

**HelpAge Spain statement on the normative content of the rights to education, training, life-long learning and capacity-building, and to social protection and social security (including social protection floors).**

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In Spain, everyone's right to education is recognised in Article 27 of the Constitution. The 2006 law on education<sup>1</sup> states that adult education should provide older people<sup>2</sup> with opportunities to increase and update their skills. Despite this, vocational and other employment related training programmes usually set an age limit of 65 years old, excluding older persons over this age.

Non-discrimination, including the removal of any exclusionary age limits, is a core element of the right to education and life-long learning. Older persons have the right to acquire, utilise and transmit their knowledge and skills without discrimination and on an equal basis with others.

In relation to social protection and social security, under the current legal regulation, older persons cannot work if they receive the state contributory pension. They are forced to decide which right they should enjoy: Their right to social security or their right to work. Additionally, a relevant number of people, mainly women, working in the informal sector, do not have this right and eventually receive a no contributory pension clearly insufficient for an adequate standard.

The right to social security and social protection must not be denied to those older persons who wish to continue working. It must include the right to work when in receipt of a pension. Additionally, the no contributory pension should be substantially increased.

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<sup>1</sup> to article 3.2.i) of the Law Organic 2/2006, of May 3, of Education (LOE) 79,

<sup>2</sup> The law doesn't speak of older people, but of "adult persons". This is probably one of the reasons why public authorities feel free to exclude those over 65 from their educational programs. It is necessary to underline that the "older people", a specific strip of "adults", also have the right to such training.