



Human Rights, Legal Organizations

Warn Privatized “Humanitarian” Operators in Gaza of the Risk of Legal Liability for Complicity in Serious Violations of International Law

We, the undersigned human rights and legal organizations, are extremely concerned with the recent replacement of impartial United Nations (“UN”) agencies and well-established humanitarian organizations with the newly-created Gaza Humanitarian Foundation (“GHF”), which is working in collaboration with the Israel government and U.S. private military and security companies (“PMSC”) in the famine-struck occupied Gaza Strip. **This new model of privatized, militarized aid distribution constitutes a radical and dangerous shift away from established international humanitarian relief operations,**¹ and, as we have seen during the three weeks of GHF’s operations in Gaza, one that is dehumanizing, repeatedly deadly and contributes to the forced displacement of the very population it purports to help.

We call on GHF and all organizations and individuals who have furthered or are furthering the work of GHF,² and the private military contractors at the distribution hubs including Safe Reach Solutions (“SRS”) and UG Solutions, to cease their operations.³ **Failure to do so may expose these organizations and their officers, representatives, and agents to further risk of criminal and civil liability for aiding and abetting or otherwise being complicit in crimes under international law, including war crimes, crimes against humanity, or genocide in violation of international law, U.S. law and other relevant national laws under the principle of universal jurisdiction.**⁴ We further urge these private entities to instead press for, and actively support the

¹ It is also a departure from recognized principles of international cooperation pursuant to article 1(3) of the UN Charter.

² The Boston Consulting Group (“BCG”) played an important role in GHF’s creation.

³ See, e.g., Malaika Kanaan Tapper, *US contractor hires obscure Gaza group for aid rollout after local snubs*, Financial Times (May 28, 2025), <https://www.ft.com/content/9dbbf0cb-cc29-4eba-aa9b-2c7c9dct46e8>; Gerry Shih et al., *Sweeping overhaul of Gaza aid raises questions of morality and workability*, Washington Post (May 24, 2025), <https://www.washingtonpost.com/world/2025/05/24/gaza-humanitarian-foundation-ghf-aid/>.

⁴ Each crime is prohibited under treaty law and customary international law, and provides for universal jurisdiction. See Genocide: Convention on the Prevention and Punishment of the Crime of Genocide, Dec. 9, 1948, S. Exec. Doc. O, 81-1 (1949), 78 U.N.T.S. 277 and under Article 6 of the Rome Statute of the International Criminal Court (“ICC”), UN Doc. A/CONF.183/9, July 17, 1998, 2187 U.N.T.S. 38544, art. 6 (“ICC Statute”); war crimes: 1949 Geneva Convention Relative to the Protection of Civilian Persons in Time of War, Aug. 12, 1949, 6 U.S.T. 3516, 75 U.N.T.S. 287, art. 147; ICC Statute, art. 8; see also UN General Assembly, Convention Against Torture and Other Cruel,

immediate restoration of aid delivery through the UN, including the UN Relief and Works Agency (“UNRWA”), well-established international humanitarian groups, and Palestinian aid organizations.

After Israeli authorities barred aid deliveries by UNRWA and other established humanitarian actors to an estimated 2.1 million starving Palestinians in Gaza, they—apparently with US backing—promoted the creation of GHF as a vehicle to supplant the UN-led humanitarian assistance architecture that has operated in the territory for more than seven decades.⁵ GHF’s approach of deploying armed contractors from SRS and UG Solutions to provide logistics and security for its privatized aid delivery system has been referred to by the UN as a “militarized distribution mechanism of food supplies.”⁶ To maximize profit, these PMSCs hurriedly recruited highly paid contractors—many of whom were neither properly vetted nor adequately trained—for immediate deployment to Gaza,⁷ a process facilitated by Israel even as it continues to block UN aid and staff. Under this scheme, Palestinians must now somehow travel to one of just four “distribution hubs,” whereas UNRWA and other agencies previously delivered assistance through approximately 400 points across Gaza—and upon arrival at the cramped, fenced site are required to undergo identity screening before receiving food rations. Earlier GHF plans revealed an intent to house tens of thousands of Palestinians in guarded compounds,⁸ which accords with Israel’s plan to allow an insufficient amount of food into the Gaza Strip in order to facilitate the continuation of the overall military plan in Gaza.⁹ The use of lethal force against Palestinians seeking aid—whether by the Israeli military or the contractors—has also become a regular occurrence, leading some to describe GHF distribution sites as “death traps.”¹⁰ In the three weeks since GHF began operations, **hundreds of Palestinians have been killed and thousands injured while seeking food at GHF sites.**

GHF’s militarized model, coupled with its close collaboration with Israeli authorities, undermines the core humanitarian principles of humanity, neutrality, impartiality, and independence. As Médecins Sans Frontières (“MSF”) said so succinctly, “Humanitarian aid is

Inhuman or Degrading Treatment or Punishment, Dec. 10, 1948, 1465 U.N.T.S. 85. Crimes against humanity are prohibited under customary international law and under the ICC Statute (Article 7). Genocide, war crimes, and torture are further proscribed, for example, under U.S. criminal statutes. See 18 U.S.C. §§ 1091, 2441 and 2340-2340A.

⁵ See, e.g., Tom Bateman, *Searching for answers about US-backed aid agency in Gaza*, BBC (June 14, 2025), <https://www.bbc.com/news/articles/c74ne108e4vo>; Katherine Wilkens, *Is Humanitarian Aid Becoming a Tool to Advance the “Trump Plan” in Gaza?*, Emissary, Carnegie Endowment for International Peace (June 12, 2025), <https://carnegieendowment.org/emissary/2025/06/gaza-ghf-humanitarian-aid-trump-plan?lang=en>.

⁶ *Humanitarian Situation Update #294/Gaza Strip*, UN Off. for the Coordination of Humanitarian Affs. (“OCHA”) (June 5, 2025), <https://www.ochaopt.org/content/humanitarian-situation-update-294-gaza-strip>.

⁷ *Exclusive: American Security Contractor Unloads on US-Israeli ‘Gaza Humanitarian Foundation,’* Zeteo (June 11, 2025), <https://zeteo.com/p/exclusive-american-security-contractor>.

⁸ See Shih et al., *Sweeping overhaul of Gaza aid raises questions of morality and workability*, *supra* note 3.

⁹ Noa Shpigel, *‘We’re Destroying Gaza’: Netanyahu, Smotrich Rush to Soothe Right’s Fears Over Aid Renewal*, Haaretz (May 19, 2025), <https://www.haaretz.com/israel-news/2025-05-19/ty-article/.premium/were-destroying-gaza-netanyahu-smotrich-rush-to-soothe-fears-over-aid-renewal/00000196-e7b4-d93f-a3b6-fff77c780000>.

¹⁰ Press Release, UNRWA, *UNRWA Commissioner-General on Gaza: aid distribution has become a death trap*, (June 1, 2025), <https://www.unrwa.org/newsroom/official-statements/unrwa-commissioner-general-gaza-aid-distribution-has-become-death-trap>.

being weaponised.”¹¹ This opaque, for-profit model also lacks transparency and accountability. GHF’s operational plans, funding streams, and decision-making structures remain undisclosed, with little or no independent humanitarian oversight. Consequently, the initiative falls short of the transparency, impartiality, and accountability standards that govern humanitarian assistance under international law.

GHF’s operations, and those of the PMSCs working with it, may amount to or facilitate grave violations of international humanitarian, human rights and criminal law. By obliging starving, exhausted Palestinians to walk long distances through militarized zones, or by effectively forcing them to relocate in order to obtain food and aid under a system overseen by Israeli forces and U.S. private military contractors, the scheme creates an immediate risk of forced displacement that may violate the prohibition on forcible displacement of civilians. By instrumentalizing humanitarian aid for political or military ends, the scheme risks rendering its participants complicit in collective punishment, the starvation of civilians, and other acts prohibited under customary international law, the Geneva Conventions, the Rome Statute of the International Criminal Court, and the Genocide Convention.

Individuals and corporate entities involved in the planning, financing, or execution of the GHF scheme may incur criminal liability—including under universal jurisdiction statutes—for aiding and abetting war crimes such as the forcible displacement of civilians, starvation as a method of warfare, and denial of humanitarian access.¹² **We urge all parties involved—State actors, corporate entities, donors and individuals—to immediately suspend any action or support that facilitates the forcible displacement of civilians, contributes to starvation or other grave breaches of international law, or undermines the core principles of international humanitarian law.** We call on the international community, civil society and humanitarian professionals to reject any model that outsources life-saving aid to private, politically-affiliated actors and to press for the urgent restoration of independent, rights-based humanitarian access for all civilians in Gaza, together with the immediate opening of Gaza and a comprehensive ceasefire.

Al Haq
Australian Centre for International Justice
Center for Justice and Accountability
European Center for Constitutional
and Human Rights
International Commission of Jurists
Medico International
TRIAL International

Al Mezan Center for Human Rights
Center for Constitutional Rights
Centre for Applied Legal Studies
Global Legal Action Network
Guernica 37 Chambers
International Federation for Human Rights
Palestinian Center for Human Rights
Women’s Initiatives for Gender Justice

¹¹ Open Letter, “*You must act now*”: *open letter to European leaders on Gaza*, MSF (June 16, 2025), <https://www.msf.org/open-letter-european-leaders>.

¹² See Center for Constitutional Rights, Letter to GHF Re: Risk of Legal Liability for Complicity in Serious International Law Violations (June 10, 2025), https://ccrjustice.org/sites/default/files/attach/2025/06/6_10_2025_Letter%20and%20Exhibits%20to%20GHF.pdf.