

## Guiding questions for the thirteenth session.

### Focus area 1: Right to health and access to health services

#### National legal and policy framework

1. What are the legal provisions and policy frameworks in your country that guarantee the right of older persons to the enjoyment of the highest attainable standard of physical and mental health, including access to promotive, preventive, curative, rehabilitative and palliative health facilities, goods and services?

##### **Syria**

In Syria, there is no legal provisions or policy framework guarantee the right of old persons to the enjoyment of the highest standard of physical and mental health.

##### **Kenya**

In Kenya, the National Policy on Older Persons delegates the state and families to ensure older persons receive reasonable care ad assistance. It is however not specific to health and health services.

##### **Palestine**

- Older persons in Palestine suffer from the absence of a law that regulates care issues and service provision.
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##### **Lebanon**

This has not been clearly defined. However, its constitution notes that Lebanon abides to the covenants by the Universal Declaration on Human Rights.

2. What steps have been taken to ensure that every older person has access to affordable and good quality health care and services in older age without discrimination?

##### **Lebanon**

N/A

##### **Palestine**

N/A

##### **Syria**

N/A

##### **Kenya**

The Care and Protection of Older Persons Bill passed by the Kenyan Senate provides a framework for the promotion of the rights of service and residential facilities for older persons

3. What data and research are available regarding older persons' right to health and access to health care and services? Please indicate how national or sub-national data is disaggregated by sex, age and inequality dimensions, and what indicators are used to monitor the full realization of the right to health of older persons.

##### **Syria**

- In Syria, before the crisis, the Syrian Commission for Family Affairs focused on considering the status of older persons. This was based on two studies done before the crisis. The first study was on care homes and the second on the elderly within their families.

##### **Palestine**

N/A

##### **Lebanon**

N/A

**Kenya**

Through the National Survey and the Kenya Demographic Health Survey, Kenya collects disaggregated data on older persons, but not otherwise explicit to monitoring towards the realization of the right to health for older persons.

4. What steps have been taken to provide appropriate training for legislators, policymakers, health and care personnel on the right to health of older persons?

**Palestine**

N/A

**Lebanon**

N/A

**Syria**

N/A

**Kenya**

N/A

**Progressive realization and the use of maximum available resources**

5. What steps have been taken to align macroeconomic policies and measures with international human rights law, to use maximum available resources for the realization of older persons' right to health, such as through expanding fiscal space, adopting targeted measures and international cooperation?

**Palestine**

N/A

**Lebanon**

N/A

**Syria**

N/A

**Kenya**

N/A

**Equality and non-discrimination**

6. What are the challenges faced by older persons in their enjoyment of the right to health, including the impact of intersectional discrimination and inequality based on age, gender, disability and other grounds?

Across all 4 countries, the COVID pandemic largely affected older person's enjoyment to the right of health. This is mainly due to high admission rates to hospitals and health centres that made it

difficult securing appointments and the lockdown policies separating them from family who would most likely be their primary caregivers.

7. What measures have been taken to eliminate ageism and discrimination based on age, including discriminatory laws, policies, practices, social norms and stereotypes that perpetuate health inequalities among older persons and prevent older persons from enjoying their right to health?

**Palestine**

N/A

**Lebanon**

N/A

**Syria**

N/A

**Kenya**

The National Policy on Older Persons and several other follow up laws have largely created awareness on the issue.

8. What measures have been taken to ensure that older persons are able to exercise their legal capacity on an equal basis with others, including making an informed consent, decisions and choices about their treatment and care?

**Palestine**

N/A

**Lebanon**

N/A

**Syria**

N/A

**Kenya**

N/A

**Accountability**

9. What judicial and non-judicial mechanisms are in place for older persons to complain and seek redress for the denial of their right to health?

**Palestine**

N/A

**Lebanon**

N/A

**Syria**

N/A

**Kenya**

N/A

10. What mechanisms are in place to ensure the effective and meaningful participation of older persons living in different geographic areas of the country in the planning, design, implementation and evaluation of health laws, policies, programmes and services that affect them?

**Palestine**

N/A

**Lebanon**

N/A

**Syria**

N/A

**Kenya**

Article 57 of the Kenyan Constitution notes that older persons shall fully participate in affairs of society and pursue their personal development. Similarly, the National Policy on Older Persons notes the inclusion of older persons in poverty reduction policies, programmes, strategies and in national budgeting processes.