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CASE STUDY

Enablers and Obstacles to Aid Delivery: Yemen Crisis 2015

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Executive Summary

Strengthening independent and direct negotiations based on principles, at the regional level as well on the ground, is essential for humanitarian organisations to gain access to populations in danger and to be effective in aid provision

The humanitarian community has failed to adequately respond to the humanitarian crisis in Yemen. The goal of this report is to uncover how humanitarian organisations responded to the Yemen crisis in 2015 by examining the obstacles and enablers to aid delivery. Through dozens of interviews conducted from late 2015 to early 2016 with staff from a wide variety of actors—the UN, INGOs, donors, governments, and think tanks, a composite picture has been painted concerning the actions, structure, and mindset of the humanitarian response in Yemen in 2015.

Four themes have been explored in detail: Humanitarian leadership; political issues and negotiated access; security management; and resources. The obstacles to aid provision related to each have been elaborated upon, followed by actual and potential enablers. The objective has not been to criticise and blame, rather to assist the humanitarian community with understanding what went wrong, what went well, and, most importantly, how humanitarian programming can be implemented better in the future. The vulnerable populations living in the midst of conflict deserve us to do a better job.

Strengthening independent and direct negotiations based on principles, at the regional level as well on the ground, is essential for humanitarian organisations to gain access to populations in danger and to be effective in aid provision. This report's findings present inadequacies in leadership structure, mindset, and security management, which collectively have precluded the ability of many organisations to achieve principled negotiated access with all parties to the conflict as well as with conflict-affected communities.

Briefly, obstacles to aid provision in Yemen in 2015 included the following. All aid actors, from the UN to INGOs to donors, have failed to provide sufficient leadership in ensuring the provision of humanitarian assistance in Yemen. Leadership structures help define the space within which humanitarian actors work and facilitate decision-making and knowledge building. In the Yemen response this space for action has been highly constrained. Humanitarian leadership structures in turn are defined by, and must work within, a larger political environment. In the Yemen case the political environment inhibited, rather than facilitated, humanitarian aid provision. Leadership challenges can also affect how security is managed, and improperly managed security mechanisms have limited access in the Yemen response.

What have the enablers been? A number are described, including different aspects of local capacity; deconfliction activities; longer-term presence; humanitarian principles; and solid logistical capacity

Most importantly, committing to working even in insecure environments, and carrying through with promises made, are crucial to establishing and maintaining access to vulnerable populations

Independent control of resources and logistics can greatly assist in reaching populations in need of assistance and to effectively provide them with aid in a principled manner. A number of major limitations to the allocation of adequate resources have been observed in the Yemen response. As well as human resources, funding, visas, and logistics, information is also a resource, as its lack negatively impacts coordination, funding allocation, programme implementation, and accountability. Each of these resources has been lacking in the Yemen context, collectively decreasing the fuel on which humanitarian operations run. Resources are not the sum total of humanitarian aid, but they underpin aid provision in a fundamental way.

The above obstacles notwithstanding, humanitarian aid has been provided. What have the enablers been? A number are described, including different aspects of local capacity, such as aid provided by Yemeni civil society actors and the availability of commercial logistical capacity, such as local markets and transporters. The commitment and dedication of the national staff of international agencies has widely been considered an enabler. On a wider scale, deconfliction activities—where humanitarian agencies work with military authorities to ensure humanitarian activities are not targeted, and the L3 declaration by the UN, which committed the humanitarian community to prioritise the Yemen crisis, have both been mentioned as enablers. Concerning actual aid provision on the ground, coordination mechanisms, a longer-term presence, and humanitarian principles are thought to be valuable in supporting the implementation of aid programming. And finally, solid logistical capacity to facilitate the delivery of goods, materials, and staff, is a practical enabler for those organisations with the resources to create this capacity.

These have been the practical enablers, however there are other potential enablers which have not been properly utilised. These enablers include: Intensive and proactive networking and context analysis; being on the ground with operations; and doing what is promised. It is important to understand both the context of where one is working and the perspectives of those with whom one is interacting, as negotiated access and security are derived from this approach. And most importantly, committing to working even in insecure environments, and carrying through with promises made, are crucial to establishing and maintaining access to vulnerable populations.

The system did not work for Yemen. The identified, and often recurring, weaknesses need to be addressed so that the next crisis can be handled better

These enablers are not a magic wand which can solve all the problems faced by agencies attempting to implement humanitarian assistance programmes in conflict zones. These enablers, however, will go a long way in helping agencies meet these challenges. The system did not work for Yemen. The identified, and often recurring, weaknesses need to be addressed so that the next crisis can be handled better and those affected by conflict will not have to suffer needlessly because of a dysfunctional humanitarian system.

Introduction

Within the aid community there is a consensus that the traditional aid system has failed to provide adequate—in quality, quantity, and timeliness, humanitarian assistance to the conflict-affected population of Yemen. This is not to say, however, that the aid system has completely failed

The goal of this research project has been to examine the performance of the traditional aid system during the current Yemen crisis.¹ Nearly 50 interviews were conducted with the UN, INGOs, donors, government authorities, as well as with MSF. Every research project needs a cut-off date, and this research study has limited its examination to the 2015 period. The objective has not been to document the entire aid response until the present time, but to elaborate on the enablers and obstacles to aid provision experienced in the beginning period of the current humanitarian crisis. It is hoped that this knowledge will assist in improving future aid responses in conflict zones.

The 'traditional aid system' should be understood to include the United Nations, the Red Cross Movement, International NGOs and their partners, and the institutional donors who fund such organisations and agencies. There is obviously a Western bias in this categorisation. Disaster and conflict-affected states, as well as non-state armed actors, should be included in the set of 'aid actors' as their attitudes and actions also, negatively or positively, impact on the aid environment. Access to these actors is, though, often difficult for reasons of security. Although this research has been focussed on the traditional aid system, the importance of 'non-traditional' aid actors—such as regional states, diaspora groups, and NGOs from the Islamic world, should not be underestimated. This research has not directly addressed these other aid actors, as it was not feasible to reach them, rather than because they were not important. Future research should include such actors whenever possible.

Within the aid community there is a consensus that the traditional aid system has failed to provide adequate—in quality, quantity, and timeliness, humanitarian assistance to the conflict-affected population of Yemen. This is not to say, however, that the aid system has completely failed—humanitarian assistance has been provided. This research therefore also aimed to examine the enablers of aid provision. The impression by many within MSF has been that MSF and ICRC have been the only actors providing assistance. But there have been other actors providing assistance, such as NFI distributions, food distributions, WASH programmes, and protection activities. It is legitimate to challenge whether these activities are implemented by

¹ The results of this research project are presented in two documents: The current report, and the article 'To Stay and Deliver? The Yemen Humanitarian Crisis 2015', also published by MSF-OCBA in April 2016; see: emergencygap.msf.es

'humanitarian' organisations, whether they should be labelled as 'humanitarian' programmes, or whether sufficient aid has been provided in quantity and quality, but this is not to say that aid has not been distributed.

The obstacles will be presented in four categories: Humanitarian leadership; political issues and negotiated access; security;² and resources. A discussion of enablers follows. The report ends with some concluding reflections. First, though, we will briefly present the Yemen context faced by aid actors in 2015.³

² As mentioned the companion piece to this report 'To Stay and Deliver? The Yemen Humanitarian Crisis 2015' explores the security question in further detail. The present report will only summarise the findings.

³ This report of the research findings will not elaborate on the Yemen context and conflict, for that many publically available briefing notes are available for review from operational agencies, think tanks, and governments.

The Yemen Context 2015

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

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 Houthis⁴ 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.⁵

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 envisioned evacuating 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. In this period the UN began to institute a 'surge' of emergency capacity 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.

⁴ 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.

⁵ Other members of the coalition included: Egypt, Morocco, Jordan, Sudan, Kuwait, the UAE, Qatar, and Bahrain.

Humanitarian Leadership

All aid actors, from the UN to INGOs to donors, have failed to provide sufficient leadership in ensuring the provision of humanitarian assistance in Yemen

The intensive involvement of UNDSS resulted in humanitarian operations being guided by security people, rather than humanitarian programming objectives dictating what security management was needed

All aid actors, from the UN to INGOs to donors, have failed to provide sufficient leadership in ensuring the provision of humanitarian assistance in Yemen. Each of these actors will be discussed below. The role of Western governments and the Kingdom of Saudi Arabia (KSA) will be addressed in the section 'Political Issues and Negotiated Access'.

The UN has suffered major leadership difficulties which have negatively affected the humanitarian community's response. For example, 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—the most senior UN official, 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 in effect was pushed-up to the UN Department for Safety and Security (UNDSS) in New York. This intensive involvement of UNDSS resulted in humanitarian operations being guided by security people, rather than humanitarian programming objectives dictating what security management capacity and support was needed. The security related aspects of this issue will be described in more detail in the section 'Security'.

The Humanitarian Coordinator was also 'double-hatted' as he was concurrently the Representative of UNHCR in Yemen. This double-hatting—of HC and head of an operational agency—understandably proved too much for one person. Prioritisation of duties was an issue, as the responsibility of being the HC for all aid actors and also being responsible for the programming of one particular agency was a difficult balancing act. It is also questionable how involved the Resident Coordinator was at the time on the humanitarian front. This caused additional obstacles to the UN providing firm emergency leadership.

From December 2015 a 'triple-hatted' RC/HC/DO was appointed which put authority and security management responsibility in one position. If that position is held by a committed and proactive humanitarian then leadership will be provided to the humanitarian community. The new RC/HC/DO has facilitated progress in aligning operational needs and security management protocols and has helped to improve the UN and INGO relationship, related both to resource sharing and security coordination.

The dysfunctional set-up of the UN has had knock-on effects not only on UN operational agencies but on INGOs given their dependency on the UN

Dependency may be a side-effect of a system that has encouraged system-wide coherence, or be due to limitations in donor funding

A number of regional UN positions have also been in existence, such as a Regional HC and a high-level UN representative (Assistant SRSG level) posted to Riyadh. The common view is that these positions were not very helpful and only added confusion to the leadership structure. Again, a consolidated RC/HC/DO based in Sana'a is a more rational set-up than the previous convoluted structure which did not put the centre of gravity squarely in Yemen itself.

In general there has been poor internal coordination within the UN. Agencies have not always been on the same page on a number of tactical and strategic issues, such as aid delivery mechanisms, procedures to negotiate access, and the parameters of the relationship with the KSA. This dysfunctional set-up of the UN has had knock-on effects not only on UN operational agencies but on INGOs given their dependency on the UN. The fact that it took the UN so long to rationalise its leadership structure has had perverse effects on the rest of the aid system.

International NGOs have also faced leadership challenges. Cooperation between INGOs has been poor, and where it has been needed, such as in organising independent INGO sponsored flights and evacuation capacity, it has not happened. For example, in August 2015 the INGOs had a meeting with donors about obtaining funding for stand-alone INGO air service capacity, but donor funding was not forthcoming. The donors already funded UNHAS—the UN's air service agency, and the INGOs were told that they needed to speak with the UN about flights, medevacs, and evacuation capacity. Without receiving necessary funding INGOs could not progress in their plans and the UN remained in control of the air service, medevacs, and evacuations.

The question of why this dependency on the UN by INGOs in Yemen has developed is not well understood. One explanation is that it is a side-effect of a system that has encouraged system-wide coherence, a system where a common architecture has been put into place, e.g., the cluster system, which institutionalises a certain level of co-dependency between aid actors. Another explanation revolves around limitations inherent in donor funding mechanisms which do not always provide INGOs the capacity and flexibility to make independent decisions.

Related to these explanations is a common reflection on the perversity of the UN and donors criticising INGO incapacity when they created the system and designed it to work in the way that it does. Enforced coherence, focus on co-ordination, pooling of funding, etc., has the consequence of fostering dependency. And is there not a bias towards the UN by donors? Regardless of the role of the UN and donors in fostering this dependency, certainly there must also be weaknesses in the INGOs themselves.

A further explanation for the inability of INGOs to quickly respond at the beginning of the crisis relates to the development—emergency transition, which as is so often the case was a major challenge. This has been a difficult transition for many multi-mandate organisations (those agencies striving to implement both development and humanitarian programming) which had been working in Yemen before the current conflict started. The transition in staffing and approach took well over four months. This was, of course, a significant period and the lack of capable and experienced humanitarian staff on the ground was a great loss for the humanitarian intervention.

During the period of evacuation agencies were also removed from the crisis, creating as well a lack of urgency. INGO and UN managers were swept into a constant round of meetings. Coordination became the project

Development actors had good local links and knowledge but these were often lost in the transition to an emergency approach. National staff, of course, are not exempt from this phenomenon. Just because someone is Yemeni does not mean that they can easily make such a transition. Longer-term staff of all types left or were themselves displaced and often networking was undervalued in the emergency response, especially by emergency workers who had short-term perspectives. This led to a lack of contextual knowledge and poor networking on the part of many INGOs. During the period of evacuation when Amman became the primary back-up base agencies were also removed from the crisis, creating as well a lack of urgency. INGO and UN managers were swept into a constant round of meetings. Coordination became the project.

It must be asked, whether agencies with better access and networking, such as MSF and the ICRC, should not support the humanitarian community more fully in finding ways to work more independently of the UN

For the ICRC and MSF having good contacts and a solid analysis have been key to unlocking access. This necessitates a proactive approach, an approach dependent on adequate resourcing as well as mindset. Many INGOs, however, either lacked the resources to build their own networks or simply waited for the UN to help them with negotiating access and context analysis, or even to implement these activities on behalf of the broader humanitarian community. This was particularly the case concerning engagement with the KSA. It must be asked, however, whether agencies with better access and networking, such as MSF and the ICRC, should not support the humanitarian community more fully in finding ways to work more independently of the UN.

Independent humanitarian leadership would be facilitated by independent funding. MSF, is less constrained in its decision-making because of the lack of donor strictures

International NGOs, therefore, have also shown a lack of leadership in ensuring a timely and robust response to the Yemen humanitarian crisis. An independent response by INGOs provides a crucially important component to a humanitarian intervention and demands a strong INGO sector dedicated to humanitarian programming.

Donors have also failed to provide proper leadership. Donor representatives have not been based in the field and have to a certain extent remained blinded to the actual—most critical—needs and response capacity. Donors obviously need to know what is going on, on the ground, and in the absence of this information they have been quite challenging about what INGOs are doing, or are not doing. This challenging attitude, however, can be perceived as micro-management by aid actors. Leadership in ensuring the proper allocation of funding is not facilitated by this remote management of the funding process. In fact, independent humanitarian leadership would be facilitated by independent funding. MSF, for example, is less constrained in its decision-making because of the lack of donor strictures.

Leadership structures to a large extent define the space within which humanitarian actors work. Where leadership and local knowledge is needed there must be a structure in place to facilitate correct decision-making and knowledge building. Without this facilitative structure dependency, lack of capacity, and an ineffective mindset may result. It must be stressed, however, that this structure is often defined by, and must work within, a larger political environment. This political environment will be discussed in the next section.

Political Issues and Negotiated Access

'Humanitarian language' has not been shared and it has been difficult to develop a mutual understanding of what the parameters of humanitarian action should be, in theory and practice

Many political sensitivities and dynamics related to the involvement of the Kingdom of Saudi Arabia have evolved in the Yemen crisis. The KSA is not used to dealing with humanitarian agencies, and humanitarian agencies are not used to dealing with the KSA. Communication has therefore been difficult from the start. To a large extent 'humanitarian language' has not been shared, and without this common language it has been difficult to develop a mutual understanding of what the parameters of humanitarian action should be, in theory and practice. Governments which are parties to a conflict have certain responsibilities concerning the facilitation of humanitarian assistance which must be both understood and operationalised.

To the UN the relationship with the KSA has been a political question, as it is with most countries. To the UN and the KSA the relationship is between a member state and an inter-governmental organisation. There has been little understanding on the part of the KSA of the humanitarian perspective of operational UN agencies. This has included security concerns, as when the KSA was apparently surprised at the UN evacuation.

To Western European countries and the US the dominant geo-political agenda point has been to keep the KSA 'on side'. The KSA is needed as a stable and reliable regional actor, a reliable oil producer, and as a counter-weight against Iran. A lack of strong and consistent Western pressure has given the KSA a free hand in how it has prosecuted the war. It can also be asked if the KSA has not sometimes been approached with a double-standard as opposed to that of Western governments' involvement in such conflicts.

The issue of the UN taking Saudi funding for its operations has also been a point of tension within the UN. The Saudis came to the UN's rescue in filling the funding gap, but at what cost? Some within the UN think that it has not been a major concern, as there has not been serious manipulation by the KSA and having sufficient resources is the primary objective. In addition, Yemen is not a unique situation, as the UN has received funding from belligerents in Iraq and Afghanistan. Others, however, believe that there has been unacceptable manipulation, but still, having the money is worth it. And finally, some think that Saudi money should never have been taken in the first place. The last view is most certainly the minority view within the UN.

The issue of the UN taking Saudi funding for its operations has also been a point of tension within the UN

The strong role of the KSA and regional actors has therefore necessitated a type and extent of engagement between these states and humanitarian actors which is unprecedented. This engagement, though, has been far from collegial, as scheduling meetings with governmental authorities has been difficult. This external environment has constrained agencies of all types, making networking and context analysis even more important. Humanitarian principles should play an important role in such an environment in order to explain and communicate the parameters within which humanitarian assistance must work. Negotiating access through humanitarian principles, however, demands a mutual understanding of their value and a willingness to engage.

The UN and donors of course also work within their own political environments. There are internal political and managerial constraints to how the UN functions, as well as external political pressures given that the UN is an inter-governmental organisation. Donors also, to a greater or lesser extent, represent the policies of their own governments. Given the politically sensitive nature of the Middle-East the views of Western governments are strongly felt.

INGOs have become trapped between local and regional political and military actors, the UN, and the donors

International NGOs must fit into all of these systems. This is a difficult balancing act, and as we have seen INGOs have become trapped between local and regional political and military actors, the UN, and the donors. The lack of direct access by INGOs to the authorities in Riyadh has only made this balance more difficult to manage. After many years of internal debate and discussion MSF took a decision to increase the organisation's representative capacity in the Middle-East by establishing a regional advocacy and representation office. The ICRC has for many years also implemented a similar commitment to regional representation. These initiatives have been credited with increasing the capacity of the organisations to negotiate access at all levels.

The leadership structure and the external environment as thus far described affect the ways in which humanitarian actors negotiate access at higher levels, but a number of constraints have also been in place which have limited the ability of aid actors to properly negotiate access on the ground. Some of these are external in nature and relate to the political and military environment as described above, and some are internal limitations within organisations. The 'Enabler' section will highlight some of the ways negotiated access can be dealt with in a more constructive manner.

As is the case in most conflicts, perceptions surrounding neutrality and impartiality have been problematic for aid actors

As is the case in most conflicts, perceptions surrounding neutrality and impartiality have been problematic for aid actors. On the part of the Saudi-led coalition and the formally recognised Yemen government there has been a perception that aid agencies are not neutral because so many agencies work only in the Houthi-controlled areas. As the coalition forces operate the deconfliction process this has made negotiating access to the country difficult at times. This perception also applies to protection and advocacy actors, a case in point being the threatened expulsion of the UN Human Rights representative.

But on the ground there is also distrust on the part of the Houthis, who ask agencies: 'Why are you only here now? Where were you before the current conflict? And are you actually doing anything productive now?' The de facto authorities have proven difficult to engage with and have questioned the motivation and seriousness of humanitarian agencies. They see a disconnect between what organisations say they are doing and what is actually being done on the ground. There is a critical level of distrust, paranoia, and a 'we do not trust you, you have worked with the Hadi government' attitude. It is a common view that this partly explains delays in visa issuance. As with the KSA, there is a lack of understanding of humanitarian principles on the part of the Houthi authorities, especially concerning neutrality.

On the part of the general population there is a high expectation of the role of humanitarian aid. A common view amongst those interviewed is that the population has expected too much from humanitarian aid, that people have thought aid agencies could solve more problems than they could, and that the difference between humanitarian aid and political interventions was not well understood. Thus the population can become disappointed quickly. These perceptions are not incorrect, as humanitarian aid will not solve political problems and humanitarian agencies cannot do everything. This pressure is felt by all types of agencies. For these reasons operational UN agencies have tried to keep a distance from the UN-led peace process.

The Security Question

The performance of UNDSS in Yemen was severely criticised by many in the INGO community, as well as in the UN itself

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

How decision-making in humanitarian operations is structured is important, especially for large bureaucratic organisations such as the UN. The locus of security and humanitarian programming decision-making for the UN in Yemen in 2015 was touched upon above, the net result of which was a heightened involvement of UNDSS. However, 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 personnel and materials and less priority or concern on humanitarian access issues. In this perspective security management is less about delivery of aid to vulnerable populations and more about protecting the UN from harm. Security advisors from UN operational agencies were at times side-lined by UNDSS, as were those from INGOs. Common INGO complaints were that UNDSS would only meet with them in Yemen (a problem when INGOs had not yet returned to the country), that there was little information sharing with INGOs, and that UNDSS did not always invite INGOs to inter-agency 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. If the correct approach to security management is to create an enabling environment, an environment which sets the provision of aid as the objective, the conduct of UNDSS in Yemen in 2015 left much to be desired. Less an enabling environment, a common perception of UN security management practices in Yemen is that a disabling environment was created. In practice this meant that a risk averse culture pervaded security decision-making.

This seemingly internal issue would remain solely a UN concern except for how dependent INGOs have become on the UN security structure. This is a global trend and is not limited to the Yemen case. INGOs rely heavily on UN logistics, particularly transport. Partly this is linked to contractual issues, such as when INGOs receive funding which necessitates being put under the UN security umbrella. This should not mean, however, that INGOs must hand-over to the UN security management system decision-making authority.

A common question by the UN and donors was—shouldn't the INGOs take care of their own security management? The real issue, in fact, is about the mindset and capacity of INGOs to take control of their own security

In interviews conducted for this research a common question by the UN and donors was—shouldn't the INGOs take care of their own security management? The real issue, in fact, is about the mindset and capacity of INGOs to take control of their own security. As mentioned earlier, the question is perverse given the role played by donors and the UN in promoting this "coherent system".

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 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 assurances 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 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 them. It is not for this report 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

The implication of de-localisation was an inadequate perception of risks as well as a decreased sense of urgency relating to the needs on the ground

At times putting too much attention on security management over programming actually makes access even more difficult to negotiate

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 as well as a decreased sense of urgency relating to the needs on the ground. Windows of opportunity were also not perceived, and from a distance the security environment appears homogenous, whereas not all areas of the country were equally insecure at any given time.

By June/July 2015 most agencies had begun the process of returning to Yemen, but once an organisation leaves the challenges to operating only increases because of their absence. Having stopped activities it means that upon return an agency has to confront a number of issues, including the disappointment of the population who went without assistance during a particularly horrific period. Also, a new security management system has to be developed. For many agencies it was necessary for security personnel to return first to set-up a new security infrastructure and prepare security protocols before operational personnel could return. The hitch in this process was that visas from the de facto authorities for security people were hard to obtain, slowing the process. The importation of communications materials was also challenging.

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 officials working separately 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 quite 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.

It has been MSF and ICRC's experience that independent and direct negotiations based on principles, at the level of Riyadh as well on the ground, is essential for humanitarian organisations to gain access to populations in danger and to be effective in aid provision. Thus far we have presented inadequacies in leadership structure, mindset, and security management which have precluded the ability of many organisations to achieve principled negotiated access. Next we will look at the role of resources in the equation.

Resources

Information sharing has been a problem for all actors, although many think that it began to improve in autumn 2015. The donors especially have been critical of the lack of information about what is happening on the ground. However, as donors are not themselves in the field, they may have a very high expectation of the usefulness of information. Almost all interviewed in the UN and INGOs also expressed frustration with information sharing, and some INGOs wonder if the UN shared all relevant information with INGOs. Many in the UN spoke about the difficulties in coordinating aid delivery when information was not available to all relevant actors in sufficient quantity and quality.

The monitoring of aid delivery in an insecure environment is challenging to say the least. Nevertheless, certain agencies have been severely criticised for their perceived lack of viable monitoring systems. There is a general lack of trust in the predominately self-reported information—where did it actually come from and how was it gathered? The accuracy of the reporting by some agencies has been questioned given that their information does not come from actual field monitoring. Sometimes deliveries to warehouses have been counted as distributions as if the supplies had actually been delivered to people. The accuracy of beneficiary lists has also been challenged—where do they come from? There have been many, many assessments—but what has been the follow-up? Aid diversion has been claimed by some in the UN to be a bigger issue than many are willing to admit publicly, or even internally, but it should be remembered that accusations of aid diversion can be instrumentalised by political actors.

The question of funding is about more than amounts in dollars. For INGOs it is about timing, about what can be funded and what cannot, about potential bias towards the UN, and about donor requirements. And crucially, it is about absorption capacity

Insufficient funding, as always, has been an issue, but it does not appear to have been a serious limiting factor in the Yemen crisis. INGOs face the normal limitations of having to wait for funding before commencing operations; of not having allocated funding to put into place a proper security infrastructure; and of often needing to switch funding relationships from development to humanitarian donors. It should also be remembered that programmes such as WASH are very expensive and for INGOs working in such sectors adequate funding is a greater prerequisite than for others. The question of funding is a complicated one—it is a multi-layered question concerning more than amounts in dollars. For INGOs it is about timing, about what can be funded and what cannot, about potential bias towards the UN, and about donor requirements. And crucially, it is about absorption capacity. Is this simply the way that the system is constructed and INGOs must fit in or perish?

Concerning human resources, the L3 declaration did not work as it was meant to

The *de facto* authorities not issuing visas in a timely manner has been a serious and major constraint for all actors and has delayed programme implementation

Some organisations do have enough private funding for pre-financing, but many do not and must wait for funding to start before operations can commence. INGOs do not readily share this information, though, so it is difficult to know which organisation is in which category at any given time. It is fair to say that the time lag in funding is a major issue for many INGOs, especially if they are switching from development to emergency donors.

Concerning human resources, the L3 declaration did not work as it was meant to.⁶ In theory L3 emergencies should be given priority for staffing and should attract the best and the brightest staff with the most relevant experience. There is meant to be a 'surge' of such staff to get the emergency response on the ground quickly. For Yemen there was indeed a surge but staff did not arrive in sufficient quality or quantity. A number of explanations were provided for why this was the case. First, that there were too many L3s in and around the same time (South Sudan, Iraq, Syria, as well as Yemen). Second, that there is simply a lack of qualified and experienced staff to go around even in the best of times. And third, that Yemen was considered by many to be too unsafe. The self-imposed limits on the numbers of people who could go into Yemen because of security concerns also limited presence on the ground.

Many INGOs have also had trouble with staffing. One difference between INGOs and the UN on this point, though, has been that most INGOs did not rely on surge capacity but opted for a slower accumulation of qualified staff. Many INGOs have also had trouble with Yemen's reputation as a dangerous place.

The *de facto* authorities not issuing visas in a timely manner has been a serious and major constraint for all actors and has delayed programme implementation. This has especially been a problem when there was a change-over in staffing after the evacuation when agencies were preparing to go back into Yemen. Some organisations, such as MSF and the ICRC, have had fewer problems, but this is the exception which proves the rule and can be attributed to the existence of both better networks and clearer operational credibility.

⁶ For a review of the L3 designation, see: <http://www.globalhumanitarianassistance.org/wp-content/uploads/2014/09/GHA-2014-In-focus-2013-%E2%80%98Level-3%E2%80%99-emergencies.pdf>

An INGO without a proper emergency logistical capacity and independent funding will not fare as well as one which has these things. Such logistical capacity will also not necessarily be funded by donors

Logistical obstacles have been seriously disruptive to aid provision. The Saudi-led coalition's blockade against importation of essential goods to Houthi controlled areas proved to be a serious constraint—a lack of fuel negatively affected almost all aid actors, for example. Problems with importation forced a reliance on local purchasing for even drugs and medical supplies. The experience of MSF and the ICRC suggests that there have been ways around these obstacles, but what is considered possible and feasible to the ICRC and MSF may not be considered as such by other INGOs. An INGO without a proper emergency logistical capacity and independent funding will not fare as well as one which has these things. Such logistical capacity will also not necessarily be funded by donors.

The general response to these issues by most agencies has been to do local purchasing, but given the blockade there were quickly shortages in the local markets. Negotiating secure internal transport is a challenge even if materials arrived in-country or could be purchased. Aid diversion, as mentioned above, was always a risk and monitoring of these supplies a major challenge.

The quantity of resources is not the sum total of aid provision—there are less tangible types and benefits of aid, such as protection activities, and local structures can provide a certain amount of human resources, such as by the Ministry of Health. But, collectively, resources do underpin all else—and discussions of resources can loop back to the other points. For example, a lack of adequate resources leads straight back to poor leadership and the inadequate space in which agencies must work.

MSF and the ICRC have found that the independent control of resources and logistics assisted greatly in the ability to reach populations in need of assistance and to be able to actually provide them with aid in a principled manner. The fact of this assistance, consistently provided, was the basis for much of these organisation's ability to negotiate continued presence. This in no way suggests that the provision of aid in such a politically and logistically challenging and insecure context has been easy for MSF or the ICRC. However, there are approaches that can better facilitate aid provision which have been used by those organisations and which, in principle, are available to other humanitarian agencies.

Taking all of the above mentioned obstacles into consideration, from humanitarian leadership to resources, what sort of system would work better? The next section will explore this question.

Enablers

These are activities and ways of working which should be at the heart of humanitarian action and are not new concepts, but which have been either forgotten by many organisations or which have been precluded by structural constraints

The lack of emergency capacity in many humanitarian and multi-mandate agencies, whether INGO or UN, can be easily highlighted by a discussion of actual and potential enablers. These are activities and ways of working which should be at the heart of humanitarian action and are not new concepts, but which have been either forgotten by many organisations or which have been precluded by structural constraints.

First, to note, MSF is aware that being a medical agency often makes operating in a conflict zone easier, and MSF should keep in mind its privileged position as a medical agency. The approaches MSF uses which allow access are also important, but it should be acknowledged that other type of agencies will face greater challenges than MSF even if they do things in the same way. A protection agency, a food distribution agency, or a WASH agency will have different and often more severe problems because of their type of programming. It is interesting to note that WHO shared this view of the advantages of being a health agency. ICRC also has its special mandate and position which often (but not always) makes operating easier for them.

Actual enablers have been few, and almost all have been diminished by associated obstacles. These relate to larger coordination issues, local capacity, and value added to programme implementation:

Deconfliction

The impression by many is that deconfliction did help build trust and protect assets to some extent, but as was described above it became such a time-consuming and cumbersome process that its real benefits have been challenged. Deconfliction also does not always help with internal road movements in both Houthi and government controlled areas of Yemen. And as MSF and other agencies, such as Oxfam, have experienced, deconfliction obviously does not always work, as it has not stopped hospitals and warehouses from being bombed.

Deconfliction should also not be confused with negotiated access. Keeping a convoy safe from bombing is not the same thing as negotiating how a convoy reaches a certain population and what aid will be provided.

Actual enablers have been few, and almost all have been diminished by associated obstacles. These relate to larger coordination issues, local capacity, and value added to programme implementation

The L3 declaration

In theory this was important to put the Yemen crisis on the map, and it did accomplish this to a certain extent. But it was not as effective as could have been in that it did not provide the response with the quantity of senior experienced personnel that was needed, especially for the long-term. It also did not help fix the leadership problems. Working at odds with the L3 surge were also the caps in numbers of international staff in Yemen because of strict security rules.

Private transporters

Agencies which needed to move large amounts of materials overland stated that the availability of private transporters was an enabler. But moving supplies from a port to a warehouse is only one part of the equation. What about monitoring and accountability? Were the materials and food shipments actually distributed to the population? And how were beneficiary lists compiled in the first place?

Local markets

The heavy use of local suppliers was in some ways a method to work-around the blockade and difficulties in importation. This worked for some supplies, notwithstanding the effects on the local markets, but it is questionable whether drugs and other medical supplies should have also been bought on local markets.

National NGOs

In this crisis Yemeni NGOs have been able to directly receive funding through the Yemen pooled funding mechanism. This is indeed a positive development. But again, how are the activities funded in this way actually monitored? The neutrality of local NGOs is sometimes an issue.

Local civil society

The heavy use of local partners has also been thought of as an enabler, but again, what about monitoring and neutrality? And were development partners able to adequately make the transition to emergency programming?

As well as national NGOs and local partners, the continued presence of national staff was often mentioned as an enabler. National staff, though, were put under a lot of pressure by the de facto authorities, other non-state armed groups, and their communities

National staff

As well as national NGOs and local partners, the continued presence of national staff was often mentioned as an enabler during the absence of expats. National staff, though, were suddenly put under a lot of pressure by the de facto authorities, other non-state armed groups, and their communities. And as mentioned above, it was unfair for multi-mandate INGOs to assume that national staff could so easily make the transition from development to emergency work. National staff were also concerned for their own security, as well as the security of their families, and many resented the idea some INGOs seemed to have that they could be moved around geographically with little consideration of their personal circumstances. It unfortunately is often the knee-jerk reaction that national staff will take care of everything. There is a role for expats in providing objectivity and a higher level of resistance to external pressures, as well as emergency programming experience.

Long-term interventions

Organisations with a longer-term presence theoretically were in a better position to negotiate access and manage the various administrative obstacles, but in practice it is hard to see that this was the case. One reason for this was the huge change-over in personnel after the evacuation.

Humanitarian principles

As with most contexts of conflict, humanitarian principles were mentioned by many as a useful tool to enable access with all parties, but neutrality remained an issue as indicated above. It must be asked, however, whether principles were merely 'mentioned' as being an enabler rather than being routinely applied?

The cluster system

To a certain extent the cluster system was an enabler, as it did provide at least a consistent forum for coordination, but it has not been sufficiently linked to resources outside Yemen and previous lessons learned.

These have been the practical enablers. In theory, though, there are others which have not been properly utilised. These enablers are:

Networking and context analysis

Knowing people in the conflict zone and the region, and understanding the domestic and regional context, is essential. This is not to say that this did not occur in Yemen and that all humanitarian agencies were blind to the context and had no networks. But it is clear that it was the case that strategic context analysis and networking were insufficiently used to negotiate access by vulnerable populations to aid. The theory must be rigorously applied.

Being on the ground with operations

Instead of being based in Sana'a, in Aden, or simply supporting local partners or sending convoys out, more time in the field directly implanting operations allowed for more consistent, complete, and often more secure, access. Being truly on the ground means being proximate to the population, which helps build trust and acceptance with all relevant actors. Credibility comes from being consistently on the ground providing assistance to people.

It must be asked how an organisation can achieve access in the first place, before networks are established and access safely negotiated. Mindset is important here as well as being less risk averse. Obviously it is easy for an organisation such as MSF, a medical organisation, with its own finances and logistics, to make this statement. Many organisations face a number of structural constraints, as described above, to operationalise this approach. But changing this situation starts with adopting the right mindset and not accepting compromises so readily. It starts with providing strong humanitarian leadership which puts the populations first.

Doing what is promised

Often when financial, political, or security constraints get the better of agencies programming is not implemented as promised but instead justifications for inaction are given. These are often understood to be empty excuses by communities and local actors. Fulfilling promises, or not making them in the first place if the certainty of success is low, should be the default mindset. This includes being aware of the impression left when assessments are conducted but there is no, or inadequate, follow-up.

Instead of being based in Sana'a, in Aden, or simply supporting local partners or sending convoys out, more time in the field directly implanting operations allowed for more consistent, complete, and often more secure, access

An organisation such as MSF does not know something, or do something, which other organisations do not know or cannot do

These are all fairly standard concepts but, given the various obstacles described above, they were not implemented by the majority of agencies in Yemen in 2015. It must be asked, however, if the obstacles faced in Yemen actually fully account for the lack of implementation of such enablers? Or are there other reasons these actions were not taken or attitudes not taken on board? This question is for each organisation individually to answer, and for the humanitarian sector in general to reflect upon. An organisation such as MSF does not know something, or do something, which other organisations do not know or cannot do. Yes, MSF has the advantage of independent funding, but if the humanitarian system is constructed in such a way that most INGOs do not have this 'luxury', then that is a fundamental structural failure of the system and should be collectively addressed.

Conclusion

Dependency on a dysfunctional system, lack of security capacity and resources, and poor mindset, have all been examined as contributing factors to the aid system's failure in Yemen

Most of the issues uncovered in the Yemen case are not new—they can, in fact, be considered part of a trend, and can be extrapolated to other contexts

The basis for humanitarian aid is the instinct of humans to help other humans in crisis. How this instinct is structured into action defines the space within which humanitarians work. Dependency on a dysfunctional system, lack of security capacity and resources, and poor mindset, have all been examined as contributing factors to the aid system's failure in Yemen. The leadership structure worked within a larger political environment which also constrained agencies, making networking and context analysis even more important. Independence, in mind and action, though often lacking, was vital to success. The humanitarian principles of neutrality and impartiality should also have played a more important role, all both derived from the fundamental principle of humanity.

Taking all of the above into consideration, what sort of system would have worked better? In a simplistic way, if one takes the reverse of all of the obstacles observed above, a better system would be created. More specifically, three important enablers have been discussed—increasing networking and context analysis capabilities; having the mindset and capacity to establish operations in the field, upon which to base credibility and further access; and following-up with promises made.

Most of the issues uncovered in the Yemen case are not new—they can, in fact, be considered part of a trend, and can be extrapolated to other contexts. Each context is in a certain way unique, but there are many areas of overlap. This points to a continuing systemic failure on the part of the traditional aid system to provide emergency humanitarian aid in a context of active conflict. In such an aid environment, will there be capacity for humanitarian assistance in the medium-term, outside a handful of agencies?

Methodology

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 personnel still based there. Non-MSF calls were made to officials in New York, Geneva, Riyadh, Rome, and Paris. As well, interviews in London were conducted.

What is missing in the research are the viewpoints from 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.

Only positions of those interviewed are listed below, upon request of interlocutors and in order to ensure maximum openness.

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| The UN | <ul style="list-style-type: none">• OCHA Coordination and Response Division (CRD), Yemen Desk (two interviews) (New York)• OCHA CRD, MENA Section (funding) (Rome)• OCHA Riyadh Deconfliction Office (Riyadh)• OCHA Policy Analysis and Innovation Section, Policy Development and Studies Branch (New York)• OCHA CIMIC Officer (Geneva)• OCHA Head of Office Yemen (Sana'a)• OCHA Strategic Planning Officer (Sana'a)• UNHCR Protection Representative (Amman)• UNHCR Protection Officer (Sana'a)• UNHCR Resident Representative and Former Humanitarian Coordinator (Sana'a)• UNICEF Resident Representative (Sana'a)• WFP Yemen Desk (access coordination) (Rome)• WHO Resident Representative (Sana'a)• UN Yemen Political Office (New York) |
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| Donors | <ul style="list-style-type: none">• DFID Yemen Desk (London) (two interviews) (London)• ECHO Yemen Desk (two interviews) (Amman)• ECHO Regional Office (security) (Amman) |
|---------------|---|

| | |
|--------------|--|
| INGOs | <ul style="list-style-type: none">• ACF Headquarters (Paris)• IRC Country Office (Aden)• Oxfam Yemen Emergency Response Department (London)• CARE International Country Office (Sana'a)• INGO Forum (Sana'a) |
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| IOM | <ul style="list-style-type: none">• IOM Regional Office (four interviews on protection, refugees, data management, and migrants) (Amman)• Yemen Embassy Amman: Ambassador to Jordan, Medical Attaché, and Jordan Hospital Programme Attaché (Amman) |
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| ICRC | <ul style="list-style-type: none">• Regional Context Office (Amman)• Regional Office (coordination) (Amman)• Regional Logistics Officers (two interviews) (Amman) |
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Others

- OPR Team (STAIT and SCHR) (two interviews) (Geneva)
- HERE-Geneva (Geneva)
- ODI Panel discussion on Yemen (London, December 2015): Chair Noel Brehony CMG - former Chairman, British-Yemeni Society; speakers Amat Al Alim Alsoswa - former Minister of Human Rights, Yemen, Rania Rajji - Roving Protection Trainer, Oxfam, Baraa Shiban - Yemen Project Coordinator, Reprieve; discussants Michael Stephens - Research Fellow for Middle East Studies, RUSI, and Head of RUSI Qatar and Sherine El Taraboulsi - Research Fellow, Humanitarian Policy Group, ODI.

MSF

- OCBa Emergency Desk (Barcelona)
 - MSF-UK Programme Department (three interviews) (London)
 - OCA Emergency Desk (Barcelona)
 - OCP Emergency Desk (Paris)
 - OCA Humanitarian Affairs Department (Amsterdam)
 - OCBa Desk (Barcelona)
 - Humanitarian Advocacy and Reflection Team (New York)
 - Humanitarian Advocacy and Reflection Team (Middle-East)
 - OCA Middle-East HoM (Amman)
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