



14th session of the Open-ended Working Group on Ageing Guiding questions for the focus area on participation in public life and in decision-making processes

National and local legal and policy framework

1. **What are the national and local legal provisions and policy frameworks in your country that guarantee**
 - a) **right to equality and prohibition of all forms of discrimination against older persons on the basis of age, alone or combined with other grounds, in the context of participation in public life and in decision-making processes;**
 - b) **elimination of all forms of ageism and age discrimination from laws, frameworks, programs, policies, strategies and practices regarding participation in public life and in decision-making processes;**
 - c) **right to freedom of expression, including freedom to seek, receive and impart information;**
 - d) **right of peaceful assembly;**
 - e) **right to freedom of association;**
 - f) **right to take part in the government of one's country, directly or through freely chosen representatives;**
 - g) **active, free and meaningful participation of older persons and their representative organizations in all matters related to participation in public life and in decision-making processes;**
 - h) **access to prompt remedies and redress when older persons' above mentioned rights are violated.**

In Mexico, various legal provisions and policy frameworks guarantee the rights of older persons in several aspects related to equality, non-discrimination, and participation in public life:

- **Right to Equality and Prohibition of Discrimination:** The Political Constitution of the Mexican United States prohibits all forms of discrimination, including those based on age. Furthermore, the Law of the Rights of Older Persons explicitly establishes the prohibition of discrimination against older persons.
- **Elimination of Ageism and Age Discrimination:** This law, along with other provisions like the Federal Law to Prevent and Eliminate Discrimination, seeks to eradicate ageism in all its forms.
- **Freedom of Expression and Association:** The Constitution guarantees freedom of expression and association, rights that extend to all people, including older adults.
- **Right to Peaceful Assembly:** Older persons are guaranteed the right to peaceful assembly under Mexican laws.
- **Participation in Government:** Mexican electoral law ensures that older persons can vote and be elected, facilitating their direct participation or through freely chosen representatives in the government.



- Participation in Decision-Making: Various initiatives and programs promote the active participation of older persons in public affairs and decision-making processes, both nationally and locally.
- Remedies and Redress: In case of violations of these rights, older persons can approach the National Human Rights Commission or the courts to seek redress.

To ensure the participation of older persons in public life and decision-making processes without discrimination, several steps have been taken:

- Anti-Discrimination Legislation: Laws have been established that explicitly prohibit age discrimination, thus guaranteeing the rights of older persons in public and political participation.
- Inclusion Programs: Programs have been implemented to promote the active participation of older persons in various aspects of community and political life.
- Education and Awareness: Campaigns are conducted to promote equal treatment and understanding of the rights and abilities of older persons.
- Councils and Representative Bodies: Councils and bodies representing the interests of older persons have been created, providing a platform for their participation in policy-making and decision processes.
- Facilitation of Access to Information: It is ensured that older persons have access to the necessary information to participate knowledgeably in decision-making processes.
- Adaptations and Accessibility: Adaptations are promoted in public spaces and decision-making processes to ensure physical and cognitive accessibility for older persons.
- Inclusion in Political Processes: It is guaranteed that older persons have the opportunity to participate in elections and other political processes, with measures such as accessible voting.

2. What steps have been taken to ensure participation in public life and in decision-making processes without discrimination?

In terms of non-discrimination, the Law on the Rights of Older Persons (LDPAM for its acronym in Spanish) establishes in its article 8 that no one should be discriminated nor marginalized in public spaces or privately regarding their ethnicity or national origins, gender, age, disabilities, health condition, religion, opinions, sexual preferences, marital status or any other that attempts against human dignity or tries to undermine their rights and freedom.

This Law also ensures the promotion and insertion of older persons in all aspects of public life and decision-making processes. In addition, older persons have the right to associate and to form organizations that promote their development and influence actions related to this sector, as well as to participate in productive processes, education, training and cultural and recreational aspects of their communities.

In addition, the National Institute of Older Persons (INAPAM for its acronym in Spanish) promotes the participation of older persons through the publication of materials, the performance of permanent campaigns, the establishment of agreements with other institutions as well as the visibilization of the needs and contributions in the public and private spheres.

Data and research

3. What data and research are available regarding older persons' participation in public life and in decision-making processes? Please indicate how national or sub-national data is disaggregated by sex, age and inequality dimensions, and what indicators are used to monitor older persons' participation in public life and in decision-making processes.

Through the National Survey of Civic Culture (ENCUCI) 2020, the National Institute of Statistics, Geography and Information (INEGI, by its acronym in Spanish) collected information on the participation of older persons in public life and decision-making processes in Mexico. The survey aimed to understand the characteristics of civic culture and the exercise of citizenship among Mexicans. Among its specific objectives, the survey was made to understand, both generally and among population groups, the exercise of rights and obligations, the use of constitutionally established procedures for coexistence, and the type and frequency of political and social participation to strengthen and expand civic, social, economic, and cultural rights.

This survey targeted individuals aged 15 and older residing in households and was designed to provide results at various levels of disaggregation: national urban, national rural and by the six regions in which the country is divided¹. The survey collected information on age, sex, marital status, Afro-descendant affiliation, indigenous affiliation and language, disability status, skin color, length of residence, mobility, religion, income, gender identification and sexual orientation of each respondent. With this information, it is possible to know the participation of people over 60 years of age in public life and decision-making processes in the country.

In addition, there is systematized information on the subject of participation in public life and in decision-making processes, which can be obtained from the statistics on citizen participation in the different electoral processes monitored by the National Electoral Institute (INE). This information makes it possible to determine, in each electoral district, entity or at the national level, how many older persons are part of the electoral roll, how many participate and how many

¹ Arid Western America (Aguascalientes, Baja California, Baja California Sur, Chihuahua, Durango, Sinaloa, Sonora, Zacatecas), Arid Eastern America (Coahuila de Zaragoza, Nuevo León, San Luis Potosí, Tamaulipas), Mesoamerica (Guerrero, Oaxaca, Puebla, Tlaxcala, Veracruz Ignacio de la Llave), Central Mesoamerica (Ciudad de México, Hidalgo, Estado de México, Morelos), Western Mesoamerica (Colima, Guanajuato, Jalisco, Michoacán de Ocampo, Nayarit, Querétaro) and Mayan Zone (Campeche, Chiapas, Quintana Roo, Tabasco, Yucatán).

are candidates for elected office. Also, the National Survey on Civic Culture takes an approach to participation in decision-making in the environment.

Equality and non-discrimination

4. What are the challenges and barriers that older persons face regarding participation in public life and in decision-making processes, including the impact of intersectional discrimination and inequality based on age, gender, disability, race, ethnicity, migratory status and other grounds?

The participation of older persons in decision-making is strongly diminished by several aspects such as the lack of information about their rights, as well as the lack of designated spaces and follow-up for the exercise of these rights.

In this case, discrimination is an important factor that limits the participation of older persons public life, not only because of their age, but also on aspects such as gender, ethnicity, and disabilities. Institutions like the National Institute of Women, the National Institute of Indigenous Peoples and the National Council for the Development and Dnclusion of Persons with Disabilities contribute to achieve equality, promotion of non-violence against older persons, non-discrimination and a gender perspective.

For its part, INAPAM promotes older persons participation in all areas of public life, so that they can be the protagonists of their own change, giving rise to collaboration between the Institute and this population group through the Social Comptroller Committees and the Citizen Committee. The first allow older persons the opportunity to supervise the use of resources as well as the operation of social programs for them, and the second takes part in the decision-making and planning of the different programs and activities of the Institute.