

# Somalia's Famine is Not Just a Catastrophe, It's a Crime

Matt Bryden | October 2011

Before the end of this year tens of thousands of people in Somalia—possibly hundreds of thousands—are going to die. Aid agencies say nearly 4 million people are in need of assistance and 750,000 at risk of starvation. For many it is already too late, and regardless of what we do, disease will claim many more lives during the imminent rainy season. Decades of statelessness and civil war have set the stage, and severe drought has been the trigger for the current crisis, but Somalia's famine is less a symptom of conflict or climate than of callous and criminal human conduct—including crimes against humanity that demand consequences anchored in international justice.

Drought has gripped almost all of Somalia in recent years, but famine conditions in the arid northern and central regions are mitigated by responsible local authorities who provide a degree of security and are facilitating the delivery of humanitarian assistance. The U.N. describes humanitarian access in those areas as generally “unrestricted.” Likewise, USAID's Famine Early Warning System rates humanitarian conditions in the northern and central regions as better than conditions in the south, especially in and around Mogadishu.

It's no coincidence that the famine zone corresponds broadly with those areas controlled by the militant Islamist group al-Shabaab. Over the past two years, al-Shabaab has terrorized people into submission, confiscated their produce and taxed them into poverty in the name of '*jihad*.' As they now starve, al-Shabaab denies them even the opportunity to migrate in search of food. In late September, al-Shabaab ordered camps in Baidoa forcibly broken up in order to put their inhabitants 'back to work' in their fields, conveniently ensuring that the scale of their dying will also be hidden from view.

Al-Shabaab has also banned the largest and most effective aid agencies from working in areas it controls, where humanitarian access is close to zero. A UNICEF official estimates that of 160,000 acutely malnourished children in the famine zone, fewer than 12,000 are currently being fed.<sup>1</sup> That some donors and the United Nations have also imposed restrictions on dealing with al-Shabaab has further compounded the situation. But it is ultimately al-Shabaab's twisted ideology, repressive methods, and indifference to the suffering of its own people that lies behind this catastrophe.

Al-Shabaab has a long list of atrocities to its credit: the murders of foreign aid workers and journalists, the systematic and targeted killing of some of Somalia's current and future leaders—from politicians to elders and even medical students—and the suicide bombings of sports fans at pubs in Kampala, Uganda. Grave crimes indeed, but small scale in comparison with starving hundreds of thousands of their own people to death.

The 'lucky ones' who manage to escape al-Shabaab have been straggling across Somalia's borders into Ethiopia and Kenya, triggering a new refugee crisis. As Nick Kristof of *The New York Times* and others have reported, the journey to the refugee camps in Kenya is a harrowing one, often involving robbery, rape, and starvation.<sup>2</sup> About 200,000 have made their way to the Somali capital of Mogadishu, which is loosely controlled by African Union troops and the Transitional Federal Government, or TFG. The situation there is also dire: Rampant insecurity discourages all but the most determined aid agencies, and much of the aid that does arrive is diverted or stolen.

Since its establishment in 2004, the TFG has squandered hundreds of millions of dollars of foreign assistance. While donor governments pay the TFG's bills and African Union forces do most of the fighting on its behalf, corrupt government officials have made off with as much loot as they possibly can. A May 2011 financial report from the TFG prime minister's office claimed that in 2009-2010 over \$72 million in donor assistance was stolen and that nearly a quarter of a billion dollars in revenues was unaccounted for.<sup>3</sup> The scale of the TFG's financial hemorrhaging is so immense that the term 'corruption' seems barely adequate.

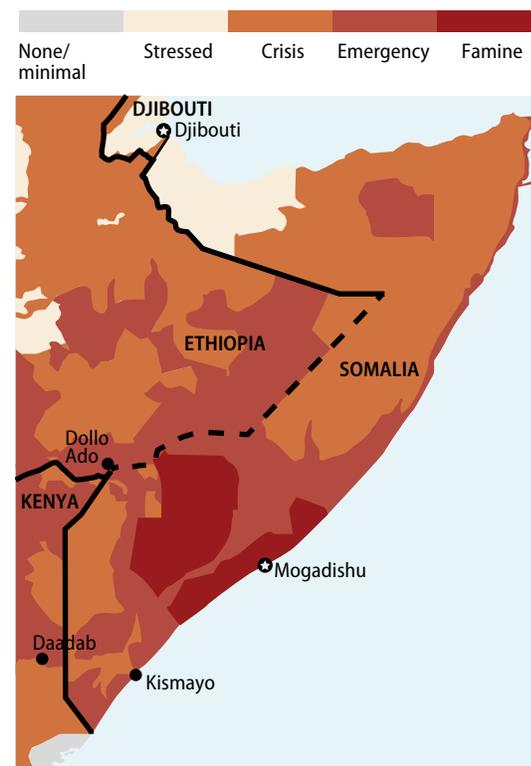
A new TFG administration headed by Abdiweli Mohamed Ali has expressed a commitment to reform and has taken the most promising steps to advance the political process in several years. But allegations of corruption from prominent elders and members of parliament persist, and the TFG reformers face an uphill battle against deeply entrenched, mafia-style networks.

In such an environment, even humanitarian assistance for famine victims is considered fair game. A recent article by the Associated Press described flagrant diversion and sale of food aid into Mogadishu markets.<sup>4</sup> The Enough Project published a September 2011 paper by Professor Ken Menkhaus, a respected authority on Somalia, which describes government-affiliated militias preying on famine victims, while rival politicians set up camps "to use as bait for food aid, which they can then divert."<sup>5</sup> Somali members of parliament and traditional elders have echoed such accusations and called for a U.N. investigation.

Under ordinary circumstances, such actions may qualify as corruption. With three quarters of a million people on the brink of starvation, they become crimes against humanity.

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Sources: FEWS NET, FSNAU/FAO

The international community's first priority must be saving lives, and Professor Menkhaus' paper outlines some ideas for enhancing those prospects. But Somalia's victims don't just need aid—they deserve justice. The time must come for the authors of these atrocities to be held to account, whether for their crimes or their criminal negligence.

One instrument of accountability already exists: United Nations Security Council resolution 2002 effectively prohibits the diversion of humanitarian assistance, as well as the kind of gross corruption that prevents the TFG from discharging its duties. But the Security Council has so far designated only a handful of violators for targeted measures, including travel bans and assets freezes. More designations are needed, followed by rigorous and diligent implementation to make sanctions bite.

But sanctions are slow to apply, difficult to implement effectively, and are hardly sufficient punishment for crimes tantamount to mass murder. The time has come for either the International Criminal Court to become engaged in Somalia, or for a special international tribunal to be established, in order to dismantle Somalia's deadly culture of impunity.

It may seem unrealistic today that leaders of al-Shabaab would ever face trial, but the same could also once have been said about the leaders of the Khmer Rouge or the Bosnian Serbs. And those who have undermined and brought shame upon the TFG and its affiliates by commodifying their own people, using them as lures for personal profit, are no less guilty and more readily accessible to the reach of international justice.

Without justice, humanitarian assistance alone will have the perverse effect of absolving and even rewarding those responsible for this tragedy. Aid and accountability must go hand in hand, both as a gesture of respect to the victims and also to ensure that Somalia never suffers such crimes again.

*Matt Bryden has worked for more than 20 years on Somali affairs and is currently serving as coordinator of the United Nations Somalia and Eritrea Monitoring Group. The views expressed in this article are solely those of the author and do not necessarily reflect the views of the United Nations.*

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## Endnotes

- 1 A previous version of this briefing paper cited a UNICEF official saying that of the 160,000 severely malnourished children in the famine zone, only 7,000 are currently being fed. However, in a follow-up conversation with UNICEF, the agency asserted that less than 12,000 are being fed.
- 2 Kristof, Nicholas, "On Top of Famine, Unspeakable Violence," *The New York Times*, September 24, 2011. Available at [http://www.nytimes.com/2011/09/25/opinion/sunday/kristof-on-top-of-famine-unspeakable-violence.html?\\_r=1](http://www.nytimes.com/2011/09/25/opinion/sunday/kristof-on-top-of-famine-unspeakable-violence.html?_r=1)
- 3 "Audit investigative financial report 2010-2009," completed by Abdirazak Fartaag, Head of Public Finance Management Unit, Office of the Prime Minister, May 2011.
- 4 Houreld, Katharine, "Somalia famine aid stolen; U.N. investigating," Associated Press, August 15, 2011. Available at [http://www.salon.com/wires/world/2011/08/15/D9P4IQOG0\\_af\\_east\\_africa\\_famine/index.html](http://www.salon.com/wires/world/2011/08/15/D9P4IQOG0_af_east_africa_famine/index.html).
- 5 Menkhaus, Ken, "A Diplomatic Surge to Stop Somalia's Famine," Enough Project, September 21, 2011. Available at <http://www.enoughproject.org/publications/diplomatic-surge-stop-somalia%E2%80%99s-famine>.