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The Rights of Senior Citizens and Obligations of the State in National and International Perspective



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Abstract

The growing ageing issues of population at international level has given importance to the status of senior citizens according to their legal rules and regulations. The basic and legal rights of senior citizens have been discussed in this research, the financial benefits and all other connected benefits which are the responsibility of states to protect them have been highlighted. The Vienna and Madrid International Plans of Action on Ageing and the principles of United Nations 1991 are under arguments in this article. It also covers the regional treaties of United Nations State of America and Africa. It analyses the landmark decision of the Human Rights Council in April 2025, started to draft a legally binding instrument for these senior citizens, and it assesses what such an instrument would need to contain to be effective. The article concludes with recommendations addressed to states, international organisations, and civil society.

Keywords: *Older Persons, Ageing, Human Rights, Social Protection, Pensions, Elder Abuse, Ageism, Madrid Plan of Action, UN Convention, State Responsibility*

Introduction

Demographic ageing is among the most consequential structural transformations of the present century. It is also among the least adequately addressed in binding international law. A number of persons aging sixty and above is projected to surpass two billion by 2050, and the population over sixty is likely to double to 1.6 billion over the same horizon (United Nations, 2025). It will be first time in history, the number of older persons will surpass the number of children. This transition, driven by rising life expectancy and falling fertility, is not confined to the wealthy world: the large the older persons already live, and will increasingly live, in developing and lower income countries whose protection systems are least prepared to support them. The reframing matters because the way a society conceives of its older members shapes the entitlements it is willing to guarantee them.

This article proceeds in several movements. It first establishes the demographic and conceptual context. It then sets out the international normative framework, distinguishing the soft-law instruments that dominate the global level from the binding regional treaties adopted in the Americas and Africa. It turns next to the substantive benefits and entitlements at stake social protection and pensions, health and long-term care, protection from abuse and neglect, and participation and to the correlative responsibilities these place on states. It examines the harms that persist despite the framework, principally ageism and elder abuse. Finally, it analyses the movement toward a binding United Nations convention and offers recommendations. Throughout, the perspective is comparative and international, treating the treatment of older persons as a subject of international studies rather than of any single domestic system.

Demographic and Conceptual Foundations

The Scale of Global Ageing

The birth rate at Global level has approximately reached at 73.5 twenty one years in 2025 and is expected to reach at 77 years till 2050. As long as, with the passage of time, the old age will increase, by the late 2050s. At the age of 80 years or above, most of the older people will die, this is an estimated idea based on predictions, the result may occur more or less than this research.

This ageing is irregular and meets with other axes of weakness. From the survey, it has been observed that the senior women live more and longer than men. Women who live more than men are mostly from poor families. Environment is responsible for such results because the people aged sixty or above due to heat related morality among the people, and older people have been fronting measurable financial losses because of floods and heat stresses. This is not only causing financial stress but health issues, poverty, disability and gender experiences. Aging, in fact, is not same for all persons but different for different persons.

Defining the Older Person

International instruments have not settled on a single definition of who counts as an older person, and the variation is itself revealing. Many United Nations statistical conventions use sixty or sixty-five as thresholds. The Inter-American Convention describes an older person as one aged sixty or older, subject to national legislation that may set a somewhat different age, provided it is not above sixty-five. The absence of a fixed universal definition reflects a deeper truth: old age is a social and functional status as much as a chronological one, and policies that allocate resources strictly by chronological age risk both under- and over-inclusiveness. A rigidly age-based rule can deny support to those who need it most while extending it to those who do not, and it can entrench the very ageist assumptions that international policy seeks to dismantle.

From Welfare to Rights

The conceptual trajectory of international policy on ageing has moved from a welfare paradigm toward a rights paradigm. Early international engagement, exemplified by the 1982 Vienna International Plan of Action, treated older persons primarily as a defenseless people necessitating assistance. The subsequent development of the field, culminating in the 1991 United Nations Principles for Older Persons organised around the themes of independence, participation, care, self-fulfilment, and dignity began to articulate entitlements rather than mere needs. This shift from welfare to rights is more than rhetorical. A welfare framing casts support as discretionary largesse that may be granted or withdrawn; a rights framing casts it as an entitlement that the state is obliged to secure and for the denial of which it may be held accountable. The unfinished business of the international system, as the later sections show, is the translation of this rights language into binding and enforceable obligation.

The International Normative Framework

The legal protection of older persons rests on a layered and uneven architecture. At the global level it is composed largely of soft-law instruments and of the general human rights treaties within which older persons are protected only implicitly. At the regional level, by contrast, two binding treaties address these rights of older persons directly. Understanding the difference between these layers is essential to understanding both the achievements and the limits of the present system.

The Global Soft-Law Framework

The center piece of the global framework is the Madrid International Plan of Action on Ageing (MIPAA), adopted at the Second World Assembly on Ageing in 2002 together with a Political Declaration (United Nations Department of Economic and Social Affairs, [2002](#)). MIPAA calls for a change in attitudes, policies, and practices at all levels so that the potential of older persons can be realized, and it organizes its recommendations around three significant guidelines: older persons and progress, advancing health and well-being into old age, and certifying older people a caring environments. MIPAA rests, with the 1991 Principles, a cornerstone of

global ageing policy and the reference point against which member states report in successive review-and-appraisal cycles.

The decisive limitation of this framework is its legal character. The principles of MIPAA, 1991, has more focus on moral obligations rather the legal obligations or legal bindings on the states. It is much worth that the states are at freedom to follow these principles or ignore these recommendations. The MIPAA has shown the inconsistency of state commitment to impose and the principles. The consequence is that older persons remain, in the language of commentators, relatively invisible in international Human Rights law. Of the core United Nations human rights conventions, only the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families expressly prohibits discrimination on the basis of age; the others protect older persons only through general guarantees not tailored to the specific circumstances of later life.

The Regional Binding Treaties

Where the global level offers soft law, two regional systems have moved to binding obligation. The Institute of American States assumed the Inter-American Convention on Protecting the Human Rights of Older Persons in 2015, the 1st regional instrument specifically dedicated to the rights of older persons; it was enforce in 2017 (Organization of American States, 2015). The Convention is expansive: it establishes rights to care, to identical acknowledgment before the law, to independent and informed consent to medical treatment, to protection in situations of emergency and disaster, and to the avoidance of abuse, disregard, and violence, and it obliges states to prioritise ageing in public policy and to establish national protective mechanisms. Its supervision is entrusted to a follow-up mechanism and to the Inter-American Commission on Human Rights, which created a dedicated Rapporteurship on the Rights of Older Persons in 2019. The Inter-American Court has, in cases such as that of an older patient who died after deficient hospital treatment in Chile, held states responsible for violations of older persons' rights.

The African Union followed a parallel path, adopting in 2016 the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa. The Protocol codifies the 1991 United Nations Principles into binding regional law, requiring states parties to give them legal force as the basis for securing older persons' rights, and it responds to recommendations of the African Union's own policy framework on ageing. Together, the Inter-American Convention and the African Protocol demonstrate that binding, tailored protection of older persons is legally feasible; their existence also exposes, by contrast, the gap at the universal level, where no comparable instrument yet exists.

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Benefits, Entitlements, and the Responsibilities of the State

The rights of older persons are not abstractions; they translate into concrete entitlements whose realisation depends on affirmative action by the state. Four domains are central: income security through social protection, health and long-term care, protection from abuse, and participation. In each, international instruments articulate an entitlement and impose a correlative state responsibility, and in each the gap between commitment and delivery is substantial.

Social Protection and Pensions

Income security in old age is the foundation on which other entitlements rest, and it is the domain in which the shortfall is most measurable. According to the data collected from International Labour Organization, the pension handling remains away from universal (International Labour Organization, 2026). Only about 63.2% of men and 49.2% of women above the age of retirement get instrumental pensions, and tax-financed attention reaches a still less share incompletely 26.9% of men and 34.2% of women. A large numbers of older people, excessively women reach to the age of income not reliable for their rest of the life.

The responsibility of the state links to this prerogative and it is the creation of adequate and inclusive social-protection systems. International bodies increasingly emphasize that universal social protection including non-contributory or tax-financed pensions alongside contributory schemes is essential to preventing poverty in old age, particularly for those whom contributory systems leave uncovered. The International Labour Organization has recognized that an extension can be given to the developing and low income countries and the

countervailing damage done by financial alliance and austerity steps in higher-income economies, which have in places reduced the adequacy of pensions.

Long Term Care and Health

The right to health acquires distinctive content in old age, where the old diseases, multimorbidity, and functional decline is concentrated and where the need for long-term care emerges. International guidance stresses age-friendly health arrangements, universal health analysis, and the integration of health and social care. Yet older persons frequently encounter ageism within health systems that manifests as exclusion from services, under-treatment, or the rationing of care on the basis of age rather than need. The Inter-American Convention responds by guaranteeing access without discrimination to comprehensive care, including palliative care, and by protecting the older person's right to give or withhold informed consent to treatment—an important safeguard of autonomy against paternalistic or coercive medical practice.

Long-term care presents a particular challenge as families become smaller and more dispersed and as the oldest cohorts grow. Comparative policy analysis illustrates the range of state responses: some societies have built extensive formal systems of universal health coverage and long-term-care insurance, achieving broad protection at the cost of fiscal strain and, in some cases, the social isolation of those cared for in institutions; others rely heavily on family provision that is coming under demographic pressure. No single model resolves the tension between adequacy, sustainability, and the preservation of dignity and social connection, but the comparative record suggests that community-based and integrated approaches better protect against isolation than purely institutional ones.

Protection from Abuse and Neglect

Freedom from violence, abuse, and neglect is among the most basic entitlements and among the most frequently violated. The correlative state responsibility is to prevent, detect, and remedy abuse—through law, through protective mechanisms, and through the reduction of the ageism and dependency that generate it. The Inter-American Convention treats the avoidance of exploitation, mistreatment, and neglect as a central obligation, and global guidance identifies the combating of ageism, the generation of better data, and investment in cost-effective interventions as priorities. Because abuse is heavily underreported driven underground by stigma, dependency, and the frequent location of the abuser within a relationship of trust the state's duty extends beyond punishment to the creation of conditions in which abuse can be identified and safely reported.

Participation and Non-Discrimination

The final domain concerns is the participation and the entitlement of older persons, to work where they wish and are able, to engage in civic and political life, and to be free from discrimination on grounds of age. This entitlement is the natural corollary of the change from a wellbeing to a rights paradigm and of the reframing of older persons as agents rather than dependents. The corresponding state responsibility is to dismantle the legal, institutional, and attitudinal barriers mandatory retirement rules applied without regard to capacity, exclusion from credit and services, and the pervasive stereotyping examined below that push older persons to the margins. Participation is not a peripheral nicety; it is protective, because inclusion sustains the health, income, and social connection on which well-being in old age depends.

Persistent Harms: Ageism and Elder Abuse

There are two interconnected destructions cut across every field of power and representation. Between the two, ageism is the deeper one, working as the intentional and attitudinal substrate from which abuses produce.

Ageism

The bias against people on the ground of age is noteworthy both for its generality and for its relative social adequacy. Its consequences are not merely symbolic: ageism erodes the health and well-being of older adults, discourages the development of good policy, and licenses the elimination of older people from services,

employment, and decision-making. A joint United Nations report on ageism identified it as a phenomenon that erodes solidarity across generations and called for coordinated action across education, law, and intergenerational contact to counter it (World Health Organization, 2021). Because ageism is frequently internalized, it also shapes how older persons regard themselves, sometimes leading them to accept exclusion or to forgo the assistance to which they are entitled.

The Scale of Elder Abuse

It is defined as a single or constant repeated act, or a disappointment to act, with connection to confidence that origins harm to an older person encompasses physical, sexual, psychological, and financial abuse, as well as neglect and the loss of dignity (World Health Organization, 2024). Its scale is substantial and almost certainly understated. An organized and test based studies in a number of countries estimated that, in the course of a single year, roughly one in 6 persons aged sixty and over experienced different forms of abuse in society, a figure that translates into well over a hundred million people worldwide (Yon et al., 2017). Psychological manipulation is the commonly reported practice. Rates in an official situations appear higher still, reviews of such facilities have found that a majority of staff admitted to having dedicated in eliminating abuse in the preceding year.

The problem is dynamic as well as large. Evidence indicates that during the COVID-19 pandemic, the elder abuse increased for being in isolation, confinement, as well as heightened caregiver stress intensified the conditions in which abuse occurs; one study suggested community rates may have increased substantially. And because the population of older persons is itself growing rapidly, the absolute victims is projected to rise sharply in the coming decades even if the underlying rate holds constant.

Toward a Binding International Convention

The Human Rights Council accepted Resolution in 2025 and created a working group to write a legally enforceable document to support and protect the Human Rights of senior citizens (GlobalAgeing, 2025; Help Age International, 2025). The resolution, was supportive and that was the reason that it was welcomed by senior United Nations human rights officials. From decades of declaratory soft law toward the negotiation of binding obligation at the universal level, mirroring the trajectory already taken by the regional systems of the Americas and Africa.

The case for such a convention rests on several propositions. Existing frameworks, though valuable, are not legally binding and therefore generate only moral obligation. Older persons are largely absent from the binding human rights treaties as an expressly protected group. And the intersecting vulnerabilities of older persons, in poverty, in health systems, in humanitarian emergencies and disasters demand coherence across legal and policy frameworks that only a dedicated instrument can supply (American Bar Association, 2025). A convention would provide normative standards, an accountability mechanism, and a monitoring body of the kind that has proved effective for other groups, and it would give older persons the explicit legal visibility they now lack.

The hurdles are genuine. The negotiation will be extended, obtaining wide corrections, as well as fruitful application of it, will be more difficult. A convention which is joined very strongly but is not enforced properly will weaker the existing system of implementation at a large scale. The initiative in 2025 depends on what the final document comprises the political will states bring to its enforcement.

Analysis and Recommendations

The global behavior of older persons shows a distinguishing arrangement, a wider body of normative obligation simultaneous with high and irregular creation of enforceable duty. Various recommendations are given,

Extending pension coverage, especially through non-contributory schemes that reach the informally employed and the disproportionately uncovered older women, building age-friendly and non-discriminatory health and long-term-care systems, and enacting and resourcing laws against elder abuse that address underreporting as well as punishment. It also means confronting ageism directly through law, education, and the promotion of intergenerational contact.

For international organisations, the priority is to carry the 2025 convention process to a substantive and enforceable conclusion. A convention worth adopting would define older persons' rights with specificity, establish an independent monitoring body, address the intersection of age with gender, disability, poverty, and disaster, and provide accessible mechanisms of accountability. Between now and its adoption, the review-and-appraisal machinery of the Madrid Plan should be strengthened so that reporting drives implementation rather than merely recording it.

For civil society, the priority is to sustain the advocacy that brought the convention process into being and to hold both states and international bodies to their commitments transforming, in the words used at the United Nations, advocacy into actionable commitment.

Conclusion

The ageing of the world's population is exceeding rapidly and it challenges the international society with a question of justice as much as of demography. There is a gap between obligation and distribution remains wide. Pension handling leaves a large minority of older persons, and comprising of older women in some procedures, they are not without secured financially. The Invisibility of senior citizens in binding universal law has real consequences, and it is precisely this invisibility that the 2025 convention pursues to conclusion. To give respect with dignity is not a help which the communities at different levels give to their elders but a right that elders and states are grateful to protect. Whether the international system can close the distance between that principle and its practice is the measure by which its response to global ageing will ultimately be judged.

References

- American Bar Association. (2025, February 28). Building the case for a convention on the rights of older persons. *Bifocal*, 46(3).
https://www.americanbar.org/groups/law_aging/publications/bifocal/vol46/vol46issue3/convention-on-older-persons-rights/
[Google Scholar](#) [Worldcat](#) [Fulltext](#)
- GlobalAgeing. (2025, April 29). UN Human Rights Council launches process to draft international convention on the rights of older persons. <https://globalageing.org/articlesblogs/un-human-rights-council-launches-process-to-draft-international-convention-on-the-rights-of-older-persons/>
[Google Scholar](#) [Worldcat](#) [Fulltext](#)
- Help Age International. (2025). HRC58: Building support for a UN convention on older people's rights. <https://www.helpage.org/hrc58-building-support-for-a-new-un-convention-on-older-persons-rights/>
[Google Scholar](#) [Worldcat](#) [Fulltext](#)
- International Labour Organization. (2026). *Social protection for older persons: Key policy trends and statistics* (Social Protection Policy Paper No. 17). <https://www.ilo.org/publications/social-protection-older-persons-key-policy-trends-and-statistics-0>
[Google Scholar](#) [Worldcat](#) [Fulltext](#)
- Organization of American States. (2015). *Inter-American Convention on Protecting the Human Rights of Older Persons* (A-70). <https://www.oas.org/en/sla/dil/inter-american-treaties-a-70-human-rights-older-persons.asp>
[Google Scholar](#) [Worldcat](#) [Fulltext](#)
- United Nations Department of Economic and Social Affairs. (2002). *Madrid International Plan of Action on Ageing*. <https://www.un.org/development/desa/ageing/madrid-plan-of-action-and-its-implementation.html>
[Google Scholar](#) [Worldcat](#) [Fulltext](#)
- United Nations. (2025). *International Day of Older Persons*. <https://www.un.org/en/observances/older-persons-day>
[Google Scholar](#) [Worldcat](#) [Fulltext](#)
- United Nations. (2026). *World Elder Abuse Awareness Day*. <https://www.un.org/en/observances/elder-abuse-awareness-day>
[Google Scholar](#) [Worldcat](#) [Fulltext](#)
- World Health Organization. (2021). *Global report on ageism*. <https://www.who.int/teams/social-determinants-of-health/demographic-change-and-healthy-ageing/combatting-ageism/global-report-on-ageism>
[Google Scholar](#) [Worldcat](#) [Fulltext](#)
- World Health Organization. (2024, June 15). *Abuse of older people* [Fact sheet]. <https://www.who.int/news-room/fact-sheets/detail/abuse-of-older-people>
[Google Scholar](#) [Worldcat](#) [Fulltext](#)
- Yon, Y., Mikton, C. R., Gassoumis, Z. D., & Wilber, K. H. (2017). Elder abuse prevalence in community settings: A systematic review and meta-analysis. *The Lancet Global Health*, 5(2), e147–e156.
[Google Scholar](#) [Worldcat](#) [Fulltext](#)