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**THE IMPACT OF USAID FUNDING CUTS ON HUMANITARIAN ASSISTANCE: AN
ANALYSIS OF COMPLIANCE WITH INTERNATIONAL HUMANITARIAN LAW IN
CONFLICT ZONES**

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**AN OBLIGATORY ESSAY SUBMITTED TO THE UNIVERSITY OF LUSAKA IN
PARTIAL FULFILMENT OF THE REQUIREMENTS FOR THE AWARD OF THE
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DECLARATION

I declare that this dissertation entitled, **THE IMPACT OF USAID FUNDING CUTS ON HUMANITARIAN ASSISTANCE: AN ANALYSIS OF COMPLIANCE WITH INTERNATIONAL HUMANITARIAN LAW IN CONFLICT ZONES** which is hereby submitted in partial fulfilment of the requirement for the award of a Bachelor's Degree at the University of Lusaka is my own original work and it has not been previously submitted for the award of a degree at this university or any other tertiary institution. I understand what plagiarism entails and I'm aware of the University's policy in this regard. Thus, where other people's work is cited, I have duly acknowledged. The errors or omissions in this work are solely mine.

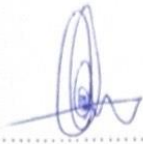
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RECOMMENDATION

I MWIKA MUSAKUZI recommend that this dissertation prepared under my supervision by DANIEL MENSHI, entitled THE IMPACT OF USUAID FUNDING CUTS ON HUMANITARIAN ASSISTANCE: AN ANALYSIS OF COMPLIANCE WITH INTERNATIONAL HUMNITARIAN LAW IN CONFLICT ZONES be accepted for examination. I have checked it carefully and I'm satisfied that it fulfils the requirement pertaining to the format laid down in the regulations governing directed research.



20/11/2025

M. MUSAKUZI

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I dedicate this dissertation to the lord Almighty, whose love and strength, have sustained me throughout this journey. I also dedicate this work to my beloved parents, Brigadier General Kennedy Paul Menshi and Mrs Shilika Rita Menshi, thank you for your sacrifices, encouragement, and unwavering belief in my dreams. To my wonderful siblings, David Kalunga Menshi and Butemwe Menshi, your support has meant the world to me. And in cherished memory of my late grandmothers, Mrs Jennifer Chola Lungu and Mrs Emelly Chabola Menshi, your wisdom still guides me from above. This achievement is as much as yours as it is mine.

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Geneva Conventions Additional Protocol I relating to the Protection of Victims of International Armed Conflicts (1977)

Geneva Convention Relative to the Protection of Civilian Persons in Time of War (adopted 12 August 1949, entered into force 21 October 1950)

International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976)

Rome Statute of the International Criminal Court (adopted 17 July 1998, entered into force 1 July 2002)

UNGA Res 46/182 (19 December 1991) UN Doc A/RES/46/182

ABSTRACT

This dissertation examines the profound impact of the United States Agency for International Development (USAID) funding cuts, initiated by the January 20, 2025 Executive Order, on humanitarian assistance in conflict zones and compliance with International Humanitarian Law (IHL).

This study uses a qualitative approach to examine the impact of donor funding cuts in conflict affected regions such as Yemen, Sudan, Somalia, the democratic republic of Congo, and south Sudan. Drawing on legal instruments, policy documents, case studies, and secondary data, it explores three core areas. The humanitarian consequences of funding reductions, their implications for compliance with international humanitarian law, and strategies for sustaining aid delivery despite financial instability.

The funding gaps undermine key IHL principles including humanity, impartiality, neutrality, and independence by limiting operational capacity and making aid political. While alternative mechanisms such as multilateral funding, regional frameworks offer some help, they remain insufficient to contribute to the loss of main donors like the USAID.

The study concludes that financial instability erodes both the protective power and authority of IHL. This is addressed by recommending that funding pools are strengthened, embedding IHL into donor policies, promoting regional ownership of aid responses, advocating for donor accountability and diversification which is aligned with the Geneva Conventions and customary law.

CHAPTER ONE

1.0 INTRODUCTION

When aid is withheld, lives are put at stake. The global humanitarian landscape is marked by unprecedented needs, with conflicts, disasters, and displacement driving millions of people to rely on humanitarian assistance for survival. In conflict zones, humanitarian aid is often a lifeline for civilians caught in the midst of violence and instability. International humanitarian law provides for the protection of civilians and also access to essential aid for those in need. The USAID is one of the major donors to humanitarian needs in the world each year. However, the recent change to the USAID's funding priorities can have huge impacts on humanitarian aid in the world. The landscape of humanitarian assistance faced a significant disruption on January 20, 2025, when United States President Donald Trump issued an Executive Order titled Re-evaluating and Realigning United States Foreign Aid¹.

It is sacrosanct to note that **Article 3** of the Geneva Convention for the amelioration of the condition of the Wounded and sick in armed forces (1949)² provides that persons not actively taking part in hostilities must be treated humanely. This article prohibits violence to life and person, and guarantees care for the wounded and sick. When humanitarian aid is cut, and this results in increased suffering or death of civilians, especially in internal conflicts like in Sudan or Yemen, it could amount to a breach of this article. Similarly, **Article 70**³ of the 1977 Additional Protocol I to the Geneva Conventions affirms that when civilians lack essential supplies for survival, relief actions must be carried out provided they are purely humanitarian, impartial in nature, and delivered without discrimination. This provision provides the legal obligation on everyone to ensure that humanitarian aid reaches those in need, regardless of political considerations. The reduction by USAID on funding may violate this principle when they lead to the obstruction of necessary relief supplies like food, water, and medicine. An important principle of International

¹https://www.whitehouse.gov/presidential-actions/2025/01/reevaluating-and-realigning-united-states-foreign-aid/?utm_medium=email&utm_source=govdelivery accessed on 12th April, 2025

² Geneva Conventions (1949)

³ Geneva Conventions (1977)

Humanitarian Law is the Principle of Humanity. This principle obligates parties to reduce human suffering wherever possible, without discrimination. Abrupt cessation of aid, especially in areas already suffering from famine, disease, or displacement, disregards the imperative to minimize human suffering. Likewise, the principle of Distinction and Protection of Civilians provides that civilians must be distinguished from combatants and must not be targeted as they are entitled to special protection.

Funding cuts have potential to prevent compliance with these international humanitarian law principles. This study will explore the impact of USAID funding cuts on humanitarian assistance in conflict zones, particularly the compliance with IHL principles. By examining the experiences of humanitarian organizations and affected populations, this research will contribute to a better understanding of the consequences of funding cuts on humanitarian response and the protection of civilians in conflict zones.

1.1 BACKGROUND OF THE STUDY

The United States Agency for International Development (USAID) plays a pivotal role in the global humanitarian assistance landscape. USAID's involvement in funding conflict zones can be dated to when it was established in 1961 with a focus on providing emergency relief and development assistance. In the 1980's to around the 1990's, USAID expanded its role in conflict zones, providing aid to areas affected by civil wars, famines and natural disasters. In 2000's USAID began to focus on conflict prevention and stabilization, with initiatives aimed at reducing violence and promoting peace building. As the years went on, around the 2010's, USAID increased the funding for humanitarian assistance and conflict prevention, with a focus on addressing the root causes of conflict and promoting sustainable development.

USAID has historically been a cornerstone of global humanitarian assistance, serving as the largest provider of humanitarian aid worldwide and accounting for approximately 47%

of global humanitarian assistance.⁴ From 2020 to 2024 USAID's priority was conflict prevention and humanitarian assistance in conflict-affected areas. However, in 2025 the President of the United States Donald Trump issued an Executive Order titled Re-evaluating and Realigning United States Foreign Aid.⁵ This order instituted a 90-day suspension of U.S. foreign development assistance, fundamentally altering the operational capacity of one of the world's largest humanitarian donors. The magnitude of this disruption becomes apparent when considering USAID's substantial humanitarian programming budget for Fiscal Year 2024, which amounted to \$9.9 billion, with \$9.5 billion specifically allocated for emergency response activities in conflict zones and natural disaster areas.⁶

After the funding cuts by USAID, the humanitarian sector is facing challenges. For example, in the Democratic Republic of Congo (DRC), USAID's funding cuts led to the termination of programs providing for food, clean water, and sanitation to over half a million people in eastern regions. This was confirmed by Oxfam's Country Director, Manenji Mangundu, who emphasized that these reductions force aid agencies into difficult decisions about resource allocation, potentially compromising the survival of the most vulnerable.⁷

The USAID, has been a major supporter of Somalia's development, providing significant funding for humanitarian aid, economic reforms, education, and food security. The recent decision to stop the funding comes at a crucial time. This decision has potential to undermine progress in key areas such as education, healthcare, and food assistance, where U.S. support has played a vital role in Somalia's recover. ⁸

⁴<https://edition.cnn.com/2025/02/04/world/usa-id-us-foreign-aid-freeze-humanitarian-crises-intl/index.html#:~:text=According%20to%20UN%20officials%2C,largest%20provider%20of%20humanitarian> accessed on 12th April, 2025

⁵ibid

⁶ <https://reliefweb.int/report/syrian-arab-republic/policy-analysis-usaid-funding-freeze-and-its-impact-humanitarian-response-syria#:~:text=budget%20for%20humanitarian%20programming%2C,now%20all%20subject%20to> accessed on 8th April, 2025

⁷https://africa.oxfam.org/latest/press-release/oxfam-reaction-usaid-funding-cuts-drc?utm_source=chatgpt.com accessed on 12th April, 2025

⁸https://hiiraan.com/news4/2025/Jan/199994/somalia_faces_humanitarian_crisis_as_usaid_suspends_125_5_million_in_aid.aspx accessed on 12th April, 2025

The International Council of Nurses (ICN) also reported that the recent withdrawal of USAID funding disrupted healthcare services across several African countries, including South Sudan and Somalia. An example is programs addressing maternal health and infectious diseases which have faced severe setbacks, potentially leading to increased morbidity and mortality among areas where there is conflict.⁹ Another country is Yemen. The decision to cut emergency food aid has been criticized. This may cause a risk to the citizens, potentially pushing millions into deeper poverty and hunger, which then challenges the international community's adherence to IHL obligations to protect and assist civilians in conflict zones.

The reduction in aid not only stops the delivery of essential services but also brings about significant challenges to the enforcement of International Humanitarian Law, particularly the protection and assistance of civilians affected by armed conflict.

1.2 STATEMENT OF THE PROBLEM

There is a mandate by international humanitarian law that humanitarian aid should be provided based on principles of humanity, impartiality, neutrality and independence without discrimination, and independent of political pressure. The recent cuts to USAID funding in war affected regions like Northern Syria and Gaza have significantly undermined humanitarian assistance in conflict-affected regions, exacerbating existing crises and increasing civilian vulnerability.

This directly violates the IHL principle of impartiality, as aid is not provided solely based on need, and undermines the principle of humanity, as suffering was allowed to increase due to political conditions. This reduction in aid delivery has led to a decline in the provision of essential services, including healthcare, food assistance, and shelter. This has increased the vulnerability of civilians, particularly women, children, and the elderly, who are often the most affected by conflict and displacement. The humanitarian

⁹https://www.icn.ch/news/icn-warns-healthcare-crisis-usaid-funding-cuts-devastate-nursing-initiatives-worlds-most?utm_source= accessed on 13th April, 2025

implications of these funding cuts are far reaching, with increased mortality rates, malnutrition, and food insecurity.

The research will seek to address the gap by evaluating the legal, humanitarian and operational implications of USAID funding cuts in conflict zones.

1.3 RESEARCH OBJECTIVES

- 1) To analyse the humanitarian consequences of USAID funding cuts in conflict affected regions.
- 2) To evaluate the implications of these funding cuts on compliance with international humanitarian law.
- 3) To assess best practices of sustaining donor aid and compliance with IHL after a decline in USAID funding

1.4 RESEARCH QUESTIONS

- 1) What are the humanitarian consequences of USAID funding cuts in conflict affected regions?
- 2) How do USAID funding cuts impact the compliance of humanitarian operations with international humanitarian law principles?
- 3) What are the best practices for sustaining donor aid and ensuring compliance with international humanitarian law after a decline in USAID funding?

1.5 SIGNIFICANCE OF THE STUDY

This study is significant because it investigates the impact of USAID funding cuts on humanitarian assistance in conflict-affected zones, with a particular focus on compliance with international humanitarian law. This research aims to inform policy development and

strengthen humanitarian response strategies, with the goal of ensuring that the needs of affected populations are met while adhering to international humanitarian law.

The emphasis on conflict zones and vulnerable populations, including women, children, and the elderly, will help prioritize their needs and address the consequences of funding cuts. By analysing the operational and legal implications of funding cuts on humanitarian assistance, this research will identify areas for improvement in the response to humanitarian crises, ultimately leading to more effective and efficient aid delivery.

By exploring under examined legal and operational challenges, it offers insights that future researchers can build upon, helping to shape more informed, nuanced debates in this evolving field.

1.6 SCOPE OF THE STUDY

The study will focus on examining the impact of USAID funding cuts on humanitarian assistance in conflict zones, specifically analysing compliance with international humanitarian law. It will investigate the effects on humanitarian assistance delivery, adherence to international humanitarian law principles and humanitarian outcomes in specific regions.

1.7 LITERATURE REVIEW

A literature review on the impact of USAID funding cuts on humanitarian assistance in Conflict Zones has become a pressing concern. There are many writings that have surrounded the topic of the impact of USAID funding cuts and many people have added their views on the impact of funding cuts by the USAID and these include:

Rob Williams, the CEO of the War Child Alliance has spoken out about the devastating impact of USAID funding cuts on children in conflict zones. He says, “A 90-day suspension means there is a 90-day interruption of funds flowing to the organisation delivering it. NGOs and their local partners do not have sufficient cash reserves to cover this gap from their own resources. They are forced to cut their staff and stop their

work. Food is not delivered. People starve. Even organisations who can bridge the cash flow gap have no certainty that the funding they rely on will eventually come back. There is a lot of confusion. The chaos and unpredictability mean local partners and even some large NGOs will be forced to close.”¹⁰

The statement made above is similar to this research with a focus on children in conflict zones however, this research not only covers on children but all vulnerable population and delves deeper into the impact of funding cuts on humanitarian assistance while focusing on the compliance with international humanitarian law in conflict zones.

Simon Fraser, in the article “**Consequences and Implications for the International Development Assistance Sector from the Closure of USAID**”¹¹ provided a critical analysis of how abrupt funding cuts destabilize humanitarian operations and undermine long term development goals. The ethical and operational consequences of funding withdrawals were highlighted, including diminished service delivery and weakened institutional capacity.

This aligns with the focus of the dissertation, which examines the impact of USAID funding cuts on humanitarian assistance in relation to compliance with international humanitarian law. The article’s broader policy critique offers valuable context for understanding the systemic risks and legal challenges posed by reduced donor commitments.

Diala Haidar, the Amnesty International’s Yemen researcher holds the view that, “the abrupt and irresponsible cuts in USAID will have catastrophic consequences on Yemen’s most vulnerable and marginalized groups, including women and girls and children and internally displaced people, jeopardizing their safety, dignity, and fundamental rights.”¹²

¹⁰ <https://www.warchild.org.uk/news/usaids-cuts-are-putting-millions-lives-risk#:~:text=Rob%20Williams%2C%20CEO%20of%20the%20War%20Child%20Alliance%20explains%20why%3A&text=NGOs%20and%20their%20local%20partners,staff%20and%20stop%20their%20work>, accessed on 12th April, 2025

¹¹ <https://www.globalpolicyjournal.com/blog/20/03/2025/consequences-and-implications-international-development-assistance-sector-closure> accessed on 12th April, 2025

¹² <https://www.amnesty.org/en/latest/news/2025/04/yemen-us-abrupt-and-irresponsible-aid-cuts-compound-humanitarian-crisis-and-put-millions-at-risk/> accessed on 12th April, 2025

The research above is similar to this research as the research above primarily centres on the intersection of armed conflict and human rights, with a particular emphasis on how policy decisions by international actors exacerbate existing humanitarian crises with the view that the potential withdrawal or reduction of aid, as she warns, could not only worsen existing humanitarian crises but also undermine ongoing efforts to promote accountability and protect civilian populations.

Abby Maxman, CEO and President of Oxfam America has described the crisis as ‘a callous, destructive political power play that would have deadly consequences for millions of people living in dire humanitarian emergencies and extreme poverty.’¹³

The president’s work at Oxfam is deeply rooted in advocating for the protection of vulnerable populations affected by poverty, inequality, and conflict. The emphasis on the political nature of aid decisions does highlight the intersection between governance and humanitarian outcomes, stressing that decisions made by powerful international actors can either alleviate or exacerbate human suffering.

Philippe Borremans, in the Wag the Dog Newsletter is of the view that, “the suspension of USAID programs is leading to an unprecedented health crisis affecting hundreds of people worldwide.’ He further goes on to say, ‘Numbers alone cannot capture the human impact, they paint a clear picture of what is at stake.’¹⁴

The authors’ observation raises the importance of qualitative human stories alongside quantitative data in understanding the real implications of aid cuts.

Zainab Anfaal, Muneeb Khawar, Javed Iqbal and Shree Rath in their article “**Children at Risk: The Growing Impact of USAID Cuts on Paediatric Malnutrition and Death**

¹³ <https://www.eatg.org/hiv-news/usaid-freeze-has-thrust-the-entire-global-aid-system-into-uncertainty/> accessed on 13th April, 2025

¹⁴ <https://www.wagthedog.io/p/the-impact-of-usaid-suspension-and-who-withdrawal-on-global-humanitarian-aid> accessed on 13th April, 2025

Rates” opine that, ‘the loss of USAID funding for malnutrition programs is a direct threat to the health and survival of millions of children worldwide. Without immediate intervention, the progress made in reducing child mortality and malnutrition will be undone. The lives of children depend on the USAID funding.’¹⁵

Their focus was on USAID funding cuts in low income and conflict zones such as Yemen and South Sudan with regard to malnutrition programs which are health outcomes and probable immediate humanitarian consequences but unlike this research, they do not dive into the legal responsibilities or compliance with international humanitarian law.

Karen Mathiasen and Nico Martinez in their article titled, “**the future of US foreign assistance: how long can they go?**” Start by saying ‘The sudden stop in funding is reverberating globally, destabilizing the aid community and cutting off access to hundreds of lifesaving programs affecting millions of people.’¹⁶

This article is similar to this research as it addresses the issue of reductions in USAID funding and the consequences particularly in vulnerable regions however this research focuses on funding cuts align or conflict with international humanitarian law obligations in conflict zones.

Ruth Endam Mbah, Caden Maddox Hardgrave, Drusilla Engonwei Mbah, Alyssa Nutt, and Jordan G. Russell in an article titled “**The Impact of USAID Budget Cuts on Global Development Initiatives: A Review of Challenges, Responses, and Implications**”¹⁷ discuss the challenges and responses that are possibly triggered by reductions in USAID funding, emphasizing how budget cuts disrupt project continuity, strain local partnerships, and weaken humanitarian delivery systems. It highlights the adaptive strategies employed by NGOs and governments, while underscoring the broader implications for aid effectiveness and legal accountability.

¹⁵ [Children-at-Risk-The-Growing-Impact-of-USAID-Cuts-on-Pediatric-Malnutrition-and-Death-Rates.pdf](#) accessed on 13th April, 2025

¹⁶ https://www.jstor.org/stable/pdf/resrep68089.pdf?refreqid=fastly-default%3Aad2e1eddd636a1e13d2f75f443dece64&ab_segments=0%2Fbasic_search_gsv2%2Fcontrol&initiator=search-results&acceptTC=1 accessed on 13th April, 2025

¹⁷ https://www.researchgate.net/publication/391701803_The_Impact_of_USAID_Budget_Cuts_on_Global_Development_Initiatives_A_Review_of_Challenges_Responses_and_Implications accessed on 13th April, 2025

This aligns with the dissertation by as it shows how funding cuts can compromise compliance with international humanitarian law in crisis-affected regions.

1.8 METHODOLOGY

1.8.1 APPROACH

This research shall primarily employ a qualitative analysis, reference shall be made to Statutes, case law, text books, internet sources, journals, including academic articles, and reports as well as other relevant materials that shall contribute towards this research will be conducted to provide a foundation for the study.

Case studies of specific conflict zones like Yemen, Somalia, South Sudan, the Democratic Republic of Congo, Ukraine shall be analysed to show the practical problem of funding cuts on humanitarian response. Through this approach, the study will aim to provide an understanding of the complicated relationships between funding aid, humanitarian aid, and the compliance with international humanitarian law in areas where there's war.

1.8.2 DATA COLLECTION

The collection of data during this study will consist mostly of secondary data that will be obtained by reviewing statutory law and case law.

1.8.3 DATA ANALYSIS

This study will have a content analysis study aimed at looking into the principles established by principles of international humanitarian law and predominantly case law and statutory law.

1.8.4 ETHICAL CONSIDERATIONS

This research shall be in accordance with the essential ethical standards that shall be encountered during this period of carrying out. The researcher shall make sure that all the information and knowledge obtained throughout this study shall remain confidential. The information shall not be misrepresented or misused in a way that would harm or

disadvantage the individuals or sources from whom it was acquired. All data collected during this research is solely for academic purposes.

1.9 RESEARCH OUTLINE

CHAPTER ONE stands as an introduction to the thesis. It introduces the statement of the problem and provides the background of the study.

CHAPTER TWO analyses the humanitarian consequences of USAID funding cuts in specific conflict-affected regions.

CHAPTER THREE focuses on the implications of these cuts on compliance with international humanitarian law.

CHAPTER FOUR assesses best practices of sustaining donor aid and compliance with IHL after a decline in USAID funding.

CHAPTER FIVE summarises the contents provided in the preceding chapters of the thesis. At the same time, it makes recommendations that will aid in resolving the problem identified in this thesis which the USAID funding cuts on humanitarian assistance in Conflict Zones has become a pressing concern.

CHAPTER TWO

AN ANALYSIS OF THE HUMANITARIAN CONSEQUENCES OF USAID FUNDING CUTS IN CONFLICT AFFECTED REGIONS.

2.0 INTRODUCTION

Humanitarian assistance is a lifeline for millions of civilians caught in armed conflicts across the globe. The suffering of civilian populations in conflict affected regions is alleviated by humanitarian assistance and International donors like the United States Agency for International Development serve as primary funders of emergency relief, healthcare and protection services. However, recent funding cuts by USAID have raised serious concerns about the ability of humanitarian organizations to respond effectively to crises. This chapter analyses the consequences of these funding reductions, focusing on how they have impacted humanitarian operations, the well-being of affected populations, and adherence to international humanitarian law in conflict zones.

2.1 THE CONSEQUENCES OF USAID FUNDING CUTS: INTERNATIONAL HUMANITARIAN LAW PERSPECTIVE.

International humanitarian law has been customarily known as considerable portion of international law which owes its inspiration to a feeling for humanity and which is centred on the protection of the individual.¹⁸ At the bedrock of international humanitarian law are the principles of humanity, neutrality and the principle of impartiality. **Article 3** of the Geneva Convention for the amelioration of the condition of the Wounded and sick in armed forces (1949)¹⁹ provides that persons not actively taking part in hostilities must be treated humanely. This is the principle of humanity. Humanity requires all actors to prevent and alleviate human suffering where it is found. This principle stipulates that all humans have the capacity and ability to show respect and care for all, even their

¹⁸ <https://international-review.icrc.org/sites/default/files/S0020860400011451a.pdf> accessed on 2nd August, 2025

¹⁹ *ibid*

enemies.²⁰ **Article 70**²¹ of the 1977 Additional Protocol I to the Geneva Conventions makes it clear that when civilians lack access to basic supplies essential for survival, relief efforts must be allowed so long as they are purely humanitarian, impartial, and free from discrimination. This reflects a core principle of humanitarian law, impartiality. In practice, this means that aid must be delivered based solely on need, with priority given to those in the most urgent distress, regardless of race, nationality, gender, religion, political views, or social status. It is a legal and moral commitment to protect human dignity in times of conflict, ensuring that help reaches those who need it most without bias or favour.²²

The effects of the USAID funding cuts on humanitarian aid are severe and are felt across the globe. It is reported that at least 120 million people across more than 100 countries are directly affected by the halt in funding, which accounted for 42 per cent of global humanitarian financing last year.²³

It is without a doubt that the USAID funding cuts present direct challenges to the fulfilment of these core principles of international humanitarian law.

2.1.2 INTERNATIONAL OBLIGATIONS OF DONOR STATES AND HUMANITARIAN ACTORS

Donor states are bound by legal obligations under international humanitarian law. Legal responsibilities of donor countries encompass the obligations these states have in ensuring their foreign aid and assistance comply with established laws and ethical standards.²⁴

While USAID itself is not a direct party to any conflict, it operates as an agency of the United States a country bound by international humanitarian law. This places an important responsibility, more especially when making sure that humanitarian aid remains neutral and is not used as a tool for political grip. It is without a doubt that aid must be able to

²⁰<https://www.diakonia.se/ihl/resources/international-humanitarian-law/basic-principles-ihl/> accessed on 2nd August, 2025

²¹ *ibid*

²² <https://emergency.unhcr.org/protection/protection-principles/humanitarian-principles> accessed on August 3rd, 2025

²³<https://www.cbm.org/news/news-articles/2025/usaaid-aid-cuts.html#:~:text=At%20least%20120%20million%20people%20across%20more%20than,in%20war%20zones%20have%20been%20forced%20to%20close.> accessed on 3rd August, 2025

²⁴<https://thelegallo.com/legal-responsibilities-of-donor-countries/> accessed on 3rd August, 2025

reach those who need it the most, without conditions that compromise the impartiality. When the funding is reduced, the consequences raise serious questions about whether donor states are meeting their legal and moral obligations under international humanitarian law.

The Humanitarian actors on the other hand are guided by the Humanitarian charter of 1997²⁵ which provides for legal backdrop and the protection of international humanitarian principles. Deriving the force from the principle of humanity, the affirmation of the primacy of the humanitarian imperative which provides that action should be taken to prevent or alleviate human suffering arising out of disaster or conflict, and that nothing should override this principle.

2.1.3 DISRUPTION TO HUMANITARIAN ASSISTANCE PROGRAMS

The principle of humanity is undermined by the reduction of funding as humanitarian organisations are compelled to scale back life-saving interventions which include food distribution, medical services and medical services. The result of this is increased human suffering and preventable mortality which contradict the fundamental obligations under International Humanitarian Law to alleviate human suffering.

The principle of Impartiality is equally threatened when agencies are forced to ration assistance due to financial pitfalls. With limited resources, aid distribution may be influenced by logistical feasibility or external pressures rather than the severity of need. This risks exclusion of the most vulnerable populations from critical assistance.

From the perspective of international humanitarian law, there is a restriction in the capacity of the humanitarian actors to meet the legal obligations to protect and assist civilians.

In case of **Bosnia and Herzegovina v. Serbia and Montenegro**²⁶, the International Court of Justice eluded that *a state could be held accountable under the Genocide Convention if it fails to prevent genocide, particularly when it has the ability to influence*

²⁵ Humanitarian Charter(1997)

²⁶ [2007] ICJ Rep 43, 222 (para 430).

those committing the acts. Even though the case was focusing on military involvement, the Court's rationale with regard to influence and control can be equally extended to donor countries. That is if a donor suddenly cuts significant humanitarian funding from a conflict affected region when it previously played a central role in managing aid, it can be considered as neglecting the humanitarian law duty to prevent violations of **Article 3**²⁷ of the Geneva Conventions. The ICJ's "overall control" standard in the **Nicaragua v. United States case (1986)**,²⁸ *a donor that has consistently overseen 40–50% of humanitarian efforts in a region may bear responsibility for the consequences of its absence.*

2.2 HUMANITARIAN CONSEQUENCES OF USAID FUNDING CUTS: CONFLICT AFFECTED REGIONS.

Conflict-affected and high-risk areas are identified by the presence of armed conflict, widespread violence or other risks of harm to people.²⁹ The providing of humanitarian assistance upholds the right to life which is encompassed in **article 3** of the Universal Declaration of Human rights (1948)³⁰. Humanitarian assistance in conflict zones refers to the provision of essential aid and support to individuals and communities affected by armed conflicts. This assistance encompasses a wide range of services, including food distribution, medical care, shelter, and psychological support, aimed at alleviating human suffering.³¹

In the conflict affected regions, the humanitarian aid by aiding entities is governed by the legal foundation of international humanitarian law which gives a mandate to the aiding entities to ensure the access to the humanitarian needs must be achieved in an impartial, neutral and to the ones in need. It is with the reliance of the above information that we can hereby conclude that the impact of USAID funding cuts is conspicuous when examined through the context of specific conflict affected areas or regions.

²⁷ *ibid*

²⁸ [1986] ICJ REP 14

²⁹ [https://www.responsiblemineralsinitiative.org/about/faq/rmap/how-do-i-identify-conflict-affected-and-high-risk-areas-\(cahras\)/](https://www.responsiblemineralsinitiative.org/about/faq/rmap/how-do-i-identify-conflict-affected-and-high-risk-areas-(cahras)/) accessed on 3rd August, 2025

³⁰ Universal Declaration of Human Rights (1948)

³¹ *ibid*

2.2.1 DISRUPTION OF AID DELIVERY SYSTEM

Humanitarian needs in conflict affected areas are acute due to displacement of civilians and destruction of infrastructure. As warfare increases, the obligation to provide such aid becomes not only a moral obligation but one that is enshrined in International Humanitarian Law.³² Important programs providing food assistance, medical aid and infrastructure support have been stopped or disrupted which have caused an increase in food insecurity, health crises as well as humanitarian displacement. These cuts in funding may have immediate consequences for both the civilians and for most of the humanitarian actors to uphold their obligations under international humanitarian law.

Just a few days after the funding cuts In Ethiopia, Action against Hunger, which provides food aid to malnourished children in refugee camps has discontinued its operations.³³ This will increase the rates of malnutrition amongst children and with time women, exacerbating an already dire humanitarian crisis. The principle of humanity has been directly impeded as there has been an increase of preventable suffering and a possible increase in mortality.

Similarly, funding cuts have had a devastating impact on humanitarian aid in Sudan. Since the conflict in Sudan began in April 2023, the U.S. government has provided over \$2.3 billion in humanitarian assistance to Sudan and neighbouring countries hosting Sudanese refugees which includes more than \$1.4 billion from USAID.³⁴ The freezing of US humanitarian assistance has forced the closure of almost 80% of the emergency food kitchens set up to help people left destitute by Sudan's civil war.³⁵ Due to the funding cuts, the humanitarian situation has worsened, marked by a rise in avoidable suffering and potentially higher mortality rates and this directly impedes the principle of humanity under international humanitarian law.

³² <https://lawslearned.com/humanitarian-assistance-in-conflict-zones/> accessed on 3rd August, 2025

³³ <https://ethiopianpolicy.com/2025/02/07/suspension-of-usaid-implications-for-ethiopia/> accessed on 3rd August, 2025

³⁴ <https://suwra.org/blog/2025/02/04/brief-sudan-crisis-us-funding-freeze-devastating-impact/#:~:text=The%20freeze%20affected%20numerous%20programs%2C%20including%20those%20supporting,and%20efforts%20of%20protection%20of%20women%20and%20girls.%3E> accessed on 3rd August, 2025

³⁵ <https://www.bbc.com/news/articles/cy7x87ev5jyo> accessed 4th August, 2025

Sudan has been facing an ongoing conflict with the militant group al-shabaab and some natural disasters like severe drought have increased human suffering in the country. This has led to a huge dependence on humanitarian aid or assistance and the suspension of USAID funding threatens to undo years of progress in alleviating suffering.³⁶

In Yemen, a country that has famine, conflict and a health crisis, it is estimated that 19.5 million people are dependent on aid.³⁷ The funding cuts in the country by the USAID have led to a shutdown of humanitarian aid entities thereby disadvantaging the vulnerable civilians.

Jordan is facing serious repercussions following the U.S. government's order to shut down the agency, which has forced critical development and humanitarian programs into uncertainty. The recent funding cuts in Jordan have put critical health services for refugees at risk. Around 43,000 refugees may lose access to primary health care and cash assistance for medical needs. These cuts have a possibility of threatening essential maternal health for about 335,000, raising serious concerns about access to safe and timely care.³⁸

The Democratic Republic of Congo has been in decades of conflict especially in the eastern province where a huge number of civilians have been displaced and left in need of humanitarian assistance. Funding cuts will hinder the humanitarian aid as it is believed that for the half a million people in eastern Democratic Republic of Congo, already desperate for food, water and shelter due to the spiralling conflict, the impact will be immediate and life-threatening.³⁹

The above examples illustrate how USAID funding cuts in conflict affected regions not only intensify immediate humanitarian needs but also weaken the capacity of humanitarian actors to operate in line with international humanitarian law. The

³⁶https://hiiraan.com/op4/2025/feb/200416/somalia_confronts_new_obstacles_following_usaid_s_multimillion_dollar_aid_cuts.aspx#:~:text=Somalia%20confronts%20new%20obstacles%20following%20USAID%27s%20multimillion-dollar%20aid,a%20vital%2024125.5%20million%20aid%20package%20to%20Somalia. Accessed on 4th August, 2025

³⁷ <https://www.amnesty.org/en/latest/news/2025/04/yemen-us-abrupt-and-irresponsible-aid-cuts-compound-humanitarian-crisis-and-put-millions-at-risk/> accessed on 4th August, 2025

³⁸ <https://www.unhcr.org/news/briefing-notes/unhcr-funding-cuts-threaten-health-nearly-13-million-displaced-people> accessed on 4th august, 2025

³⁹ <https://www.oxfam.org/en/press-releases/oxfam-reaction-usaid-funding-cuts-drc> accessed on 4th August, 2025

consequences highlight a pattern from diverse contexts, showing the central role of sustained funding in upholding the principles of humanity and impartiality.

The International Criminal Court (ICC), in the **Kenya situation (ICC-01/09, 31 March 2010, para. 182)**,⁴⁰ broadened the interpretation of starvation as a method of warfare under **Article 8(2) (b) (xxv)**⁴¹ of the Rome Statute. The Pre-Trial Chamber clarified that such a conduct need not involve a physical blockade but it may also arise from the act of intentionally preventing the access of essential resources required for survival.

Even though no donor officials have faced any charges to date, the ICC's focus on the foreseeability of harm and the possible role of contributing actions does open a potential avenue for accountability against external actors whose decisions may cause foreseeable humanitarian crises.

CONCLUSION

The analysis above shows that the withdrawal or reduction of USAID funding has possible far reaching and multifaceted consequences that may extend well beyond budgetary constraints. These funding reductions may cause a domino effect that potentially disrupts humanitarian operations, undermines civilian welfare, and erodes the foundational principles of international humanitarian law (IHL).

⁴⁰ (ICC-01/09, Decision on the Authorisation of an Investigation, 31 March 2010) para 182

⁴¹ Rome Statute of the International Criminal Court (adopted 17 July 1998, entered into force 1 July 2002) 2187 UNTS 90, art 8 (2) (b)

CHAPTER THREE

AN EVALUATION OF THE IMPLICATIONS OF FUNDING CUTS ON COMPLIANCE WITH INTERNATIONAL HUMANITARIAN LAW.

3.0 INTRODUCTION

This chapter will evaluate how reduced funding can impact the compliance with obligations under International humanitarian law especially the protection of civilians and humanitarian access in areas of conflict. The chapter will examine whether funding constraints may hinder the ability of humanitarian actors and countries to uphold the key IHL principles of humanity, neutrality, impartiality, and independence. This chapter will also consider the role of donor states, highlighting the fact that while they may not be legally bound under IHL to provide assistance, their financial contributions play a crucial role in ensuring effective humanitarian relief operations. A reduction in such a funding, may therefore raise questions about the capacity of humanitarian actors to comply with IHL obligations as well as the broader legal and moral implications of the behaviour of donor countries.

3.1 INTERNATIONAL HUMANITARIAN LAW FRAMEWORK FOR HUMANITARIAN ASSISTANCE

The **1949 Geneva Conventions**⁴² and reinforced by the **1977 Additional Protocol I**⁴³, provide the framework of rules designed to protect civilians during times of armed conflict. These legal instruments help to reduce the effects of war on those not taking part in hostilities by ensuring their safety, dignity, and access to essential humanitarian assistance. Central to this framework is the duty of parties to armed conflicts to allow and facilitate the delivery of humanitarian relief where civilian populations are in need. **Article 3**⁴⁴ of the Geneva Conventions sets a fundamental standard individuals who are not actively involved in hostilities such as civilians, medical personnel, and those who are

⁴² ibid

⁴³ ibid

⁴⁴ ibid

wounded or detained must be treated with humanity at all times. **Article 70**⁴⁵ of the 1977 Additional Protocol I reinforces the obligation to provide humanitarian relief when civilians lack access to essential supplies for survival. The article stipulates that such relief efforts must be purely humanitarian, impartial, and free from discrimination ensuring that aid reaches those in need regardless of race, religion, nationality, or political affiliation. Together, these provisions form the backbone of international humanitarian law's commitment to protecting human dignity during armed conflict. Likewise, the importance of humanitarian access is enshrined in the International Committee of the Red Cross rule 55⁴⁶ where it states that the 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.

These obligations reflect the foundational humanitarian principles of humanity, neutrality, impartiality and independence which guide the work of international and non-governmental relief agencies. Common critical issues that arise from this is the role of donor states within the framework because unlike parties to the conflict, donor states are not explicitly bound under international humanitarian law to provide humanitarian aid.

The reason behind this is because their obligation is usually viewed as political or even a moral obligation rather than a legal obligation. An evaluation of this is important because humanitarian law is not merely aspirational but binding. If the capacity of humanitarian actors to comply with international humanitarian law is affected by the actions of donor states or agencies, it is important to understand that the reduction of funding cannot be looked at in isolation as political decisions but matters with legal implications.

International humanitarian law provides the primary legal framework governing humanitarian relief during armed conflict. Beyond setting rules for how wars are fought, International Humanitarian Law also defines the responsibilities and entitlements of those involved in armed conflicts, and highlights how humanitarian organizations may assist those affected. IHL outlines the rights and duties of parties to an armed conflict and the

⁴⁵ *ibid*

⁴⁶ <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule55> accessed on 29th August, 2025

potential role of humanitarian agencies regarding assistance.⁴⁷ Occupying powers were the only parties originally obligated to provide for humanitarian assistance. Over time, however, this obligation has been extended to cover other international and internal armed conflicts, largely through international customary law.⁴⁸

Humanitarian assistance takes place in a variety of settings under occupation, in international and internal armed conflicts, and in the event of natural or man-made disasters. Humanitarian needs in armed conflict are vast, and meeting them comes with significant logistical, political, and legal challenges. The landmark case of ***Nicaragua v United States of America***⁴⁹ addressed the question of what would qualify as humanitarian assistance where the International Court of Justice eluded that *humanitarian aid, when delivered impartially and without ulterior motives, is not prohibited under international law*. However, it concluded that the assistance provided by the United States in that instance did not meet the criteria of humanitarian action, as it was not neutral in nature and served broader political objectives. This case remains a key reference point in distinguishing lawful humanitarian aid from politically motivated interventions.

The assistance in question failed to meet the fundamental criteria of humanitarian aid as recognised under international law. The primary objective was not the alleviation of human suffering, which is a cornerstone of humanitarian action but instead, the aid was distributed in a manner that was both selective and politically motivated, targeting only the Contras and their dependents while excluding other affected civilian populations.

The discriminatory approach undermines the principles of impartiality and neutrality that are essential to the legitimacy of humanitarian assistance which in turn can be concluded that the nature and delivery of the aid disqualify it from being considered genuine humanitarian support.

⁴⁷ https://archive.ids.ac.uk/heart/doc_lib/humanitarian-principles-and-humanitarian-assistance/index.html accessed on 29th August, 2025

⁴⁸ *ibid*

⁴⁹ *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v United States of America)* (Merits) [1986] ICJ Rep 14, [243]

3.2 STATE OBLIGATIONS AND DONOR RESPONSIBILITIES UNDER INTERNATIONAL HUMANITARIAN LAW

International humanitarian law imposes binding obligations on states engaged in armed conflict to respect and ensure respect for protection of civilian and the provision of humanitarian assistance. These obligations are codified in treaties such as the Geneva Conventions and their Additional Protocols⁵⁰, and reinforced by customary international law. Making sure humanitarian aid reaches those who need it isn't just a hopeful ideal it's a legal duty that forms the backbone of humanitarian work in conflict zones. Yet, this duty is becoming harder to uphold. The growing tendency to politicise aid, coupled with unpredictable shifts in donor funding like the recent suspensions by USAID has made it increasingly difficult for humanitarian actors to meet their obligations. These challenges don't just affect logistics, they strike at the heart of what humanitarian law is meant to protect.

3.2.1 PRIMARY OBLIGATIONS AND DONOR RESPONSIBILITIES UNDER INTERNATIONAL HUMANITARIAN LAW

International humanitarian law places the primary legal duty to ensure humanitarian relief on the parties to a conflict, whether states or organized armed groups. Pursuant to **Article 59** of the Fourth Geneva Convention, if the whole or part of the population of an occupied territory is inadequately supplied, an occupying power shall agree to relief schemes provided by states or impartial humanitarian organizations, conditioned only on the right to search their consignments, regulate their timing and routes and receive assurance that their assistance will only be used for the needy population.⁵¹ This provision reflects the foundational principle that humanitarian assistance must be facilitated, not obstructed, during armed conflict.

While donor states are not parties to the conflict, their role in financing and enabling humanitarian operations places them in a position of influence. Although IHL does not impose a direct obligation on third-party states to fund humanitarian aid, their conduct can

⁵⁰ *ibid*

⁵¹ Convention Relative to the Protection of Civilian Persons in Time of War, 12 August 1949,

have legal implications, particularly when funding decisions affect the ability of humanitarian actors to access and assist affected populations.⁵² In this regard, donor behaviour must be assessed not only through the lens of political discretion but also in terms of its compatibility with humanitarian principles and legal norms.

3.2.2 DONOR STATES AND THEIR LEGAL POSITION UNDER INTERNATIONAL HUMANITARIAN LAW

Donor countries play a pivotal role in the provision of humanitarian aid and, consequently, have legal responsibilities under international law. These responsibilities are primarily aimed at ensuring that aid reaches those in need without compromising their safety or dignity.⁵³ Legal obligations for donor countries can include adherence to international treaties and conventions that govern humanitarian assistance. Key principles dictate that aid must be provided impartially, based solely on need, and without any adverse impact on the populations receiving aid.⁵⁴

However, International humanitarian law does not impose general duty on a third party state to finance or supply humanitarian operations. The contributions made by donor states are usually voluntary as they are a reflection of political choice rather than a legal obligation. While donors may not carry out direct obligations under IHL, their actions and conduct do have an indirect legal implication.

3.2.3 HUMAN RIGHTS LAW AS A COMPLEMENTARY FRAMEWORK

International human rights law (IHRL) comprises a set of rules, established by treaty or customary law, which outlines the obligations and duties of states to respect, to protect and to fulfil human rights. It enables individuals and groups to claim certain behaviour or benefits from government.⁵⁵ Human rights law emerged primarily after World War II with the **Universal Declaration of Human Rights (1948)**.⁵⁶ International humanitarian law

⁵² Federica D'Alessandra, 'Accountability for International Humanitarian Law Violations: The Role of Donor States' (2020) 102 IRRC 345.

⁵³ https://lawslearned.com/legal-aspects-of-humanitarian-aid/#International_Legal_Framework accessed on 30th August, 2025

⁵⁴ *ibid*

⁵⁵ <https://gsdrc.org/wp-content/uploads/2015/07/ILFHA.pdf> accessed on 30th August, 2025

⁵⁶ Universal Declaration of Human Rights (1948)

does not directly bind donor states to fund humanitarian aid, we can hereby rely on international human rights law to provide a complementary framework. Unlike IHL, human rights law was designed to operate primarily during peacetime, regulating the relationship between states and individuals under their jurisdiction.⁵⁷

Human rights law has developed over time to affirm that every person holds fundamental rights by virtue of being human rights that governments are obligated to honour, safeguard, and uphold in all situations. **Article 11**⁵⁸ of the International Covenant on Economic, Social and Cultural Rights recognises that every individual has the right to an adequate standard of living one that includes access to food, clothing, and housing. It places a responsibility on States to work towards fulfilling this right, not only through their own national policies but also by cooperating with others at the international level. The emphasis is on gradual progress, acknowledging that while full realisation may take time, meaningful steps must be taken to ensure that all people can live with dignity. It also emphasizes the duty to eliminate hunger by improving food systems and ensuring fair global distribution of food based on need.

Both the human rights law and international humanitarian law share fundamental principles such as dignity and humanity, as both legal frameworks recognize the inherent dignity of a person. The other shared core principle is that of the protection of the vulnerable populations.

While both frameworks share foundational values, their application during armed conflict is governed by the principle of *lex specialis*. The Latin maxim translates to “special law overrides general law,” encapsulating the idea that a more specific legal provision should take precedence over a more general one when the two are in conflict. This principle plays a pivotal role in ensuring legal coherence, balancing the application of diverse legal norms, and fostering predictability in judicial decision-making.⁵⁹ This means that the more specific law, typically international humanitarian law takes

⁵⁷ <https://thelaw.institute/human-rights-evolution-concepts-and-concerns/bridging-humanitarian-law-human-rights-continuum/> accessed on 30th August, 2025

⁵⁸ International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976) 993 UNTS 3, art 11.

⁵⁹ <https://thelawtoknow.com/2025/01/10/lex-specialis/> accessed on 30th August, 2025

precedence in situations of war. However, international human rights law continues to apply and complements IHL by addressing rights not explicitly covered by humanitarian law, such as freedom of expression, education, and access to justice. This dual application ensures a more comprehensive protection regime, especially for civilians and non-combatants caught in conflict zones.

From this perspective, there is an extraterritorial obligation on states to provide or contribute to the fulfilment of that right, especially in situations of humanitarian crisis.

3.2.4 THE DONOR DILEMMA: POLITICAL DISCRETION VS LEGAL ACCOUNTABILITY

The dilemma faced is whether the donors should be viewed as legally accountable actors under international humanitarian law or as political actors with discretionary control over aid budgets. It is without a doubt that donors adjust their funding based on foreign policy objectives like diplomatic leverage. While such decisions may be legally permissible under domestic law, they raise profound ethical and normative questions when they result in the withdrawal of life-saving assistance. The recent USAID funding suspensions in countries such as Syria, Somalia, and Yemen illustrate how donor discretion can undermine humanitarian principles and exacerbate civilian suffering.⁶⁰

Such conduct undermines the humanitarian principles of neutrality or impartiality and weakens overall compliance framework. Funding cuts in this regard do expose a gap in IHL as it strictly regulates conflict parties, it has limited tools to regulate the conduct of donors, despite their role in enabling or constraining humanitarian operations.

3.3 IMPACT OF FUNDING CUTS ON THE PRINCIPLES OF HUMANITY AND NEUTRALITY

The principle of humanity imposes certain limits on the means and methods of warfare, and requires that those who have fallen into enemy hands be treated humanely at all

⁶⁰ CNN, 'USAID Foreign Aid Freeze Sparks Global Humanitarian Crisis' (4 February 2025) <https://edition.cnn.com/2025/02/04/world/usaaid-us-foreign-aid-freeze-humanitarian-crises-intl/index.html> accessed 11 November 2025.

times.⁶¹ It seeks to limit suffering, injury, and destruction during armed conflict and its purpose is to protect life and health and to ensure respect for the human being. This principle precludes the assumption that anything that is not explicitly prohibited by specific IHL rules is therefore permitted.⁶²

The principle of humanity requires that human suffering be alleviated wherever it is found, with priority given to the most urgent cases of distress. However, when funding is reduced, the ability of humanitarian actors to fulfil this principle is weakened, significantly. This entails that essential services such as food distribution, medical care, and shelter are curtailed, which leads to the suffering of the vulnerable population.

The principle of neutrality in humanitarian action is reinforced when aid organisations and workers avoid taking sides in armed conflicts or becoming involved in political, racial, religious, or ideological disputes. By staying focused solely on alleviating human suffering, humanitarian actors help preserve trust, ensure access to affected populations, and uphold the integrity of their mission.⁶³ USAID funding, however, has often been linked to foreign policy priorities set up by the United States.

Where the policies of a country do not align with those set by the United States, neutrality is compromised. This then affects humanitarian actors who depend on such funding who then face pressure to align their operations with donor priorities, undermining both their actual and perceived impartiality.

3.4 PRACTICAL IMPLICATIONS FOR COMPLIANCE IN CONFLICT ZONES

The practical implications of donor funding cuts in conflict zones are profound, affecting not only the humanitarian landscape but also the legal obligations under international humanitarian law (IHL). Funding cuts can restrict the operational presence of NGO's and UN agencies. When resources are fewer, it leads to shutdown of certain humanitarian

⁶¹ Nils Melzer, *International Humanitarian Law: A Comprehensive Introduction*, ICRC, 2022, p. 19.

⁶² ICRC AP Commentary, para. 55.

⁶³ <https://emergency.unhcr.org/protection/protection-principles/humanitarian-principles> accessed on 30th August, 2025 at 15:41

agencies, less staff workers, smaller logistical capacity and reduced outreach to the vulnerable population.

The consequences of reduced aid are not only humanitarian but also legal. Denial of food, water, or medical care may amount to violations of IHL and even war crimes under **article 8 (2) (b) (xxv)**⁶⁴ of the Rome statute. Donor withdrawal contributes indirectly by creating the conditions for these violations.

The United Nations Secretary General, António Guterres emphasised that “we must never lose sight of the meaning and purpose of international humanitarian law. It is the difference between life and death, between restraint and anarchy, between losing ourselves in horror and retaining our humanity.”⁶⁵ His remarks highlight the moral and legal imperative to uphold IHL, even in the face of political and financial pressures. The withdrawal of donor support, particularly in protracted crises, undermines the humanitarian principles of humanity, impartiality, and neutrality, and places affected populations at heightened risk.

3.5 CRITICAL EVALUATION OF COMPLIANCE CHALLENGES

The compliance challenges posed by donor funding cuts reveal a fundamental tension within the legal architecture of humanitarian governance. The main legal difficulty is distinguishing between direct non-compliance (by conflict parties who obstruct aid and indirect non-compliance (caused by donor withdrawal). IHL regulates the former clearly but leaves the latter ambiguous. It is safe to say USAID funding cuts do not directly breach IHL, yet they result in diminished capacity for compliance.

In this context, it is accurate to assert that donor withdrawals, such as those by USAID, do not constitute direct violations of IHL. However, they result in a diminished capacity for humanitarian actors to fulfil their legal and ethical mandates. We can hereby conclude that the ambiguity creates an accountability gap. Conflict parties can blame donors for humanitarian shortfalls, while the donors would argue that they have no legal duty.

⁶⁴ Rome statute of the international criminal court (1998)

⁶⁵ <https://press.un.org/en/2023/sc15292.doc.htm> accessed on 15th October 2025

Humanitarian organizations are caught in the middle, bearing responsibility for compliance without control over resources.

This dynamic weakens the overall effectiveness of IHL as a regulatory framework. It undermines the principle of shared responsibility and exposes the limitations of a system that fails to account for the role of external actors in enabling or obstructing humanitarian relief. The absence of enforceable obligations for donor states in this regard calls for a re-examination of the normative and institutional mechanisms that govern humanitarian financing and accountability.

3.5.3 EROSION OF NORMATIVE FORCE

The absence of accountability mechanisms for donors undermines the credibility of IHL as a universal framework. If humanitarian obligations can be undermined by funding decisions without consequence, the normative strength of IHL is eroded, reducing its authority over both conflict parties and external actors. This not only affects the behaviour of conflict parties but also influences the conduct of external actors whose financial decisions shape the humanitarian landscape.

The authority of IHL depends on its perceived legitimacy and enforceability. When donor states are able to withdraw support from humanitarian operations without scrutiny or sanction, it signals that compliance with humanitarian principles is optional rather than obligatory. This undermines the universality of IHL and diminishes its capacity to serve as a stabilising force in armed conflict. Moreover, it risks normalising the politicisation of aid, where humanitarian assistance becomes contingent on strategic interests rather than legal and ethical imperatives.⁶⁶

To safeguard the normative integrity of international humanitarian law, it is imperative to advance a jurisprudential architecture that addresses the lacunae surrounding donor accountability. The indirect repercussions of funding withdrawals though not explicitly

⁶⁶ Global Policy Journal, 'Consequences and Implications of International Development Assistance Sector Closure' (20 March 2025) <https://www.globalpolicyjournal.com/blog/20/03/2025/consequences-and-implications-international-development-assistance-sector-closure> accessed 11 November 2025.

codified within the existing legal framework demand institutional responses that transcend voluntary pledges and political discretion. This necessitates the formulation of binding evaluative instruments, such as donor conduct registries, independent peer-review protocols, and the systematic incorporation of donor behaviour into compliance monitoring regimes traditionally reserved for conflict parties. Absent such reforms, the humanitarian legal order risks devolving into a fragmented assemblage of aspirational norms, vulnerable to erosion by the very actors whose financial leverage shapes its operational viability. The authority of IHL cannot rest solely on the conduct of belligerents; it must extend to those who, by virtue of their fiscal influence, determine the scope and reach of humanitarian relief.⁶⁷

3.6 CONCLUSION

This chapter examined the implications of USAID funding cuts on compliance with international humanitarian law, emphasizing how reduced or withdrawn aid undermines the legal and moral framework governing humanitarian assistance. The findings reveal that while international humanitarian law establishes clear obligations on parties to conflict, donor actions though often outside the formal reach of international humanitarian law, significantly affect compliance with humanitarian principles such as humanity and neutrality. The politicisation of aid and funding weaken operational capacity, credibility and impartiality in conflict settings, creating a legal grey area regarding donor accountability.

⁶⁷ *ibid*

CHAPTER FOUR

AN ASSESSMENT OF DONOR AID SUSTAINABILITY AND COMPLIANCE WITH INTERNATIONAL HUMANITARIAN LAW POST- USAID FUNDING CUTS.

4.0 INTRODUCTION

The preceding analyses have shown that reductions in USAID funding have severely constrained humanitarian operations in conflict affected regions, leading to disruptions in aid delivery, protection activities, and field level compliance with International humanitarian law. Yet, amidst these financial pressures, certain donors, organisations, and states have developed adaptive practices that allow them to sustain humanitarian assistance while maintaining adherence to IHL principles of humanity, impartiality, neutrality and independence.

This chapter therefore assesses the best practices both institutional and legal that have proven effective in sustaining donor aid and ensuring compliance with IHL despite the decline in traditional funding sources such as USAID. It identifies successful strategies from multilateral institutions, regional organisations, and domestic frameworks, focusing on the interaction between financial innovation and legal accountability.

4.1 BEST PRACTICES AT INTERNATIONAL LEVEL

One of the most effective strategies for sustaining humanitarian aid amid donor contraction is the diversification of funding sources. The establishment of pooled financing mechanisms such as the United Nations Central Emergency Response fund (CERF) and Country-Based Pool Funds (CBPFs) has mitigated the overreliance on single donors like USAID. Created through the **UN General Assembly Resolution 46/182 (1991)**⁶⁸, CERF enables rapid disbursement of resources to humanitarian crises, drawing from contributions by multiple states, private entities, and international organisations. According to **UNOCHA (2023)**⁶⁹, this multilateral approach enhances predictability, allows

⁶⁸ UNGA Res 46/182 (19 December 1991) UN Doc A/RES/46/182.

⁶⁹ United Nations Office for the Coordination of Humanitarian Affairs, *OCHA Annual Report 2023* (2023) <https://www.unocha.org/publications/report/world/ocha-annual-report-2023> accessed on 20th October 2025

faster response to emergencies, and buffers humanitarian operations from political shifts of individual donors.

In addition to these global funds, regional financing models have emerged as significant stabilisers. The **African Union Humanitarian Agency (AUHA)**⁷⁰ and the **European Civil Protection and Humanitarian Aid Operations (ECHO)**⁷¹, for example, utilise regional solidarity and pooled funding to sustain operations during global downturns (OECD DAC, 2021).⁷² These funds incorporate due diligence requirements that ensure alignment with IHL principles, guaranteeing that humanitarian resources remain neutral and impartial regardless of political context.

A key best practice among effective donor systems is institutionalisation of IHL compliance within their aid frameworks. The **European Union's Consensus on Humanitarian aid (2007)**⁷³ provides a compelling model. This policy explicitly integrates the four core humanitarian principles humanity, impartiality, neutrality and independence into every stage of EU humanitarian action. The result is a system where funding decisions and programme implementation are valued not merely on efficiency or policy alignment but on adherence to IHL standards.

By contrast, USAID's Automated Directives System (ADS)⁷⁴, while administratively robust, lacks explicit reference to IHL obligations. It focuses on fiduciary oversight and

⁷⁰ African Union, *Draft Statute of the African Union Humanitarian Agency (AUHA)* (16 November 2020) https://au.int/sites/default/files/newsevents/workingdocuments/40515-wd-HHS50519_E_Original_1DRAFT_STATUTE_OF THE_AFRICAN_UNION_HUMANITARIAN_AGENCY.pdf accessed on 20th October 2025

⁷¹ European Commission, *European Civil Protection and Humanitarian Aid Operations (ECHO)* (2023) <https://civil-protection-humanitarian-aid.ec.europa.eu> accessed on 20th October, 2025

⁷² Organisation for Economic Co-operation and Development, *Development Co-operation Profiles 2021* (OECD Publishing 2021) <https://www.oecd.org/dac/development-cooperation-report-2021-2f8468ef-en.htm> accessed on 20th October, 2025

⁷³ European Commission, *The European Consensus on Humanitarian Aid* (Joint Statement by the Council and the Representatives of the Governments of the Member States meeting within the Council, the European Parliament and the European Commission, 2008) https://ec.europa.eu/echo/files/media/publications/consensus_en.pdf accessed on 22nd October, 2025

⁷⁴ USAID, *Automated Directives System (ADS)* (USAID, updated 2025) <https://www.usaid.gov/who-we-are/organization/ads> accessed on 22nd October, 2025

programmatic evaluation rather than legal compliance. Comparative analysis with the **Swiss Agency for Development and Cooperation (SDC)**⁷⁵ and the **EU Directorate-General for European Civil Protection and Humanitarian Aid (ECHO)**⁷⁶ demonstrates that embedding IHL into donor policy frameworks leads to more consistent compliance even during fiscal retrenchment (ICRC, 2022).

Another emerging best practice for sustaining humanitarian assistance in periods of fiscal contraction is the integration of humanitarian diplomacy into donor policy. Humanitarian diplomacy refers to a range of diplomatic measures to influence decision makers, parties to armed conflict, and any actor with the ability to help prevent, mitigate and resolve humanitarian crises in the interests of people in need.⁷⁷ It allows donors to uphold their humanitarian obligations through political engagement rather than through direct expenditure alone.

Countries such as Switzerland and Canada have successfully mainstreamed humanitarian diplomacy within their foreign policy architecture. The **Swiss Federal Department of Foreign Affairs**⁷⁸ uses its embassies and missions to mediate access for humanitarian organisations, advocate for respect of IHL by armed actors, and convene multilateral dialogue when funding gaps threaten humanitarian coverage. Such diplomatic engagement often yields results that purely financial interventions cannot achieve particularly in conflicts where access and protection depend on negotiations with non-state armed groups.

Conversely, the United States' foreign assistance strategy remains heavily tied to geopolitical interests. The absence of a dedicated humanitarian diplomacy component with USAID or state department means that reductions in funding often translate directly into diminished influence over humanitarian norms. Integrating a humanitarian diplomacy

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⁷⁶ Directorate-General for European Civil Protection and Humanitarian Aid Operations, *Delivering Humanitarian Aid* (European Commission, 2025) https://civil-protection-humanitarian-aid.ec.europa.eu/index_en accessed on 23rd October, 2025

⁷⁷ United Nations Office for the Coordination of Humanitarian Affairs, *OCHA on Message: Humanitarian Diplomacy (August 2024)* (13 August 2024) <https://www.unocha.org/publications/report/world/ocha-message-humanitarian-diplomacy-august-2024> accessed on 23rd October, 2025

⁷⁸ Swiss Federal Department of Foreign Affairs, Federal Department of Foreign Affairs FDFA <https://www.fdfa.admin.ch/> accessed on 23rd October, 2025

strategy through specialised units, training and interagency coordination would enable the U.S to sustain humanitarian influence and compliance promotion even during financial retrenchment.

Multi-year and flexible funding commitments is another important subject matter. Short-term, project-based funding cycles often undermine both humanitarian continuity and legal compliance. In contrast, multi-year and flexible funding commitments enable long-term planning, reinforce accountability, and promote sustained adherence to IHL principles such as distinction and proportionality. The **Grand Bargain Agreement (2016)**⁷⁹ a landmark donor agency reform compact emphasised multi-year funding as essential to humanitarian efficiency. Donors such as the **United Kingdom's Foreign, Commonwealth and development office (FCDO)**⁸⁰ have adopted similar approaches, providing multi-annual budget frameworks and allowing implementing partners to relocate funds based on changing humanitarian priorities. Flexible funding enables humanitarian organisations to maintain operations in protracted crises, invest in local protection mechanisms, and comply with IHL obligations to prioritise civilian needs.

For USAID, transitioning toward multi-year humanitarian grants or contingency-based frameworks would therefore mitigate the effects of political turnover and budgetary cuts. It would also reaffirm the United States' commitment to humanitarian continuity under its international legal obligations.

A final and enduring best practice involves reinforcing partnerships with neutral and independent humanitarian organisations such as the ICRC, Médecins Sans Frontières (MSF), and the Norwegian Refugee Council (NRC). These organisations, by virtue of their neutrality, command trust across conflict lines and maintain consistent IHL compliance.⁸¹ Donors that prioritise core, funding for such partners demonstrate resilience and principle.

⁷⁹ Inter-Agency Standing Committee, *The Grand Bargain: A Shared Commitment to Better Serve People in Need* (2016) <https://interagencystandingcommittee.org/grand-bargain> accessed on 23rd October, 2025

⁸⁰ Foreign, Commonwealth & Development Office, *Annual Report and Accounts 2022–23* (UK Government 2023) <https://www.gov.uk/government/publications/fcdo-annual-report-and-accounts-2022-to-2023> accessed on 23rd October, 2025

⁸¹ International Committee of the Red Cross, *Compliance with IHL* (ICRC, 2022) <https://www.icrc.org/en/law-and-policy/compliance-ihl> accessed on 23rd October, 2025

Switzerland, Sweden, and the Netherlands, for instance, allocate up to 30–40% of their humanitarian budgets as contributions, empowering partners to respond flexibly based on needs rather than donor priorities.⁸² This practice ensures that IHL principles of impartiality and independence are operationalized through funding itself. USAID's heavy reliance on earmarked bilateral contracts contrasts sharply with these flexible approaches. Increasing its core contributions to neutral humanitarian actors, and co-developing joint IHL compliance frameworks, would protect aid integrity even under budgetary constraints. As Clapham (2006) observes, partnerships between donors and neutral actors reinforce shared responsibility: donors ensure respect for IHL indirectly through trusted intermediaries, while humanitarian organisations maintain the impartial delivery of aid.⁸³

Taken together, these best practices underscore that sustaining humanitarian aid under conditions of declining donor funding is not solely a financial challenge it is a question of governance, law, and policy coherence. Donors that diversify financing, embed IHL within their institutional frameworks, engage diplomatically, commit to predictable funding, and partner with neutral actors' exhibit a capacity to uphold humanitarian protection even when budgets shrink. These international-level lessons form part of the conceptual and normative basis upon which regional and national mechanisms, explored in the subsequent sections, can build sustainable frameworks for compliance with IHL.

The assessment of international best practices reveals that sustaining donor aid and compliance with International Humanitarian Law in the aftermath of USAID funding cuts requires more than financial substitution. It demands a transformation in how states and institutions conceive humanitarian responsibility as a continuous legal and moral obligation rather than a policy preference. Diversified financing mechanisms, legally embedded IHL frameworks, humanitarian diplomacy, multi-year funding, and strong partnerships with neutral actors collectively illustrate that humanitarian resilience can be structured, institutionalised, and scaled. These models demonstrate that effective

⁸² Organisation for Economic Co-operation and Development, *ODA Levels in 2021: Preliminary Data – Detailed Summary Note* (OECD, 2022) <https://one.oecd.org/document/DCD%282024%2934/en/pdf> accessed on 23rd October, 2025

⁸³ Andrew Clapham, *Human Rights Obligations of Non-State Actors* (Oxford University Press 2006) 123.

compliance with IHL is not contingent on wealth but on the consistency of normative commitment and institutional innovation.

For the United States and other major donors, adopting these best practices would not only sustain humanitarian credibility but also reaffirm their obligations under Common **Article 1 of the Geneva Conventions**⁸⁴ to “ensure respect” for IHL in all circumstances. Ultimately, the endurance of humanitarian law depends on ensuring that its principles of humanity, impartiality, neutrality, and independence remain operative even when fiscal priorities shift.

4.2 REGIONAL AND CROSS REGIONAL BEST PRACTICES

While global mechanisms establish the normative and institutional frameworks for sustaining humanitarian funding and IHL compliance, regional systems play a critical bridging role between international commitments and domestic realities. Regions such as Africa, Europe, and Latin America have developed their own frameworks, conventions, and institutions that reflect context-specific adaptations of international best practice. These regional models reveal that localisation, shared responsibility, and peer accountability are powerful tools for maintaining humanitarian action and legal compliance when traditional donors reduce support.

Africa provides a particularly instructive case of regional innovation in the face of donor volatility. The African Union (AU), historically reliant on Western donor financing, has taken deliberate steps to establish autonomous and legally grounded humanitarian structures. The **African Union Humanitarian Policy Framework (2016)**⁸⁵ and the creation of the **African Humanitarian Agency (AUHA)** mark significant progress toward regional self-reliance. The framework promotes joint funding by member states, the African Development Bank, and private African partners to sustain humanitarian operations during crises. Importantly, it integrates the principles of humanity, neutrality, and independence directly into AU humanitarian coordination, aligning African responses with the Geneva Conventions and the **Kampala Convention (2009) on the protection**

⁸⁴ Geneva Conventions of 12 August 1949, art 1

⁸⁵ African Union, African Union Humanitarian Policy Framework (2016)

of internally displaced persons in Africa.⁸⁶ This legal anchoring distinguishes the AU's approach from purely policy-driven initiatives. As Zegveld⁸⁷ observes, by incorporating IHL obligations within binding continental instruments, Africa has regionalised the humanitarian imperative. Despite ongoing challenges in funding predictability and political commitment, the AU's model demonstrates that regional solidarity and legal codification can partially substitute for declining bilateral support. The European Union (EU) continues to set the global benchmark for coherent, principled humanitarian policy. The EU Civil Protection and Humanitarian Aid Operations (ECHO) system integrates humanitarian, civil protection, and development instruments under one legal and administrative framework.⁸⁸ ECHO's Humanitarian Implementation Plans (HIPs)⁸⁹ serve as binding planning tools for each region of operation, requiring all partners to comply with the EU's legal commitment to IHL and the humanitarian principles outlined in the EU Consensus on Humanitarian Aid (2007).⁹⁰ Through multi-year commitments, emergency reserve funds, and contributions to the ICRC and UN agencies, the EU sustains aid continuity even in periods of fiscal tightening among individual member states.⁹¹

This dual-layered oversight system allows the EU to reconcile donor expectations with humanitarian independence, offering a model for other regional blocs including SADC and ECOWAS to emulate.

4.3 CONCLUSION

The analysis of best practices for sustaining donor aid and compliance with International Humanitarian Law (IHL) after the decline in USAID funding demonstrates that the

⁸⁶ African Union, *African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)* (adopted 23 October 2009, entered into force 6 December 2012)

⁸⁷ Liesbeth Zegveld, *Accountability of Armed Opposition Groups in International Law* (Cambridge University Press 2002).

⁸⁸ European Commission, *Annual Activity Report 2020: Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO)* (2021) https://commission.europa.eu/system/files/2021-06/annual-activity-report-2020-echo_en.pdf accessed on 23rd October, 2025

⁸⁹ European Commission, *Humanitarian Implementation Plans (HIPs)* (DG ECHO, 2020) https://civil-protection-humanitarian-aid.ec.europa.eu/funding-evaluations/implementation-plans_en accessed on 23rd October, 2025

⁹⁰ Council of the European Union, *European Consensus on Humanitarian Aid* [2008] OJ C25/1.

⁹¹ Organisation for Economic Co-operation and Development, *ODA Levels in 2021: Preliminary Data – Detailed Summary Note* (OECD, 2022) <https://one.oecd.org/document/DCD%282024%2934/en/pdf> accessed on 23rd October, 2025

resilience of humanitarian protection depends on the strength of institutional and legal frameworks rather than on the volume of financial contributions alone. Internationally, mechanisms such as pooled and diversified funding, the integration of IHL principles into donor policy frameworks, and the strategic use of humanitarian diplomacy have proven effective in preserving operational continuity and legal compliance amid fiscal contraction. Regional initiatives by the African Union and the European Union further illustrate that shared responsibility, collective financing and legal regionalisation of IHL norms enhance sustainability and reduce dependency on traditional donors.

CHAPTER FIVE

CONCLUSIONS AND RECOMMENDATIONS

5.0 INTRODUCTION

The chapters leading up to this point have explored the far-reaching impact of cuts to USAID funding, particularly how these reductions have affected the delivery of humanitarian aid and the ability to uphold international humanitarian law in regions torn by conflict. The analysis has highlighted not only the operational challenges but also the legal and ethical implications of diminished support in some of the world's most vulnerable areas. This concluding chapter synthesizes the key findings and reflects on the sustainability and resilience of donor aid within an evolving global humanitarian landscape.

5.1 GENERAL CONCLUSION

In conclusion, this dissertation titled "The impact of USAID funding cuts on humanitarian assistance: an analysis of compliance with international humanitarian law in conflict zones" has demonstrated that the reduction of USAID funding exerts profound and far-reaching effects on humanitarian operations in conflict-affected regions. Diminished financial support has not only constrained the capacity of humanitarian actors to deliver essential, life-saving assistance but has also weakened mechanisms designed to ensure compliance with international humanitarian law (IHL). The analysis highlights a troubling divergence between shifting donor priorities and the legal obligations that underpin humanitarian protection. Although alternative funding sources and regional initiatives provide partial relief, they lack the scale, coordination, and sustainability required to offset the impact of USAID's withdrawal. Ultimately, the durability of humanitarian assistance and the integrity of IHL compliance depend on renewed donor commitment, strengthened legal accountability, and adaptive strategies that place civilian protection above political considerations.

5.2 SUMMARY OF CHAPTERS

5.2.1 CHAPTER ONE

Chapter 1 laid the foundation for this thesis by framing the central research question: “How do USAID funding cuts affect humanitarian assistance and compliance with international humanitarian law (IHL) in conflict zones?” It began by contextualizing the role of USAID as one of the world’s largest humanitarian donors, particularly in regions affected by armed conflict and displacement. The chapter in addition to identifying the statement of the problem, the chapter gave a background and then outlined the significance of IHL in safeguarding civilian populations and regulating humanitarian operations during warfare. This chapter also listed 3 objectives: 1) to analyse the humanitarian consequences of USAID funding cuts in conflict affected regions; 2) to evaluate the implications of these funding cuts on compliance with international humanitarian law; and 3) to assess best practices of sustaining donor aid and compliance with IHL after a decline in USAID funding. The introduction also reviewed existing literature on donor influence, humanitarian access, and legal accountability, identifying a gap in scholarship regarding the intersection of funding withdrawal and IHL compliance. Finally, it clarified the methodology, including qualitative analysis of case studies, policy documents, and legal instruments, setting the stage for a comprehensive and interdisciplinary investigation.

5.2.2 CHAPTER TWO

This chapter addressed the first objective of this dissertation Humanitarian Consequences of USAID Funding Cuts by examining the direct humanitarian fallout from USAID funding reductions in conflict-affected regions. The analysis highlighted how diminished resources led to the scaling back of essential services such as food distribution, medical care, and shelter provision. Vulnerable populations, particularly internally displaced persons and children, experienced heightened exposure to malnutrition, disease, and exploitation. The chapter also underscored the operational challenges faced by NGOs and UN agencies, including staff layoffs, logistical disruptions, and compromised access to hard-to-reach areas. These consequences illustrate the

critical role USAID has played in stabilizing humanitarian responses and the vacuum created by its absence.

5.2.3 CHAPTER THREE

This chapter addressed the second objective Implications for Compliance with International Humanitarian Law. This chapter examined the impact of funding cuts on compliance with international humanitarian law (IHL), focusing particularly on the principles of distinction, proportionality, and the protection of civilians. It argued that reduced financial resources undermine monitoring and reporting mechanisms, weaken legal advocacy, and constrain the ability of humanitarian actors to engage effectively with both armed groups and state forces. In the absence of adequate funding, organizations face significant challenges in documenting violations, providing legal training, and ensuring accountability. The chapter further demonstrated that donor withdrawal can inadvertently encourage non-compliance, as diminished oversight and weakened deterrence create conditions conducive to IHL breaches. Overall, the findings underscore that financial support is not merely a logistical necessity but a foundational element of legal compliance in humanitarian operations.

5.2.4 CHAPTER FOUR

Chapter 4 assessed the long-term sustainability of humanitarian aid and IHL compliance in the wake of USAID's funding cuts. It explored alternative funding models, including regional donors, pooled funding mechanisms, and private sector engagement. While these sources offer promise, they often lack the consistency, scale, and strategic alignment of USAID's contributions. The chapter also examined the role of African Union frameworks and local civil society in filling the gap, noting both successes and limitations. Crucially, the analysis emphasized that sustainable aid must be paired with robust legal frameworks and enforcement mechanisms to uphold IHL. Without this dual commitment, humanitarian protection risks becoming fragmented and reactive.

5.3 RECOMMENDATIONS

5.3.1 STRENGTHEN MULTILATERAL FUNDING MECHANISMS

The volatility of bilateral donor commitments, exemplified by recent withdrawals by the United States Agency for International Development (USAID), underscores the necessity of reinforcing multilateral humanitarian financing structures.

Platforms like the United Nations Central Emergency Response Fund (CERF) and the African Union's Humanitarian Agency (AUHA) Humanitarian Fund provide predictable, pooled, and diversified resources that can ensure continuity of aid in conflict-affected regions. These platforms not only facilitate rapid disbursement of funds in emergencies but also promote equitable burden-sharing among states, thereby enhancing the resilience and neutrality of humanitarian interventions. CERF, for instance, has disbursed over US\$7 billion since its inception, supporting life-saving assistance in over 100 countries and serving as a critical stopgap in underfunded crises.

By enhancing burden-sharing among states and reduce overreliance on any single donor, multilateral mechanisms insulate humanitarian operations from the volatility of national foreign policy, thus safeguarding humanitarian operations from political or policy fluctuations by individual states.

5.3.2 ENHANCE LEGAL MONITORING ACCOUNTABILITY

In conflict-affected environments, the credibility and legitimacy of humanitarian actors hinge on their adherence to International Humanitarian Law (IHL). Despite financial constraints, international organisations and non-governmental organisations (NGOs) must prioritise the reinforcement of legal monitoring and compliance mechanisms.

This includes investing in field-based training on IHL principles, improving documentation of violations, and enhancing collaboration with local actors to promote community-level adherence to humanitarian norms. Increased legal monitoring not only fosters accountability for IHL breaches but also reinforces the legitimacy and credibility of humanitarian actors operating in conflict environments.

Such efforts not only deter impunity but also enhance the legitimacy and credibility of humanitarian actors. Legal monitoring mechanisms such as those developed by the International Committee of the Red Cross (ICRC) have proven effective in conflict zones by reinforcing norms of protection and enabling advocacy for victims of IHL breaches. In this regard, legal accountability mechanisms must be integrated into humanitarian programming as a core, rather than ancillary, component.

5.3.3 PROMOTE REGIONAL OWNERSHIP AND RESILIENCE

African regional bodies such as the African Union (AU) should be empowered to take a more proactive role in humanitarian coordination and response. Strengthening regional legal and policy frameworks notably the Kampala Convention on the Protection and Assistance of Internally Displaced Persons (2009) can help fill operational and financial gaps left by global donors and ensure that humanitarian interventions are context-sensitive and regionally driven. Regional mechanisms are uniquely positioned to leverage cultural familiarity, political proximity, and local networks to deliver timely and sustainable humanitarian assistance in conflict-affected areas. Enhancing their institutional and financial capacity would therefore promote African ownership of humanitarian action and contribute to long-term resilience.

5.3.4 INTERGRATE SUSTAINABILITY INTO HUMANITARIAN PLANNING

Humanitarian actors must embed sustainability and clear exit strategies into program design from the outset. This involves building local institutional capacity, supporting community-led initiatives, and ensuring that short-term relief efforts are aligned with long-term development and resilience objectives. Moreover, partnerships with local civil society organizations and authorities can facilitate smoother transitions from emergency response to recovery and development phases. In this regard, legal accountability mechanisms must be integrated into humanitarian programming as a core, rather than ancillary, component.

When humanitarian efforts are coordinated with national and regional development plans, they have the potential to do more than just respond to emergencies they can help lay the groundwork for long-term recovery and resilience. By working in step with broader

development goals, aid actors can support solutions that last well beyond the initial crisis and truly benefit affected communities in the long run.

5.3.5 ADVOCATE FOR DONOR COMPLIANCE WITH IHL OBLIGATIONS

Donors such as the United States Agency for International Development (USAID) should be held accountable to their international legal obligations, particularly those arising under international humanitarian law (IHL) and customary international law. Funding decisions must be guided by the imperative to and to avoid actions that indirectly contribute to violations of IHL, such as impeding humanitarian access or disproportionately affecting vulnerable populations. Donor conditionality or funding withdrawals in conflict-affected regions should therefore be assessed for their compliance with humanitarian principles of neutrality, impartiality, and humanity. Promoting transparency and accountability in humanitarian governance means more than just ticking legal boxes it requires active engagement with lawmakers, watchdog institutions, and the wider public. By highlighting the ethical and legal responsibilities of donor countries, advocacy efforts can help shape policies that truly reflect humanitarian values. Civil society groups and global advocacy networks are especially vital in this process. Through monitoring donor actions, publishing independent reports, and pushing for change via legal channels or policy discussions, they help ensure that promises made translate into real-world impact for those most in need.

5.3.6 DIVERSIFY DONOR ENGAGEMENT

To shield themselves from the ups and downs of government funding tied to global politics, humanitarian groups really need to spread their bets by tapping into all sorts of new donors.

These organizations ought to branch out and bring in money from private foundations, diaspora communities back home sending support, and even company CSR initiatives. Pulling in these kinds of backers can act like a safety net, keeping aid flowing steadily even when big donor countries hit political snags or budget crunches. Teaming up with these non-government players also sparks fresh ideas, gives more wiggle room with resources, and helps local communities feel more involved in the solutions.

Casting a wider net for supporters can lead to exciting new partnerships and unlock funds that usually fly under the radar. In the end, this doesn't just keep programs running smoothly over the long haul it makes the help more tailored and effective right where it's needed most.

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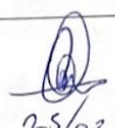
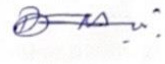
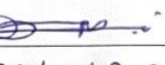
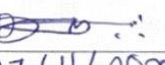
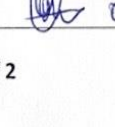
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SUPERVISOR: MR. MUGAKUZI TOPIC: THE IMPACT OF WAID
FUNDING CUTS ON HUMANITARIAN ASSISTANCE; AN ANALYSIS OF
COMPLIANCE WITH INTERNATIONAL ~~LAW~~ HUMANITARIAN LAW IN CONFLICT ZONES

Stage	Supervisor's Comments	Supervisor's Signature & Date	Student's Signature & Date
Research Proposal	Research objective 3 and Research question 3 should be worked on.	 25/03/25	25/03/2025 
Chapter 1 – Introduction	Work on the statement of the problem and proceed to chapter 2	 03/08/25	03/08/2025 
Chapter 2 –	Proceed to chapter 3	 18/09/25	18/09/2025 
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Chapter 4 –	The conclusion is too long, make	 07/11/25	07/11/2025 

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Chapter 5 – Conclusions & Recommendations	Proceed	 14/11/2025	14/11/2025 Signature
Abstract, Table of Contents, Bibliography and Appendices	Good	 15/11/2025	17/11/2025 Signature
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ANALYSIS OF COMPLIANCE WITH INTERNATIONAL HUMANITARIAN LAW IN
CONFLICT ZONES By: DANIEL MENSHI PMBCHB19218300 AN OBLIGATORY
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