

Introduction to Panel IV: : Legislation and policy framework

Markus Reiterer

Ladies and Gentlemen!

Welcome to the final panel of today's symposium. My name is Markus Reiterer and I am presently serving as co-chair of the Convention's Standing Committee on Victim Assistance. With me on the podium today are *Margaret Arach Orech*, herself a landmine survivor and Ambassador of the International Campaign to Ban Landmines, *Kirsten Young*, Director of Advocacy and Rights of the Landmine Survivors Network, and *Simon Walker*, Advisor for Human Rights and Disability at the Office of the United Nations High Commissioner for Human Rights in Geneva.

Ladies and Gentlemen,

During the course of the day, we have heard a lot about various activities which either are already carried out by States or should be carried out – or perhaps better be not carried out. Panelists and discussants have addressed various aspects of assistance to landmine survivors from different angles, be they psychological, social or economic or from the viewpoint of rehabilitation. All these aspects have one element in common: they usually need to be embedded in specific policy or legislative frameworks which apply to the State in question. It is the usual method of States to formulate specific aims, ideas, targets or policies. As it is within such specific legislative and policy frameworks that States usually act, it is important to shape these frameworks in a manner which is conducive for better assisting landmine survivors.

Already the Ottawa Convention itself provides some policy guidance for victim assistance by obliging States in a position to do so to provide assistance to survivors. This is – to say the least – a rather generic obligation, but it has been a milestone in the recognition of the situation of victims and their needs. Through this provision the Mine Ban Treaty became the first international arms control and disarmament agreement that aimed to take care of victims. It thereby emphasizes the Convention's overarching humanitarian objective.

In 2006, the international Community took a key step to changing the life of persons with disabilities for the better. The *Convention on the Rights of Persons with Disabilities* became the first human rights convention of the new millennium. But – given the existence of so many human rights instruments – why would we need such an instrument? This question is not meant to be provocative. The international *corpus* of human rights law comprises a substantial number of solemn declarations, resolutions, covenants, conventions, treaties and so on. Practically all of them prohibit any form of discrimination in the exercise of the rights enshrined in these instruments. Hence – in an ideal world – the Universal Declaration on Human Rights alone could be sufficient. – But: Is it? It does not require enormous analytical skills to recognize that unfortunately the needs – the rights! – of those who are particularly vulnerable are often not adequately guaranteed. Just two brief examples: How would

a blind person be able to vote if he/she can not be accompanied by person he/she trusts? How could a person that has to rely on wheel chair exercise his/her right to vote if the ballot box is simply not accessible?

The Convention on the Rights of Persons with Disabilities has the potential to improve the normative framework that protects and ensures respect for the rights of persons with disabilities, including landmine survivors. This panel aims to illustrate in a more comprehensive manner the challenges and chances that this new convention provides.

Panelists will, *inter alia*, address the following questions: How can the Convention on the Rights of Persons with Disabilities help States to meet their responsibilities to landmine survivors? Which legislative and policy practices have already been used by some States? Can strengthening legislation and establishing sound public policies really make a difference in countries with few resources to implement policies and ensure compliance with laws?

The road that a landmine survivor needs to tackle after the blast is a long one – starting with the pain, the shock, the fear. Waiting for emergency response, hospital care, rehabilitation, psychological care and leading towards socio-economic reintegration. It is the responsibility of all of us to do our utmost to ensure that this long road is not a lonely one as well.