

THE NEW HUMANITARIAN ACTORS

Politicization, Corporatization, & Militarization in the Aid Sector

POLICY BRIEF

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INTRODUCTION

The emergence of for-profit companies at the center of humanitarian assistance poses distinct risks for the rights of aid beneficiaries.

Humanitarian assistance has played a crucial role in advancing human security, dignity, and rights globally over the past century. But recent massive disruptions in the sector are resulting in grave harm to individuals and communities across the world. In January 2025, the United States abruptly shuttered the U.S. Agency for International Development (USAID), declaring existing U.S. foreign assistance policy “antithetical to American values.”¹ The U.S. government also terminated billions of dollars committed to vital assistance² and billions more have evaporated worldwide as additional governments have slashed humanitarian funding.³ The impact of these cuts has been catastrophic, leading to an estimated one million deaths in 2025 alone as people lost access to food, clean water, and critical healthcare.⁴

The defunding of traditional humanitarian organizations⁵ has forced their retrenchment from urgent crises around the world.⁶ Meanwhile, the United States and other governments are investing in for-profit entities to fill the gap.⁷ This approach is in line with the U.S. government’s new, security-first foreign policy that expressly prioritizes private-sector investment and views aid as a tool to secure American economic interests over serving the needs of beneficiaries.⁸ Although still in its early stages, the sector’s transformation is giving rise to new corporatized, militarized, and politicized actors playing a leading role in aid delivery in some of the world’s most sensitive humanitarian contexts.

These new for-profit humanitarian actors present unique human rights risks. They generally act without apparent regard for humanitarian norms and principles intended to protect the safety and rights of beneficiaries. They operate outside of the standard United Nations (UN) system, which has long facilitated humanitarian coordination vital to ensuring comprehensive reach and effectiveness. And, in some cases, their actions have contributed to grave human rights abuses, including the killing of aid-seekers, discriminatory delivery of aid, and forced relocations of civilians. If not disrupted, there is significant risk that this model of aid could harm beneficiaries and erode the overall humanitarian system.

This policy brief analyzes the case studies of the Gaza Humanitarian Foundation (GHF) in Palestine, Fogbow in South Sudan, and Vectus Global in Haiti to identify the hallmark characteristics of these new actors. It situates their emergence in the broader history of humanitarian aid and lays out the spectrum of human rights implications of their operations. The brief concludes with recommendations for actions stakeholders can take to safeguard humanitarian aid for beneficiaries, mitigate future harms, and revitalize the humanitarian field through enhanced collaboration and the recentering of beneficiaries’ rights.

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INTERNATIONAL LAW AND STANDARDS GOVERNING HUMANITARIAN AID

Humanitarian actors are governed and guided by well-established standards and near-universally recognized principles rooted in international law.

International human rights law⁹ and international humanitarian law¹⁰ both inform the rights and obligations that apply to humanitarian assistance. Most fundamentally, all people have a right to access resources necessary to sustain life (e.g., food, water, shelter, medicine).¹¹ States have the primary duty to fulfill these rights within their territories,¹² but non-state actors play a crucial role in delivering on this duty. When non-state actors work as humanitarians, they are required to adhere to the core principles of humanity,¹³ impartiality,¹⁴ neutrality,¹⁵ and independence.¹⁶ Accordingly, aid must be delivered without discrimination and based on need alone, free from political or military influence, and in a manner that respects the dignity of recipients.¹⁷ These principles are integral to ensuring that rightsholders are able to access rights-fulfilling resources regardless of their identity. States, in turn, have a legal obligation to allow humanitarian actors access to deliver aid to civilians in need.¹⁸

Grounded in relevant legal frameworks, the humanitarian sector has also adopted more detailed standards to guide its conduct, including the Human Rights-Based Approach (HRBA) and the Sphere standards. The HRBA recognizes aid recipients as rightsholders entitled to transparency and full participation in assistance schemes, and to accountability and remedies when harms occur.¹⁹ It also recognizes the duty of aid providers and authorities to respect and promote human rights by ensuring transparency and non-discrimination, while prioritizing state capacity building.²⁰ The Sphere standards articulate additional core humanitarian principles and provide detailed minimum criteria for the delivery of aid across various relief activities.²¹ Taken together, these standards are crucial for safeguarding the rights of aid recipients and protecting them from harm in the course of humanitarian assistance.

Humanitarian non-governmental organizations (NGOs) generally operate within an international system overseen by the UN that enables coordination and emphasizes rights-based approaches.

Hundreds of millions of people have received humanitarian assistance over the past two decades, with a record 362 million people in need of aid in 2023.²² In addition to meeting basic needs, the work of these organizations has also been critical to protecting the safety, dignity, and rights of vulnerable populations.²³ In recent decades, this work has largely been coordinated through the UN Inter-Agency Standing Committee (IASC), which was established by the UN General Assembly to “strengthen[] collective humanitarian action” by “mak[ing] strategic, policy and operational decisions with a direct bearing on humanitarian operations on the ground.”²⁴ The UN also coordinates on-the-ground operations through a sector-based cluster system.²⁵ Given the immense complexity associated with delivering assistance across continents, cultures, languages, and geopolitical contexts, coordination is critical to minimize duplication and maximize access and coverage.



Residents walking through an internal displacement camp after the 2010 earthquake in Haiti. Credit: Chip Somodevilla for Getty Images

A BRIEF HISTORY OF FOR-PROFIT ACTORS IN HUMANITARIAN ASSISTANCE

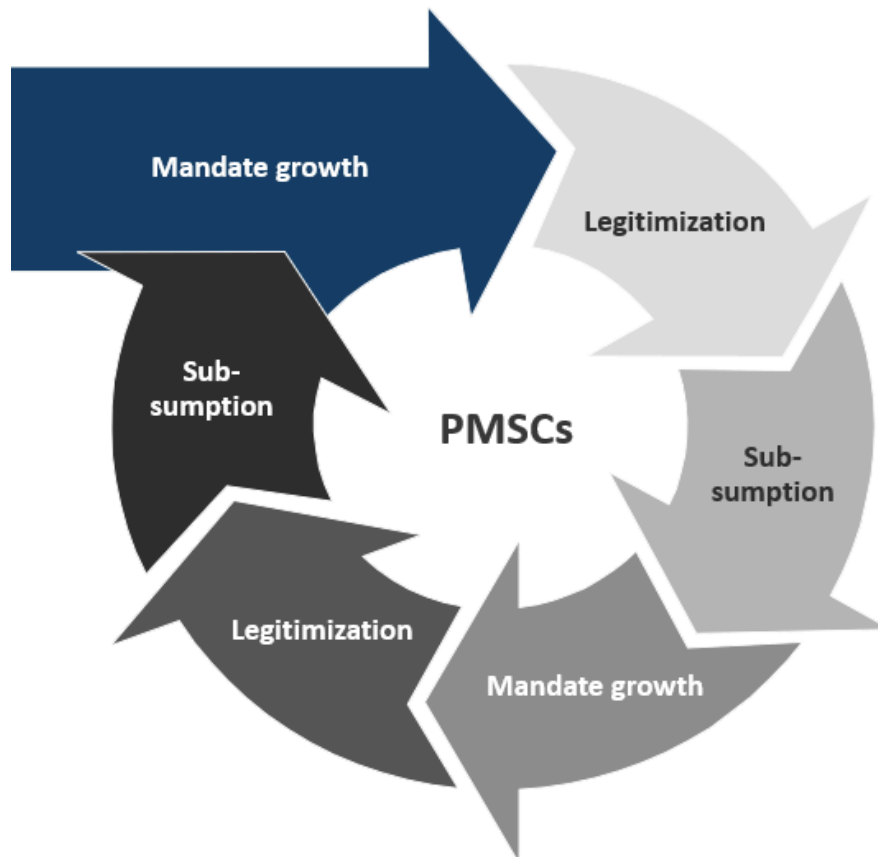
Private Military and Security Contractors (PMSCs) have persistently expanded their work in the humanitarian sector through a cycle of mandate growth, legitimization, and subsumption of additional humanitarian functions.²⁶ While international agencies, NGOs, and community-based organizations have historically been the primary deliverers of humanitarian assistance, the involvement of for-profit actors—particularly PMSCs—is not new. Until recently, however, PMSCs played a more limited role that respected a clear “demarcation of responsibilities,”²⁷ with PMSCs accompanying or supporting traditional humanitarians, while the humanitarians remained at the center of aid provision.²⁸

PMSCs first entered the field in the 1990s.²⁹ They initially served in highly specialized roles by providing “humanitarian demining” services in post-conflict zones,³⁰ then providing security support to UN peacekeeping operations and political missions.³¹ The 2003 bombing of the UN’s Baghdad headquarters spurred the UN to institutionalize use of PMSCs for security.³² This uptick in PMSC use was not without controversy, as critics raised concerns over reputational and operational risks.³³ Despite these concerns, PMSCs further expanded into three primary functions within the humanitarian system: private security and tactical military assistance for humanitarian operations; indirect logistics, intelligence, and maintenance support; and security consulting and training.³⁴ As the UN and NGOs legitimized these functions through continued contracting, some PMSCs began to explicitly embrace the title of “humanitarians.”³⁵ This cooption of the humanitarian mandate laid the groundwork for the continued mandate creep observable today.³

Persistent mandate expansion is especially problematic in light of some PMSC’s well-documented records of human rights abuses around the world.³⁷ The UN Working Group on the Use of Mercenaries has reported on PMSC involvement in a wide range of human rights violations, including disappearances, summary executions, indiscriminate killings, sexual and gender-based violence (SGBV), torture, arbitrary detention, mass killings, looting, and the indiscriminate targeting of civilians during armed conflict.³⁸ In 2007, Blackwater carried out a massacre that killed 17 civilians in Iraq, prompting years of litigation that ultimately led to the conviction of four Blackwater personnel.³⁹ More recently, the Wagner Group⁴⁰ and Dyck Advisory Group⁴¹ have been accused of committing grave human rights abuses, including mass executions, civilian targeting, and torture, in multiple African countries.⁴² Various actors have attempted to regulate PMSCs, either through industry-centered initiatives such as the International Code of Conduct for Private Security Service Providers,⁴³ intergovernmental efforts like the Montreux Document,⁴⁴ or individual government policy adjustments.⁴⁵ The effectiveness of these initiatives has been limited by a lack of PMSC industry buy-in and political will,⁴⁶ diverging legal interpretations⁴⁷ and traditional humanitarian actors’ contracting practices.⁴⁸

When viewed alongside this cycle of expansion, legitimization, and displacement, the emergence of corporatized, militarized, and politicized actors in aid may mark the beginning of a new humanitarian paradigm. Today, funding cuts and the dismantling of traditional humanitarian institutions are creating a vacuum that is being filled by new corporate actors. As elaborated below, these new actors are not merely taking on auxiliary roles; they may be replacing traditional humanitarian actors, while abandoning the standards that have governed the profession for decades.⁴⁹ If this emergent trend continues across humanitarian contexts, it risks entrenching the most problematic aspects of corporate involvement in humanitarian work. Humanitarian agencies, organizations, and donor states who do not yet recognize PMSCs as legitimate humanitarian actors still have a critical opportunity to interrupt this trend before PMSCs become institutionalized as the new humanitarians, while lacking safeguards or mechanisms to ensure accountability to beneficiaries.

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NEW ACTORS AND HUMAN RIGHTS RISKS: CORPORATIZED, MILITARIZED, AND POLITICIZED APPROACHES TO AID DISTRIBUTION

The new actors in aid are corporations staffed largely by former military and intelligence personnel. While some operate as PMSCs, they are “new” in that they have taken on the role of traditional humanitarians in coordinating and delivering crucial assistance to civilians in emergencies. These new actors can be identified by three attributes that, taken together, exacerbate human rights risks: they combine corporatized, militarized, and politicized approaches to aid distribution. Instead of supporting operations designed and implemented by traditional humanitarians, they are often carrying out their functions at the behest of governments without adhering to humanitarian principles.

Corporatization of Aid

The new actors’ humanitarian branding papers over what can at times be complex corporate structures, including architectures that blend non-profit and for-profit elements, with the for-profit arms carrying out core operations. Wealth management firms and private equity funds sometimes sit in the ownership or financing chain,⁵⁰ potentially reinforcing corporate values and perspectives rather than charitable or humanitarian values. Despite calling their non-profit arms “foundations,” the for-profit actors that are often carrying out operations are generally not subject to the same disclosure requirements as non-profits.⁵¹

On a structural level, the for-profit nature of these entities creates several unique human rights hazards. Although required to respect human rights throughout their operations,⁵² corporations have a primary fiduciary duty to their shareholders’ interests above the interests of aid beneficiaries.⁵³ Competition and market pressures may be more likely to incentivize decision-making that could harm aid beneficiaries. Moreover, the humanitarian standards that are critical to safeguarding the rights of beneficiaries may not be the most cost efficient to implement and thus at odds with profit maximization goals.⁵⁴ Finally, opaque corporate structures can hinder accountability by obscuring the identity of decision makers and oversight personnel.⁵⁵

Militarization of Aid

The leadership and senior operational roles of these new actors are frequently staffed by former military and intelligence personnel, whose training, world views, and professional networks lie in the security sector rather than the humanitarian system. In the context of a deteriorating security landscape for humanitarian missions—where attacks have killed over 1,000 aid workers in the past three years alone—security is an increasingly necessary part of humanitarian work.⁵⁶ But extensive reliance on ex-military and intelligence personnel may contribute to overly militarized responses and lead to worse outcomes for aid beneficiaries.⁵⁷ Moreover, when donor states are treated as clients expecting projects to function in high-risk or insecure environments, new actors will have a strong incentive to prioritize asset and force protection through familiar tools: private security contractors, military airdrops, securitized or fortified compounds, and surveillance-heavy and forceful crowd management. Aid sites that resemble heavily armed security zones may heighten aid recipients’ perceptions of partiality and risk of violence. This concern, in turn, may prompt new actors to increase investments in security, reinforcing the cycle of militarization.

Politicization of Aid

The new actors' corporate structures make them more susceptible to political influence by effectively turning donor and contracting states into clients—creating a model in which humanitarian aid serves the strategic priorities of governments, rather than actual and impartial humanitarian needs. Unlike established humanitarians with diversified funding sources and multilateral ties, the new entities resemble startups whose survival depends heavily on securing and retaining one or two major contracts. That dependence gives state funders significant leverage over the shape of projects. Political patrons have at times been closely involved in designing or refining aid projects themselves, raising questions about the extent to which humanitarian objectives can be insulated from political agendas.⁵⁸ Because the new actors often operate outside the UN humanitarian coordination system, they also sit beyond some of the institutional guardrails, like the IASC, that buffer political pressure. The ultimate risk is that when some aid becomes politicized, all aid loses the trust of the local population, which may in turn restrict access and raise security risks across the sector.



Congolese refugees look over a fence at the final batches of food delivered by the now-dismantled USAID in a storage and food delivery area at the Musenyi refugee site in Giharo, May 2025.

Credit: Luis Tato for AFP via Getty Images

The New Actors' Approaches Pose a Myriad of Grave Risks to Human Rights.

Traditional humanitarian actors have at times also committed human rights abuses,⁵⁹ but the new actors' detachment from established guardrails—combined with the well-documented prevalence of rights abuses by PMSCs—raise heightened human rights concerns. These concerns are particularly pronounced in conflict settings, where rule of law has broken down, rights abuses by warring parties may be common, and power imbalances between providers and beneficiaries are especially acute. The risks of harm fall into three main categories:

- **Directly committing gross human rights abuses**, for example when new actors use excessive or lethal force against civilians attempting to access aid, commit SGBV,⁶⁰ or cause the forcible transfer of civilian populations.
- **Contributing to atrocity crimes or gross human rights abuses by others**, such as when new actors' strategic or operational decisions facilitate the commission of war crimes, crimes against humanity, genocide, or other gross human rights violations by states or non-state parties to a conflict. Potential examples include new actors distributing aid in a manner that draws civilians to military-controlled areas where abuses are more likely to occur, or that concentrates populations into areas that may facilitate ethnic cleansing or genocide. These risks are intensified when aid operations lack neutrality, independence, and impartiality.
- **Causing other adverse human rights impacts** through the manner in which aid is designed and administered. Potential examples include new actors denying beneficiaries transparent information and opportunities for meaningful participation in aid planning and delivery; delivering aid in a manner that discriminates among communities or against marginalized groups or degrades the dignity of recipients; or failing to ensure accountability and effective remedies when harms occur.⁶¹

CASE STUDIES: GHF AND FOGBOW AS WARNINGS TO THE HUMANITARIAN AID SECTOR

Characteristics of GHF and Fogbow

Though different in operational context, scale, and human rights impacts, GHF and Fogbow share some similar features that illustrate the characteristics of the new actors. GHF was established in February 2025 and served as the primary distributor of food aid in Gaza from May until the ceasefire in October 2025.⁶² Fogbow is a corporate logistics firm that has provided food aid primarily in Africa since 2024.⁶³ These two entities were selected as case studies because they are corporate or quasi-corporate actors that have taken on the core humanitarian functions of coordinating and delivering humanitarian assistance. They have promoted themselves as aid deliverers—and in Fogbow’s case, as “the next generation of aid”⁶⁴—while failing to comply with humanitarian principles and insisting that they are not replacing traditional aid organizations.⁶⁵ Both have come under intense scrutiny for alleged political partiality and problematic methods of aid distribution that, in the case of GHF, has caused serious harm to beneficiaries.⁶⁶

Both GHF and Fogbow drew upon non-profit foundations to support for-profit entities, blurring humanitarian and security functions, as well as corporate and charitable interests. GHF consisted of a non-profit foundation incorporated in the United States, and operated through two American security subcontractors, Safe Reach Solutions (SRS) and UG Solutions.⁶⁷ GHF and SRS appear to have emerged out of the same strategic planning efforts, and even shared counsel and funding networks for a time, effectively merging humanitarian and military infrastructures into one operational consortium.⁶⁸ Fogbow was also initially funded and contracted by a foundation “designed by Fogbow’s founders to act as a conduit for international funding for its plans,”⁶⁹ reinforcing the use of non-profits as vehicles to support corporate structures.⁷⁰

These intertwined structures make it difficult to tell whether the non-profit is directing the for-profit or vice versa, or to disaggregate them at all. Moreover, the funding sources and mechanisms of GHF and Fogbow are opaque, obscuring whether or when they receive financial support from governments or other private actors, and which interests or actors are driving operational decisions.⁷¹

Both GHF and Fogbow incorporated a militarized and intelligence ethos into humanitarian work. Each organization is or was led by former U.S. military, special forces and intelligence officials.⁷² The security contractors carrying out GHF’s operations were primarily staffed by U.S. military veterans,⁷³ including individuals reported to be members of an anti-Islamic biker gang.⁷⁴ Similarly, Fogbow recruited special forces veterans to its staff.⁷⁵ While military experience can offer valuable insights into logistics and security management, it also poses risks of over-securitization and civilian harm as set out above.⁷⁶ Both entities have also maintained a close alignment with states that are active parties to the conflicts in areas where they operate.⁷⁷ This connection undercuts their neutrality and independence, leading to the politicization of aid.

Both entities have also failed to comply with core humanitarian principles. From its inception to its sunset, GHF has faced serious allegations of violating humanitarian principles and human rights law from observers both inside and outside the organization.⁷⁸ GHF’s first Executive Director resigned within weeks of its entry into Gaza, based on his assessment that “it is not possible to implement [GHF’s] plan while strictly adhering to the humanitarian principles of humanity, neutrality, impartiality, and independence...”⁷⁹ In the case of Fogbow, its website states that the company “supports humanitarian organizations, guided by the same core principles: humanity, impartiality, and independence,” and that it does not take sides in conflicts.⁸⁰ Yet Fogbow’s leadership has also stated that Fogbow “should not be expected to apply humanitarian principles,” and external observers have questioned Fogbow’s compliance with these principles in practice.⁸¹ As explained in detail below, Fogbow and GHF’s approaches demonstrate how unmooring aid from humanitarian standards can result in severe rights violations and yield harmful outcomes for aid beneficiaries.

CASE STUDY 1

Gaza Humanitarian Foundation's Operations in Gaza

GHF's operations in Gaza demonstrate how new actors have caused grave human rights harms. Following Hamas' October 7, 2023 attacks, Israel sharply restricted and periodically halted humanitarian access into Gaza.⁸² In March 2025, Israel imposed a complete aid blockade, asserting, inter alia, that the United Nations Relief and Works Agency (UNRWA) was diverting aid to Hamas.⁸³ According to the World Health Organization, those restrictions have caused widespread starvation and looming famine that human rights groups have concluded amount to war crimes and acts of genocide.⁸⁴

GHF began its operations in May 2025, backed by Israel and the United States, as the alternative to the halted UN aid distribution.⁸⁵ From May 2025 to its closure in November 2025, GHF operated four militarized distribution hubs, in contrast to the UN's former 400 distribution points.⁸⁶ GHF's four sites, which opened to aid seekers for as little as eight minutes at a time, were heavily fortified and located within areas controlled by the Israeli Defense Forces (IDF) and surrounded by IDF units.⁸⁷ The concentration of aid in just a few militarized sites contributed to a chaotic and highly lethal environment at the sites and their access roads. Over the five months of GHF's operations, the UN reported that 2,613 people were killed and more than 19,164 were injured while seeking aid in Gaza, with the majority of these harms concentrated near GHF sites.⁸⁸ Most of the killings around distribution sites have been attributed to IDF soldiers who fired on civilians as a form of crowd control, although whistleblowers have also accused UG Solutions personnel of shooting civilians waiting for aid.⁸⁹ GHF's initial "first-come, first-served" system at the aid sites also contributed to deadly stampedes.⁹⁰

The specific geographic locations of GHF's sites—which were chosen by the IDF⁹¹—have also raised serious human rights concerns. The sites were concentrated in Southern Gaza, requiring many beneficiaries to trek miles to obtain aid and thus restricting access for people with disabilities, the elderly, or those at higher risk of SGBV.⁹² Three of the four sites were located in the narrow band where the Israeli government has proposed reconcentrating the Gazan population, leading to allegations that GHF was aiding and abetting forced relocation of civilians.⁹³

While GHF has now concluded its aid operations in Gaza, beneficiaries face an uncertain future.⁹⁴ The coordination of humanitarian aid is now managed through a United States-backed Civil-Military Coordination Center (CMCC), which GHF's former Executive Director John Acree has said would be "adopting and expanding the model" developed by GHF.⁹⁵ GHF has generally touted its operations as a "blueprint" and "new model of humanitarian action" that it believes merits replication elsewhere.⁹⁶ As of February 2026, UG Solutions was reportedly in talks with the United States-led Board of Peace that is overseeing the reconstruction and administration of Gaza about continuing a role in Gaza's reconstruction.⁹⁷



Displaced Palestinians line up to receive food aid at a GHF distribution site in central Gaza. Photo by EYAD BABA/AFP via Getty Images

CASE STUDY 2

Fogbow's Operations in South Sudan

Fogbow's operations in South Sudan illustrate how working on behalf of state parties to a conflict hinders impartiality and can undermine beneficiaries' rights. In South Sudan, an ongoing conflict between the government and opposition forces has sparked massive displacement and acute hunger among half the population.⁹⁸ Humanitarian assistance has been hampered by funding shortages, ongoing violence, and poor infrastructure.⁹⁹ In such contexts, aid must be carefully planned to respect the central tenets to “do no harm” and ensure neutrality and impartiality so as not to impact the conflict by favoring a warring party.¹⁰⁰

In 2024, Fogbow got its start airdropping food aid in Sudan's South Kordofan region by partnering with the NGO Samaritan's Purse.¹⁰¹ Airdropping aid from planes is only used as a last resort, given the well-documented risk of injuring beneficiaries on the ground.¹⁰² Contrary to well-established best practice, Fogbow used inadequate packaging of the grain bags, which created “sorghum bombs” that exploded on impact and forced aid seekers to dig in the dirt for food, reducing the impact of these deliveries and undermining the beneficiaries' dignity.¹⁰³

Fogbow has failed to be impartial, neutral, and independent in its operations in South Sudan. In 2025, Fogbow expanded its airdrop operations after entering a subcontract with BAR Aviation, a private firm with close Ugandan military ties that had been separately contracted by the South Sudanese government.¹⁰⁴ BAR Aviation reportedly “supported South Sudan's military with aerial logistics during the recent fighting...even as the army is alleged to have used [airdropped¹⁰⁵] incendiary weapons that have killed and badly burned civilians.”¹⁰⁶ The Fogbow-supported aid drops were primarily made in government-controlled areas located within opposition territory,¹⁰⁷ sparking concern that Fogbow served the government's military aims by reconcentrating populations in recently reclaimed areas.¹⁰⁸ Any blurring of aid and counterinsurgency purposes contravenes the impartiality and independence required of humanitarian actors.¹⁰⁹

It also has the effect of discriminating against civilians in opposition-held areas, who do not receive aid regardless of their need. Moreover, Fogbow's aid was packaged in bags labeled with the South Sudanese flag, signaling it was from the same government that stands accused of committing gross human rights violations against civilians.¹¹⁰ By affiliating aid packages with the government, Fogbow eroded trust and deterred some aid seekers from retrieving the aid out of fear that it was poisoned,¹¹¹ which in turn undermined the aid's overall effectiveness.

Fogbow's aid has reportedly also directly benefited the South Sudanese military. Fogbow's early airdrops in the beleaguered Nasir County were reportedly made at a time when the area was almost entirely occupied by government and military personnel, and devoid of civilians.¹¹² The South Sudanese government's status as an active belligerent accused of crimes against humanity,¹¹³ and reports that Fogbow's early aid drops were delivered in a partial manner that at times benefitted South Sudanese soldiers instead of civilians, raises concern that Fogbow may be aiding the state's human rights violations.¹¹⁴

Similarly to GHF, Fogbow claims to “offer a blueprint for how the private sector can help deliver aid at scale, even in the most complex circumstances.”¹¹⁵ As of April 2026, Fogbow does not appear to be operating further airdrops in Sudan or South Sudan.¹¹⁶ Indeed, its initial work in Sudan was limited to sixty days in 2024, and according to a media report, the contract was “not renewed due to general dissatisfaction with the company's performance...” (though Fogbow denies this characterization).¹¹⁷ The work in South Sudan is also listed as “complete” on Fogbow's website, though it lists a new project in Darfur as “active.”¹¹⁸ While the company's footprint remains small and future growth is uncertain, Fogbow's track record to date nonetheless portends some of the risks private actors operating in humanitarian spaces may pose to beneficiaries safety and rights.

BEYOND HUMANITARIAN AID: THE EMERGENCE OF NEW ACTORS IN OTHER FORMS OF CRISIS RESPONSE

New actors are also replacing UN-led humanitarian intervention in other crisis response contexts, as seen in Haiti. Haiti has long been the site of fraught foreign intervention,¹¹⁹ underscoring the need for humanitarian assistance rooted in a HRBA that centers Haitian stakeholders. Instead, Haiti has become a testing ground for new, security-driven models of intervention.

Haiti's current humanitarian needs are staggering. Haiti is beset by a governance, security, and humanitarian crisis that was hastened by the 2021 assassination of President Jovenel Moïse.¹²⁰ Armed groups now exercise near-total control over roughly ninety percent of the capital.¹²¹ In 2025 alone, at least 8,100 people were killed by armed groups and more than 1.45 million Haitians are internally displaced.¹²² About six million people—over half of Haiti's population—need urgent humanitarian assistance.¹²³ Yet the UN's humanitarian appeal for Haiti "is among the least funded crises in the world."¹²⁴

CASE STUDY 3

New Actors in Haiti

The international community has focused resources on a Gang Suppression Force (GSF) that experts view as a possible model for a new, less restrained form of peacekeeping.¹²⁵ The GSF's mandate is to carry out "counter-gang operations to neutralize, isolate, and deter gangs" through "all necessary measures," including lethal force.¹²⁶ While authorized by the UN Security Council, GSF's operations are overseen by a working group of six states cooperating outside of UN frameworks.¹²⁷ Observers and civil society groups have expressed concern that without UN oversight, a long-term strategy beyond militarization, or Haitian-led accountability mechanisms, this new model will repeat the mistakes of previous UN operations and fail to deliver a more stable situation on the ground.¹²⁸ Months into its mandate, much is still unknown about GSF's composition, goals, and methods. Moreover, delays, funding gaps, and limited capacity characterizing the deployment of the GSF have left a security vacuum that the Haitian government has sought to fill through private security contracting.¹²⁹

Corporatized, militarized, and politicized actors are filling key security gaps. In March 2025, Haiti's transitional government retained Vectus Global—a PMSC led by Blackwater founder Erik Prince—to support counter-gang operations.¹³⁰ The Haiti-Vectus arrangement reportedly consists of two parallel tracks: a one-year security contract and a ten-year customs modernization contract.¹³¹ These contracts are enabled by a defense services export license issued to Vectus by the U.S. State Department.¹³² Pursuant to the first contract, Vectus has reportedly deployed 200 personnel to train and operate alongside a subset of the Haitian National Police, primarily on the use of commercially available drones modified to carry explosives—so-called "kamikaze" drones.¹³³ Between March 2025 and January 2026, 141 drone strikes by Vectus-supported units have reportedly killed at least 1,243 people, including 17 children and at least 43 non-gang-affiliated adults.¹³⁴ Human rights observers have concluded that these actions amount to extrajudicial killings in violation of international human rights law.¹³⁵

The scope of Vectus' security mandate places it in a role functionally analogous to humanitarian security missions traditionally undertaken by UN-authorized forces or multilateral peace operations, albeit absent a clear civilian protection mandate. This security model raises structural accountability concerns similar to those seen in the humanitarian sector: Private contractors exercising force blurs chains of command, complicates transparency, and impedes effective remedies for wrongful deaths, arbitrary use of force, or unlawful detention.¹³⁶ As Vectus expands its security footprint, the tension grows between rapid tactical gains and mounting risks to rights-holders in Haiti.¹³⁷

Vectus' customs contract underscores the broader trend of delegating functions traditionally reserved for sovereign or multilateral humanitarian actors to for-profit entities, raising acute concerns about transparency, state capacity erosion, political capture, and the displacement of accountability frameworks. The contract gives Vectus authority over the customs system along Haiti's land border with the Dominican Republic.¹³⁸ Before gang control disrupted trade, more than half of Haiti's tax revenue derived from border duties, a substantial portion of which will now be channeled to Vectus.¹³⁹

While private financial firms and consultancies have long assisted developing states with customs reform, inspection systems, and revenue administration, the delegation of both border enforcement and revenue collection to a single security contractor effectively contracts out core elements of the state, undermining sovereignty and reinforcing capture issues.¹⁴⁰ It also raises concerns about avenues for accountability and procedural justice in a role rife with opportunities for corruption and coercion.¹⁴¹

Collectively, these developments signal a move away from international crisis response rooted in neutral, multilateral institutions anchored in human rights values and humanitarian principles, toward a security-first architecture in which coercive capacity is the measure of success. Even if these actors are effective at improving security over the short term, they risk crowding out international engagement focused on strengthening rights over the long term.

“Collectively, these developments signal a move away from international crisis response rooted in neutral, multilateral institutions anchored in human rights values and humanitarian principles, toward a security-first architecture in which coercive capacity is the measure of success.”

RECOMMENDATIONS

The emergence of corporatized, militarized, and politicized private actors at the center of aid coordination and delivery, as well as in broader crisis response settings, creates significant risks of human rights abuses. It also threatens to erode the principles and standards that have evolved through decades of progress and have been instrumental to protecting civilians and ensuring the sector's efficacy. This development in turn risks making all humanitarians less safe, as they become more of a target by armed actors and less trusted by intended recipients.

Stakeholders, including policymakers, donors, and traditional humanitarians, should take concrete steps to proactively affirm humanitarian and human rights principles.

For States

States must protect against human rights abuses within their territory or jurisdiction, and work to promote human rights through international cooperation, including by:

- Restoring and increasing urgently needed funding for UN humanitarian agencies and NGOs that explicitly adhere to humanitarian standards and follow HRBA throughout their operations.
- Recommitting to international humanitarian law and norms that protect civilians and civilian infrastructure and refraining from hitting civilian targets and humanitarian workers.
- Denouncing attacks on civilians, civilian infrastructure and humanitarian workers by others.
- Using public statements and policy to condemn and discourage the dramatic increase of politicization, corporatization, and militarization of humanitarian aid without safeguards.
- Declining to participate in parallel aid distribution systems that exclude traditional humanitarian organizations in favor of corporate, militarized, and politicized actors.
- Ensuring that all aid actors that are funded by, or fall within the territory or jurisdiction of the state, comply with humanitarian standards, human rights law, and other applicable international law by:
 - Requiring corporate actors, and non-profit actors working with corporations, to undertake human rights due diligence before operations begin and throughout their operations.
 - Conditioning funding for humanitarian aid actors on their adherence to humanitarian principles.
 - Implementing monitoring and evaluation mechanisms for funding and partnerships that include metrics that demonstrate adherence to humanitarian principles and right-based outcomes.
- Supporting and facilitating accountability and effective remedies when aid actors harm rightsholders, including through domestic law enforcement, prosecution and sanctions, as well as through support for international courts and other accountability mechanisms.

For New Actors

Corporate aid actors must ensure compliance with humanitarian principles and respect for human rights throughout operations, including by:

- Conducting human rights due diligence assessments before and throughout the lifecycle of operations to identify, prevent, and mitigate actual and potential human rights abuses.
- Adopting internal policies and processes designed to prevent violations by individual personnel and subcontractors, including the excessive use of force and SGBV. Such policies and processes should be informed by best practices in the humanitarian field.
- Increasing public transparency into funding sources, client relationships, and corporate structures.
- Rejecting government contracts with unduly politicized conditions that would violate humanitarian principles such as including impartiality and neutrality.
- Refusing to implement aid delivery proposals that expressly or implicitly discriminate among aid recipients.
- Decreasing overreliance on militarized security strategies by prioritizing collaboration and trust-building with local stakeholders and communities.
- Adopting rights-based approaches in planning and delivery of humanitarian assistance, ensuring that aid is transparent, participatory, non-discriminatory, and builds the capacity of host states to meet their human rights obligations as appropriate.
- Delivering aid in accordance with the Sphere Standards wherever possible, centering the dignity of aid recipients and measuring operations against Sphere's various process, progress, and target indicators.
- Supporting legitimate and effective accountability and remedies when harms occur by:
 - Establishing accessible, transparent, impartial, and effective compliance or reporting mechanisms empowered to assess and adjudicate responsibility and issue compensation and other remedies.
 - Cooperating with independent investigations into allegations of abuse, violations of law, or other reports of misconduct, including through facilitating access to witnesses and defendants, and furnishing relevant evidence.
 - Cooperating and submitting to the jurisdiction of competent authorities for prosecutions or other adjudications of responsibility.
 - Providing effective remedies to victims of harms attributable to their operations.
- Declining to self-identify under the term "humanitarian" until operations are designed to adhere to well-established humanitarian principles.

For the UN and Traditional Humanitarian Aid Organizations

Traditional humanitarian organizations have an important role to play in safeguarding a rights-respecting humanitarian system, including by:

- Redoubling adherence to humanitarian principles, including through implementation of a HRBA and the Sphere standards, even in contexts of reduced funding.
- Continuing cooperation with other humanitarian organizations under the unified banner of the UN IASC system or equivalent.
- Refusing to contract or collaborate with new actors when they lack assurances of humanity, impartiality, neutrality, and independence, as such partnerships pose risks to beneficiaries, entail reputational and legal ramifications for the humanitarian organizations, and contribute to legitimizing and solidifying the role of these actors in the humanitarian sector.
- Including clauses requiring human rights due diligence and compliance with humanitarian principles in contracts with all private actors when such partnerships are unavoidable.
- Ensuring public transparency and accountability in any collaborations with private actors by facilitating stakeholder reporting/feedback and initiating and participating in independent investigations when allegations of wrongdoing are made.
- Calling donor and governments' attention to the harmful impacts of legitimizing new actors that disregard humanitarian principles.

Endnotes

¹ *Reevaluating and Realigning United States Foreign Aid*, THE WHITE HOUSE (Jan. 20, 2025), <https://www.whitehouse.gov/presidential-actions/2025/01/reevaluating-and-realigning-united-states-foreign-aid> (signaling the reorganization of the previously independent USAID oriented around an aid and development mission into an arm of the State Department on the grounds that U.S. aid is “not aligned with American interests” and “serve[s] to destabilize world peace by promoting ideas in foreign countries”); see also *Trump Administration Says It’s Cutting 90% of USAID Foreign Aid Contracts*, ASSOCIATED PRESS (Feb. 26, 2025), <https://apnews.com/article/trump-usaid-foreign-aid-cuts-6292f48f8d4025bed0bf5c3e9d623c16> (reporting on Trump Administration’s elimination of 90% of USAID contracts and \$60 billion in overall U.S. global assistance).

² See AMNESTY INT’L, *LIVES AT RISK: CHAOTIC AND ABRUPT CUTS TO FOREIGN AID PUT MILLIONS OF LIVES AT RISK* (2025), <https://www.amnestyusa.org/wp-content/uploads/2025/05/Lives-at-Risk-Chaotic-and-Abrupt-Cuts-to-Foreign-Aid-Put-Millions-of-Lives-at-Risk.pdf> (documenting initial human rights impacts of aid cuts).

³ See Sam Huckstep et al., *Charting the Fallout of Aid Cuts: Which Countries Will be Hit Hardest, as Multiple Donors Cut Budgets?*, CTR. FOR GLOBAL DEV. (June 12, 2025), <https://www.cgdev.org/blog/charting-fallout-aid-cuts> (following the closure of USAID, “[t]he United Kingdom announced a reduction in aid spending from 0.5 percent of GNI to 0.3 percent to offset increased defence expenditure, and the tide of [official development assistance] cuts has continued in France, Germany, Switzerland, and elsewhere”); Press Release, Oxfam, *Biggest-Ever Aid Cut by G7 Members a Death Sentence for Millions of People, Says Oxfam* (June 11, 2025), <https://www.oxfam.org/en/press-releases/biggest-ever-aid-cut-g7-members-death-sentence-millions-people-says-oxfam> (reporting that G7 “countries, which together account for around three-quarters of all official development assistance (ODA), are set to slash their aid spending by 28 percent for 2026 compared to 2024 levels”); Adam Taylor, *Trump Administration Pushes Nations to Sign “Trade Over Aid” Declaration*, N.Y. TIMES (Apr. 15, 2026, at 19:39 ET), <https://www.washingtonpost.com/national-security/2026/04/15/trump-un-trade-over-aid/>.

⁴ Daniella Medeiros Cavalcanti et al., *Evaluating The Impact of Two Decades of USAID Interventions and Projecting The Effects of Defunding on Mortality Up to 2030: A Retrospective Impact Evaluation and Forecasting Analysis*, 406 THE LANCET 283, 290 (2025) (estimating 1.77 million additional deaths in 2025 due to the United States’s funding cuts to USAID, and an additional 14 million deaths by 2030); Oxfam America, *What USAID Did, and The Effects of Trump’s Cuts on Lifesaving Aid*, OXFAM (Nov. 6, 2025), <https://www.oxfamamerica.org/explore/issues/making-foreign-aid-work/what-do-trumps-proposed-foreign-aid-cuts-mean>. Countries most impacted include Sudan, Ukraine, Ethiopia, Syria, Haiti, and Afghanistan. See *Global Aid Crisis: 13 Countries Most Affected by International Aid Cuts*, INT’L RESCUE COMM. (June 16, 2025), <https://www.rescue.org/13-countries-impacted-aid-cuts>.

⁵ For the purposes of this brief, the term “traditional humanitarians” refers to professional non-governmental aid organizations and UN agencies—such as the International Committee of the Red Cross (ICRC), Oxfam, the World Food Programme and Médecins Sans Frontier. These entities generally participate in the UN Inter-Agency Standing Committee system, Sphere standards, and/or core principles of international humanitarian law (more on these standards will be discussed in Part 2). The term is not meant to suggest that these actors are stagnant, outdated, or no longer relevant. In fact, most continue to be leading examples of how humanitarian aid should be delivered. For more information on the development of the “traditional humanitarians,” see generally DANIEL MAXWELL & KIRSTEN HEIDI GELSDORF, *UNDERSTANDING THE HUMANITARIAN WORLD* (2019).

⁶ See, e.g., *Aid Cuts Leaving Millions Without Support*, RELIEFWEB (July 1, 2025), <https://reliefweb.int/report/world/aid-cuts-leaving-millions-without-support> (Norwegian Refugee Council warning cuts are “close to crippling the humanitarian response in some of the world’s most dire displacement crises.”); *When Aid Disappears: The Human Cost of Foreign Aid Cuts*, MERCY CORPS (Apr. 1, 2025), <https://www.mercycorps.org/blog/human-cost-of-foreign-aid-cuts> (documenting forced closures of Mercy Corps programs and centers); UNHCR, *ON THE BRINK: THE DEVASTATING TOLL OF AID CUTS ON PEOPLE FORCED TO FLEE* (2025), <https://www.unhcr.org/sites/default/files/2025-07/unhcr-on-the-brink-report-july-2025.pdf> (reporting on forced suspension of UN programs that support refugees fleeing crises).

⁷ See, e.g., U.S. DEP’T OF STATE, *AMERICA FIRST GLOBAL HEALTH STRATEGY 4*, 33–34 (Sep. 18, 2025), (committing “to promote American companies...abroad” as key aspect of future global health aid); *Department Press Briefing—June 26, 2025*, U.S. DEPT. OF STATE (June, 26, 2025), <https://www.state.gov/briefings/department-press-briefing->

June-26-2025/#post-636805-ISPAL2 (U.S. State Department announcing \$30 million donation to Gaza Humanitarian Foundation and urging others to follow suit). Fogbow, discussed below, has reportedly received indirect funding from at least the United Arab Emirates, Qatar, and South Sudan. See Jessica Le Masurier & Dulcie Lemback, *Fogbow, A US Firm with Military Links, Eyes Maritime Plan for Gaza Aid*, FRANCE24 (Dec. 7, 2024), <https://www.france24.com/en/middle-east/20240712-fogbow-a-us-firm-with-military-links-eyes-maritime-plan-for-gaza-aid> (“The Fogbow team told the UN worker they had financial backing from “wealthy individuals” and the government of the United Arab Emirates.”); Luis Lema, *The Other Discreet Geneva Foundation Seeking to Deliver Aid to Gaza*, Geneva Solutions (June 23, 2025, at 09:47 ET), <https://genevasolutions.news/peace-humanitarian/the-other-obscure-geneva-foundation-seeking-to-deliver-aid-to-gaza> (“With funding from Qatar, the [Maritime Humanitarian Aid Foundation (MHAF)] had initially contracted Fogbow to conduct feasibility studies, purchase tonnes of food and even lease three enormous barges, which ultimately sat unused.”); Aaron Ross, *From Gaza to South Sudan, Private Firms Deliver Aid and Face Questions*, REUTERS (June 13, 2025), <https://www.reuters.com/world/middle-east/gaza-south-sudan-private-firms-deliver-aid-face-questions-2025-06-13> (“The [Fogbow-supported airdrop] campaign, which South Sudan’s government says it is funding, has brought lifesaving aid to areas ravaged since February by fighting between the military and local militiamen.”); see also Joshua Craze & Joseph Falzetta, *Fogbow Operations in South Sudan and Beyond Raise Red Flags for Faltering Aid System*, THE NEW HUMANITARIAN (June 16, 2025), <https://www.thenewhumanitarian.org/investigations/2025/06/16/fogbow-operations-south-sudan-raise-red-flags-aid-private-sector> (quoting Fogbow’s President as noting that “interest in their services increased ‘once the USAID cuts happened’”).

⁸ See THE WHITE HOUSE, NATIONAL SECURITY STRATEGY OF THE UNITED STATES OF AMERICA 8 (Dec. 2025), <https://www.whitehouse.gov/wp-content/uploads/2025/12/2025-National-Security-Strategy.pdf> (arguing against an overly expansive definition of national interest). The report also emphasizes the role of the private sector in advancing American security, saying “[s]uccessfully protecting our Hemisphere also requires closer collaboration between the U.S. government and the American private sector,” *id.* at 18, and “the United States must execute robust diplomatic and private sector engagement in those countries where the majority of global economic growth is likely to occur over the coming decades,” *id.* at 22.

⁹ See, e.g., G.A. Res. 217 (III) A, Universal Declaration of Human Rights (Dec. 10, 1948) [hereinafter UDHR]; International Covenant on Civil and Political Rights, *opened for signature* Dec. 19, 1966, 999 U.N.T.S. 171 (entered into force Mar. 23, 1976) [hereinafter ICCPR]; International Covenant on Economic, Social and Cultural Rights, *opened for signature* Dec. 19, 1966, 993 U.N.T.S. 3 (entered into force Jan. 3, 1976) [hereinafter ICESCR]; International Convention on the Elimination of All Forms of Racial Discrimination, *opened for signature* Mar. 7, 1966, 660 U.N.T.S. 195 (entered into force Jan. 4, 1969) [hereinafter CERD]; Convention on the Elimination of All Forms of Discrimination Against Women, *opened for signature* Mar. 1, 1980, 1249 U.N.T.S. 13 (entered into force Sept. 3, 1981) [hereinafter CEDAW].

¹⁰ See *What Is International Humanitarian Law?*, ICRC (July 2004), https://www.icrc.org/sites/default/files/document/file_list/what-is-ihl-factsheet.pdf; *The Geneva Conventions and their Commentaries*, ICRC, <https://www.icrc.org/en/law-and-policy/geneva-conventions-and-their-commentaries> (last visited Nov. 13, 2025).

¹¹ International human rights law, as enshrined in the UDHR, ICCPR, ICESCR, and customary international law, protects individuals’ right to resources necessary to support adequate access to food, water, shelter, safety, etc. See *supra* note 9. In the context of armed conflict, “[t]he parties to the conflict must allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need, which is impartial in character and conducted without any adverse distinction, subject to their right of control.” *Rule 55: Access for Humanitarian Relief to Civilians in Need*, ICRC, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule55> (last visited Feb. 16, 2026); see also Rep. of the Working Group on the Use of Mercenaries, Impact of the Use of Private Military and Security Services in Humanitarian Action, U.N. Doc. A/HRC/48/51, ¶ 40 (July 2, 2021) [hereinafter Rep. on PMSC in Humanitarian Action] (“International humanitarian law also protects the right of the civilian population to receive humanitarian assistance.”).

¹² See ICCPR, *supra* note 9, art. 2; ICESCR, *supra* note 9, art. 2; CERD, *supra* note 9, art. 2; U.N. Charter, arts. 55, 56.

¹³ *Obligations of Israel in Relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in Relation to the Occupied Palestinian Territory*, Advisory Opinion, 2025 I.C.J. 196, ¶ 101 (Oct. 22) [hereinafter *Activities of the UN AO*] (stating that “[r]elief schemes must be carried out

in a manner that respects the dignity of the local population and that is consistent with the protection of the human rights of that population.”).

¹⁴ Impartiality requires that aid be administered based solely on need and without discrimination. *Id.* ¶ 9 (stating that “relief actions must be impartial in character and conducted in a non-discriminatory manner”).

¹⁵ Neutrality requires that aid actors not favor any party to a conflict. Linked to impartiality, aid must be delivered to all civilians and non-combatants in need, without regard for their political or national affiliation. See *Military and Paramilitary Activities in and Against Nicaragua* (Nicar. v. U.S.), 1986 I.C.J. 14, ¶ 243 (June 27) (stating that aid “must also, and above all, be given without discrimination to all in need in Nicaragua, not merely to the *contras* and their dependents”); see also *Humanitarian Principles*, EUR. COMM’N, https://civil-protection-humanitarian-aid.ec.europa.eu/who/humanitarian-principles_en [<https://perma.cc/S4P5-29FV>].

¹⁶ Independence requires aid actors to operate free from political, military, or economic interests. Although communicating and negotiating with armed actors may be required to gain access to certain geographies, this must be handled in a manner that does not compromise an organization’s independence. Similarly, as the impartial and effective delivery of aid requires significant planning, this planning of aid must also be free from undue political or military influence. See EUR. COMM’N, *supra* note 15; *Activities of the UN AO*, *supra* note 13, ¶ 101 (observing “that the distribution of humanitarian relief in an impartial manner requires considerable planning and co-ordination”); see also G.A. Res. 46/182 (Dec. 19, 1991) (“Humanitarian assistance must be provided in accordance with the principles of humanity, neutrality, and impartiality.”).

¹⁷ See *Nicar. v. U.S.*, 1986 I.C.J. ¶ 243 (“An essential feature of truly humanitarian aid is that it is given ‘without discrimination’ of any kind.”); *Activities of the UN AO*, *supra* note 13, ¶¶ 9, 101.

¹⁸ See *Rule 55: Access for Humanitarian Relief to Civilians in Need*, *supra* note 11.

¹⁹ See Brian Concannon Jr. & Beatrice Lindstrom, *Cheaper, Better, Longer-Lasting: A Rights-Based Approach to Disaster Response in Haiti*, 25 EMORY INT’L L. REV. 1145, 1148 (2011); see also OFF. OF THE U.N. HIGH COMM’R FOR HUM. RTS., FREQUENTLY ASKED QUESTIONS ON A HUMAN-RIGHTS BASED APPROACH TO DEVELOPMENT COOPERATION 15 (2006), <http://www.ohchr.org/Documents/Publications/FAQen.pdf>; BROOKINGS, IASC OPERATIONAL GUIDELINES ON THE PROTECTION OF PERSONS IN SITUATIONS OF NATURAL DISASTERS 2 (Jan. 2011), https://interagencystandingcommittee.org/sites/default/files/migrated/2019-03/Operational_guidelines_nd.pdf.

²⁰ Concannon & Lindstrom, *supra* note 19, at 1158.

²¹ See generally SPHERE, THE SPHERE HANDBOOK (2018).

²² *Record Numbers of People Need Humanitarian Assistance*, UN INFO. SERVS. VIENNA (2023), <https://unis.unvienna.org/unis/topics/related/2023/humanitarian-need.html>.

²³ See *Protection from Sexual Exploitation and Abuse (PSEA)*, UNHCR (Jan. 16, 2026), <https://emergency.unhcr.org/protection/protection-principles/protection-sexual-exploitation-and-abuse-psea>.

²⁴ *The Inter-Agency Standing Committee*, UN IASC, <https://interagencystandingcommittee.org/the-inter-agency-standing-committee> (last visited Apr. 6, 2026).

²⁵ See *We Coordinate*, UN OCHA, <https://www.unocha.org/we-coordinate> (last visited Apr. 5, 2026) (the cluster system aims to “improve the efficiency and effectiveness of the response, avoid duplication, and ensure that affected people’s needs are met in a timely and appropriate manner”).

²⁶ This is consistent with the general trend of PMSCs “perpetually repositioning themselves to appear to new markets to take advantage of economic opportunities.” Rep. of the Working Group on the Use of Mercenaries on Access to Justice, Accountability and Remedies for Victims of Mercenaries, Mercenary-Related Actors and Private Military Contractors, U.N. Doc. A/HRC/51/25, ¶ 25 (July 5, 2022) [hereinafter Rep. on PMSC Justice, Accountability, and Remedies].

²⁷ Christopher Spearin, *Private, Armed and Humanitarian? States, NGOs, International Private Security Companies and Shifting Humanitarianism*, 39 SEC. DIALOGUE 363, 364 (2008).

²⁸ See generally Rep. on PMSC in Humanitarian Action, *supra* note 11 (2021 report describing role of PMSCs in humanitarian assistance as accompanying or working with, but not yet replacing, humanitarian actors).

²⁹ TONY VAUX ET AL., HUMANITARIAN ACTION AND PRIVATE SECURITY COMPANIES 8 (2001).

³⁰ *Id.* (discussing how PMSCs have “entered the aid market ... for humanitarian departments” especially in demining efforts).

³¹ Deane-Peter Baker & James Pattison, *The Principled Case for Employing Private Military and Security Companies in Interventions for Human Rights Purposes*, 29 J. APPLIED PHIL. 1, 3 (2012) (“Pacific A&E and Medical Support Solutions in Sudan, Defence Systems Limited and DynCorp in East Timor, and, perhaps most famously, Executive Outcomes in Sierra Leone.”); Tom de Groot & Salvador Santino F. Regilme Jr., *Private Military and Security Companies and the Militarization of Humanitarianism*, 38 J. DEVELOPING SOCIETIES 50, 60 (2022).

³² de Groot & Regilme, *supra* note 31, at 60–62 (describing the Baghdad bombing as “a watershed moment for security management in UN peace missions” that “increased the influence of [private] security actors in peacebuilding missions.”).

³³ Adelia Fairbanks, *Humanitarian Actors and Private Security Providers: New Challenges and Opportunities*, ICoCA (Oct. 9, 2025), <https://blog.icoca.ch/humanitarian-actors-and-private-security-providers-new-challenges-and-opportunities> (discussing the backlash to Private Security Companies (“PSCs) in 1990s and 2000s because of reputational, operational, and security).

³⁴ Peter W. Singer, *Humanitarian Principles, Private Military Agents: Implications of the Private Military Industry for the Humanitarian Community*, 13 BROWN J. WORLD AFFS. 105, 106 (2006). At this stage, PMSCs served humanitarian NGOs and the United Nations as clients, a distinction from how they operate now.

³⁵ Jutta Joachim & Andrea Schneiker, *New Humanitarians? Frame Appropriation Through Private Military and Security Companies*, 40 MILLENNIUM: J. INT’L STUD. 365, 378 (2012) (positing that some PMSCs began to take on the moniker of the “New Humanitarian Agents”). This 2012 analysis of over 200 PMSCs indicated that around 25% “either directly refer to themselves as humanitarians or emphasise their humanitarian qualities.” *Id.* The International Code of Conduct Association (“ICoCA”) takes a different approach by drawing a distinction between PSCs, which it regulates, and mercenary groups and arguing that PSCs “should not be [seen] as a neutral technical service divorced from humanitarian principles.” Jamie Williamson, *Protecting with Principles: Advancing Responsible Security in the Humanitarian Sector*, ICoCA (Oct. 2, 2025), <https://blog.icoca.ch/protecting-with-principles-advancing-responsible-security-in-the-humanitarian-sector>.

³⁶ This expansion of PMSCs into the humanitarian sector was, and still is, happening in the context of a worsening security climate for humanitarians, as illustrated by the bombing of the UN in Baghdad in 2003 and the ongoing increase in direct targeting of humanitarian aid workers. See Martin Griffiths, *20 Years Since the Canal Hotel Bombing: Protecting the People Who Protect the World*, UN OCHA (Aug. 19, 2023), <https://www.unocha.org/news/20-years-canal-hotel-bombing-protecting-people-who-protect-world>; *Over 1,000 Humanitarians Have Been Killed in Three Years, Security Council Hears*, UN NEWS (Apr. 8, 2026), <https://news.un.org/en/story/2026/04/1167267>. This insertion has never been without risks as discussed in the rest of the paper.

³⁷ See, e.g., Rep. on PMSC Justice, Accountability, and Remedies, *supra* note 26, ¶ 25 (noting Working Group’s prior reporting on grave violations); Rep. on PMSC in Humanitarian Action, *supra* note 11, ¶ 51–57 (reporting on allegations of human rights abuses by PMSCs when supporting operations in civilian protection contexts).

³⁸ See, e.g., Rep. on PMSC Justice, Accountability, and Remedies, *supra* note 26, ¶ 25.

³⁹ See, e.g., *Privatizing War in Afghanistan Endangers Civilians*, HUM. RTS. WATCH (Oct. 2, 2018, at 22:30 ET), <https://www.hrw.org/news/2018/10/02/privatizing-war-afghanistan-endangers-civilians> (massacre of civilians by Blackwater as one example).

⁴⁰ Rishab Rathi, *Hired Guns: The Rise of Private Military Industry in Africa*, MOD. DIPL. (May 3, 2025), <https://moderndiplomacy.eu/2025/05/03/hired-guns-the-rise-of-private-military-industry-in-africa/> (“[Wagner Group’s] conduct in CAR, Mali, and Sudan has been marked by systematic human rights abuses—mass executions, sexual violence, and torture.”); see also *Architects of Terror: The Wagner Group’s Blueprint for State Capture in the Central African Republic*, THE SENTRY (June 2023), <https://thesentry.org/wp-content/uploads/2023/06/ArchitectsTerror-TheSentry-June2023.pdf>.

⁴¹ AMNESTY INT’L, “WHAT I SAW IS DEATH”: WAR CRIMES IN MOZAMBIQUE’S FORGOTTEN CAPE 10, 17 (Mar. 2, 2021), <https://www.amnesty.org/en/documents/afr41/3545/2021/en>.

⁴² Rathi, *supra* note 40; AMNESTY INT’L, *supra* note 41, at 17; see also U.N. Secretary-General, *Use of Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-determination*, ¶ 35, U.N. Doc. A/75/259 (July 28, 2020); Press Release, Landmark Case Filed Before African Court on Human

and Peoples' Rights Over Alleged Violations in Mali Involving Armed Forces and Wagner Group, Trial Int'l (Apr. 20, 2026), <https://trialinternational.org/latest-post/landmark-case-filed-before-african-court-on-human-and-peoples-rights-over-alleged-violations-in-mali-involving-armed-forces-and-wagner-group>; Candace Rondeaux, *The Wagner Group in Court: Justice Is Catching Up with Russia's Top Irregular Warfighters*, JUST SECURITY (Dec. 17, 2024), <https://www.justsecurity.org/105758/russia-wagner-group-in-court>; Press Release, Mozambique: Civilians Killed as War Crimes Committed by Armed Group, Government Forces, and Private Military Contractors—New Report, AMNESTY INT'L (Mar. 2, 2021), <https://www.amnesty.org/en/latest/news/2021/03/mozambique-civilians-killed-as-war-crimes-committed-by-armed-group-government-forces-and-private-military-contractors-new-report>.

⁴³ See, e.g., *The International Code of Conduct for Private Security Providers*, ICoCA, <https://icoca.ch/the-code/?cn-reloaded=1> (last visited Mar. 21, 2026). Importantly, ICoCA only purports to set a code of conduct for PSCs and draws a sharp distinction between PSCs and Private Military Companies (PMCs), the blurring of which through the term PMSCs mixes what responsibilities should be expected of either. ICoCA, Submission by the International Code of Conduct Association on the Humanitarian Impacts and Victims of PMSCs, at 1 (May 4, 2022) [hereinafter ICoCA Submission], <https://www.ohchr.org/sites/default/files/2022-05/InternationalCodeConductAssociation.pdf>.

⁴⁴ See, e.g., SWISS FED. DEP'T OF FOREIGN AFFS & INT'L COMM. OF THE RED CROSS, THE MONTREUX DOCUMENT (Sept. 17, 2008).

⁴⁵ For example, PMSCs were phased out in Afghanistan by the United States after concerns were raised about transparency, accountability, overreliance, and NDAA noncompliance. HERBERT RICHARDSON, ANALYSIS OF RECOMMENDATIONS CONCERNING CONTRACTING IN AFGHANISTAN, AS MANDATED BY SECTION 1219 OF THE FISCAL YEAR 2011 NDAA 12-14 (June 22, 2011), <https://apps.dtic.mil/sti/trecms/pdf/AD1141113.pdf>. Notably, deaths caused by PMSCs contracted by DOD, DOS, and USAID were reliably not being tracked or reported. *Id.* at 14–15.

⁴⁶ For example, ICoCA membership rose from 45 certified members in 2022, ICoCA Submission, *supra* note 43, at 3, to 95 certified members as of March 2026, *Members*, ICoCA, <https://icoca.ch/membership> (last visited Mar. 21, 2026). There were more than 1700 PMSCs documented in 2020. ORI SWED & DANIEL BURLAND, THE GLOBAL EXPANSION OF PMSCS: TRENDS, OPPORTUNITIES, AND RISKS (2020), <https://www.ohchr.org/sites/default/files/Documents/Issues/Mercenaries/WG/ImmigrationAndBorder/swed-burland-submission.pdf>.

⁴⁷ See Frantisek Toth, *Current International Efforts to Regulate Private Military and Security Companies—Another Failure or Finally a Chance for Success?*, ICoCA (June 30, 2025), <https://blog.icoca.ch/current-international-efforts-to-regulate-private-military-and-security-companies-another-failure-or-finally-a-chance-for-success>.

⁴⁸ See generally ICoCA & GLOB. INTERAGENCY SEC. F., PRIVATE SECURITY CONTRACTING IN THE HUMANITARIAN SECTOR: TIME TO TAKE RESPONSIBILITY (Dec. 2, 2021) (discussing how many humanitarian actors don't utilize third-party verification services to ensure compliance with industry standards and codes of conduct among other issues).

⁴⁹ See *infra* notes 78-81 and accompanying text.

⁵⁰ See, e.g., Dania Akkad & Nadav Rappaport, *Israeli Documents Reveal Further American Interests in Firm Guarding Gaza Aid Hubs*, MIDDLE EAST EYE (June 18, 2025), <https://www.middleeasteye.net/news/new-filings-reveals-more-americans-involved-firm-guarding-gaza-aid-hubs> (indicating involvement of private equity firm McNally Capital, investment firm Nio Advisors, and wealth management company Two Ocean Trust in Gaza aid hubs); Aram Roston, *Chicago Private Equity Firm has Stake in Gaza Aid Company*, REUTERS (June 5, 2025), <https://www.reuters.com/business/finance/gaza-aid-logistics-company-funded-by-chicago-private-equity-firm-2025-06-05> (“A Chicago-based private equity firm—controlled by a member of the family that founded American publishing company Rand McNally—has an ‘economic interest’ in [Safe Reach Solutions,] the logistics company involved in a controversial new aid distribution operation in Gaza.”). Fogbow reportedly received start-up funds from its founders, who are also all partners at the same venture capital firm. See Katharine Houreld, *U.S. Entrepreneurs Want to Tear Up the International Aid System's Rule Book*, WASH. POST (July 8, 2025), <https://www.washingtonpost.com/world/2025/07/08/fogbow-aid-delivery-gaza-sudan>; Craze & Falzetta, *supra* note 7.

⁵¹ See, e.g., Miranda Fraraccio, *Nonprofit vs. Not-for-Profit vs. For-Profit: What's the Difference?*, U.S. CHAMBER OF COM. (Mar. 17, 2025), <https://www.uschamber.com/co/start/strategy/nonprofit-vs-not-for-profit-vs-for-profit> (stating that for-profit companies “have fewer public disclosure requirements” than non-profit organizations). GHF has declined to disclose its funding sources. See, e.g., Letter from Lawyer, GHF-SRS, to Adam Coogle,

Deputy Director, Middle East and North Africa Division, Human Rights Watch (July 28, 2025) [hereinafter Letter from Lawyer, GHF-SRS], https://www.hrw.org/sites/default/files/media_2025/07/GHF%20HRW%20reply%20final%207.28.25%5B62%5D.pdf (taking position that GHF does not disclose funding sources “as a matter of policy”).

⁵² See generally U.N. Off. of the High Comm’r. Hum. Rts [hereinafter OHCHR], Guiding Principles on Business and Human Rights, U.N. Doc. HR/PUB/11/04 (2011); Human Rights Council Res. 17/4, U.N. Doc A/HRC/RES/17/4, at 2 (July 6, 2011); OECD, G20/OECD PRINCIPLES OF CORPORATE GOVERNANCE (June 8, 2023), https://www.oecd.org/content/dam/oecd/en/publications/reports/2023/09/g20-oecd-principles-of-corporate-governance-2023_60836fcb/ed750b30-en.pdf; OECD, OECD DUE DILIGENCE GUIDANCE FOR RESPONSIBLE BUSINESS CONDUCT (2018), <https://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf> [<https://perma.cc/728H-3RYD>]; John Ruggie (Special Rep. of the Secretary-General on the Issue of Hum. Rts. & Transnat’l Corps. & Other Bus. Enters.), *Business and Human Rights: Further Steps Toward the Operationalization of the “Protect, Respect and Remedy” Framework*, ¶¶ 57–65, Hum. Rts. Council, U.N. Doc. A/HRC/14/27 (Apr. 9, 2010) (“The corporate responsibility to respect human rights means avoiding the infringement of the rights of others and addressing adverse impacts that may occur. This responsibility exists independently of States’ human rights duties. It applies to all companies in all situations.” *Id.* ¶ 57).

⁵³ See Lenore Palladino & Kristina Karlsson, *Towards Accountable Capitalism: Remaking Corporate Law Through Stakeholder Governance*, HARV. L. SCH. F. ON CORP. GOVERNANCE (Feb. 11, 2019), <https://corpgov.law.harvard.edu/2019/02/11/towards-accountable-capitalism-remaking-corporate-law-through-stakeholder-governance>.

⁵⁴ The extent to which the implementation of humanitarian principles is “costly” relative to not adhering to them is dependent on how success is measured. If the objective is to maximize impact, then adhering to these principles is likely cost-effective, as it helps to enable humanitarian access and triaging. If the objective is simply to deliver as many tons of aid resources as possible to an area, adhering to humanitarian principles may raise short-term costs. For example, it may be cheaper to provide uncooked food supplies as food aid, but if the goal is the alleviation of famine through dignified means, it might require more investment in supplies that can be readily usable by the beneficiaries or that empower local capacity building to grow crops. This, in turn, may depend on fostering relationships that allow aid to be responsive to community-identified priorities.

⁵⁵ See Rep. on PMSC in Humanitarian Action, *supra* note 11, ¶ 24 (noting “lack of clarity as to the chain of command or control over [PMSC] personnel may also obscure accountability.”); Rep. on PMSC Justice, Accountability, and Remedies, *supra* note 26, ¶ 65 (“pervasive secrecy and opacity” impedes identification of perpetrators).

⁵⁶ See UN News, *supra* note 36.

⁵⁷ See Elizabeth Radziszewski, *Private Military and Security Companies and Human Rights Abuses: The Impact of CEOs’ Military Background*, 40 CONFLICT MGMT. & PEACE SCI. 554 (2023) (presenting correlation between whether a PMSC CEO has a military background and the frequency at which their PMSC committed human rights abuses in Iraq from 2003-2019); see also STUART W. BOWEN, JR., LESSONS LEARNED ON THE DEPARTMENT OF DEFENSE’S COMMANDER’S EMERGENCY RESPONSE PROGRAM IN IRAQ 15 (Jan. 24, 2013), <https://info.publicintelligence.net/SIGIR-IraqCERP.pdf> (finding the United States’ \$4.1 billion Commander’s Emergency Response Program in Iraq and Afghanistan led to “questionable outcomes” due to military commanders’ lacking necessary expertise to manage largescale reconstruction projects and failing to collaborate with host government and other development actors). Following the 2010 earthquake in Haiti, the United States was heavily criticized for deploying U.S. troops absent a request from the Haitian government, which many viewed as a misplaced and counter-productive measure that slowed down access to aid sites. See, e.g., Ansel Herz, *U.S. Worried About International Criticism of Post-quake Troop Deployment*, HAITI CHILDREN, <https://www.haitichildren.org/blog/u-s-worried-about-international-criticism-of-post-quake-troop-deployment> (last visited Apr. 8, 2026) (reporting on local and international reactions and contemporaneous U.S. cables released through Wikileaks).

⁵⁸ For example, Fogbow’s coordination with the South Sudanese government offers an example of oversight and influence impacting decision making. Specifically, Fogbow’s Director of Humanitarian Support Services “emphasised that the drop sites were selected by the [South Sudanese] government and a local NGO.” Craze & Falzetta, *supra* note 7.

⁵⁹ See, e.g., *Central African Republic: Rape by Peacekeepers*, HUM. RTS. WATCH (Feb. 4, 2016), <https://www.hrw.org/news/2016/02/04/central-african-republic-rape-peacekeepers> (reporting on UN

peacekeepers' sexual abuse of women and girls in Central African Republic); Jonathan Katz, *U.N. Admits Role in Cholera Epidemic in Haiti*, N.Y. TIMES (Aug. 17, 2016) (reporting on UN responsibility for causing deadly cholera epidemic in Haiti through improper waste disposal); *WHO Horrified Over Sexual Exploitation By Aid Workers in DR Congo*, BBC (Sep. 28, 2021), <https://www.bbc.com/news/world-africa-58710200>; Damien Gayle, *Timeline: Oxfam Sexual Exploitation Scandal in Haiti*, THE GUARDIAN (June 15, 2025), <https://www.theguardian.com/world/2018/jun/15/timeline-oxfam-sexual-exploitation-scandal-in-haiti> (reporting on Oxfam staff sexual misconduct and alleged cover-up in Haiti).

⁶⁰ It is well-documented that both traditional humanitarian and PMSCs operating in other contexts have committed SGBV. See *supra* note 59 (reports of sexual violence and exploitation by UN peacekeepers and other aid workers); Rep. on PMSC Justice, Accountability, and Remedies, *supra* note 26, ¶ 37 (noting heightened risk of PMSC sexual and gender-based violence in settings “where protection system are weak, rule of law and oversight diminished and pre-existing levels of discrimination against women and high.”).

⁶¹ See generally Rep. on PMSC Justice, Accountability, and Remedies, *supra* note 26 (documenting accountability challenges encountered by victims of PMSCs).

⁶² See David Gritten, *Controversial US-Backed Gaza Humanitarian Foundation Ends Aid Operations*, BBC (Nov. 24, 2025), <https://www.bbc.com/news/articles/cj01jr13277o> (describing the duration of GHF's operations from May to October, their displacement of the UN system, and the approval of their operation as a slight opening of the previously total Israeli blockade on aid entering Gaza); see also Patrick Kingsley et al., *New Gaza Aid Plan, Bypassing U.N. and Billed as Neutral. Originated in Israel*, N.Y. TIMES (May 25, 2025), <https://www.nytimes.com/2025/05/24/world/middleeast/israel-gaza-aid-plan.html> (identifying the date of GHF's incorporation). GHF announced its closure in November 2025. *GHF Statement on Conclusion of Mission in Gaza*, GHF (Nov. 24, 2025), <https://web.archive.org/web/20251126231304/https://ghf.org/ghf-statement-on-conclusion-of-mission-in-gaza/>.

⁶³ See Craze & Falzetta, *supra* note 7. Fogbow was incorporated in 2022 and first sought to enter the field in Gaza. *Id.*

⁶⁴ *Fogbow*, FOGBOW, <https://fogbow.com> (last visited Apr. 16, 2026) (declaring the company to be “the next generation of aid, stabilization, and development”). The company also states the broad scope of work it aims to cover: “from emergency response to long-term recovery and development, we provide resilient and scaled solutions across nutrition, health, shelter, clean water access, energy and critical infrastructure rehabilitation.” *About*, FOGBOW, www.fogbow.com/about (last visited Apr. 16, 2026).

⁶⁵ See Press Release, GHF, *Myth v. Fact: Setting the Record Straight on Ongoing Myths Related to GHF* (July 2025), <https://web.archive.org/web/20251126231322/https://ghf.org/myths-vs-facts-about-ghf-setting-the-record-straight/> (claiming that “GHF’s work complements, not supplants, the work of the UN and traditional aid organizations”); *Gaza Humanitarian Foundation*, GAZA HUMANITARIAN FOUND., <https://web.archive.org/web/20251116071547/https://ghf.org> (last visited Nov. 16, 2025) (referring to the Foundation as “bring[ing] together humanitarian organizations, governments and experts in logistics, security and diplomacy to deliver aid”); Houreld, *supra* note 50 (quoting executive as saying “We want to be part of [the humanitarian community] not replace it”). In April 2025, Fogbow wrote a letter to the UN Secretary-General “express[ing their] commitment to making the UN Global Compact and its principles part of the strategy, culture and day-to-day operations of [their] company.” Letter from Brook Jerue, Chief Executive Officer, Fogbow LLC, to H.E. António Guterres, Secretary-General, United Nations (Apr. 2, 2025), <https://drupal-assets.unglobalcompact.org/letter-of-commitment/2025-02/9d037f6c-03f7-4be8-8006-0b560f58ba39.pdf>. Contemporaneously, Fogbow Director of Humanitarian Support Services expressed that “Fogbow should not be expected to comply with humanitarian principles but is trying to work within their boundaries.” Craze & Falzetta, *supra* note 7.

⁶⁶ See Press Release, Amnesty Int'l, *Gaza: Starvation or Gunfire—This is Not a Humanitarian Response* (July 1, 2025), <https://www.amnesty.org/en/latest/news/2025/07/gaza-starvation-or-gunfire-this-is-not-a-humanitarian-response> (From over 150 humanitarian organizations calling for an end to GHF's operations and condemning them as “not a humanitarian response,” but a “military aid scheme.”); Craze & Falzetta, *supra* note 7 (noting “interviews with more than 40 international and local aid workers, US government sources, local officials, and analysts raised concerns about [Fogbow's] practices.”); Letter from Working Group on the Use of Mercenaries, et al., to Johnnie Moore, Gaza Humanitarian Foundation, U.N. Doc. AL OTH 163/2025, Jan. 22, 2026, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=30635> (presenting allegations that GHF and its contractors' operations “contributed to, enabled, or directly resulted in grave human rights violations and serious breaches of international law”); *but see* Letter from John A., Interim

Executive Director, Gaza Humanitarian Foundation, to Michelle Small, UN Special Procedures, Mar. 10, 2026, <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=39634> (contesting the allegations).

⁶⁷ Karen DeYoung & Cate Brown, *The For-Profit Companies Behind Israeli-U.S. Nonprofit Gaza Aid Plan*, WASH. POST (July 22, 2025), <https://www.washingtonpost.com/world/2025/07/21/gaza-aid-ghf/> (identifying SRS as the primary contractor purpose built to implement the GHF apparatus, and who in turn subcontracted ground security to UG Solutions); see also Claire Parker et al., *Israel Plans to Control Aid Distribution in Gaza, Use U.S. Contractors*, WASH. POST (May 4, 2025) <https://www.washingtonpost.com/world/2025/05/04/israel-gaza-aid-distribution-plan/> (describing SRS' role as handling overall planning and logistics for GHF operation, while UG Solutions was brought in by SRS for "on-the-ground security operations").

⁶⁸ See Kingsley et al., *supra* note 62 (noting that the leader of SRS was central to the planning of the GHF-SRS operation as a whole, that the same lawyer registered both organizations in the United States at the same time, and that for some period GHF and SRS shared a spokesperson); see also Letter from Lawyer, GHF-SRS, *supra* note 51. (jointly responding, on behalf of SRS and GHF, to allegation of human rights violations committed at GHF distribution sites); Letter from Working Group on Mercenaries et al., *supra* note 66 (noting GHF and another entity originally of the same name "appear to be shell companies with empty offices and no-known staff."). GHF's former executive director told media that GHF "is a nonprofit organization that will hire S.R.S. and raise the money to pay for its operations." Kingsley et al., *supra* note 62. After GHF shut down, SRS also appears to have ceased operations. Ephrat Livni, *Israeli-Backed Gaza Aid Outfit Shunned by Humanitarian Groups Shuts Down*, N.Y. TIMES (Dec. 1, 2025), <https://www.nytimes.com/2025/11/24/world/middleeast/ghf-gaza-closing.html>; see *Safe Reach Solutions*, WY. SEC. OF STATE, <https://wyobiz.wyo.gov/business/FilingDetails.aspx?eFNum=000125214201245140255062163044070192217064100157> (last visited May 6, 2026) (showing the company was administratively dissolved by the State of Wyoming in October 2025 then again in February 2026, though the company legal status is again "active" as of May 6, 2026). A Google news search on May 1st, 2026 yielded only six articles since December 1st, 2025 that mentioned SRS and not a single article indicated the company has engaged in any operations, or signed any new contracts, since the closure of GHF. The enmeshment of the organizations' founding and activities post-Gaza indicates a consistent conglomeration of operations.

⁶⁹ Stephen Foley & Mehul Srivastava, *BCG Earned More Than \$1mn For Gaza Aid Barge Project*, FIN. TIMES (July 13, 2025), <https://www.ft.com/content/172cf48c-ef12-4560-b0d5-5566b8e4ff91> (reporting on the Boston Consulting Group's contract with the Maritime Humanitarian Assistance Foundation ("MHAF"), and MHAF's relationship with Fogbow).

⁷⁰ See Le Masurier & Leimbach, *supra* note 7 (reporting that Fogbow was initially contracted and funded by the MHAF, a Geneva- and United States-based charity run by a former U.S. diplomat who is also an advisor for the same corporate intelligence firm as Fogbow's founders); Foley & Srivastava, *supra* note 69; see also note 68 and accompanying text.

⁷¹ Letter from Lawyer, GHF-SRS, *supra* note 51 (taking position that GHF does not disclose funding sources "as a matter of policy"); see also Le Masurier & Leimbach, *supra* note 7 (explaining Fogbow's formation by three businessmen who hold senior positions at corporate intelligence firm Veracity Worldwide and venture capital firm Autumn Road Capital); Akkad & Rappaport, *supra* note 50 (reporting on Israeli business registration documents for SRS that were filed by an American with ties to Illinois-based private equity firm McNally Capital and investment firm Nio Advisors, and that list Wyoming-based wealth management company Two Ocean Trust, the American registered agent for SRS, as SRS's sole director); Houeld, *supra* note 50 (tracing Fogbow's relationship with South Sudan, despite lack of public information about Fogbow's contracting).

⁷² Fogbow's CEO is a former marine; Fogbow's President is a former Deputy Assistant Secretary of Defense and spent 20 years in the CIA; Fogbow's COO is a retired U.S. Navy Seal. *Team*, FOGBOW, www.fogbow.com/team (last visited Apr. 6, 2026). GHF was initially run by a U.S. military veteran who resigned, citing concerns that humanitarian principles were not being followed. See Jeremy Diamond et al., *Head of Controversial US-backed Gaza Aid Group Resigns, Citing Concerns Over Independence and Impartiality*, CNN (May 27, 2025), <https://www.cnn.com/2025/05/26/middleeast/gaza-humanitarian-foundation-aid-resigns-intl-hnk>. He was replaced by Johnnie Moore, the head of an evangelical Christian public relations firm. See Ephrat Livni, *He Attended Prayer Meetings in the White House. Now He's Chairman of a Gaza Aid Group*, N.Y. TIMES (Jun. 5, 2025), <https://www.nytimes.com/2025/06/05/world/middleeast/israel-johnnie-moore-gaza-humanitarian-foundation.html>.

⁷³ SRS was founded by a former CIA paramilitary officer, and UG Solutions by a retired Green Beret, see Lucien Bruggeman & Matt Gutman, *How a Team of "Suburban Dads" Secured a Key Checkpoint in Gaza's "Death*

Corridor,” ABC News (Apr. 18, 2025), <https://abcnews.go.com/US/team-suburban-dads-secured-key-checkpoint-gazas-death/story?id=120921682>; Houreld, *supra* note 50 (“SRS, which was set up this year, has striking structural similarities with Fogbow. Both recruit retired military officers who served in U.S. Special Operations.”); Pasha Magid & Rami Ayyub, *Exclusive: US Firm in Gaza Aid Program, Criticized by UN, in Talks for New Role*, REUTERS (Feb. 11, 2026, at 7:44 ET), <https://www.reuters.com/world/middle-east/us-firm-involved-defunct-gaza-aid-scheme-recruits-new-officers-website-shows-2026-02-11> (noting UG Solutions deployed armed veterans to guard Gaza aid sites).

⁷⁴ Andy Verity et al., *Anti-Islamic US Biker Gang Members Run Security at Deadly Gaza Aid Sites*, BBC NEWS (Sep. 10, 2025), <https://www.bbc.com/news/articles/cm2zy4l8jgeo> (reporting on investigation that confirmed identities of 10 members of the Infidels Motorcycle Club working for UG Solutions).

⁷⁵ Houreld, *supra* note 50.

⁷⁶ See note 57 and accompanying text.

⁷⁷ See, e.g., Houreld, *supra* note 50 (reporting on Fogbow’s relationship with South Sudan). GHF denies receiving funding from Israel. The GHF model was initially designed by the Mikveh Yisrael Forum (MYF), a group of Israeli-American business, military and political figures, who brought Phillip Reilly from Orbis specifically to stand up GHF. MYF forum members were more explicit about the dual military-aid purpose of GHF, framing the need to circumvent neutral, UN-led, humanitarian control of aid distribution as part of the “war’s goals over the long term.” See Kingsley et al., *supra* note 62 (reporting on the role of Mikveh Yisrael Forum in generating the ideas for GHF and identifying Reilly to lead the organization, and characterizing HaCohen’s journal publication mapping GHF’s design onto Israeli war aims); *Activities of the UN AO*, *supra* note 13, ¶ 73 (discussing Israel’s launch of a new aid distribution system through GHF).

⁷⁸ Diamond et al., *supra* note 72; see generally Letter from Katherine Gallagher, Senior Staff Attorney, Ctr. for Const. Rts., to Johnnie Moore, Executive Chairman, Gaza Humanitarian Found., at 1-6 (June 10, 2025), https://ccrjustice.org/sites/default/files/attach/2025/06/6_10_2025_Letter%20and%20Exhibits%20to%20GHF.pdf; Letter from Working Group on the Use of Mercenaries, et al., to Johnnie Moore, *supra* note 66.

⁷⁹ Diamond et al., *supra* note 72.

⁸⁰ *About*, FOGBOW, *supra* note 64. The website goes on to say that the company “act[s] where needs are greatest, operating free from political or ideological alignment. Our operations are guided by humanitarian needs, operational integrity, and field realities. Whether through food, medicine, or shelter, we serve neutrally with a single priority: supporting vulnerable civilians affected by conflict and disaster.” *Id.*

⁸¹ Craze & Falzetta, *supra* note 7 (quoting Fogbow’s Director of Humanitarian Support Services and reporting that “interviews with more than 40 international and local aid workers, US government sources, local officials, and analysts raised concerns about [Fogbow’s] practices.”).

⁸² *Activities of the UN AO*, *supra* note 13, ¶ 63.

⁸³ *Id.* ¶ 70; see also Response of the State of Israel to the Court’s Request Dated 13 August 2025, ICJ, ¶¶ 20–24 (Aug. 27, 2025), <https://www.icj-cij.org/sites/default/files/case-related/196/196-20250827-oth-02-00-en.pdf> (government submission elaborating on aid diversion allegation). The allegations against UNRWA have not been independently substantiated. See, e.g., Jonathan Landay, *USAID Analysis Found No Evidence of Massive Hamas Theft of Gaza Aid*, REUTERS (July 25, 2025), <https://www.reuters.com/world/middle-east/usaid-analysis-found-no-evidence-massive-hamas-theft-gaza-aid-2025-07-25> (reporting that internal USAID investigation of aid theft or loss of US-funded aid between October 2023 and June 2025 did not find systematic diversion of aid by Hamas, but instead that over a quarter of diversion incidents were “‘either directly or indirectly’ due to Israeli military actions”); Natan Odenheimer, *No Proof Hamas Routinely Stole U.N. Aid, Israeli Military Officials Say*, N.Y. TIMES (July 26, 2025), <https://www.nytimes.com/2025/07/26/world/middleeast/hamas-un-aid-theft.html> (citing anonymous Israeli military officials’ claims that Israel itself lacked evidence of Hamas diversion).

⁸⁴ See *People in Gaza Starving, Sick and Dying as Aid Blockade Continues*, WORLD HEALTH ORG. (Dec. 5, 2025), <https://www.who.int/news/item/12-05-2025-people-in-gaza-starving--sick-and-dying-as-aid-blockade-continues> (tying starvation to aid blockade); *Israel: Starvation Used As Weapon of War in Gaza*, HUM. RTS. WATCH (Dec. 18, 2023), <https://www.hrw.org/news/2023/12/18/israel-starvation-used-weapon-war-gaza> (concluding that Israel used starvation as an a weapon of war, amounting to war crimes); *Gaza: Evidence Points to Israel’s Continued Use of Starvation to Inflict Genocide Against Palestinians*, AMNESTY INT’L (July 3, 2025), <https://www.amnesty.org/en/latest/news/2025/07/gaza-evidence-points-to-israels-continued-use-of>

starvation-to-inflict-genocide-against-palestinians/ (finding starvation used to inflict genocide); HUM. RTS. WATCH, EXTERMINATION AND ACTS OF GENOCIDE: ISRAEL DELIBERATELY DEPRIVING PALESTINIANS OF WATER IN GAZA (2024), <https://www.hrw.org/report/2024/12/19/extermiation-and-acts-genocide/israel-deliberately-depriving-palestinians-gaza> (finding Israel's deprivation of water to Gazans, including through aid blockages, amounts to war crimes and acts of genocide).

⁸⁵ Patrick Kingsley et al., *Private Contractors Take Over Gaza Aid Under U.S. and Israeli Plan*, N.Y. TIMES (May 24, 2025), <https://www.nytimes.com/2025/05/24/world/middleeast/israel-gaza-aid-plan.html> (reporting on the role of Israeli officials in GHF's inception); *Activities of the UN AO*, *supra* note 13, ¶ 73 (discussing Israel's launch of a new aid distribution system through GHF). The United States has provided \$30 million in funding for GHF. U.S. DEPT. OF STATE, *supra* note 7.

⁸⁶ See GHF, GAZA HUMANITARIAN FOUNDATION IMPACT REPORT (Nov. 2025), <https://web.archive.org/web/20251126231705/https://ghf.org/wp-content/uploads/2025/11/Gaza-Humanitarian-Impact-Report-November-2025.pdf> (noting four secured sites as "new model for humanitarian action."); HUM. RTS WATCH, GAZA: ISRAELI KILLINGS OF PALESTINIANS SEEKING FOOD ARE WAR CRIMES (2025), <https://www.hrw.org/news/2025/08/01/gaza-israeli-killings-of-palestinians-seeking-food-are-war-crimes> [hereinafter HRW GAZA KILLINGS REPORT] (satellite imagery and maps of sites); MÉDECINS SANS FRONTIÈRES [MSF], THIS IS NOT AID, THIS IS ORCHESTRATED KILLING (Aug. 7, 2025), <https://www.msf.org/not-aid-orchestrated-killing> (detailed map of the sliver of territory around Rafah and Al Mawassi in which three distribution sites are concentrated).

⁸⁷ Kaamil Ahmed et al, *Eleven-minute Race for Food: How Aid Points in Gaza Became 'Death Traps,'* THE GUARDIAN (July 22, 2025), <https://www.theguardian.com/global-development/2025/jul/22/food-aid-gaza-deaths-visual-story-ghf-israel> (analysis of GHF's Facebook posts announcing real time opening and closing times); HRW GAZA KILLINGS REPORT, *supra* note 86; Nir Hasson et al, *'It's a Killing Field': IDF Soldiers Ordered to Shoot Deliberately at Unarmed Gazans Waiting for Humanitarian Aid*, HAARETZ (June 27, 2025), <https://www.haaretz.com/israel-news/2025-06-27/ty-article-magazine/.premium/idf-soldiers-ordered-to-shoot-deliberately-at-unarmed-gazans-waiting-for-humanitarian-aid/00000197-ad8e-de01-a39f-ffbe33780000> (elaborating on IDF's presence and operations near GHF sites).

⁸⁸ *Humanitarian Situation Update #329 | Gaza Strip, Oct. 9, 2025*, OCHA (Oct. 9, 2025), <https://www.unocha.org/publications/report/occupied-palestinian-territory/humanitarian-situation-update-329-gaza-strip> (reporting "that the number of casualties among people trying to access aid supplies has reached 2,613 fatalities and more than 19,164 injuries since 27 May 2025"). As of early September 2025, OCHA reported that 2,146 people were killed in Gaza while seeking aid, 1,135 near the GHF distribution sites, and 1,011 along convoy supply routes. *Humanitarian Situation Update #319 | Gaza Strip, Sep. 4, 2025*, OCHA (Sept. 4, 2025), <https://www.ochaopt.org/content/humanitarian-situation-update-319-gaza-strip>; see also MSF, *supra* note 86 (MSF's two primary healthcare centers in Rafah received 1,380 casualties, including 28 dead bodies, coming from GHF sites in a 7-week period between early June and late July 2025).

⁸⁹ See HRW GAZA KILLINGS REPORT, *supra* note 86 (detailing allegations against UG Solutions' contractors by whistleblower Anthony Aguilar); Hasson et al, *supra* note 87 (reporting on IDF's practice of regularly shooting on unarmed aid seekers as a crowd control tactic, referred to by an anonymous soldier as "a killing field...our form of communication is gunfire"). According to the anonymous soldier, the IDF calls its presence surrounding GHF sites "Operation Salted Fish" (the Israeli version of red light, green light). *Id.* Prime Minister Netanyahu rejects these claims. Although UG Solutions was contracted to secure the distribution sites by GHF during the summer of 2025, they had a previous contractual relationship with the IDF directly, when they were hired to secure the Netzarim corridor during the January 2025 ceasefire. This raises further concerns about UG Solutions' independence and neutrality. See Rob Picheta & Jeremy Diamond, *US Security Contractor Will Take Charge of Key Checkpoint in Gaza as Israeli Forces Withdraw*, CNN (Jan. 24, 2025), <https://www.cnn.com/2025/01/24/middleeast/gaza-checkpoint-us-contractor-israel-intl>.

⁹⁰ See MSF, *supra* note 86, at 15 (alleging that tiny number of GHF's distribution hubs, surrounded by the IDF, combined with the starvation conditions facing Palestinians, contributed to the conditions leading to stampedes resulting in mass casualties, violating the core humanitarian ethics of 'do no harm' and key conditions of safety and dignity). GHF eventually instituted a pre-registration system to improve access. See Liza Rozovsky, *Gaza Humanitarian Foundation Launches Program for Palestinians to Pre-register for Aid Packages*, HAARETZ (Aug. 21, 2025), <https://www.haaretz.com/israel-news/2025-08-21/ty-article/ghf-launches-program-for-palestinians-to-pre-register-for-aid-packages/00000198-c955-d1e9-abf9-db778a090001>.

⁹¹ See Letter from Lawyer, GHF-SRS, *supra* note 51; Gerry Shih et al., *Sweeping Overhaul of Gaza Aid Raises Questions of Morality and Workability*, WASH. POST (May 24, 2025), <https://www.washingtonpost.com/world/2025/05/24/gaza-humanitarian-foundation-ghf-aid>.

⁹² See Letter from Katherine Gallagher, *supra* note 78 (letter from Center for Constitutional Rights notifying GHF of risks of legal liability for complicity in war crimes, crimes against humanity, and genocide resulting from their collaboration with Israel on aid distribution in Gaza); HRW GAZA KILLINGS REPORT, *supra* note 86 (finding none of the sites were accessible to people in Northern Gaza); Letter from Working Group on the Use of Mercenaries, et al., *supra* note 66, at 5.

⁹³ See Letter from Working Group on the Use of Mercenaries, et al., *supra* note 66, at 5 (raising concerns that the location GHF's sites contributed to forced displacement); Letter from Katherine Gallagher, *supra* note 78, at 7, 13–14; HRW GAZA KILLINGS REPORT, *supra* note 86 (“The four GHF distribution sites were selected and constructed by the Israeli military, counsel for GHF said to Human Rights Watch.”).

⁹⁴ *GHF Statement on Conclusion of Mission in Gaza*, *supra* note 62. GHF's subcontractor UG Solutions has affirmed its desire to remain in Gaza. *UG Solutions Prepared for Next Steps in Gaza*, UG SOLS. (Oct. 13, 2025), <https://ugsolutions.co/ug-solutions-prepared-for-next-steps-in-gaza> (stressing “UG's connections back to the U.S. Department of War and allied nations' militaries and security services can enable seamless coordination between the soon to be established multinational forces and the humanitarian community.”). Meanwhile, Israel continues to deny international UNRWA staff visas ospecir access to the Gaza strip. *UNRWA Situation Report #200, Dec. 9, 2025*, UNRWA (Dec. 9, 2025), <https://www.unrwa.org/resources/reports/unrwa-situation-report-200-situation-gaza-strip-and-west-bank-including-east-jerusalem>.

⁹⁵ *Disputed Gaza Aid Distributor Backed by US and Israel Ends Operations*, REUTERS (Nov. 25, 2025, at 3:31ET) <https://www.reuters.com/world/middle-east/controversial-us-israel-backed-gaza-aid-distributor-ends-operations-2025-11-24>.

⁹⁶ GAZA HUMANITARIAN FOUNDATION IMPACT REPORT, *supra* note 86; see also John Acree, *Five Lessons Learned Along the Way to 187 Million Meals*, REAL CLEAR WORLD (Dec. 17, 2025), https://www.realclearworld.com/articles/2025/12/17/five_lessons_learned_along_the_way_to_187_million_meals_1153838.html (GHF Executive Director op-ed on how GHF can serve as a model for future disaster response).

⁹⁷ See Magid & Ayyub, *supra* note 73; Heba Saleh, *US Security Group Looks to Recruit Hundreds of Personnel as it Targets Gaza Role*, FIN. TIMES, (Feb. 22, 2026), <https://www.ft.com/content/22a24f4c-7ee0-4824-8338-cb9d563a9c2e?syn-25a6b1a6=1> (noting that UG offered to provide “advisory services with lessons learned to logistics companies or others” involved in Gaza).

⁹⁸ *Famine Now Stalks Two Counties in South Sudan as Fragile Peace is Threatened*, UN NEWS (June 12, 2025), <https://news.un.org/en/story/2025/06/1164311>.

⁹⁹ *Conflict and Funding Cuts Fuel Soaring Hunger in South Sudan*, WORLD FOOD PROGRAMME (Nov. 18, 2025) [hereinafter *Conflict and Funding Cuts*], <https://www.wfp.org/stories/conflict-and-funding-cuts-fuel-soaring-hunger-south-sudan>; see also Chris Boccia, *Sudan Has Become a “Case Study” for the Impact of USAID Cuts, Aid Worker Says*, ABC NEWS (July 13, 2025, at 08:32 ET), <https://abcnews.com/Politics/humanitarian-system-struggles-fill-us-void-sudan-worlds/story?id=123483196> (reporting on the significant impact of USAID cuts on Sudan and attacks on UN aid workers).

¹⁰⁰ See *supra* notes 9–18 and accompanying text; see also *What You Need to Know about Humanitarian Airdrops*, ICRC (Apr. 14, 2016), <https://reliefweb.int/report/syrian-arab-republic/what-you-need-know-about-humanitarian-airdrops>.

¹⁰¹ See Houeeld, *supra* note 50 (noting that Samaritan's Purse received a \$30 million USAID grant for operations in South Kordofan, partnering with Fogbow to execute deliveries); Craze & Falzetta, *supra* note 7 (reporting that the Samaritan's Purse USAID-funded airdrop operation negotiated access with multiple armed actors, including the Sudanese Armed Forces (SAF) and SPLM/A-N, and contracted Fogbow for logistics support). Samaritan's Purse has functioned as a humanitarian intermediary across multiple contexts, facilitating private-sector operations in contested environments. See Ben Samuels, *Evangelical NGO Becomes First Aid Group to Say It's Collaborating With Controversial Gaza Humanitarian Foundation*, HAARETZ (Aug. 26, 2025), <https://www.haaretz.com/us-news/2025-08-26/ty-article/.premium/evangelical-ngo-becomes-first-to-work-with-controversial-gaza-humanitarian-foundation/00000198-e69a-df79-a39d-f6da6cf90000> (describing Samaritan's Purse's status as the first external partner of GHF); Ken Isaacs, Opinion, *I Visited Gaza. The Food Aid Surprised Me*, WASH. POST (Sep. 25, 2025), <https://www.washingtonpost.com/opinions/2025/09/25/gaza->

humanitarian-foundation-food-aid (op-ed from Samaritan's Purse Vice President of Programs and Government Relations defending GHF's operations).

¹⁰² See e.g., *Humanitarian Airdrops: Can Life-Saving Food Fall From the Sky?*, WORLD FOOD PROGRAMME (Aug. 20, 2025) [hereinafter *Humanitarian Airdrops*], <https://www.wfp.org/stories/airdrops-humanitarian-emergency-un-world-food-programme-sudan-syria> (noting air drops are only used as a last resort and detailing precautions including careful drop zone selection and coordination with a team on the ground); *Conflict and Funding Cuts, supra* note 99 (detailing safety procedures); see also Taqwa Ahmed Al-Wawi, *Airdropped Aid Is Crushing Starving People in Gaza*, THE INTERCEPT (Aug. 22, 2025) (reporting on injuries caused by airdropped aid in Gaza, including 23 deaths, and noting humanitarians' preferred over-land distribution methods are safer), <https://theintercept.com/2025/08/22/gaza-aid-airdrops/>.

¹⁰³ THINK CHANGE: *Corporate Humanitarianism? Gaza, Sudan and Beyond* (ODI Global, July 31, 2025) (Dustin Barter, guest), <https://odi.org/en/insights/think-change-episode-77-corporate-humanitarianism-gaza-sudan-and-beyond> (humanitarian expert using the term sorghum bomb to refer to Fogbow's mistakes that could injure beneficiaries); see also Houreld, *supra* note 50 (describing an early Fogbow operation in South Sudan where "almost all the bags [of food] exploded when they hit the ground," leaving hungry South Sudanese beneficiaries "combing the ground for the grains."). While Fogbow says it eventually learned that aid needs to be packaged in 6–7 bags to avoid explosion, *id.*, this has long been best practice among traditional humanitarians. See e.g., *Humanitarian Airdrops, supra* note 102.

¹⁰⁴ See Craze & Falzetta, *supra* note 7. Stephen Kueth, chairperson of the South Sudan Relief and Rehabilitation Commission, the government agency responsible for humanitarian aid in South Sudan, said that Fogbow "just accept[s] what we tell them." *Id.* Craze and Falzetta go on to present critiques from a senior UN official based in South Sudan that Fogbow is choosing aid drops politically, as an "extension" of the government. *Id.* The authors also demonstrate the South Sudanese government's vested interest in using Fogbow over UN agencies, quoting Kueth saying "if we give the money to WFP, then [the local population] will not know who gave them the food, and they will be hostile to us." *Id.* Though Fogbow claims it worked with WFP to identify locations, the WFP has denied this. *Id.*; see also Houreld, *supra* note 50.

¹⁰⁵ See Augustine Passilly & Mamer Abraham, *Army Barrel Bombs Spark Exodus as South Sudan Peace Deal Crumbles*, THE NEW HUMANITARIAN (May 20, 2025), <https://www.thenewhumanitarian.org/news-feature/2025/05/20/army-barrel-bombs-spark-exodus-south-sudan-peace-deal-crumbles>.

¹⁰⁶ See Craze & Falzetta, *supra* note 7 (citing Passilly & Abraham, *supra* note 105). The South Sudanese "government has denied these allegations." *Id.*

¹⁰⁷ See Craze & Falzetta, *supra* note 7 (reporting Fogbow's airdrops were conducted in coordination with the South Sudanese government in government-controlled towns within opposition territory); see also Joshua Craze & Joseph Falzetta, *As Civil War Reignites in South Sudan, so Too Does a Battle Over Aid*, THE NEW HUMANITARIAN (Apr. 22, 2026), <https://www.thenewhumanitarian.org/analysis/2026/04/22/civil-war-reignites-south-sudan-so-too-does-battle-over-aid> (identifying the purpose of BAR-Fogbow aid drops in Nasir as incentivizing population transfer back to a recently recaptured government town also being used to launch cross-border military operations).

¹⁰⁸ Craze & Falzetta, *supra* note 7. (noting that opposition and other groups have condemned Fogbow's approach as a "tactic to lure displaced civilians back into government-controlled areas, in order to increase support for the state"); see also Houreld, *supra* note 50 (quoting South Sudanese officials explicit framing of location selection to reconcentrate populations in recently retaken government-controlled areas—"people have to come back. And for them to come back, we must provide this life assistance"—and reporting that community elders had asked for drops to be located closer to where people had taken refuge during White Army attacks, but that their requests were ignored).

¹⁰⁹ This is inconsistent with Fogbow's claims of neutrality and impartiality presented on its website. See *About, FOGBOW, supra* note 64 ("We act where needs are greatest, operating free from political or ideological alignment.").

¹¹⁰ See, e.g., *South Sudan: Incendiary Bombs Kill, Burn Civilians*, HUM. RTS. WATCH (Apr. 9, 2025), <https://www.hrw.org/news/2025/04/09/south-sudan-incendiary-bombs-kill-burn-civilians>.

¹¹¹ Houreld, *supra* note 50 (interviews with potential beneficiaries); Press Release, UN OHCHR, South Sudan: Türk Urges Immediate Ceasefire as War Crimes Fears Mount (Mar. 10, 2026), <https://www.ohchr.org/en/press-releases/2026/03/south-sudan-turk-urges-immediate-ceasefire-war-crimes-fears-mount> ("The South

Sudanese armed forces have...reportedly destroyed or intentionally contaminated community water sources. Civilians who spoke to the UN Human Rights Office said approximately 99 wells were destroyed or poisoned with unidentified substances during government airstrikes.”); Ross, *supra* note 7 (discussing South Sudanese civilians’ distrust of aid in light of its affiliation with the government).

¹¹² See Craze & Falzetta, *supra* note 7 (citing aid workers and locals); Ross, *supra* note 7.

¹¹³ See, e.g., Rep. of the Comm’n Hum Rts S. Sudan, U.N. Doc. A/HRC/52/26 (Jan. 31, 2023), <https://docs.un.org/en/A/HRC/52/26> (report documenting widespread attacks against civilians, systematic sexual violence against women and girls, the ongoing presence of children in fighting forces, and extrajudicial killings by state actors).

¹¹⁴ See UN OHCHR, Press Release, *supra* note 111; Ross, *supra* note 7.

¹¹⁵ Craze & Falzetta, *supra* note 7 (quoting Fogbow’s website).

¹¹⁶ See Fogbow, FOGBOW *supra* note 64 (listing its operations in Sudan, South Sudan, and Gaza as “complete”).

¹¹⁷ See Craze & Falzetta, *supra* note 7 (quoting anonymous source on the circumstances of the non-renewal).

¹¹⁸ See Fogbow, FOGBOW *supra* note 64.

¹¹⁹ See generally JAKE JOHNSTON, AID STATE: ELITE PANIC, CAPITALISM AND THE BATTLE TO CONTROL HAITI (2024) (discussing the long-term trends of imperialism and capitalism shaping the modern international aid dynamics and governance failures in Haiti). Humanitarian assistance to Haiti has largely fallen short of a human rights-based approach. See generally Concannon & Lindstrom, *supra* note 19. Following the 2010 earthquake, for example, donor governments pledged billions in aid, but less than 10% of this funding went to the Haitian government or Haitian organizations, weakening capacity-building of both the state and civil society. Office of the Secretary General’s Special Adviser on Community-Based Medicine and Lessons from Haiti, [https://www.lessonsfromhaiti.org/lessons-from-haiti/key-statistics/#:~:text=9.1%20percent%20\(%24582.3%20million,organizations%20\(NGOs\)%20and%20companies](https://www.lessonsfromhaiti.org/lessons-from-haiti/key-statistics/#:~:text=9.1%20percent%20(%24582.3%20million,organizations%20(NGOs)%20and%20companies) (reporting on international donations post-earthquake from 2010-2012). Instead, dozens of NGOs and beltway contractors descended on the nation to assist with relief efforts, with limited results. See Claudia Morsut & Maite J. Iturre, *United Nations–European Union Cooperation in Aid, Relief and Reconstruction—The Haiti Case, in THE POLITICS AND POLICIES OF RELIEF, AID AND RECONSTRUCTION* (Fulvio Attina ed. 2012) (describing the international response to the 2010 Haiti earthquake, noting at the time it “represented the largest humanitarian operation carried out in a single country” in history, *id.* at 142–50); Justin Elliott & Laura Sullivan, *How the Red Cross Raised Half a Billion Dollars for Haiti and Built Six Homes*, PROPUBLICA (June 3, 2015) (investigation into American Red Cross performance in Haiti). Efforts to ‘stabilize’ Haiti from the outside have also been criticized for undermining Haitian sovereignty and lacking accountability to the Haitian people. See, e.g., Brian Concannon, *Is the White House Greenlighting Haiti’s Descent into Dictatorship?*, RESPONSIBLE STATECRAFT (Mar. 9, 2021), <https://responsiblestatecraft.org/2021/03/09/the-biden-administration-is-greenlighting-haitis-descent-towards-dictatorship>; Filippova et al., *From Coup to Chaos: 20 Years After the US Ousted Haiti’s President*, RESPONSIBLE STATECRAFT (Mar. 1, 2024), <https://responsiblestatecraft.org/us-haiti-coup>. The longest running UN peace operation, MINUSTAH, has failed to fully account for harms attributable to it or its personnel, including the 2010 introduction of cholera that resulted in over 10,000 deaths and allegations of sexual exploitation and abuse by peacekeepers. See Katz, *supra* note 59 (reporting on UN’s admission of responsibility for cholera); Press Release, UN Inaction Denies Justice for Haiti Cholera Victims, Say UN Experts, UN OHCHR (Apr. 30, 2020), <https://www.ohchr.org/en/press-releases/2020/04/un-inaction-denies-justice-haiti-cholera-victims-say-un-experts?LangID=E&NewsID=25851> (UN human rights experts condemning the UN’s denial of justice to victims); Louise Ivers & Yodeline Guillaume, *The Price of Peace? Peacekeeping with Impunity Harms Public Health in Haiti*, 97(3) AM. J. TROPICAL MED. HYGIENE. 639 (2017) (critiquing the UN’s response to cholera and sexual exploitation and abuse).

¹²⁰ See Daniela Mohor et al., *Haiti In-Depth: Why the Kenya-Led Security Mission Is Floundering*, THE NEW HUMANITARIAN (Jan. 13, 2025), <https://www.thenewhumanitarian.org/investigations/2025/01/13/haiti-depth-why-kenya-led-security-mission-floundering>.

¹²¹ See *Explainer: Organized Crime and Gang Violence in Haiti*, UN OFF. ON DRUGS & CRIME (Jan. 21, 2026), https://www.unodc.org/unodc/frontpage/2026/January/explainer_-_organized-crime-and-gang-violence-in-haiti.html (last visited Feb. 12, 2026). There is increasing evidence that government collusion with the armed actors is exacerbating the entrenchment of gang control in the country. See INST. FOR JUST. & DEMOCRACY IN HAITI

(“IJDH”), HUMAN RIGHTS AND THE RULE OF LAW IN HAITI: KEY RECENT DEVELOPMENTS: JULY 2025 THROUGH FEBRUARY 2026 3 (March 2026).

¹²² IJDH, *supra* note 121, at 2.

¹²³ See Daniel Dickinson, *Keeping Hope ‘Alive for Younger Generations’ in Haiti as Funding Falts*, U.N. NEWS (Feb. 6, 2026), <https://news.un.org/en/story/2026/02/1166906>.

¹²⁴ *Id.* For 2025, the UN sought \$908 million for humanitarian assistance but received only 26% of that target. OCHA Financial Tracking Service, *Haiti – Requirements and Funding Data*, HUMANITARIAN DATA EXCH., <https://data.humdata.org/dataset/hti-requirements-and-funding-data> (last visited Mar. 2, 2025).

¹²⁵ Sophie Rutenbar, *Peace Operations at a Crossroads*, GLOB. INITIATIVE (Dec. 16, 2025), <https://globalinitiative.net/announcements/peace-operations-at-a-crossroads> [<https://perma.cc/E4QS-VJ82>] (GSF is a “new twist on the UN peace operations model”); Bulbul Ahmed, *The UN is Reinventing Peacekeeping—Haiti is the Testing Ground*, THE CONVERSATION (Nov. 11, 2025), <https://theconversation.com/the-un-is-reinventing-peacekeeping-haiti-is-the-testing-ground-268267>.

¹²⁶ S.C. Res. 2793, ¶¶ 1–2 (Sep. 30, 2025); see also Daniel Dickinson, *Fighting Back Against the Gangs: What is Haiti’s New UN-backed Force?*, U.N. NEWS (Oct. 1, 2025), <https://news.un.org/en/story/2025/10/1166012>.

¹²⁷ See Daniela Mohor, *Haiti In-depth: The New Gang Suppression Force and What It Means for Haitians*, THE NEW HUMANITARIAN (Dec. 3, 2025), <https://www.thenewhumanitarian.org/preview-link/node/264259/f2e2e081-fd5c-401f-bf37-868af6353f8f>. Although there is a UN support office (UNSOH) in Haiti, the relationship between this office and GSF is still ambiguous. See IJDH, *supra* note 121; Juhakenson Blaise, *UN Appoints New Haiti Mission Chief as Anti-Gang Force Prepares to Deploy*, HAITIAN TIMES (Mar. 26, 2026), <https://haitiantimes.com/2026/03/26/un-appoints-new-haiti-mission-chief-as-anti-gang-force-prepares-to-deploy>.

¹²⁸ Rutenbar, *supra* note 125 (“Without a whole-of-system approach, efforts to tackle specific symptoms of the problem will not succeed, or their success will be short-lived.”); see also Jacqueline Charles, *The UN’s New Force Won’t Save Haiti from the Gangs*, CHATHAM HOUSE (Dec. 15, 2025), <https://www.chathamhouse.org/publications/the-world-today/2025-12/uns-new-force-wont-save-haiti-gangs>; Mohor, *supra* note 127 (additionally discussing the concern of indiscriminate killing by the GSF). At the same time, the GSF authorizing resolution does require the Force to carry out its mandate “in strict compliance with international law, including international human rights law...,” S.C. Res. 2793, ¶ 1 (Sep. 30, 2025), and calls for human rights compliance mechanism to investigate and address human rights abuses by the troops. *Id.* ¶ 18. Mistakes of former UN operations include the introduction of cholera to Haiti through improper waste management in the wake of the 2010 earthquake. See Katz, *supra* note 59. The resulting cholera epidemic led to “over 820,000 cases and nearly 10,000 deaths.” *Haiti Cholera Outbreak October 22, 2010 – March 15, 2011*, CDC (Feb. 20, 2024), <https://www.cdc.gov/orr/responses/haiti-cholera-outbreak.html>. The UN initially refused to take responsibility and, over fifteen years later, has yet to fully deliver on its reparatory obligations. See Liz Mineo, *Forcing the UN to Do Right by Haitian Cholera Victims*, HARV. GAZETTE (Oct. 6, 2020), <https://news.harvard.edu/gazette/story/2020/10/a-decade-of-seeking-justice-for-haitian-cholera-victims>.

¹²⁹ Benoit Faucon & Vera Bergengruen, *Blackwater’s Erik Prince Muscles Back Into the Mercenary Business*, WALL ST. J. (Aug. 17, 2025), <https://www.wsj.com/world/americas/erik-prince-mercenaries-vecus-global-5a166dca> (noting Vectus founder Erik Prince is “trying to fill the vacuum created by Trump’s selectively hands-off America First policy in Latin America and Africa.”).

¹³⁰ See Max Ackerson, *Haiti’s Vectus Gamble: Private Force and Private Customs in a Failing State*, ICLR BLOG (Nov. 3, 2025), <https://international-and-comparative-law-review.law.miami.edu/haitis-vecus-gamble-private-force-and-private-customs-in-a-failing-state>.

¹³¹ Anna Hirtenstein et al., *Exclusive: Trump Ally Erik Prince Plans to Keep Personnel in Haiti for 10 Years to Fight Gangs and Collect Taxes*, REUTERS (Aug. 14, 2025), <https://www.reuters.com/world/americas/trump-ally-erik-prince-plans-keep-personnel-haiti-10-years-fight-gangs-collect-2025-08-14>.

¹³² See *Haiti 2026: Security and Foreign Assistance Priorities: Hearing Before the S. Comm. On Appropriations, 119th Cong.* (2026) (statement by U.S. Chargé d’Affaires Henry Wooster confirming that the State Department issued an export license to Vectus).

¹³³ *Haiti: Drone Strikes Put Residents at Risk*, HUM. RTS. WATCH (Mar. 10, 2026) [hereinafter HRW Haiti Drones Report], <https://www.hrw.org/news/2026/03/10/haiti-drone-strikes-put-residents-at-risk>; Faucon, *supra* note

129; see also Frances Robles, *Drone Strike in Haiti Kills 8 Children at a Birthday Party*, N.Y. TIMES (Sep. 23, 2025), <https://www.nytimes.com/2025/09/23/us/haiti-drone-attack-kills-children.html> (describing an attack with two drones in Cité Soleil killing eleven, including eight children and a pregnant woman at the birthday party of gang leader Djouma, noting that “gangs are known to use civilians as a shield to protect themselves from drones” and that the Haitian authorities hired Vectus to operate armed drones).

¹³⁴ HRW Haiti Drones Report, *supra* note 132; see also Robles, *supra* note 133 (“The United Nations Integrated Office in Haiti has attributed the drone attacks in Haiti to a specialized ‘Task Force’ established by Prime Minister Alix Didier Fils-Aimé that is operated with support from the private military company Vectus Global.”); Widlore Méreancourt, *Exclusive Interview with Henry T. Wooster*, AYIBOPOST (Apr. 16, 2026), <https://ayibopost.com/exclusive-interview-with-henry-t-wooster> (U.S. Ambassador Henry Wooster confirming that Vectus is “dropping the drones.”).

¹³⁵ Emma Farge, *UN Rights Chief Says Haiti’s Use of Drones ‘Likely Unlawful,’ Hundreds Killed This Year*, REUTERS (Oct. 2, 2025), <https://www.reuters.com/world/americas/un-rights-chief-says-haitis-use-drones-likely-unlawful-hundreds-killed-this-year-2025-10-02>; HRW Haiti Drones Report, *supra* note 133. Videos of the strikes analyzed in the HRW report illustrate that those targeted by the attacks do not “pose any imminent threat to life,” undercutting the claim that the lethal use of force is justified or that it satisfies international human rights law standards of necessity and proportionality.

¹³⁶ See generally Rep. on PMSC Justice, Accountability, and Remedies, *supra* note 26 (examining “violations of human rights and humanitarian law perpetrated by mercenaries, mercenary-related actors and private military and security companies...[and] explor[ing] the challenges encountered by victims in accessing justice,” *id.* at 1).

¹³⁷ See HRW Haiti Drones Report, *supra* note 133 (discussing the dramatic increase in security footprint, including the doubling of drone operations).

¹³⁸ See Mohor, *supra* note 127.

¹³⁹ Contracts reportedly enable Vectus to take 20 percent of revenue increases during the first three years and 15 percent thereafter, plus a 3 percent fee on import volumes. See Roberson Alphonse, *Détails du Projet de Contrat Avec Evergreen Trading System Limited Pour La Modernisation des Douanes et des Services Frontaliers*, LE NOUVELLISTE (Aug. 18, 2025), <https://lenouvelliste.com/article/259004/haiti-erik-prince-details-du-projet-de-contrat-avec-evergreen-trading-system-limited-pour-la-modernisation-des-douanes-et-des-services-frontaliers>. This agreement mirrors a parallel April 2025 agreement between Vectus and the Congolese Finance Ministry to curb mineral smuggling in Katanga, DRC. Jessica Donati & Sonia Rolley, *Exclusive: Trump Supporter Prince Reaches Deal with Congo to Help Secure Mineral Wealth*, REUTERS (Apr. 17, 2025), <https://www.reuters.com/world/trump-supporter-prince-reaches-deal-with-congo-help-secure-mineral-wealth-2025-04-17>.

¹⁴⁰ For more information on state capture issues in Haiti see generally FONDASYON JE KLERE (“FJKL”), LIQUIDATION DE LA SOUVERAINETÉ NATIONALE VIA DES CONTRATS LÉONINS: LA FONDASYON JE KLERE CRIE AU SCANDALE (2026), <https://docs.google.com/document/d/1fyau3xLmrs-xd6QpCX3Lpr3IN6FYmgJLFTGKyOKLrKE/edit?tab=t.0>.

¹⁴¹ See generally, e.g., *Corruption at the Border*, TRANSPARENCY INT’L (July 26, 2018), <https://knowledgehub.transparency.org/helpdesk/corruption-at-the-border>; NIEVES ZÚÑIGA & JAMIE BERGIN, U4 ANTI-CORRUPTION RES. CTR. & TRANSPARENCY INT’L, BORDER CORRUPTION ACROSS THE WESTERN BALKANS REGION (2025).