Protecting People in Conflict and Crisis:
Responding to the Challenges of a Changing World

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[1] These are personal reflections from the author.

Ten years ago the International Committee for the Red Cross (ICRC) defined humanitarian protection as including "all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and spirit of the relevant bodies of law (i.e. human rights, humanitarian and refugee law)." Since then humanitarian protection has received growing attention within the humanitarian sector, becoming not one of the central aims of the international community but also one of its greatest challenges.

This conference, which was hosted by the Refugee Studies Centre (RSC) in collaboration with the Humanitarian Policy Group (HPG) and with generous support from the Danish Ministry of Foreign Affairs, convened over 180 participants from more than 40 countries to discuss the current state of humanitarian protection research, policy and practice, with a view to developing new ideas for the protection of people in conflict and crisis in the 21st century. The conference revolved around six thematic tracks: concepts of protection; the politics of protection; populations at risk; protection, security and the military; national and regional responsibilities to protect; protection in practice.

Eighty-four papers were presented and it is impossible to represent the depth, richness and complexity of the debates that took place. With that in mind however, a number of key themes emerged strongly, particularly around the challenges faced by humanitarian practitioners seeking to deliver 'protection' in a hostile world and the role which academics could play in addressing these challenges. The text below provides some reflections of those themes.

'Protection' is evolving

While, prior to the end of the Cold War, 'protection' was principally the concern of states and international agencies mandated to deal with specific categories of protected persons (particularly refugees), since the 1990s the scope of protection has widened to encompass wider civilian populations considered 'vulnerable' or 'at risk' as a result of war, persecution, generalized violence, local conflict, mass atrocity and natural disaster. In parallel, the range of organisations that have incorporated civilian protection as an operational objective has grown rapidly to include not only the key mandated agencies – ICRC, the UN High Commissioner for Refugees (UNHCR), the Office of the High Commissioner for Human Rights (OHCHR) and the UN Children's Fund (UNICEF) – but also the UN Security Council, regional organisations such as the African Union (AU), other UN agencies such as the Office for the Coordination of Humanitarian Affairs (OCHA), non-governmental organisations (NGOs), faith-based movements and civil society organisations (CSOs).

Conceptual and institutional innovations

There has also been rapid innovation in the way that 'protection' is conceived, framed and implemented, and institutional roles and responsibilities have expanded in tandem. The Responsibility to Protect agenda, the Guiding Principles on Internal Displacement, the UN's humanitarian reform process and new international peacekeeping mandates have all emphasised civilian protection as a central concern and generated emergent normative and operational protection frameworks applicable during armed conflict and more generally during humanitarian crisis.

A degree of international support has developed, at least among Western states, for the 'responsibility to protect' and 'sovereignty as responsibility' concepts that challenge the traditional international legal principles of inter-state equality, independence and non-interference by placing emphasis on states' responsibility to protect the human rights of their citizens. Humanitarian agencies are developing new approaches to seeking to deliver protection in the field through protection 'mainstreaming' within humanitarian programming, and international and regional military actors are developing new doctrines for civilian protection. The question arises as to whether new legal and normative frameworks should be developed to protect those who may be displaced by climate-related environmental change.

Dilemmas and challenges

Such developments have tested existing ideas of what protection means, to whom it should apply, and how it can be achieved in the field. They have also exposed serious weaknesses in the global architecture for the protection of people in conflict and crisis.

Numerous dilemmas and challenges exist: the continuing conflation of humanitarian, security and development policies at national, regional and global levels; the tightening of asylum policies by refugee receiving states; the apparently intractable crises in countries such as Sudan, Somalia, Democratic Republic of Congo (DRC), Afghanistan, Iraq and Colombia; and the continuing failure of international legal, political and military instruments to enforce states' responsibilities to protect their citizens, all beg the question

of how current conceptions of, and mechanisms for, providing protection can cope effectively with the complex realities of contemporary conflict and crisis. The new century also brings with it potentially new threats associated with transformations in global climate and environment, shifts in global economic and geopolitical relations, and changes in the nature of warfare, all of which beg the question of how states and international actors can best work to guarantee protection in the decades to come.

As the sphere of 'protection' has broadened to incorporate new forms of risk, agency roles have expanded and protection approaches have proliferated. This has not only raised questions about the responsibilities, mandates and capacities of humanitarian organisations, but genuine dilemmas have emerged concerning the effectiveness of the different protection approaches taken by international actors and the nature of their articulation with national and regional actors.

In particular, questions of effectiveness have been raised by the fact that, in many crisis contexts, humanitarian practitioners face an increasingly restricted operational space in which they can operate. Attacks both by state and non-state belligerents, restrictive state policies and inadequate funding have all impacted negatively upon the ability of agencies to provide effective protection. More traditional mechanisms of international protection such as asylum and non-refoulement have come increasingly under pressure as states have tightened their policies on the protection of refugees and other 'persons of concern'. These trends suggest that we may be entering a new era in which 'protection space' becomes ever narrower, bringing into question the sustainability of the current protection regime.

In addressing these challenges the community of states, international agencies and civil society organisations that seek to protect those affected by conflict and crisis need to take stock and consider a range of testing issues.

Concepts of protection

How 'protection' is conceptualised determines the way that protection programmes are conceived, planned and implemented. Despite the working definition provided by the ICRC in 1999, the concept remains highly contested, with humanitarian agencies interpreting what is meant by 'protection' in a variety of ways. The ICRC definition is very broad, encompassing all activities that seek to secure the rights of the individual in situations of conflict. While this definition deliberately sought to reconcile a variety of differing approaches, some practitioners consider the definition to be far too wide, arguing that it has produced a situation in which almost all forms of humanitarian activity can be described as 'protection'.

Means vs ends
A further difficulty lies with the fact that the ICRC definition describes protection in terms of the activities of those who seek to protect women, men and children affected by conflict and crisis. It does not incorporate the multi-dimensional nature of protection as activity, state of being, and it privileges the perspective of human rights defenders over the perspective of those affected.

In particular it does not take fully into account the nature of protection as an objective or outcome. As such it privileges a perspective that focuses on means rather than ends and does not incorporate adequately: the fact that protection programming should prioritise the needs and demands of affected populations over the objectives of organizations working on protection activities and, the fact that affected populations often conceive of 'protection' quite differently to those who seek to implement protection programmes.

Protection vs security
Other groups beyond the humanitarian sector also understand the meaning of protection in very different ways. While many humanitarians understand protection as relating to the enjoyment of certain rights by individuals, other actors such as states, militaries and even civilians themselves often conceive of protection as relating principally to the provision of physical security to the civilian population. Such attitudes may conflate protection and security in ways that can be highly problematic for humanitarians and civilians alike.

Similarly, the typical responses of the UN Security Council, the North Atlantic Treaty Organisation (NATO) or unilateral state actors to instances of mass abuse tend to prioritise the provision of physical security by military forces before the more nuanced approaches of humanitarians. Within the framework of 'humanitarian intervention' there is also a tendency to prioritise peace-enforcement or peace-keeping through the deployment of military forces, even though most peace-keeping missions now have civilian protection as a core pillar of their mandate. The question remains of how strong the protection mandate of peacekeeping and peace enforcement forces is and how well these military forces are supported and equipped to deliver protection on the ground.

The politics of protection

In some contexts, where they are able and willing to implement civilian protection mandates effectively, military actors may expand humanitarian space. In other situations, the conflation of protection with security compromises protection efforts by politicising them. For instance the inclusion of civilian protection responsibilities within peace-keeping operations mandated by the UN, NATO or AU inevitably blurs the line between the politics of those bodies (and their member states) and humanitarian principles of neutrality and impartiality. This can provoke violent responses from both state actors, non-state actors and even civilians if they perceive a functional link between humanitarian, political and military interventions. Such responses almost certainly result in a shrinking of humanitarian space and a concomitant reduction in 'protection space'.

Similarly, the protection operations of humanitarian organisations themselves may blur the boundaries between the political and the humanitarian, particularly where international justice & associated human rights advocacy is involved. Some practitioners believe that this type of advocacy is the central component of any protection programme, but the tendency of some advocacy activities to publicly name and shame and recommend the prosecution of those deemed to have violated the rights of individuals are often disconnected from humanitarian priorities and almost inevitably politicise such programmes and– especially where such accusations are levelled against states.

Principles or pragmatism?
Given these pitfalls, protection practitioners working within humanitarian environments must ask themselves just how far it is possible to implement protection-specific activities without compromising humanitarian principles. Is protection work inevitably political to some extent? How do the concepts 'humanitarian' and 'protection' implicate one another, especially in situations internal to a particular nation state where questions of sovereignty come into play? How should humanitarian practitioners and those with a strict human rights focus engage with one another more effectively to safeguard humanitarian space? How can humanitarian actors engage more effectively with both military and political actors to achieve civilian protection without compromising their principles, and should they?

In answering these questions two principal lines of thought emerge. On the one hand there are those who suggest that humanitarians must be much more proactive in seeking to influence political and military practice, while striving to ensure that protection does not become improperly politicised. Others rely upon orthodox principles of humanitarian action by rejecting direct public engagement on political and military matters, by being cautious about public advocacy on protection issues and by focusing on making a contribution to the general protective environment through the effective delivery of humanitarian relief rather than by engaging in protection-specific activities.

UN politics
The most important forum in which the politics of protection is played out is the United Nations, and the Security Council in particular. After being put forward in 2001 by the International Commission on State Sovereignty the principle of the Responsibility to

Protect was accepted by all member states of the United Nations in the 2005 World Summit Outcome. While adherence to the doctrine was reaffirmed in an UN Security Council Resolution in 2006 and was the focus of a General Assembly debate in July 2009. the norm is still contested by some states and is yet to be translated effectively into practice. The UN has yet to prove itself effective in protecting civilians where nation states are known to be violating the rights of their citizens en masse. Numerous problems exist:

1. The Security Council remains highly selective in its responses, tending to prioritise either questions of international peace and security or the strategic security concerns of its members (or both), rather than the protection of civilians per se. The Council's veto system is a particular sticking point, often rendering it impotent by privileging the strategic concerns of individual veto-holding states.

2. While UN peace-enforcement, peace-keeping and stabilization missions are generally mandated to support civilian protection they are typically supplied with inadequate training and resources to implement that mandate effectively, or are simply an inappropriate vehicle to fulfil that function. Such missions systematically fail to supply adequate levels of support to civilian police forces and tend to prioritise military operations to provide 'security' over 'protection'.

3. Questions of burden-sharing are raised by the fact that peace-keeping is increasingly an activity implemented by the militaries of developing nations. While the regionalization of peace-keeping through bodies such as the AU and the mobilization of forces from countries such as Bangladesh, Guatemala, Uganda and Jordan as the backbone of UN peace-keeping missions may be desirable in principal, such forces are often inadequately trained and resourced, and do not possess skills crucial to making their protection role effective. The member states of the Security Council and NATO have become highly selective of the missions to which they will commit their troops, and appear highly sensitive about deploying troops into situations that may not be linked directly to questions of their own national security.

4. Given that the UN and the Security Council are constituted by states, they are political by their very nature. This often places UN agencies that seek to carry out humanitarian protection activities in a highly compromised position as their operations may be perceived as being politically motivated. In some circumstances this has led recalcitrant states to deny UN agencies access to populations of concern, or has led non-state armed actors to deliberately target UN agency (and other humanitarian) staff with violence. Such incidents inevitably lead agencies to curtail their operations, reducing humanitarian space, not only for UN agencies, but for all humanitarian actors.

Difficult environments

Over the past two decades the expansion of humanitarian operations globally has seen humanitarian and human rights practitioners become increasingly subject to threats of insecurity within conflict environments. Similarly, the conflict environments in which they now work have changed in character as geopolitical relations have shifted and as the nature of contemporary warfare has evolved. The development of global terror networks, the splintered nature of insurgent and terrorist groups, and the complex articulation between armed groups and global criminal networks have produced new conflict systems that pose significant challenges to those seeking to guarantee the protection of civilians.

The challenge of complexity
The complex and rapidly changing nature of today's conflict systems makes it more difficult than ever for international humanitarian and human rights actors in the field to maintain a detailed understanding of the environment in which they are working. More than ever before, practitioners are operating within asymmetric warfare environments. These are characterised by the existence of a multitude of interlinked insurgent and terrorist organisations articulated with complex commercial, criminal and diaspora networks that operate internationally. Not only do these organisations and networks tend to change rapidly, fragmenting, splintering and reconfiguring as they evolve, but they also tend to operate in the shadows and beyond the law.

Such conditions make it supremely difficult for international humanitarian and human rights actors to understand and adapt the environment in which they operate. In addition internal bureaucracies, inadequate funding, short-term planning, a lack of local expertise within international cadres, poor access to non-state actors and a lack of adequate tools for responsive data collection and analysis, all contribute to a situation in which many organisations operate with insufficient knowledge to design and implement protection programmes that can both take into account the specificities of today's complex conflict systems, and respond to their rapidly evolving nature. As such, there is an urgent need for NGOs, international organisations and states to invest in the development of innovative systems for gathering and analysing information about these conflicts, with a view to informing protection programming.

Engaging with non-state armed groups
Conventional approaches to the protection of civilians in conflict and crisis are rooted within a legal and normative framework that assumes the primacy of the nation state, both as belligerent and as the agent primarily responsible for the protection of civilians. The majority of the international legal instruments that pertain to the protection of civilians within armed conflict are targeted at the state and while some effort has been made in recent years to explore the broader applicability of international humanitarian and human rights law to non-state belligerents operating within situations of internal conflict, the practical mechanisms that exist either for ensuring that non-state actors comply with the law, or for holding them to account for abuses against it, are neither well developed nor effective.

This situation begs a challenging question: how can humanitarian actors engage more effectively with non-state belligerents to prevent abuses in the first place? Many humanitarians working on protection programmes focus their attention on trying to influence the practices of states and international organisations, either because they consider these actors to be the final arbiters of civilian protection, or because they assume non-state actors to be inaccessible, or because the consider engagement with non-state actors to be ethically or politically compromising. New conceptual analyses, legal frameworks and practical methods are needed that can take into account the realities of today's asymmetric conflict systems and which can enable protection practitioners to engage more proactively with non-state actors in the field. Work currently being developed by agencies in the DRC to sensitize non-state armed groups on child protection and gender based violence may provide a model for such approaches.

Risk aversion

The highly politicized and criminalized nature of contemporary conflict systems has produced an environment in which humanitarian and human rights practitioners have become targets of violence to an unprecedented degree. The escalation in the intensity of such violent attacks over the course of the past decade has led many international agencies to assume highly risk-averse strategies of intervention, often adopting radical new methodologies, such as 'remote-control programming', to reduce the exposure of international staff in particular to such threats.

While such programmes may allow agencies to maintain a semblance of operational capability in very difficult environments, they are rarely able to achieve their objectives effectively, especially insofar as protection programming is concerned. Security threats may also mean that protection operations in the most difficult environments (e.g. Somalia and Afghanistan) are often reduced simply to the collation of data on human rights abuses and to the release of situation reports that denounce the actions of alleged perpetrators and advocate for more robust action to be taken by individual states and multilateral bodies.

Thus, in many locations where strong field-based protection programming is most urgently needed, international protection actors are notably absent. This dilemma must be addressed creatively and urgently through the development of better tools for understanding the real risks and vulnerabilities of agency staff, for understanding and engaging with all military and political actors while remaining compliant with humanitarian principles, and for reducing the culture of risk-aversion currently dominant within many humanitarian organisations.

Effective protection

The basic aim of humanitarian protection operations is to protect civilians from the abuse of their fundamental rights during times of conflict and emergency. As such, some humanitarian agencies are considering how to prevent such abuses from happening in the first place. More often than not, however, protection programmes do not act directly to protect people from harm. Rather, they tend to focus on palliation, through the delivery of traditional relief activities such as the food distribution, water and sanitation, shelter and healthcare, or on advocacy, through the collation of data on actual abuses and the publishing of reports and recommendations for action.

While such activities can contribute valuably to the overall protection of women, men and children in an indirect fashion, some academics and practitioners have argued that they serve the fundamental aim of directly preventing abuses in very limited ways, and may actually lead protection practitioners into situations where they are reduced merely to cataloguing instances of the 'well-fed dead', the 'well-fed raped' and the 'well-fed harassed and intimidated'. Such arguments present a controversial challenge to the humanitarian community, forcing it to look behind the 'fig-leaf' of protection-discourse to examine what really constitutes effective protection.

A focus on activities rather than outcomes

Much of the language of humanitarian protection focuses upon the activities of practitioners themselves, rather than the concrete objectives sought, i.e. the actual prevention of abuses and atrocities. This tendency is reflected in the way many humanitarian protection programmes are designed, implemented, monitored and evaluated. Such programmes often fail to undertake rigorous baseline analyses of the protection environment, either due to insecurity and a lack of access, or due to a lack of adequate tools, resources and time to do the job effectively.

As a result they are often unable to report the impact of their activities in a robustly verifiable manner, either in terms of an actual reduction in threats and vulnerabilities, or of an actual increase in population safety. Rather, these programmes are often forced to report their outcomes in terms of a catalogue of activities implemented, the impacts of which are generally surmised from a combination of anecdotal evidence, proxy indicators and a general analysis of security trends overall. The unfortunate result is that a very high level of uncertainty exists about whether or not any particular form of protection programming actually contributes to the protection of civilians or not.

The question of safety

Once again a key problem lies with the manner in which 'protection' is conceived. Numerous studies have shown that the primary need/demand of conflict-affected communities is safety from violence and abuse. Taken in these terms 'protection' becomes almost indistinguishable from the provision of physical security. In framing 'protection' in terms of "all activities aimed at obtaining full respect for the rights of the individual", however, the humanitarian perspective succeeds in broadening the possible sphere of 'protection' so wide as to become almost meaningless. If any activity framed within a rights-based approach can be described as 'protection' then those implementing

'protection' programmes may do so ad infinitum without achieving any meaningful impact upon the actual, measurable, safety of populations. By focusing on filling the 'protection gap' rather than directly preventing violence and abuse humanitarians may find that their programmes are little more protective than 'the emperor's new clothes'.

A need to limit aspirations?

Thus, the serious question is raised of whether or not the time is ripe for humanitarians to consider limiting their aspirations with regard to protection. Should protection continue to be little more than a lofty ideal that bears only a slight relation to the actual outcomes of protection programmes, or should it be refined and limited to configure more coherently with the actual outcomes that the activities of humanitarian and human rights practitioners can reasonably expect to achieve?

This is not merely an academic question, for the establishment of a more refined, more focused definition of protection could be invaluable in guiding practitioners and policy makers in developing, on the one hand, new operational techniques that contribute more directly to achieving the physical safety of people affected by conflict, and on the other hand, new tools and methodologies for establishing the impact of protection programmes in robust and verifiable ways.

Civilian perspectives

A central question in the debate over the effectiveness of humanitarian protection programming asks how practitioners can design programmes that incorporate the perspectives, conceptions, needs, and desires of conflict affected people more effectively to support and reinforce their own coping strategies and capacities. While the importance of implementing humanitarian programmes in a manner that is participatory as well as gender- and age-sensitive has become received wisdom over the course of the past twenty years, the reality is that actual humanitarian operations often either fail to incorporate such approaches, or do so in a manner that is little more than cursory.

In many cases such failures are not the result of ignorance, or of a lack of technical guidelines and standards. Rather they are the result of factors such as:

1. Insecurity, which may restrict the type of access to communities that is needed to implement participatory approaches effectively;
2. Organisational culture, which may encourage staff to prioritize income generation from institutional donors, thereby shifting the operational focus to activity implementation and budget expenditure rather than programme quality and impact, or which may foster a patronizing attitude towards 'beneficiaries';
3. Short-term project cycles, which may militate against implementation methodologies that require a significant investment of time in community consultation;
4. Rapid staff turnover, which often causes programmes to suffer both from a lack of local expertise in management cadres and a tendency to reinvent the wheel on an annual basis;
5. Lack of adequate funding for 'soft' activities such as participatory programme planning, monitoring and evaluation.

While such constraints are faced in all sectors of humanitarian programming, much protection work relies for its success upon a significant investment of time and money into 'soft' activities with stakeholders and beneficiaries. Thus it is imperative that organisations implementing protection activities address the internal issues that militate against effective participatory programming actively and with clear commitment. Similarly, donors seeking to support effective protection programming must ensure that they are more willing to pay for 'soft' activities that may not be so easily measured in terms of outputs of very short run concrete relief activities, and should also consider longer term funding arrangements for protection activities that can allow for consistent and concerted approaches to building meaningful beneficiary participation.

Addressing root causes
In terms of improving technical approaches to protection delivery a key question concerns the importance of incorporating the perspectives of beneficiaries. As already noted, the human-rights based approach that frames protection as "all activities aimed at obtaining full respect for the rights of the individual" has the potential to be diffuse and aspirational rather than focused and concrete. It also has the potential for framing protection programmes in such a way that they do not place the direct prevention of

harm or abuse at the centre of their operational equation. As such, while the perspectives and objectives of humanitarian practitioners may be ethically and legally sound in their own terms, they may bear little relation to those of the women, children and men that they seek to protect within a particular context.

This is particularly the case where inadequate information has been gathered about the causes of protection threats, or where inadequate effort has been made to incorporate beneficiary perspectives meaningfully into needs assessment, programme design and implementation, or where the political environment either militates against participatory approaches or incentivises organisations to implement activities that do not directly address the status quo. In such cases the failure to prioritize beneficiary perspectives and demands may produce perverse protection outcomes, and there are numerous examples of projects and programmes, designed and implemented by well-meaning practitioners, that not only actively fail to address the direct causes of violence and abuse that have been identified by those affected, but may even support and reinforce the status quo that produces violence and abuse in the first place.

Civilian coping and resilience
One approach that may help to address these problems is for humanitarian protection programmes to actively support and reinforce the coping strategies and capacities of conflict and crisis affected people themselves. This approach emerges from the line of thought that acknowledges the fact that the vast majority of conflict-affected people not only lie beyond the reach of humanitarian and human rights actors, but are typically the first and last providers of their own protection.

Practical approaches to supporting community-based protection strategies are currently being developed by agencies such as ActionAid, Church World Service, and the International Rescue Committee (IRC). These approaches aim to strengthen and support local protection networks and coping strategies more effectively, to reduce exposure to risks and actively prevent and respond to abuse through a variety of methods that include: identifying and analysing protection problems, developing individual and communal protection strategies, training and resource distribution. Such thinking is a welcome and necessary innovation for bridging the 'deadly juncture' between the concrete protection needs of conflict-affected communities and the limits of what international humanitarian agencies can achieve.

Protection in practice

The protection spectrum

As the number of agencies working on protection has proliferated, so have the variety of approaches taken to implementing protection programmes. While many agencies have developed approaches to protection that cohere with their particular mandates, organisational cultures, policies and priorities, coordinating and collaborative bodies such as the Sphere Project, the Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP), the Inter-Agency Standing Committee (IASC) and the Global Protection Cluster Working Group have also developed mutual standards and guidelines that recommend best practice for the wider humanitarian sector.

While these approaches all share a commitment to securing respect for the fundamental rights of those affected by conflict and crisis, they exhibit significant diversity in the means they use to achieve that end. Broadly speaking, this diversity relates to where the particular approaches fall upon a spectrum defined by the modes of action that they actually use to reduce both the threats that civilians face and their vulnerability to them.

At one end of this spectrum human rights agencies like Amnesty International and Human Rights Watch tend to focus on cataloguing and reporting abuses against civilians, advocating publicly for adherence to the law by belligerents, and working towards the prosecution of perpetrators. At the other end, agencies such as ICRC focus on monitoring, private diplomacy and practical relief delivery, rejecting public advocacy lest it politicize their humanitarian status and negatively effect on their ability to operate.

Other agencies fall at various points along this spectrum according to how they combine the various modes of action that they use. Oxfam GB, for instance, has developed a protection strategy that combines practical protection-specific activities with basic relief delivery and a strong commitment to advocacy at national, regional and global scales. Médecins Sans Frontières (MSF), on the other hand, avoids protection-specific activities, focusing upon the delivery of medical and basic services, while taking a limited approach to advocacy by 'bearing witness' to abuses through témoignage.

The mainstreaming debate

A debate central to the development of these differing approaches has concerned the extent to which protection should be 'mainstreamed' into regular relief activities. Agency perspectives differ widely, from those that consider themselves protection specialists to those who consider protection to be an integral component of all humanitarian relief activities. Some humanitarian workers argue, for instance, that taking the safety of beneficiary populations into account when planning regular relief activities constitutes effective protection work. Critics of this approach, on the other hand, argue that it represents little more than responsible programming in line with the principle of 'do no harm' and that protection programming should include activities that are designed and implemented specifically with the protection of civilians as their final objective. The reality, however, is that protection activities tend to be included within more general relief programmes on a more or less ad hoc basis, often depending upon the knowledge and interest of individuals.

As such, the mainstreaming debate continues and is unlikely to reach a definitive conclusion for as long as agencies pursue individual organisational agendas and interpret protection in their own way. The protection sector, therefore, is a broad church in which multiple practices act either in parallel, in opposition or in concord with one another. This brings both strengths and weaknesses: strengths, in that it allows multiple approaches to be sheltered beneath the protection umbrella, bringing variety and sophistication to protection work and allowing for multi-pronged protection interventions by multiple agencies at a variety of scales that can take advantage of the synergies that can exist between different approaches; weaknesses, in that it has fostered much greater complexity, which can produce inconsistency, poor coordination, gaps, duplication and lack of clarity to such an extent that the protection sector sometimes appears to be "full of sound and fury, signifying nothing".

Standards and accountability

Given the wide range of approaches that the protection sector incorporates, how best can it guarantee the quality of the protection work being done? Clearly, there is a need for standards and guidelines of some kind that can be used to hold humanitarian actors to account for the protection work that they do, but given the range of approaches taken, and the variety of conceptual and ethical perspectives held, developing them is a complex and delicate task.

Recent years have seen a number of attempts to produce such standards: in 2008 an inter-agency group in Australia developed the Minimum Agency Standards for Incorporating Protection into Humanitarian Response;[2] the Sphere Project is currently being revised and will incorporate more robust minimum standards on protection; over the past year the ICRC has also led an inter-agency consultation to define Professional Standards for Protection Work Carried Out by Humanitarian and Human Rights Actors in Armed Conflict and Other Situations of Violence[3]. While the first two initiatives were based upon relatively specific approaches to protection, the ICRC has sought to establish common standards based upon overarching principles and fundamental elements that can apply to all humanitarian and human rights actors doing protection work.

Questions of data

This is a valuable and useful development which provides clearly elaborated standards for protection operations, including standards around the need for rigorous assessment of needs, monitoring and evaluation with a view to establishing the effectiveness of protection activities and to holding agencies accountable for their actions. What is lacking however, is any robust methodology for generating the data necessary to perform these functions. Thus, while it is beyond question that protection programmes should be based upon careful analysis of protection concerns, linked to an analysis of the causes and consequences of violence, and that the effectiveness of protection interventions should be evaluated both against operational objectives and the broader context, the tools are not yet available to do this effectively.

There are numerous difficulties associated with these issues, many of which emerge from the nature of protection work itself. As the ICRC notes, protection activities often aim to produce behavioural change among those committing abuses against civilians in an effort to produce an end to those abuses. Establishing whether or not such a change has taken place, and attributing such a change to the protection interventions of humanitarian actors is phenomenally challenging. In particular, establishing a baseline against which to measure outcomes and impacts is very difficult. Identifying and measuring an actual protection outcome even more so. As such, there is an urgent need for agencies, donors and academic researchers to establish a concrete, collaborative process to develop effective methods and tools that field practitioners can use to generate such data simply, cost effectively and flexibly.

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[2] The group included Caritas Australia, CARE Australia, Oxfam Australia and World Vision Australia.

[3] The group included ICRC, OHCHR, Amnesty International, Jesuit Refuge Services, InterAction, MSF Netherlands, HPG, DFID, ICVA, UNHCR.

The Future of Protection

The 21st century poses a range of increasingly complex protection challenges to the humanitarian and development communities. From climate change to economic crisis, the shifting geopolitics of international cooperation, chronic internal conflict and the potential for new international wars, a panoply of potential new threats may require innovative protection responses from states, international institutions, NGOs and civil society.

While the past decade has seen significant innovation and development in protection policy and practice, the challenges of the 21st century require more concerted effort to ensure that the protection architecture that currently exists is fit for purpose. These reflections have presented a selective cross-section of some of the most urgent questions that emerged in the process of this landmark conference.

Addressing these questions will be no easy task, as many of them require a reconsideration of the very notion of protection itself and of the means by which humanitarians seek to achieve it. This will require concerted effort in policy and practice not only from mandated agencies, but from a coalition of humanitarian organisations, government bodies, multilateral institutions and researchers. Ultimately their purpose must be to develop a more refined understanding of what is meant by protection, clarifying and institutionalizing the difference between protection and security, and reasserting the need for an uncompromised adherence to humanitarian values in the face of increasingly perilous politicization of the humanitarian sphere.