



República de El Salvador

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## CONTRIBUTIONS TO THE FOUR FOCUS AREAS FOR THE FOURTEENTH SESSION OF THE OPEN-ENDED WORKING GROUP ON AGING.

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The State of El Salvador refers to the communication received by the President of the Open-Ended Working Group on Aging, through which contributions are requested from the Member States for the Fourteenth Session of the Working Group on Aging, which will focus on the four focus areas:

- a) Accessibility, infrastructure and habitat (transport, housing and access).
- b) Participation in public life and decision-making processes.
- c) Regulatory content related to social inclusion
- d) Regulatory content related to the right to health and access to health services

The national contributions are provided with information that has been provided by the Consejo Nacional Integral de la Persona Adulta Mayor (CONAIPAM) by its acronym in Spanish:

### 1. Focus: accessibility, infrastructure and habitat.

#### 1.1. "National Regulations and Frameworks for the Rights of Older Persons to Accessibility, Infrastructure, and Habitat"

El Salvador has the Special Law for the Protection of the Rights of the Elderly, in Chapter VI, Articles 25-28, the responsibilities of public and private welfare institutions are highlighted regarding accessibility, transportation, disposal of barriers and the use of preferential parking and lines. To verify compliance with the aforementioned articles, El Salvador has the Comprehensive National Council of the Elderly, CONAIPAM, which is the governing body of a set of policies, regulations and actions in favor of the comprehensive protection of the rights of adults. greater. As a good practice for compliance with accessibility and infrastructure in public and private spaces, CONAIPAM has created a network of institutional references for the Units for the Care of Older Adults.

On the other hand, the Ministry of Public Works and Transportation works hard on transportation and access issues, for which they have the following legal provisions: ***Land Transportation Law, Transit and Road Safety***, which addresses transportation provisions linked to older adults, on the capacity of public transport, years of manufacture to circulate, as well as the prohibition of parking in spaces for pedestrian use. ***The General Land Transport Regulations*** indicate that urban transport of buses and minibuses requires that the units have a relatively low chassis, with the minimum possible normal stands (bus chassis) and in the lowest one, its height must allow adequate access to the bus, mainly for the elderly. They regulate that the entrance steps and steps, the lowest, are suitable for access for the elderly, and constructed or covered with material, it also regulates that for the construction and authorization of Bus and Cargo Terminals, or for studies of a new project, special facilities for the disabled and elderly people must be taken into account. ***The General Traffic and Road Safety Regulations*** regulate parking on Preferential Axes, as well as in specially designated places and in places intended for the exclusive use of disabled people.

In 2022, the visit of the Special Envoy of the UN Secretary General for Road Safety, Mr. Jean Todt, took place, who met with the Vice President of the Republic of El Salvador, Mr. Félix Ulloa, to discuss issues related to road safety. During the meeting, the joint commitment to promote effective measures aimed at preventing accidents and saving citizens on the roads was emphasized, this making significant progress in strengthening policies and actions aimed at guaranteeing safer circulation in El Salvador

On the other hand, the Directorate of Infrastructure and Social (DIIS) of the Ministry of Public Works and Transportation, recognizes the current legal provisions related to the recognition of the rights of older adults. From the Constitution of the Republic, which establishes that the human person, without distinction of any kind and of which the Elderly Person is a part, is the origin and purpose of the legal system and enjoys all recognized rights. Likewise, the existence of the Special Law for the Protection of the Rights of the elderly is recognized, with the aim of guaranteeing and ensuring comprehensive care for the protection of the Elderly in the country and contributing to the strengthening and integration of the family.

The increase in urban demographic aging is presented as a challenge for El Salvador, specifically from the Ministry of Public Works and Transportation, as well as globally, which is why new and corrective inclusive urban designs must be accelerated aimed at promoting people-friendly cities. of advanced age. However, one of the great challenges encountered is the budgetary limitation to correct previous planning or execution gaps presented by cities or buildings that were not designed for everyone; sometimes it becomes unaffordable to make deep and substantial changes. Another barrier is the few municipal ordinances exercised by local powers that result in complex urban/architectural situations, due to the little regulation and management of its territory.

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Below are statistical data on the accessibility and transportation rights of older adults, provided by the Ministry of Public Works and Transportation:

**Total Driver's Licenses issued to people over and equal to sixty years of age during the period from 2023 to date per month**

Month	2023	(2024) Last issue date
January	2,489	3,065
February	2,038	2,550
March	2,074	472
April	1,706	
May	1,752	
June	1,705	-
July	1,759	-
August	1,853	-

September	1,848	
October	1,861	-
November	1,872	-
December	1,796	-
Total	22,763	6,087

Likewise, the Ministry of Public Works and Transportation is an institution open to receiving requests through Social Management, whether for support and/or technical support for the resolution or repair of social or accessibility infrastructure, as previously stated. made at the request of inter-institutional entities or citizens in general on specific topics, protecting and enforcing the duty of collaboration of Art. 114 of the Special Law for the Protection of the Rights of the Elderly.

## **2. Focus: right to health and access to health services**

### **2.1. “National Legal Definition of the Rights of the Elderly”**

CONAIPAM has monitored the Care Centers for the Elderly, CAPAM, through visits and telephone calls, to has a database of 115 care centers, in these CAPAMs a total of 6,826 older adults, of which 4,056 are women and 2,770 men, to guarantee mental and physical health care, coordination is carried out with the Ministry of Health, through the Health Units and Hospitals. Similarly, in the CONAIPAM work area called "advice and assistance for the protection of rights home visits are made to care for individual cases of older adults, where a social study and environment of older adults is carried out. Which includes mental health and physical health. This entails coordination with Health Units or Hospitals for health care when an older adult needs it.

A concept of the Comprehensive Care Model for the Elderly is defined below. This definition is from the Ministry of Health's service provision model for the elderly: The purpose of the comprehensive care model for the elderly is to provide health services, relevant quality services, provided with warmth by health personnel, through the execution of actions to promote favorable environments for active and healthy aging, through comprehensive and interdisciplinary care.

Additionally, the Salvadoran Social Security Institute (ISSS) has the “Comprehensive Health Care Program for the Elderly” (2007), which is an internal regulation that aims to guide the personnel of the Health Care Centers of the ISSS to provide care for the promotion, protection and promotion of health and education for health, healing and rehabilitation to improve the life of said population with complete well-being, contemplating the three aspects: biological, psychological and social.

On the other hand, the Ministry of Health has different programs or actions that guarantee the right of older adults to adequate sanitation and health education, among these, the following stand out:

- The preventive program in comprehensive health, which is implemented in all health facilities, is based on 5 components such as promotion and education for active and healthy aging, assurance of quality of care, coordination and interinstitutional and intersectoral articulation, strengthening of care in geriatric rehabilitation and the training of human resources and research.
- National immunization program (vaccines)
- Availability of vaccines in all establishments nationwide, such as influenza, COVID 19, Tetanus, 13-valent pneumococcus and 23-valent pneumococcus.
- Oral Health Program.

- Non-communicable chronic disease control program.
- Palliative Care Program.
- Nutritional health program

Likewise, the Ministry of Health has different key regulatory elements for the right to physical and mental health, among these are:

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- Law of the National Integrated Health System.
- Law on Duties and Rights of Patients and health service providers.
- Mental Health Law
- A Comprehensive Care Model for the Elderly
- Standard of Comprehensive Care for the Elderly
- Guidelines for Comprehensive Care for the Elderly (under review)
- Sanitary performance standards for long-term care homes and residences for elders.

Regarding the responsibilities of private institutions that provide the right to health for older adults, there is the Law on Duties and Rights of Patients and Health Service Providers, which regulates this activity in relation to the provision of medical services. It is important to clarify that the Special Law for the Protection of the Rights of the Elderly Person does not empower the Ministry of Health with sanctioning power in relation to the provision of services in health establishments and care centers for the elderly in any of its types of services, so if the commission of any illegal act is proven, the administrative and criminal measures contained in the aforementioned laws will be applied as appropriate.

Finally, it is important to highlight the good practices that, as a country, are being carried out for the implementation of the national regulatory framework regarding the health rights of older adults, such as, for example, bringing health services closer to older adult women. indigenous peoples, the dissemination, explanation and compliance with the Special Law for the Protection of the Rights of the Elderly and the articles related to the field of health strictly by all levels of care and the National Hospitals, except for the Benjamín Hospital Bloom, emphasizing what is related to Section II Subjections (Art. 73, Art. 74, Art. 75, Art. 76) and Section III. Legal Capacity and Safeguards (Art. 77, Art. 78, Art. 79, Art. 80) (idem)

### **3. Focus: Social Inclusion**

#### **3.1 "Definition of human rights of the elderly, related to Social Inclusion".**

Regarding the current regulations on social inclusion, there is the Special Law for the Protection of the Rights of the Elderly, the Law of Development and Social Protection and the Judgment in the El Mozote Massacre case and surrounding places. With the entry into force of the Special Law for the Protection of the Rights of the Elderly and the creation of a governing body, efforts as a country are focused on comprehensive care for older adults. For this comprehensive care, CONAIPAM has regulations (guidelines) on the Internal Care Route for Older Adults, which aims to establish a simplified mechanism that shows the route to follow in the implementation of actions that ensure protection. and comprehensive care for older adults in conditions that violate their rights.

After the work carried out by CONAIPAM, it has been identified that the violation of rights occurs in different environments (family, public institutions, and private institutions), which is why it is taken as a strategy to hold socialization days of the Special Law for the Protection of Human Rights. Rights of the Elderly, this is how CONAIPAM, since the second half of 2023 and to date, has trained judges of the Peace, public servants of autonomous institutions and ministries, civil society and promoters of UNHCR,

so that the State responsibilities towards older adults are known. In addition, because the violation suffered by older adults occurs in the environment as well as in the family environment, six workshops have been developed for caregivers of older adults, in the three regions of the country, with 355 people in attendance. Of these 289 women and 66 men, caregivers from families and care centers for the elderly participated.

On the other hand, the Ministry of Local Development establishes its actions based on compliance with the objectives established in the Development and Social Protection Law and the Special Law for the Protection of the Rights of the Elderly, in the sense of guiding its interventions for the respect, exercise and protection of rights and social inclusion, seeking well-being and comprehensive development. The Poverty Eradication Strategy and its specific instruments are created from the Development and Social Protection Law: Operational Guide #1 "Socio-Community Accompaniment", which is based on accompaniment to promote the participation of older adults at the family level and community and Operational Guide #3 "Income Support for the Reduction of Inequality Gaps related to the Payment of the Universal Basic Pension to 31,443 people, of which 16,712 are women and 14,731 are men.

Likewise, actions are carried out to comply with the judgment in the case of the El Mozote Massacre and surrounding places through the administration of services for older adults in the Day Care Home for the Elderly in Cantón La Joya, Morazan. Gerontological services focused on socio-familial, psychosocial, nutritional and medical areas are offered, both in the center and at home, including educational talks and community work. Referrals are arranged for services not provided at the center. Support is provided to family members and caregivers through training and management of services with other institutions. Approximately 200 and 300 older adults are served monthly. In addition, bimonthly support is provided with food and non-food packages to 418 older adults, including technical aids upon request.

El Salvador has a series of programs and services designed to meet the needs of older adults. Among them, the Services to Elderly Care Centers stand out, which include the biannual delivery of food to 54 non-profit Centers, benefiting nearly 2,000 older people. In addition to the provision of personal hygiene and cleaning supplies, as well as technical aids such as wheelchairs, walkers, canes and crutches. Likewise, requests for support for food and non-food inputs are attended to at the national level, benefiting approximately 7,000 older people, and outreach and linkage sessions for comprehensive services are held in coordination with local actors.

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Regarding good State practices, the following stand out:

- There is a comprehensive care model for the provision of services to older adults at the La Joya Day Center, just as CONAIPAM has an Internal Care Route for Older Adults.
- Public servants trained in knowledge of the Special Law for the Protection of the Rights of Older Adults.

- Training program to improve the food and nutrition of the PAM Care Centers
- Universal Basic Pension Program
- Regarding the identification of challenges from the State, the following stand out:
- Have a progressive budget program for comprehensive care for older adults, which includes care centers nationwide; expansion of the universal basic pension; specialized and comprehensive health services; high nutritional value feeding program, technical training programs, among others.
- Establishment of alliances for co-responsibility of care between the State, society, community and family.

#### **4. Focus: participation in public life and decision-making processes**

##### **4.1. “Provisions that guarantee participation in public life and decision making”.**

As a starting point, it is important to mention that the main regulatory framework that CONAIPAM applies in order to guarantee the rights of older people is given by the Constitution of the Republic, which recognizes the human person as the origin and end of the activity of the State, which means that it must implement through its Institutions the necessary provisions for the achievement of justice, legal security and the common good, in addition to ensuring its inhabitants the enjoyment of freedom, health, culture, economic well-being and social justice.

Among the main legal provisions in the country is the Special Law for the Protection of the Rights of the Elderly, which involves the participation of older adults in decision-making spaces. In article 57, which mentions the formation of CONAIPAM, a representation of Associations and foundations that promote the rights and empowerment of older adults is established as part of the Plenary Council. To date, the representative of these Associations and Foundations is an older adult. On the other hand, article 59 highlights the National Table of Older Adults, which is a space facilitated by CONAIPAM so that older adults can participate in the formulation of proposals related to their main problems and needs. The formation of the National Table of Older Adults of CONAIPAM is awaiting the approval of the Regulations of the Law, since this develops the mechanism for its formation and operation.

Among the measures taken by the Salvadoran State, through the Salvadoran Pension Institute (ISP), the aim is to promote participation in public life and the decision-making processes of older adults, through coordination with organized groups. of pensioners, the approach to CONAIPAM in order to verify points of improvement so that they can be considered and value proposals for the older adult population, the proposal of the signing of interinstitutional agreements, and the possible affiliation to international organizations, related to the protection of the rights of the people in question.

Likewise, the Salvadoran Pension Institute promotes good practices to guarantee the participation in public life of said people, such as the reception of suggestions from them, with the purpose of knowing their needs and taking actions that promote a good quality of life that guarantees the enjoyment of the rights that they possess.

Regarding the good practices to guarantee the participation of older adults in public life and in decision-making processes, without discrimination carried out by the Salvadoran Pension Institute, there are:

- Physical and technological accessibility: Ensure that public spaces and digital platforms are accessible to older people, including ramps, elevators, and easy-to-use technology.

- Education and training: We offer educational programs and training for older adults about their rights, civic participation skills, and use of technological tools.
- Inclusive consultations and dialogues: Include older people in community consultations, public forums and decision-making processes to ensure that their voices are heard and considered.
- Promotion of inclusion: Promote diversity and inclusion in all spheres of society, promoting respect and equal opportunities for all older people, regardless of their age, gender, disability, race or ethnicity, among others.

Regarding the challenges that exist to guarantee the participation of older adults in public life and in decision-making processes in the country, they include:

- Lack of accessibility: Many digital facilities and platforms are not designed with the needs of older people in mind, making it difficult for them to actively participate in society.
- Stigmatization and discrimination: There are negative stereotypes about older people that can limit their full participation in public life and decision-making.
- Linguistic and cultural barriers: Seniors who belong to ethnic or linguistic minorities may face additional barriers to participation due to a lack of services and materials in their language and a lack of cultural understanding.
- Physical and health limitations: Older people may face physical and health limitations that make it difficult for them to participate in public life and in decision-making processes, requiring additional adaptations and supports.

The reporting channels are vital to guaranteeing good practices in the institution, which is why the ISP has different reporting channels available that older adults can use to inform the institution of any failure that may occur and that represents a risk, complaints can be made digital means such as emails, through social networks and the institutional website, as well as through physical means such as direct reporting through user service or through the suggestion box.

Antiguo Cuscatlán, April 8, 2024