

# COUNTERTERRORISM AND HUMANITARIAN AID: U.S. Patriot Act Kept Somalia Starving

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*When war-torn Somalia was also ravaged by a drought-induced famine last year, which killed tens of thousands and displaced over a million people, international media was quick to blame the Islamist Al-Shabaab for blocking humanitarian assistance from reaching its zone of control in southern Somalia.*

But according to Ken Menkhaus, professor of Political Science at Davidson College in North Carolina, the United States' counter-terrorism laws played an equally central role in obstructing assistance from reaching famine victims in desperate need of aid.

Speaking here in a seminar on Wednesday, organised by the Department of the Study of Religions at Helsinki University, Menkhaus said humanitarian organisations suspended food aid delivery to drought-struck areas controlled by Al-Shabaab for fear of violating the [USA Patriot Act](#).

Congress passed the Act in 2001 as part of its response to the Sep. 11 terrorist attack on the World Trade Centre and the Pentagon and under it, anyone who provides material benefits, even if unwittingly, to a designated terrorist group, could face the most severe penalties.

Given that Al-Shabaab – the Somali cell of the militant Islamist Al-Qaeda, fighting the Federal Transitional Government (FTG) in Somalia and controlling vast swathes of the south except the capital Mogadishu – is designated a terrorist organisation by the U.S., humanitarian groups were fearful that an accusation of 'aiding terrorists' could damage their entire organisation.

Thus many reached the conclusion that they were too vulnerable to operate in Al-Shabaab-controlled areas.

Though the group undoubtedly prevented assistance from reaching starving famine victims based on its claim that food aid was a Western conspiracy to drive Somali farmers out of business, Menkhaus, a specialist on the Horn of Africa, believes that was not the end of the sordid story.

"There are plenty of western countries, including my own government, who would like to see the conversation stop right there and say it was all Al-Shabaab's fault." However, the other bottleneck was U.S. policy, which "de facto criminalises any transactions in southern Somalia," he said.

Other countries have similar laws, but since the U.S. supplies the bulk of food aid to Somalia, it has the heaviest impact on the country.

In a twist of tragic irony, “suspension of food aid into southern Somalia was the only thing that the U.S. government and Al-Shabaab could agree on, to the detriment of (millions) of Somalis,” Menkhaus told IPS.

In reality, the U.S. could have issued a waiver, protecting relief agencies from counter-terrorism laws; similar waivers have been issued for relief agencies in southern Lebanon and the West Bank of the occupied Palestinian territories, where Hezbollah and Hamas operate respectively.

But in the case of Somalia, Menkhaus believes the U.S. administration did not want to give its Republican opponents any political leverage on the eve of upcoming presidential elections by appearing too “soft on terrorism”.

Instead, the U.S. government prepared a document that purportedly gave relief agencies protection from the law but which, upon close examination by legal experts, was found to contain no such protections, leaving those humanitarian agencies vulnerable to attack under the Patriot Act.

Recent forecasts indicate that Somalia could soon be facing another drought, which could produce yet another food crisis in the country this year. There is now an urgent need for preemptive decisions, by the U.S. government in particular, to avoid another humanitarian catastrophe, Menkhaus said.

### **Al-Shabab waning?**

A Somali national working with an aid agency on the ground in the south of the country, who did not want to be identified because of concern for his safety, told IPS that Al-Shabaab is gradually losing support as increasing numbers of Somalis are beginning to resent the group’s forcible recruitment policy and suicide bombings.

Formed in 2008 to resist the invasion of neighbouring Ethiopian forces, Al-Shabaab was once a popular movement, seen as a legitimate force to oust an invading army in the face of the FTG’s inaction. It had also brought law and order to several regions torn asunder by warring gangs of warlords.

However, Menkhaus said that the group has been seriously weakened by multiple military defeats at the hands of the 12,000 African Union peacekeepers in the country; and its tactic of deploying suicide bombers among the civilian population is alienating much of the group’s former support base.

Abdi-Rashid, who did not want his full identity revealed, accused Western governments of exacerbating what he described as the “politicisation of aid in Somalia”, whereby the humanitarian agenda is becomes secondary to the political agenda.

Huge importance has been heaped on the civil war and the “security situation”, much of it with good reason: by 2008 Somalia was the most dangerous place in the world for humanitarian aid workers.

“One-third of all humanitarian casualties occurred not in Afghanistan or in Iraq but in

Somalia,” Menkhaus said.

Still, this was no excuse to allow famine victims to perish en masse, he stressed.

“Long term development work should still go on in spite of the conflict” to secure people’s basic human rights to tangible things like “schools and drinking wells”, Abdi-Rashid told IPS.

If such long-term issues are ignored much longer, there will be serious consequences not only for Somalia but for the entire region.

“These famines – the ones we had last year and the one we may have in 2012 – are producing seismic changes (including) the loss of viable livelihoods in rural southern Somalia, sending waves of people across the borders into Kenya and Ethiopia,” added Abdi-Rashid.

The Kenyan refugee camp of Dadaab, with a population of 520,000, is now Kenya’s third largest city, and completely unsustainable.

Meanwhile, destitute nomads and farmers who can no longer find livelihoods in rural areas are drifting into urban centres. These people, who come with no technical skills into a barren employment landscape, are forming huge slums of several hundred thousand people in villages that previously housed only a few thousand residents.

“This is a time bomb for Somalia because not only Al-Shabaab but any armed group or criminal gang (will) find ready recruits in these sprawling urban slums,” Abdi-Rashid concluded.

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