

Engaging with 'gatekeepers' in an accountable and transparent way in Mogadishu

- a 'How To Note'¹

Introduction

This note presents suggestions on how to deliver humanitarian and development aid in the informal settlements in Mogadishu with a focus on the political economy around the 'gatekeeper' phenomenon - or as we label them: the Informal Settlement Managers (ISMs). The How To Note builds on extensive research undertaken in IDP settlements in Mogadishu since 2012.² More details on this can be found here: <http://tanacopenhagen.com/accountability-for-idps-in-informal-camps-in-somalia/>

With this Note, we hope to provide practitioners with a distilled summary of lessons learnt during the above mentioned research carried out in informal settlements in Mogadishu, in the hope that this might begin to provide an alternative perspective to the issue of 'gatekeepers' in order to limit prejudice and ensure transparency and accountability in the delivery of humanitarian and development assistance to the IDPs.

This is a living document and will be adjusted as more research emerges over the next years. The Tana team welcomes any input to this Note.

Please forward suggestions, queries, and requests to the Team Leader on our IDP work: Erik Bryld at Tana Copenhagen, e-mail: eb@tanacph.com

Understanding the political-economy around the 'gatekeeper' phenomenon in Mogadishu

To work in the IDP settlements in Mogadishu requires a thorough understanding of the political economy of the settlements; from access to land, security elements, and aid distribution and effects, to dispute resolution and countering violence. Tana has conducted an extensive number of research activities documenting the political economy. The tool used for these analyses is available on our website.³

To do a proper political economy analysis, however, is costly in terms of time and human resources, so, in the following we provide a rough overview of key actors and interests in and around the settlements, which needs to be taken into consideration as part of the design of aid delivery schemes.

While there is some variance in the context across Mogadishu, there are multiple similar traits across all the more long-term and permanent IDP settlements. The settlements are located on either public or private land, and while the formal land ownership in Mogadishu is unclear, at best there is local community recognition of

¹ Disclaimer: this 'How To Note' is only meant to be used in the Mogadishu context according based on the current political economy as outlined in annex A. Major changes to the political economy will require a similar change in approach.

² This research covers multiple contracts funded by: (a) the Cash Consortium 2012-2013, (b) DRC 2014, (c) DFID's IAAAP programme 2015-2018, and will include follow-up research with funding from the East African Research Facility funded by DFID 2017-2020.

³ To use the Tana developed political-economy tool, go to: <http://tanacopenhagen.com/political-economy-analysis/>

land ownership. Thus, the IDP settlements rest on land on the strength of an agreement between the ISM and the locally recognised landowner. A payment to the landlord is provided in some form or another either through direct cash payment or as part of the aid delivered (in most cases a combination of the two). The local community and militia similarly also benefit from this arrangement (*de facto* land ownership is sometimes linked to higher levels of the government or regional administration officials or politicians). With this arrangement the ISM is granted permission to establish the settlement and ensured security of tenure and protection against (non-sanctioned) violence.

On their part, the ISMs make land and services available to the IDPs for a regular fee, usually around 10% of the aid provided, (in cash or in kind) depending on the form in which the aid is received/provided (in some settlement this percentage is slightly higher). Nowadays, payment is made by the IDPs after the aid is delivered and the NGOs have left the premises (previously some of the payments were made directly by local NGOs at source).⁴ In addition to security, land allocation and the facilitation of aid, ISMs play a key role in the provision of non-aid related services such as facilitating funerals (collecting money and arranging logistics with authorities) and, not least, settling disputes.

The ISM is not the sole authority in the IDP settlements. Most of the settlements are organised in ways that mirror the organisational structures of traditional rural Somali villages. This means that the entities of power are: (a) the family, (b) the sub-clan leadership, (c) the Camp Management committee, which *de facto* operates as the council of elders, and (d) the ISM. Furthermore, external actors such as Imams and the local police are also part of the structure. IDPs will take a dispute to any of these levels of authority in a dispute resolution process depending on the gravity of the issue concerned (note that more serious disputes which concern 'blood money', which fall under the jurisdiction of clan elders is usually administered through the *xeer*).

The ISM is usually in, some way or another, a self-established entrepreneurial person from Mogadishu or a long-term IDP who has the connections and network enabling him/her to establish the settlement. The authority is, however, not permanent and the ISM needs to continue to show his/her abilities to facilitate services and ensure security to retain their legitimacy and hold their position as an ISM. The ISM is thus liable in different ways to the landlord, the camp management committees, and the IDPs themselves, meaning that there is a degree of reciprocity in the relationship. Nevertheless, the ISM remains the ultimate authority in the settlements and if he/she is dissatisfied with the lack of payments or misbehaviour of individual IDP families he/she can – with the backing of the camp committee – evict the person from the settlement. In some cases, ISMs have been found to misuse this authority and abuse the rights of IDPs.⁵

Despite the ISMs enjoying greater – informal – legitimacy among the IDPs, the District Commissioners (DCs) are the formal power holders in the individual districts in Mogadishu. In the past, they have played a key role in the gatekeeper system. However, with the frequent change of DCs and the eviction and movements of IDPs, they have become more detached from the IDP settlements. Nonetheless they

⁴ This is due to more attention being given to the problem of aid diversion, and gatekeepers getting an increasingly poor reputation for their role in this.

⁵ Again, due to the greater scrutiny on the practices of gatekeepers, and based on the development of self-regulatory mechanisms among the ISMs themselves, the degree of abuse has been reported to have reduced over the years.

remain the ultimate authority in the districts, and play a key role in coordinating security along with the Ministry of Security. The authority of the DCs, however, depends a great deal on clan affiliation, and in turn, the clan's standing with the Benadir Regional Administration (BRA).

Finally, the BRA or the Mayor's Office, has become increasingly engaged in the IDP settlement issue by establishing its own IDP settlement, offering basic government services, as well as in the development of relevant IDP related policies and guidelines – such as the Informal Settlement Monitoring Committees (ISMCs). However, these are in the early stages of development and testing. In short, the BRA is becoming increasingly interested in the IDP issue, in working to enhance accountability of ISMs and others engaged in the IDP settlements.

What this means for delivering aid and development assistance to IDPs in Mogadishu

In our research, we found that the two most important aspects to keep in mind when delivering aid to IDPs in Mogadishu are:

- 1) The 'Gatekeeper' system is effective throughout Mogadishu and, realistically, cannot be circumvented in the near future. So, we need to work within this context
- 2) There are multiple actors and structures at play in the IDP settlements, all operating in a structured way with clear divisions of labour; to be effective, any outsider must relate to them

In the following we will provide short recommendations of how to go about delivering aid or doing development assistance in this context.

Making the first contact

- 1) Prior to engaging in the individual settlements it is important to bring the BRA on board and explain your objective, approach and the geographical location of your intervention. This is not only a formal requirement, but it helps you reinforce the BRA's efforts towards enhancing ISMs upwards accountability
 - 2) Following the BRA introduction, it is key to involve the local level DC and again explain the planned intervention. This will also further enhance your security when operating in the given district. But equally important: by going through the DC you emphasise the need for formalised accountability to the ISMs. Invite the DC (or his/her deputy) to take you to the settlement and make initial introductions to the ISMs
 - 3) When meeting the ISM make sure that you recognise his/her role in the settlement and be fully transparent about the objective of your mission and the ways in which you want to implement your project. Clarify the role of the ISM so it is clear right from the beginning. This will also ensure that, if necessary, you receive inputs that could help you adapt your approach to better fit the context
 - 4) Ask the ISM to introduce you to the camp management committee and explain to them your intentions and approach, as well as their role
 - 5) Make sure that the ISM and camp committee know that you are aware of the ISMC setup and that you will also be using this as part of your monitoring
 - 6) Finally, agree with the ISM that you can have free access to the settlement as long as he/she is informed
- Do not: accuse or blame the ISM you engage with unless this can help motivate a real accountability change in the settlement, in which case, this should ideally be done with the DC's consent and participation, or better yet, such criticism should be delivered by the DC

- Do not: create parallel implementation structures in the settlement. Work with the structures that exist (or add to these in agreement with the ISM and the camp committee). As we found during our research, where parallel structures had been set up by external actors, they were not sustainable and the original structures in the settlement were eventually revived

Delivering the aid

- 1) Key to the successful delivery of aid or development in the IDP settlements is full transparency and accountability. As such aid should be delivered with the participation of the ISMs and the camp management committees
 - 2) If criteria are applied for the delivery of aid, these must be presented and discussed with the ISM and the camp committee to be effective. Remember that: (a) Somalia has a community-collective organisational structure and deliveries to individuals will not necessarily be respected, (b) Somalis do have a tradition of caring for those in need, and ensuring ISM and camp committee ownership of beneficiary selection processes enhances the chances of these being respected also after you have left the settlement
 - 3) Make sure that you announce your intentions and explain what type of aid is being delivered in front of the IDPs with the ISMs, thus enhancing transparency and the ISM accountability towards the IDPs
- Remember: Somalis at all levels would like to be involved in activities like these, even if there is no immediate personal financial gain

Monitoring and follow-up

- 1) Let the ISM and camp committee know that there will be monitoring of activities and ensure that they are involved in at least part of these, while at the same time, ensuring the integrity of the process
- 2) Use existing ISMC meetings as a monitoring and accountability mechanism. If there is no ISMC in your settlement yet, then ask the ISM to invite IDPs and the DC for open consultation sessions discussing progress and results in a transparent manner
- 3) Consider the use of additional monitoring approaches to triangulate findings. You may invite IDPs outside the settlements and interview them in a neutral setting as well as applying additional methodologies
- 4) Also consider setting up anonymous complaints mechanisms or similar arrangements

Protection concerns

IDPs are among the most vulnerable groups in Somalia, particularly IDPs that belong to minority clans such as Bantus, as well as female-headed households. Using the methods described in this note does not guarantee that all protection concerns are addressed, but it provides an entry point that we found helped to mitigate some of the excesses that can be found in the present context. Having said this, there are rogue ISMs in some settlements and there are settlements where the dynamics of internal power relations mean that select IDP segments or individuals are disfavoured or subject to abuse. However, the power relations in the settlement exist whether we operate there or not. We can motivate changes to these through transparent processes. At the same time, the protection concerns also underscore the importance of rigorous monitoring of activities and beneficiary situations and the need to have relevant risk and contingency plans in place for when protection concerns or violations emerge. Such monitoring will also reveal any changes in the power structures/dynamics within the settlements and enable organisations to mitigate any exploitative ones before they take root.

Durable solutions considerations and concerns

Most of the IDPs in Mogadishu have lived in the city for more than three years and many of them up to 20 years. The long-term IDPs express an interest in remaining in the capital. As they become integrated into the city, form networks, and start to establish livelihoods, their needs become more development oriented and should thus be addressed from a durable solution perspective.

Unfortunately, the delivery of short-term humanitarian aid is the primary *modus operandi* for support to IDPs in Mogadishu. The resources provided through traditional humanitarian assistance is *de facto* contributing to the 'gatekeeper system' and normatively sustaining the IDP 'brand' as opposed to addressing the issue more from a durable solutions perspective.⁶ This is important to keep in mind when the assistance is planned. Where possible, therefore, it would be beneficial to coordinate humanitarian activities with those of actors that are beginning to link relief more overtly to development. In this way, it might be possible to begin ensuring greater sustainability of humanitarian support.⁷

⁶ See also World Bank (2014): *Analysis of Displacement in Somalia*

⁷ Taking into consideration that there are elements of humanitarian support, such as livelihood provision, that, if supported through a durable solution lens, can start to translate to better resilience of IDPs in general.