

Guiding Questions for Defining the Normative Content of the Issues Examined at the Tenth Session of the Open-ended Working Group:

Education, Training, Life-long Learning and Capacity-building

Definition

1. *What are the definitions of the rights of older persons to education, training, life-long learning and capacity-building in the national legislation in your country? Or how should such a right be defined, considering existing national and international legal framework?*

Our country guarantees the right to education in article 27 of Constitution; moreover, article 40 establish that public powers shall foster training and capacity building.

Scope of the right

2. *What are the key normative elements of the rights of older persons to education, training, life-long learning and capacity building, regarding the normative elements as provided above?*

Such rights are defined as universal rights for all; nevertheless, article 50 is devoted exclusively to older persons and guarantees the procurement of theirs needs in terms of social services, in which are included education, training, life-long learning and capacity-building.

Finally, article 14 declares the equality of all citizens and prohibits discrimination based in any personal or social circumstance.

State obligations

3. *What are the measures that should be undertaken by the State to respect, protect and fulfill the rights of older persons to education, training, life-long learning and capacity-building, regarding the normative elements as provided above?*

The rights proclaimed by Constitution are developed by legislation on education, and social services.

According article 148 of Constitution, Autonomous Communities (regions) are the competent for both issues: education and social services. Thus, as

part of the range of social services, or in the general framework of education and training legislation, older people have access to such rights.

Special considerations

4. What special measures and specific considerations should be considered in developing the normative content of the rights of older persons to education, training, life-long learning and capacity-building?

Curricula and physical adaptations if needed, are issues that normative considers in legislative development of these rights with the aim of their enjoyment by older persons

5. How should the responsibilities of non-State parties such as private sector be defined in the context of the rights of older persons to education, training, life-long learning and capacity-building?

Private sector plays a key role in performance of these rights. First of all, article 34 of Constitution declares the right of foundation. From this point, several private foundations offers education, training, life-long learning and capacity-building to older persons.

Moreover, article 27.6 declares the rights of private persons to create schools. Therefore, private sector offers such rights to older persons not only by social services foundation but also through private schools with programmes adapted to specific needs of older persons.

Implementation

6. What are the best practices and main challenges faced by your country in the adoption and implementation of the normative framework on education, training, life-long learning and capacity-building for older persons?

As it showed in the abovementioned paragraphs, Spanish legislation on education, social services, labour, etc.. in which such rights are included is not specifically dealt with older persons.

The main challenge could be the mainstreaming ageing in different legislation on: education, labour and social services

