To Stay and Deliver?
The Yemen Humanitarian Crisis 2015

Andrew Cunningham

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The reflections in this article are based on data from nearly 50 interviews with the UN, INGOs, donors, governmental authorities, and MSF, conducted for the MSF-OCBA commissioned report ‘Enablers and Obstacles to Aid Delivery in Yemen 2015’, forthcoming in mid-May 2016. These reflections are meant as a companion piece to that report. For a detailed description of the methodology of the interviews please see the methodological note in the annex.
Introduction

Within the humanitarian community the consensus has been that the provision of humanitarian aid in Yemen has been inadequate. In terms of the quantity, quality, and timeliness of aid provision, humanitarian aid actors, including the UN, INGOs, and donors, have failed in their responsibilities in the Yemen response. There have been many obstacles to aid provision during the Yemen crisis. The perception of security risks, the approach taken to respond to them, and the capacity to meet these dangers, have all been particularly important elements in the Yemen response.

Various approaches to meeting the challenges of providing humanitarian assistance in conflict zones are available, but it can be agreed that staying and delivering assistance is preferable to leaving a conflict zone and failing to live up to one’s responsibility as a humanitarian actor. The humanitarian system, in order to meet the primary objective of conflict-affected populations receiving needed assistance, must work together to create an enabling environment for the provision of humanitarian assistance. The humanitarian system, however, is not always successful in establishing this enabling environment. This article examines the negative case of aid provision in Yemen in 2015.²

It must be stressed that humanitarian access is more than a question about security management. Access is not only about logistics and standard operating procedures; the presence of security officers and security incident registers. More fundamentally, ensuring that people have access to aid is about mind-set and approach, as well as the resources which enable aid provision. Although also important, the discussion must not bog down on issues of administration and procedures—these will be discussed, but we want to get below the surface and uncover both structural failings and mind-set challenges.

² Every research project needs a cut-off date, and this research study aimed to limit its examination to the first stretch of the current Yemen conflict, that is, the 2015 period. Research for this study was finalised at the beginning of 2016. Where pertinent updates will be provided related to events after this date.
Yemen 2015

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The Context of the War and the Humanitarian Response

The Yemen conflict did not begin in 2015, but that year ushered in another phase in the on-going civil conflict. What set 2015 apart was the active military involvement of foreign powers in the Yemeni civil war. The conflict between the Houthis and President Hadi’s government had in late 2014 resulted in the Houthis taking control of the capital, Sana’a. By January 2015 the Houthis had seized the Presidential Palace in Sana’a and Hadi had resigned as president. Hadi later fled to Aden in February and reclaimed the presidency, declaring Aden to be the new, temporary, capital. March brought increased fighting around Aden as the Houthis attempted to take over the city. In order to rescue the Hadi government, a Saudi-led coalition of nine Arab countries began air strikes on 25 March.4

As a result of the intensive and unrelenting bombing campaign the UN and INGOs (except for the ICRC and MSF) evacuated from Yemen at the end of March 2015 and most agencies did not begin to return until June/July of the same year. As it had already become clear in January that the civil war was expanding in scope, contingency plans were put into place by most INGOs and the UN relating to evacuation. Most INGOs had in place plans to evacuate if and when the UN decided to leave the country. When the UN decided to evacuate after the beginning of the bombing campaign at the end of March almost all INGOs left the country with it. Amman, Jordan, became the de facto centre of coordination for the Yemen response.

It should be mentioned that at the time of evacuation most aid actors working in Yemen were implementing development-oriented programming. Therefore, a transition from development activities to emergency operations had to take place during the period before agencies began to return to the country. Development INGOs began to reorient their programming and staffing, and the UN began to institute a ‘surge’ of emergency capacity, especially once Yemen was declared an ‘L3’ emergency at the end of June. An L3 emergency is the highest level of humanitarian crisis and necessitates a UN system-wide priority intervention.

3 The Houthis are a Zaidi Shia group from the Sa’dah area of northern Yemen. The Houthis are a Shia sect as opposed to the predominately Sunni population of Yemen. It is commonly perceived in the Sunni Arab world that they are actively supported by Shia Iran.
4 Other members of the coalition included: Egypt, Morocco, Jordan, Sudan, Kuwait, the UAE, Qatar, and Bahrain.
The Security Environment: What is ‘safe’?

Each context presents a unique security environment and each organisation reacts to this environment in a different way. The Yemen context in 2015 posed a number of specific security challenges to humanitarian organisations related to both the civil conflict and the military intervention of the Saudi-led coalition. The effects of the coalition bombings were horrendous and traumatic, first and foremost for the population, but also for humanitarian agencies. Negotiations with the de facto authorities in Sana’a were also difficult and time-consuming. The presence of transnational terrorist organisations in Yemen, although now new, was as well a concern.

How a security environment is viewed is obviously to a large extent a perception issue. What is ‘safe’ and what is ‘dangerous’ differs depending on the organisation. It is not for this article to evaluate the severity of the security environment, but only to introduce the question about the differing perceptions of the security challenges and the different approaches organisations have taken in managing security and negotiating access. These differing approaches relate to divergent capacities and levels of resources between organisations as well as differences in mind-set concerning security risks. The question is not whether the context is safe or not, but whether organisations can mitigate risks and whether they are able to deal with residual risks, as there will always be risks remaining even when the best mitigation practices have been instituted. The remainder of this article will examine how the humanitarian community met these challenges in Yemen in 2015, focussing on issues of perception, capacity, and mindset.

The Humanitarian Response

The objective of this section is not to describe what was done, but rather how security-related activities and decision-making were structured and organised during the humanitarian community’s response to the Yemen crisis in 2015. This brief review will provide the backstory for the reflections on structural issues and the ‘stay and deliver’ approach in the next part.

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5 Due to limitations in accessing local NGOs in Yemen this article will only make reference to International NGOs (INGOs). This is not meant to downgrade the importance or input by local civil society actors but was solely a methodological constraint.
How decision-making in humanitarian operations is structured is important, especially for large bureaucratic organisations such as the UN. Where was the locus of security and humanitarian programming decision-making for the UN in Yemen in 2015? The UN Humanitarian Coordinator, the most senior UN official charged with oversight of the humanitarian operations in the country, was not also appointed the Designated Official—the UN official in charge of security coordination and decision-making. This role was retained by the UN Resident Coordinator, who had little to do with humanitarian operations.

As the Resident Coordinator did not want to, or could not, decide on security matters in-country, security management responsibility in effect was pushed-up to the UN Department for Safety and Security (UNDSS) in New York. What this intensive involvement of UNDSS meant was that humanitarian operations were guided by security people, rather than humanitarian programming objectives dictating what security management capacity and support was needed. This situation changed at the end of 2015 when a triple-hatted Humanitarian Coordinator/Resident Coordinator/Designated Official was appointed. The humanitarian community welcomed this move and experienced increased access as a result.

The performance of UNDSS in Yemen was severely criticised by many in the INGO community, as well as in the UN itself. Many in UNDSS are former military/police personnel who do not always understand the needs of humanitarian actors, and therefore they often put priority on the safety and security of UN personnel and materials and less emphasis on the implementation of humanitarian programming. From this perspective, security management is not about delivery of aid to vulnerable populations but about protecting the UN from harm. Security advisors from operational agencies were at times side-lined by UNDSS, as were INGO security advisors. Common INGO complaints were that UNDSS would only meet with them in Yemen (a problem when many INGOs were not yet present in-country), that there was little information sharing with INGOs, and that UNDSS didn’t always invite INGOs to security co-ordination meetings. Coordination between UNDSS and INGOs improved over time, but at the most critical periods coordination was poor.

The involvement of security officials in the management of humanitarian operations is not, in and of itself, a negative consideration, but depends on the approach taken. Surprisingly, a common perception in the aid community is that many in UNDSS do not support the ‘stay and deliver’ approach, which aims to facilitate humanitarian access in times of insecurity.
A seemingly internal UN issue would remain solely a UN concern were it not for how dependent INGOs have become on the UN security structure. Most INGOs did not have their own security management capacity, particularly in terms of logistics.

On the one hand, INGOs in Yemen were dependent on the UN security management system, but, paradoxically, on the other hand they did not feel confident that they were integrated enough concerning evacuation procedures. INGOs for the most part had evacuated because their contingency plans stated that they would if the UN decided that the security situation was too unsafe to remain. This was based on the fact that most INGOs did not have their own security management capacity, particularly in terms of logistics. When the UN began the process of returning that took care of one prerequisite—the return of the UN and its security and logistical capacity. Negotiating how INGOs were to relate to the UN and its capacities, however, was another question that had to be confronted. To attend to this issue the INGO headquarters needed assurances by the UN about what evacuation and medivac procedures and capacities could

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6 It should be stressed that UNDSS as an institution supports the ‘stay and deliver’ approach. This critique relates more to the preferred approach taken by individuals within the organisation.
be utilised by INGOs. This became the crux of the security question for many INGOs and became a major constraint to INGOs returning.

A long and convoluted story followed, with INGOs attempting to arrange evacuation and medivac capacity on their own as they perceived the UN to be uncooperative. From the INGO perspective the fact that they did not obtain anything in writing from UNHAS (the UN agency responsible for air services) guaranteeing that the UN would in fact provide medivac and security evacuation services was a major obstacle. The INGOs approached external companies to provide certain evacuation services but they would fly only if the UN would provide deconfliction services, that is, the UN would work with the Saudi-led coalition to ensure that any flights would not be harmed. It is interesting to note that the UN has a different version of the story, where the UN thought that it had provided INGOs with proper assurances but INGOs were simply unwilling to trust such assurances. It is not for this article to argue one side or the other, but only to observe the perverse effects on access resulting from such administrative obstacles and lack of constructive coordination.

In the meantime, before returning to Yemen, Amman became the back-up base for much of the humanitarian community. As of early 2016 it remained so for some organisations. Being based in Amman meant a lack of contextual knowledge by agency managers and a strong reliance on national staff to actually implement operations. The implication of this de-localisation was an inadequate perception of risks and a decreased sense of urgency relating to the needs on the ground.

Upon its return an agency has to confront the disappointment of the population who went without assistance during a particularly bad period.
The splitting into two functions—security and programming, is questionable, especially in the face of resistance on the part of authorities to the involvement of security personnel. Security personnel as separated from operations often generates suspicion particularly in a context where Western actors are already frowned upon. In addition, the danger is that security becomes a stand-alone function and process, de-linked from the task at hand, which is the provision of aid. At times putting too much attention on security management over programming actually makes access even more difficult to negotiate.

Finally, although the deconfliction process was often thought of as an enabler by those interviewed, the procedure for clearance became very cumbersome. It has, regardless of its potential benefits, proven to be an opaque and time consuming process which has changed repeatedly. INGOs have for the most part relied on the UN for deconfliction, but in early 2016 were being told that they could no longer use UN channels but had to deal with the process on their own. This situation should be linked to the lack of independent INGO networking capacity and dependence on the UN.

Summary of Issues

In summary, a number of important issues can be derived from the above short review of the main security-related points.

The locus of security decision-making was misplaced. Decision-making should be in the hands of operational managers rather than security personnel. Security management should also be as decentralised as possible and in the hands of those closest to the field realities. The goal should be the provision of aid, rather than security being a parallel activity which guided and constrained operations.

INGOs have been too dependent on UN security, logistical, and networking capacity and have had insufficient capacity to manage many aspects of their own security and negotiations. Examples include a lack of capacity for evacuations and medevacs, as well as a lack of direct deconfliction engagement with the Saudi-led coalition. There was a lack of trust by INGOs in the UN system when it came to evacuations and medevacs. Independent deconfliction capacity or even direct networking with Saudi officials was seemingly never considered an option by most INGOs.
The Yemen example points to a lack of the ability of agencies to stay and deliver in practice.

The almost total evacuation of humanitarian actors was unfortunate and the return much too slow, especially for INGOs. Besides the increasing risk aversion in the humanitarian sector, the Yemen example points to a lack of the ability of agencies to stay and deliver in practice. There are a number of prerequisites for access which were not present, not attended to, or ignored. The next section will discuss the structural issues these problems point out.

Lastly, the development to emergency transition was also problematic. This is a recurrent problem in crises that affects all organisations to varying degrees, and one that is exacerbated if there is a near-total evacuation. This also affected how organisations were, or were not, able to stay and deliver. This is not to say that development work is not valuable, but in an emergency context a different perspective and mindset is needed. A consequent reliance on national staff often presented difficult ethical dilemmas, some of which will be explored below.
Reflections on Structural Issues

Security management should be about ‘how to stay’ rather than ‘when to leave’

Negotiated access is a key to security management. In practice this means being proximate to both those who need assistance and those who control access to those populations

The Stay and Deliver Approach

As foreshadowed above, security management should be about ‘how to stay’ rather than ‘when to leave’. The ‘stay and deliver’ approach was outlined in a OCHA commissioned report from 2011.7 This has become, at least in principle, the preferred approach by humanitarian organisations to manage security risks in a conflict setting.

The key concept in the stay and deliver approach concerns creating an enabling environment. The focus should be on programming objectives—ensuring that aid is provided should be the primary objective. The approach is less about attending to a specific risk management process and more about a mind-set which looks at security management from the perspective of the populations in need of aid. Programme criticality should also play a role, which is the idea that activities addressing the most critical needs or activities requiring immediate delivery—activities which potentially carry more risk, are given more mitigation attention and management resources.

How to achieve this safe space in which aid can be delivered and received? Negotiated access is a key to security management. In practice this means being proximate to both those who need assistance and those who control access to those populations. The goal of negotiated access is for the populations to access aid. There are parameters to this assistance—aid must be actually received by those who need it most and based on their needs rather than the political, military, or economic needs of those in power or the donors. Referencing and applying humanitarian principles (humanity, independence, impartiality, and neutrality) is especially useful for ensuring that the parameters of aid delivery are negotiated properly.

Negotiation, then, entails not only knowing the needs of the population and trying to deliver assistance, but to know those in power and to negotiate with them to provide assistance. Dialogue with all parties needs to be sustained, and the acceptance of aid and aid providers built over time. This approach is a process rather than an event and involves communications and engagement with all actors. Acceptance by all parties of the aid act is important, including by the populations concerned, but it must be stressed that ‘the

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Acceptance by all parties of the aid act is important, but the fundamental prerequisite to acceptance is competence in humanitarian delivery and the capacity to demonstrate tangible results for beneficiaries.

The logic of giving priority to the protection of staff and assets seems to have prevailed and the scales tilted towards risk aversion.

To Stay and Deliver in Yemen

Despite institutional commitments to the stay and deliver approach, in the Yemen example, the humanitarian community and UNDSS failed to operationalise it. In this instance, the logic of giving priority to the protection of staff and assets seems to have prevailed and the scales tilted towards risk aversion.

This is not to say that the security environment in Yemen in 2015 was not dangerous or concerning and that robust security measures were not justified. It has been, and remains, a risky and difficult environment for aid actors. But given the criticality of needs, the onus should have been on finding ways to mitigate risks instead of avoiding them.

The risk aversion observed in Yemen is part of a global trend that responds to a number of reasons. There are only a limited number of experienced staff available at any given time, and learning the ropes of working in conflict zones takes many years. Risk aversion also derives, quite honestly, from fear—organisationally and individually. Distance also plays a role, especially in remote management operations when security managers are located far away from the field. For Yemen, one consequence of this distance has been to treat Yemen as a monolithic context, whereas not all parts of Yemen have faced the same security constraints. And finally, concerns about liability issues, including legal and financial consequences of lawsuits, play an important role.

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8 ‘To Stay and Deliver’, p. 19.
9 For example, the successful lawsuit by Steve Dennis against NRC for negligence surrounding his kidnapping from the Dadaab refugee camp in Kenya in 2012. A Norwegian court found NRC liable for physical and psychological injuries and awarded nearly $500,000 compensation for gross negligence. This case was specifically mentioned by some INGO interviewees. See: http://www.theguardian.com/global-development-professionals-network/2015/dec/05/steve-dennis-court-case-waves-aid-industry and http://odihpn.org/blog/dennis-vs-norwegian-refugee-council-implications-for-duty-of-care/
Networking takes not only time and commitment, it takes resources and determination.

The other end of the continuum to risk aversion is recklessness, which obviously should also be avoided. Risk management is meant to help aid actors find the middle ground between risk aversion and recklessness—a middle ground where humanitarians stay as safe as possible but aid continues to be delivered. The approaches of negotiating access, dialogue, and acceptance are important in establishing this middle way. These approaches require relationships built on trust and which take into account the specific types of needs present, delivery modalities available, and the mandate of the organisation.

There is certainly greater leverage gained when agencies present a united front by coordinating negotiations, but there remains a need for direct communication between INGOs and the relevant authorities, at local, national, regional, and international levels. Relationships of trust must be built from the ground up and based on direct engagement. In the Yemen context this meant direct engagement at all levels from Riyadh to Aden or Sana’a and down to the field sites. There are practical problems, of course, with this approach. Networking takes not only time and commitment, it takes resources and determination.

If negotiated access is delegated to the UN, such as for the deconfliction process in Riyadh, the voice and concerns of individual agencies can be lost. Deconfliction should not be seen as a substitute for negotiated access and dialogue. If INGOs are not directly engaged with all relevant interlocutors they are missing the opportunity to weigh risk for themselves. As well, it is often important to differentiate UN and INGOs in the eyes of local power actors. In the Yemen situation the UN was not well liked by the Saudis, so being represented by the UN was a huge disfavour for INGOs, not to mention that the Saudis saw the UN as a political actor and therefore being associated with the UN negatively affected how INGOs were perceived.

Context knowledge is also often lacking, particularly when agency staff have been de-localised to back-up bases such as Amman. Complaints about poor context analysis skills in aid agencies have been common over the years. But isn’t it the behaviour and culture of actors that matters most? If aid workers, whether in-country or outside, are often distanced from the populations so that it is ‘difficult for them to appreciate or understand the people or societies that they are engaged with’. Being in based in Amman did not help,


‘Paradoxes of Presence’, p. iii.
or, when returning, being bunkerised in Sana’a or Aden. It is an interesting question whether development actors in fact had better contextual knowledge. If this was the case this knowledge and related networks did not transfer to emergency operations.

One option to confront some of these constraints taken by many organisations has been to rely on various forms of remote management, including the use of national staff for context support and managing operations. ‘Duty of care’ responsibilities have played a role in decision-making, but a balance between national staff and expatriates has often been skewed. The Yemen example calls into question if this balance was right, and whether, in order to protect expatriates, national staff have been put under undue risk. The need for objectivity in decision-making is particularly acute in conflict settings, and this may be hard to provide by people culturally embedded in a context and personally affected by an active war.

Globally there has been work done on increasing the cooperation between the UN and INGOs concerning security management.12 Such inter-agency cooperation is indeed valuable, but not if it means co-dependency, and not if it means INGOs are being subsumed into an increasingly dysfunctional UN system. Dependence on the UN for logistics is a major issue, as this locks INGOs into decisions made, or not made, by the UN. Development and political goals have also become too integrated into UN operations, clearly affecting the independence, capacity, and mindset of INGOs.

The relationship between donors and operational agencies in terms of security management is also a developing issue. Funding, however, is not as much a question of total amounts as structural issues which affect how funding is used and from whence it came. Increased funding is only productive if there is adequate absorption capacity, which relates both to structural capacity to deliver as well as the willingness to face and overcome challenges.

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12 See, for example: ISAC, ‘Saving Lives Together: A Framework for Improving Security Arrangements Among IGOs, NGOs and the UN in the Field’, August 2011.
The decision to accept KSA funding was contested by some within the UN and significantly affected the institutions’ perception and acceptance.

Those organisations that stayed carried the collective frustration of the people for what ‘the system’ was not delivering.

The UN received a massive influx of funding from the Kingdom of Saudi Arabia (KSA), a party to the conflict, early in the crisis. The decision to accept KSA funding was contested by some within the UN\textsuperscript{13} and, as could be expected, it significantly affected the institutions’ perception and acceptance. There was a lot of public communications by the UN about the $800 million that the UN received from the KSA, yet assistance did not ensue and money was coming from the same actor that was dropping bombs. Progressively anger and frustration of the population grew. People were constantly complaining that ‘the UN is doing nothing’ and wondering where the money had gone. Those organisations that stayed carried the collective frustration of the people for what ‘the system’ was not delivering. This frustration itself is a risk element and it is a risk that is carried by those who are on the ground and in direct contact with populations.

\textsuperscript{13} This issue is explored in more detail in the forthcoming report ‘Enablers and Obstacles to Aid in Yemen 2015’.
What is to be Done?

Independent funding and mindset are the underlying prerequisites to the safe delivery of aid.

Without logistical capacity having a ‘can-do’ mindset is worthless.

Much of the criticism points to a lack of proactive humanitarian leadership. Leadership is more about mindset than procedures. In this case it relates to the process of negotiating access, having a ‘can do’ attitude, and retaining political independence. It also involves not being risk averse, and of course not taking the other extreme and being reckless. Duty of care is important—to all staff, but must be balanced by a commitment to delivering the most critical aid.

In the end, without good negotiation skills, a proper network, an efficient decision-making structure, a constructive mindset, a real capacity to deliver and independent funding, security challenges will be difficult to manage, acceptance lost, and security will become a bigger constraint than it should be. Much of this would be improved by better access to resources so that agencies can make structural investments and work independently so as to retain their capacity to work in the most dangerous zones. Proper independent logistical and security infrastructure which allows agencies to get things done when needed should not be considered a luxury. Independent funding and mindset are then the underlying prerequisites to the safe delivery of aid.

A cautionary note should be introduced, however, about the inter-connected and circular nature of the problems and the solutions. Process and structure is important. Risk management tools and guidance are important for decision-making. But none of this should suggest that new mechanisms, tools, procedures, working groups, etc., should be created. For INGOs first and foremost the issue concerns a change in mindset. But mindset is really only a starting point. There are structural issues which need to change as reviewed above. One revolves around the resource issue—without logistical capacity having a ‘can-do’ mindset is worthless. Having a willingness to take risks doesn’t help with transporting materials when there is no ship, and a willingness to take risks needs to be matched by a capacity to rent a plane if there is a need to evacuate quickly. Networking also takes resources as well as willingness—wanting to network in Riyadh doesn’t put someone in place to do so. Fixing these problems will take better leadership on the part of all aid actors, internally and externally. The populations needing assistance are the ones suffering in the end from this lack of leadership.

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14 See: ‘To Stay and Deliver’, p. 34, for a discussion of humanitarian leadership.


ISAC, ‘Saving Lives Together: A Framework for Improving Security Arrangements Among IGOs, NGOs and the UN in the Field’, August 2011.
These research findings are based on interviews and the review of a large quantity of reports from various agencies and institutions. As a Yemen trip was discounted for security reasons interviews were done by Skype/phone. A trip was also made to Jordan to interview people still based there. Non-MSF calls were also made to people in New York, Geneva, Riyadh, Rome, and Paris. As well, London visits were made.

What is missing in the research is the KSA/coalition, local NGOs, and regional actors. Focus was on the traditional aid actors, but these other actors remain relevant, if not as approachable.

A summary of interviews follows:

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