What's the purpose of this policy brief and who is it for?

This brief formulates policy recommendations for implementing the European Care Strategy, highlighting the need for a stronger political commitment to human rights. By drawing on academic and policy literature as well as interviews with international experts, it calls for decisive action to build comprehensive long-term care (LTC) systems that uphold the dignity and fundamental freedoms of current and future generations of older Europeans. The brief aims to serve as a source of insight and inspiration for Care Strategy National Coordinators, policymakers, and other stakeholders engaged in LTC reform across Member States and at the EU level.

KEY TAKEAWAY MESSAGES

- The urgency for a right to care and support in the European Union has never been greater.
- Despite commitments under the European Pillar of Social Rights to guarantee the right to affordable, quality long-term care, policies remain weak, failing to uphold the human rights of older persons while reproducing disability exclusion and gender inequalities.
- The European Care Strategy is an important step forward, but without binding measures, concrete targets, and a comprehensive human rights-based approach, it risks falling short of its promise and failing to achieve transformative impact.
- The European Care Strategy must not become a checklist of options for selective policy updates. To move beyond the rhetoric and achieve the ambition of the Pillar of Social Rights, the EU and its Members States must act decisively to:
 - Align national long-term care reforms with international and regional binding commitments to fully respect and enforce human rights standards and principles.
 - Build comprehensive care and support systems, rather than a patchwork of fragmented measures and short-term policies.
 - Strengthen public oversight to safeguard the rights of older persons in residential care, and advance deinstitutionalisation strategies, expanding community-based care options and home support services.
 - Implement concrete strategies for overcoming care workforce shortages, ensuring workers' rights and gender equality.
 - Significantly scale up public investment in long-term care.
 - Ensure accountability, with clear reform targets and transparent, participatory monitoring.
 - Launch a broad EU-wide dialogue on long-term care reform to expand social and political engagement.
 - Advance relevant legal reform to sustain rights-based long-term care systems.

A right to long-term care and support will be essential for supporting resilience and fostering
a thriving longevity society, in line with the Strategic Agenda of the European Council.

What's at stake

Despite differences across EU Member States, long-term care policies remain weak, unsustainable and, according to some experts, in a state of crisis (Caracciolo, 2023; Daly, 2025). An estimated 27% of people aged 65+ require long-term care (EC 2022), a proportion projected to rise by 20% over the next four decades, far outpacing available services (Belmonte et al, 2023). Without radical reform, more older Europeans will feel abandoned by their governments (Comas D'Argemir, 2024; FRA, 2022), facing unaffordable, insufficient and inadequate services, which limit their choices and create barriers for healthy ageing at home and in their communities. Moreover, care work remains largely informal, precarious, undervalued, and disproportionately borne by women.

The European Care Strategy is a major initiative to address these gaps. However, it has been critiqued for lacking: a) a comprehensive rights-based approach; b) a clear commitment to deinstitutionalisation; and c) binding measures and concrete reform targets (AGE Platform, 2022; Comas d'Argemir, 2024; Daly, 2025; EEG, 2022).



Policy implication #1:

Embedding a rights-based approach in long-term care reforms

The European Union and its Member States have thrived for decades by driving social progress

"Against their wish to age in place, and to choose for themselves, to exercise their autonomy, to decide who, where and with whom they would live, if the services are not available to them, then they can't make that choice on an equal basis with other people who have access or that don't require the support."

"By not giving them access to support services in their home or community, only providing those services within an institutional setting, then you are forcing them into that setting and segregating them from the rest of society and that's discrimination."

-International expert interviewed

grounded in shared values of human dignity, freedom, equality, justice and respect for human rights. Because human rights apply to everyone without distinction, requiring care and support in old age should never mean losing our rights. Yet, despite binding commitments under the UN, Council of Europe, and EU frameworks (Annex 1), many older persons face systemic rights violations, restrictions to age in place, attacks to their dignity in residential care, and a lack of legal remedies (ENNHRI, 2017; Byrnes et al, 2024). Experts highlight that the European Care Strategy takes an economistic approach, treating care primarily as a service while failing to fully embed human rights protections into long-term care policy (Comas D'Argemir, 2023; Daly, 2025).

The EU and Member States must ensure that national long-term care reforms under the European Care Strategy:

•Align with international and regional human rights frameworks, upholding standards and core principles of universality, equality, autonomy, independence, self-fulfillment, inclusion, participation, and accountability (Annex 1 and 2).

- Advance implementation of Article 19 of the Convention on the Rights of Persons with Disabilities (CRPD) on the right to support for independent living and community inclusion, particularly securing personal assistance.
- Prioritise tackling the unaffordability of care, a critical threat to the right to an adequate standard of living (Box 1).

Box 1. Long-term care and the right to an adequate standard of living

Everyone has the right to an adequate standard of living and the continuous improvement of living conditions. However, gaps in public investment and social protection for LTC in the EU jeopardize this right for older people in need of care, their families, and carers. Studies show that requiring care significantly increases the risk of becoming poor, while millions of women in caregiving roles face precarious working conditions, limited pension access, and restricted job opportunities (EC, 2021). The lack of rights-based policies to address these injustices thus exacerbates poverty in old age and female poverty (Comas D'Argemir, 2023).

Policy implication #2:

Strengthening public oversight of residential care and commitments to deinstitutionalisation

Institutional care has come under growing scrutiny for broad violations of human rights (Ad Hoc Expert Group, 2009; Committee on the Rights of Persons with Disabilities, 2022; ENNHRI, 2017; EESC, 2022; Pot et al, 2023). In many countries, over 40% of COVID-19-related deaths in 2020 were linked to long-term care facilities, reaching up to 80% in some high-income nations (WHO, 2020).

"What happened in the pandemic...you gotta ask, why was it so easy for institutions to abuse older people?"

-International expert on ageing interviewed in our project

Yet, the number of nursing home beds per capita has expanded across the EU, largely driven by private sector involvement (Eurofound, 2017; Eurostat, 2023). The lack of quality assurance mechanisms in many Member States, as acknowledged by the Council of the EU (2022), exacerbates the risks of human rights abuses. Experts warn about increasing commodification of care, with the

institutions are in a very vulnerable situation.
They're relatively powerless. In many cases, they're subject to the institutional routines.
They're subject to a range of restrictions, which would not be acceptable in any other context. And the threat to their human rights can come both from the institution, and

"People living in care

-International expert interviewed in our project

from the State in failing to

regulate it."

growing presence of private providers gaining profits while operating without sufficient public oversight (Thissen & Mach 2023).

The UN Independent Expert on the enjoyment of all human rights by older persons (UNHRC, 2024) and UN CRPD Committee (2022) have condemned institutionalisation as segregationist and discriminatory. In fact, the CRPD Committee has called for its abolition. Cases of abuse in institutional care have also been brought before the courts in several EU countries (EESC, 2022). Research confirms that most older adults in EU nursing homes report low life satisfaction (Socci et al., 2024), while deinstitutionalisation improves well-being and can offer economic benefits (McCarron, 2019; Castle & Resnick, 2016). Despite some EU progress, most Member States have adopted deinstitutionalisation strategies and even among those that have, significant improvements are still needed (ENIL, 2022).

The EU and Member States must ensure that national long-term care reforms under the European Care Strategy:

- Substantially strengthen public oversight to safeguard the rights of older persons who remain in residential care while the transition to supports in the home and community is accomplished.
- Integrate concrete deinstitutionalisation strategies aimed at realising ageing in place across the region, expanding community-based care options and home support services.
- Implement concrete strategies to address care workforce and service shortages, ensuring that deinstitutionalisation does not reinforce gender inequalities or shift greater responsibility onto informal family carers, particularly women.

Policy implication #3:

Ensuring comprehensive reforms aimed at building long-term care systems, not fragmented policies

"So how do you apply a human rights perspective in a mixed economy of welfare? Obviously, there are bodies that inspect, but they were shown to be pretty toothless during the COVID-19 pandemic."

"When you're dealing with these overwhelmingly private providers, you've also got the issue that the rights are normally to be ensured by the State...but then, where is the State?

-International experts interviewed

Past reform efforts have been piecemeal, addressing only certain aspects of long-term care (EC, 2021, p.114), leading to fragmented policies, isolated programs and disarticulated services, lacking coherence and long-term vision.

"Structural ageism is a driver for the lack of funding for care and the limited organization, and the limited choices."

"There's lack of political will to solve this issue...since the expectation is that families solve it, everything ends up being solved by women."

-International experts interviewed

The EU and Member States must ensure that national long-term care reforms under the European Care Strategy:

- Move beyond mere policy updates to drive systemic changes, by building integrated, robust long-term care systems that align efforts across policy sectors and government levels.
- Scale up investment in long-term care:

The underdevelopment of policies, overreliance on informal care, and low investment show that care remains neglected as a public issue and

collective responsibility. Public expenditure on long-term care (1.7% of the Union's GDP) is far below the estimated value of informal care (2.5% of

GDP) (EC 2024; Council of Europe, 2022). The European Care Strategy established long-term care as a service of general interest, but Member States must translate this into significant public investment.

Ensure accountability and effective monitoring:

It is encouraging that Member States submitted their first reports, but the European Commission has yet to provide a comprehensive assessment. Unlike the childcare standard, long-term care reforms lack clear, time-bound targets and a framework for measuring progress. This brief echoes calls for open, transparent reporting to track implementation of the European Care Strategy and for a permanent EU-level platform on care to ensure independent oversight, civil society participation, and strategic guidance (AGE Platform, 2022; COFACE, 2024).

Launch a broad social dialogue for care reform:

"States are obliged. States cannot say 'well, if they don't claim [these rights], then I'm not going to do anything...We need to strengthen the monitoring of these obligations.

"The important element of human rights is the accountability...binding obligations and a system of monitoring whether we are complying with human rights principles, norms and standards."

"From a rights perspective, people become agents and they're not just the passive recipients of policies"

-International experts interviewed

Because care is a central part of our shared humanity, transforming its distribution must actively engage communities and society at large. A rights-based reform requires broad EU-wide social dialogue, ensuring meaningful engagement of public, private, and civil society stakeholders while centering the voices of older persons, care providers, and future generations. This dialogue can provide valuable input from collective imagination for shaping alternative care models, and promoting public ownership, social monitoring, and legitimacy.

Pave the way for legal reform to sustain comprehensive rights-based long-term care systems:

While the "soft law" status of the European Care Strategy raises concerns about enforceability, it can still serve as a stepping stone toward a binding normative framework for long-term care (Caracciolo, 2023). Given care's fundamental role in social and economic well-being, as well as its link to employment, health, gender equality, and fundamental rights, the lack of explicit EU competence in this area must be reconsidered, along with its absence in the Strategic Agenda of the European Council. To ensure sustainable reform, EU bodies and Member States must

"There must be a stronger normative framework, like the ones that exist for other public sectors, where quality of services is regulated, where working conditions are improved and where sufficient funding is established."

-International expert interviewed

address legislative and administrative gaps, upholding commitments under the European Pillar of Social Rights to establish care as a right. At the international level, by supporting efforts for the UN Convention on the Rights of Older Persons. At the EU level, by revising Article 23 of the EU Social Charter to eliminate outdated, discriminatory language (Georgantzi, 2018) and reconsidering the proposal for an EU Age Equality Strategy (AGE Platform, 2021).

Annex 1. Human rights standards relevant to long-term care and support		
Right	Legal Basis	
Life, Dignity & Independent living	ICCPR, art. 6; ECHR art. 2, art.8; CRPD art. 19; EUCFR, art. 25	
Health & Well-being	ICESCR, art. 12	
Freedom from Abuse, Degrading treatment & Neglect	ICCPR, art. 7; CAT; CPT; ICCPR, article 18, 19; ECHR, art. 9,19, CRPD, art. 21, 29; EUCFR, art. 10,11	
Choice of Residence, Movement, Liberty	ICCPR art. 9, 12(1); CRPD art. 15	
Privacy & Family Life	ECHR art. 8; ICCPR art. 17; CRPD art. 22	
Adequate Standard of Living	ICESCR art. 11; CRPD art. 28	
Social Security & Assistance	EUCFR art. 34	
Access to Justice & Remedies	ICCPR art. 3; CRPD art.13; ECHR art. 6, 13; EUCFR 47	
Personal development and social Participation	ICCPR art.17, 25, 27	
Older Persons' Social Rights	RESC art. 23	

Notes: ICCPR=International Covenant of Civil and Political Rights; ICESCR=International Covenant on Economic, Social and Cultural Rights; CRPD=Convention on the Rights of Persons with Disabilities; CAT=Convention on Torture; CPT=European Convention for the Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CPT); ECHR= European Convention on Human Rights; EUCFR=European Union Charter of Fundamental Rights; RESC= revised European Social Charter.

Source: Elaborated by author on the basis of ENNHRI, 2017; Byrnes et al, 2024.

Annex 2. Human rights principles and questions they raise for long-term care (LTC) reform

Dignity

- Are policies enabling a life of dignity and quality for older persons receiving or requiring LTC?
- How are policies ensuring older persons in LTC are treated with respect?

	How's the personal integrity of older people in LTC safeguarded?
	Are older persons receiving or requiring LTC at risk of neglect, ill-treatment, degradation, abuse,
	violence or exploitation?
	Are LTC services respecting and protecting older persons' freedoms?
	What specific improvements are Member States developing to ensure dignity in LTC?
Equality and	Do older persons requiring LTC have real options to live in the place of their choice?
non-	• Is access to LTC universal, regardless of care requirements, income, disability, place of residence,
discrimination	ethnicity, gender, or other factors?
	Are policies directly or indirectly leading to the segregation of older persons requiring LTC?
	• Is the absence of adequate supports in the community promoting the segregation of older persons
	requiring LTC?
	What specific improvements are Member States developing to ensure equality and non-
	discrimination of older persons receiving or requiring LTC?
Autonomy	Do older persons requiring LTC have control over their decisions and care arrangements?
	How are older persons in LTC supported and enabled to maintain their independence, autonomy
	and quality of life?
	Are older persons with cognitive disabilities being denied their legal capacity, instead of supported
	for decision-making?
	What specific improvements are Member States developing with regards to protecting and
	promoting the autonomy of older persons in LTC?
Participation	Are older persons meaningfully involved in the design and delivery of LTC?
and inclusion	How are the voices of diverse older persons centered in LTC reform?
	Are older persons in LTC able to participate and exercise agency in their communities?
	Is LTC supporting older persons to remain full members of society?
	Are older persons receiving or requiring LTC experiencing any type of exclusion their communities?
	Are LTC policies fostering intergenerational engagement to enhance participation?
	What specific improvements are Member States developing to ensure participation and inclusion
	of older persons receiving or requiring LTC?
Self-	How are older persons receiving or requiring LTC enabled to reach their full potential?
fulfillment	How are LTC policies ensuring older persons have opportunities for ongoing personal
	development, social engagement, and purpose?
	Are LTC services simply focusing on physical health, or do they also support the fulfillment of
	social, cultural, civil, and political rights?
	Are LTC policies designed to respect and support diverse personal aspirations and lifestyles?
	What specific improvements are Member States developing with regards to promoting self-
	fulfilling lives among older persons in LTC?
Accountability	Are older persons requiring or receiving care able to speak out to defend, claim their rights and
	report grievances with regards to LTC?
	 Is public monitoring of the human rights of older persons in LTC effective and transparent?
	Are there clear, accessible mechanisms for older persons and their families to report concerns,
	receive timely responses, effective remedies and justice if their rights are threatened or violated??
	Are older persons taking part in the social oversight of LTC reform?
	What specific improvements are Member States developing with regard to their obligations to
	promote and protect the rights of older persons requiring LTC?
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