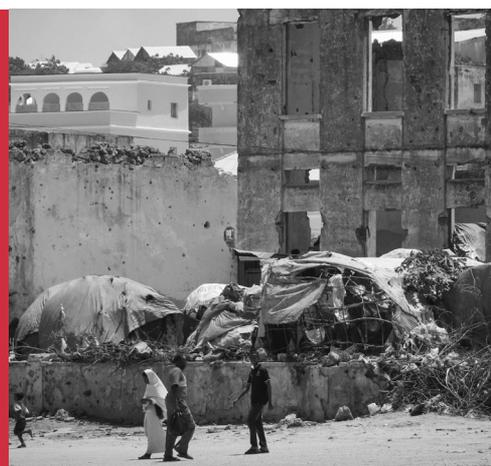


Al-Shabaab engagement with aid agencies

Ashley Jackson and Abdi Aynte



Key messages

- Al-Shabaab has routinely expelled aid agencies, and at the height of its territorial control implemented a system of aid agency regulation, taxation and surveillance. Where agencies are allowed to operate, this is often due to the desire of Al-Shabaab to coopt and materially and politically benefit from the provision of aid and services.
- Comprehensive dialogue with Al-Shabaab is critical to reducing risk of diversion and improving prospects for long-term access. Structured engagement at all levels has allowed agencies to pursue a consistent approach towards Al-Shabaab and communicate clear messages about what they would accept.

Somalia remains one of the most dangerous places in the world for aid workers. One of the most formidable obstacles to reaching people in need of assistance has been Harakat Al-Shabaab al-Mujhadeen (Al-Shabaab). Despite routinely expelling, attacking and harassing aid workers, Al-Shabaab permits some agencies to work in areas under its control. However, little is understood about Al-Shabaab's attitudes towards aid agencies and the factors that have enabled some aid agencies to effectively negotiate access

to areas it controlled. Aid agencies negotiating access with Al-Shabaab generally do so in secret. Fear of incurring the wrath of Al-Shabaab, alongside apprehension of falling foul of counterterrorism restrictions or being seen to support 'terrorists', made many aid agencies reluctant to publicly discuss the conditions, compromises and constraints of negotiating access. This research, based on over 80 interviews with aid workers, civilians and former Al-Shabaab officials, attempts to shed light on Al-Shabaab's

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Photo: Civilians walk past bombed-out and destroyed buildings in the Boondheere district of the Somali capital Mogadishu.

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attitudes towards and policies governing aid agency access.¹

Al-Shabaab: structure and evolution

In 2006, Al-Shabaab came into its own as an organisation and dramatically expanded, attracting both local contingents frustrated with the government and foreign jihadi fighters. By 2009, Al-Shabaab controlled ‘an area equal to the size of Denmark, with perhaps five million inhabitants’.² Al-Shabaab’s structure is decentralised, governed by a senior leadership *shura* headed by the group’s *Amir*, Ahmed Godane. In the past decisions appear to have been made by consensus, but recent internal tensions and splits suggest that this may no longer be the case.³ Beneath the *shura*, various political, military and administrative offices and positions were established, including ‘ministries’ of defence, intelligence, religious affairs and the interior. As it gained greater territory, Al-Shabaab became more structurally sophisticated and bureaucratic, with detailed policies in place, if not always evenly implemented, concerning everything from religious worship to dispute resolution.

With regard to aid agencies, Al-Shabaab ultimately sought to implement a highly structured system of regulation, taxation and surveillance. An Office for the Supervision of the Affairs of Foreign Agencies was established, with a subordinate body, the Humanitarian Coordination Office, responsible for regulating aid agencies. However, permission for aid agencies to operate is almost exclusively agreed at the local level, with Humanitarian Coordination Officers – often locally appointed Al-Shabaab loyalists – appointed to negotiate access, collect ‘taxes’ and monitor aid agency activities.

Policies on aid access

As Al-Shabaab assumed control of territory, a pattern emerged. Once areas were cleared of ‘threats’, a local administration was established. Form and composition were adapted to context, with a local *shura* comprising local constituencies and clans loyal to Al-Shabaab, or

groups whose participation was otherwise required to keep the peace. Justice, education and healthcare were consistent areas of focus at the local level.⁴

Aid agencies were often the first to be subject to Al-Shabaab’s regulations.

Negotiations were relatively straightforward. Humanitarian Coordination Officers or other Al-Shabaab officials were dispatched to meet agency staff, generally Somalis, in person to discuss the terms of access. Registration fees or other payments were generally the first and primary issue negotiated. Registration fees ranged between \$500 and \$10,000 depending on the size, nature and location of the project, as well as the nature of relations between agency staff and Al-Shabaab officials. These fees were often justified on security grounds, with one aid worker told by Al-Shabaab that ‘we are the government of this area and responsible for your security; unfortunately we do not have enough to pay our soldiers so you should pay us for providing protection’. Other conditions included requiring agencies to hire individuals selected by Al-Shabaab, to facilitate monitoring of aid agencies and/or to enable Al-Shabaab to provide jobs for its supporters. Al-Shabaab also often prohibited agencies from making contact with Somali women or employing them in any capacity. One exception appeared to be in the provision of medical care, where aid agencies reported that Al-Shabaab generally encouraged the involvement of female doctors and nurses so that women could access healthcare services.

Agencies were frequently required to complete registration forms and sign a pledge stating that they would refrain from certain social and religious activities, including proselytisation. They were instructed not to engage in any activities that would violate *sharia* law or contradict Al-Shabaab policy. Former Al-Shabaab officials reported that they forbade aid agencies from engaging in any activities that empowered traditional or local leaders outside of Al-Shabaab. This rule appeared to be most strictly enforced where Al-Shabaab leaders and the community came from different clans.

Following registration, agencies were generally required to disclose project details. Based on the size and nature of the activity, additional taxes could be levied.

1 For the full research findings, see Ashley Jackson and Abdi Aynte, *Talking to the Other Side: Humanitarian Engagement with Al-Shabaab in Somalia*, HPG Working Paper (London: ODI, 2013).

2 S. J. Hansen, *Al-Shabaab in Somalia: The History and Ideology of a Militant Islamist, 2005–2012* (Oxford: Oxford University Press, 2013), p. 72.

3 See AFP, ‘Somali Shebab Extremists Kill Two of Their Own Chiefs: Spokesman’, 29 June 2013.

4 R. Marchal, *The Rise of a Jihadi Movement in a Country at War: Harakat Al-Shabaab Al Mujaheddin in Somalia*, Briefing Paper for the UK Foreign and Commonwealth Office, 2011.

There were attempts by aid agencies to confound Al-Shabaab's efforts; some aid workers, for example, reported refusing to disclose staff salaries in the hope that employees would be able to avoid Al-Shabaab taxing their income. Other conditions – such as Al-Shabaab distributing food directly – could also be imposed. In numerous instances, there were efforts to control aid delivery and prevent all direct contact between aid agencies and intended beneficiaries (for example through the insistence that food distributions be carried out directly by Al-Shabaab officials or their proxies). Where they did not directly control them, Al-Shabaab sought to stringently monitor aid activities. Monitoring consisted of information provided by 'spies', including individuals that aid agencies were required to employ by Al-Shabaab, and visual observation by Al-Shabaab officials.

Aid agencies often agreed to pay negotiated fees or ceded to other demands. In instances where exemptions were granted, the agencies concerned had a long-standing presence and pursued structured engagement at all levels with Al-Shabaab. The majority provided medical care, though how far this influenced the decision to grant access is debatable. Several agencies provided medical care alongside various other non-medical activities and felt that their track records and community pressure on Al-Shabaab were important in persuading Al-Shabaab to allow them to operate; in some instances, these agencies had been present during the 1991–92 famine and communities remembered the lifesaving assistance provided during that period. The community's desire for programmes to continue, and at times the support of local Al-Shabaab commanders from those communities, was an important source of leverage in negotiations.

In general, local aid workers interviewed felt that they had a better chance of gaining and maintaining access if their staff had links with Al-Shabaab, they paid the fees demanded and they agreed to be monitored. Aid agency engagement and negotiation with Al-Shabaab was an ongoing process, with weekly or in some cases daily communication. The most challenging environments appear to have been those where an alliance of factions was in control, rather than areas firmly under Al-Shabaab's authority. In many such instances, negotiations focused on one delivery at a time, with agreements made one day that may not have been respected the next as alliances shifted and tensions among factions waxed and waned.

While the majority of negotiation occurred at local level, general policy and decision-making on key issues, such as expulsions, was taken by the senior leadership *shura*. The *shura* consistently refused to deal directly with internationals or individuals not of Somali origin. Some expatriate aid workers report being able to reach senior Al-Shabaab leaders through intermediaries in Nairobi or outside of the region. In rare cases aid agency staff were able to speak directly (often by telephone) with senior *shura* members. Where there was a lack of direct contact with the central leadership, this made it harder for aid agencies to build relationships and engage in a longer-term dialogue about Al-Shabaab's broader policies and attitudes.

The consequences for breaking the rules were extreme: expulsion, additional taxation and attacks on aid workers. Aid agencies working in Al-Shabaab areas have been under constant threat of expulsion, with many bans justified on the grounds that agencies were engaged in 'espionage'. In 2008, CARE and the International Medical Corps were expelled from areas under Al-Shabaab control after being accused of providing information to the US that Al-Shabaab believed led to the killing of its first leader, Aden Hashi Ayro. Similarly, in December 2009 Al-Shabaab banned the UN Mine Action Service (UNMAS). Al-Shabaab alleged that UNMAS was 'secretly hosting' and undertaking the work of prohibited organisations, and accused it of 'bribing' elders and 'surveying and signposting some of the most vital and sensitive areas under the control of the Mujahideen'.⁵

While banning some organisations, Al-Shabaab permitted others to work – albeit under increasingly tight rules and regulations. With the consequences for disobedience clear, the threat of expulsion compelled agencies either to comply or to withdraw. In November 2009, Al-Shabaab imposed 11 conditions on remaining aid agencies in Bay and Bakool, including payment of registration and security fees of up to \$20,000 every six months, the removal of all logos from agency vehicles and a ban on female employees. Some resisted. Prior to 2009 the World Food Programme (WFP) was able to establish some degree of productive dialogue with Al-Shabaab, but later withdrew from some areas under its control, citing the 11 conditions as part of the reason behind this decision. The

5 Harakat Al-Shabaab Al-Mujahideen, 'Press Release Regarding the Operations of Mine Action', 17 December 2009.

organisation was subsequently banned by Al-Shabaab in January 2010. For many agencies withdrawal was seen as unacceptable, particularly given the scale of need around the famine in 2011, which affected an estimated 750,000 Somalis, many living in areas under Al-Shabaab control.

Motivations for engagement

While publicly framing its engagement with aid agencies in terms of efficiency or security, Al-Shabaab's reasons for regulating agencies were far more complex. The desire to benefit from aid agency activity existed alongside deeply entrenched suspicion of the aims and origins of aid agencies. As a group that saw itself as a 'government in waiting', coopting aid agencies furthered its self-image and demonstrated that it had something positive to offer civilians. There were also economic motivations. While the taxation of aid agencies was only a small part of a broader system of taxation, and the group had numerous other income sources, registration and other 'fees' levied on agencies, taxes on local aid workers' salaries, property rentals, transport costs and other aid-driven activity provided revenue for the group.

At the same time, however, the desire to coopt and profit from aid activity conflicted with a deeply held suspicion of aid agencies, genuinely seen by many within Al-Shabaab as spies or as having sided with their enemies. Several Al-Shabaab officials interviewed saw all agencies as potential, and in some cases actual, fronts for Western intelligence services. In the words of one Al-Shabaab official, 'whether they call themselves humanitarian or not, we know who they are: they are the civilian face of the infidel forces'. Others described Al-Shabaab's fear of 'Westerners' planting listening devices and of drone strikes. Counterterrorism laws and political pressure on aid agencies from the UN and Western donors to support the struggling national government reinforced these perceptions.

External factors also played a role. The 2011 famine appeared to temporarily influence rhetoric, if not actual policy. Al-Shabaab initially stated in July 2011 that it would allow foreign aid into its areas with 'no strings attached'. An Al-Shabaab spokesman subsequently told a British newspaper that this statement had been mistranslated, and that Al-Shabaab would not allow any agency to operate that had been previously banned, specifically naming WFP and the UN Children's Fund

(UNICEF).⁶ While conceding that some areas were experiencing hunger, the spokesman denied that a famine was under way.

As the famine began to recede and pressure from the African Union Peacekeeping Mission (AMISOM) increased, hostility towards aid agencies grew. Al-Shabaab banned 16 international organisations, including several UN agencies, for 'illicit activities and misconduct'. Again the accusations focused on 'espionage', which included collecting information 'under the guise of demographic surveys, vaccinations reports, demining surveys, nutrition analyses and population censuses'. Former Al-Shabaab officials interviewed stated that this set of aid agency bans was motivated almost entirely by security concerns, and appeared to come from the top leadership with little or no consultation with regional or local members. Prior to the 2011 ban, Al-Shabaab arguably felt confident enough to manage the potential risk of infiltration by Western spies, and granted access for the political and monetary benefits of aid agency operations. By 2011 Al-Shabaab had been forced onto the defensive and was significantly less tolerant of risks.

Conclusion

Since 2011, Al-Shabaab has been driven back from many areas under its control, but it remains present in much of south-central Somalia. It still has significant ability to infiltrate areas provisionally under AMISOM control, launch attacks and strike at high-profile international targets. Al-Shabaab continues to exert pressure on aid agencies, but the erosion of its governance structures and increased internal volatility have created a more unpredictable operating environment.

For aid agencies, there are important lessons for future engagement. Aid agencies that succeeded in providing aid in areas under Al-Shabaab's control, and appeared to avoid paying fees or ceding control of their programming, pursued rigorous, structured engagement with the group at all levels, from the senior leadership *shura* to ground level fighters. They allocated significant resources and time to understanding the group, developing relationships and pursuing dialogue.

⁶ M. Pflantz and A. Albadri, 'Famine: Al-Shabaab Backtracks on Promise to Allow Foreign Aid Workers Back into Country', *The Telegraph*, 22 July 2011.