

International Elder Law Articles

International (Also, see “Europe”)

- Aging around the world: a report of the President’s symposium “Aging in tomorrow’s world: an international perspective.” Washington, D.C.: Gerontological Society of America, (1988).
- Aging and the family. United Nations international conference on ageing populations in the context of the family (1990: Kitakyushu, Japan), United Nations (1994).
- Averting the Old Age Crisis. Oxford/New York/Toronto, etc.: Oxford University Press (1994).
- Caring for frail elderly people: policies in evolution, Organization for Economic Co-operation and Development (1996).
- Decision-making and problems of incompetence, edited by Andrew Grubb. New York: J. Wiley. (1994). [Giesen, Dieter, "Comparative legal developments."]
- Health Affairs, edited by John K. Iglehart. Maryland: Project Hope (2000).
- Law and aging: international variations, edited by Levine, Martin et al. Jerusalem, Israel: Hebrew University of Jerusalem (1989).
- “Longevity – A New Legacy of the Twentieth Century,” 4 European JI of Health Law 219-224 (1997).
- AARP, AARP International Forum in Long-Term Care: 2003 Proceedings (2004).
- Alber, Jens. “Residential care for the elderly (Comparative Health Policy).” 17 Journal of Health Politics, Policy & the Law 929-957 (1992) [UK, US, Germany].
- [CESCR, General Comment No. 6, The Economic, social and cultural rights of older persons \(Thirteenth session, 1995\).](#)
- Coleman, Nancy; Hurme, Sally; Kirkendall, John; Lush, Denzil. [Cases That Cross Borders.](#) 1J Int’l Aging L & Pol’y, Vol. 1, Fall 2005, Stetson University College of Law.
- [Convention on the Rights of Persons with Disabilities](#)
- de Cruz, Peter. “Euthanasia, Death, and Dying: A Comparative Overview.” Comparative Healthcare Law Ch. 18. London, UK. Cavendish Publishing (2001).
- Davies, Bledlyn. “Caring for the Frail Elderly: An International Perspective.” 17(4) Generations, Journal of the American Society on Aging 51-54 (1993).
- Doron, Israel. Elder Guardianship Kaleidoscope: A Comparative Perspective. 16 International Journal of Law, Policy and the Family 368-398 (2002).
- Doron, Israel. [From National to International Elder Law.](#) 1J Int’l Aging L & Pol’y, Vol. 1, Fall 2005, Stetson University College of Law.
- Eekelaar, J. M. et al., An aging world: dilemmas and challenges for law and social policy. Oxford, UK: Clarendon Press (1989).

- Fagan, Aimee R. 10 Elder L.J. 329 (2002) Note: An Analysis of the Convention on the International Protection of Adults.
- Filosa, Gregory N. International Pension Reform: Lessons for the United States, 19 Temp. Int'l & Comp. L.J. 133 (2005).
- Forman, Jonathan B. et al. 6 Empl. Rts. & Employ. Pol'y J. 83 (2002). "State, Local and Foreign Pensions: Implications for Social Security and Pension Reform, Proceedings of the 2002 Annual Meeting, Association of American Law Schools, Section on Employee Benefits."
- Fussell, Elizabeth. 580 Annals of the American Academy of Political and Social Science 16 (2002) The Transition to Adulthood in Aging Societies.
- Gevers, Sjef. Dementia and the Law. 13(3) European JI of Health Law 209-218 (Sept. 2006).
- Glendinning, C. et al., "Paying for Long-Term Domiciliary Care: A Comparative Perspective." 17 Ageing and Society 123-140 (1997).
- [ILO Convention \(C102\) Concerning Minimum Standards of Social Security.](#)
- [ILO Convention \(C128\) Concerning Invalidity, Old Age and Survivors' Benefit Convention.](#)
- [ILO Convention \(C149\) Concerning Nursing Personnel Convention, 1977.](#) Kristof, N.D., "Aging World, New Wrinkles." New York Times (Sept. 22, 1996).
- Landau, Ruth, "Ethical dilemmas in treating cases of abuse of older people in the family." 12 International JI of Law, Policy and the Family (United Kingdom) 345-55 (1998).
- Lewis, Penney. Medical Treatment of Dementia Patients at the End of Life: Can the Law Accommodate the Personal Identity and Welfare Problems? 13(3) European JI of Health Law 219-234 (Sept. 2006).
- Little, T. R., "Protecting the Right to Live: International Comparison of Physician-Assisted Suicide Systems." 7 Ind. Int'l and Comp. L. Rev. 433-465 (1997).
- Lotjonen, Salla. Medical Research on Patients with Dementia – The Role of Advance Directives in European Legal Instruments. 13(3) European JI of Health Law 235-262 (Sept. 2006).
- Mackellar, Calum. "Laws and Practices Relating to Euthanasia and Assisted suicide in 34 Countries of the Council of Europe and the USA." 10 European Journal of Health Law 63-64 (2003).
- McLean, S., "The impact of technology on euthanasia and the elderly." In: Human rights in the twenty-first century: a global challenge /edited by Kathleen E. Mahoney & Paul Mahoney. Boston: Nijhoff (1993).
- McLean, S.A.M., "Euthanasia – some legal considerations." 16(4) International legal practitioner 111-115 (1991).

- Mewhinney, Kate, "Elder Law Developments Outside of the USA," Annual Symposium of the National Academy of Elder Law Attorneys, Vancouver, Canada, April 2001.
- Moskowitz, Seymour. 86 Marq. L. Rev. 401(2002) Adult Children and Indigent Parents: Intergenerational Responsibilities in International Perspective.
- Narayanan, Usha, "The government's role in fostering the relationship between adult children and their elder parents: from filial responsibility laws to . . . what? A cross-cultural perspective." 4 Elder Law JI 369-406 (1996). Westlaw: 4 Elder L.J.369.
- Organisation for Economic Co-operation and Development (OECD), Care for Older People: Policy Issues in the Twenty-First Century (2005)
- Pepper-Smith, et al., "Consent to a competency assessment." 15 International JI of Law & Psychiatry 13-23 (1992).
- Phillips, Pat, "Views of Assisted Suicide from Several Nations." 278(12) JI. of the Am. Medical Association (JAMA) 969-970 (1997).
- Redfoot, Donald L., and Houser, Ari N., "["We Shall Travel On': Quality of Care, Economic Development, and the International Migration of Long-Term Care Workers."](#) AARP Public Policy Institute, October 2005, # 2005-14,
- Robertson, Cynthia Jean., "Has the Age Discrimination in Employment Act remained effective in the United States as well as abroad in an increasingly globalized economy?" 6 Elder Law J. 323-68 (1998).
- Rodriguez-Pinzon, Diego and Martin, Claudia. Critical Essay: The international human rights status of elderly persons. 18 Am. U. Int'l L. Rev. 915-1008 (2003).
- Toebes, Brigit C.A., The right to health as a human right in international law. Oxford: Hart (1999).
- Waysdorf, Susan L., "The Aging of the AIDS Epidemic: Emerging Legal and Public Health Issues for Elderly Persons Living with HIV/AIDS." 10 Elder L.J. 47 (2002).
- [Work and Caring for the Elderly: International Perspectives](#), edited by Viola M. Lechner et al. Philadelphia: Brunner/Mazel (1999).
- [World Economic and Social Survey 2007](#), "Development in an Ageing World." United Nations, New York (2007).

Australia and New Zealand

- Ashton, Toni. "New Zealand: Long-Term Care In A Decade of Change." 19(3) Health Affairs 72-85 (2000).
- Burns, Fiona R. Statutory 'Unconscionability': the Application of the Contracts Review Act 1980 (NSW) to the Elderly, 2005 JCL LEXIS 2 (2005). (JI of Contract Law, Australia).
- Field, Sue. [Issues Facing Older Australians: Legal, Financial and Societal](#). JI of International Aging, Law & Policy, Vol. 1, Fall 2005, Stetson University College of Law.
- Herd, Brian. Elder Law Down Under, 13-Fall NAELA Q 17 (2000).

Belgium

- Nys, Herman. Physician Assisted Suicide in Belgian Law, 12 *European JI of Health Law* 39 (2005).

Canada

- *The Basics of Canadian Elder Law*. Tucson, Arizona: National Academy of Elder Law Attorneys, Inc. (2001).
- Barer, Morris L. et al., "On being old and sick: the burden of health care for the elderly in Canada and the United States (Comparative Health Policy). 17 *Journal of Health Politics & Policy* 763-782 (1992).
- Beaulieu, M. & Spencer, C. (1999). *Older Adults' Personal Relationships and the Law in Canada: Legal, Psycho-social and Ethical Aspects*, Ottawa: Law Commission of Canada.
- Gordon, R.M., "The Emergence of Assisted (Supported) Decision-Making in the Canadian Law of Adult Guardianship and Substitute Decision-Making." 23(1) *International JI of Law and Psychiatry* 61-77 (2000).
- Monks, S.S., "Concepts of informed consent in the United States, Canada, England & Australia: a comparative analysis." 17 *U. Queensl. L. J.* 223-33 (1993).
- Robertson, C. J., "Has the Age Discrimination in Employment Act remained effective in the United States as well as abroad in an increasingly globalized economy?" 6 *Elder Law Journal* 323-68 (1998). Westlaw: 6 *Elder L.J.* 323
- Snell, James G., "Filial responsibility laws in Canada: an historical study." 9 *Canadian Journal on Aging* 159 (1990).
- [Soden, Ann, "Advising the Older client," Lexis/Nexis Canada 2005.](#)
- Verma, S. et al., "Approaches to Capacity and Competency: The Canadian View." 20(1) *International JI of Law and Psychiatry* 35-47 (1997).

Denmark (Also, see "Europe")

- Vestergaard, Jorn, "Medical Aid in dying under Danish Law: Mainly Regarding Living Wills and Other Forms of Renouncing Life Prolonging Treatment." 7 *European JI of Health Law* 405-425 (2000).
- Jamieson, Anne., "Home care in old age: a lost cause" (Comparative Health Policy). 17 *Journal of Health Politics, Policy & Law* 879-898 (1992) [Denmark, UK, Germany, US]

Europe

- "European Community Law Relating to Older People." *Eurolink Age* 2-45 (1995).
- Ackers, Louise; Dwyer, Peter. *Fixed Laws, Fluid Lives: The Citizenship Status of Post-Retirement Migrants in the European Union*, 23 *Ageing & Society* 451 (2004).

- Becker-Schwarze, Kathrin. Legal Restrictions of Physician-Assisted Suicide, 12 European JI of Health Law 11 (2005).
- Blinkman, Kees. "Guardianship Models in the Netherlands and Western Europe." 20(1) International JI of Law and Psychiatry 47-57 (1997).
- Bris, Hannelore Jani-Le. Family Care of Dependent Older People in the European Community. Dublin, Ireland: European Foundation for the Improvement of Living and Working Conditions (1993).
- Craig, Y. J. Elder Abuse and Mediation: Exploratory studies in America, Britain and Europe. Aldershot, England: Ashgate Publishing Limited (1997).
- Delperee, N. "European Social Policy for the Elderly," in Aging: Culture, Health, and Social Change, S. Gauthier, D.C. Thomasma, G.F. Tomossy & D.N. Weisstub (Eds.). Pp. 119-145. Hague: Kluwer, 2001.
- European Convention on Social Security. ETS No. 078.
- Gostin, L. O. "Human Rights of Persons with Mental Disabilities: The European Convention of Human Rights." 23(2) International JI of Law and Psychiatry 125-159 (2000).
- King, R.; Warnes, A.M.; and Williams, A.M., International Retirement Migration in Europe. Int. J. of Population Geography, 91-111 (1998).
- Laurie, Graeme. Physician Assisted Suicide in Europe: Some Lessons and Trends, 12 European JI of Health Law 5 (2005).
- Meenan, Helen. "Age: The Individual and the Law," – Parts I and II; Irish Law Times, No. 10 and 11, 2002.
- Moore, S. "Justice doesn't mean a free lunch: the application of the principle of equal pay to occupational pension schemes." 20(2) European Law Review 159-177 (1995).
- Nys, Herman. "Emerging legislation in Europe on the legal status of advance directives and medical decision-making with respect to an incompetent patient ('living wills')." 4 European Journal of Health Law 179-188 (1997).
- Phillips, J. E. Working and Caring: Developments at the Workplace for Family Carers of Disabled and Older People. Dublin, Ireland: European Foundation for the Improvement of Living and Working Conditions (1996).
- Philp, Ian – Editor. "Family care of older people in Europe" (2001, IOS Press, Amsterdam).
- Supplementary Agreement for the Application of the European Convention on Social Security. ETS No. 078A.
- Van Bueren, Geraldine. The Protection of the Human Rights of Older Persons in Europe: A legal perspective.
- Williams A.M.; King, R.; Warnes, A.M. A place in the sun: International retirement migration from northern to southern Europe. European Urban and Regional Studies, 115-134 (1997).

- Zavos, G.S. "Pension fund liberalization and the future of retirement financing in Europe." 31(3) Common Market Law Review 609-630 (1994).

Germany

- Alber, Jens. "Residential care for the elderly (Comparative Health Policy)." 17 Journal of Health Politics, Policy & the Law 929-957 (1992) [UK, US, Germany].
- Cuellar, A. E. et.al., "Can Social Insurance For Long-Term Care Work? The Experience of Germany" 19(3) Health Affairs 8-25 (2000).
- Jamieson, Anne., "Home care in old age: a lost cause" (Comparative Health Policy). 17 Journal of Health Politics, Policy & Law 879-898 (1992) [Denmark, UK, Germany, US]
- Koch, H.-G., et al., "Self-Determination, Privacy, and the Right to Die. A Comparative Law Analysis (Germany, United States of America, Japan)" 4 European JI of Health Law 127-143 (1997).
- Lynch, Erin E., "Late-life crisis: a comparative analysis of the social insurance schemes for retirees of Japan, Germany, and the United States." 14 Comparative Labor Law Journal 339-384 (1993). Westlaw: 14 Comp. Lab. L.J. 339.
- Reiderer von Paar, Max, "The German-American Estate Plan – You Say Tomato and Ich Sag Tomate." Probate & Property 59-64 (May/June 2007).

Ghana

- "A study of legislation affecting older people in developed and developing countries: UK, India and Ghana," International Exchange on Ageing, Law and Ethics (EAGLE), Age Concern England (1994).

Holland (Also, see "Europe")

- Blinkman, Kees. "Guardianship Models in the Netherlands and Western Europe." 20(1) International JI of Law and Psychiatry 47-57 (1997).
- Smies, Jonathan T. *The Legalization of Euthanasia in the Netherlands*, 7 Gonz. J. Int'l L. (2003-04), available at <http://www.gonzagajil.org/>.
- Woretshofer, J., "The Dutch procedure for mercy killing and assisted suicide by physicians in a national and international perspective," 2(1) Maastricht journal of European and comparative law 4-22 (1995).

India

- "A study of legislation affecting older people in developed and developing countries: UK, India and Ghana," International Exchange on Ageing, Law and Ethics (EAGLE), Age Concern England (1994).

Italy (Also, see “Europe”)

- Baccaro, Lucio. “Negotiating the Italian Pension Reform with the Unions: Lessons for Corporatist Theory.” 55 *Ind. & Lab. Rel. Rev.* 413 (April, 2002).
- Carbonin, Pierugo et al., “Health care for older persons, a country profile: Italy,” 45(12) *Jl of the American Geriatrics Society* 1519-1522 (1997).
- Cavallo, M. C. et al., “The Economic and Social burden of Alzheimer Disease on Families in the Lombardy Region of Italy,” 11(4) *Alzheimer Disease and Associated Disorders* 184-190 (1996).
- Mazzoni, Cosimo M., “Legal Protection of the Elderly in Italy.” 13(4) *NAELA Quarterly* 8-11 (2000).
- Mengani, Mossimo, et al., *Assistance to very elderly people by the family*. Ancona, Italy: Italian National Research Centres on Aging (1991).
- Mengani, Mossimo, et al., “Elderly Women, Family Structure and Care Patterns in Italy.” In: *Elderly Women in Europe: Choices and challenges* / edited by G. Dooghe and N. Appleton. Brussels: Population and Family Study Centre (1995).
- Reynaud, E., et al., “Italy: A fundamental transformation of the pension system.” 49 *International Social Security Review* 65-74 (1996).

Japan

- *Aging in Japan*. Tokyo, Japan: JARC (Japan Aging Research Center) (1998). E-mail: aging@ask.or.jp
- Arai, Makoto. “Japan’s New Safety Net: Reform of Statutory Guardianships and the Creation of Voluntary Guardianships.” 13(4) *NAELA Quarterly* 5-8 (2000).
- “The Demographic Dilemma: Japan’s Aging Society,” Jan. 2003, Woodrow Wilson International Center for Scholars, No. 107, PP. 1-15; http://www.indiana.edu/~hisdcl/h207_2002/japanagingsociety.pdf
- Campbell, J. C. et al., “Long-Term Care Insurance Comes To Japan.” 19(3) *Health Affairs* 26-39 (2000).
- Kimura, R., “Bioethical and sociolegal aspects of the elderly in Japan – with special reference to life-sustaining technologies.” In: *Law in east and west: on the occasion of the 30th anniversary of the Institute of Comparative Law*. Tokyo: The Press (1998). pp. 175-200.
- Koch, H.-G., et al., “Self-Determination, Privacy, and the Right to Die. A Comparative Law Analysis (Germany, United States of America, Japan)” 4 *European Jl of Health Law* 127-143 (1997).
- Lynch, Erin E., “Late-life crisis: a comparative analysis of the social insurance schemes for retirees of Japan, Germany, and the United States.” 14 *Comparative Labor Law Journal* 339-384 (1993). Westlaw: 14 *Comp. Lab. L.J.* 339.

- Mitchell, Olivia S., Piggott, John, Shimizutani, Satoshi “Aged-Care Support in Japan: Perspectives and Challenges,” *Employee Benefits, Compensation & Pension Law*, Vol. 5, No. 23: 12/02/04.
- Morgan, Carmel A. “Demographic Crisis in Japan: Why Japan Might Open its Doors to Foreign Home Health Care Aides.” *10 Pac. Rim L. & Pol’y J.* 749 (May 2001).
- Nakatani, Yoji, “Psychiatry and the Law in Japan.” *23(5-6) International JI of Law and Psychiatry* 589-604 (2000).
- Shimazu, Ichiro, “Japan: The Elderly – A Challenge for Japanese Law.” *28 Journal of Family Law* 564 (May 1990).

Middle East

- Aseer, M. Adil Al, “An Islamic Perspective on Terminating Life-Sustaining Measures.” In: *To Die or Not to Die: Cross-Disciplinary, Cultural and Legal Perspectives on the Right to Choose Death*, edited by A. S. Berger and J. Berger, Praeger (1990).
- Cohen, A. R. “Reflections on the intriguing issue of the right to die in dignity.” *Israel Law Review* 677-701 (1996).
- Genezi, J., “The Terminally Ill Patient’s Right to Refuse Medical Treatment According to Jewish Law.” *138(2) Harefuah* 160-164 (2000). [in Hebrew].
- Greenfield, Aryeh, *Legal Competence and Guardianship: Law and Regulations (Israeli Civil Code)*. Haifa, Israel: A. G. Publications (1999).
- Gross, Michael L., “Autonomy and Paternalism in Communitarian Society: Patient Rights in Israel.” *29(4) Hastings Center Report* 13-20 (1999).
- Mahmood, T., “Law and the elderly in the Islamic tradition – classical precepts and modern legislation.” *9(1) Islamic and comparative law quarterly* 33-44 (1989).
- McCloud, A.B., “The right to die: a Muslim perspective.”(1997) *Jl of Islamic Law* 45-52.
- Sikander, Shah, S., “Mercy killing in Islam: moral and legal issues.” *Arab Law Quarterly* 105-115 (1996).

Philippines

- Coughran, Les. “Facing the Aging Wave: Proposed Social Security Reform in the Philippines.” *12 Pac. Rim L. & Pol’y J.* 403.

Singapore

- Barr, Michael D. *26 J. Health Pol Pol’y L.* 709 (August, 2001).. *Medical Savings Accounts in Singapore, a Critical Inquiry*.
- Chan, Wing-Cheong. *The Duty to Support an Aged Parent in Singapore.* *13 Pac. Rim L. & Pol’y J.* 547-578 (2004).

Switzerland

- Guillod, Olivier; Schmidt, Aline. Assisted Suicide Under Swiss Law, 12 *European JI of Health Law* 25 (2005).

United Kingdom (Also, see “Europe”)

- “A study of legislation affecting older people in developed and developing countries: UK, India and Ghana,” *International Exchange on Ageing, Law and Ethics (EAGLE)*, Age Concern England (1994).
- Alber, Jens. “Residential care for the elderly (Comparative Health Policy).” 17 *Jl of Health Politics, Policy & the Law* 929-957 (1992) [UK, US, Germany].
- Biggs, Hazel M. The Assisted Dying Bill for the Terminally Ill Bill 2004: Will English Law Soon Allow Patients the Choice to Die?, 12 *European JI of Health Law* 43 (2005).
- Craig, Y. J. *Elder Abuse and Mediation: Exploratory studies in America, Britain and Europe*. Aldershot, England: Ashgate Publishing Limited (1997).
- Griffiths, et al., *The law and elderly people*, 2nd ed. Routledge (1994). [Great Britain]
- Jamieson, Anne., “Home care in old age: a lost cause” (Comparative Health Policy). 17 *Jl of Health Politics, Policy & Law* 879-898 (1992)[Denmark, UK, Germany, US]
- Langan, Joan et al., “Financial Management and Elderly People with Dementia in the U.K.: As Much a Question of Confusion as Abuse?” 16 *Ageing and Society* 287-314 (1996).
- Lush, Denzil, “Elder Law In England and Wales.” 13(4) *NAELA Quarterly* 12-16 (2000).
- Lush, Denzil, *Elderly Clients: A Precedent Manual*. Bristol, England: Jordan Publishing Limited (1996).
- Lush, Denzil, “Taking liberties: enduring powers of attorney and financial abuse.” *Solicitors JI* 808-809 (1998).
- Monks, S.S., “Concepts of informed consent in the United States, Canada, England & Australia: a comparative analysis.” 17 *U. Queensl. L. J.* 223-33 (1993).
- Whyte, G.F., “The right to die and the Irish Constitution.” *European Public Law* 235-260 (1997).
- Woods, Elizabeth, “The Right to Die with Dignity with the Assistance of a Physician: An Anglo, American and Australian International Perspective.” 4 *ILSA JI of International and Comparative Law* 817 (1998).

United States

- Alber, Jens. “Residential care for the elderly (Comparative Health Policy).” 17 *Jl of Health Politics, Policy & the Law* 929-957 (1992) [UK, US, Germany].

- Barer, Morris L. et al., "On being old and sick: the burden of health care for the elderly in Canada and the United States (Comparative Health Policy). 17 *Jl of Health Politics & Policy* 763-782 (1992).
- Bissell, T.S.G. "International aspects of U.S. retirement plans, deferred compensation, and equity-based compensation plans: an overview." 25(5) *Tax Management International Journal* 275-290 (1996).
- Craig, Y. J. *Elder Abuse and Mediation: Exploratory studies in America, Britain and Europe*. Aldershot, England: Ashgate Publishing Ltd (1997).
- Jamieson, Anne., "Home care in old age: a lost cause" (Comparative Health Policy). 17 *Jl of Health Politics, Policy & Law* 879-898 (1992)[Denmark, UK, Germany, US]
- Koch, H.-G., et al., "Self-Determination, Privacy, and the Right to Die. A Comparative Law Analysis (Germany, United States of America, Japan)" 4 *European Jl of Health Law* 127-143 (1997).
- Komisar, L., et al., "Long-Term Care in The United States: An Overview." 19(3) *Health Affairs* 40-56 (2000).
- Lynch, Erin E., "Late-life crisis: a comparative analysis of the social insurance schemes for retirees of Japan, Germany, and the United States." 14 *Comparative Labor Law Journal* 339-384 (1993). Westlaw: 14 *Comp. Lab. L.J.* 339
- Monks, S.S., "Concepts of informed consent in the United States, Canada, England & Australia: a comparative analysis." 17 *U. Queensl. L. J.* 223-33 (1993).
- Woods, Elizabeth, "The Right to Die with Dignity with the Assistance of a Physician: An Anglo, American and Australian International Perspective." 4 *ILSA Jl of International and Comparative Law* 817 (1998).