

Two legal submissions by trial international request swiss authorities to monitor the activities of the gaza humanitarian foundation

Geneva, May 23, 2025 - TRIAL International has filed two legal submissions with the Federal Supervisory Authority for Foundations (ASF) and the Federal Department of Foreign Affairs (FDFA) requesting the launch of administrative investigations to determine whether the activities of the Gaza Humanitarian Foundation (GHF), based in Switzerland, are in line with Swiss law and international humanitarian law (IHL). Switzerland, as a depositary state of the Geneva Conventions, has an obligation to ensure respect for IHL, particularly by entities based on its territory. TRIAL International calls for urgent measures to be taken in view of the potential risks to the Gazan population associated with the planned delivery of humanitarian aid.

On May 20 and 21, 2025, TRIAL International filed two legal submissions to the ASF and the FDFA respectively, in order to monitor, on one hand, the compliance of the GHF's activities with its own statutes and the Swiss legal system, and on the other hand, with the Federal Act on Private Security Services Provided Abroad (PSSA).

Foundations established in Switzerland are subject to federal legislation and international law, including for their activities abroad, and even more so in sensitive contexts such as active conflict zones. The legal submissions filed by TRIAL International are intended to urgently remedy potential breaches by the GHF of various rules of national and international law, in particular concerning "private security services" within the framework of the foundation's activities, such as the militarized security of distribution points and the control of individuals.

"The dire humanitarian situation in Gaza requires an immediate response. However, the planned use of private security companies leads to a risky militarization of aid, which is not justified in a context where the United Nations and humanitarian NGOs have the impartiality, resources and expertise necessary to distribute this aid without delay to the civilian population," said Philip Grant, Executive Director of TRIAL International.

Switzerland, as a depositary state of the Geneva Conventions, is required to ensure compliance with international humanitarian law, particularly by entities registered and based on its territory. The GHF's humanitarian aid distribution methods have been unanimously criticized by humanitarian actors. The establishment of distribution points in certain targeted geographical areas severely limits access to vital aid, already withheld for too long by Israel in clear violation of IHL, for a large portion of the population, who could then be forced—if they are even able—to move. Such a practice risks violating the principles of impartiality, neutrality, independence, and humanity, as well as contravening international humanitarian law.