
GUIDING PRINCIPLES FOR VICTIM ASSISTANCE

COMPILED BY THE WORKING GROUP ON VICTIM ASSISTANCE OF THE
INTERNATIONAL CAMPAIGN TO BAN LANDMINES

The goal of these guiding principles is to provide a framework for all concerned actors to plan, implement, monitor and evaluate victim assistance.

These principles are based on Article 6 of the Mine Ban Treaty, the Nairobi Action Plan and other existing legal obligations and political commitments of States Parties.

The ICBL will focus future monitoring and analysis of each country's progress on victim assistance on:

- a) Implementation of the objectives the State Party has presented in the VA Standing Committee Co-Chairs' Victim Assistance Questionnaire, and
- b) Adherence to these guiding principles.

For the purpose of these guidelines, the ICBL will use the following definition of mine victim, from *Victim Assistance: Contexts, principles and issues, Position Paper of the ICBL, Working Group on Victim Assistance (2000)*:

- *Mine victim:* "Those who, either individually or collectively, have suffered physical, emotional and psychological injury, economic loss or substantial impairment of their fundamental rights through acts or omissions related to mine utilization." Thus, mine victims include directly impacted individuals, their families, and communities affected by mines.

Victim assistance includes the following components: data collection, emergency first aid and ongoing medical care, physical rehabilitation, psychological support and social reintegration, economic reintegration, and disability laws and policies.

VICTIM ASSISTANCE GUIDING PRINCIPLES

- 1. Human rights perspective:** Victim assistance is a human rights issue based on the right of all people to an equal opportunity to participate in society through political, economic, social and cultural activities. Limited access to these opportunities created by attitudes and legal, social and physical barriers is a violation of these rights, which are protected by international human rights norms. The UN Convention on the Rights of Persons with Disabilities complements the Mine Ban Treaty by further articulating the rights of people with disabilities.
- 2. Inclusion:** Victims should be included in all decision-making processes that affect them; including the planning, design, implementation, monitoring and evaluation of projects and programs. Victims' views should be heard and considered at all levels of decision-making and at program and project design that refer to their rights. This includes victim assistance, mine risk education and mine clearance programs.
- 3. Non-discrimination:** Victim assistance programs and projects should not discriminate on the basis of any characteristic, including the origin of the injury or the person's civilian or military status. Likewise, poverty reduction and economic development programs and projects (including microfinance schemes, unemployment services, and pensions) should not discriminate against survivors or other people with disabilities.
- 4. Gender and age considerations:** Development of services for victims should take into account the gender and age of the victims, and particular efforts should be made to ensure access to and availability of services to all. The provision of services should be proportionate to the gender and age balance in the victim

population. Victim assistance programs should also consider the needs of the survivor's spouse and children to ensure long-term support for the family's socio-economic development.

5. **Two-track approach:** While victims' rights and requirements should be ensured through programs for the general public as much as possible, special services should be provided where needed to ensure access to these services. Victim assistance should be integrated into disability program and project design; likewise, disability program and project design should be integrated into larger poverty reduction strategies and development programs and projects.
6. **Accessibility:** Victim assistance services should be made accessible to all victims. In addition to access on a non-discriminatory basis, full accessibility includes:
 - *Physical accessibility*, including proximity to mined regions, provision of transport to facilities, and possibility for the facilities to be used by persons with disabilities
 - *Economic accessibility*, ensuring services are affordable for victims, which may mean that victims have the ability to take leave from work and/or receive child care to be able to access services
 - *Access to information*, guaranteeing that victims know what services are available and how to access themAccessibility also means providing services in a manner that is appropriate to the local cultural context.
7. **Variety, comprehensiveness and integrated nature of services:** Victim assistance should be provided through an integrated approach that includes all of the six components of victim assistance, which are interrelated and all essential to the success of each component. Referral systems and networks should be in place and reinforced to guarantee that victims obtaining one type of service can access all the other components of assistance they require.
8. **Capacity building, sustainability and ownership:** Victim assistance needs to be conceived as a long-term activity since it will need to be undertaken through the lifetime of all current and future victims. Victim assistance programs should therefore emphasize from the beginning the training, recruitment and retention of local workers to be responsible for all aspects of project planning, design, implementation, monitoring and evaluation. Over time, States should aim to replace international services with national or local ones. States must also ensure the sustainability of these programs by diversifying funding sources and mainstreaming the activities into general development programs and projects.
9. **Coordination of actors and stakeholders:** Planning and providing victim assistance should be coordinated among all stakeholders including the government, international agencies, civil society and the private sector, and at all levels (local, national, regional and international). It is important that all sectors of the government are involved, including the large departments that have a significant impact on disability (health, education, labor) and all other sectors that may be concerned, such as planning, finance and other development authorities.
10. **Individual and tailored approach:** Victim assistance should be tailored to the requirements of each specific person and the affected community, and appropriate for the country's specific situation.

Selected bibliography

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