

November 19, 2008

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## SOMALIA: POLICY OVERHAUL REQUIRED

**Somalia is the world's worst humanitarian disaster and aid agencies are unable to respond to the immense scale of needs. The insecurity preventing assistance is a consequence of failed international political and diplomatic efforts. To stabilize the situation in south central Somalia, U.S. policy requires a complete overhaul, prioritizing humanitarian concerns over narrow counterterrorism objectives. Neighboring countries are bearing the brunt of the refugee outflow and more needs to be done to help them. For example, in Djibouti, the UN Refugee Agency (UNHCR) should increase its protection staff as well as identify and provide services to urban refugees in Djibouti city.**

Somalia is the world's worst humanitarian disaster. More than 3.2 million Somalis – 40% of the population – are dependent on external assistance, and 400,000 people have sought refuge in neighboring countries.

While the situation has deteriorated in the past two years, the last months have seen worsening indicators: more than 1.3 million Somalis are now displaced within the country; 35,000 fled from the capital in October alone; 10,000 Somali refugees crossed the border into Kenya in September; and one in six children under five years old in the southern part of the country is malnourished.

Exacerbating the problem has been the extreme difficulty in providing assistance. Somalia has always been a challenging operating environment for aid agencies, but it has now become one of the most dangerous places for humanitarian workers, alongside Iraq and Afghanistan. More than 30 staff from non-governmental organizations and UN agencies have been killed this year alone, as well as many journalists and human rights defenders.

While the responsibility for this crisis lies first and foremost with the Somali leadership, the international community, principally the U.S. government and members of the UN Security Council, has also failed in its duty to protect the Somali people. They have failed repeatedly

### Policy Recommendations

- The incoming U.S. Administration should overhaul U.S. policy towards Somalia by taking a comprehensive regional approach, prioritizing the provision of humanitarian assistance and calling for a truly inclusive political process.
- The U.S. should provide non-earmarked funding that allows UNHCR to allocate funding in the Horn of Africa where it is most needed.
- UNHCR Djibouti should maintain daily protection staff presence in the Ali Addeh camp.
- UNHCR Djibouti should start an outreach program for urban refugees.

to take a principled engagement to solve the crisis, acknowledge the power realities on the ground, support peace negotiations without imposing external agendas, or provide independent humanitarian assistance.

This lack of principled engagement is demonstrated by the U.S. and the European Union's response to the piracy problems of the coast of Somalia. The root cause of the piracy is lawlessness inside Somalia, an environment where accountability means little and where the traditional clan linkages are giving way to the law of the gun. Maritime patrols, whether by individual countries, NATO, or mercenary operatives, do little to stem the motivation behind those attacks. Moreover, the speed and resolve with which piracy has been addressed by the UN Security Council underlines Somalis' sentiment that economic interests trump humanitarian concerns. The United States swiftly and sternly condemned the pirates, and yet remains silent over egregious war crimes committed during the civil war.

Thanks to the efforts of the Special Representative of the UN Secretary General, political negotiations have been ongoing between Somalia's Transitional Federal Government (TFG) and the moderates in the opposition, mainly the Djibouti-based Alliance for the Re-liberation of Somalia (ARS). After several rounds of talks, an agreement was signed in late October 2008 calling for a ceasefire and joint security operations.

The inclusion of the opposition was a welcome recognition, albeit a late one, that the TFG was slowly slipping into irrelevance. However the reluctance to include hardliners, who control much of south central Somalia, runs the risk of making the agreement largely symbolic. Until parties hoping to broker peace in Somalia find a way to engage these groups, including Al Shabaab, an Islamic group designated as a Foreign Terrorist Organization by the U.S. State Department, the security situation will make humanitarian assistance near impossible.

## **U.S. Policy Requires Pragmatism**

United States policy in Somalia is loosely based on three objectives: counterterrorism, political reconciliation, and humanitarian response. In pursuit of these three objectives, the U.S. has at times worked at cross-purposes. The U.S. agenda has been driven by the Global War on Terror, which has undermined U.S. humanitarian and political efforts. Decisions to launch airstrikes appear to be taken unilaterally by the Department of Defense without input from the State Department regarding the potential diplomatic fallout, and without assessing the consequences for humanitarian actors on the ground.

The May 2008 missile strike targeting Aden Hashi Ayro was deemed a success by a U.S. Administration keen to show progress in counterterrorism efforts in the Horn. The consequences for aid agencies were felt immediately: a UN agency had to cancel the opening of an office in the region where the attack took place; humanitarian workers have been increasingly targeted; and two international non-governmental organizations were ordered to leave by Al Shabaab, accused of providing intelligence to the U.S. These examples illustrate the consequences of unilateral strikes that endanger millions of Somalis who depend on international agencies for medical care and food aid while doing little to reduce terrorism or lessen the ongoing violence in Somalia.

While the increasing number of attacks on humanitarian workers is due to a variety of causes, there is a perception from armed opposition groups that humanitarian actors work in tandem with political actors. The targeting of humanitarian workers has resulted in dramatic curtailment of operations and in some cases withdrawal from a region.

Efforts by humanitarian agencies to distance themselves from diplomatic efforts were compromised by the co-opting of aid in the peace negotiations. Refugees International spoke with several non-governmental organizations who talked of being "highjacked" into the Djibouti process. Aid groups were being asked to participate in the political initiative as members of civil society. While some UN agencies and non-governmental organizations can still claim a certain amount of independence, the ability to deliver aid in Somalia while appearing neutral has all but disappeared.

Humanitarian actors recognize that the situation will not improve until there is political progress. The TFG, in its four years of existence, has failed to provide a modicum of security for the Somali population, and despite international financial and military support, now controls only small pockets of territory. The Djibouti process has been a welcome step forward, insofar as it provides a platform on which various parties have come together, but the TFG lacks any legitimacy and the ARS is believed to have little remaining influence over insurgents determined to drive the Ethiopian forces out of Somalia.

Indeed, the main objective of the insurgency is the withdrawal of all Ethiopian troops. This message of Somali national sovereignty has been the rallying cry in opposition to the TFG, whose leaders are seen as taking orders from foreign capitals. While there is no fixed timetable for the Ethiopian troop withdrawal, experts agree that a gradual

pull-out is likely in the short term, and is perceived to be the best option in a range of bad scenarios.

The only credible political route is to broaden the peace agreement to the opposition groups controlling south Somalia. This is a step which would require UN Security Council members, particularly the U.S., to publicly support the SRSG in attempts to build on the existing process and reach out to the actors with real influence. Furthermore, including opposition groups in the peace process can be a first step towards convincing them to refrain from continued violence, particularly towards humanitarian agencies, while negotiations are underway.

The U.S. role in all this has been damaging. It has ignored evidence of the inability of the TFG to function and its illegitimacy in the eyes of the Somalis, while continuing to provide political and financial support. The U.S. has also turned a blind eye to human rights abuses being committed by all parties to the violence in south central Somalia. In particular, the failure to adequately condemn abuses committed by Ethiopian troops, in direct contravention to U.S. law governing bilateral military relationships, has undermined the ability of the U.S. to be perceived as a credible broker of peace. There is direct evidence linking the patterns of displacement to kinetic operations conducted by Ethiopian forces, and the U.S. has continuously failed to hold the Ethiopian government accountable, hiding behind “quiet diplomacy,” which has produced nothing.

The start of a new administration is an opportunity to overhaul U.S. policy in Somalia, incorporating the input of the humanitarian actors on the ground, who have the most accurate and detailed understanding of the local dynamics of the regions in which they work. U.S. policy must be open to a truly inclusive political process in order to achieve a modicum of stability, while placing priority on supporting humanitarian assistance at requisite levels when openings occur.

## Support Refugees in Neighboring Countries

Somali civilians are the first victims of the ongoing conflict, and the worsening humanitarian situation has left flight as one of the few remaining options. Neighboring countries and regions bear the brunt of this outflow, and more should be done to assist them.

### *a) Djibouti: Protection Needed*

Djibouti, a small country strategically located in the Horn of Africa, has long been a refuge for migrants from all over the region, partly due to its location, but also because of its relative peace and stability. The country is host to the Combined Joint Task Force – Horn of Africa, the largest U.S.

military presence in Africa. The intensification of the conflict in Somalia since January 2007 has led to a steady increase in the number of refugees from south and central Somalia, who are granted prima facie recognition from the Djibouti government. Today, the Office of the UN High Commissioner for Refugees (UNHCR) cares for more than 8,700 refugees in Djibouti, more than 90% of them from Somalia.

UNHCR must immediately address the lack of protection of refugees' rights. The vast majority of refugees stay in the Ali Addeh camp, in a remote and isolated location three hours from Djibouti city. The management of the camp presents challenges that are outside the control of UNHCR. The environment is inhospitable and offers few opportunities for refugees to develop sustainable livelihoods. Moreover, UNHCR is a partner to the government agency ONARS, which oversees refugee affairs, including the management of the camp.

Nevertheless, Refugees International interviewed several camp residents who expressed concerns about a range of issues: from the quantity of food to education and interaction with ONARS officials. These are issues that UNHCR must address through the daily presence of a Protection Officer, which would require an increase in protection staff. Regular visits by a Field Assistant are not adequate for monitoring and safeguarding refugee rights. The planned construction of the UNHCR office inside the camp, designed to facilitate the presence of a protection staff and exchanges with refugees, should be UNHCR's top priority.

The difficult relationship between ONARS and the World Food Program, resulting in the recent removal of the WFP Representative, means that there are no external monitors during food distributions. Alarming, more than 15% of children under five in the camp are enrolled in a supplementary feeding program. UNHCR should be more proactive in determining the causes of this abnormally high number. Lastly, UNHCR should ensure that mental health care is part of the medical services offered.

UNHCR's focus has been almost exclusively on providing services in the camp, and has neglected refugees who live in Djibouti city. Apart from a few hundred who benefit from individual assistance, the urban refugee population has been virtually ignored.

UNHCR provides few incentives to Somalis for voluntary registration, besides access to the camp. Refugees International interviewed Somalis who recently arrived in Djibouti city and they were unaware of their options, let alone of UNHCR's presence. They did not know that they had legal

protection and the right to reside and work in Djibouti. On the contrary, they were fearful of going to the camp. Most UN staff readily acknowledge the potentially large number of urban refugees, around 20,000 according to some estimates, but there have been no initiatives to document them.

UNHCR, in partnership with other agencies, must conduct a public outreach campaign in Djibouti city to assess the number of urban asylum seekers, identify their protection needs, and design programs to meet those needs. This exercise has been conducted in various forms in the surrounding countries as part of a Mixed-Migration Task Force. This task force has been successful in assessing the nature of the migratory flows in the Horn, as well as addressing the particular needs of migrants and refugees in the region. UNHCR must take the lead in Djibouti and engage UNICEF and UNDP, which are nominally part of the Task Force but in Djibouti focus on supporting the government. The support of other agencies is crucial since services to an urban refugee population should include support to host communities as well.

### *b) Somaliland: A Unique Case*

Until the recent suicide bomb attacks in Hargeisa, Somaliland, the semi-autonomous region of northern Somalia, had been relatively insulated from the violence affecting south central Somalia and Puntland. By virtue of its stability, Somaliland has become a migratory hub hosting displaced Somalis from the south on their way to Djibouti and Yemen, returnees from Somaliland who fled during the civil war, internally displaced people from south and central Somalia, economic migrants from various places in the Horn and a small group of refugees from Ethiopia. These people live interspersed among settlements around the capital city Hargeisa and the surrounding provinces.

Somaliland aspires to independence, but is not recognized internationally. The Somaliland government considers displaced people from other regions as refugees since they have crossed an “international” border, but UNHCR considers them as internally displaced people. Thus, there is no formal registration process for displaced Somalis in Somaliland, who number approximately 75,000, including 45,000 in Hargeisa. Most of the displaced Somalis have regrouped in settlements, which are essentially large camps with no formal management.

Somaliland offers a more stable operating environment than the rest of the country, and international NGOs and UN agencies have been able to run programs with fewer

security constraints. Moreover, aid agencies have a functioning government to interact with, including ministries and an elected Parliament. Despite the stark difference in levels of development between Somaliland and the rest of Somalia, aid projects in Hargeisa are created on an ad hoc basis as agencies frequently redirect funds that could not be spent in south central Somalia.

Currently, the international community has a schizophrenic approach to Somaliland, treating it as an independent state when it’s politically or operationally useful – for example, funding electoral reforms and citizen registration – but otherwise maintaining the rhetoric of a unified Somalia. As a consequence, Somaliland cannot receive bilateral development aid directly from donors. Stopping short of formal recognition of independence for Somaliland, the U.S. and other key players need to recognize the unique status of Somaliland, and inject needed funds into recovery and development projects.

The recent coordinated suicide bombings in Hargeisa do raise the specter that the crisis in Somalia is spreading, and increase the urgency of international support for Somaliland. If violence begins to trickle north, aid agencies will be forced to increase their security costs, and may have to cut back operations.

The U.S. continues to be a leading provider of humanitarian assistance funding in Somalia, including to UNHCR. However, the challenging environment in south central Somalia requires a new approach. UNHCR has been extremely effective in designing and implementing projects either directly or through partners. Yet some of the funding currently earmarked for UNHCR Somalia remains unspent, as security conditions inhibit the provision of services.

The U.S. Bureau of Population, Refugees and Migration should take a regional approach to the Somalia crisis, giving UNHCR the flexibility to allocate funding where it is most needed. This approach would include countries of refuge such as Kenya, Djibouti and Yemen, allowing humanitarian actors to be responsive to large displacement outflows. In particular, funding is urgently needed for the Dadaab refugee camps in Kenya for services to its growing number of refugees and in anticipation of an expansion of the camps’ population.

*Patrick Duplat and Jake Kurtzer recently returned from Djibouti, Somaliland and Kenya where they assessed the humanitarian situation for displaced Somalis.*