



CONSEQUENCES OF THE STRUCTURALLY INTEGRATED UN MISSION IN SOMALIA ON PRINCIPLED HUMANITARIAN ACTION AND ACCESS TO POPULATION IN NEED

An ACF case study, 18 months after integration

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I. Background

The establishment of UNSOM

In May 2013, a structurally integrated mission (“UNSOM”) was established in Somalia under Chapter VII of the UN Charter (Resolution 2093 then 2102). Its mandate was renewed for an additional year in May 2014 (Resolution 2158) and then again up to August 2015. It was renewed on July 29 for another seven months until 30 March 2016, in view of the preparation of the electoral process in 2016.

Under the supervision of the UN Department for Political Affairs, UNSOM’s broad mandate¹ includes support to the Federal Government of Somalia (FGS) and the African Union military operation in Somalia (AMISOM). It is also in charge of ensuring the alignment in policies and objectives between the UN Country Team², UNSOM, the FGS and AMISOM.

As stated in resolution 2093 (2013): *“by 1st January 2014 the post of Deputy Special Representative of the Secretary-General/Resident and Humanitarian Coordinator (DSRSG/RC/HC) will have been established and structurally integrated into the new United Nations Mission, which will operate alongside AMISOM. [...] And [...] all appropriate activities of the United Nations Country Team are fully coordinated with the new United Nations Mission, including through **joint teams and joint strategies**³, while ensuring the humanity, impartiality, neutrality, and independence of humanitarian assistance”*. In addition, Resolution 2102 (2013) states that the UN Security Council *“requests the SRS to **align closely** United Nations Country Team activities in Somalia with*

¹ UN Resolution 2158 (2014).

² UNCT, bringing together different UN agencies to improve the efficiency and effectiveness of operational activities at country level, including humanitarian activities.

³ Emphasis added.

the priorities of UNSOM and to coordinate United Nations activities with the Federal Government of Somalia, as well as the African Union (including AMISOM), IGAD⁴, the European Union and other regional, bilateral and multilateral partners in Somalia”.

The objectives of AMISOM as defined in resolution 2093 (2013) aim to “reduce the threat posed by Al-Shabaab and other armed opposition groups” and “to assist the Federal Government of Somalia, in collaboration with the United Nations, to extend state authority in areas recovered from Al-Shabaab”. Offensive military operations –not peacekeeping - are the focus of their mandate. The resolution adds that in the Somalia context, a UN peacekeeping force was not appropriate⁵ as the conditions for it were not yet in place.

Despite recognizing that conditions were not appropriate for a UN Peace-Keeping Operation, the Security Council still considered the situation stable enough to establish an integrated mission which would bring humanitarian actors into the same structure as political and military components, thereby linking humanitarian action to military and political objectives.

Initial opposition from humanitarian actors

In 2012-2013, the NGO consortium, the Humanitarian Country Team and the Emergency Relief Coordinator strongly opposed structural integration in the Somalia

⁴ The Intergovernmental Authority on Development (IGAD).

⁵ [the UNSC] “Agrees with the Secretary-General that the conditions in Somalia are not yet appropriate for the deployment of a United Nations Peacekeeping Operation, and requests that he keeps this under review, including through the setting of benchmarks for when it might be appropriate to deploy a United Nations peacekeeping operation”.

context citing the likely possibility that the UNCT would become politicized. In effect, humanitarians feared that integration would blur the lines between humanitarian activities and political and military objectives, consequently increasing the perception of humanitarian actors as biased and partial, reducing the possibility to negotiate access and increasing security risks for humanitarian personnel⁶.

In addition, the humanitarian community raised the point that basic requirements for an integrated mission were not yet in place: AMISOM was engaged in offensive operations against Al Shabaab, the political process at the time lacked legitimacy, a large part of the country was under the control of armed groups, and the UN's credibility in Somalia was challenged.⁷ These points were also outlined in a DPKO-led Technical Assessment Mission (TAM) which was undertaken to determine whether a peacekeeping mission was feasible in the current context, an Integrated Task Force (ITF) mission, as well as in the 2013 Integration Assessment and Planning (IAP) policy and the 2012 IASC WG-endorsed position paper on "UN integration and humanitarian space". Despite these warnings about the dangers that integration posed to humanitarian action, the Security Council ignored the recommendations of the UN system and, instead established UNSOM as an integrated mission, further fueling concerns that the decision was politically motivated.

II. 18 months after integration: What are the consequences of the integration on principled humanitarian action?

Considering the complexity of the situation in Somalia, it is extremely difficult to single out the integrated mission for negatively impacting principled humanitarian action. A wide range of policies, particularly global policies implemented in the last decade related to counter-terrorism, stabilization and state building have had serious consequences on principled humanitarian action and access⁸.

⁶ Interviews with UN and NGOs staff.

⁷ See for instance: NGO consortium letter « *NGO position regarding UN integration* », November 2012; or Message from Valerie Amos to the IASC Principals in February 2013.

⁸ *State-building, Counterterrorism, and licensing humanitarianism in Somalia*, Feinstein International Center, September 2010: "*international state-building*

Widespread perceptions on the part of many Somali people that the UN is not an impartial actor have been growing for many years, especially since Operation Restore Hope in 1992, and the emergence of the Islamic Courts Union (ICU) in 2006 and the UN's overt focus on undermining the ICU. Indeed, Al Shabaab banned almost all INGOs and UN agencies from the territories under their control in 2011, long before UNSOM was integrated, because of accusations of "disseminating information regarding the activities of the Muslims and particularly the Mujahideen", "lacking complete political detachment and neutrality with regard to the conflicting parties", "working with international bodies to foster secularism, immorality and the degrading values of democracy in an Islamic country" [...]⁹.

Yet integration is contributing to many detrimental practices impacting how the international community, including ACF, provides principled assistance.

Disappearance of the defense and promotion of humanitarian principles

While it is difficult to attribute blame solely to UNSOM, it is clear that integration failed to create an environment conducive to principled action and humanitarian access. The humanitarian community too bears responsibility by not doing enough to correct the poor perception of the UN/NGOs and failing to take adequate steps to distinguish itself from military and political actors. In fact, humanitarian actors seem to have moved further away from principled action. The public defense, promotion and explanation of humanitarian principles have slowly disappeared from official speeches at the UN level, as well as at INGO level. The analysis of these speeches and how they have evolved over the past two years is quite telling. There is an overt focus on stabilization, resilience, peace-building, security, accountability and on the integration of humanitarian and development activities¹⁰. Moreover, while working groups and

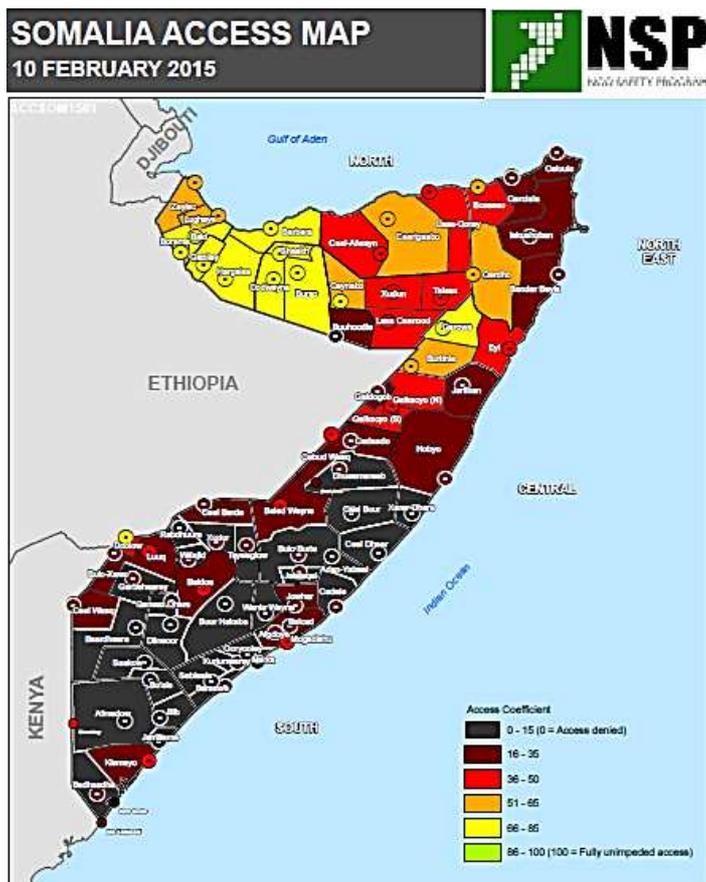
and counterterrorism objectives in Somalia have compromised the ability of international humanitarian actors to assist and protect vulnerable populations."

⁹ Letter from the Office for Supervising the Affairs of Foreign Agencies (OSFA), November 2011.

¹⁰ See for instance the Declarations of Nicholas Kay, UN Special Representative of the Secretary-General for Somalia during the launch of the Somalia Development and Reconstruction Facility in October 2013 : " The United Nations will continue to work hand-in-hand with

initiatives to increase access are quite common in the Afghan or Iraqi contexts, no such initiatives exist in Somalia. According to several people interviewed, there is an unmistakable convergence between integrations and the end of the active promotion of principled action in Somalia. Upholding a response based on impartiality and neutrality became a futile endeavor for most humanitarians.

No negotiation for access



The renunciation of humanitarian principles led to another major consequence with clear impacts in the field: UN agencies, and OCHA despite its specific mandate, as well as many NGOs (including ACF), gave up initiating and maintaining dialogue and negotiating for access with Al-Shabaab to operate in areas under their control. Further, a majority of international humanitarian actors started basing their access strategies on AMISOM’s military “gains” on the

the Federal Government of Somalia to promote Somali-owned systems that make the best use of development assistance” or the “Remarks by Humanitarian Coordinator Philippe Lazzarini at the High Level Partnership Forum on Somalia”, Copenhagen, 20 November 2014, or more generally the UNSOM website.

ground or through partnerships with local NGOs, relinquishing their direct access to beneficiaries. But even more worrying is that OCHA’s access strategy is now based on military “victories” and protection of roads by AMISOM. There is no longer an attempt to gain access through acceptance or negotiation¹¹.

Counter-terrorism measures preventing access

As of today, around 3 million Somali people live in Al Shabaab controlled areas¹², with almost no access to aid despite some of the highest levels of needs¹³. Despite this situation, the humanitarian imperative to support them is no longer the primary consideration of humanitarian agencies, as humanitarians seem unwilling or unable to challenge existing counter-terrorism regulations that discourage activities that could potentially be seen as providing support to Al Shabaab¹⁴. Some donors fear that aid diversion may benefit entities or individuals designated as terrorist and have inserted clauses in humanitarian funding agreements that effectively compromise the ability of humanitarian actors to deliver aid impartially. In some cases, donors are asking international organizations to vet their partners against national terrorist lists, in contradiction with the organizations’ policies. Consequently, the risk management burden is borne primarily by humanitarian organizations, many of whom have taken the decision to avoid taking risks rather than negotiating access to Al Shabaab-controlled areas¹⁵.

Consequently, according to interviews¹⁶ that ACF conducted, most humanitarian actors are not negotiating access to rural areas of South Central

¹¹ Based on interviews run with OCHA, UNICEF, the NGO Safety Program, the NGO consortium and NGOs representatives.

¹² Estimation based on UNFPA population repartition data.

¹³ Analyses of previous famines locate the heart of the needs in Shabelle and Bay regions. See “Another humanitarian crisis in Somalia”, Feinstein International Center.

¹⁴ “Another humanitarian crisis in Somalia”, Feinstein International Center.

¹⁵ *Study of the Impact of Donor Counter-Terrorism Measures on Principled Humanitarian Action*, case study on Somalia P.73, Kate Mackintosh and Patrick Duplat, July 2013.

¹⁶ Based on interviews run with OCHA, UNICEF, the NGO Safety Program, the NGO consortium and NGOs representatives.

Somalia where needs are likely to be the highest (see the map about humanitarian access).

Increased militarization of humanitarian aid

Integration has also increased the links between humanitarian and military actors. Although in some contexts, civ-mil dialogue and strategic coordination have been important to maintaining a clear distinction of often competing objectives, in Somalia, aid, humanitarian actors and access have been “militarized”. The safety and security of aid personnel are of course a concern, but they are only seen through a deterrence and security lens. As a result, we observe an increased “bunkerization” and militarization of the humanitarian community, contrary to local acceptance measures.

For example:

- all the UN agencies are based in the vicinity of the Mogadishu’s airport, in close proximity to the military compound;
- the protection of UN staff is primarily performed by AMISOM and UNSOA¹⁷;
- agencies and donors use private security companies to run monitoring activities;
- armed convoys by AMISOM/SNAF are used for food supplies;
- the use by humanitarians of military assets for logistics is common;
- NGOs have been asked to implement AMISOM’s Quick Impact Projects.

Given the UN’s political and military support to the FGS in the fight against Al Shabaab, Al Shabaab propaganda has listed UN staff and premises as one of their first “legitimate” targets¹⁸.

Increased politicization of aid with devastating consequences for the population

In 2014, a disturbing pattern emerged. After AMISOM victories in South Central Somalia, aid agencies were urged¹⁹ to immediately implement aid programmes in these newly retaken areas due both to the needs but

¹⁷ The United Nations Support Office for AMISOM (provide a logistics capacity support package to AMISOM).

¹⁸ See for instance the “recruitment documentary” : *UN compound attack*, Al-Kataib Foundation, Oct.2014

¹⁹ Mainly through coordination meeting and emergency funding allocation, according to interviewees

also as part of a ‘hearts and minds’ strategy. Far from being based on needs assessments, the importance of immediately delivering aid after taking control of these cities was even highlighted in a UN Security Council Resolution: [the UNSC] “Stresses the importance it attaches to UNSOM working with the Federal Government of Somalia in supporting the Government’s stabilization efforts and coordinating *international assistance* [emphasis added], in particular in areas recovered from Al-Shabaab;” R-2158 (2014). This approach highlights the priority that UNSOM places on political objectives at the expense of humanitarian objectives and needs based approaches. Al-Shabaab understood well that aid was highly political, and in response, they decided to block all the road routes to these cities to curtail the delivery of supplies²⁰. Access to food and medical supplies became an issue at stake in the conflict. It has led to increased humanitarian needs in these cities and in the countryside, and created more limitations in terms of access to services and food for the population.

For example, after strong encouragement from UNSOM to humanitarian actors to provide assistance in Hudur, located in South Central Somalia and retaken from Al Shabaab’s control early March 2014, Al Shabaab subsequently blocked access to the area. According to a rapid nutritional assessment run by the ACF teams in the city²¹ three months after the city was “recovered”, Global Acute Malnutrition (GAM) was at 24.5%, with Severe Acute Malnutrition at 5.8%, while the average national GAM rate is at 16%²².

The use of humanitarian aid as a tactical tool by political and military actors, and the politicization of aid in Somalia by both sides of the conflict have had devastating consequences for the population, which is de facto held hostage to political and military tactics.

²⁰ <http://www.dailymail.co.uk/wires/ap/article-2650801/Hunger-spreads-Somalia-militants-block-towns.html>

²¹ Hudur is located in South Central Somalia and was retaken from Al Shabaab’s control early March 2014.

²² Nutrition Cluster Needs Analysis, 29 May 2015.

III. In the context of the recent renewal of UNSOM's mandate , ACF recommends:

- To the UN:

The Department of Political Affairs and the Department of Peacekeeping Operations of the UN must ensure the full and consistent implementation of the UN Integration Assessment and Planning (IAP) Policy and conduct a Strategic Assessment to review current integration arrangements in Somalia. Integration arrangements must be modified to reflect the findings of the Strategic Assessment.

- To the IASC:

The Inter-Agency Standing Committee and the Somalia HCT must urgently revitalize initiatives to distinguish humanitarian activities from political and military activities, including:

- appointing a dedicated Humanitarian Coordinator;
- establishing an independent OCHA presence, ensuring physical separation of the UN Humanitarian Country team from the Mission Compound;
- creating an independent humanitarian logistics capacity (for the humanitarian community to be independent from Mission assets);
- advocating with UNSOM to only implement Quick Impact Projects that focus on non-humanitarian activities.

- To donors and donor States:

Knowledge of the policies and practices related to negotiating with individuals and groups designated as terrorists must be promoted, and further clarification is needed as to what "permissible" communication entails. In reality, current UN Security Council resolutions do not prohibit humanitarians from talking to designated terrorist individuals/groups.

Donors must exempt humanitarian actors from counter-terrorism laws in order to allow the principled delivery of humanitarian assistance. Donors must respect their commitment to the Good Humanitarian Donorship Initiative and allocate humanitarian funding on the sole criteria of assessed needs of the population.

- To all humanitarian actors:

Recognize the ongoing conflict in Somalia and thus, the centrality of humanitarian principles in relief operations in Somalia: NGOs and UN agencies should improve their adherence to humanitarian principles and engage with communities to improve how communities perceive them. Access plans based on acceptance and risk management should be defined and developed by humanitarian actors.

- To all parties to the conflict:

Humanitarian dialogue between all parties to the conflict and humanitarian actors must occur so that humanitarian actors can provide assistance and address protection concerns for all people in need. All stakeholders, including armed opposition groups, should facilitate this dialogue and allow access to areas under their control.



Independent, impartial, non-political and non-denominational, Action contre la Faim (ACF) is a humanitarian Non-Governmental Organization fighting against hunger and under-nutrition. ACF has been working in Somalia for more than 20 years, implementing Nutrition, health and healthcare; Water, Sanitation and Hygiene (WASH); and Food security and livelihood programmes, in Benadir, Bakool and Bay regions of South Central Somalia, and in Eyl in Puntland.

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