



YEAR IN REVIEW: CONFLICT AND DISASTER

photographer: Igor Rugwiza

CIVIL SOCIETY ON THE FRONTLINE: RESPONDING TO CONFLICT AND DISASTER

1. INTRODUCTION

Each year the CIVICUS State of Civil Society Report looks at the major events that have affected civil society around the world. We seek to celebrate the major achievements of civil society, identify the key challenges it has faced, and assess how recent events have impacted on civil society, and how civil society has responded to them. In particular, we explore how civil society has reacted to and been affected by conflict and disaster; how citizens have mobilised to seek change; how the space for civil society has changed; and how civil society has worked internationally to address the pressing issues of the day. This section of the year in review considers civil society's response to conflict and disaster.

Our report is of and from civil society. Alongside the four sections of our year in review, our report consists of 33 guest contributions from civil society activists, leaders and experts on this year's special theme of civil society and exclusion, and a thematic essay that draws from those contributions. Our report is also informed by 27 responses to our annual survey of national and regional civil society coordination bodies that are members of our Affinity Group of National Associations (AGNA), and a series of interviews with members of the CIVICUS alliance who were close to the year's major stories. We are very grateful to all our contributors for their efforts in developing this report.

2. GROWING RISK, INCREASING COMPLEXITY

Every year throws up fresh examples of how, in crisis situations, civil society is at the forefront of response. The 2015 State of Civil Society Report set out how civil society was the first to respond to the West African Ebola crisis, stepping in where more bureaucratic organisations feared to tread, but found itself in danger of being overwhelmed by the scale of the crisis and sheer weight of needs. The outbreak was officially declared over in January 2016, but the problems that hampered rapid response remain, and are likely to resurface at the next public health crisis: international bureaucratic torpor and under-resourcing, combined with state-level governance failures that make it hard to get an accurate picture of needs and reach affected communities. Now the crisis has been declared over, the fear in **Guinea, Liberia** and **Sierra Leone** is that the spotlight will move

elsewhere, and the ongoing challenges, including continuing health problems for survivors, livelihoods challenges for families that have lost bread-winners, and damaged economies, will not be adequately addressed.¹

Civil society has continued to be in the thick of responding to crises. When natural disasters struck, as in **Nepal**, civil society mobilised rapidly to save lives and rebuild communities. In conflict situations, civil society has tried to bridge differences and serve citizens affected by conflict, including displaced people, refugees and people experiencing loss of public services, as in **Syria**. In Europe, as our section on civil society and exclusion discusses, both organised civil society and spontaneous citizen movements responded to 2015's influx of refugees.

Conflict situations also make civil society's work harder, as is being seen in **Yemen**. Civil society's frontline role brings with it a risk of violence and confrontation from other forces: from extremist groups that push back against human rights and pluralism; with domestic governments that see civil society as competitors for resources and profile during emergencies, or that seek to restrict independent voices; and from external actors such as the military forces of other countries, which often fail to distinguish between military and civilian targets, or inflict collateral damage on non-combatants.

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There now seems to be a clear trend, observed over several State of Civil Society Reports, that humanitarian work in conflict settings is becoming less respected by the forces involved in conflict. Previously well-established norms of international law that recognised and protected the political neutrality and right to work of humanitarian workers have been eroded. This can be seen in the spate of hospital bombings in **Afghanistan**, **Syria** and **Yemen**, the more indiscriminate uses of explosives by militant groups in general, and the macabre ways in which terrorists continue to make public spectacle of the execution of humanitarian workers. Donors and other funders of humanitarian response may inadvertently increase the likelihood of attacks when they talk up the role of humanitarian aid as a tool in combating terrorism, causing the neutrality of civil society's humanitarian response to be questioned.² Humanitarian workers can also become pawns in wider political games over which they have no influence: for example, in October 2015, local authorities denied registration to all humanitarian organisations other than the Red Cross in Luhansk province, Eastern Ukraine, where the conflict between **Russia** and **Ukraine** is at its most severe, and ordered all international civil society organisations' (CSO) workers to leave.³

The Aid Worker Security Index shows that the number of reported security incidents experienced by aid workers has increased sharply, from 35 in 1997 to 190 in 2014.⁴ Increasing risk will cause CSOs to pull out of situations where staff safety cannot be guaranteed, as has been the case with many organisations in **Yemen**, or cause staff to retreat into heavily guarded secure zones, creating a bunker mentality and lack of connection with local communities, which makes it harder to understand their needs. Increased security also escalates the cost of humanitarian operations, meaning that fewer resources go directly to affected communities.

1 'West African Ebola Outbreak Declared Over', Scientific American, 14 January 2016, <http://bit.ly/1MMBDBL>.

2 'State of the World's Emergencies', BOND, July 2015, <http://bit.ly/1NFaJ9L>.

3 'Top UN relief official alarmed as aid agencies ordered to leave Luhansk region in eastern Ukraine', UN News Centre, 24 September 2015, <http://bit.ly/22T5fPD>.

4 The Aid Worker Security Database, last updated 21 March 2016, <http://bit.ly/1SgiVXn>; "It has rarely been more dangerous to be working in the field of aid", The Guardian, 15 October 2015, <http://bit.ly/1jsw2mj>.

Increased risk is compounded by stretched resources and growing complexity. Organisations are struggling to adapt to the declining respect for humanitarian work at a time when resources are more pressured. The State of the Humanitarian System report, published in October 2015 by the Active Learning Network for Accountability and Performance in Humanitarian Action, described the current humanitarian system as being “stretched to its limit.” While there are fewer humanitarian emergencies than in past decades, contemporary crises tend to be more severe, complex and connected with conflicts, which means they demand more resources: 69 per cent of countries that received humanitarian assistance in 2014 were in their 10th successive year of receiving such support. In response to the growing complexity of crises, standard ways of working that proved effective in the past may no longer be appropriate. The report also found that many local people affected by humanitarian crises are still not consulted on their needs by responding agencies.⁵

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The International Committee of the Red Cross has pointed to increased urbanisation as a dimension in conflict, creating new vulnerabilities and more complex, fragmented and multi-sided conflicts, to which many humanitarian organisations are struggling to respond with their conventional approaches.⁶ Further, while the issue remains controversial, there is also some evidence that climate change interacts with other conflict drivers to make conflict more likely and more complex, as has been suggested is the case in Syria.⁷

Similarly, the Global Humanitarian Assistance Report 2015, published by Development Initiatives, drew attention to the underlying roles of poverty and vulnerability in placing people into conditions of crisis, and noted that most humanitarian aid now goes to long-term recipients, because crises last for years. Accordingly, the report called for a joined up response by agencies working on different facets of the problem, including development and climate change.⁸ One indicator that conflicts are becoming more entrenched and intractable is the staggering statistic from UNHCR, the UN Refugee Agency, that the average amount of time people are living in displacement is now 17 years.⁹ Given that there are now a record number of people - 59.5 million - displaced, compared to a total of 37.5 million one decade ago, the growing scale of the challenge seems clear.¹⁰

Aiming to address the question of the stretched resourcing of humanitarian response, the UN’s high level panel on Humanitarian Funding reported in January 2016, ahead of the World Humanitarian Summit in May 2016. The panel established that while there is more humanitarian funding than ever before - the current global humanitarian spend stands at US\$25 billion - the impact, scale and embedded nature of conflicts and disasters is now so great that this is still not enough, and another US\$15 billion is needed to respond adequately. The current humanitarian funding model has not kept up with the pace of change. The panel suggested three ways of tackling the problem: reducing needs, by investing more in disaster risk reduction and peace building, and forging closer links between humanitarian and development actors; broadening the humanitarian funding base to include more states and private sector donors, and strengthening partnerships between these and humanitarian organisations;

5 ‘The State of the Humanitarian System 2015’, Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP), <http://bit.ly/26je21R>.

6 ‘Red Cross President Warns that Global Conflict is Changing Humanitarian Work’, The Borgen Project, 25 July 2015, <http://bit.ly/1NnAJz>.

7 ‘Climate change in the Fertile Crescent and implications of the recent Syrian drought’, Colin P Kelly, Shahrzad Mohtadi, Mark A Cane, Richard Seager and Yochanan Kushnir, *Proceedings of the National Academy of Sciences of the United States of America*, Vol. 112, No. 11, pp. 3,214-3,246, 17 March 2015, <http://bit.ly/1rq7Xkq>; ‘Water, Drought, Climate Change, and Conflict in Syria’, Peter H Gleick, *Water, Climate, and Society*, July 2014, <http://bit.ly/1MPhoj8>.

8 ‘Global Humanitarian Assistance Report 2015’, Development Initiatives, <http://bit.ly/1L3vvRV>.

9 ‘Annual report shows a record 33.3 million were internally displaced in 2013’, UNHCR, 14 May 2014, <http://bit.ly/1hNpmaQ>.

10 ‘Worldwide displacement hits all-time high as war and persecution increase’, UNHCR, 18 June 2015, <http://bit.ly/1CeFpcg>.

and improving delivery, including through greater coordination and knowledge sharing. The panel proposed a ‘grand bargain’, in which humanitarian organisations commit to reducing the duplication of work, undertaking more joint work, listening more to affected communities and being more transparent and accountable about their spending, and in return donors commit to longer-term, more flexible, less restricted and simplified funding, while both civil society and donors prioritise cash transfers to affected communities.¹¹

Pending progress on the report’s recommendations, under-funding, including of the UN’s humanitarian and peacekeeping operations as well as civil society response, remains a perennial problem, and is seen in several of the examples discussed below. The consequence of this is that humanitarian response may be scaled back even when needs are increasing, as was the case in conflict settings such as the **Central African Republic** in 2015, because of a shortfall in resources and a related lack of capacity, which made it harder to overcome challenges of gaining access to communities in difficult and remote areas, and in collecting evidence to prove effective delivery.¹²

Crisis response often gives rise to a set of connected problems: how to prioritise where response should go; how to coordinate and avoid duplication between CSOs; how to work with governments and local social structures; how to manage conflicts over visibility and positioning; how to offer accountability and transparency over the use of resources in complex situations; and how to move from emergency response to longer-term development. There is also an ongoing challenge of evaluating humanitarian civil society work: the narrow, output-centred metrics by which success in the delivery of humanitarian aid is generally measured may not capture the less visible work of civil society, particularly with excluded communities.

A further issue of the resourcing and efficiency of humanitarian response relates to the varying levels of success of different appeals for resources. Public reaction to fundraising in the wake of crisis is heavily emotive, meaning that resources do not necessarily flow to the organisations best-placed to respond, actions that meet the greatest need, or the most efficient responses. It is much easier for humanitarian organisations to raise resources to respond to disasters than for conflicts, even though the needs in conflict settings may be more complex and longer-term.¹³

Large scale disasters can spark competition for visibility among international humanitarian organisations that see major events as key fundraising opportunities, regardless of whether they are the best placed to respond. A handful of large humanitarian organisations attract most funding. The Global Humanitarian Assistance Report 2015 found that 88 per cent of humanitarian funding from governments went to UN agencies, and only 0.2 per cent of total humanitarian funding went to local and national CSOs. Large, international CSOs dominate: only 1.6 per cent of total humanitarian funding to CSOs between 2009 and 2013 went to local and national, as opposed to international, CSOs.¹⁴ Civil society, particularly the civil society of the global south, therefore experiences most acutely the challenges of accessing adequate humanitarian resources.

11 ‘Too important to fail – addressing the humanitarian financing gap’, High-Level Panel on Humanitarian Financing, Report to the Secretary-General, December 2015, <http://bit.ly/1r3YJdb>; “We cannot go on like this” – UN Secretary-General’, UN, 17 January 2016, <http://bit.ly/1VGAZZK>.

12 ALNAP, op. cit.

13 High-Level Panel on Humanitarian Financing, op. cit.

14 Development Initiatives, op. cit., Chapter 5.

This problem has at least now been recognised, with a number of international CSOs launching the Charter for Change in 2015, with the aim of localising humanitarian aid. Signatories of the Charter for Change commit to pass at least 20 per cent of their humanitarian funding to CSOs based in the global south by May 2018, as well as strengthen the capacity of global south CSOs, help them make direct connections to donors and include them as partners rather than contractors.¹⁵ This is a potentially important development in addressing the unequal relationships between large, international CSOs and small, global south CSOs, and it will be important to track its progress.



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A consensus can therefore be seen to be developing in recent research that crises, particularly conflicts, are becoming more complex and enduring, with more people affected over longer periods, which means that the responses need to be longer-term, more joined up, and better able to identify and respond to the needs of affected and excluded communities. The new complexity of crisis challenges civil society, but a growing recognition that civil society needs to be more involved and better resourced, particularly at the national and local levels, points the way forward.

3. CIVIL SOCIETY RESPONDING TO EARTHQUAKES IN SOUTH ASIA

Many of the challenges outlined above could be seen in **Nepal**, which experienced a 7.9 magnitude earthquake on 25 April 2015, followed by a long series of aftershocks, one of which reached 6.9 on the Richter scale on 12 May 2015.¹⁶ Government data shortly afterwards placed the death toll at almost 8,900 people, with over 22,000 people injured, and estimated that more than 600,000 dwellings had been destroyed and over 285,000 damaged, leaving around 670,000 people displaced. Around two thirds of the dead were women and children, indicating how disasters disproportionately affect the most vulnerable. The earthquake affected all aspects of infrastructure, and people lost homes, food supplies and livestock. Further, because of the aftershocks, many people, even if their homes were left standing, did not feel secure in returning to them, and many people, particularly children, could be seen to be suffering from trauma and other mental health issues as a result of the quake. Longer term impacts, noted six months after the quake, included increased levels of violence against women and children, people trafficking and other crime. The UN placed the economic cost at around 53 per cent of Nepal's gross domestic product (GDP), and the overall figure of people affected by the earthquake at a staggering eight million.

The earthquake brought an immediate mobilisation of civil society, both local and international, as well as the government. Daya Sagar Shrestha, of the NGO Federation of Nepal (NFN), details the early response actions:

Relief teams from governmental and non-government sectors reached the affected areas to distribute relief materials. Affected people were in need of materials such as tarpaulins and tents, clothes, blankets, mattresses, kitchen sets and medicines. Health camps were set up in affected areas for the treatment of injured people. Volunteers started to help

¹⁵ Charter 4 Change website, <http://bit.ly/1hCAxtU>.

¹⁶ This section is indebted to the research and input of Daya Sagar Shrestha of the NGO Federation of Nepal (NFN), whose thoughts and comments helped shape this section. The quotations are edited extracts from a larger contribution prepared by NFN.

people construct temporary shelters, and initiated livelihood support programmes. Schools and health posts, as basic services, were resumed in temporary shelters.

Government alone did not have capacity to address all the problems because it has limited institutional capacity and resources. In this panic-stricken situation, NFN, being an umbrella organisation of CSOs, appealed to its district chapters to mobilise CSOs and their members to work in affected areas. NFN also released an appeal to international organisations for possible support to Nepal. Similarly, NFN issued a circular to all its district chapters to encourage support from non-affected districts to affected districts. NFN sent formal letters to the Ministry of Home Affairs and National Planning Commission proposing a functional partnership between government and civil society to respond to adverse effects caused by the earthquake.

To reinforce their past initiatives and strengthen future endeavours, CSOs and prominent civil society leaders of Nepal gathered in Kathmandu at the National Civil Society Forum on Development Effectiveness regarding post disaster reconstruction on 24 June 2015. This programme was jointly organised by NFN and Humanitarian Accountability and Monitoring Initiatives (HAMI). It proved influential as it was organised just one day before the government hosted the International Conference on Nepal's Reconstruction. The civil society forum released a declaration on the position of Nepalese civil society on development effectiveness in reference to the post-disaster recovery plan. The declaration was handed over to the National Planning Commission and shared with government officials and UN and donor agencies during the government's conference.

In the months following the quake, CSOs focused on areas such as replacing damaged infrastructure, providing health services and supporting livelihoods. Some CSOs offered cash for work programmes to help people stay in rural locales, rather than migrate to cities in search of work.¹⁷ Daya Sagar Shrestha sets out other aspects of civil society response:

CSOs are supporting affected families through livelihood recovery support, building cheap homes, water supply schemes, school buildings, health posts, installing alternative energy supply and sanitation. Some CSOs are involved in overcoming traumatic problems, and offering rehabilitation for orphaned children and people who have become disabled because of the earthquake.

Another significant part of the civil society response, as described by Brabim Kumar, president of Association of Youth Organizations Nepal (AYON), in research commissioned by Restless Development, was the mobilisation of many young volunteers:¹⁸

Over 50,000 youth volunteers were involved in Kathmandu alone, with additional volunteers from district level local clubs and youth groups engaged in a wide range of activities - from cleaning up roads and setting up toilets at temporary shelters, to distributing medical supplies. Historically, Nepali youth have been on the frontlines of a variety of political movements that have led political change. However, for the first time, Nepali youth proved their ability, capacity and dedication to be able to take

¹⁷ 'Nepal earthquakes leave bitter legacy as children become quarry for traffickers', The Guardian, 25 October 2015, <http://bit.ly/1NurvtG>.

¹⁸ This section draws from a case study on Nepal by Syria by Brabim Kumar, president of AYON, in *From Rhetoric to Action: towards an enabling environment for child and youth development in the Sustainable Development Goals*, Restless Development, 2015, <http://bit.ly/1MMR1y2>.

the lead and mobilise themselves in apolitical action. Hundreds of informal youth groups immediately responded by helping communities in rescue and relief. Youth were able to reach communities that the state failed to serve in a timely manner.

A key factor that aided this large-scale mobilisation of youth was the use of social media. As a response to this disaster, one of the largest youth-led campaigns, #act4quake, was initiated in partnership between AYON and Come on Youth Stand Up. In 45 days, #act4quake was able to reach more than 15,000 families from 340 communities and villages in the affected areas, with the help of more than 1,000 volunteers. A campaign that started with the documentation of dispatch details on sticky notes and the deployment of self-motivated volunteers became a fully fledged response that emerged as one of the largest youth-led relief campaigns in Nepal.

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Photographer: IIP Photo Archive

However, as might be expected, not all was plain sailing. The government quickly sought to centralise operations, and applied a ‘one door’ policy, which meant that all foreign relief resources had to be channelled through the Prime Minister’s Disaster Relief Fund. This move was criticised by a wide section of civil society, both within Nepal and internationally, for making the delivery of disaster relief harder, and for adding bureaucracy. The government seemed to give ground in the face of these criticisms, eventually making it clear that the stipulation to channel resources through the fund only applied to organisations not registered to work in Nepal, with the stated aim of deterring fake organisations from being established specifically to access funds.¹⁹ The government also then took the significant step of inviting NFN into the Central Disaster Relief Committee and asking it to coordinate information on civil society’s relief efforts. NFN pulled together meetings between government representatives and local CSOs to dispel confusion about the one door policy.

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The government was also criticised for being slow to start spending the relief funds it received, and accused of practising excessive caution, even where real need persisted in the months after the quake. Excessive bureaucracy, as well as the government’s preoccupation with concluding its constitution-drafting process, discussed below, were blamed as having left reconstruction work two months behind schedule.²⁰

This is not to deny that there could be legitimate grounds for government concern. The history of responses to large scale disasters is not a happy one. The 2004 Indian Ocean tsunami saw an overwhelming public reaction that generated huge amounts of money, but controversy quickly followed, including allegations that money was left unspent, not spent well, or siphoned away into fake organisations. Legitimate CSOs struggled to handle the influx of cash, and lacked capacities and skills to meet long-term needs.²¹ Similarly, it has been argued that Haiti’s citizens received little lasting benefit from the aid that poured in following the country’s 2010 earthquake.²²

In Nepal, there was a particular concern that international civil society might struggle to understand the country’s complex political dynamics and history. There were also criticisms that international CSOs were excessively preoccupied with their overheads and financial bottom lines, while local CSOs noted an increase in costs, because the presence of international CSOs drove up prices.²³

” These challenges, in Nepal and elsewhere, are not uniquely experienced by civil society; governments and international agencies experience the same issues, of efficiency, scale and transparency, in responding to major emergencies. Legitimate civil society is as aware of the lessons of past mistakes as anyone else. In Nepal, government restrictions, introduced on the grounds of avoiding duplication and corruption, risked compromising the essential autonomy of civil society. They also created a danger that funds would be used for political and patronage purposes: some greater access to relief supplies was observed for people close to

19 ‘Nepal quake fund move is PR fiasco’, IRIN, 5 May 2015, <http://bit.ly/1NnOWsk>.

20 ‘Nepal Hasn’t Spent Any Of The \$4 Billion In Donations Since Earthquake’, The Huffington Post, 3 September 2015, <http://huff.to/1r73Nxxg>; The Guardian, 25 October 2015, op. cit.

21 ‘The Big Question: What happened to the money raised to help victims of the Asian tsunami?’, The Independent, 21 December 2006, <http://ind.on/1SDbkQS>; ‘Tsunami aid goes missing’, The Sydney Morning Herald, 28 December 2009, <http://bit.ly/23QcopR>.

22 ‘Haiti: where did all the money go?’, New Internationalist, 1 January 2012, <http://bit.ly/1SWvYoU>; ‘Red Cross responds to report about building only six homes in Haiti after 2010 quake’, CNN, 5 June 2015, <http://cnn.it/1SqavFw>.

23 ‘The Multiple Roots of the Excruciatingly Slow Aid Response in Nepal’, Nonprofit Quarterly, 23 September 2015, <http://bit.ly/1r757QJ>.

parties of the ruling coalition, as well as corruption, a lack of transparency and bottlenecks in the distribution of supplies.²⁴ There were also two parallel youth mobilisation initiatives created by government in the wake of the earthquake, suggesting a lack of coherence in response.

Government sensitivity towards the involvement of foreign aid workers, particularly from its neighbour India, may also have motivated its attempt to apply close control. There is a long-running dispute in the Terai region, which borders India, and where Nepal's Madhesi minority population concentrates. Nepal's new constitution, adopted in September 2015 after an eight year process, has crystallised the dispute and fuelled poor relations between Nepal and India. The constitution's reorganisation of provinces splits the Madhesi people between different areas, ending their control over territory. Protests in the region included a general strike and border blockade, which lasted from September 2015 to February 2016. Protests were said to have led to at least 50 deaths, both of protestors and security forces.²⁵ The blockade made it hard to get essential post-earthquake humanitarian supplies, including food, fuel and medicines, over the border, the most common entry point into Nepal, and impacted on the programmes of relief agencies and international CSOs.²⁶ India's government criticised Nepal's one-door policy and objected to the constitution, calling for provisions to protect Madhesi and Janjati minority groups, which both have ties to India. In turn, Nepal's government blamed India for encouraging the protests. This is consistent with the tendency discussed in our section on civic space, in which insecure governments blame foreign agents for fuelling domestic discontent.²⁷

Nepal's government was accused of hurriedly closing the constitution development process, in order to seek international credibility and enable access to post-earthquake funding, while leaving questions of minority rights and devolution unaddressed. The government has not shown itself to be adept at negotiating the complexities of identity politics, and has been characterised by some as stuck in a centralised mind-set in which upper caste members customarily enjoy power.²⁸ Local criticism of the government's attempt to centralise earthquake response can therefore be seen as pointing to deeper concerns about the lack of transparency and poor efficiency of government structures: a more accountable government would have been more trusted by citizens to play a central role. In this respect, the post-earthquake trajectory of Nepal can be seen to have followed a pattern seen in past crisis contexts, in which disaster exposes enduring problems of governance.

As Daya Sagar Shrestha makes clear, there is still much work for Nepal's civil society to do in the wake of the earthquake, and a need for close collaboration between civil society and government, and between local and international CSOs:

Despite remarkable efforts of government and civil society, and cooperation from international communities, still people are not getting sufficient services in remote areas. Recovery and reconstruction works are not effective. Politicisation and lack of coordination among agencies have been problems. NFN is deeply concerned over the people's plight.

24 Earthquake Relief in Nepal Could Be Better if Civil Society's Hands Weren't Tied, Open Society Foundations, 22 May 2015, <http://osf.to/1VJtoJX>; Nepal earthquake: Anger as corruption, red tape holds up aid delivery in remote areas, ABC News, 19 May 2015, <http://ab.co/1WiPI0V>.

25 'Nepal protestors face tough choice – give up or march on Kathmandu', Reuters, 26 January 2016, <http://reut.rs/1Qu7h1D>; 'Nepal Blockade Ends But Protests Continue', The Wall Street Journal, 9 February 2016, <http://on.wsj.com/1Np81dJ>.

26 'India border trouble blocks medicines to Nepal', IRIN, 9 December 2015, <http://bit.ly/1Xy06f2>.

27 'Political allegiance underlying Nepal earthquake aid', South China Morning Post, 21 July 2015, <http://bit.ly/1SB1MCx>; 'In Nepal, \$1bn impact of strikes over constitution 'worse than earthquakes'', The Guardian, 5 October 2015, <http://bit.ly/1NiknmM>; 'Unveiling Nepal's constitution amid deadly protests', Al Jazeera, 20 September 2015, <http://bit.ly/1SWxesf>; 'Nepal border blockade 'threatens the future of the country itself', says UN', The Guardian, 18 November 2015, <http://bit.ly/1YitZQX>; 'Nepal's Constitution and Lessons for India', The Diplomat, 7 October 2015, <http://bit.ly/1MP1BV8>.

28 'Nepal's fleeting moment of optimism', Al Jazeera, 22 January 2015, <http://bit.ly/1VJvPMD>; 'Nepal's constitutional jeopardy', Al Jazeera, 8 July 2015, <http://bit.ly/1SDemEI>.

In order to address those issues, the National Human Rights Commission, the Nepal Bar Association, the Federation of Nepalese Journalists and NFN have signed a memorandum of understanding to monitor the works of government, CSOs and international organisations in highly affected districts.

Now NFN wants to mobilise its network on post-disaster management in affected areas, and it looks to establish meaningful and functional relations with local and national level government and international agencies. To do so, harmonisation and synchronisation among the key stakeholders are required. NFN has organised coordination meetings with NFN district chapters, and with the Association of International NGOs in Nepal (AIN), to share information and ideas between local and international CSOs.

International CSOs should help the government of Nepal and national CSOs in reconstruction and rehabilitation works. They should work hand in hand with national CSOs and help to enhance the capacities of national CSOs so that they can work more effectively in emergency situations in future. At this current juncture, all the key actors should work together in a coordinated manner and complement each other to benefit the affected people. CSOs of Nepal that stand tall in the forefront of social transformation in the country now need to play a very effective humanitarian role.

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Nepal was not the only South Asian country to experience natural disaster in the past year. On 26 October 2015, a 7.5 magnitude earthquake struck the Hindu Kush mountain range, an area that straddles **Afghanistan** and **Pakistan**. Most deaths occurred in Pakistan, where at least 200 people were killed, and over 1,000 injured.²⁹ In an already poor and isolated region, the disaster called for a civil society response, but the context made this difficult. In Afghanistan, districts near the quake’s epicentre are contested between government and Taliban forces, and the Taliban controls some areas. The Taliban publicly encouraged disaster relief efforts, but past histories of attack, and the difficulty of asserting neutrality in a heavily polarised context, were likely to have deterred some relief efforts. Some Red Crescent workers were, however, allowed into Taliban-controlled areas following the intervention of local elders; this highlighted the ability of non-governmental groups to work in spaces that government agencies cannot access.³⁰

Similar challenges of extremism occur across the border in the northern regions of Pakistan, where the military led the response; this is not an institution that was likely to make room for civil society.³¹ As Taimur Kama, Coordinator of the Pakhtunkhwa Civil Society Network told us, most civil society was shut out from assisting with response:

In such situations only religious organisations are allowed to work by state agencies, while other CSOs are not allowed. Only two faith-based organisations, Islamic Relief and Muslim Hands, were permitted to work. The government announced that no other CSO would be allowed to work in earthquake relief. As for international donors, they are working only with their implementation partners, and their work is also very limited.

29 ‘Hindu Kush earthquake: India offers Pakistan help as death toll surpasses 200’, International Business Times, 26 October 2015, <http://bit.ly/1qHOiLT>; ‘Earthquake toll reaches 248, relief efforts continue’, Dawn, 28 October 2015, <http://bit.ly/1NHmvQU>.

30 ‘For War-Weary Afghanistan, Earthquake Is Just One More Serving of Misery’, The New York Times, 27 October 2015, <http://nyti.ms/1qHORyP>; ‘Taliban Offer Informal Cease-Fire in Areas Hit by Earthquake’, The Wall Street Journal, 28 October 2015, <http://on.wsj.com/1SjxXYi>.

31 ‘Afghan conflict and upcoming winter complicate earthquake relief’, IRIN, 27 October 2015, <http://bit.ly/1MhNRLw>.

This can be seen as consistent with the Pakistan government's overall crackdown on civil society, as discussed in our section on civic space. In such circumstances, civil society finds itself unable to play its roles; the consequences are that the impacts of the earthquake on people will be felt more strongly and for longer than should be the case.

4. CRISIS AND CIVIL SOCIETY IN THE MIDDLE EAST

The annual series of State of Civil Society Reports has documented the ebb and flow of civil society freedoms and human rights in countries in the Middle East and North Africa (MENA). In what was commonly labelled at the time as the Arab Spring, country after country saw citizen uprisings in late 2010 and 2011. The subsequent experience has mostly been a dismal one. **Libya** has fragmented into conflict, with competing claimants to government, and ISIL flourishing in ungoverned spaces. Alongside the continuing repression in **Saudi Arabia**, discussed below, **Bahrain**, with major Saudi help, has heavily clamped down on dissent through violence and widespread imprisonment, the **UAE** has jailed dissenters, and **Egypt's** continuing human rights abuses are also covered in this report's section on civic space. But nowhere have citizens suffered the backlash as much as in Syria and Yemen.

SYRIA: CONTINUING CONFLICT, UNHEARD VOICES

Crisis has continued in Syria, which now has both more refugees - 3.88 million people - and internally displaced persons - 7.6 million people - than anywhere else in the world. In over four years of conflict, it is estimated that half of Syria's population has been killed, fled, or become displaced. Life expectancy in Syria has reduced by a staggering two decades, from 76 years to 56 years, since the conflict began.³²

At the time of writing, a fragile limited ceasefire was in place, but with numerous breaches, particularly concerning the rebel-held city of Aleppo.³³ During 2015 more states, including Germany, Russia and the UK, joined the air war, adding to a complex multi-sided conflict between the government, rebel forces, Kurdish forces, ISIL and the Nusra Front (the local branch of al-Qaeda). Foreign powers align behind different blocs: Russia and Iran with President Assad's state forces, and the USA, Saudi Arabia and their allies to attack ISIL and support some rebel groups. Syria has become a proxy battleground. Outside powers have interfered even in attempts to start peace processes, by seeking to block the inclusion of factions with whom they disagree.³⁴

The consequence of increased air attack is to make more civilian casualties inevitable. The highly inaccurate barrel bombs favoured by the Syrian regime in particular mean that killing is indiscriminate.³⁵ Even when international forces claim to be highly

32 UNHCR, 18 June 2015, op. cit.; 'New UN-backed report reflects 'crushing' impact of conflict in Syria on its people', UN News Centre, <http://bit.ly/1SWA6VS>; 'Quick facts: What you need to know about the Syria crisis', MercyCorps, 1 March 2016, <http://bit.ly/22WieA8>.

33 'More civilians flee Aleppo, as Kerry embarks on fresh ceasefire bid', DW, 21 June 2016, <http://bit.ly/1rJwRM9>.

34 'Geneva and the Growing Irrelevance of Syrians', Syria Deeply, 29 January 2016, <http://bit.ly/1Np9r7S>.

35 'Twin Threats: How the Politics of Fear and the Crushing of Civil Society Imperil Human Rights', Human Rights Watch World Report 2016, <http://bit.ly/1Np9r7S>.

targeted in their bombardments, the reality is that the infrastructure Syrian citizens rely on is being degraded, leaving many struggling for the essentials of food, water, fuel, shelter and sanitation, and making it harder for others to obtain a livelihood. The case of the town of Madaya, which made headlines in January 2016, shows how siege and starvation are now being used as weapons of war against civilians, particularly by government forces: humanitarian groups were denied access from October 2015, until eventually being allowed in with essential supplies in January 2016, to find people starving and a number having died from lack of food: the Syrian Observatory for Human Rights reported 27 deaths in Madaya from starvation and lack of medical supplies. One million Syrians are now said to be living under siege. This state of siege is in direct defiance of a UN Security Council (UNSC) Resolution passed in December 2015, which gives UN humanitarian agencies the right to unimpeded access to communities in need.³⁶



Photograph: Konstantinos Kritsalos



Photograph: Wikimedia

As our Syrian civil society colleagues point out, while the focus of the western and Saudi Arabian coalition is on attacking ISIL, the biggest threat to Syrian citizens still comes from government forces, bolstered by Russian support.³⁷ Boosted by Russian forces, the government was accused of dragging its feet on peace talks as it sought to make decisive gains by bombing rebel held areas.³⁸ The Russian government undoubtedly has influence over Syria, but it has not used it to try to curb Syrian repression or seek an

[ly/1JE2Dlo](http://bit.ly/1JE2Dlo).

³⁶ 'Unanimously Adopting Resolution 2258 (2015), Security Council Renews Authorization for Passage of Humanitarian Aid into Syria', UN, 22 December 2015, <http://bit.ly/1S93L1T>; 'In Madaya you see walking skeletons': Harrowing accounts of life under siege in Syria', Amnesty International, 8 January 2016, <http://bit.ly/1TpkYmV>; 'Breaking the Siege: Q&A with The Syria Campaign', Syria Deeply, 14 January 2016, <http://bit.ly/26lu5MA>; 'Madaya Siege: Second Humanitarian Aid Convoy Leaves Damascus For Rebel-Held Town' International Business Times, 14 January 2016, <http://bit.ly/22WjXFx>; 'More aid reaches trapped Syrians; doubts cast on peace talks', Reuters, 14 January 2016, <http://reut.rs/1Oke1RQ>.

³⁷ We are indebted to Mansour Omari of the Syrian Center for Media and Freedom of Expression for his assistance in developing this section, which included identifying experts in the field, conducting interviews, editing and translating.

³⁸ 'Peace Talks Kick Off on Shaky Ground in Geneva', Syria Deeply, 29 January 2016, <http://bit.ly/1qHQQuDb>.

inclusive peace; Russian bombing too was alleged to have mostly affected civilians, despite claims to be targeting ISIL.³⁹ Russia announced a withdrawal of its forces in March 2016, although the reality of this was disputed.⁴⁰

Ammar Absi, a member of the Local Council of Aleppo City, sets out the impact of airstrikes:

The biggest threat to civil society work and workers is the continued bombardment by the Syrian regime, and recently the Russians, of infrastructure and public facilities, in addition to the extreme weakness in financial resources.

Service buildings were destroyed by Russian airstrikes. Schools and educational workshops were destroyed several times by Syrian regime shelling, causing massacres of workers, activists and children. This leads to fear about joining any public activity, and causes activists to flee and stop working within threatened areas.

The continuous destruction of basic public facilities by air shelling is not giving us the chance to build, and all we do is try to keep people alive. However, we are holding on, even as some of our workers were killed while doing their work.

As well as bombings, the Syrian state has continued to restrict and detain civil society activists. In August 2015 there was some rare good news when the president of the Syrian Center for Media and Freedom of Expression, Mazen Darwish, and two colleagues were released from detention after more than three years and terrorism charges against them subsequently dropped.⁴¹ But numerous other human rights defenders and journalists remain in detention, have been abducted or have disappeared. For example, in March 2016, civil society groups marked the fourth anniversary of the detention of Bassel Khartabil, an internet free speech activist, who was arrested by the military in March 2012, and was moved to an unknown location in October 2015.⁴² Syria is now the world's most dangerous country in which to be a journalist, with at least 30 journalists estimated to be in detention, and roughly the same number either missing or being held hostage by extremist groups. Journalists who have documented human rights abuses have been killed by extremists even when based across the border in Turkey.⁴³ As well as being at the same risk of indiscriminate attack as civilians, Syrian civil society and media are being targeted precisely because they continue to shed light on the reality of the war, and offer and promote realistic alternatives to the state.

The actions of government and extremist forces defy the fact that, were it not for civil society in areas that the government does not control, citizens would not receive any public services. As Syria fragmented, local civil society rose to the challenge, first setting up Local Coordination Committees to coordinate protests and then, in areas not under the control of the regime or extremist forces, helping to set up Local Councils to provide essential services that the government has withdrawn. In doing so, civil society can be seen to have challenged decades of restriction, in which only participation structures closely linked to the state were allowed to exist. Local Councils, made up of voluntary and part-voluntary staff, have a semi-government status, but adopt a

39 Human Rights Watch World Report 2016, op. cit.; 'Report: Russia forces rarely targeted ISIL in Syria', Al Jazeera, 5 April 2016, <http://bit.ly/23sQBnO>.

40 'If the Syria cease-fire fails, blame Putin', Newsweek, 7 April 2016, <http://bit.ly/1Tpmp1x>; 'The ulterior motive behind Russia's partial Syria withdrawal', The Brookings Institute, 18 March 2016, <http://brook.gs/1VqBRQw>.

41 'Syrian authorities must drop charges against three human rights defenders and release all prisoners of conscience', CIVICUS, 14 August 2015, <http://bit.ly/1HLVfkm>; 'Belated amnesty for Syrian "information hero" Mazen Dawish', Reporters Without Borders, 31 August 2015, <http://bit.ly/1VPnc2v>.

42 'Syria: renewed calls for Bassel Khartabil's release on 4th anniversary of detention', CIVICUS, 17 March 2016, <http://bit.ly/1WC1XQJ>.

43 'Naji Jerf, Syrian Journalist And Anti-ISIS Activist, Killed In Turkey', The Huffington Post, 28 December 2015, <http://huff.to/1U9O63X>.

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The biggest threat to civil society work and workers is the continued bombardment by the Syrian regime, and recently the Russians, of infrastructure and public facilities, in addition to the extreme weakness in financial resources.”

civic, rather than explicitly political focus, in seeking to meet local needs.⁴⁴ Meanwhile, unarmed Civil Defence volunteers, known as the White Helmets, work every day to rescue people from bombs. The White Helmets claim to have saved over 50,000 lives.⁴⁵

Yet despite this vital work, the story of what Syria's civil society is doing remains an under-reported one. International media tends to focus on the threat of ISIL and al-Qaeda and the role of international forces, while one of Europe's major stories of 2015 was the arrival of refugees forced from Syria and elsewhere by conflict, an issue discussed in our section on exclusion. The absence of voices from ground level in Syria is critical: Syrian citizens and civil society are not being heard by outside powers as they decide how to intervene in Syria, and in the commentary and analysis that debates the effectiveness of those interventions and the prospects of peace.

In response, Syrians, both those who remain in Syria and the many in the new diaspora, are trying to tell their own stories and challenge dominant narratives. The Planet Syria platform has developed to present peaceful rather than extremist Syrian voices to the outside world, and to foster international solidarity.⁴⁶ The Syria Campaign, launched in 2014, promotes the voices of Syrian civilians, including refugees, in the debate.⁴⁷ Even in the most difficult of conditions, citizens are using new technologies to express dissent in ways they were denied when President Assad fully held the reins of power, documenting and reporting on human rights abuses, and employing wit, satire and popular culture to reach out to international audiences.⁴⁸

Another underexplored area is the status of Syrian refugees who remain in the region's neighbouring states, compared to how much attention has been given to those who travelled to Europe. Syrian civil society activist Aya al-Jamili draws attention to this:

I emphasise that the presence of Syrians is not limited to Syria, after nearly five years of the revolution and war in Syria. Syrian refugee communities that have spread to neighbouring countries are in need of support, and there is a need to help organise new established communities. For example, Syrian refugee communities in Jordan, Lebanon and Turkey are in huge numbers, but there are varied levels of civil society activities and resources. In Turkey, after three years, I see that refugee communities are neglected significantly. The support is far more interested in people inside Syria.

Support is focusing in Turkey on the media field, including newspapers, magazines and radio stations. I have seen these in my personal experience. There have been attempts to start cultural and developmental projects in Syrian refugee communities, but most of them failed because of weak support.

Muhammad Samawi of the Molham Volunteering Team, a civil society group working to help refugees in Syria's neighbouring countries, also describes the essential support civil society is offering refugees, even as international actors run out of resources or wash their hands of responsibility:⁴⁹

44 This paragraph draws from a case study on Syria by Salim Salamah, a Syrian Palestinian blogger, published by Restless Development, op. cit.

45 'When Barrel Bombs Fall, Enter the White Helmets', Syria Deeply, 29 December 2015, <http://bit.ly/22WwdWx>; 'Bakers, teachers, painters line up to save lives in Syria', Gulf News, 25 March 2016, <http://bit.ly/1YMYNso>; The White Helmets website, <http://bit.ly/1t66MUa>.

46 Planet Syria website, <http://bit.ly/1lvwOWG>.

47 The Syria Campaign website, <http://bit.ly/1szJDFQ>.

48 'Syria activists are repairing the fabric of civil society, even as it comes undone', Open Democracy, 13 November 2015, <http://bit.ly/1QIUaVi>; 'Syria's Conflict Told Through a Caustic Wit', The New York Times, 11 January 2014, <http://nyti.ms/1r7r4zd>.

49 Molham Volunteering Team website, <http://bit.ly/22WwUil>.

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ing remains an
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one.”

Civil society groups operating in the neighbouring countries, whether CSOs or less formal voluntary groups, aid communities of Syrian refugees, which are concentrated near the borders. Groups work to identify the basic needs of people, and help with the financial expenses of families, whether by securing rental for housing for refugees who are living outside camps, or covering the expenses required for daily life, such as food and clothing.

On the level of relief campaigns, we are working to determine the seasonal needs of refugees, such as for the winter season and the month of Ramadan, and the return to schools and education. The team plan to distribute needed items such as blankets, heaters and firewood for winter, and kids' special clothes. Through field volunteers, we can identify where the highest intensity of refugees is and the refugees most in need. We study the development of those areas and the possibility of assistance, and often we hold special campaigns in those areas to work on providing needs, announcing them through social networking pages and field teams.

In addition to campaigns and seasonal teams, we work to secure access to healthcare for the largest possible number of medical cases, especially after the UNHCR stopped supporting large numbers of refugees. After the UN Food and Agriculture Organisation stopped food aid to refugees living outside the camps, volunteer groups are seeking to provide aid through the distribution of food parcels to families affected by the cessation of aid. But these packages are often inadequate for even two weeks.

Families of martyrs and detainees or families that are without a breadwinner are given special priority through orphan care programmes, with monthly payments to orphaned children. When children return to schools, volunteer teams seek to secure stationery and school bags for children who cannot buy them either in camps or other areas.

The needs of refugees are huge, and bigger than all the capabilities, but the fact is that any idea or help can provide support and reduce the burdens.

As the above suggests, international agencies are struggling to respond to the scale of humanitarian need in Syria, and it is also increasingly hard to obtain accurate information and evidence on the delivery of aid.⁵⁰ To secure a sustainable future in Syria, aid needs to go beyond humanitarian relief to include support for the development of safe space for dialogue; the UN Development Programme has also called on aid to support the ability of people to sustain their livelihoods, as this will help them to remain independent, and be part of Syria's eventual rebuilding.⁵¹ The reality is, however, that aid is increasingly being diverted towards care for Syrian refugees based in European countries, as discussed in our section on exclusion.

The response to the Syria crisis offered an opportunity to model a new way of working, with over 200 partners from governments, UN agencies, other international organisations and CSOs coming together to provide a coordinated regional response in the Regional Refugee and Resilience Plan (3RP). The plan shows neighbouring governments taking responsibility and working in partnership to support refugees and help communities develop resilience. But the effort is stymied by the lack of resources. The UN reported in June 2015 that only 23 per cent of the funding required for 3RP had been received; as a consequence, food

50 ALNAP, op. cit.

51 'UNDP official: Aid to Syrians must focus on improving livelihoods', Al Bawaba News, 9 November 2015 <http://bit.ly/1r7rupj>.

assistance to some 1.6 million refugees was reduced. In March 2015, the World Food Programme was also forced to withdraw support from nine of 20 refugee camps it was reaching in Turkey due to funding shortages.⁵²

A donor conference on supporting Syria and the region was held in London, UK, in February 2016, convened by the governments of Germany, Kuwait, Norway and the UK, along with the UN. It resulted in new pledges being made towards a target of US\$9 billion, with the British government pledging US\$3.3 billion, but past experience of turning pledges into action is poor: the target has never been met since funds were first pledged in 2012, and the story since has largely been one of targets increasing but committed funds remaining level.⁵³ Following the agreement, CSOs noted that the February 2016 pledges were still US\$3 billion short of what is required, and there is a need for monitoring to make sure that pledges are met; but they also commented that no amount of money would be enough if parties in the conflict continue to flout humanitarian law, and if humanitarian agencies are unable to get access to the most affected and restricted places.⁵⁴

As this response suggests, the Syrian crisis is, ultimately, one that stems from repeated failures of governance. It results from the failure of Syria's ruling regime to listen to and accommodate the demands for change that were first made by citizens in 2011, and from the state's decision to meet protest with violent response, which led to a spiral into armed conflict. It also demonstrates the continuing failures of the global governance system to broker a solution, or even adequately provide support to deal with the conflict's fall-out. Bassam al-Ahmad, of the Violations Documentation Center, a Syrian human rights accountability CSO, sets out how the self-interested manoeuvres of governments are denying Syria's citizens access to international paths for seeking justice.⁵⁵

The Syrian experience made it very clear more than ever that there is an urgent need to develop the mechanisms of the UN and the protection of civilians, especially in armed conflicts. The Syrian experience also tells us about the need for an effective international judicial system to hold human rights violators accountable. The promotion of human rights must be built on the basis of strengthening the Responsibility to Protect principle, respect for the aspirations of the peoples, and stopping the impunity of war criminals.

For example, Russian and Chinese vetoes prevented the Syrian case from being transferred to the International Criminal Court. This gave strong support and signals to the Syrian regime to continue committing crimes against humanity and war crimes.

So, given the failure of state and multilateral actors, what outside support could help? Aya al-Jamili offers her thoughts, calling for stronger recognition of the role of domestic civil society, and the need for careful and nuanced decisions about support:

The international community has to think seriously about Syrians in neighbouring countries, a large segment of which are heading to European Union (EU) countries in search of opportunities in all fields. I watch the energies of youth and

52 'UN Agencies And Partners Say Funding Shortage Leaves Syrian Refugees And Host Nations Without Vital Support', World Food Programme, 25 June 2015, <http://bit.ly/1VJKFTh>; 'Funding shortfall forces UN to scale back food aid to Syrian refugees in Turkey', UN News Centre, 6 March 2015, <http://bit.ly/1psPEJi>.

53 'Syria civil war: Donors pledge billions in vital aid', BBC, 4 February 2016, <http://bbc.in/1PVkib>.

54 'Now turn pledges into action', BOND, 4 February 2016, <http://bit.ly/1NpgWeY>; 'Syria crisis: Humanitarian agencies urge unimpeded access', Devex, 10 February 2016, <http://bit.ly/20M5G2y>.

55 Violations Documentation Center website, <http://bit.ly/1MPcMx5>.

beautiful ideas being lost because of weak support, even though most of them needed only a relatively small amount of support. We have to work on the important groups of young men and women; women face many difficulties, but still have the talent and capabilities, if the opportunity comes. Negligence is leading to the marginalisation of the most vulnerable: women and children.

The start of calls for freedom and liberties in Syria in March 2011 led to the establishment of civil gatherings and groups with the goals of organising demonstrations and work to provide relief to the displaced. With the growth of rebel controlled areas, groups took shape and grew, and turned more into CSOs, running operations on the ground. These organisations inside Syria are the most important tool that the international community should support, so that they are more able to face militant organisations active in the region, such as ISIL, Nusra Front and other radical organisations working to erase any form of civil life and openness in Syria. It should also be noted that these militant groups are using their own organisations that claim to be civil to attempt to erase the real civil society. Moreover, in doing so, they are injecting their thoughts and ideology into the heart of Syrian civil society.

On the other hand, we have to be careful, while supporting CSOs, not to turn them into governing bodies that compete with the Local Councils and the new ruling systems inside Syria. That would risk losing the spirit of civil society as a third party in the political, social and cultural affairs of Syria, and may endanger governing bodies that the opposition is trying to strengthen. Misunderstanding of the role of civil society can lead to competition over tasks and services between the opposition government and CSOs, which may weaken our main goal in toppling the dictatorship, and deviate from our work to confront the radical ideologies that are leaking into the minds of poor and marginalised communities in Syria.

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” YEMEN: A CONVENIENTLY FORGOTTEN PROXY WAR

If Syria is a war where some voices are heard more loudly than others, then Yemen could be characterised as the world’s forgotten conflict. Yemen is also host to a complex, multi-sided war between rival claimants to government, and two Islamist extremist forces, ISIL and al-Qaeda in the Arabian Peninsula. Yemen’s powerful neighbour, Saudi Arabia, leads a coalition that supports the existing government, while Iran is widely accused of supporting the insurgent Houthi forces. This means that, as in Syria, Yemen is being used as a proxy battleground in a war for regional supremacy between Iran and Saudi Arabia, something that has intensified as a new generation of Saudi leaders seeks to assert power.⁵⁶ The USA provides munitions and military equipment, supplies intelligence and logistical support to the Saudi-led coalition, and carries out drone strikes in Yemen. The UK also supplies arms and military advice to Saudi Arabia.⁵⁷ Attempts at peace talks have come to little to date, because not all parties in the conflict have been involved, and all sides seem to think they can gain ground by continuing to fight.⁵⁸

56 ‘Rupture with Iran may not have been Saudi aim, but Riyadh has no regrets’, Reuters, 7 January 2016, <http://reut.rs/1MPcVRd>.

57 ‘Obama’s Gotten The U.S. Stuck In Yemen. Is He Looking For A Way Out?’, The Huffington Post, 26 October 2015, <http://huff.to/2060fpz>; ‘UK military ‘working alongside’ Saudi bomb targeters in Yemen war’, The Telegraph, 23 April 2016, <http://bit.ly/1Q6ti9E>.

58 ‘Yemen: Is Peace Possible?’, International Crisis Group, 9 February 2016, <http://bit.ly/1nUMRrS>.

As in Syria, all sides in the conflict are killing civilians, who make up the vast majority of the dead, with air strikes by the Saudi-led coalition being the biggest cause of civilian death.⁵⁹ The conflict is disproportionately affecting those who are already poor and vulnerable, because many of the wealthy have been able to flee.⁶⁰ The media are also being targeted: a Yemen-based freelance journalist recounted in October 2015 that in the year to date, 10 journalists had been killed and 14 jailed, as part of at least 200 violations of media freedom in ten months.⁶¹ The difficulties in reporting in Yemen, and in accessing Yemen by outside journalists,



Photograph: Julien Harneis - health clinic, Yemen

59 'State of Crisis: Explosive Weapons in Yemen', Action on Armed Violence, 22 September 2015, <http://bit.ly/1T5uA3F>; 'In Yemen, civilians suffer relentless bombing by Saudi-led coalition', The Intercept, 11 January 2016, <http://bit.ly/1XOurFP>; International Crisis Group, op. cit.

60 'Yemen is shattered and peace seems a long way off. The world just can't watch on', The Guardian, 22 October 2015, <http://bit.ly/1LprkiG>.

61 'The world needs to know about Yemen's war. But journalists are being silenced', The Guardian, 26 October 2015, <http://bit.ly/1O3Lh28>.

are some of the reasons why the conflict is largely hidden. These difficulties make it hard even to establish sound figures for the number of people killed or affected by the conflict, although one estimate, on the first anniversary of conflict in March 2016, placed the number of deaths at over 6,000.⁶²

In August 2015, the UN's highest humanitarian official, Stephen O'Brien, returned from a visit to Yemen to report that four of every five Yemeni citizens needed humanitarian assistance and over 1.5 million people were internally displaced. He described the scale of suffering as "...nearly incomprehensible..." and added that unless peace talks start soon, "there will be nothing left to fight for." Famine is a real danger: at least a million children aged under five are estimated to be malnourished, and at least 60 per cent of the population to be in need of humanitarian assistance.⁶³ Combat forces worsen the humanitarian crisis by seizing civilian supplies of food, water, medicines and fuel.⁶⁴ Yet in a sign of the wider international lack of interest, O'Brien noted that the Yemen Humanitarian Response Plan was massively undersubscribed, with only 18 per cent of the required funds having been received.⁶⁵

The continuing Yemen conflict is, as Amal Bashir, Chair of Sisters Arab Forum for Human Rights makes clear, an indictment of a failed international system:

There is a clear failure by the international community, including the UN system. They failed to stop the war and set up an independent inquiry tribunal. Also, many of our cities are living under siege and there are no safe outlets available for civilians to move out of the areas where there are clashes. No doubt all that put a lot of pain in the heart of the Yemeni people. Saudi Arabia with its petro-dollars has managed to silence the international media and put the Yemeni crisis in the shadow.

62 'Saudi-led air strikes kill 41 civilians in Yemen – health official', Reuters, 15 March 2016, <http://reut.rs/1Wj0TBh>; 'In wake of another deadly attack in Yemen, UN human rights chief decries Coalition airstrikes', UN News Centre, 18 March 2016, <http://bit.ly/1Ww74jC>.

63 'Yemen: Deteriorating Humanitarian Crisis', Office for the Coordination of Humanitarian Affairs, Situation Report No. 9, 29 May 2015, <http://bit.ly/1AljyhW>.

64 'Yemen: Houthis Shell Civilians in Southern City', Human Rights Watch, 20 October 2015, <http://bit.ly/1PAnxD6>.

65 'At Security Council, UN relief chief cites 'incomprehensible' scale of human suffering in Yemen', UN News Centre, 19 August 2015, <http://bit.ly/1TUesYT>.

THE ROLE OF SAUDI ARABIA

It is, indeed, impossible to discuss Yemen without reference to Saudi Arabia, regional power and ally of the west. Amnesty International, in October 2015, found “damning evidence” of war crimes being committed by the Saudi coalition in Yemen, and called for the USA and other allies to suspend supplies of weapons.⁶⁶ There is evidence that the Saudi coalition is using banned cluster munitions, and bombing schools, markets and mosques. In October 2015, Human Rights Watch reported that that neighbourhoods with no military presence are being bombed.⁶⁷ A leaked report from a UN panel of experts, released in January 2016, concluded that Saudi coalition attacks are targeting civilians, including by bombing camps for displaced persons, hospitals and schools, with 119 separate sorties resulting in apparent violations of international law.⁶⁸ In just one incident in March 2016, a coalition airstrike using a US bomb killed at least 119 people in an attack on a market.⁶⁹

But efforts to bring the scale of human rights abuses to international attention have been thwarted. In September and October 2015 at the UN Human Rights Council (UNHRC), an attempt by the Dutch government to establish an international inquiry on Yemen was frustrated. The motion was withdrawn under heavy pressure from Saudi Arabia and its allies, and an alternate motion, backed by the governments of France, UK, USA and Saudi Arabia’s regional allies, was carried, to set up a national inquiry only. This move was roundly condemned by civil society.⁷⁰ An inquiry led by Yemen’s government is unlikely to scrutinise adequately its own actions or those of its allies. By blocking action at the UN level, states have denied Yemeni citizens the possibility of redress.

Saudi Arabia is, of course, a serial human rights abuser at home as well. In January 2016, it carried out a mass execution of 47 people, one of whom, Sheikh Nimr al-Nimr, was a prominent critic of the government. Sheikh Nimr was found guilty by a national security court of terrorism, but his real crime was political, for encouraging protests by Saudi Arabia’s marginalised Shia minority in the country’s Eastern Province.⁷¹ In September 2015, a gruesome sentence of death by beheading followed by crucifixion was confirmed on his nephew, Ali Mohammed al-Nimr, arrested at the age of 17 for taking part in a protest.⁷² In November 2015, poet Ashraf Fayadh was sentenced to death for apostasy, after a process in which he was denied legal representation, while in June 2015, the sentence against blogger Raif Badawi, of 1,000 lashes and ten years in jail, was upheld.⁷³ In November 2015, the UN Working Group on Arbitrary Detention concluded that nine people are currently under arbitrary detention in Saudi Arabia, in violation of international law, six of them members of the Saudi Civil and Political Rights Association.⁷⁴ These are just a few

66 ‘Yemen: call for suspension of arms transfers to coalition and accountability for war crimes’, Amnesty International, 7 October 2015, <http://bit.ly/1Qukw2e>.

67 ‘Yemen: the forgotten war’, Amnesty International, <http://bit.ly/1Npli5S>; Human Rights Watch, 20 October 2015, op. cit.

68 ‘UN panel calls for international inquiry in Yemen’, Middle East Eye, 27 January 2016, <http://bit.ly/1VJPT1b>; ‘Yemen conflict: UN panel wants inquiry into alleged rights abuses’, DW, 27 January 2016, <http://bit.ly/1WN9XNu>.

69 ‘Saudi coalition used U.S. bomb in Yemen market strike that killed 119: report’, CBC News, 7 April 2016, <http://bit.ly/1SWOugL>.

70 ‘UN Human Rights Council Fails Yemeni Civilians’, Human Rights Watch, 2 October 2015, <http://bit.ly/1PSzwZE>; ‘UN Resolution on Yemen fails to launch international investigation into war crimes’, Amnesty International, 2 October 2015, <http://bit.ly/1O9xwgu>.

71 ‘Who Was The Shiite Sheikh Executed By Saudi Arabia?’, NPR, 4 January 2016, <http://bit.ly/1O9xwgu>; ‘Mass Execution Is Part Of Saudi Arabia’s Long History Of Horrors’, The Huffington Post, 6 January 2016, <http://huff.to/22WGamW>.

72 ‘Ali Mohammed al-Nimr crucifixion: Defiant Saudi Arabia rejects international ‘interference’ in protestor’s crucifixion’, International Business Times, 7 October 2015, <http://bit.ly/1LpqmzD>.

73 ‘Saudi Arabia upholds sentence for blogger Badawi’, Al Jazeera, 7 June 2015, <http://bit.ly/1BTXgoA>; ‘Death sentence for free speech: Poet Ashraf Fayadh and the rising toll in Saudi Arabia’, The Daily Maverick, 24 November 2015, <http://bit.ly/1VJRzlc>.

74 ‘Saudi Arabia: UN expert working group highlights appalling record on unlawful detention of peaceful activists’, Amnesty International, 23 November 2015, <http://bit.ly/1r7BQ8K>.

examples, of many that could be offered, of a political system characterised by contempt for human rights, in which a politicised judiciary conducts unfair trials that lead to barbaric punishments.⁷⁵ On average, the state beheads one person every two days.⁷⁶

But Saudi Arabia's allies are silent about these abuses; the British Foreign Secretary, for example, failed to condemn the execution of the 47, and repeated Saudi Arabia's line that those executed were terrorists.⁷⁷ The same western governments that are vocal about human rights abuses in Syria are largely silent about those committed by Saudi Arabia, in Yemen and at home. This silence comes even in the face of evidence that Yemen has become a breeding ground for terrorism, with extremist forces becoming more ruthless in the areas they occupy, and evidence that Saudi forces attack extremist-controlled areas less.⁷⁸ The only inference that can be drawn is that a policy of maintaining good relations with Saudi Arabia trumps all other concerns. The conflict is hidden partly because it suits Saudi Arabia and its allies to turn a blind eye to a campaign in which Saudi Arabia will bomb Yemen until it gets the territorial dominance that it wants.

Yemen's civil society is of course profoundly impacted on by the conflict, while trying to mount what response it can. For example, Houthi forces were reported to have shut down 33 CSOs since taking control of the capital Sana'a in September 2014, frequently stealing their assets, and are pursuing a campaign of detaining and killing activists and opposition figures.⁷⁹ Amal Bashar sets out what civil society is doing in Yemen, and the scale of the challenge:

Civil society in Yemen is restricted by the war and the lack of security. Human rights organisations are working on three fronts: relief, documentation of human rights violations, and calling for peace and for the war to be stopped immediately.

Civil society experiences huge difficulties and many obstacles in reaching people due to the lack of public services and the fact that Yemeni citizens, including those who work in CSOs, are living under a war economy, which imposes a lot of limitations on them. For example it is not possible to use the phone for communication. Also, civil society in Yemen is divided these days, so there are organisations that only document the violations by one side and ignore violations by other parties.

Despite all these problems, there are a few organisations that are trying to do their work independently. It's not easy. For example, I have two female staff of my organisation, the Sisters' Arab Forum for Human Rights, who have to pay US\$50 every day just to reach our office. This is too much money in Yemen.

Amal finishes by setting out what international support civil society most needs:

International civil society can help by doing their best to stop the war and bring all the stakeholders into a productive dialogue, putting real pressure on those who are trying to keep this proxy war going, and supporting human rights defenders who are forced to live in exile.

75 'Saudi Arabia: Human Rights Defenders: The Challenges and Their Urgent Need for Protection', 16 September 2015, <http://bit.ly/1QuIZWi>.

76 'Ali Mohammed Al-Nimr Sentenced To Crucifixion In Saudi Arabia For Attending Pro-Democracy Protest', The Huffington Post, 22 September 2015, <http://huff.to/1KOBVQV>.

77 'Foreign Secretary refuses to condemn Saudi mass execution', Reprieve, 8 January 2016, <http://bit.ly/1SDz1Zk>.

78 'Al-Qaida's Hadramawt emirate', The Brookings Institute, 12 July 2015, <http://brook.gs/1SWPuBw>; 'The Yemen crisis is partly our fault. We can no longer facilitate this war', The Guardian, 5 October 2015, <http://bit.ly/1KYbUSf>.

79 'Yemen: Houthis Shut Groups, Detain Activists', Human Rights Watch, 13 December 2015, <http://bit.ly/1SWFfPB>.

Governments, and the international system, have failed Yemen. Civil society in the western countries implicated in Saudi Arabia's bombardment of Yemen, notably the USA and UK, should work to focus public pressure on their governments and expose their governments' complicity in war crimes. For example, in January 2016, UK group Campaign Against Arms Trade launched a legal action to challenge the British government's arms sales to Saudi Arabia, on the grounds that UK military equipment should not be used in breach of international humanitarian law; Amnesty International has exposed how a UK missile was used to destroy a ceramics factory, a non-military target, in September 2015.⁸⁰ This could prove to be an early test for a new piece of international law, the Arms Trade Treaty, which places an obligation on states that sell arms to ensure they are not used in human rights abuses. The treaty entered into force in December 2014, following years of civil society advocacy, and the UK is a party to it.

On the ground in Yemen, civil society is responding as best as it can, but in the absence of a workable peace process, or even a ceasefire to enable access to much-needed humanitarian aid, it finds itself overwhelmed, as well as targeted. The 2015 State of Civil Society Report recorded that, even early in the conflict, many international CSOs have had to pull out because they could not operate safely, while those that remain have struggled to overcome the coalition's naval blockade and other transport and access difficulties that prevent them bringing in vital supplies and reaching communities experiencing humanitarian crisis. The international invisibility of the Yemen war also hinders attempts to fundraise.

It is not easy to see a way forward. The only plausible process that can be envisaged towards a solution is one in which international efforts are able to overcome the politics of national interests, by working through processes that connect with and respect the voices of Yemen's civilian population, for whom conflict is proving so devastating.

HOSPITALS: THE NEW FRONTLINE IN WAR

Those CSOs that continue to try to work in Yemen find themselves on the receiving end of the conflict's violence. The experience of Médecins Sans Frontières (MSF) in 2015 and 2016 exemplifies the high level of risk that civil society faces. In October 2015, an MSF hospital in Yemen was bombed by Saudi forces, in an apparently deliberate move. The attack came despite MSF supplying the hospital's GPS coordinates to the coalition, and there being no fighters in the hospital at the time of the attack. This is something that may well constitute a war crime.⁸¹ The attack was only one of a distressing series of strikes on MSF facilities in Yemen: a mobile clinic was hit by an airstrike in December 2015, six people were killed in a hospital attack in January 2016, and an ambulance was bombed that same month.⁸²

In November 2015, in Syria, another MSF hospital was bombed, apparently by government forces, resulting in seven deaths. The two-fold attack, characteristic of Syrian government tactics, meant that medical staff responding to those wounded in the first bombing were caught in the second wave. Five more hospitals and two schools were bombed in one day in northern Syria in a suspected Russian attack in February 2016, resulting in the deaths of at least 50 civilians. The UN Secretary-General condemned

80 'Yemen: Coalition used UK missile in lawful airstrike', Amnesty International, 25 November 2015, <http://bit.ly/1NpnJW3>; 'Letter before action sent as threat of legal action over arms export licences to Saudi Arabia increases', Campaign Against Arms Trade, 11 January 2016, <http://bit.ly/20zfbmt>.

81 'Yemen: Bombing of MSF hospital may amount to a war crime', Amnesty International, 27 October 2015, <http://bit.ly/1WhrQC9>; 'Yemeni MSF hospital bombed, Saudi-led coalition denies responsibility', Reuters, 27 October 2015, <http://reut.rs/1LB7nU3>.

82 'Yemen: Health facilities under attack – MSF wants answers', Médecins Sans Frontières, 25 January 2016, <http://bit.ly/1K78jEr>.

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In October
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the attacks as violating international law.⁸³ Even under the ceasefire, hospitals have continued to be targeted: at least 14 people were killed in an attack on an MSF hospital in Aleppo in April 2016.⁸⁴

Such bombings should be seen as part of a pattern, in which humanitarian facilities and workers in Syria are increasingly being targeted by all sides. The campaigning group Physicians for Human Rights reported that in October 2015 alone, there were 16 documented attacks on health facilities in Syria, with 10 of these coming from Russian forces, and there have been around 700 killings of medical personnel since the start of the conflict.⁸⁵ The continuing assault on health facilities saw 23 Syrian MSF health



Photograph: wikipedia

83 'Strikes on schools and hospitals in Syria 'war crimes'', Al Jazeera, 16 February 2016, <http://bit.ly/1Qi97sE>.

84 'Syria: Airstrike destroys MSF-supported hospital in Aleppo killing 14', MSF, 28 April 2016, <http://bit.ly/1SWM487>.

85 'Thursday, 10/29 in New York: Die-in to #DefendDoctors in Syria', Physicians for Human Rights, 26 October 2015, <http://bit.ly/1SDAiPP>; 'MSF hospital in Syria hit by 'double-tap' barrel bombing', The Guardian, 1 December 2015, <http://bit.ly/21rPtgO>.

staff killed in 2015, and 63 different MSF-supported hospitals or clinics bombed. Attacks on medical facilities and professionals continued in besieged parts of Syria even during the ceasefire.⁸⁶

Most notorious was the US bombing of an MSF hospital in Kunduz, Afghanistan, in October 2015, which led to the deaths of at least 30 civilians, both patients and MSF staff members.⁸⁷ In a 25 minute attack, 211 shells were fired at the hospital, even though MSF staff contacted US forces, identified themselves as a hospital and pleaded with them to call off the attack. It was later confirmed that there were no armed people in the hospital at the time of the bombing.

The USA changed its story several times following the attack, initially claiming to have responded after coming under fire. An internal enquiry later concluded that the bombing had been a mistake. President Obama apologised and some military staff received administrative punishments.⁸⁸ MSF, however, has continued to call for an independent enquiry, and describe the attack as a violation of the rules of war.⁸⁹

This series of bombings further demonstrates how humanitarian workers are coming under attack from all sides in conflicts, amidst conditions of declining respect for their role. As well as the impact on the killed and wounded, hospital bombings have other lasting effects: they remove vital healthcare from conflict zones, and cause people to stay away from health facilities out of fear.⁹⁰ The concern must be that hospital bombings are becoming normalised as part of war, with calls for justice for victims routinely overlooked, provided that the aggressor issues an apology for its mistake afterwards. Again, long-established human rights and humanitarian norms are being eroded.

The series of attacks on hospitals also highlights the feebleness of the present international system. An international body exists to investigate breaches of the Geneva Conventions, which establish the rules for the treatment of people during war: the International Humanitarian Fact-Finding Commission was established in 1991, but has never once been activated; it would become active if any of its 76 signatory states agreed to support an enquiry. At time of writing, MSF has communicated with the Commission, which has written to the governments of Afghanistan and the USA, but little seems to have happened since.⁹¹ Its main purpose at present seems to be to function as an emblem of the wider dysfunction of international governance.

Doubtless brave civil society personnel will continue to put themselves in the firing lane, acting out of humanitarian impulse. They deserve better protection, from governments that are happy to celebrate human rights when it suits them, and an international system that needs to demonstrate that it is not hopelessly compromised.

86 'Syria: War-wounded and war-dead in Syria – medical data provides a stark warning that 2015 must not be repeated, Médecins Sans Frontières, 9 March 2016, <http://bit.ly/1rrEiV>; 'Syria: Despite cease-fire, catalogue of horror continues in besieged areas', Médecins Sans Frontières, 7 April 2016, <http://bit.ly/1V1loUf>.

87 'Factsheet: Kunduz hospital attack', Médecins Sans Frontières, 7 October 2015, <http://bit.ly/1TP74u2>.

88 'Kunduz hospital bombing: US army staff face punishment following deadly attack', The Independent, 18 March 2016, <http://ind.pn/1MejH2b>.

89 'Obama apologizes for Kunduz attack, MSF demands independent probe', Reuters, 7 October 2015, <http://reut.rs/1Npp1k5>; 'Kunduz bombing: US attacked MSF clinic 'in error'', BBC, 25 November 2015, <http://bbc.in/1YubuJj>.

90 'Attacks on hospitals mean people in Yemen are now too scared to go for treatment, MSF says', The Independent, 19 January 2016, <http://ind.pn/1OGaH1z>.

91 International Humanitarian Fact-Finding Commission website, <http://bit.ly/1SBn3vU>.

5. FRONTLINE RESPONSE: CONCLUSION AND FIVE POINTS FOR FUTURE ACTION

It is impossible in this report to capture the many small but significant civil society responses to violence and crisis, and civil society work to build peace and inclusion, that takes place each year at the local level. Thus, the issues highlighted in this report are necessarily selective. The crises are disparate, and each has its own specifics and dynamics. Nevertheless, there are similarities in how crisis situations impact on civil society and how, in the most difficult situations, civil society finds ways and evolves structures to respond. On this basis, the following recommendations are made:

- In humanitarian response situations, stronger coordination is needed, between local and international civil society, and between civil society and governments. International civil society has to improve how it works with local civil society, so that it understands and is informed by local nuance and needs on the ground. This may entail international CSOs becoming less preoccupied with visibility and branding, and devolving more of their functions to national and local CSOs. Closer coordination between civil society and governments, while needed, should not imply control of civil society by governments. Complementary ways of working need to be explored, which respects the fact that CSOs are sometimes able to reach communities and locales that governments cannot. Closer coordination also entails recognising the important role that non-formal and still evolving civil society responses and structures can play, such as the mobilisation that new technology enabled in response to the Nepal earthquake, and the local structures that grew out of voluntary action to provide essential services in Syria.
- Pre-existing civil society restriction makes civil society response to crises harder; in general, civil society is best able to play a full role in crisis response when the three fundamental civil society rights, of freedom of association, freedom of assembly and freedom of expression, are respected. This is, however, an important lesson that is often overlooked when assessing crisis and disaster response and in planning for improved disaster preparedness. Emergency preparedness programmes therefore should have a focus on respecting civil society rights and enabling civic space - the space in which civil society can work, defined by its three fundamental rights - and in developing civic space as a legacy of response. In conflict situations, attention also needs to be paid to upholding and defending the space for humanitarian action.
- There is an urgent need to rearticulate and defend the rights of humanitarian workers to go about their work in peace, and assert the political neutrality of humanitarian work in conflict situations. International norms in this regard need to be restated and reasserted. Accountability to international humanitarian law needs to be strictly enforced by the international system, as well as by parties to conflict, including states and non-state actors.
- The contribution civil society is making, even in very difficult situations, needs to be better explained and understood. Narratives of proxy wars that relate the interests of different, powerful states in crisis situations may help in analysing the drivers and enablers of crisis, but raise the danger that situations will only be seen and understood from the perspectives of powerful, external voices. They overlook voices from the ground, and deny citizens and civil society the agency to tell their

own stories and shape their societies. More support must be given to civil society in countries such as Syria and Yemen, and in their new refugee communities, to tell their stories and articulate their demands, not least for ensuring that any peace processes speak to needs on the ground.

- The international system continually fails in crisis situations. It is inefficient and slow to mobilise, and gaps between pledged and actual funds are often huge. In conflict situations, the international system may compromise excessively with states that are in gross violation of international norms. Global institutions need to be made more transparent and accountable, and opened up to greater influence from a broad range of civil society, including civil society of the global south. Civil society engaged in humanitarian response needs, therefore, to engage in processes to seek reform of key global governance institutions, and to articulate what global governance structures are needed to address contemporary complex emergencies. This should include efficient resourcing systems that enable relief to flow directly to affected communities and civil society serving their needs on the ground.