



## Humanitarian Diplomacy & Failed States: Case Study of the WFP Operations in Somalia



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### **Summary**

Most aid groups have pulled out of Somalia because of the continuing dangers. Yet, the World Food Program (WFP) continues to operate in the region, and has been doing so for the past two decades. This paper is an examination of why and how the WFP has managed to stick around in a place long after other humanitarian aid agencies have left. Its long-standing presence and its "humanitarian diplomacy" have been key factors in its success equation - in exchange for access to civilians with dire needs, the WFP has been more ready than its counterparts to take risks and negotiate with local power brokers; despite the array of humanitarian norms and laws, it has, in its quest for providing assistance and saving lives, also revised some of its own principles (albeit in a clandestine fashion).

Somalia is a failed state in the eyes of most International Relations analysts. Embroiled in two decades of civil war, the entire country is cut up into fiefdoms controlled by warlords or clan leaders. There is also a humanitarian catastrophe in Somalia – a majority of the human population has fled the country, been killed or absorbed into the fighting. An entire generation of people has grown up without any understanding of the basic elements of a normal functioning civil society.

Most aid groups have pulled out of Somalia because of the continuing dangers. Yet, the World Food Program (WFP) continues to operate in the region, and has been doing so for the past two decades. This paper is an examination of why and how the WFP has managed to stick around in a place long after other humanitarian aid agencies have left. Its long-standing presence and its “humanitarian diplomacy” have been key factors in its success equation – in exchange for access to civilians with dire needs, the WFP has been more ready than its counterparts to take risks and negotiate with local power brokers; despite the array of humanitarian norms and laws, it has, in its quest for providing assistance and saving lives, also revised some of its own principles (albeit in a clandestine fashion).

Yet, the food agency pays a heavy price for its involvement within Somalia. Only recently, the international media exposed WFP’s collusion with corrupt businessmen and radical militants to ensure delivery of food supplies within Somalia. Almost half of the food aid was being stolen or diverted away from those who needed it the most.<sup>1</sup> Although acting in the best interest of the neediest, WFP and its activities raised uproar in the international community as to how much of a trade-off it is willing to make in places where no rule of law exists, where there is no central authority and a total lack of understanding of the universal principles of impartiality, neutrality and conduct of war.

There is also deliberation as to whether the WFP has emerged as an actor in its own right in terms of perpetuating the conflict, and encouraging future diversions of aid material. It has triggered debates on the merits and successes of “humanitarian diplomacy” in the context of failed states. At the heart of the WFP’s mandate in Somalia is providing food for the well being of populations at the greatest risk. Yet the negotiations, deals and ties it builds to ensure the sustenance of at-risk Somalis involves a constant tug-of-war between conscience and concessions, and finding a middle ground between axioms and adjustments.

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<sup>1</sup> Jeffrey Gettleman, “Somalia Food Aid bypasses Needy, UN Study Says,” New York Times, 10 March 2010, <http://www.nytimes.com/2010/03/10/world/africa/10somalia.html?scp=1&sq=gettleman&st=cse>.

## Humanitarian Diplomacy – the Theoretical Debates

Diplomacy as a practice has traditionally existed within the realm of the nation state. The Vienna Conventions on Diplomatic Relations of 1961 laid out the enduring framework of acceptable and unacceptable diplomatic behaviour; its text automatically assumed diplomats as agents of nation states and their work as an expression of national interests. The functions of a diplomatic mission, according to the Conventions, consisted of state representation, protection of state interests and the interests of the citizenry, negotiations, monitoring developments and promoting friendly relations.<sup>2</sup>

Hedley Bull defines diplomacy as “the conduct of relations between states and other entities with standing in world politics by official agents and by peaceful means.”<sup>3</sup> States, according to Bull, are the principal actors and beneficiaries of diplomacy, although other entities such as international organizations may also participate in diplomacy. Furthermore, the method adopted to carry out such conduct is peaceful means, which, according to Bull, lies at the heart of diplomacy.

Today, however, diplomacy is no longer limited within the confines of an embassy or carried out simply by official state-elected representatives. Key diplomatic practices such as negotiating, information gathering and communicating are being undertaken under different contexts by different people. Humanitarian aid workers are using these very same skills in difficult places, although they might deny that “diplomacy” forms a part of their day-to-day activity.<sup>4</sup>

There are, of course, many similarities and differences between traditional diplomacy and humanitarian diplomacy. Skills such as negotiations and aggregating and analyzing data from various sources are the cornerstones of both forms of diplomacy. Both crafts require a certain level of consent because they are often working with parties that do not share the same interests. Both have to prioritize among various items on the agenda, and both often work in delicate political circumstances, trying to achieve their goals through peaceful dialogue and communication.

On the other hand, humanitarian diplomacy is carried out keeping humanitarian interests in mind. It is more transnational in nature because there is little veneration for state sovereignty. The objectives of such diplomacy may often be at odds with the interests of the

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<sup>2</sup> Article 3 of Vienna Convention on Diplomatic Relations, UN Treaty Series, 1961 (entered into force in 1964).

<sup>3</sup> Hedley Bull, *The Anarchical Society* (Columbia University Press, 1995), p. 162.

<sup>4</sup> Interview, WFP Representative, November 2009. The interview suggested that aid workers working for WFP did not think of themselves as engaging in diplomacy, rather as humanitarians trying to save lives.

international community at large. Humanitarians are also forced into making deals or compromises with governments or non-state actors in order to pull off operational ventures. This is not the case with traditional diplomacy.

One analyst describes the difference between the two imperatives as a “distinction between ‘capital D’ Diplomacy and ‘small D’ diplomacy”.<sup>5</sup> “Capital D” Diplomacy stands for traditional diplomacy in the nation state context; “small D” diplomacy signifies the new diplomatic actors in the international arena. “Whereas ‘capital D’ diplomacy tends to be high level and formal, ‘small D’ diplomacy is more terrestrial – even pedestrian. It covers a host of humanitarian functions of a more day-to-day sort.”<sup>6</sup>

Humanitarian institutions are also more ad hoc and innovative in the conduct of their day-to-day dealings. Unlike their conventional counterparts, they lack the capacity to impose sanctions or threats or employ coercive tactics, relying rather primarily on moral persuasion. Furthermore, they take pride in their transparency, and are more eager to galvanize public support to achieve humanitarian goals.

Humanitarians also face another dilemma – that of identifying their work as “diplomacy”. This is partly because of circumstance. While diplomacy involves adjudication, tough compromises, placations, conciliations and trade-offs in order to find a middle-ground between unfavourable parties, humanitarianism relies on following strict norms and principles, with little or no bargaining space. Humanitarian principles such as impartiality, neutrality and independence experience a lot of strain, especially when tested in the context of an armed conflict. Pliability suddenly becomes more appealing than fixed mandates, and non-partisan stances clash with human biases.

As WFP operations in Somalia have exposed, pragmatism trumps idealism for humanitarians trying to adapt to their environment. In a place where there is little public awareness of the laws of war and where the cost in casualties is tremendous if it were not for the presence of an international institution like the WFP, sacrosanct norms often take a back step. According to one analyst, “the validity of principles [can only be] tested by their fruits,”<sup>7</sup> and “from the standpoint of an individual who stands to receive emergency aid, a humanitarian bird in the hand may be worth a flock in the bush.”<sup>8</sup>

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<sup>5</sup> Larry Minear (2007), “The Craft of Humanitarian Diplomacy”, in *Humanitarian Diplomacy: Practitioners and their Craft*, ed. Larry Minear and Hazel Smith, UN University Press, p. 11.

<sup>6</sup> Ibid, p. 12.

<sup>7</sup> Ibid, p. 16.

<sup>8</sup> Ibid, p. 18.

## Somalia Context

WFP's operations in Somalia began before the 1991 commencement of Somalia's civil war. Despite a political shift in 2009, the security situation remains as tenuous as before. The Transitional Federal Government (TFG) maintains flimsy control over the capital, Mogadishu, aided by troops from the African Union, and has barely been able to control the conflict involving religious fundamentalists, clan militias, irregular armed fighters, warlords and opportunists.

A military stalemate exists in the country largely because no warring group is powerful enough to completely outgun the others. Challenges posed to the TFG by opposition forces were dealt with mostly with the support of external firepower. Al Shabaab, an Islamist insurgency group, made two large advances towards Mogadishu and the southern port city of Kismaayo in 2009. Power struggles continued as Hizbul Islam, another Islamic militant group, disintegrated, and Ahlu Sunna Waljame'ia (ASWJ), a radical outfit operating from the UK but with a significant presence in Somalia, announced a peace pact with the TFG in 2010 in order to appear legitimate and gain external support.<sup>9</sup>

In addition to religious agendas, clan dynamics are also vital in perpetuating the armed conflict. In the last few months, various groups have drawn support and firepower from favourable clans – the ASWJ seeking help from the Habargidir Ayr and Mareexaan, al Shabaab from the Murosade and Duduble clans, and the TFG from the Hawaadle. Within these clusters as well, leaders have found it difficult to build complete consensus, often having to juggle the demands and loyalties of these groups. Interspersed with the burgeoning Islamic factions, such fragile allegiances have created a situation of constant confrontations.

There are several major actors in the Somali conflict, none of whom are powerful enough in their own right, but play an equally significant role when vying for power:

- Transitional Federal Government – has under it three different security forces: the Somali National Security Force, Police Force and National Security Agency. As of November 2009, there were 2,900 soldiers drawing salaries from the transitional government's coffers with many supplementary fighters who haven't been registered. The government is planning to equip the police with 10,000 men, while the NSA deals with counter-terrorism and immigration issues.<sup>10</sup> In addition to this, the TFG is also supported by various clan-based and freelance militias. These forces are not organized, nor do they have adequate military training. Noticeably absent also is a chain of command with many men reporting not to appointed military

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<sup>9</sup> The Current Analyst Staff, "TFG and ASWJ: Beyond a Pompous Agreement," <http://www.currentanalyst.com/index.php/revealed/108-tfg-a-aswj-beyond-a-pompous-agreement>.

<sup>10</sup> UN Monitoring Group on Somalia Report, 10 March 2010, S/2010/91, p 11.

heads, rather behaving as independent militias.

- Ahlu Sunna Waljame'ia – was the brainchild of General Mohamed Farah Aideded in the post-Barre era. Created in order to oppose radical reformist movements, it never acquired national importance until mid-2008 when followers of the ASWJ opened new fronts against al Shabaab forces in central and south-western Somalia. This group is, like other militant groups operating in Somalia, an amorphous mix of various clans and warlords, with some backing from the Diaspora. In 2009-2010, the ASWJ decided to formally cooperate with the TFG, thus legitimizing their arms acquisitions from Ethiopia (previously illegal because of the overall arms embargo) and qualifying for foreign assistance.
- Al Shabaab – is an extremist Islamic organization operating in much of Southern Somalia, waging an insurgency against the TFG and AU troops in Mogadishu. Known for practicing the Sharia, they are led by a “shura” or council. Al Shabaab has drawn into its ranks fighters not only from Somalia, but also from overseas, primarily Afghanistan. These fighters have brought with them fighting tactics from abroad to Somalia. Al Shabaab has also sought ties with Al Qaeda although efforts on this front have had only partial success. Al Shabaab’s fighting units are mainly comprised of a “core force comprising fewer than 2,500 Somalis ... larger number of local clan militias ... [and] irregular fighters engaged for specific operations on a ‘pay-as-you-go basis’.”<sup>11</sup>
- Hizbul Islam – was formed in early 2009 when four armed groups – the Alliance for the Re-Liberation of Somalia (Asmara Wing), Somali Islamic Front, Ras Kambooni militia and Al Furqan militia – came together. This group has now virtually collapsed due to lack of coordination and proficiency on the part of its leaders. Allegiances were shifted around so frequently and so rapidly that there was widespread confusion and disarray within Hizbul Islam about its strategy and goals. As a result, it has fallen apart, and is now divided up into smaller independent fighting forces with little bearing on the larger power struggle in Somalia.
- Ogaden National Liberation Front (ONLF) – is a group of Somali nationalists operating in eastern Ethiopia, seeking self-determination for Somalis living in the Ogaden region. It has wreaked havoc on oil exploration companies, kidnapping or killing foreign operators, and also carried out guerrilla-style raids on Ethiopian troops.

Apart from the infighting, the Somali conflict has extended into the international space with ongoing piracy operations off the coastline. Initially started as a means to prevent the

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<sup>11</sup> Ibid, p. 15.

exploitation of fishing resources, Somali pirates are now exploiting their proximity to the Bab-al-Mandeb and Gulf of Aden shipping lanes to launch attacks on cargo ships. Despite the coordinated presence of almost 45 countries to combat this menace, the problem of piracy has only escalated. As opposed to central Somalia “where piracy may be accurately described as a product of statelessness and warlordism, in north-eastern Somalia it benefits from the patronage and protection of state institutions.”<sup>12</sup>

## Humanitarian Operational Issues and WFP Practices in Somalia

The high levels of insecurity have detrimental effects on humanitarian aid delivery. Some of the constraints that the WFP faces involve: 1) access to the needy, 2) ensuring deliveries reach their destinations without resort to violence, 3) coordination among various elements that are antagonistic towards each other, and 4) justifying continued operations knowing that a significant portion of their supplies might be stolen.

Several problems abound. First, in several instances, pirates have struck vessels carrying humanitarian supplies to Somalia. In 2007, three ships belonging to the WFP were ambushed.<sup>13</sup> In April 2009, the Maersk Alabama carrying food supplies for Somalis was attacked, though the US navy intervened and stood the hijackers off.<sup>14</sup> In the same month, two other food-vessels, the MV Liberty Sun and the MV Sea Horse, were targeted albeit for different reasons.<sup>15</sup> Such brazen attacks have complicated food supply lines higher up in the logistical chain.

Second, aid workers face a high risk of loss of life when working in Somalia. In 2009 alone, ten aid workers were killed and another ten were held in captivity, most of them since over a year. Furthermore, Action Against Hunger, an NGO providing nutritional supplies discontinued its activities in the Galgaduud region.<sup>16</sup>

Even if food supplies are able to reach and get unloaded at ports, delivering it inland is a nightmare. Aid agencies have regularly bribed to local gangs in exchange for “protection”. Trucks are often stopped at makeshift roadblocks and their cargo diverted. There are several instances when Al Shabaab ordered WFP to redistribute food supplies among its own groups

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<sup>12</sup> Ibid, p. 39.

<sup>13</sup> Jason McLure, “The Scourge of Somalia’s Seas,” 23 August 2008, <http://www.newsweek.com/id/154930>.

<sup>14</sup> Robert McFadden and Scott Shane, “In rescue of Captain, Navy kills 3 Pirates,” [http://www.nytimes.com/2009/04/13/world/africa/13pirates.html?\\_r=1](http://www.nytimes.com/2009/04/13/world/africa/13pirates.html?_r=1).

<sup>15</sup> Sharon Otterman and Mark McDonald, “11 Pirates Seized by French Navy,” 15 April 2009, [http://www.nytimes.com/2009/04/16/world/africa/16somalia.html?\\_r=1&hp](http://www.nytimes.com/2009/04/16/world/africa/16somalia.html?_r=1&hp); BBC, “New Wave of Somali Pirate Attacks,” 14 April 2009, <http://news.bbc.co.uk/2/hi/africa/7997610.stm>.

<sup>16</sup> OCHA Somalia, Humanitarian Access Update, December 2009.

or simply did not allow them to move forward without paying “security taxes”.<sup>17</sup> Such activities have prompted aid workers to feature theft, loss or diversion as part of the cost of working in Somalia, thus creating and legitimizing an illicit war economy.

Most of the humanitarian assistance to Somalia comes in the form of food aid because much of the land is arid or semi-arid, forcing a reliance on imports to bridge the gap between domestic agricultural output and hunger. Both, cooked and raw food, are taken to port cities such as Mogadishu, Bosasso and Berbera from where it is delivered inland by truck.<sup>18</sup> WFP’s food aid forms 60 per cent of the entire UN aid initiative to Somalia, or approximately \$485 million out of \$850 million. Local contractors hired by the WFP for its deliveries are the biggest annual profiteers in Somalia. Despite the appearance of an open-bid for delivery contracts, in actuality, the food delivery business works like a cartel, controlled by only three contractors.<sup>19</sup>

Diversion of this food aid by these contractors to other regions via complicit partners means that by the time the aid gets to the people who need it, a significant portion of it has been siphoned off. According to certain estimates, 30 per cent is polished off by the businessmen and local WFP workers, 10 per cent by the transporters, and 5-10 per cent by the militant group that is in control of the area of delivery (Al Shabaab controls approximately 95 per cent of the region where WFP food is delivered).<sup>20</sup> Some of this food is resold in markets in cities such as Mogadishu.<sup>21</sup> In their anxiety to reach out to the deprived, and in the absence of an enforcement mechanism (such as use of force), the WFP loses its moral advantage. The leverage that bargaining can provide is also mitigated due to the exigency of the situation.

Even when the food arrives to its allotted destination, a patron-client system is in place to prevent effective distribution. The “Afgooye Corridor”, a thirty-kilometre stretch of road outside Mogadishu is littered with refugee camps of people either driven out of the city because of the ongoing crisis, or forced to relocate because of lack of access to necessary daily supplies. Gunmen control various parts of these camps, and supervise the food allocation process in order to earn tribute among the camp dwellers.<sup>22</sup>

One of the biggest impediments faced by the WFP is the lack of competition in the bidding process for food delivery. The mechanisms employed to hire contractors are highly opaque,

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<sup>17</sup> Ibid.

<sup>18</sup> Interview, WFP Representative, November 2009.

<sup>19</sup> UN Monitoring Group on Somalia Report, 10 March 2010, S/2010/91, p 60.

<sup>20</sup> Ibid.

<sup>21</sup> Interview with Mogadishu bazaaris, July 2007.

<sup>22</sup> Interview with refugees, Somalia, July 2007.



although nepotism and favouritism are rampant<sup>23</sup>. Once food is delivered to the ports (which is also controlled by the same militias hired by the same businessmen), little can be done to verify the distribution process. Often attacks are staged upon food convoys by the deliverers themselves, in order to authenticate the “dangers” of doing business in Somalia. The large amounts of cash involved bring traditional enemies together to collude against the WFP. Looting and diversion of the aid are often fixed, and organized by local WFP workers and allies. The WFP, amidst all this, is forced to trust the contractors’ word as there is no effective system in place to use sanctions against falsified deliveries.

## Larger Implications

There are many reasons why the WFP operates the way it does in Somalia, although there is room for improvement. Negotiating for its own humanitarian objectives is a never-ending struggle in a complex emergency like Somalia. Institutional weaknesses and lack of effective monitoring aside, the political environment is not conducive to such humanitarian operations. Various power mongers are largely preoccupied with military aspects of the civil war, and saving civilian lives falls to the bottom of the priority list. Furthermore, humanitarian aid is perceived by locals as a source of income – it is in the interest of local opportunists to perpetuate the food crisis so that the international community can continue to pump money in.

The WFP’s negotiating strategy relies on a prerequisite of minimum access. The lack of airports reduces their transport to dangerous land routes. Very often entry to certain regions is denied. While the day-to-day haggling over rates for transportation continues, the larger framework is such that all activities occur in an environment of rapid political and military flux. In such cases, the WFP is forced to bargain for right of entry – a process that inevitably leads to an attrition of humanitarian principles.

In conclusion, one can say that humanitarian diplomacy is in a state of development and maturation. The dichotomy here is that in the interests of negotiating for a larger humanitarian space, actors like the WFP end up perverting their own missions. There is no correct formula for how such diplomacy should be conducted. Theoretical norms feel misplaced when they come in contact with the field. The trend for the WFP in Somalia has been to champion and canonize its doctrines publicly but be pragmatic privately. In its struggle to meet the immediate requirements of a severely destitute population, the WFP has also failed to develop long-term strategies for such aid programmes (perhaps due to no fault of its own). By negotiating with armed militias and by trying to control the situation to facilitate its own projects, some argue that the WFP has diluted the ethics of its own goodwill.

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<sup>23</sup> UN Monitoring Group on Somalia Report, 10 March 2010, S/2010/91, p 61. According to the report, the food aid delivery business in Somalia has, for the last 12 years, been manipulated and managed by three people and their families – Abukar Omar Adaani, Abdulqadir Mohamed Nur “Enow” and Mohamed Deylaaf. They have received 80 per cent of all WFP contracts from a budget of \$200 million.