

## SILENTLY SUFFERING: UNVEILING THE UNSEEN TOLL OF ARMED CONFLICT ON ELDERLY CIVILIANS

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*Armed conflicts, regardless of their origin, invariably result in widespread human rights violations, significant loss of civilian life, and extensive displacement of populations. This Note investigates the profound and often overlooked impact of protracted armed conflicts, specifically the Syrian Civil War and the Russia-Ukraine War, on elderly populations. These individuals face unique vulnerabilities that exacerbate their suffering, including physical frailty, limited mobility, social isolation, and significant barriers to obtaining aid. By analyzing these conflicts, this Note underscores the urgent need to reconfigure humanitarian aid strategies to better address the specific needs of the elderly in areas of armed conflict. It recommends changes in the distribution of aid to ensure the elderly receive adequate protection, care, and all-around support.*

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The author would like to thank her parents, Amar and Suhad Hamad, whose courage in leaving their home country, Syria, made it possible for the author to have the life she is so grateful for. This Note is dedicated to all of those who have suffered in areas of armed conflict, specifically to the newly liberated Syrian people. You are finally free.

## I. Introduction

Every year, millions of people are impacted by armed conflict across the globe.<sup>1</sup> Whatever the cause, armed conflict leads to loss of human life, displacement of people from their homes, and inevitable violations of human rights and international humanitarian law.<sup>2</sup> Older populations are more likely to be disproportionately affected by these humanitarian crises.<sup>3</sup>

Conflicts cause more death and disability than any major disease.<sup>4</sup> Armed conflicts can disrupt communities and families and change the dynamics of countries for years to come.<sup>5</sup> Some conflicts, like the Russian invasion of Ukraine, are between state actors and occur within the borders of one or more of the states involved.<sup>6</sup> Others, like the Syrian conflict, include more complex “sides,” with foreign countries backing various groups and government factions.<sup>7</sup>

No one knows the complexities of armed conflict better than Amar and Suhad Hamad, who were both born in Syria in the 1960s and 70s.<sup>8</sup> They immigrated to the United States over thirty-five years ago to pursue a better life for themselves and their future children. Thankfully, for their family, this was the right call.<sup>9</sup> They often recounted to their children what it was like living under a dictatorship: limited opportunities, fear of retaliation, and crippled freedom of speech.<sup>10</sup> They described the grit and ambition required to persevere and start a new life.<sup>11</sup> For them and many other Syrians, it turned out to be the right decision to leave Syria and escape a government that hurt its citizens

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1. *Armed Conflict*, AMNESTY INT’L, <https://www.amnesty.org/en/what-we-do/armed-conflict/> [<https://perma.cc/FV3S-WZ6A>] (last visited Feb. 7, 2025).

2. *Id.*

3. Emma Massey, James Smith & Bayard Roberts, *Health Needs of Older Populations Affected by Humanitarian Crises in Low- and Middle-Income Countries: A Systematic Review*, 11 CONFLICT & HEALTH 29, 1 (2017).

4. R. Srinivasa Murthy & Rashmi Lakshminarayana, *Mental Health Consequences of War: A Brief Review of Research Findings*, 5 WORLD PSYCHIATRY 25, 25 (2006).

5. *Id.*

6. *Armed Conflict*, *supra* note 1.

7. *Id.*

8. Interview with Amar Hamad & Suhad Hamad in Chicago, Ill. (Aug. 15, 2023) (notes on file with author). This is the story of the author’s parents, based on their own accounts. Amar immigrated from Syria to Chicago in 1985, and Suhad followed in 1994, where they both continue to reside.

9. *Id.*

10. *Id.*

11. *Id.*

more than it helped.<sup>12</sup> When the Hamads chose to build a life in the U.S., they left behind nearly all of their extended families, both coming from big families with eight siblings each.<sup>13</sup> Their own parents did not want to leave Syria at the time, and why would they?<sup>14</sup> Syria was all they knew, as it was their home and their parents' before them, extending back generations.<sup>15</sup>

Decades after the Hamads' move, Syria erupted in pro-democracy demonstrations against the rule of President Bashar al-Assad and his authoritarian-led government.<sup>16</sup> Although Amar and Suhad's extended family thankfully did not see the worst of the civil war (as they resided in central Damascus), they were still severely impacted and continue to be impacted by the threat of armed conflict in their beloved home country.<sup>17</sup> Amar and Suhad, along with their siblings who left Syria, are still unable to return home to visit their families due to the ongoing threat of armed violence that continues to engulf the country.<sup>18</sup> Fortunately, the Hamads are able to consistently send money to their parents so they can survive in an unstable economy, which is the norm in Syria.<sup>19</sup> Like some other Syrians, their extended family survive on the aid of their

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12. See generally Sarah Bidinger, Aaron Lang, Danielle Hites, Yoana Kuzmova, Elena Nouredine & Susan M. Akram, *Protecting Syrian Refugees: Laws, Policies, and Global Responsibility Sharing*, B.U. SCH. L. INT'L HUM. RTS. CLINIC (Aug. 2018), <https://www.bu.edu/law/files/2015/08/syrianrefugees.pdf> [<https://perma.cc/E8XC-FNJT>] (describing the challenges Syrian refugees face from governments in the region).

13. See Hamad, *supra* note 8.

14. *Id.*

15. *Id.*

16. *Why Has the Syrian War Lasted 12 Years?*, BBC, <https://www.bbc.com/news/world-middle-east-35806229> [<https://perma.cc/Q39A-5MCK>] (last visited Oct. 22, 2024).

17. See Marko Djurica, *Normality Returns for Some in Damascus After Fighting*, REUTERS (Oct. 24, 2018), <https://widerimage.reuters.com/story/normality-returns-for-some-in-damascus-after-fighting> [<https://perma.cc/U3LV-VTAK>] (showing that Central Damascus was held by the government for the war and suffered far less damage than opposition held areas).

18. See *Syria*, U.S. DEPT. OF STATE, <https://travel.state.gov/content/travel/en/international-travel/International-Travel-Country-Information-Pages/SyrianArabRepublic.html> [<https://perma.cc/927B-CA4X>] (last visited Oct. 22, 2024) (discussing that the United States has a red travel advisory in Syria, strongly urging U.S. citizens to refrain from traveling to Syria due to "terrorism, civil unrest, kidnapping, armed conflict, and risk of unjust detention.").

19. See Danny Makki, *Syria's Economic Freefall Continues Despite Arab League Return*, MIDDLE E. INST. (Aug. 16, 2023), <https://www.mei.edu/publications/syrias-economic-freefall-continues-despite-arab-league-return> [<https://perma.cc/V5WP-AS25>].

relatives who left the country in pursuit of work.<sup>20</sup> That is not the case for millions of Syrians, both those still residing in Syria and those who have fled as refugees.<sup>21</sup> In the wake of armed conflict, nations often lean on vital humanitarian and international aid, which acts as a lifeline for civilian survival and a beacon of hope during the daunting task of rebuilding communities shattered by devastation and destruction.<sup>22</sup>

Although not a civil war, the Russia-Ukraine War, which began in February 2014 and expanded substantially with Russia's invasion of Ukraine in 2022, has had similarly devastating effects for the elderly in Ukraine.<sup>23</sup> Indeed, Ukraine currently has the highest proportion of elderly affected by war in the world.<sup>24</sup> In 2019, there were seven million people aged sixty-five or older living in Ukraine, representing 16.7% of the total population.<sup>25</sup> That number is expected to reach 20% by 2030.<sup>26</sup> Especially in times of war, the elderly tend to stay in their homes, even in the face of danger, either because they do not want to leave or are physically unable to do so.<sup>27</sup> Many elderly people in Ukraine are living in temporary shelters where they lack access to medication or any assistive products,<sup>28</sup> such as wheelchairs, glasses, prosthetic limbs, canes, and hearing aids.<sup>29</sup> Furthermore, many elderly Ukrainians rely on state

20. See Hamad, *supra* note 8.

21. See Andrew McConnell, *Syria's Oldest Refugees*, UNHCR USA: THE UN REFUGEE AGENCY (Sept. 30, 2014), <https://www.unhcr.org/us/news/stories/syrias-oldest-refugees> [https://perma.cc/8R4Q-YBLQ].

22. See *Humanitarian Needs to Deepen in Dozens of Conflict Zones as World's Attention Wanes*, INT'L COMM. OF THE RED CROSS (Nov. 29, 2022), <https://www.icrc.org/en/document/humanitarian-needs-deepen-dozens-conflict-zones-worlds-attention-wanes> [https://perma.cc/J5RM-KLRY].

23. See Michael Ray, *Russia-Ukraine War*, BRITANNICA (Nov. 3, 2023), <https://www.britannica.com/event/2022-Russian-invasion-of-Ukraine> [https://perma.cc/TR25-9XM4].

24. Elissa Nadworny & Claire Harbage, *Ukraine's Elderly Often Remain Behind; Here's How They've Survived a Year of War*, NPR (Apr. 10, 2023), <https://www.npr.org/sections/pictureshow/2023/04/10/1167750559/how-elderly-ukrainians-survive-war> [https://perma.cc/Y7SM-6PR8].

25. *Ukraine: The 'Oldest' Humanitarian Crisis in the World*, AGE PLATFORM EUR. (Mar. 15, 2022), <https://www.age-platform.eu/ukraine-the-oldest-humanitarian-crisis-in-the-world/> [https://perma.cc/29JU-FBXY].

26. *Id.*

27. Nadworny & Harbage, *supra* note 24.

28. *Id.*

29. *Assistive Technology*, WHO (Jan. 2, 2024), <https://www.who.int/news-room/fact-sheets/detail/assistive-technology> [https://perma.cc/5T2H-5E9F].

pensions to survive day to day,<sup>30</sup> as well as humanitarian aid and over-all support directly from their communities.<sup>31</sup>

Armed conflicts often result in various human rights violations, including the right to life, liberty, and security.<sup>32</sup> Elderly Syrians are often overlooked when it comes to these human rights violations.<sup>33</sup> Many elderly Syrians are also unable to flee their home country, and for those who willingly choose to stay and attempt to rebuild their lives, they remain just as vulnerable as the younger Syrian refugees who are often prioritized by aid efforts.<sup>34</sup> The country's civil war has "severely worsened the common problems of poverty, loneliness[,] and ill health for Syria's older generation."<sup>35</sup> This is not an uncommon occurrence in areas of armed conflict.<sup>36</sup> The civil war in Syria brought death and destruction to the country and to those living within its borders;<sup>37</sup> but, it also created additional, long lasting issues for many elderly people who have found themselves isolated, lacking healthcare, and without basic humanitarian assistance.<sup>38</sup>

Despite elderly people's heightened vulnerability in times of armed conflict, current humanitarian aid programs do little to mitigate the risks elderly civilians face during times of (and after) armed conflict.<sup>39</sup> This is because the current international community's aid strategy consists of generalized aid that does not allocate specific portions

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30. Nadworny & Harbage, *supra* note 24.

31. *Id.*

32. Delisha Valacheril, *Human Rights Abuses Against Elderly During Armed Conflict*, UAB (Mar. 9, 2023), <https://sites.uab.edu/humanrights/2023/03/09/human-rights-abuses-against-elderly-during-armed-conflict/> [https://perma.cc/3Y8Z-V9YB].

33. *Id.*

34. McConnell, *supra* note 21.

35. *Life in Syria Eight Years into the War, Caritas is Rebuilding Lives*, CARITAS (Feb. 14, 2019), <https://www.caritas.org/2019/02/syria-war-8-years/> [https://perma.cc/5NWD-62D3].

36. Valacheril, *supra* note 32.

37. *See Syria: 10 Years of War Has Left at Least 350,000 Dead*, UNITED NATIONS (Sept. 24, 2021), <https://news.un.org/en/story/2021/09/1101162> [https://perma.cc/48TR-JB3T].

38. Massey et al., *supra* note 3, at 2.

39. Sarah Hachem, Souad Ali, Sarah Al-Omari, Maya Abi Chahine, Sasha Abdallah Fahme & Abia Mehio Sibai, "Older People Tend to be Invisible": A Qualitative Study Exploring the Needs and Inclusion of Older Syrian Refugees in the Context of Compounding Crises in Host Country, *Lebanon*, 16 CONFLICT & HEALTH 1, 1 (2022).

of aid to vulnerable groups such as the elderly.<sup>40</sup> The generalized aid typically comes in the form of healthcare, food assistance, water, sanitation, shelter, and education, among other vital forms of support for everyone impacted.<sup>41</sup> However, this does not take into account the specific needs of the elderly or their personal circumstances.<sup>42</sup> The main players in international aid donations in both Syria<sup>43</sup> and Ukraine<sup>44</sup> are states and coalitions such as the United States, the United Kingdom, Germany, the United Nations, the European Union, and non-governmental organizations such as the Red Cross, UNICEF, and others.<sup>45</sup> When the needs of the elderly are briefly addressed by these players, it is usually in the context of the elderly being part of a “vulnerable community,” which includes other populations, often grouped as “women, children, and the elderly.”<sup>46</sup> Although the goal of creating such a categorization is an attempt to identify vulnerable populations, grouping the elderly with other vulnerable groups fails to effectively address their needs. Thus, their medical, economic, and psychological well-being is severely impacted.<sup>47</sup>

Humanitarian assistance often does not reach the hands of older people, especially if they suffer from disabilities or live away from generalized aid distribution points.<sup>48</sup> The problems that both the Ukrainian

40. *Older People in Disasters and Humanitarian Crises: Guideline for Best Practice*, HELPAGE INT’L 16, <https://www.helpage.org/silo/files/older-people-in-disasters-and-humanitarian-crises-guidelines-for-best-practice.pdf> [https://perma.cc/ZWC7-PMKH] [hereinafter *Older People in Disasters*] (last visited Oct. 22, 2024).

41. *European Civil Protection and Humanitarian Aid Operations*, EUR. COMM’N, [https://civil-protection-humanitarian-aid.ec.europa.eu/where/middle-east-and-northern-africa/syria\\_en](https://civil-protection-humanitarian-aid.ec.europa.eu/where/middle-east-and-northern-africa/syria_en) [https://perma.cc/BBV9-NJ2U] (last visited Oct. 22, 2024).

42. *See id.*

43. *See* Office of Press Relations, *The United States Announces \$920 Million in Additional Humanitarian Assistance for the People of Syria*, USAID (June 15, 2023), <https://www.usaid.gov/news-information/press-releases/jun-15-2023-united-states-announces-920-million-additional-humanitarian-assistance-people-syria> [https://perma.cc/BM2Z-UC4K].

44. *See* Claire Mills, *Military Assistance to Ukraine Since the Russian Invasion*, UK PARLIAMENT (Jan. 25, 2024), <https://commonslibrary.parliament.uk/research-briefings/cbp-9477/> [https://perma.cc/Z2U8-83YA].

45. Jessica Dickler, *Here’s a List of the Top-Rated Charities to Help the Ukraine Relief Effort*, CNBC (Mar. 9, 2022), <https://www.cnbc.com/2022/03/09/heres-a-list-of-top-rated-charities-to-help-the-ukraine-relief-effort.html> [https://perma.cc/7TLL-D968].

46. *Advocacy*, SYRIA RELIEF & DEV., <https://srd.ngo/advocacy> [https://perma.cc/B22F-YZ6T] (last visited Oct. 22, 2024).

47. *Id.*

48. Daniel Balson & Jane Buchanan, *The US Must Adapt Foreign Policy and Aid to an Aging World*, JUST SEC. (Nov. 7, 2023), <https://www.justsecurity.org/89927/the->

and Syrian elderly have faced, such as lack of medical care, limited access to housing, lack of food and drinkable water, and general sanitation issues, are far from being adequately addressed by humanitarian funding.<sup>49</sup> Older people being consistently neglected in areas of emergencies was exacerbated by the COVID-19 pandemic because of increased isolation.<sup>50</sup> Despite facing risks during humanitarian emergencies, the elderly are marginalized and, in some cases, entirely excluded from the current humanitarian aid process.<sup>51</sup>

This Note will explore the challenges of living in countries enveloped by armed conflict through the lens of analyzing the civil war in Syria and the Russia-Ukraine War. It will examine why the elderly are neglected and left behind in situations of armed conflict.<sup>52</sup> This Note will also explore how the U.S. and other players contribute aid to countries that are going through armed conflict and the difficulties associated with granting aid specific to the elderly.<sup>53</sup> Part I introduces the Syrian Civil War and the current war in Ukraine.<sup>54</sup> Part II provides an overview of the historical context of the Syrian Civil War and the present issues Syrians still face.<sup>55</sup> It also overviews the Russia-Ukraine War and the current issues the Ukrainian elderly face.<sup>56</sup> Part III analyzes how the elderly are often neglected in situations of armed conflict, and how they face more significant challenges compared to other demographics in the same areas.<sup>57</sup> This will be done by using case analyses of both Syria and Ukraine. Although these two situations differ in important ways, the elderly tend to be neglected in both.<sup>58</sup> Part III also analyzes how the United States and other major players supply aid to

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us-must-adapt-foreign-policy-and-aid-to-an-aging-world/ [https://perma.cc/YEX4-R8Y2].

49. See Maya Abi Chahine & Hanna Kienzler, *Ageism, an Invisible Social Determinant of Health for Older Syrian Refugees in Lebanon: A Service Providers' Perspective*, 16 CONFLICT & HEALTH 62, 71 (2022) (discussing the lack of humanitarian aid for the elderly).

50. *Humanitarian Sector Neglecting Older People, Exacerbated by COVID-19*, HELPAGE INT'L (Nov. 25, 2020), <https://www.helpage.org/news/humanitarian-sector-neglecting-older-people-exacerbated-by-covid19/> [https://perma.cc/88SP-QHP2].

51. *Id.*

52. See *infra* Parts II, III.

53. See *infra* Part III.

54. See *infra* Part I.

55. See *infra* Part II.

56. See *infra* Section II.C.

57. See *infra* Part III.

58. See Hachem et al., *supra* note 39, at 1.

countries engulfed in armed conflicts and where the aid goes within Syria and Ukraine.<sup>59</sup> Part IV recommends a reconsideration of humanitarian aid allocation to effectively address the needs of refugees or elderly civilians affected by armed conflict.<sup>60</sup> This Note recommends that aid be not only specifically targeted to the elderly, but also ramped up locally.<sup>61</sup> Moreover, it recommends that humanitarian aid providers shift their giving to localized non-governmental organizations in order to more specifically allocate aid for the elderly in a culturally relevant manner. Part V concludes by emphasizing the importance of an inclusive approach to caring for the elderly who are victims of armed conflict and recommends a new system for aid allocation.<sup>62</sup>

## II. Background

Armed conflict involves sustained violent clashes between groups, often leading to widespread destruction and humanitarian crises.<sup>63</sup> The Syrian Civil War<sup>64</sup> and the Russia-Ukraine War<sup>65</sup> exemplify this, both having caused mass displacement, civilian casualties, and infrastructure devastation.<sup>66</sup> Civilians, especially the elderly, are among the most vulnerable in these areas of armed conflict.<sup>67</sup> Humanitarian aid organizations work to provide relief, while international law, including the Geneva Conventions, seeks to protect civilians.

### A. What is Armed Conflict?

According to international humanitarian law, there is a complexity to contemporary armed conflict and a wide range of actors involved, from state to non-state actors.<sup>68</sup> More often than not, armed conflicts are

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59. See *infra* Part III.

60. See *infra* Part IV.

61. *Id.*

62. See *infra* Part IV.

63. *Armed Conflict*, *supra* note 1.

64. *Syrian Civil War*, BRITANNICA (Feb. 7, 2025), <https://www.britannica.com/event/Syrian-Civil-War> [<https://perma.cc/397J-DW24>].

65. Matthew Mpoke Bigg, *A History of the Tensions Between Ukraine and Russia*, N.Y. TIMES (Mar. 26, 2022), <https://www.nytimes.com/2022/03/26/world/europe/ukraine-russia-tensions-timeline.html> [<https://perma.cc/N9ZC-7AHV>].

66. See *infra* Part IV.

67. See *infra* Part III.

68. *The Practical Guide to Humanitarian Law*, MEDECINS SANS FRONTIERES, <https://guide-humanitarian-law.org/content/article/3/international-armed-conflict/> [<https://perma.cc/C4Y3-DDFP>] (last visited Feb. 7, 2025).



confined within the borders of one single state, though they sometimes spill over into nearby states that are not officially a part of the conflict.<sup>69</sup> Nevertheless, the international community has struggled to agree on a single definition of ‘armed conflict’ due to the various types of violent actions the term refers to—civil wars, ethnic wars, interstate wars, as well as military disputes, terrorism, and riots.<sup>70</sup> However, one thing the international community does agree on is that armed conflicts are on the rise:<sup>71</sup> Armed conflicts occur more frequently, tend to be more complex, and last longer than ever before.<sup>72</sup> The number of armed conflicts is much higher today compared to seventy years ago.<sup>73</sup>

There are an estimated 172 million people, of all ages, who are victims of armed conflict worldwide.<sup>74</sup> Of those 172 million people, fifty-nine million of them have been forcibly displaced from their homes.<sup>75</sup> Either internally displaced, meaning they were forced to flee or leave their homes as a result of armed conflict but have not crossed an internationally recognized state border,<sup>76</sup> or as refugees.<sup>77</sup>

## B. The History of the Civil War in Syria

The civil war in Syria began in early 2011, initially with peaceful protests against the Assad government.<sup>78</sup> President Bashar al-Assad came into power in June 2000 after his father Hafez al-Assad, the previous president and dictator, passed away.<sup>79</sup> Hafez al-Assad rose to power through the Syrian military and led his minority Alawite

69. *Id.*

70. Nico Smith & Jochem Duinhof, *Report on Older People in Conflicts*, DORCAS 7 (June 2022), <https://dorcass.org/wp-content/uploads/2022/06/Dorcass-Report-Older-People-in-Conflicts.pdf> [<https://perma.cc/F3C6-DC3G>].

71. *Id.*

72. *Id.*

73. *Id.*

74. Massey et al., *supra* note 3, at 1.

75. *Internally Displaced Person*, EUR. COMM’N, [https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/internally-displaced-person\\_en](https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/internally-displaced-person_en) [<https://perma.cc/M6UE-MF2X>] (last visited Oct. 22, 2024).

76. *Id.*

77. Massey et al., *supra* note 3, at 1.

78. *Syrian Civil War*, *supra* note 64.

79. *The Syrian Conflict: Bashar al-Assad and His Government*, UNIV. OF ILL. LIBGUIDES (Oct. 11, 2024, 2:11 PM), <https://guides.library.illinois.edu/Syria/Assad> [<https://perma.cc/8GDC-A32D>] [hereinafter *The Syrian Conflict*].

political party to control of the country in 1970.<sup>80</sup> Due to his control of the military, Hafez integrated the military into his political reign and had a tight grip on all aspects of life in Syria for three decades.<sup>81</sup> The Syrian authorities regularly detained political and human rights activists and did so by enacting laws that made it illegal to speak against the al-Assad or his government.<sup>82</sup> Travel bans were also implemented as punishment for activists or dissidents and were codified into law.<sup>83</sup> Like other Middle Eastern countries, Syria was a republican dictatorship that received its power from the military.<sup>84</sup>

In the days following Hafez's death in 2000, Syria's parliament voted to lower the minimum age for presidential candidates so that a young Bashar al-Assad could run for office.<sup>85</sup> Bashar ran unopposed and received ninety-seven percent of the votes, where he was also selected as commander in chief of the military.<sup>86</sup> This meant that the al-Assad family controlled virtually every aspect of Syrian society from politics to the parliament to the military.<sup>87</sup>

At the start of his term, which was only supposed to last seven years, Bashar was poised to be the leader to bring change to a region that had only ever been ruled by aging dictators.<sup>88</sup> He was well-educated, as he had become an ophthalmologist after studying in both Damascus and London.<sup>89</sup> Due to this, people believed he had a progressive attitude and that he would implement a cultural revolution in Syria.<sup>90</sup> He promised progress at the beginning of his term, vowing to reform the corruption that plagued the government.<sup>91</sup>

A year after Assad's inauguration, Syria began to show signs of slight progress with an increase in cellphones, internet cafes, and

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80. *Bashar al-Assad*, BIOGRAPHY (Aug. 30, 2019, 5:51 PM), <https://www.biography.com/political-figures/bashar-al-assad> [<https://perma.cc/8GDC-A32D>].

81. *Id.*

82. *A Wasted Decade: Human Rights in Syria During Bashar al-Asad's First Ten Years in Power*, HUM. RTS. WATCH (July 16, 2010), <https://www.hrw.org/report/2010/07/16/wasted-decade/human-rights-syria-during-bashar-al-asads-first-ten-years-power> [<https://perma.cc/29B3-GBXQ>] [hereinafter *A Wasted Decade*].

83. *Id.*

84. *The Syrian Conflict*, *supra* note 79.

85. *Bashar al-Assad*, *supra* note 80.

86. *Id.*

87. *See A Wasted Decade*, *supra* note 82.

88. *Bashar al-Assad*, *supra* note 80.

89. *Id.*

90. *Id.*

91. *Id.*

satellite television.<sup>92</sup> Despite these technological improvements, many of the economic reforms that had been promised never materialized.<sup>93</sup> Corruption throughout the government prevented Bashar from making any systematic changes to move Syria into the 21st century.<sup>94</sup> Bashar had also promised human rights reform when he took office.<sup>95</sup> However, in opposition to that promise, his government expanded its use of travel bans against dissidents in 2006, which stopped them from leaving or entering the country.<sup>96</sup> The Syrian Parliament further stifled freedom and speech in 2007 when it passed a law requiring all comments on chat forums to be posted publicly.<sup>97</sup> Since the beginning of his presidency, human rights groups reported that political opponents of Assad were constantly tortured, imprisoned, and killed simply for opposing his presidency.<sup>98</sup>

While various factors contributed to the onset of the civil war, one specific event—the Arab Spring—is generally thought to have sparked the revolution in Syria.<sup>99</sup> The Arab Spring began in late 2010, when economic and political protests erupted in the Middle Eastern countries of Egypt and Tunisia.<sup>100</sup> The people of Egypt and Tunisia saw success with their protests and ousted their authoritarian leaders, prompting similar protests in other Arab countries.<sup>101</sup> Inspired by the Arab Spring uprisings, Syrians took to the streets to protest widespread corruption in their country.<sup>102</sup> They were met with swift and violent opposition from the al-Assad government.<sup>103</sup>

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92. *Id.*

93. *See A Wasted Decade, supra* note 82.

94. *Id.*

95. *Id.*

96. *Id.*

97. *Id.*

98. *Id.*

99. Julie Marks, *Why Is There a Civil War in Syria?*, HIST. (Aug. 25, 2023), <https://www.history.com/news/syria-civil-war-assad-rebels> [<https://perma.cc/N3VY-DQEK>].

100. *Id.*

101. *Arab Spring*, BRITANNICA (Oct. 7, 2023), <https://www.britannica.com/event/Arab-Spring> [<https://perma.cc/QN7C-ADEF>].

102. *The Syrian Conflict Explained*, SHELTERBOX, <https://shelterbox.org/syria/the-syrian-conflict-explained/> [<https://perma.cc/28P2-BJ7R>] (last visited Oct. 22, 2024).

103. *Id.*

In the thirteen years following the eruption of the civil war, it is estimated that over 600,000 people died and millions were displaced.<sup>104</sup> Human Rights Watch shared a report on the elderly affected by the conflict from 2013 to 2020, as well as older refugees who voluntarily returned to Syria between 2017 and 2021 from Lebanon.<sup>105</sup> These elderly individuals faced severe human rights abuses and persecution by the Syrian government and affiliated militias, “including torture, extrajudicial killings, and kidnappings.”<sup>106</sup> In May 2021, Bashar al-Assad secured his fourth term as president of Syria.<sup>107</sup> According to the United Nations, this election process did not adhere to United Nations standards for free and fair elections.<sup>108</sup> The process and infrastructure required under the Geneva Communiqué and Resolution 2254 to allow for free and fair elections have not been fulfilled or discussed in Syria.<sup>109</sup>

The prolonged authoritarian rule of the al-Assad family, marked by political repression and economic mismanagement, set the stage for widespread discontent throughout the country.<sup>110</sup> This discontent catapulted Syria into its lengthy civil war, which came to a conclusion in December 2024, as the government’s support from military allies collapsed.<sup>111</sup>

The eruption of the Arab Spring provided the Syrian people with an opportunity to voice their growing grievances, leading to a violent government crackdown.<sup>112</sup> This sparked the militarization of opposition groups, culminating in a protracted and highly complex civil war

104. *How Many People Have Died in Syria’s Civil War?*, N.Y. TIMES (Dec. 11, 2024), <https://www.nytimes.com/2024/12/11/world/middleeast/syria-civil-war-death-toll.html> [https://perma.cc/E6BL-K73Q].

105. *No One Is Spared Abuses Against Older People in Armed Conflict*, HUM. RTS. WATCH (Feb. 23, 2022), <https://www.hrw.org/report/2022/02/23/no-one-spared/abuses-against-older-people-armed-conflict> [https://perma.cc/Z4FV-UYD4].

106. *Id.*

107. *Syria: Event of 2021*, HUM. RTS. WATCH, <https://www.hrw.org/world-report/2022/country-chapters/syria> [https://perma.cc/2A4V-RMX9] (last visited Oct. 22, 2024).

108. *Id.*

109. *10 Reasons Why Elections in Syria Are Impossible Without a Political Solution*, SACD (May 3, 2021), <https://syacd.org/10-reasons-why-elections-in-syria-are-impossible-without-a-political-solution/> [https://perma.cc/PN75-2N6E].

110. *See Syrian Civil War*, *supra* note 64.

111. Danylo Hawaleshka, *The End of Syria’s Forever War*, ALJAZEERA (Dec. 10, 2024), <https://www.aljazeera.com/gallery/2024/12/10/the-end-of-syrias-forever-war> [https://perma.cc/YVV2-GNFK].

112. *Id.*

where the elderly were disproportionately affected by the conflict.<sup>113</sup> The end of the war came quickly after years of stalemate, as an opposition led offensive took the country's key cities.<sup>114</sup> Without the support of his most important ally, Russia, to keep him in power, al-Assad fled Syria for Moscow, where he and his family now live in exile.<sup>115</sup> Syria now faces new challenges with the transition away from al-Assad's brutal regime, but many Syrians are hopeful for what the future holds.<sup>116</sup>

### C. The History of the Russia-Ukraine War

Vladimir Putin, a former KGB agent, has ruled over Russia for more than two decades.<sup>117</sup> Known for his desire to "restor[e] Russian might following the collapse of the Soviet Union," Putin has launched several military campaigns in Eastern Europe during his reign.<sup>118</sup> Putin's actions helped usher in an era that is often referred to as a "new Cold War."<sup>119</sup> After studying law, Putin joined the KGB, the Soviet counterpart of the CIA, where he stayed until the fall of the Soviet Union.<sup>120</sup> After rising through the ranks at "meteoric" speed, Putin became the prime minister of Russia in 1999.<sup>121</sup> When then-unpopular president Yeltsin resigned on December 31, 1999, Putin took over as acting president and months later was elected to a full term.<sup>122</sup>

As president, Putin promised to protect freedom of speech and press and property rights—a commitment to democracy.<sup>123</sup> This

113. See *id.*; Attila Kulscar, *Syria, Three Years on: Older Refugees in Exile*, HELPAGE INT'L (Mar. 14, 2014), <https://www.helpage.org/news/syria-three-years-on-older-refugees-in-exile/> [https://perma.cc/J2Z8-RQYW].

114. Hawaleshka, *supra* note 111.

115. Elizabeth Carr-Ellis, *Assad's Future Life in Exile*, THE EXPLAINER (Dec. 16, 2024), <https://theweek.com/politics/assads-future-life-in-exile> [https://perma.cc/P9HT-VJGD].

116. Heba Gawayed, Imad K. Harb, Bahraa Hijazi, Khalil E. Jahshan, Patricia Karam & Annelie Sheline, *Implications of Assad's Fall for Syria and the Region*, ARAB CTR. FOR WASH. D.C. (Dec. 10, 2024), <https://arabcenterdc.org/resource/implications-of-assads-fall-for-syria-and-the-region/> [https://perma.cc/LXS6-A4MC].

117. History.com Editors, *Vladimir Putin*, HIST. (Sept. 25, 2023), <https://www.history.com/topics/european-history/vladimir-putin> [https://perma.cc/D7RA-8XRT].

118. *Id.*

119. *Id.*

120. *Id.*

121. *Id.*

122. *Id.*

123. *Id.*

promise fell short, as democratic backsliding began as soon as he took office.<sup>124</sup> State-run news agencies took over, gubernatorial and senatorial elections were abolished, the judiciary was severely curtailed, and political opposition was restricted.<sup>125</sup> During his presidency, Putin has used his office in increasingly violent ways.<sup>126</sup> The current Russia-Ukraine War began in February 2014 with the covert Russian invasion of the Republic of Crimea, a Ukrainian autonomous nation.<sup>127</sup> The conflict escalated when Russian forces seized Ukrainian territory, and for more than seven years, the continuous fighting in the eastern region of Ukraine has led to the death of over ten thousand people.<sup>128</sup>

On February 24, 2022, Russia launched its biggest attack—a full scale invasion of Ukraine.<sup>129</sup> The Russian army, led by Putin, has been accused of purposely targeting civilians, committing torture, and other atrocities while invading Ukraine.<sup>130</sup> Approximately two years into Russia's full-scale invasion, Ukraine has taken back fifty-four percent of its territory occupied by Russia.<sup>131</sup> Still, Ukrainian cities continue to be bombarded and the fighting has inflicted over thirty thousand civilian casualties.<sup>132</sup> In 2024 alone, Russian forces occupied an additional 1,609 square miles of Ukrainian land.<sup>133</sup>

#### D. How Armed Conflict Impacts Civilians and the Elderly

Over the past century, fighting in wars has shifted from remote battlefields to cities and densely populated areas where civilians face death and other devastating consequences.<sup>134</sup> According to the United Nations, nearly ninety percent of all war-time casualties are civilian

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124. *Id.*

125. *Id.*

126. *See id.*

127. Ray, *supra* note 23.

128. *Id.*

129. Bigg, *supra* note 65.

130. History.com Editors, *supra* note 117.

131. *War in Ukraine*, CFR (Oct. 16, 2024), <https://www.cfr.org/global-conflict-tracker/conflict/conflict-ukraine> [<https://perma.cc/GY36-UPWQ>].

132. *Id.*

133. Sarah Shamim, *Russia Gained 4,000sq km of Ukraine in 2024. How Many Soldiers Did It Lose?*, ALJAZEERA (Jan. 8, 2025), <https://www.aljazeera.com/news/2025/1/8/russia-gained-4000sq-km-of-ukraine-in-2024-how-many-soldiers-did-it-lose> [<https://perma.cc/FK6H-T2KZ>].

134. *The Civilian Consequences of Conflict*, WORLD101 (Oct. 3, 2023), <https://world101.cfr.org/understanding-international-system/conflict/civilian-consequences-conflict> [<https://perma.cc/7N5E-WNMY>].

causalities that occur when explosive weapons are used.<sup>135</sup> For instance, civilian casualties outnumbered battlefield deaths during World War II due to the constant bombing of cities throughout the war.<sup>136</sup> In these armed conflicts, urban guerilla warfare was an increasingly popular tactic, but deadly for civilians.<sup>137</sup> Guerilla warfare is a type of warfare fought by irregular groups in small-scale actions against traditional military and police forces.<sup>138</sup> It was also used by colonial powers in addition to traditional military action to target the opposition groups who wanted to blend in with civilians.<sup>139</sup>

After World War II, colonial powers like the United States, the United Kingdom, and France fought opposition groups and independence movements in countries like Algeria, Kenya, and Vietnam.<sup>140</sup> These various conflicts also led to millions of civilian deaths. For example, the Vietnam War killed as many as two million civilians on both sides,<sup>141</sup> and Algerian sources claim as many as 1.5 million civilians died in the Algerian War of Independence.<sup>142</sup>

During times of conflict, especially when warfare occurs in urban areas, civilians face immense challenges and dangers that disrupt every single aspect of their lives.<sup>143</sup> The consequences of armed conflict are devastating, and lead to displacement, loss of livelihood, physical harm, and psychological trauma.<sup>144</sup> Civilians living in cities are at constant risk of injury or death from attacks such as bombings, shootings, or artillery fire.<sup>145</sup> Armed conflicts also disrupt economic activities,

135. Press Release, Security Council, Ninety Per Cent of War-Time Casualties Are Civilians, Speakers Stress, Pressing Security Council to Fulfil Responsibility, Protect Innocent People in Conflicts, U.N. Press Release SC/14904 (May 25, 2022).

136. *The Civilian Consequences of Conflict*, *supra* note 134.

137. See Robert Brown Asprey, *Guerilla Warfare*, BRITANNICA (Sept. 26, 2024), <https://www.britannica.com/topic/guerilla-warfare> [<https://perma.cc/AK83-DAJ4>].

138. *Id.*

139. *Id.*

140. *Id.*

141. The Editors of Encyclopedia Britannica, *How Many People Died in the Vietnam War?*, BRITANNICA, <https://www.britannica.com/question/How-many-people-died-in-the-Vietnam-War> [<https://perma.cc/RKK3-3BNA>] (last visited Oct. 22, 2024).

142. *The Algerian War of Independence*, BRITANNICA, <https://www.britannica.com/place/Algeria/The-Algerian-War-of-Independence> [<https://perma.cc/X7N4-4AZF>] (last visited Oct. 22, 2024).

143. See *The Civilian Consequences of Conflict*, *supra* note 134.

144. See *id.*

145. *International Committee of the Red Cross*, INEW (Sept. 2019), <https://www.inew.org/states/international-committee-of-the-red-cross/> [<https://perma.cc/HN6G-M23X>].

leading to widespread unemployment, loss of income, and scarcity of goods and services.<sup>146</sup>

Older people, who are categorized as sixty years and above by the United Nations, are particularly at risk in conflict situations for a myriad of reasons.<sup>147</sup> The structures of family and community—structures that the elderly rely on—are eroded as a result of armed conflict, leaving the elderly isolated.<sup>148</sup> The elderly also tend not to flee their countries compared to other groups, as it is more difficult to adapt to a new place that they are unfamiliar with.<sup>149</sup> There are also many who just do not want to abandon their home countries and the lives they have built over decades.<sup>150</sup> Furthermore, if the elderly try to leave areas of armed conflict, they encounter obstacles such as physical disabilities and varying health issues,<sup>151</sup> in addition to mental or psychological disabilities, such as dementia, that create other difficulties in comprehending the severity of the situation.<sup>152</sup>

#### E. Humanitarian Aid and International Law

Humanitarian aid is the international community's response to help support countries during times of conflict.<sup>153</sup> It is assistance that is used to relieve human suffering in these emergency situations.<sup>154</sup> Humanitarian aid is so important that the International Red Cross, for example, has a code of conduct that defines the Humanitarian Imperative as "[t]he right to receive humanitarian assistance, and to offer it . . . where it is needed."<sup>155</sup> This exemplifies the idea that everyone has the right to receive humanitarian aid when it is needed, regardless of their race, class, politics, location, or any other factors.<sup>156</sup>

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146. See *War & Economy: Economic Consequences of Conflict & Peacebuilding*, SOCIALSTUDIESHELP.COM, <https://socialstudieshelp.com/war-economy-economic-consequences-of-conflict-peacebuilding/> [https://perma.cc/CNA2-6W8C] (last visited Oct. 22, 2024).

147. Smith & Duinhof, *supra* note 70, at 2.

148. *Id.*

149. *Id.*

150. *Id.*

151. *Id.*

152. *Id.*

153. See *Humanitarian Aid: 5 Things You Should Know*, CONCERN WORLDWIDE US (June 13, 2022), <https://concernusa.org/news/humanitarian-aid-explained/> [https://perma.cc/UXN9-BPXG].

154. *Id.*

155. *Id.*

156. *Id.*



According to the International Committee of the Red Cross (ICRC), the presence of elderly people as victims of armed conflict is a phenomenon that became extremely prevalent during World War II.<sup>157</sup> As a result, there was a push to adopt new international laws that not only included language that encompassed the rise of armed conflict, but also addressed the needs of the elderly.<sup>158</sup> In 1949, the Geneva Conventions were adopted, with the Fourth Convention relating to the protection of Civilian Persons in Times of War.<sup>159</sup> The Fourth Convention contains two provisions that specifically refer to the elderly as “aged persons.”<sup>160</sup> Additional protocols to the Geneva Conventions were adopted in 1977, in response to the new types of warfare that had indiscriminate effects on civilians.<sup>161</sup> These new conflicts, which included guerrilla groups instead of just regular national armies, resulted in innocent civilians being caught in the crossfire.<sup>162</sup>

International humanitarian law seeks to help all persons who do not take part in hostilities.<sup>163</sup> In some instances, humanitarian law will consider the specific vulnerabilities of certain categories of people.<sup>164</sup> For example, the two provisions in the Fourth Geneva Convention afford special protection to the elderly among other vulnerable groups.<sup>165</sup> Article Fourteen, paragraph one provides, “[i]n time of peace, the High Contracting Parties and, after the outbreak of hostilities, the Parties thereto, may establish in their own territory and, if the need arises, in occupied areas, hospital and safety zones and localities so organized as to protect from the effects of war, wounded, sick and aged persons . . . .”<sup>166</sup> Additionally, Article Seventeen provides: “[t]he Parties to the conflict shall endeavour to conclude local agreements for the removal from besieged or encircled areas, of wounded, sick, infirm, and aged persons . . . .”<sup>167</sup> In both of these articles, although the elderly are

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157. Françoise Krill, *The Elderly in Situations of Armed Conflict*, GLOB. ACTION ON AGING (May 22, 2001), <https://globalag.igc.org/armedconflict/countryreports/general/elderlyac.htm> [<https://perma.cc/Q9AP-R4BX>].

158. *See id.*

159. *Id.*

160. *Id.*

161. *Id.*

162. *Id.*

163. *Id.*

164. *Id.*

165. *Id.*

166. *Id.*

167. *Id.*

included, they are grouped together with other vulnerable groups.<sup>168</sup> Because older people are at heightened risk of abuses during armed conflict, they are entitled to receive protection.<sup>169</sup> The ICRC believed that if the elderly in places of armed conflict do not receive the protection and aid to which they are entitled, it is not due to a lack of legal protection; rather, it is for political reasons and a lack of economic support.<sup>170</sup> This shows that laws such as the Geneva Convention provisions are not to blame for the lack of mobilization of aid for the elderly.<sup>171</sup> Rather, it is a result of how the laws are implemented by each country and aid organizations, which leads to the neglect of older people.<sup>172</sup>

Despite the opportunities to provide aid, only a few non-governmental organizations include the elderly among their target groups due to a common misconception that older people are difficult to train and do not participate in economic activities.<sup>173</sup> In emergency situations where aid is needed quickly, allocation of resources are uneven and this inevitably results in older people being deprived of critical life-saving resources.<sup>174</sup> As a result, the elderly are left on their own to rebuild their lives—the lives they have spent their entire adulthood creating and nurturing.<sup>175</sup>

The following Part analyzes how the elderly are treated in Syria and Ukraine and how the humanitarian aid coming into the countries is not adequately portioned to directly help older people. It will also examine the aid given by various players.

### III. Analysis

This Part will analyze how both the Syrian and Ukrainian elderly are treated in their respective armed conflicts. It will also analyze how those who chose to stay in both Syria and Ukraine are treated and how that might differ from elderly that became refugees. Then,

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168. *See id.*

169. *Global: Older People at Heightened Risk in Conflict*, HUM. RTS. WATCH (Feb. 23, 2022), <https://www.hrw.org/news/2022/02/23/global-older-people-heightened-risk-conflict> [<https://perma.cc/Y7PJ-QP6F>].

170. Krill, *supra* note 157.

171. *See id.*

172. *See id.*

173. *Older People in Disasters*, *supra* note 40, at 1.

174. *Id.*

175. *See id.*

humanitarian aid will be analyzed and the lack of specific aid for the elderly as a vulnerable group will be addressed.

Conflicts that are long-lasting and with large civilian impacts have dire consequences not only for those injured in war, but also for the general well-being of entire communities.<sup>176</sup> Malnutrition, illness, wounds, displacement, torture, and medical shortages are all common features of armed conflict.<sup>177</sup> While the direct consequences of conflict are devastating, the indirect consequences tend to be far worse.<sup>178</sup> Conflicts have always, and will continue to, negatively affect education rates, undernourishment, life expectancy, gross domestic product (GDP), and infant mortality rates.<sup>179</sup> There is also a significant detrimental effect on the most basic of human needs: the access to potable water.<sup>180</sup>

Armed conflicts have severe impacts and long-lasting consequences for the elderly in affected areas due to a combination of several factors.<sup>181</sup> There is an overall lack of access to proper medical care for the impacted elderly and the humanitarian aid these areas receive does not properly specify elderly people as requiring aid.<sup>182</sup> The elderly are more likely to face a wide range of physical, emotional, and economic challenges during times of conflict, with little recognition from the international community.<sup>183</sup> Humanitarian principles should afford everyone the right to safe and dignified access to humanitarian assistance and protection without discrimination.<sup>184</sup> Yet, older people are frequently discriminated against and “face age-specific disadvantages during conflict and displacement.”<sup>185</sup> It is important to understand why

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176. See Alice Debarre, *Hard to Reach: Providing Healthcare in Armed Conflict*, INT’L PEACE INST. (Dec. 2018), [https://www.ipinst.org/wp-content/uploads/2018/12/18\\_12\\_Hard-to-Reach.pdf](https://www.ipinst.org/wp-content/uploads/2018/12/18_12_Hard-to-Reach.pdf) [<https://perma.cc/FH4H-K73N>].

177. Pierre Perrin, *The Impact of Humanitarian Aid on Conflict Development*, 38 INT’L REV. OF THE RED CROSS 319, 319–20 (1998).

178. Scott Gates, Havard Hegre, Havard Mkleiv Nygard & Havard Strand, *Development Consequences of Armed Conflict*, 9 WORLD DEV. 1713, 1722 (2012).

179. *Id.*

180. *Id.*

181. See Debarre, *supra* note 176.

182. See generally Hachem et al., *supra* note 39 (emphasizing that humanitarian aid mostly focuses on physical injuries instead of the needs of the elderly).

183. Valacheril, *supra* note 32.

184. *Rapid Needs Assessment of Older People North-East Syria*, HELPAGE INT’L. (Jan. 2019), <https://www.helpage.org/silo/files/rapid-needs-of-assessment-of-older-people-northeast-syria.pdf> [<https://perma.cc/BG8Y-ZAL6>].

185. *Id.*

the elderly in Syria and Ukraine face these issues that lead to a need for direct and specific humanitarian aid.<sup>186</sup>

### A. Syria Case Study

The conflict in Syria, which lasted well over a decade, devastated the country itself and the people residing in it.<sup>187</sup> No fewer than 230,000 civilians have been killed as a result of this armed conflict.<sup>188</sup> The Syrian government is said to be responsible for at least 200,000 of those deaths.<sup>189</sup> Of those still living in Syria, over ninety percent are said to live below the poverty line and an estimated 12.1 million people are food insecure.<sup>190</sup> The consequences on civilian health and well-being in Syria are widespread, far beyond just mortality.<sup>191</sup> Destruction of healthcare facilities has led to a rise in infectious diseases and patients with chronic diseases have lost access to treatment.<sup>192</sup> Syria depends on the importation of numerous imported commodities due to poor agricultural harvest seasons in the country, which leaves the country susceptible to high and volatile global food prices.<sup>193</sup> Violent actions such as the use of shelling, artillery fire, and airstrikes during periods of hot and dry weather, which were common in Syria, started fires that posed threats to farmers' crops. In addition, the deliberate targeting of crops led to food shortages that directly impacted Syrians.<sup>194</sup> The World Food

186. See *infra* Sections III.A, III.B.

187. See Kathryn Reid, *Syrian Refugee Crisis: Facts, FAQs, and How to Help*, WORLD VISION (July 15, 2024), <https://www.worldvision.org/refugees-news-stories/syrian-refugee-crisis-facts> [<https://perma.cc/N8ZC-M4KJ>].

188. *On the 12th Anniversary of the Popular Uprising: A Total of 230,224 Civilians Documented as Dead, including 15,275 Who Died due to Torture, 154,871 Arrested and/or Forcibly Disappeared, and Roughly 14 Million Syrians Displaced*, RELIEFWEB (Mar. 15, 2023), <https://reliefweb.int/report/syrian-arab-republic/12th-anniversary-popular-uprising-total-230224-civilians-documented-dead-including-15275-who-died-due-torture-154871-arrested-and-or-forcibly-disappeared-and-roughly-14-million-syrians-displaced> [<https://perma.cc/7VE3-C5JA>].

189. *Id.*

190. SYRIA REFUGEE CRISIS, USA FOR UNHCR: THE UN REFUGEE AGENCY, <https://www.unrefugees.org/emergencies/syria/> [<https://perma.cc/23JU-28XH>] (last visited Feb. 9, 2025).

191. Felix Chung, Amanda Kube, Louis Tay, Edward Diener, Joshua J. Jackson, Richard E. Lucas, Michael Y. Ni & Gabriel M. Leung, *The Impact of the Syrian Conflict on Population Well-being*, 11 NATURE COMM'NS, 3899, 3900 (2020).

192. *Id.*

193. *The Links Between Conflict and Hunger in Syria*, INSECURITY INSIGHT (Apr. 2023), <https://insecurityinsight.org/wp-content/uploads/2023/04/Syria-Conflict-and-Hunger-March-2023.pdf> [<https://perma.cc/89GC-8457>].

194. *Id.*

Programme reported that, between 2020 and 2022, food prices in Syria increased by 532%.<sup>195</sup>

The elderly especially face a variety of disadvantages during times of conflict and displacement due to their older age,<sup>196</sup> but they are one population group that receives relatively little attention.<sup>197</sup> Many hesitate to leave their homes because of attachment, even though they face injury or death by staying.<sup>198</sup> For those who leave their homes, some do not reach their destination.<sup>199</sup>

Even the elderly who chose to stay (or had to stay due to limited options) in Syria faced the possibility of attacks or human rights violations.<sup>200</sup> The choice to emigrate from Syria was a difficult decision for many, despite the war and presence of extremist groups such as the Islamic State.<sup>201</sup> Many who leave must brave the unknown and feel as though they are abandoning their homes, friends, and country.<sup>202</sup> By staying, the elderly are more likely to be injured or killed during armed conflict because they have reduced senses and mobility on top of the general health issues that come with age.<sup>203</sup> Further, the stress and trauma of living in a conflict-affected environment have significant impacts on older people's mental health and well-being.<sup>204</sup>

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195. *Id.*

196. Jonathan Strong, Christopher Varady, Najla Chahda, Shannon Doocy & Gilbert Burnham, *Health Status and Health Needs of Older Refugees from Syria in Lebanon*, 9 CONFLICT & HEALTH, 1, 1 (2015).

197. Omer Karasapan, *The Older Refugee and Community of Resilience*, WORLD BANK BLOGS (June 24, 2016), <https://blogs.worldbank.org/en/arabvoices/older-refugee-and-community-resilience> [<https://perma.cc/7MC6-P9NZ>].

198. See Strong et al., *supra* note 196, at 1.

199. *Id.*

200. See *Global: Older People at Heightened Risk in Conflict*, *supra* note 169.

201. Zaina Erhaim, *The Personal Choice between Emigrating from and Staying in Syria*, ATL. COUNCIL (Dec. 9, 2015), <https://www.atlanticcouncil.org/blogs/syria-source/the-personal-choice-between-emigrating-from-and-staying-in-syria/> [<https://perma.cc/K6A5-KF5C>].

202. *Id.*

203. Valacheril, *supra* note 32.

204. *Id.*

## 1. SYRIAN REFUGEES ELSEWHERE

Syria remains the world's largest displacement crisis since the civil war began over thirteen years ago.<sup>205</sup> The war created one of the largest refugee and displacement issues of modern times.<sup>206</sup> Understanding the plight of Syrian refugees is crucial when considering the impact of armed conflict on the elderly.<sup>207</sup> As of 2023, there were approximately 6.5 million refugees and asylum-seekers,<sup>208</sup> meaning people who have applied for refugee status.<sup>209</sup> According to the UN Refugee Agency (UNHCR), refugees from the Syrian War have sought asylum in more than 130 countries.<sup>210</sup> While many have sought refuge in neighboring countries within the Middle East, such as Jordan, Lebanon, Turkey, and Egypt, others remain in Syria.<sup>211</sup>

Turkey hosts the most Syrian refugees by far, with over 3.3 million Syrians.<sup>212</sup> With 3.6 million refugees from across the globe, Turkey hosts the most refugees of any country in the world.<sup>213</sup> The Syrian refugees' presence has lasted for an extended time due to a lack of solutions regarding their return to Syria, potential resettlement, or local integration in Turkey.<sup>214</sup> Syrian refugees face increasingly hostile government policies and growing anti-refugee public opinion within Turkey.<sup>215</sup>

205. Boris Cheshirkov, *Eleven Years On, Mounting Challenges Push Many Displaced Syrians to the Brink*, UNHCR USA: THE UN REFUGEE AGENCY (Mar. 15, 2022), <https://www.unhcr.org/us/news/briefing-notes/eleven-years-mounting-challenges-push-many-displaced-syrians-brink> [https://perma.cc/75M2-R7VF].

206. *Syria Refugee Crisis Explained*, USA FOR UNHCR: THE UN REFUGEE AGENCY (Mar. 13, 2024), <https://www.unrefugees.org/news/syria-refugee-crisis-explained/> [https://perma.cc/9BQ3-E3S7].

206. See, e.g., Hachem et al., *supra* note 39, at 1 ("Older Syrian refugees in Lebanon are a marginalized population with under-recognized health needs. The inclusivity of this population within the humanitarian response is poorly understood.").

208. GLOBAL TRENDS: FORCED DISPLACEMENT IN 2023, UNHCR 9 (2024).

209. See *Who Is an 'Asylum-Seeker'?*, UNHCR USA: THE UN REFUGEE AGENCY, <https://www.unhcr.org/us/about-unhcr/who-we-protect/asylum-seekers> [https://perma.cc/7KUT-6GAL] (last visited Oct. 22, 2024).

210. See SYRIA REFUGEE CRISIS, *supra* note 190.

211. Reid, *supra* note 187.

212. *Id.*

213. Alper Coskun & Keman Kirisci, *Can Syrian Refugees Help Improve Türkiye-U.S. Relations? Giving UNDP's Türkiye Compact a Chance*, CARNEGIE ENDOWMENT FOR INT'L PEACE (Dec. 5, 2023), <https://carnegieendowment.org/2023/12/05/can-syrian-refugees-help-improve-t-rkiye-u.s.-relations-giving-undp-s-t-rkiye-compact-chance-pub-91175> [https://perma.cc/93EH-SM22].

214. *Id.*

215. Reva Dhingra, *Syrian Refugees Face a Grim Future Without International Policy Shifts*, BROOKINGS (May 2, 2023), <https://www.brookings.edu/articles/syrian->

Various political parties in the country made sending Syrian refugees back to Syria a key policy of their agendas and continue to push anti-Syrian sentiment.<sup>216</sup> Further, Syria's neighboring countries are under increased financial and political pressure, especially from lingering effects of the COVID-19 pandemic.<sup>217</sup> Because of the anti-immigrant political pressure, the Syrian refugees living in Turkey face a loss of livelihood and surge prices for foods and other basic necessities.<sup>218</sup>

The elderly who leave Syria face further issues as refugees in their host countries,<sup>219</sup> including severe impairments in "mobility, vision, hearing, memory, and cognition" which lead to increased dependence on others.<sup>220</sup> Due to leaving Syria, elderly Syrians' social networks are often disrupted, and the support they once received from family falls away.<sup>221</sup> For example, many elderly Syrians who reside in Turkey still struggle to work or even survive with little to no resources.<sup>222</sup> In a study titled "Evaluation of Bio-Psycho-Social and Socio-cultural Problems of Syrian Elderly Living in Turkey," twenty-two percent of those sixty and older who were interviewed stated they had mild or severe depressive symptoms.<sup>223</sup> After experiencing traumatic events and changing economic situations, the elderly surveyed were affected both physically and mentally.<sup>224</sup>

As of January 2022, the United Nations believed that the number of Syrians sixty and older under temporary refugee protection was around 125,000 in Turkey, which is a little over three percent of Syrians nationwide.<sup>225</sup> Local integration in the form of granting Syrian refugees citizenship happens on a very limited basis in Turkey.<sup>226</sup> Because of

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refugees-face-a-grim-future-without-international-policy-shifts/ [https://perma.cc/D3P9-S38U].

216. *Id.*

217. Cheshirkov, *supra* note 205.

218. *Id.*

219. *See generally* Strong et al., *supra* note 196 (describing the problems Syrian refugees face in the countries they fled to).

220. *Id.*

221. *Id.*

222. Joshua Levkowitz, *Elegy for Syria's Exiled Elderly*, INST. OF CURRENT WORLD AFFS. (Jan. 31, 2022), <https://www.icwa.org/syria-exiles-elderly/> [https://perma.cc/Y23X-T79D].

223. Emrah Apak, Taner Artan & Dogac Niyazi Ozucelik, *Evaluation of Bio-Psycho-Social and Socio-Cultural Problems of Syrian Elderly Living in Turkey*, 69(2) INT. J. SOC. PSYCHIATRY 454, 462 (2022).

224. *Id.*

225. Levkowitz, *supra* note 222.

226. Dhingra, *supra* note 215.

how highly politicized the issue is, Syrians in Turkey struggle to integrate.<sup>227</sup> Preexisting economic, religious, and ethnic differences create division between the Turks and Syrian refugees.<sup>228</sup> However, many elderly Syrians in Turkey would rather face these emotional and economic problems than return to Syria because they believe the country is deteriorating and are afraid to go back.<sup>229</sup> As of November 2023, only around 237,000 Syrians had been given Turkish citizenship due to it being a highly sensitive and politicized issue in the country.<sup>230</sup> Citizenship in Turkey allows more than 200,000 Syrians the opportunity to vote, which directly impacts their interests in the country.<sup>231</sup> With migration at the heart of political tensions in Turkey, many Syrians with Turkish citizenship find it important to vote against the anti-immigration parties.<sup>232</sup>

Another country in the region that has taken in over 1.5 million Syrian refugees is Lebanon.<sup>233</sup> Many refugees are forced to live in informal tent settlements, which are not even officially considered refugee camps due to the politicization of Syrian refugees in Lebanon.<sup>234</sup> A 2022 study titled “Older People Tend to be Invisible,” which focused on Syrian refugees living in Lebanon, reported that older refugees recounted their home neighborhoods in Syria being under heavy bombardment or surrounded by fighting.<sup>235</sup> The older refugees expressed that their homes in Syria were badly damaged, destroyed, or they were trapped for weeks on end, unable to escape to Lebanon.<sup>236</sup> Of those fleeing, some reported that they left for reasons indirectly related to the fighting, such as a lack of medical supplies.<sup>237</sup> The housing and living conditions in

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227. *Id.*

228. Alan Makovsky, *Turkey's Refugee Dilemma: Tiptoeing Toward Integration*, CAP (Mar. 13, 2019), <https://www.americanprogress.org/article/turkeys-refugee-dilemma/> [https://perma.cc/2FJ2-FUWV].

229. Coskun & Kirisci, *supra* note 213.

230. *Id.*

231. Joshua Levkowitz, *Naturalized Syrians Are in the Spotlight Ahead of Turkey's Upcoming Elections*, MEI (Apr. 19, 2023), <https://www.mei.edu/publications/naturalized-syrians-are-spotlight-ahead-turkeys-upcoming-elections> [https://perma.cc/T76X-3T49].

232. *Id.*

233. UNHCR Lebanon at a Glance, UNHCR LEBANON: THE UN REFUGEE AGENCY, <https://www.unhcr.org/lb/at-a-glance> [https://perma.cc/KH9Y-6ST4] (last visited Oct. 22, 2024).

234. Hachem et al., *supra* note 39, at 3.

235. *Id.* at 1.

236. *See id.* at 15.

237. Strong et al., *supra* note 196, at 4.



the study of older Syrian refugees in Lebanon reported that 39% lived in houses, 26% lived in tents, 23% lived in apartments and 11% lived in public buildings or unfinished structures.<sup>238</sup> This lack of stable housing demonstrates the poor living conditions of the elderly who became refugees and further illustrates the additional hardships elderly refugees experience.<sup>239</sup>

It is evident that the plight of the elderly Syrians underscores the alarming and devastating theme of the elderly being unaccounted for and marginalized in the discourse surrounding humanitarian aid efforts. In Ukraine, yet another armed conflict demonstrates the complexity of the experiences faced by the elderly population when they lack proper humanitarian aid.

## B. Ukraine Case Study

Three years into the Russia-Ukraine War, it appears as though there is no end to the war in sight.<sup>240</sup> There are countless people still residing in Ukraine that are forced to live without access to food, water, or electricity due to fear of shelling from the Russian forces.<sup>241</sup> The war immensely impacted Ukraine's population, with close to eighteen thousand civilian casualties in 2022, around seven thousand of those deaths caused by the use of explosive weapons.<sup>242</sup> Millions are without access to food, water, and other essential supplies.<sup>243</sup>

In the midst of the Russia-Ukraine War, the elderly account for thirty percent of the individuals harmed by the conflict.<sup>244</sup> Around one in four people in Ukraine is over sixty years old.<sup>245</sup> The number of Ukrainians displaced within Ukraine was nearly 5.1 million people as

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238. *Id.*

239. *Id.*

240. *Ukraine War: What Are the Impacts on the World Today?*, INT'L RESCUE COMM. (Aug. 15, 2023), <https://www.rescue.org/article/ukraine-war-what-are-impacts-world-today> [https://perma.cc/98LR-BU9A].

241. *Id.*

242. *Ukraine 2022*, AMNESTY INT'L, <https://www.amnesty.org/en/location/europe-and-central-asia/ukraine/report-ukraine/> [https://perma.cc/3T98-ZNGX] (last visited Oct. 22, 2024).

243. *Ukraine War: What Are the Impacts on the World Today?*, *supra* note 238.

244. Smith & Duinhof, *supra* note 70, at 12.

245. *Joint Statement on the Situation of Older Persons in Ukraine*, WHO (June 14, 2022), <https://www.who.int/europe/news/item/14-06-2022-joint-statement-on-the-situation-of-older-persons-in-ukraine> [https://perma.cc/C7QT-YLFN].

of May 2023.<sup>246</sup> Even before the intensification of the war, Ukraine already had the largest percentage of elderly affected by a conflict within a single country, which made it the “oldest” humanitarian crisis in the world.<sup>247</sup> A 2022 study reported that “internally displaced persons in eastern Ukraine additionally found that humanitarian organizations . . . were largely unable to address older and disabled refugees’ needs,” due to the lack of communication between humanitarian organizations with these vulnerable groups.<sup>248</sup> The same study found that one major barrier to the inclusivity of the elderly in the humanitarian mission is the lack of financial support.<sup>249</sup>

The elderly in Ukraine also make up a disproportionate number of civilians remaining in areas of active hostilities.<sup>250</sup> As a result, they face a greater likelihood of being killed or injured.<sup>251</sup> A United Nations report showed that the elderly in Ukraine suffered at a “disproportionality high rate” since Russia invaded Ukraine due to being unable to retrieve medicine or leave their basements at times.<sup>252</sup> The report, created by UN human rights monitors, concluded that a third of the civilians killed in the first year of the war were victims over sixty years of age.<sup>253</sup> In one incident in the city of Yahidne, a woman in her mid-sixties with an amputated leg died in a fire after being blocked for weeks in a school cellar.<sup>254</sup>

The elderly who remain in their homes in areas ravaged by conflict often do so because they have no alternative housing options or face more difficulty evacuating.<sup>255</sup> Many end up living in partially destroyed housing that is dangerous to inhabit and where there are missing roofs, windows, electricity, or heating.<sup>256</sup> While there is no reason to

246. *Ukraine Emergency*, USA FOR UNHCR: THE UN REFUGEE AGENCY, <https://www.unrefugees.org/emergencies/ukraine/> [https://perma.cc/QVJ4-6GEA] (last visited Oct. 22, 2024).

247. Smith & Duinhof, *supra* note 70, at 12.

248. Hachem et al., *supra* note 39, at 2.

249. *Id.*

250. *Investigation: Older People’s Experience of War In Ukraine*, AMNESTY INT’L (Dec. 6, 2022), <https://www.amnesty.org/en/latest/research/2022/12/older-people-ukraine-war-displacement-and-access-to-housing/> [https://perma.cc/CRE4-4ST9].

251. *Id.*

252. Emma Farge, *Older People Account for a Third of Ukraine’s War Victims*—UN, REUTERS (May 24, 2023), <https://www.reuters.com/world/europe/older-people-account-third-ukraines-war-victims-un-2023-05-24/> [https://perma.cc/XS8V-ZGZ2].

253. *Id.*

254. *Id.*

255. *Investigation: Older People’s Experience of War In Ukraine*, *supra* note 250.

256. *Id.*

believe that the elderly have experienced more damage to their homes than other groups, they particularly face more intersecting risks such as employment discrimination, poverty, disability, and health conditions that make access to proper housing more difficult for them.<sup>257</sup>

Even the elderly that succeed in escaping danger find unique challenges in displacement within Ukraine.<sup>258</sup> Once displaced by the war, the elderly are denied rental opportunities due to low pensions.<sup>259</sup> Despite receiving pensions from the state, the average pension is between \$75 and \$135 USD per month.<sup>260</sup> As a result of the war, rental prices increased at an extremely high rate,<sup>261</sup> and because state pensions are a main source of income for most elderly people in Ukraine, they cannot afford housing.<sup>262</sup> According to the Ukrainian Government, the average monthly rent for a one-bedroom apartment in Ukraine increased by 32.7% in 2022.<sup>263</sup> Moreover, around eighty percent of single pensioners live under the poverty line.<sup>264</sup> Therefore, daily living circumstances are extremely challenging, not only due to the war but also because of the absence of a sustainable income.

Elderly individuals who stayed in Ukraine face devastating vulnerabilities in the context of armed conflict.<sup>265</sup> Ukrainian refugees who were forced to flee due to the war face a similar set of difficult vulnerabilities.

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257. *Id.*

258. *Id.*

259. *Id.*

260. Salome Abuladze, *Ukraine Must Protect Rights of Older People Suffering Greater Impact of Russian Invasion*, GLOB. CAMPUS OF HUM. RTS.: BLOG (Sept. 28, 2023), <https://gchumanrights.org/gc-preparedness/preparedness-conflict/article-detail/ukraine-must-protect-rights-of-older-people-suffering-greater-impact-of-russian-invasion.html> [https://perma.cc/LA5S-8NUD].

261. *Investigation: Older People's Experience of War in Ukraine*, *supra* note 250.

262. Abuladze, *supra* note 260.

263. *The Human Rights Situation of Older Persons in Ukraine in the Context of the Armed Attack by the Russian Federation*, U.N. HUM. RTS.: OFF. HIGH COMM'R (May 24, 2023), <https://ukraine.un.org/en/232945-briefing-paper-human-rights-situation-older-persons-ukraine-context-armed-attack-russian> [https://perma.cc/77WT-DL YS].

264. *Id.*

265. *Id.*

# 1. UKRAINIAN REFUGEES ELSEWHERE

At the beginning of Russia's full-scale invasion of Ukraine, there was a mass exodus of Ukrainian refugees fleeing the country.<sup>266</sup> As of October 15, 2024, the number of Ukrainian refugees recorded across the globe was around 6.75 million.<sup>267</sup> Exhausted, fearful, and lining up to leave the country, many women and children waited to cross at the border to safety.<sup>268</sup> Poland has accepted nearly sixty percent of Ukrainian refugees, which is the most in the world.<sup>269</sup> As a result of the war, approximately 14.6 million people were in need of humanitarian assistance in 2023.<sup>270</sup>

A significant number of the most vulnerable Ukrainian refugees are struggling to access housing, employment, and assistance.<sup>271</sup> According to an analysis from UNHCR, around ninety-two percent of elderly Ukrainian refugees report struggling to meet their basic needs.<sup>272</sup> This makes them more likely to return to Ukraine even as the war continues due to the difficulties they face in their host countries.<sup>273</sup> The UNHCR also reported that the lack of identification of displaced elderly at the early stages of their displacement leads to increased vulnerability over time.<sup>274</sup>

The armed conflicts in Syria and Ukraine highlight the urgent need for humanitarian aid for the elderly impacted by these crises. It is crucial to examine how the aid is currently distributed to ensure that, moving forward, it effectively reaches the elderly who need it the most.

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266. Alisa Soopova & Anastasia Taylor-Lind, *Ukraine Refugees Face Uncertainty and Precarity as Displacement Persists*, NPR (Apr. 20, 2023, 6:17 AM), <https://www.npr.org/sections/pictureshow/2023/04/20/1160074401/ukraine-russia-war-refugees-displaced-people> [https://perma.cc/L832-QE4R].

267. *Ukraine Refugee Situation*, OPERATIONAL DATA PORTAL, <https://data.unhcr.org/en/situations/ukraine> [https://perma.cc/2YL5-GQDS] (last visited Oct. 22, 2024).

268. Soopova & Talyor-Lind, *supra* note 266.

269. *Ukraine Emergency*, *supra* note 246.

270. *Id.*

271. *Acute Needs of Older Ukrainian Refugees and Those with Disabilities Must Not Be Overlooked*, UNHCR USA: THE UN REFUGEE AGENCY (Apr. 27, 2023), <https://www.unhcr.org/us/news/press-releases/acute-needs-older-ukrainian-refugees-and-those-disabilities-must-not-be> [https://perma.cc/9EN7-5HZ6].

272. *Id.*

273. *Id.*

274. *Id.*

### C. Inadequacies in International Aid Distribution

Humanitarian and international aid remain the standard international procedure for assisting civilians during times of conflict.<sup>275</sup> Aid typically includes food, water, shelter, emergency healthcare, sanitation, hygiene, and other essentials for people impacted by humanitarian emergencies.<sup>276</sup> Both Syria and Ukraine have received substantial funding from countries around the world geared toward humanitarian aid.<sup>277</sup> The United States is the single largest humanitarian donor to Syria, with nearly \$16.8 billion since the beginning of the crisis thirteen years ago.<sup>278</sup> Similarly, the United States leads Germany, the United Kingdom, France, Italy, and other countries in total humanitarian aid sent to Ukraine.<sup>279</sup> Furthermore, aid agencies and organizations such as the Red Cross,<sup>280</sup> UNICEF, World Help, Mercy Corps,<sup>281</sup> UNHCR, Syrian American Medical Society, Doctors Without Borders, and the White Helmets collect individual donations that are used to directly aid Ukrainian and Syrian civilians.<sup>282</sup>

In the United States specifically, humanitarian assistance accounts for a little less than one-third of the foreign aid budget.<sup>283</sup> The foreign aid budget includes money, technical assistance, and commodities that

275. See, e.g., *We Take Action, Not Sides*, INT'L COMM. OF THE RED CROSS (Sept. 16, 1999), <https://www.icrc.org/en/doc/resources/documents/misc/57jpzn.htm> [<https://perma.cc/MK4Z-BBEK>].

276. *What We Do*, USAID, <https://www.usaid.gov/humanitarian-assistance/what-we-do> [<https://perma.cc/P9LJ-DR6S>] (last visited Oct. 22, 2024).

277. Katharina Buchholz, *Which Donor Countries Are Pulling Their Weight in Ukraine Aid*, STATISTA: UKRAINE WAR (Oct. 11, 2024), <https://www.statista.com/chart/28489/ukrainian-military-humanitarian-and-financial-aid-donors/> [<https://perma.cc/8NVK-YFG8>].

278. Office of Press Relations, *supra* note 43.

279. Christopher Wolf, *Countries That Have Sent the Most Aid to Ukraine*, U.S. NEWS (Feb. 24, 2023), <https://www.usnews.com/news/best-countries/articles/2023-02-24/these-countries-have-sent-the-most-aid-to-ukraine> [<https://perma.cc/J6CE-C9PF>].

280. Kelly Anne Smith, *How to Donate to Ukraine Relief Efforts*, FORBES ADVISOR (Oct. 13, 2022), <https://www.forbes.com/advisor/personal-finance/donate-relief-to-ukraine/> [<https://perma.cc/LWN3-MVCK>].

281. Dickler, *supra* note 45.

282. Jesselyn Cook, *7 Charities Helping Syrians That Need Your Support*, HUFFPOST (Dec. 15, 2016), [https://www.huffpost.com/entry/syria-donate-how-to-help-charities\\_n\\_5852ade3e4b02edd4115f85a](https://www.huffpost.com/entry/syria-donate-how-to-help-charities_n_5852ade3e4b02edd4115f85a) [<https://perma.cc/ZKG3-5Q7R>].

283. George Ingram, *What Every American Should Know About US Foreign Aid*, BROOKINGS (Oct. 15, 2019), <https://www.brookings.edu/articles/what-every-american-should-know-about-us-foreign-aid/> [<https://perma.cc/5MZ9-6D7P>].

the U.S. provides to countries.<sup>284</sup> It is crucial to note that very little of the aid delivered by the U.S. and other countries is delivered as cash. Most funds for humanitarian purposes are not given to governments but instead are provided directly to local organizations for technical assistance and commodities.<sup>285</sup>

In 2023, the United States gave around \$68 billion in foreign aid, with the top countries receiving this aid being Ukraine, Israel, Jordan, and Egypt.<sup>286</sup> In 2022 alone, the State Department reported that the United States gave Syria around \$826 million in humanitarian assistance, with other sectors such as peace and security, economic development, and health also receiving millions of dollars.<sup>287</sup> However, it is unclear from these reports how the money given to Syria is actually allocated—not only within these sectors but also to various groups in need.<sup>288</sup> Through the United States Agency for International Development (USAID), the U.S. pledged an additional \$920 million in the sectors of food and water, healthcare services, psychological services, and safe and dignified shelter “for those displaced by conflict or natural disasters.”<sup>289</sup> Even with general aid groupings such as food and water, healthcare, and safe and dignified shelter, it remains ambiguous which groups actually receive this aid.<sup>290</sup> Under President Barack Obama, \$300 million in additional humanitarian aid was sent to Syria, which helped increase support for activities targeting especially vulnerable groups, “including women, children, and the elderly” which aimed to improve sanitation and hygiene.<sup>291</sup> Although the U.S. is the single largest humanitarian donor to Syria since the beginning of the conflict, the aid is not focused on the elderly.<sup>292</sup>

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284. *Id.*

285. *Id.*

286. Julia Haines & Jaclyn Jeffrey-Wilensky, *Countries That Receive the Most Foreign Aid From the U.S.*, U.S. NEWS (Jan. 27, 2025), <https://www.usnews.com/news/best-countries/articles/countries-that-receive-the-most-foreign-aid-from-the-u-s> [<https://perma.cc/32RD-MF48>].

287. *Foreign Assistance Dashboard*, FOREIGNASSISTANCE (Sept. 26, 2024), <https://www.foreignassistance.gov/> [<https://perma.cc/MQ83-EFG5>].

288. *See id.*

289. Office of Press Relations, *supra* note 43.

290. *Id.*

291. Office of the Press Secretary, *FACT SHEET: President Obama Increases Humanitarian Assistance to Syrians*, THE WHITE HOUSE (June 17, 2013), <https://obama.whitehouse.archives.gov/the-press-office/2013/06/17/fact-sheet-president-obama-increases-humanitarian-assistance-syrians> [<https://perma.cc/G7FV-GG5G>].

292. Office of Press Relations, *supra* note 43.

Since Russia invaded Ukraine in 2022, Ukraine has become the top recipient of U.S. foreign aid,<sup>293</sup> receiving approximately \$76.8 billion in assistance.<sup>294</sup> The \$76.8 billion in assistance includes humanitarian, financial, and military support.<sup>295</sup> That was the first time a European country has been the top recipient of U.S. aid since the end of World War II.<sup>296</sup> Of the \$76.8 billion, only around \$3.9 billion is allocated for humanitarian purposes; this includes emergency food assistance, healthcare, and refugee support.<sup>297</sup> Notably, as of January 2025, President Donald Trump froze U.S. humanitarian aid for at least ninety days to various countries, including Ukraine.<sup>298</sup> This decision could severely impact U.S. funded humanitarian programs used in Ukraine.<sup>299</sup>

Accordingly, the United Nations has reported that “children and youth represent the majority of the population in most countries affected by armed conflicts.”<sup>300</sup> It is thus common practice for aid and resources to be focused on younger children in impacted areas.<sup>301</sup> They are one example of a group that receives heightened attention due to their inherent vulnerability as dependents.<sup>302</sup> In 2022, approximately 468 million children were living in a conflict zone around the world.<sup>303</sup> That same year, around 22.4 million children and their caregivers in

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293. Jonathan Masters & Will Merrow, *How Much Aid the U.S. Has Sent to Ukraine*, in 6 Charts, PBS (Oct. 1, 2023, 9:14 PM), <https://www.pbs.org/newshour/world/how-much-aid-the-u-s-has-sent-to-ukraine-in-6-charts> [https://perma.cc/58HW-RMPM].

294. *Id.*

295. *Id.*

296. *Id.*

297. *Id.*

298. Hanna Arhirova, *Trump’s Freezing of Foreign Aid is Felt Worldwide, Including on Ukraine Frontlines*, PBS (Feb. 4, 2025), <https://www.pbs.org/newshour/world/trumps-freezing-of-foreign-aid-is-felt-worldwide-including-on-ukraine-frontlines> [https://perma.cc/3RX8-DX9U].

299. *Id.*

300. *Youth and Armed Conflict*, UNITED NATIONS YOUTH, <https://www.un.org/esa/socdev/documents/youth/fact-sheets/youth-armed-conflict.pdf> [https://perma.cc/7L24-JKUQ] (last visited Oct. 22, 2024).

301. See *Protecting Children in Humanitarian Action*, UNICEF, <https://www.unicef.org/protection/protecting-children-in-humanitarian-action> [https://perma.cc/9PS2-43MT] (last visited Oct. 22, 2024).

302. See European Union Delegation & UNICEF, *Children in Crisis: Spotlight on Underfunded Humanitarian Emergencies*, EUR. UNION (May 23, 2024), <https://www.eeas.europa.eu/delegations/un-new-york/children-crisis-spotlight-underfunded-humanitarian-emergencies> [https://perma.cc/NV3N-QYJS].

303. Gudrun Ostby, Siri Aas Rustad & Kristine Helskog, *Children Affected by Armed Conflict, 1990-2022*, PRIO (Aug. 2023), <https://cdn.cloud.prio.org/files/> [https://perma.cc/2B6P-TE6L].

most need were targeted for child protection services funding of nearly \$795 million.<sup>304</sup> As a result, elderly individuals often receive lower priority in aid distribution due to societal norms that emphasize caring for the young.<sup>305</sup> Consequently, this can lead to their neglect, as they are generally perceived to be less vulnerable than children.<sup>306</sup> This perception likely postpones discussion about prioritizing the elderly among those in urgent need of specific assistance.<sup>307</sup>

Research by the Humanitarian Policy Group shows that “while aid agencies recognize that older people have capacities as well as vulnerabilities, actual interventions still lack a sufficiently nuanced understanding of how displacement affects the status and role of older people in their communities and households, and resources continue to be skewed towards younger generations.”<sup>308</sup> This research shows that there are a number of pressing issues facing the elderly impacted by armed conflict around the world.<sup>309</sup> The humanitarian response to helping elderly in areas of armed conflict tends to be a “one-size-fits-all” approach that treats the elderly not as their own unique group, but combines them with the general population of those in need of aid.<sup>310</sup> When emergency humanitarian aid organizations implement blanket aid, it does not adequately address the specific vulnerabilities that the elderly face.<sup>311</sup>

Despite the lack of aid, the number of elderly people that have been caught in humanitarian emergencies has also risen globally in recent years.<sup>312</sup> The rising population of elderly in humanitarian emergencies is attributed to population growth as well as increasing

304. *Unprotected Special Edition: Analysis of Funding for Child Protection in Armed Conflict in 2021 and 2022*, RELIEFWEB (June 5, 2023), <https://reliefweb.int/report/world/unprotected-special-edition-analysis-funding-child-protection-armed-conflict-2021-and-2022> [https://perma.cc/6D43-QCSL].

305. See *From Despair to Hope: Children Beyond Armed Conflict*, UNITED NATIONS, <https://www.un.org/en/exhibits/exhibit/children-beyond-armed-conflict> [https://perma.cc/5LG8-DCLX] (last visited Oct. 22, 2024).

306. *Id.*

307. Youth and Armed Conflict, *supra* note 300.

308. Veronique Barbelet, *Older People in Displacement: Falling Through the Cracks of Emergency Responses*, HUMANITARIAN POL’Y GRP. (July 2018), <https://cdn.odi.org/media/documents/12292.pdf> [https://perma.cc/87A3-NC8P].

309. *Id.*

310. *Id.*

311. *Id.*

312. See Laetitia Atlani Deault, Lawrence Brown & Linda Fried, *The Elderly: An Invisible Population in Humanitarian Aid*, 3 LANCET: PUB. HEALTH e14, e14 (2018).



emergencies that affect more people.<sup>313</sup> Even though that is the case, elderly people as a group have been largely ignored by humanitarian organizations and have been virtually invisible.<sup>314</sup> Two aid agencies, Age International and HelpAge International, reported that for the nine thousand older people affected by various humanitarian issues across eleven countries, including Syria, current humanitarian responses are not meeting their basic needs of shelter, food, and healthcare.<sup>315</sup> Of those elderly people surveyed, sixty-four percent did not have enough food to eat and approximately seventy-seven percent had no source of income.<sup>316</sup> The health challenges facing the elderly range from insufficient humanitarian staff with no expertise in the healthcare of elderly to triage practices where staff deliberately “prioritize children, mothers, and younger adults” above the elderly.<sup>317</sup>

Interestingly, it is well acknowledged in times of crisis that the elderly can be a “vital support for younger members of the population—for example, by passing on values, memories, culture, and a sense of solidarity.”<sup>318</sup> In Ukraine, research by HelpAge indicates that the elderly play an important part in mitigating the effects of the war by contributing to taking care of other elderly and children.<sup>319</sup> This means that, although the elderly Ukrainians are themselves vulnerable, they are nevertheless called upon to care for the communities around them.<sup>320</sup> Their mental health is impacted and, as a result, the elderly Ukrainians showed signs of depression, anxiety, and stress.<sup>321</sup> Therefore, it is important that the elderly are themselves taken care of so they can support the generations around them.<sup>322</sup>

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313. *See id.*

314. *See Barbelet, supra* note 308.

315. *Humanitarian Sector Neglecting Older People, Exacerbated by COVID 19, supra* note 50.

316. *See id.*

317. Deault et al., *supra* note 312.

318. *Id.*

319. *No Time for Business as Usual*, HELPAGE, <https://www.helpage.org/silo/files/no-time-for-business-as-usualhelpage-international.pdf> [<https://perma.cc/69CW-DLDC>] (last visited Oct. 22, 2024).

320. *See* Smith & Duinhof, *supra* note 70, at 12–13.

321. *Id.* at 16.

322. *Id.* at 7.

#### IV. Resolution and Recommendation

This Note recommends that humanitarian aid be specifically allocated to efficiently meet the needs the elderly face in armed conflict, which does not currently occur. The United States and other major players must rethink the way they approach the elderly as a vulnerable group because they require further attention and assistance.<sup>323</sup> First, there must be a reform to inspire localized aid from major players or organizations to local non-governmental organizations (LNGOs). It is critical that the aid becomes finer-grained, as opposed to generally sending money to the regions.<sup>324</sup> To accomplish this, these major players must partner with LNGOs that have social and cultural context of the areas. A collaborative effort ensures that the aid given is culturally sensitive, timely, and can reach those who most need it locally. Furthermore, the treatment of elderly refugees needs to change, as the elderly tend to become invisible and face a lack of opportunities in their new host countries.<sup>325</sup>

##### A. Localized Aid

When allocating aid to countries like Syria and Ukraine, a more localized approach could serve more vulnerable groups such as the elderly.<sup>326</sup> An important first step in curating localized aid is to be aware of where the elderly are currently located and take steps to identify them.<sup>327</sup> This allows for direct observation and discussion with the elderly to identify and address both their immediate needs and the needs of their recovery process.<sup>328</sup> There should be better tracking mechanisms by countries to see where exactly the aid will be sent and to the elderly who need it most.<sup>329</sup> This could include national IDs, or in some cases, biometric registration to allow for accurate identification and tracking of who receives the aid. A second necessity in allocating aid is to meet the basic needs of the elderly in areas of armed conflict.<sup>330</sup> The

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323. *See id.* at 9.

324. *Id.* at 20.

325. Deault et al., *supra* note 312.

326. *See* Patrick Fine, *Rethinking the Constraints to Localization of Foreign Aid*, BROOKINGS (Dec. 1, 2022), <https://www.brookings.edu/articles/rethinking-the-constraints-to-localization-of-foreign-aid/> [<https://perma.cc/G3DM-FFNP>].

327. *Older People in Disasters*, *supra* note 40, at 3.

328. *Id.*

329. *See id.* at 5.

330. *Id.* at 2–3.

most prominent of these needs are shelter, fuel, clothing, and proper bedding.<sup>331</sup> Prioritizing these needs will better address the unique challenges the elderly face.<sup>332</sup>

One example of how localized aid can be implemented is an initiative started by the U.S. government.<sup>333</sup> In 2022, the Biden Administration made localization, which is defined as shifting contracts and grants from U.S. organizations to LNGOs, a priority in its foreign assistance policy.<sup>334</sup> The goal that the USAID has with localization is to invest U.S. money in local partners in countries that require aid to better achieve “inclusive and locally-led development.”<sup>335</sup> In the past, one major constraint regarding working with local organizations was their lack of capacity to effectively and accountably implement aid programs.<sup>336</sup> But after generations of investment in education, technical training, and social infrastructure, countries and developing countries alike have organizations filled with qualified people to organize localized aid.<sup>337</sup>

The case of HelpAge in India can also serve as a model example of a non-governmental organization working on the ground in the country to carve out a place for the elderly in the conversation.<sup>338</sup> HelpAge India supplements the government’s efforts to introduce welfare activities and beneficial programs that directly benefit the elderly.<sup>339</sup> HelpAge has played a key part in bringing the issues the elderly face to the world’s attention, from socioeconomic to health problems.<sup>340</sup> The work of HelpAge is highlighted to examine how voluntary organizations have worked in India, where there has been a gradual increase in the population aged sixty and older.<sup>341</sup> The elderly who were below the poverty line that were economically and socially deprived benefited the most from the work of HelpAge.<sup>342</sup> This model can be implemented in countries during times of conflict to help the elderly where international aid can be directed to local organizations

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331. *Id.*

332. *Id.* at 3.

333. Fine, *supra* note 326.

334. *Id.*

335. *Id.*

336. *Id.*

337. *Id.*

338. Maneeta Sawhney, *The Role of Non-Governmental Organizations for the Welfare of the Elderly: The Case of HelpAge India*, 15 J. AGING & SOC. POL’Y 179, 191 (2008).

339. *Id.* at 183.

340. *Id.* at 189.

341. *Id.* at 179.

342. *Id.*

that work alongside the state governments to ensure that elderly are not neglected.<sup>343</sup> Successful intervention encompasses both the welfare and rehabilitation of the elderly and uses their communities as a backdrop to do so.<sup>344</sup> With a model similar to HelpAge India's, the unique needs and challenges that the elderly face amid the chaos of armed conflict can be addressed directly.<sup>345</sup>

## B. Treatment of Refugees

In order to improve the lives of the elderly refugees, host countries must shift the way in which they treat their elderly refugees and migrants. By examining the experience of refugees, the international community can gain a more comprehensive understanding of the humanitarian impact of armed conflict on the elderly population.<sup>346</sup> This understanding is essential for developing effective aid strategies that address the diverse needs of all those affected by armed conflict.<sup>347</sup>

This can be achieved by increasing accessible accommodation, creating better infrastructure for transiting the elderly refugees into their host countries, and by recognizing that the elderly require assistance with daily living that other refugees might not need.<sup>348</sup> This begins with acknowledging that refugees have a variety of physical and mental health needs, and often face worse health outcomes in countries of transit and destination due to language barriers, cultural differences, and institutional discrimination, which restrict healthcare services.<sup>349</sup>

## V. Conclusion

The elderly that are neglected in areas of armed conflict are nowhere near represented in the discussion regarding the detrimental impacts of armed conflict.<sup>350</sup> The elderly population in both Ukraine and Syria, as residents of the countries, and as refugees that have fled to other countries, still face tremendous obstacles even though they

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343. *Id.* at 190.

344. *Older People in Disasters*, *supra* note 40, at 2.

345. Sawhney, *supra* note 338, at 181.

346. See Refugee and Migrant Health, WORLD HEALTH ORG. (May 2, 2022), <https://www.who.int/news-room/fact-sheets/detail/refugee-and-migrant-health> [<https://perma.cc/7TVE-8JPQ>].

347. *See id.*

348. *See id.*

349. *Id.*

350. Smith & Duinhof, *supra* note 70, at 11.

survived the horrors of conflict in their home countries.<sup>351</sup> Many of them have lost their homes, do not have steady access to food or drinking water, and do not have ample medical or mental healthcare.<sup>352</sup> The importance of a renewed perspective on humanitarian aid to countries like Ukraine and Syria must be evaluated under a different lens, one where specified aid for the elderly who are impacted is at the forefront of the discussion.<sup>353</sup> The aid must be allocated with the intent to fund the elderly's healthcare (both physical and mental), housing, food, and clean water.<sup>354</sup> With armed conflict increasingly becoming common and typical in densely populated areas, the elderly continue to be neglected for a variety of reasons.<sup>355</sup>

To solve the problems that exist with the current categorization and allocation of humanitarian funding to areas of armed conflict, it is best for major players like the United States to work with local non-governmental organizations in the areas where the armed conflict is occurring or has occurred.<sup>356</sup> This can help address problems on the ground and draw attention to the elderly who are the most impacted and vulnerable.<sup>357</sup>

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351. *Id.* at 9.

352. See Peter Maurer, *War in Cities: What is at Stake?*, INT'L COMM. OF THE RED CROSS (Apr. 4, 2017), <https://www.icrc.org/en/document/war-cities-what-stake-0> [<https://perma.cc/DZ67-SRFW>].

353. Smith & Duinhof, *supra* note 70, at 20.

354. *Id.*

355. Maurer, *supra* note 352.

356. Sawhney, *supra* note 338, at 181.

357. Smith & Duinhof, *supra* note 70, at 16.

