social inclusion, and the reduction of inequality. Target 1.3 states: "Implement at the national level appropriate social protection systems and measures for all, including minimum levels, and by 2030, achieve broad coverage of the poor and vulnerable." Other relevant SDGs, to which to study would make a contribution include SDG 8 "decent work and economic growth" and SDG 10 "reduced inequalities" (in particular targets 10.4, 10.7 and 10.C).

Finally, the most relevant and binding regional legal framework on old age is the Inter-American Convention for the Protection of the Rights of Older Persons, approved in 2015 and entered into force in 2017, ratified by 8 countries in the region. This Convention contemplates the right to social security as the instrument to protect the dignity of persons in old age, and States must allocate resources to "ensure that the old person receives an income for a dignified life through social security systems and other flexible social protection mechanisms" (Article 17). With respect to the population in human mobility, the same article provides, "The States Parties shall seek to facilitate, through institutional agreements, bilateral agreements or other hemispheric mechanisms, the recognition of benefits, contributions made to social security or pension rights of the old migrant person"

## **iii. Study objective**

The regional report "A claim to dignity: Old people on the move" (HelpAge: 2021) provided a baseline reflecting the grade of vulnerability of older people in accessing to social security rights. The study provided evidence that social security systems in the region are not responding to three phenomena to which we referred above:

- i) The accelerated aging of the region
- ii) International mobility
- iii) Informal sector

The aim of this study is thus to contribute to filling this evidence gap, **i.e. to examine how social protection systems in the region can adapt and respond to these three interconnected phenomena or trends, to protect the right of old people on the move.**

While the evidence is being collected, the research process involves raising awareness through some advocacy actions towards governments and donors to address the key issues and early fundings raised by the field work.

To achieve this goal, the study will answer the following research questions:

- What are the main barriers to access to social protection by people in mixed movements?
- What is the situation of old people on mixed movement with disability in relation to social protection mechanism?
- To which extend **legal status** of old people on mixed mobility was a factor of consideration to be included or excluded into the social security emerged mechanism?
- What are the gaps in collecting data on people in mixed movements?
- What is the degree of articulation between the authorities that collect the information and those responsible for offering or coordinating social security?
- Identify any positive experience during COVID that manage to overcome some of these barriers – did people on mixed movement access to Social Protection during COVID-19?
- What **international practices** social systems covering old people on mixed movement exist and can be replicated in LAC region?
- Are there any ongoing **efforts, schemes, or incentives** undertaken by the governments in LAC to include people on mixed movement in its social protection systems?
- how much would cost for the Social Pension to absorb all older people on the move?

#### **iv. Scope of work**

HelpAge defines social protection as the system of public policies and programmes aimed at preventing or protecting all people against poverty, vulnerability, and social exclusion throughout their life courses. That said, and recognizing the importance of the right to care, health and other measures to improve the standard of living of old population, for the purposes of this research we will focus on cash transfers, because it is an important instrument to combat poverty, and because it is an instrument that protects the autonomy and independence of old people.

This study will aim to examine the different emerging mechanisms of non-contributory and contributory social protection systems (both new or those that were adapted and expanded) to address the emergency, to identify whether inclusive or exclusive criteria were applied to old population in mixed movements. Interesting also to identify the schemes that remain even after the emergency. According to ECLAC (2021, p136) from March 2020 to October 31, 2021, 33 countries in Latin America and the Caribbean adopted 468 measures, of which 230 were implemented in South America, and 128 in the English Caribbean, and 110 in Central America, Cuba, Dominican Republic. Of the 468, 378 were non-contributory emergency measures, such as: i) monetary, ii) in kind (food, medicines, electronic devices, training grants) and iii) insurance to public services

The study will focus on measures consisting of cash transfers. They correspond to 44.2% (207) of the measures implemented from January to October 2021. (ECLAC: 2021, p-137). The data reports that in Latin America they reached a population of 60%, while in the Caribbean, only 30%. Of 60%, or 30% depending on the geographical area. We are interested in knowing, if people in mixed movements were

included and how were included, with especial focus on old people. Above all, the study will examine how it would be possible to reach the populations that have been excluded from public records (people in a situation of irregularity, linked to informality).

## v. Methodology

The methodology will apply an actions research approach, involving the key stakeholders, government agencies and a qualitative sample made up of old people on mixed movement, so that they can collaborate in the diagnostic as well as also in the identification of solutions.

According to the sage handbook of Action research: Participative Inquire and Practice, an "Action research is a participatory process concerned with developing practical knowing in the pursuit of worthwhile human purposes. **It seeks to bring together action and reflection, theory and practice, in participation with others, in the pursuit of practical solutions to issues of pressing concern to people, and more generally the flourishing of individual persons and their communities**" (Reason and Bradbury: 2008, p. 37)

The study will tie in/link the evidence/information part with a more action/work with government focus.

1. Rigorous review of literature and secondary data sources to identify different mechanisms of monetary transfers that emerged during the pandemic to mitigate the economic impacts<sup>2</sup>.
2. Review of data on people on mixed movement and old people on mixed movements and their access to Social Protection – Identifying and working with different government agencies responsible for collecting /analysing this data
3. Map out government institutions involved in "recognising" people on mixed movements and coordinating/offering Social Protection
4. Reviewing legislation/and Social Protection programmes/schemes in particular pension system (contributory and non-contributory) to identify access barriers.
5. Carry out interviews with older people on the move about accessing pension from their country of origin and difficulties accessing Social Protection in host country. What are the barriers?
6. Carry out interviews with younger people on mixed movements about access to "formal" jobs to have access to Social security (what are the barriers)
7. Carry out interviews with governments agencies, stakeholders, UN agencies-UNHCR-OIM- and International NGOS - WIEGO –

## vi. Geographical Focus

In order to build on the regional evaluation "A claim to dignity", the focus will mainly be on populations in Colombia and Peru, countries that are the largest recipients of mixed people in movement from Venezuela.

## vii. Budget

Investment funds from HelpAge will be covered partially the research.

Co-financing will be sought across key actors: IDB, ECLAC, UNHCR, IOM, ILO, JAICA

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<sup>2</sup> [Desarrollo Social y COVID-19 en América Latina y el Caribe \(cepal.org\)](https://cepal.org)

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## APPENDIX

### A. Definitions

**Older person:** From the age of 60 according to the definition of the Inter-American Convention on the Rights of Older Persons.

**People in a situation of human mobility refer to:**

- Migrant
- Internally Displaced
- Returned
- Refugee
- Asylum seeker

**mixed movements:** Referring to cross-border movements and include asylum-seekers, refugees, victims of trafficking and smuggling of persons, unaccompanied or separated children and adolescents and migrants in an irregular situation.

Within the concept of mixed movements migrants are also included, both in regular and irregular situations. Also, can be found persons identified as migrants, who are in need of international protection or who have not requested asylum. (HelpAge: 2021)

**Social Protection:** "As the system of public policies and programs aimed at preventing or protecting all people against poverty, vulnerability and social exclusion throughout the course of their lives." Vis-à-vis older people, it refers to all interventions that mitigate the impact of risks on health, psychosocial well-being, livelihoods, unemployment, widowhood, disability, dependency and also on the ability to achieve and maintain an adequate quality of life.

For the purposes of this research, we understand social protection as a monetary transfer (Cruz-Martinez: 2020)

There are two broad available cash benefit options in the social policy menu: social insurance and social assistance programmes. Social insurance is a cash transfer based on consumption smoothing and collective risk sharing. It is, generally, a contributory programme where employers and employees contribute shares of the wages to fund cash transfers of workers at specific times of vulnerability (e.g. unemployment, disability, reaching retirement age). On the contrary, social assistance programmes are generally non-contributory programmes using benefits to level up individuals living below a societal minimum standard (Cruz-Martinez, 2019b; Barr, 201