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Introduction

The Responsibility to Protect and Humanitarian Action

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In his 2012 report on the implementation of the Responsibility to Protect (R2P) principle, UN Secretary-General Ban Ki-moon observed that: 'As paragraph 139 of the World Summit Outcome highlighted, humanitarian action plays a critical role in protecting populations from genocide, war crimes, ethnic cleansing and crimes against humanity'. He continued, 'Humanitarian agencies can help to protect populations and shield them from some of the worst effects of displacement. As such, humanitarian action is a critically important part of any "timely and decisive" response'. The contribution of humanitarian action to the protection of populations from genocide and other atrocity crimes was not, however, without its challenges and problems. The Secretary-General insisted that 'humanitarian action must never be used as a substitute for political action' and implored that 'it must also be understood that humanitarian action depends upon humanitarian space. To defend humanitarian space, the United Nations and the international community must respect the humanitarian principles of neutrality, independence, humanity and impartiality'.¹ This Special Issue of *Global Responsibility to Protect* takes these observations as its starting point – that humanitarian action contributes to the protection of populations from genocide and mass atrocities but that the nature of this relationship is complex and fraught with practical, ethical and strategic problems and challenges.²

1 Ban Ki-moon, *Responsibility to Protect: Timely and Decisive Response. Report of the Secretary-General*, A/66/874-S/2012/578, 25 July 2012, para. 44.

2 On the ethics of humanitarian action see Hugo Slim, *Humanitarian Ethics* (London: Hurst, forthcoming).

Not least, as the Secretary-General foreshadowed, there is a pervasive concern that the association of humanitarian action with robust protection risks politicizing aid by connecting it to the objectives of a particular party to a conflict. This could undermine the humanitarian space that makes this type of work possible at all in difficult situations characterized by armed conflict and expose both the humanitarians themselves and the populations they assist to the threat of attack.

It is well understood that humanitarian organizations, such as the UN's High Commissioner for Refugees (UNHCR) and non-governmental organizations (NGOs) like Oxfam, can sometimes play a critical role in keeping people alive when populations are subjected to genocide and other mass atrocities. Indeed, the significant expansion of humanitarian aid in recent years is a key sign of very practical progress in civilian protection which, whilst usually taken as distinct from R2P, helps achieve the goals that are set by this principle. While we watch hundreds of people being hurt and killed on the news, these agencies and their many national staff are saving hundreds of thousands of people every day and helping them to stay alive. Thus, where there may be despair about the failure of international political bodies to find sufficient consensus to effectively protect civilians in imminent danger in places such as Syria and the Central African Republic, it needs to be understood that agencies like the Red Cross and Red Crescent, Caritas, Oxfam and Islamic Relief work every day to protect civilians in their homes or wherever they have fled. Bluntly put, these agencies have an impact. For example, international humanitarians and their local partners protected around two million civilians displaced from their homes in the Darfur region of Sudan by mass atrocities committed by Sudanese government forces and their allies, the now notorious *Janjaweed* militia, in 2003–4. Indeed, so effective was the humanitarian response to the crisis in Darfur that by 2005 the region's mortality rate had fallen to pre-war levels.³

When armed conflict and mass atrocities erupt, humanitarian agencies often provide the only international presence on the ground. This was certainly true of Darfur, as well as in Afghanistan several years earlier where some NGOs such as Save the Children had maintained a presence despite years of Taliban rule and in Tamil populated areas of Sri Lanka several years later where the UN's presence was almost entirely humanitarian and developmental in nature – thanks in part to the government's successful campaign to head off demands for the inclusion of a human rights component in the UN's country team there.

3 Julie Flint and Alex de Waal, *Darfur: A New History of a Long War* (London: Zed, 2008), pp. 172–3.