World Politics and Humanitarian Action: Mutual Influences

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1 Introduction

Is there a relationship between world politics and humanitarian action, and if so, what does it look like? Whereas humanitarian action is a tool for protection and assistance, the term world politics relates to the behaviour of international political actors in a global setting, encompassing human and economic as well as physical and territorial aspects.

World politics is the academic discipline that analyses the actions of international players. In this vein, the chapter explores the relationship between humanity, impartiality, neutrality and independence—the fundamental principles of humanitarian action—and politics. Are they antinomic? Or could humanitarian action be a way of alleviating the suffering that all too often results from geopolitical power politics?

The NOHA curriculum has always accorded importance to the study of world politics because geopolitical relations have to be well identified by the actors responsible for implementing humanitarian projects and policies. This chapter will analyse two trends: on the one hand, the phenomenon of world politics permeating humanitarian action throughout almost the entire process of its application and, on the other hand, the role of world politics as an important facet of international relations.

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2 World Politics and Lawmaking

2.1 The Influence of World Politics on Humanitarian Norms

World politics has strongly shaped the genealogy of international humanitarian law (IHL). After all, it was witnessing the horrors of the battle of Solferino, which impelled a Geneva citizen to act. When he stood close to the battlefield in 1859, Henry Dunant was following an important geopolitical event: the strife of the King of Piémont against the Habsburg Empire in view of unifying all Italians (Dunant 1862). What was at stake was the possibility of an Italian nation State, in the broader context of a common trend among European peoples, to rise up and call for statehood. The presence of French Emperor Louis-Napoleon, Napoleon III (whom Dunant had hoped to meet on the battlefield), was also tightly linked to world politics. France had been struggling for centuries against the Roman Germanic Empire and the Habsburg dynasty. Louis-Napoleon himself, as a young man, had been strongly advocating and struggling for the concept of the nation State. Would Napoleon III have taken part in the battle if the stakes had been lower? And would Henry Dunant, eagerly looking for an occasion to meet him, have otherwise witnessed the horrific slaughter that prompted him to begin advocating for a treaty on armed conflict? The convergence of several geopolitical events thus led to the birth of IHL or the law of armed conflict with the adoption of the First Geneva Convention (GC) for the Amelioration of the Condition of the Wounded in Armies in the Field in 1864.

An expansion of the beneficiaries of the initial Geneva law was induced by other conflicts, geopolitical events as well. The famous naval battle of Tsushima, which saw the first victory of a non-European State's army (the Japanese) over a European one (that of Russia), paved the way for the 1906 adoption of a new Convention: the GC for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea. World War I shed light upon the condition of detained soldiers from enemy troops, which paved the way for the 1929 Convention relative to the Treatment of Prisoners of War, introducing the latter term. Two European tragedies of the twentieth century, brought about by totalitarian ideologies—the Spanish civil war and the Shoah—led to significant developments in IHL: the establishment of a minimum yardstick for the protection of persons taking no active part in hostilities and the wounded and sick in non-international armed conflict (NIAC), Common Article 3 GCs of 1949, and of civilians (GC IV of 1949).

The content of IHL is linked to international relations since the applicability of its conventions and rules depends upon whether a conflict is classified as an international armed conflict (IAC), fought between States, or NIAC, opposing State and armed non-State actors. For example, in NIACs, Additional Protocol (AP) II to the Geneva Conventions, which regulates the rules applicable in NIACs, applies only if a rebel group holds territory, is able to conduct concerted hostilities and ensures that IHL is respected (Article 2) within the territory under its control. If the situation does not reach this level, only Common Article 3 GCs applies.

2.2 The Example of Refugee Law

World politics has also heavily influenced the framework of refugee law. To be accorded refugee status, a human being must, among others, find himself or herself outside the territory of the country of which he or she holds the nationality.

The first international attempt of the twentieth century to establish protection for refugees—the Nansen Passport—followed the Bolshevik revolution and the outflow of the so-called "White" Russians, in comparison to the "Red" -or Bolshevik- ones into Western Europe. The adoption of the 1951 Refugee Convention, which was intended to address the European post-war situation, was linked to the establishment of the communist system in Eastern European and Asian countries, followed by major waves of exiled persons leaving the Communist bloc. In 1967, an Additional Protocol enlarged the scope of the Refugee Convention, making it universally applicable.

The 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa (Addis Ababa Convention) was openly designed to address several African specificities concerning refugee flows. Its creation coincided with both the final phase of the decolonisation period,[1] marked by the apartheid policy of South Africa and other States,[2] and post-decolonisation disturbances linked to secession attempts of several regions from newly independent African States. As a result of such conflict, large numbers of people fled, often on foot, in the simple hope of finding a place to survive in the neighbouring States of *White Africa*. Having crossed the border and reached safety, they depended on the non-refoulement rule—the primordial rule of refugee law—to avoid deportation to their home States, remaining in their new homes. Hence, the Addis Ababa Convention, going back to the 1951 Refugee Convention's criteria for refugee status, accords this status to *every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in his country of origin or nationality, is compelled to leave his place of habitual residence*.[3]

3 World Politics and Humanitarian Needs

Humanitarian action is based upon the needs of vulnerable populations. One very explicit expression of this conception of humanitarian action is included in the *Humanitarian Consensus* reached by the European Union (EU) in 2007; a similar

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[1]Decolonisation reached its peak in the 1950s and 1960s, with a large number of States gaining independence.

[2]Southern Rhodesia, having self-proclaimed independence from the UK, with a system closely resembling apartheid, as well as Angola and Mozambique, still Portuguese colonies at the time.

[3]Art. 1(2) Addis Ababa Convention.

approach can be found in the Geneva Conventions and Protocols under Articles 23 GC IV, 70 API and 18 APII.

A needs-based approach to humanitarian action offers a guarantee for impartiality in the treatment of victims of armed conflict: impartial humanitarian actors grant them protection in the sole consideration of their needs, irrespective of who they are and which belligerent party they fought for. However, the history of humanitarian action shows that elements of a geopolitical nature may influence the assessment of victims' needs, which a thorough knowledge of world politics may further help analyse.

3.1 Geopolitical Games Induce Humanitarian Needs

The term 'game' echoes historical realities, such as the events during the nineteenth century that have come to be known as the *big game*, denoting the struggle between the British Indian Empire and the Russian Empire for influence and territory in Central Asia and the Greater Middle East. Such geopolitical games inevitably result in conflict, the alleviation of which requires needs-based humanitarian action, as evidenced by the following examples.

Mitigating the impacts of conflict is the classical and most important domain of humanitarian action. The law of armed conflict provides that, once *hors de combat*, members of enemy forces are to be treated with humanity and without any adverse discrimination. IHL, essentially originating from a geopolitical event, the Solférino battle, offers the clearest example of what humanity in armed conflict means.

World politics also influences humanitarian needs in the context of natural disasters. In the first row, purely geographic—and sometimes geologic—factors are responsible causes of disasters. However, these factors may remain under control if properly addressed by national authorities. The severity of damage and the number of victims caused by disasters thus strongly depend on geopolitical factors.

Where low levels of development persist, they may hinder the successful management of disasters: common difficulties include a lack of civil protection services, medical networks to receive victims and insufficient road networks allowing access to victims. Attempts to mitigate disasters may also be hindered by bad governance, be it governance subverted by corruption or mismanagement of diversity, as reflected in the 2008 Myanmar case. The constitution of Myanmar, formerly Burma, recognises seven ethnic *national* States,[4] the inhabitants of which

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[4]Kachin, Chin, Arakan, Shan, Kayan, Kayin, Mon. However, there is another minority within these larger groups of minorities, whose unclear status derives from an issue of contested boundaries: the Rohingyas. Originating from the western side of the Burmese border—today's Bangladesh, formerly part of the British Empire—they were first brought to Burma under British rule. When Burma was granted independence, Rohingya on Burmese territory were separated from their brethren in Bangladesh, then Eastern Pakistan, and became a Muslim minority within Buddhist dominated Burma, mostly concentrated in the Arakan/Rakhine State.

hold a status different from the ethnic Burmese majority. A 1962 military coup brought to power an authoritarian regime, which promoted the *Burmese way to socialism*. On 2 May 2008, Myanmar was struck by Hurricane Nargis. The disaster badly affected *national* populations, but Myanmar's authoritarian government was reluctant to let external actors witness what was happening inside the country and refused them access.

3.2   Understanding World Politics Helps Tackle Humanitarian Needs

Studying world politics helps foresee crises since it identifies fault lines, which are often underlying factors of conflict. Given fault lines can be reinforced by others, which we will name *potentialising* factors; the actual outburst of conflict is usually sparked by a *triggering* factor. Geopolitical awareness contributes to keeping track of these factors and events in order to provide efficient responses.

3.2.1   Conflict Triggers: Lack of National Sentiment

States without any national sentiment are extremely vulnerable to political infighting and eventually even disintegration.

The history of the Balkans, which is essentially a history of fault lines, serves as an apt example. Different populations arrived in the Balkan region in several waves. Slavic tribes first settled in the area after the division of the Roman Empire; from the beginning, their conversion to Christianity was impacted by the differences between Western and Eastern rites within the Christianity belief.

Since the *Great Schism* of 1054, Slavs belonged to either one of two Confessions: the Roman Catholic or the Orthodox Church. Different Kingdoms were created, either Catholic—Carantania (future Slovenia), Croatia and Bosnia, or Orthodox dominated—Serbia and Bulgaria.

In the wake of the Ottoman Empire's victory over the Serbs at the Kosovo Polje battle of 1389, a second fault line developed: Croats and Slovenes became subjects of the Habsburg Emperor; Serbs, together with Bulgarians, Albanians and with the population of Bosnia were ruled by the Ottoman Sultan.

During the twentieth century, in the wake of World War I, the Yugoslav State was created, first as a Kingdom, then a Socialist Republic, consisting of areas that had been part of the former Habsburg and Ottoman Empires. Yugoslavia was reformed after World War II, at the end of a terrible struggle of resistance against Nazi Germany, which had prompted infighting between two different movements—communists and royalists. Existing fault lines were thus carried over into the new nation State.

During the 1980s, the last years of socialism in Yugoslavia, the State was made up of six federated republics, each of them encompassing several different population groups. The ethnic and religious heterogeneity was supposed to have been transcended by a common socialist ideology, promulgated by Josip Broz Tito, who had ruled Yugoslavia since the end of World War II. However, after Tito's death in 1980, and with the demise of the socialist world, the ideological cement in Yugoslavia receded in the face of nationalist ideologies. Slobodan Milosevic highlighted the Serb heritage with a huge celebration of the Kosovo Polje battle, on its 600th anniversary, in 1989. With Croats reaffirming the Croatian national tradition and political leaders in Bosnia propagating the belonging of Muslim Bosniaks to the Umma,[5] Yugoslavia fell apart. Yet each of the six Republics was to a certain—and varying—degree home to a mixed population. Tragically, the breakup of Yugoslavia was to be characterised by ethnic cleansing, the rationale of which is to compel minority groups to leave a given territory, turning it into an ethnically *pure* area, i.e. homogeneous in its population.

In Bosnia-Herzegovina, the claim of Serbian and Croat populations for independence from the Sarajevan Muslim-led government, together with attempts to unite Bosnian Serbs with Serbia and Bosnian Croats with Croatia, resulted in severe campaigns of ethnic cleansing. Different means were used: spreading fear among minority groups or threatening, raping or killing members of such groups in their strongholds. This ethnic component of the crisis, crossed with several purely geographic features of the country,[6] and the high level of armament, gave way to one of the most devastating conflicts of the last decades. In Kosovo, once the cradle of the Serb Kingdom, the Ottoman presence, ensuing revolts and repression had led, over centuries, to a replacement of Serbs with an overwhelming majority of ethnic Albanians. Such was the situation when Milosevic began to suppress Kosovo's autonomy.

3.2.2 Conflict Triggers: Regional Turbulences and Other External Factors

World politics also offers examples of events reinforcing underlying factors of crises, such as conflict in a neighbouring country with the same ethnic groups, often inducing a flux of refugees or an economic crisis resulting in reduced livelihoods.

The case of Lebanon demonstrates how events in the neighbourhood may increase the severity of underlying crisis factors. A major feature of the Lebanese political system is its recognition of different religious confessions as distinct

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[5] Alija Izetbegovic was the President of Bosnia-Herzegovina during the wars of independence that led to Yugoslavia's end as a unified State. In the 1980s, he had promised to make Bosnia an Islamic Republic.

[6] A large number of valleys, and the location of the biggest cities in valleys alongside the rivers, enabled Bosnian Serb troops to surround Sarajevo, the Bosnian capital and Gorazde and expose them to heavy shelling from the slopes of these valleys.

elements of the population, a remnant of the system established by the Ottoman Empire: non-Muslim monotheists were allowed to practise their religion, subject to payment of specific taxes. Births, marriages and deaths were registered only within religious communities. Later, in the Lebanese national covenant of 1943, political functions were distributed according to religious affiliation. The President was to be a Maronite Christian, the Prime Minister a Sunni Muslim and the Speaker of the Chamber of Deputies a Shia Muslim. Seats in Parliament were distributed pursuant to a ratio that was also extended to other public offices. The 1932 census was used to establish these ratios. With the creation of Israel in 1948 and the 1967 *Six–Day War*, influxes of Muslim Palestinian refugees put an end to the religious balance. Conflict erupted in 1975, leading to full-scale civil war and only ended in 1989 with the Taef agreement, which increased the ratio of Muslims in Parliament. Today, with the imbalance between the number of Lebanese citizens and refugees due to the large number of the latter from war-torn Syria, there is a danger of renewed conflict.

Another example for underlying crisis factors reinforced by external factors, in this case impoverishment and climate change, is Darfur. In this western part of Sudan, no underlying religious factor to precipitate crisis existed—all inhabitants of the region were Muslim. However, economic and social fault lines developed, pitting nomadic pastoralists against sedentary farmers. This is certainly a universal factor of conflict; however, it may remain an underlying issue, as long as the respective *system*, in which the fault line is present, functions on the basis of trade and peaceful coexistence between the groups. In Darfur, an increase in droughts and ensuing desertification reinforced this crisis factor, possibly for the worst. The pressure mounted and finally became unbearable, with another triggering factor amplifying the danger: Sudan's North–South divide. The triggering factor for the outbreak of violent conflict in Darfur was a peace agreement between the Sudanese regime and the SPLM/SPLA[7] dating back to 2002. The Khartoum government, located in the North, utilised demobilised Darfuri horsemen originating from Northern Darfur, which became known as *Janjaweed*, to return to Darfur to carry out its repressive policy in the South. These semi-nomadic tribes terrorised and murdered scores of sub-Saharan Southern Darfuri peasants.

3.2.3   Conflict Triggers: Absence of Democratic Structures

Another type of event that is well known for triggering open crises is democratic or supposedly democratic elections in democratically unstable States. Instead of representing the will of the people, such elections often only serve to highlight

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[7]The SPL with its armed branch, the SPLA, was the main movement representing the South Sudanese. It struggled for years to put an end to the domination of the Khartum government. This decade-long conflict raged independently of the situation in Darfur, except for the utilisation of Northern Darfuri semi Nomads by the central government.

and crystallise the respective strength of different population groups. Whenever elections occur in a context of ethnic divide with mono-ethnic or quasi mono-ethnic political parties, the eventual outcome of an election may often be clear before the results are even announced, from simply analysing the demographic balance. Irrespective of the demographic context, where the democratic tradition of a State is a short one, the defeated party or politician is likely either to invoke cheating and refuse to accept the result or—even worse—to proclaim him-, her- or itself elected. Examples of such cases are extremely numerous on the African continent, but they also frequently occur in other regions.

A striking example of a contested election as a kick-starting factor of crisis is Kenya. The country had long been one of the most stable ones in Eastern Africa, and its diversity of population did not seem to be a crisis factor. The Kikuyu tribe, which had waged a liberation war against the British, had given the country many Presidents. However, in late 2007, a crisis burst out when a Kikuyu President— Mwai Kibaki—tried to extend his mandate for another term, his main challenger, Raïla Odinga, being a member of the Luo ethnic group. The results were contested. Finally, the political contestation gave way to ethnic violence, when adherents of the two candidates began turning on each other along ethnic lines.

The 2010 Ivory Coast electoral crisis was different. A lack of national sentiment[8] had for decades been masked by a charismatic leader, Felix Houphoët-Boigny, and solid economic development following independence in 1960. However, Houphoët's death brought to light tensions similarly existing in other parts of Western Africa: between a northern Muslim area and a southern Christian one. In the Ivory Coast, these tensions had already manifested themselves violently for a decade before the 2010 election. When, after years of postponing, the elections finally took place, incumbent President Laurent Gbagbo entered the final stages of his political career. Refusing to accept defeat to opposition candidate Alassane Ouattara, a Muslim northerner, the situation worsened and violence erupted, which led to a French military intervention. Laurent Gbagbo was later transferred to The Hague to stand trial before the International Criminal Court (ICC).

Closely monitoring developments in world politics is currently gaining more and more importance in the field of humanitarian action. Humanitarian agencies today dedicate specific units to such activities, the role of which is not only to predict potential crises but also to immediately take notice of any surge of violence in ongoing crises. The continuously turbulent situation in the eastern part of the Democratic Republic of Congo (DRC) is a fitting example of a protracted crisis. Whenever new armed groups appear in this region, a sustained geopolitical watch allows for a timely and fitting humanitarian response.

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[8]The Ivory Coast, a former French colony, was one of the most successful post-colonial States in Africa, under the Presidency of Felix Houphoët-Boigny. After his death, no successor was able to muster the same charisma or to hold the State together the way he did; Konan Bédié even made use of the concept of 'ivoirité', which could have been used in order to overcome the divides between the Muslim North and the Christian South. Instead, it was used to disenfranchise the northern population.

3.3 World Politics Influences Awareness of Humanitarian Crises

World politics may influence the evaluation of humanitarian needs. Among a wealth of dire situations, only some are considered emergency priorities, whereas others remain ignored by donors.

Priority is often accorded for geographic reasons, as illustrated, once again, by the end of Yugoslavia. Situated between Austria and Greece, Yugoslavia was a potential future Member State of the European Union at the time some of its federate Republics began proclaiming their independence. Proximity to Europe was one of the main factors leading to robust crisis management from external actors. The United Nations also saw stability in Europe as of utmost importance and dedicated substantial manpower to dealing with Yugoslavia.

Similarly, geopolitically important States, such as Kenya—a rear basis for humanitarian operations in Eastern Africa—usually receive support much faster than strategically less important States would in times of crisis. The same applies to emergencies that strike global tourist destinations, as was the case with Thailand during the 2004 Indian Ocean Tsunami. Lastly, disasters occurring in developed States, where images of disasters are rare and thus unusual, will be perceived as more severe than similar disasters might in a *less developed country*, where the lack of human security is permanent.

In the same vein, certain peoples in need seem to be forgotten or overlooked. For example, when Iraqi Kurds in 1991 fled Saddam Hussein's persecutions and were saved by the intervention of American troops, nobody took notice of the Assyrian and Chaldean Christians who were in a similar situation in the vicinity. Even worse, some people seem to be considered as morally deprived of their right to protection. Such was the atmosphere concerning the Rwandese Hutus in the Goma, Bukavu and Uvira camps in the eastern DRC, when these camps were attacked in 1996 by the Rwandan government, since they were arbitrarily deemed to harbour only perpetrators of the 1994 Rwandan genocide. Similarly, when Muammar Gaddafi was brutally killed in 2013, few denounced the fact he had been denied his right to a fair trial.

The European Union Humanitarian and Civil Protection Office (ECHO) pledges to devote itself to the response to crises that make headlines, as well as to forgotten crises by setting up specific indicators.

4 World Politics and Humanitarian Responses

At first glance, the humanitarian response to crises is independent of world politics. At least, that is the way it should be. However, exceptions abound. Thus, in the last third of the twentieth century, new types of conflicts not only triggered rescue

missions on a new scale but also led to the development of a new approach to humanitarian action.

When programming humanitarian action, the exact beneficiaries of aid must be determined, and world politics sometimes comes to play a role in this process.

4.1 World Politics and Beneficiaries of Humanitarian Action

In 1859, the day following the battle of Solferino, Henry Dunant experienced first hand the selective treatment applied to potential beneficiaries of humanitarian action, when he witnessed severely wounded soldiers being transferred to a hospital (Dunant 1862). The countrywomen present opposed selecting wounded soldiers on the sole basis of their needs and the degree of their wounds. They argued that it made no sense to medically treat the *German* enemies—i.e., the Austrian empire's soldiers. Medical facilities were to be used only by *Italians* and their allies.

Today, with a growing number of civilians entitled to aid as victims of conflict, helping members of one specific group may be considered a hostile activity by other groups, specifically within ethnic conflicts that induce one belligerent to consider the very population that the opposing party belongs to as the enemy.

Such was the case during the Biafra conflict in the late 1960s. Following Nigeria's independence, the Igbos, inhabitants of Southeastern Nigeria, were providing the newly independent State with a good number of civil servants.[9] However, the Muslim Haussas did not accept non-Muslim rule over Nigeria. This triggered an anti-Igbo pogrom campaign in the North, a Haussa stronghold. The Igbos fled the northern States, mainly heading towards their birthplaces in the southeast, which they proclaimed as an independent State under the name of Biafra. The Nigerian government decided to put down the secession. During the ensuing conflict, the Nigerian army also lashed out against civilians, as well as against humanitarian workers and medical facilities, as if helping sick and wounded Igbos to survive were akin to engaging in warfare against the Nigerian State. The government assumed that humanitarian actors had chosen to take sides, and attacking them was therefore not off-limits anymore.

4.2 The Influence of World Politics on Protection

4.2.1 World Politics Shapes Assistance and Protection Needs

The means of humanitarian action vary, depending on emergencies and needs. For example, the United Nations High Commissioner for Refugees (UNHCR) was

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[9]This was in large part due to their superior knowledge of English, whereas the Northern Haussas had for the most part only attended coranic schools.

created with a protective mandate, which it was supposed to implement through advocacy work with States. The latter remained free in their determination of people as refugees.

However, in 1971, with the secession of East Pakistan, today Bangladesh, UNHCR for the first time faced the challenge of directly providing assistance to refugees.[10] The organisation subsequently carried out assistance activities towards Vietnamese and Cambodian refugees who had fled their countries after the establishment of communist governments in both States in 1975 and whose plight peaked with the Boat People crisis in 1979 and 1980.[11] At the same time, UNHCR also had to deal with the Afghan refugee crisis, with five million Afghans—one-third of the country's entire population—displaced outside the country.[12]

It was not only events such as these that prompted UNHCR to expand its scope of activity, the development of numerous and large refugee camps also brought a new geopolitical element to the forefront. The camps established at borders were often used as *sanctuaries* by armed groups. For example, *white* and *pink* Cambodian camps in Thailand were used by opposition forces for their combat against the Khmer Rouge regime of Pol Pot in Cambodia. This, in turn, created a risk for camps and refugees since they functioned not exactly as they were supposed to, namely as civilian premises.

In Bosnia-Herzegovina, humanitarian action had to adapt to specific features of the Yugoslav wars to be effective. The geographic distribution of populations shaped the type of attacks they were subjected to, which in turn shaped humanitarian responses to the violence. In many places, urban Bosniak[13] Muslims were surrounded and besieged by Serb fighters from rural areas firing at them from surrounding hills, with guns and sometimes tanks. Ethnic cleansing directly targeted civilians, who were forcibly displaced and sometimes even killed. Humanitarian assistance for besieged cities was often blocked by militia-held checkpoints. The response that humanitarian actors developed was to proclaim certain places *safe areas* or *safe havens*, where civilians were to be protected by peacekeeping forces.

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[10]UN General Assembly Resolution 2790 (XXVI), 6 December 1971 states: '*considering that the international community, [...] has seldom been confronted with a refugee problem of such enormous dimensions as that of the refugees from East Pakistan in India; Endorses the designation by the Secretary-General of the United Nations High Commissioner for Refugees to be the focal point for the co-ordination of assistance to East Pakistan refugees in India, from and through the United Nations system*'.

[11]It is estimated that between 1975 and 2000, three million people fled from Cambodia and Vietnam.

[12]During this crisis, approximately three million Afghans fled to Pakistan and two million to Iran.

[13]'*Bosniak*' is a term used for Bosnian Muslims. '*Bosnian*' is used to refer to any Bosnian.

4.2.2 Safe Havens

IHL as well as refugee law provide for the protection of a range of beneficiaries: civilians, wounded soldiers, prisoners of war and those entitled to refugee status. However, belligerents do not always accord them this protection. Gathering these people in specific secure places may provide them safety. This concept of *safe havens* or security zones for civilians is enshrined in Articles 14 and 15 GC IV; GC III provides for immunity of prisoner-of-war camps.

However, the Bosnian war has shown that implementation of these novel concepts was flawed. On 19 March 1993, French General Morillon, commander of the second United Nations Protection Force (UNPROFOR), promised the besieged population of Srebrenica that he would not abandon the town and its inhabitants. A new concept was born: the UN could declare besieged cities *security zones* to safeguard their populations. In Bosnia, the six selected cities/security zones were also of strategic importance for the belligerents.[14] Most of them—especially Srebrenica—were host to the Bosnian and Herzegovinian Army, which reinforced their strategic value. For these reasons, the United Nations Security Council (UNSC) resolution according these places safe area status was not sufficient to guarantee any effective protection.

In Srebrenica, the robust mandate set up by UNSC Resolution 836 of 6 June 1993 did not translate to decisive action by the international community. The Dutch *blue helmets* were outnumbered by Bosnian Serb forces besieging the city, the safety zone was not precisely delimited and Bosniak forces left the city despite the increasing danger of Bosnian Serb forces approaching.

GA Resolution 45/100 (1990) created a second new concept under the label 'humanitarian corridors'. However, such corridors cannot be created without a certain amount of goodwill on the side of the belligerent parties.[15] As such, by the second half of the 1990s, the safe areas created for physical humanitarian protection had been disqualified.

The events, which occurred in late 1996 in eastern Zaïre (today's Democratic Republic of Congo), were no less dramatic than those in Yugoslavia since they saw incursions of armed forces onto the grounds of refugee camps. By late June and early July, some ethnic Tutsi Rwandese citizens had been protected in southwest Rwanda by a military multinational operation[16] and then settled in Goma, a Congolese city close to the Rwandan border. Ethnic Tutsi represented the bulk of

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[14]Sarajevoe, as the capital, was of particular importance. In the Drina Valley, the cities of Zepa, Gorazde and Srebrenica were highly contested due to the historic importance given to this valley by the Bosnian Serb population and militia. Tuzla and Bihac were Muslim strongholds surrounded by Serb strongholds which reinforced their value as stake in the war.

[15]This approach, often put forward as a possible alleviation measure for the human suffering in Syria, is not favoured by most humanitarian actors. See for example IRIN, Why humanitarians wary of 'humanitarian corridors', 19 March 2012.

[16]The latter was overwhelmingly French. '*Operation Turquoise*', the mission to protect the refugees who fled to eastern Congo, had been mandated by the UNSC.

victims of the genocide that Hutu extremists carried out in the spring of 1994. However, the Rwandan Patriotic Front, which finally overthrew the extremists, was largely made up of Tutsis. In mid-August 1994, some two million Rwandans fled to eastern Congo/Zaïre, where they settled in camps. The new Rwandan Tutsi authorities claimed that the camps harboured the perpetrators of the genocide. The camps also came under attack from Zairian Tutsis supported by Rwandan forces, without receiving any support from the international community. Thus, Hutu refugees in Goma, Bukavu and Uvira were attacked, wounded and even killed and compelled to flee into the surrounding jungle.

5   Humanitarian Action as a Facet of World Politics

5.1   Humanitarian Action as a Substitute for Political Measures

Humanitarian action in conflict can be a means to demonstrate solidarity with and even support for a particular party to a conflict.

An interesting example relates to humanitarian action as a substitute for State recognition, during the Biafra conflict in 1960s Nigeria. France—then led by Charles de Gaulle—would have preferred recognising the Igbo State of Biafra, in the name of the right to self-determination of peoples, but de Gaulle knew that it would have been politically dangerous. Thus, for the first time in its history, France sent its National Society of the Red Cross abroad and seconded staff to the ICRC. The French aid workers thus acted as a humanitarian substitute for the political support that the French withheld from the Biafra rebels.

Humanitarian support is often offered by diaspora groups to co-nationals residing in their country of origin. The aid efforts of the Haitian diaspora in the wake of the earthquake that struck the country in 2010 are a good example of an important, though not overly coordinated, humanitarian diaspora effort. Diasporas are vigilant towards the situation of co-nationals in their countries of origin, especially where minority issues are at stake. This was also the case for the Armenian diaspora during the time Armenia was a Federated Republic of the Union of Soviet Socialist Republics (USSR). When an earthquake struck Armenia in 1988, it was the diaspora's perception that the USSR would refuse any external aid to Armenians.[17] However, this assumption proved to be untrue, and the international community's surprise was so enormous that Moscow's acceptance was attributed to UN General Assembly (UNGA) Resolution 43/131, which had just been passed.[18]

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[17]Compare concerts organised in the name of the diaspora by Charles Aznavour: 'Arménie, tu vivras'.

[18]Compare with Sect. 6.1 below.

There are numerous examples of disaster-stricken minorities, whose governments are reluctant to welcome humanitarian action, sometimes for reasons such as ethnic cleansing, if not genocide, perpetrated or tolerated by the regimes in power. In such extreme cases, refusing humanitarian assistance is a cynical way of dealing with minorities. However, such circumstances can also be an opportunity for the international community to boost support for vulnerable minorities.

5.2   Humanitarian Action as a Provisional Measure

Political actors occasionally use humanitarian action as a substitute for political decisions during crisis management.

The UNSC is entrusted with keeping the peace and ensuring collective security. To this end, Chapter VII of the UN Charter enables the UNSC to adopt coercive measures, including the use of force (Article 42), or measures not involving armed force (Article 41) and also provisional measures (Article 40). During the Cold War, it was usually not possible to invoke Chapter VII due to frequent blockades of the Council. However, since the end of the Cold War, the Security Council has achieved several breakthroughs regarding humanitarian action. It progressively began to focus more on human than on collective security. Although the Security Council has often failed to bring an end to crises, it has successively begun ordering States to take measures in favour of vulnerable populations.

In Bosnia-Herzegovina, decisive humanitarian action helped 2.7 million people to survive. The particular way that humanitarian aid was delivered played a dramatically important role in the survival of besieged Bosnian cities. European States dedicated two-thirds of their total amount of humanitarian assistance to the former Yugoslavia. The six security zones created in the most besieged cities by the UN Security Council drew their relative efficiency from, both, European funding for a large amount of assistance—led in the field by the UNHCR but implemented by European NGOs—and the military protection of populations delivered by European soldiers of the United Nations Protection Force (UNPROFOR) mission.[19] The logistically most difficult action and strong point of the security zone campaign was the Sarajevo airlift—the longest in history—which kept a city with several hundreds of thousands of inhabitants alive for 46 months.

Nevertheless, offering humanitarian assistance instead of armed protective action was criticised. The Bosnian—Bosniak-led—government, together with the US and the Organisation of Islamic Cooperation, organised a campaign against creating *well fed dead*.

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[19]It was created in February 1992 to supervise the cease-fire in Croatia and, then, reinforced for Bosnia-Herzegovina in August September 1993. All battalions were seconded by European countries, namely France, Germany, Italy, the Netherlands, Spain and the UK, and American troops guarded the strategic bridge of Bosanski Brod.

Is this criticism justified? One must keep in mind that humanitarian action does not aim at resolving crises, which is essentially the task of political actors and stakeholders involved. The role of humanitarians is nevertheless crucial: ensuring people's survival. It should be assessed accordingly. In Yugoslavia, due to the combination of the armed protection of humanitarian assistance convoys, the four security zones that remained untouched, the robust mandate of UNPROFOR II[20] and the presence of NATO,[21] both humanitarian assistance and physical protection were to a large degree successful. They assured that, in the theatre of the worst outbreak of armed conflict on European soil since World War II, neither famine nor epidemics occurred and ensured most victims affected by the conflict survived.

5.3 Humanitarian Action Supporting Special Status for Conflict Areas

In 1991, Operation Provide Comfort established that, for 3 months, no Iraqi public authority was accepted on the soil of Iraqi Kurdistan. The Peshmerga—the armed wing of the Kurdish political parties—enjoyed full freedom of movement. Public sanitary services were provided by the foreign armies, as well as civil engineers—causing the government in Bagdad to disappear from the landscape. Saddam Hussein's armed forces were never again in a position to seriously threaten the Iraqi Kurds. Today, some 25 years later, the Iraqi Kurds carry a part of the hopes of other local populations and interact with the newly formed Iraqi army in the battle against the Islamic State (IS). Without Operation Provide Comfort, the political situation in Iraq would have developed in a very different direction.

In Kosovo, the international community's humanitarian responses eventually led to Kosovo's declaration of independence. The air strike campaign launched by NATO on the—weak—legal basis of UNSC Resolution 1199[22] ended on 9 June 1999 with the Kumanovo Agreement. Soon after, the UNSC established the United Nations Mission to Kosovo (UNMIK), an integrated mission, devoted to providing humanitarian assistance, especially to enable the return of displaced people to Kosovo,[23] as well as to temporarily administer its territory and support its justice

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[20]UNPROFOR II was not the inactive force that some observers made it out to be; it was active for example in Gorazde to resist an attack against the Security zone, in cooperation with the NATO air strikes.

[21]NATO imposed a no-fly zone over the conflict area, issued an ultimatum to the Serb militias in Sarajevo (1994) to hand over their weapons, and, finally, enforced the end of the Sarajevo siege (1995).

[22]Adopted in September 1998, the resolution welcomed a cease fire between the Serb army and the Kosovar Liberation army, creating a monitoring mechanism (the OSCE-led Kosovo Verification Mission), allowing for stronger measures to be taken. Yet, this resolution could not prevent the slaughter that was to take place and eventually gave rise to a NATO intervention.

[23]Nearly one million ethnic Albanians from Kosovo had fled to Albania and Macedonia at the beginning of the NATO air strikes.

system. After a government for Kosovo had been established, a power sharing agreement split authority over the country's affairs between international and local officials. During the mid-2000s, the EU developed a new legal framework,[24] which culminated in the creation of the European Union Rule of Law Mission in Kosovo (EULEX), tasked with offering guidance to Kosovo's authorities. This was done in spite of the wording of UNSC Resolution 1244, which had called for *autonomy* for Kosovo. The way towards a declaration of independence was open, and Kosovo's parliament made use of this occasion on 17 February 2008.

5.4   Humanitarian Action as a Complement to Stabilisation Policies

The concept of stabilisation was first used in Bosnia-Herzegovina. After the wars of the 1990s in Bosnia were ended by the Dayton Peace Accords, the international community faced the task of implementing the agreement. This encompassed, first, ending the sieges around the security zones that were still ongoing, especially in the hills around Sarajevo; second, organising the return of all displaced people; and, third, setting up two political entities—Republika Srpska, as an autonomous Serb region within Bosnia, as well as a Croat-Muslim Federation. After severe campaigns of ethnic cleansing, and ongoing tensions between different ethnic and religious communities in many places, it was decided to militarily monitor all steps necessary to implement the agreement. Hence, the Implementation Force (IFOR), led by NATO, was created in November 1995 and carried out its tasks for one year. In December 1996, a follow-up group, the Stabilisation Force (SFOR), came into existence.

The stabilisation approach applies both to military forces overseeing order in the region as well as to UN integrated missions[25] and was used in other countries too. The first integrated missions were established in 1999 for Kosovo and East Timor. Integrated missions also include humanitarian action departments.[26] The work of these departments and of humanitarian action more broadly contributes to the daily survival of people who may no longer live in fear of persecution but who have to

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[24]Kai Eid Report (2005), followed by Ahtisaari Proposal (2007).

[25]Examples of such missions include the United Nations Stabilisation Mission in Haiti (MINUSTAH), Mission de l'Organisation des Nations Unies pour la Stabilisation en RD Congo (MONUSCO) and the United Nations Multidimensional Integrated Stabilisation Mission in the Central African Republic (MINUSCA).

[26]These constructs have been disputed in the humanitarian community. Humanitarian workers have been mostly hostile to integrated missions, fearing for their independence. When humanitarian action becomes part of an inherently political mission, it may become more difficult for humanitarians to be accepted on the ground. Consider the example of Bosnia Herzegovina: even though the creation of Republika Srpska was meant to provide Bosnian Serbs with an autonomous region within Bosnia, Serbs remained hostile towards the UN and the international community.

rebuild their lives, often from scratch. Without access to food, medical facilities and economic security for livelihoods, these vulnerable populations still depend upon assistance.

Protection remains relevant as well since, even in the aftermath of conflict, adverse groups may punctually strike at (parts of) the population or external actors present in the country. This is especially the case where members of a population group that have been in a minority position earlier return to a territory that they have been ethnically cleansed from before. Since hostile acts are likely to occur in these and comparable cases and given that IHL is no longer applicable in this constellation,[27] a vigilant monitoring of human rights with a protection component is necessary.

5.5 *Humanitarian Action as a Tool Against Ethnic Cleansing*

During the infamous Ethiopian famine between 1983 and 1985, the Ethiopian government, through mismanagement of assistance, was able to accelerate the forced displacement of peasants. Conversely, in Bosnia, humanitarian assistance helped put a halt to ethnic cleansing. From September 1992 onwards, the course of the Bosnian war changed: the front line mostly remained in place between areas dominated by the respective belligerents, and no major forced displacement occurred. Most of the besieged people in the security zones were saved, except for one major and dreadful exception: the fall of Srebrenica and the ensuing slaughter of thousands of men and boys. This tragedy was caused by very specific failures regarding the concept[28] and working mechanism[29] of the security zone.

Hence, despite these horrific events, one may conclude that, during the conflict, humanitarian action was used not only to alleviate suffering but also as a crisis management tool, with positive results, for example in combating forced migration. The events following the 1995 Dayton peace agreement confirm and complement this first assessment. The new State of Bosnia-Herzegovina was built on the idea of ethnic reconciliation. Yet, at the same time, the international community by way of using humanitarian action measures set to reverse the impacts of ethnic cleansing. In each of the areas concerned, ECHO funding for reconstruction purposes primarily aimed at enabling displaced ethnic or religious minorities to return to their

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[27]IHL remains applicable in post-conflict situations involving occupation and the continuous holding of prisoners of war.

[28]Security zones, according to IHL (Arts. 14 and 15 GC IV), should be established in areas without any stake in the conflict. However, the Bosniak army used Srebrenica as a rear basis for its troops. The Bosniak retreat from the city must have seemed to the Bosnian Serb militias to be a welcome opportunity to go on the attack.

[29]The safety zone of Srebrenica was created without precisely defining its topographic specificities and geographic extension, which made it impossible to identify the zone's exact borders to determine where infringement by troops outside the zone began.

former territories, instead of only grouping people of the same ethnicity or religion together. Thus, humanitarian action became part of post-conflict management.

The above-envisaged five functions that humanitarian action is likely to have in crisis management raise questions: how and up to what point can humanitarian action and assistance to vulnerable populations be a substitute for political action, such as recognising a given State's independence, and why should humanitarian measures be integrated into the process of rebuilding peace and reconstructing a nation?

The answers to these questions relate to the type of security that the UNSC aims to achieve: human security within States, rather than interstate collective security, characterised by the mere absence of interstate conflicts. Humanitarian action is thus a benchmark for the changing international community that emerged from the Cold War and is steadily being further constructed. Humanism has become the new UN ideology, and humanitarian concerns have become central to peacekeeping, as a major facet of soft power. One may even be tempted to claim that the place humanitarian action is accorded in any given society today is a mirror of its ideology.

6 Humanitarian Action as a Mirror of the International Community?

Even though keeping within its mandate and mission—the protection of vulnerable populations—the humanitarian measures deployed in Bosnia-Herzegovina went in fact beyond this goal and had a political impact as well. Humanitarian action is thus likely to have a second, underlying objective, more linked to *jus contra bellum*, the law regulating under what circumstances armed force may be used, than to *jus in bello*, the law of armed conflict. Could this be due to a specific contemporary approach of the international community? This conclusion seems obvious looking at the diachronic dimension of humanitarian action: in each era of international relations, the features of humanitarian action were different. The same holds true for the synchronic dimension: approaches to humanitarian action are not the same in all areas of the world.

6.1 Era-Specific Features of Humanitarian Action

During the times of chivalry in the Middle Ages, Europe developed a particular humanitarian culture, consisting of concepts such as truces, immunities and assistance to vulnerable people.

Peoples in other regions of the world had also developed similar approaches, all of which make up the *first, pre-modern, era of humanitarianism*.

The second era of humanitarianism was the so-called *Dunantian* one, during which humanitarian activities were for the first time carried out independently of religious consigns. Soon after, the humanitarian imperative was enshrined in the secular First Geneva Convention for the Amelioration of the Condition of the Wounded in Armies in the Field of 1864. However, at this time, the very idea of secularism continued to be an affront to some States.[30] As we shall see, this led to a certain degree of regionalism in humanitarian matters.

The Dunantian era is marked by the creation of the International Committee of the Red Cross (ICRC), a neutral and impartial intermediary, implementing protection measures through discrete interventions with the belligerents expected to comply with IHL. It is true that, after World War II, the strong weight of ideologies challenged the idea of neutrality on many occasions. During the war, criticism was raised against the ICRC's principle of confidentiality, an operational facet of neutrality, which many equated with a lack of action against the Third Reich's atrocities. The same criticism was put forward against the ICRC after the Biafran conflict of Nigeria. In a now famous press conference held in Paris in 1970, Bernard Kouchner, at the time employed by the French Red Cross, who had been sent to the ICRC mission in Biafra, described his harrowing experiences of the conflict. He had witnessed the shelling of field hospitals and the bombing of airstrips both on the territories of Biafra and neighbouring Cameroon (which invoked neutrality in order not to have to guarantee safe passage for aid workers and refugees). Bernard Kouchner and some of his colleagues invoked the Hippocratic Oath, usually taken by physicians, which prohibits absenting from helping victims, no matter who they are. Kouchner thus equated the ICRC's traditionally cautious approach towards stakeholders with cowardice towards the victims of armed conflict.

The third era of humanitarianism came about as a response to such criticism. It was marked not only by the creation of Médecins Sans Frontiéres/Doctors Without Borders (MSF), as well as the birth and growth of many other NGOs, but also by a relative setback of humanitarian protection efforts. Assistance in kind was no longer a minor aspect of IHL but had become a facet of international relations *per se*, the most visible aspect of humanitarianism.

This development was prompted by the massive displacement of people in a number of crisis areas. It was also a product of evolving relations between the Eastern and Western blocks and of the developing civil society in Western countries after the 1968 student movements. During the last years of the Cold War, the Soviet–Afghan Conflict (1979–1989) marked a turning point in the history of humanitarian action. During the ensuing refugee crisis, the presence of Afghan warriors in Pakistani refugee camps and unrestricted freedom of movement in Pakistan's so-called *tribal areas* bordering Afghanistan, allowed humanitarian

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[30]Such discontent is exemplified by the origin of the Red Crescent Society. In the late nineteenth century, when the Bosnian Serbs—at the time making up the majority of Bosnia's population—and the Bulgarians rose against the Ottoman Empire, the ICRC asked the Ottomans to allow them to establish a National Society for rescuing the sick and wounded. The Ottoman Empire refused to host an official Red Cross society, creating a Red Crescent Society instead.

workers to enter Afghanistan without visas issued by the pro-Soviet government in Kabul. They instead relied on the help of the armed groups battling Russia's Red Army. These *mujjahiddin*, celebrated as *freedom fighters* by the *free world* and supported by the US with Stinger missiles, helped bring the *French Doctors* across the border from Pakistan to Afghanistan and expected from them humanitarian support for their own troops. Once again, world politics shaped the way humanitarian action was exercised.

The NGOs' conduct in Afghanistan amounted to an approach that only provided partial aid to certain stakeholders in the war. Underpinning these actions were the feelings among humanitarians of engaging in an epic adventure and acting for a *just cause*. The Western world welcomed, bypassing the Soviet-controlled Afghan State. The NGOs involved were celebrated due to their perceived support for the Afghan people's right to self-determination and resistance to Soviet oppression.

This created the illusion of a *post-state centric* situation, with civil society capable of imposing its moral values on States: as per this concept, human life and humanitarian access to victims trump State sovereignty. This doctrine eventually came to be termed as 'humanitarian intervention'. However, UNGA Resolution 43/131 (1988) on humanitarian assistance to victims of natural disasters and similar emergency situations did not mention this concept. It was, nevertheless, considered a big step forward, in as much as it referred to NGOs as full-fledged actors in the domain of humanitarian action, and highlighted States' responsibilities towards victims by providing for them and cooperating with intergovernmental and non-governmental humanitarian organisations in coordinating relief efforts.[31]

The fourth era of humanitarianism began with the fall of the Berlin Wall. The feeling of a Western victory over the Communist system gave way to a blossoming of Western civil society as a symbol of a free and democratic system. NGOs received strong support from Western States, particularly from the EU.

In the meantime, confrontations between ethnic groups became the predominant model of conflict, blurring the lines of soldiers and civilians, due to the often-strong attachment of civilians to a particular warring party, on ethnic or related grounds.

In the face of this new challenge, international politics seemed to shift from hard power approaches to a more human-centred way of crisis management. A first step was made during the Iraqi–Kurdish conflict (see Sect. 5.3), which happened to be both the climax of the so-called *interventionist* approach and the beginning of a new era of humanitarian assistance schemes drawn up by the UN Security Council. The Kurdish Iraqi minority, which had suffered under Saddam Hussein's regime, opposed him during the 1991 Gulf war. Although Saddam had been defeated, this did not amount to the end of his regime. The Kurds, fearing reprisals, fled their cities in great number and headed to the Turkish and Iranian borders. In early April 1991, more than one million Kurds were living in the mountainous border regions, exhausted and exposed to cold and hunger. The following American-led intervention was an armed operation, not comparable to the illegal cross-border

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[31]Art. 1 of UNGA Resolution 43/131 provides for the '*primary responsibility*' of the local State.

humanitarian activities carried out by small groups of physicians in Afghanistan in the 1980s.

For the first time, an intervention aimed at providing humanitarian assistance echoed a UNSC resolution, although not mandated by it. This turning point was marked by UNSC Resolution 688, which the UNSC adopted in the face of atrocities committed by Saddam's regime both in southern Iraq (against the Shia majority) and in the North (against the Kurdish minority). For the first time, the UNSC recognised a situation as a 'threat to the peace' under Article 39 UN Charter that involved a State abusing the human rights of its own population.[32] However, the UNSC did not order precise measures aimed at restoring internal order. Without a UNSC mandate, the intervention, termed 'Operation Provide Comfort', brought together a coalition of States, including France, the Netherlands, Spain, the UK and the USA, upon a French initiative. It was up to the main States of the victorious coalition to take a strong attitude: without proper Iraqi authorisation, having only notified an Iraqi General, several coalition battalions entered the Iraqi Kurdish region via Turkey. Staying for some three months, they re-established security and supported the Kurds' return to their cities by means of roads specially constructed for this purpose, the so-called *blue roads*. The UNSC did not go any further than qualifying the situation and calling upon the Iraqi State to cooperate in order to improve the populations' situation.

From an international legal point of view, the intervention was an unauthorised interference in Iraq's internal affairs, although aimed at providing *comfort* to the distressed population. This was the archetype of the *ingérence* concept, a marked difference to the nineteenth century *intervention d'humanité*.[33] Humanitarian intervention is active upon the consequences of the slaughter, which is to be stopped, while *intervention d'humanité* works upstream, upon the causes of suffering. In the case of Iraq, the involved troops, each in their area of responsibility, acted more as a sort of police force with added medical and logistical assets. They provided services—among them, security—independent of the military situation.

Over the following months and years, the UNSC raised great hopes every time it characterised a situation as a 'threat to the peace', especially where the actions in question directly targeted civilian populations or hindered the delivery of vital humanitarian assistance to vulnerable populations. Soon, however, hope turned into disappointment in the face of complex crises, which the UNSC was unable

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[32]UN Security Council Resolution 688, para.1: '*Condemns the repression of the Iraqi civilian population in many parts of Iraq, including most recently in Kurdish-populated areas, the consequences of which threaten international peace and security.*'

[33]In the nineteenth and early twentieth century, the term was used to describe a short military operation aimed at saving people whose lives were immediately threatened. On this basis, a sort of legal regime built on practice emerged, a customary exception to the major rule of sovereignty. It encompassed a collective approach—authorisation or ratification of the '*Concert des Nations*'—proportionality, prohibition of using intervening for any other reasons than to save lives. This customary exception to the major rule of sovereignty has been theorised in the last years of the period (Rougier 1910).

to remedy due to disagreements among its members. The decision to rely upon peacekeeping forces, even entrusting them with the mandate to defend besieged cities qualified as *security zones*, proved insufficient to avoid tragedies such as the Rwandan genocide and the slaughter in Srebrenica. Disillusioned with this state of affairs, most States consequently applauded an operation undertaken under the aegis of protection of populations bypassing both State sovereignty and the UNSC: the NATO air strikes on Kosovo and Serbia.

The desire to improve respect for international law led to the development of the *responsibility to protect* (R2P) doctrine, although limited to four specific situations[34] and not appropriate to ameliorate the daily humanitarian needs of populations in crisis zones.

6.2 Regional Specificities of Humanitarian Action

The humanitarian chronology shows that a Western ideology was universalised through the U.N., as proven by two different examples. From the perspective of States in the global south, this approach, centred on enforcing the individual well-being of oppressed citizens in third countries, did not necessarily represent progress. At least, it was not in line with the strong role that many of them attached to the principle of State sovereignty.

Some cultural areas have expressed reluctance towards certain aspects of global humanitarianism in diverse ways. One historic example, briefly evoked above, is the Turk Ottoman Empire. When called upon by the ICRC to create its national society for rescue to the sick and wounded, it decided to instead establish the Red Crescent society. Acting in this way, it expressed the conviction that humanitarian action had to reflect a religious imperative, together with the proclamation of the belonging of Turkey to Dar-Al-Islam.

Much more recently, several North African States have expressed hostility towards humanitarian action. Faced with ethnic cleansing and massacres in Darfur, the UNSC had decided to provide military protection to endangered Darfuri through a Hybrid Afro-UN force, the United Nations Mission in Darfur (UNMID).[35] Its creation was postponed for months due to Sudan's hostility towards the operation. Likewise, the government of Chad managed to delay the arrival of the EUFOR mission to Chad. This European force—authorised with the mandate of supporting UNMID with Darfuri refugees[36]—was regarded with little enthusiasm by Chad as the mission was supposed to be based in that State. Taking advantage of the mistake of a French NGO,[37] Chad tried to outright discredit humanitarian

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[34]Genocide, Crimes against Humanity, War Crimes, Aggression.

[35]UN Security Council Resolution 1769 (2007).

[36]UN Security Council Resolution 1778 (2007).

[37]'*L'Arche de Zoe*', which had organised the transfer of a group of '*Darfuri orphans*' who proved to be neither Darfuri, nor orphaned, but a Chadian citizen.

action, as well as Western military protection. Finally, in 2009, Sudan expelled dozens of Western NGOs as a reaction to the arrest warrant against President Omar Al Bashir, issued by the ICC.

Similar events took place in Asia. As one of the most evident phenomena, one may note a certain humanitarian *isolationism* in some States. After the December 2004 tsunami devastated parts of South and Southeast Asia, the Association of Southeast Asian Nations (ASEAN) created its own disaster response mechanism, demonstrating that ASEAN member States are not willing to depend on Western humanitarian interventions to safeguard their populations. After Hurricane Nargis struck Myanmar in 2008, the country's military dictatorship refused Western and UN aid workers' entry to Myanmar. However, the authorities accepted 160 Asian humanitarian workers from Bangladesh, China, India and Thailand, although even those humanitarians were not granted free access to victims. Almost every element of assistance had to be delivered to the Myanmar army, which then distributed it to the population. The Karen national minority in the Arakan State was especially affected by a lack of help. Despite calls by some, especially Bernard Kouchner, then French Minister for Foreign Affairs, to apply the R2P, they were dismissed by UN Secretary General Ban Ki Moon. The concept was not to be applied in case of natural disaster.

7 Conclusion

The years 2007, 2008 and 2009 witnessed a decline in international humanitarian rescue missions, especially in Africa and Asia with hurricane Nargis in Myanmar or the end of the Sri Lankan civil war, which became a largely forgotten crisis, in spite of decades of horrific violence. During the last decade, some obvious changes have occurred in the humanitarian action landscape regarding the main stakeholders, operators and donors. Companies, the activities of which often seem driven by economic interest, have entered the humanitarian stage and are called upon to provide funding, or free services, for example as regards water supply.

Newly independent and certain developing States tend to organise the protection of their population in a pragmatic way, making use of all forces at their disposal. They may even involve their military and other public services, an approach that differs from the one taken by Western countries.

Several of the Gulf States have emerged as new donors. Some actors are faith-based and pander towards specific religious communities. Such approaches are unusual in the eyes of Western humanitarian workers, who usually consider them a danger to the principle of impartiality. Time will tell whether the various currently existing approaches can be reconciled or whether they will progress independently of each other.

What does the future of humanitarian action hold in an ever more globalised world? The current crises, especially the Syrian civil war and the conflict in Yemen, have seen a waning of respect for humanitarian aid workers and institutions, such as

medical aid services. Humanitarian access to the most strongly affected regions has become even more difficult. Despite setbacks and the danger that many humanitarian workers operate under, the value of humanitarian action is today undisputed within the international community.

Former UN Secretary General Ban Ki-Moon has made a lot of effort to reinforce humanitarian protection.[38] The UNSC, through Resolutions 2165 and 2175, has made it clear that in times of conflict, belligerent parties are expected to respect humanitarian action and humanitarian actors who are setting up a robust regime for cross-border activities in Syria. If nothing else, it may contribute to alleviate the suffering of the Syrian people to a certain degree and encourage humanitarians to intensify their important efforts to alleviate the suffering of vulnerable populations all over the world.

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[38]In light of the violence committed in Jaffna (Sri Lanka) in 2009 by government troops, Ban Ki-Moon launched an inquiry and created the initiative 'Rights Upfront', with the aim of improving the sensitivity of UN staff towards human rights violations. In December 2012, he launched the World Humanitarian Summit process, which concluded with the Istanbul summit of May 2016.

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