

**Standing Committee on
Victim Assistance and Socio-Economic Reintegration**

Toward the Second Review Conference

**presented by the
Co-Chairs (Cambodia and New Zealand)**

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The AP Mine Ban Convention was the first multilateral arms control convention to provide for assistance to the victims of a particular weapon system. And assisting the victims concerned is one of the core aims of the Convention.

But what does this mean? What needs to be done? How should this be done? And who is ultimately responsible?

These are questions that the States Parties discussed in detail between 1999 and 2004, agreeing to key understandings on some of these matters at the First Review Conference.

However, States Parties following the First Review Conference still faced a dilemma: The ICBL and others were saying that not enough was being done to meet the needs of survivors but it was also acknowledged that it was not known what the extent of gaps in assistance were.

By not knowing what needed to be done by certain key milestone dates like the Convention's Second Review Conference in 2009, the States Parties were setting themselves up for failure because there was no measure regarding what it means to have fulfilled their promise to mine victims.

Building on key understandings adopted at the First Review Conference, Co-Chairs of the Standing Committee on Victim Assistance sought to address this dilemma in a strategic manner. The basic components of this were and are the following:

- The acceptance that victim assistance needed to be treated with the same precision and seriousness as other core aims of the Convention.
- That SMART objectives (measures of progress) were required and were specific to each relevant State.
- That defining what can be / should be achieved rests with each relevant State Party.
- A foundation tool for developing objectives and plans was developed in a collaborative manner with relevant actors (i.e., "the questionnaire").
- And, the understanding that an inclusive inter-ministerial process was required.

At the First Review Conference, 24 States Parties reported responsibility for significant numbers of landmine survivors. These 24 States have been the focus of attention for the Standing Committee on Victim Assistance since 2005. It should be noted that this number could increase as more States Parties report on their responsibilities to significant numbers of survivors.

These States Parties are setting their own agendas by articulating in concrete terms what they want to achieve by December 2009 and beyond and their plans to achieve their objectives.

The "Mid-Term Review of the Status of Victim Assistance in the Context of the AP Mine Ban Convention" presented to the 8MSP by the Co-Chairs of the Standing Committee on Victim Assistance outlines in detail some of the progress that has been made by the relevant States Parties in undertaking activities to achieve the aims of the *Nairobi Action Plan* in relation to victim assistance.

However, clearly measuring progress in a quantifiable way is one of the challenges of the work on victim assistance. Unlike mine clearance or stockpile destruction, there are no immediately obvious indicators for demonstrating a country's status in terms of ensuring that adequate assistance is given to mine victims.

Nevertheless, through the methods applied since the First Review Conference – particularly by empowering and assisting relevant States Parties to set their own objectives – a lot has been accomplished.

The question now, on the near-eve of the Second Review Conference, is what will all this look like come December 2009? And, how can this be recorded in comprehensive five year review of the Convention at the Review Conference?

There are a number of opportunities to assist States Parties in assessing or measuring progress in the period between the First and Second Review Conferences:

First: There are broad goals that could be seen as achievable come the Second Review Conference, for instance...

- That victim assistance in the context of the Convention will, to some extent, have become measurable;
- That there will be a body of evidence pointing to how the understandings on victim assistance agreed to at the First Review Conference will have been converted from words on paper and into action;
- That there will be a significantly clearer picture of the magnitude of the challenge as measured, at least, by a credible accounting of the number of survivors in each relevant State Party;
- That all relevant States Parties will have engaged to some degree in a process of applying the understandings agreed to at the First Review Conference; and,
- That a solid basis should exist for what should be done during the next five year period of implementation to ensure that the States Parties meet expectations, in a measurable way, to landmine survivors.

Second: There are detailed State-specific measures of progress.

Responses to the victim assistance questionnaire in 2005 provide a baseline from which to assess progress. The SMART objectives recorded in these responses are potential specific measures of progress.

And third: At a more general level, indicators of progress can be applied.

The Co-Chairs have developed a set of indicators which are now being made available to you. These indicators could be used in a variety of ways to indicate relative degrees of progress in fulfilling key aims.

The indicators are based on the *Nairobi Action Plan* as these actions were the benchmarks against which States Parties agreed to measure progress in the period between 2005 and 2009. The indicators are not intended to generate specific information but rather to serve as a tool to measure progress based on the information that the relevant States Parties have provided. Applying the indicators would not result in a series of Yes or No responses but would be used to indicate varying degrees of progress in achieving a specific aim of the *Nairobi Action Plan*.

The indicators would not be used to rank progress in one State against progress in another as it is clearly understood that each relevant State Party has its own particular priorities and problems in addressing the rights and needs of persons with disabilities. However, all States Parties have the potential for progress in achieving the objectives that it has itself set.

As already noted, the baseline from which progress could be measured is the responses to the victim assistance questionnaire as presented in Annex 5 of the 2005 *Zagreb Progress Report*. The Co-Chairs are encouraging relevant States Parties to update the information provided on the current status in their initial responses to the victim assistance questionnaire so that up-to-date information will be available by the Second Review Conference, and to report on progress in achieving objectives.

The Co-Chairs, with the support of the ISU, would work with each State Party in applying the indicators and the State Party would have the opportunity to provide additional information if necessary.

The indicators were discussed by the victim assistance experts, including survivors, on Wednesday and it is acknowledged that there are challenges to assessing progress in a way that reflects the reality on the ground. Some of the concerns raised include:

- Baseline data in some cases is weak, incomplete, inaccurate, or not available;
- Services may exist on paper but survivors either do not know what is available or cannot access the services; and,
- Some States Parties are dependent on international agencies and the non governmental sector for the provision of services. National ownership was not a specific aim of the *Nairobi Action Plan*, perhaps because it should go without saying, but is an important aspect in measuring progress as States Parties recognize that the ultimate responsibility for victim assistance rests with each relevant State.

The non-governmental sector has an important role, if not a responsibility, in the process of measuring progress as people working on-the-ground with mine survivors and other people with disabilities may bring a different perspective to what has been achieved since the First Review Conference.

Many of the initial responses to the questionnaire in 2005 were based on the input of a diverse range of actors working on the victim assistance issue including relevant ministries, international agencies and the non government sector. As relevant States Parties prepare updated information, the Co-Chairs would encourage that this collaborative approach be undertaken again so that the information truly reflects the reality on the ground.

In conclusion, there is a wealth of opportunity to report, at the Second Review Conference, in a more comprehensive manner than ever the state of victim assistance in the context of the AP Mine Ban Convention.

The challenge is to utilize an appropriate mechanism so that this status can be measured to indicate degrees of progress since the First Review Conference. We look forward to your input in overcoming this and other challenges.

INDICATORS OF PROGRESS IN ACHIEVING AIMS OF THE NAIROBI ACTION PLAN

Understanding the extent of the challenge faced

- A comprehensive mine casualty data collection mechanism has been established.
- Mine casualty data is integrated into the national health information system.
- Comprehensive information is available on the numbers and location of mine survivors to support the needs of programme planners and resource mobilisation.
- An effective coordination/referral mechanism is in place.

Emergency and ongoing medical care

- In areas where explosive hazards exist or may still exist, a system is in place with trained personnel able to quickly provide emergency care to individuals injured by mines.
- Trauma care services, including those provided by well-trained personnel in well-equipped facilities, are located in close proximity to those who may need to access such services.
- Appropriate training for first responders and other trauma specialists is available.
- Health-care facilities in affected areas have the equipment, supplies and medicines necessary to meet basic standards.
- Geography, cost, age, gender or social status do not present barriers to landmine survivors in accessing emergency or ongoing medical care.

Physical rehabilitation

- Comprehensive physical rehabilitation services, including prosthetic production and repair, with well-trained personnel in well-equipped facilities, are available and accessible to mine survivors and other persons with disabilities.
- Appropriate training for rehabilitation specialists is available.
- Multi-sector rehabilitation plan developed and implemented, in collaboration with all relevant stakeholders, including persons with disabilities.
- Geography, cost, age, gender or social status do not present barriers to landmine survivors in accessing physical rehabilitation services.

Psychological support and social reintegration

- Psychological and social support services, with well-trained personnel in well-equipped facilities, are available and accessible to mine survivors and other persons with disabilities.
- Culturally appropriate guidelines on good practice in the provision of psychological and social support developed and implemented.
- Appropriate training for psychiatrists, psychologists and/or social workers is available.
- Peer support programmes are available and accessible to mine survivors and other persons with disabilities.
- Inclusive education plan for children with disabilities developed and implemented.
- Geography, cost, age, gender or social status do not present barriers to landmine survivors in accessing psychological and social support services.

Economic reintegration

- Mine survivors and other persons with disabilities and/or their families have access to programmes, training, micro-finance schemes and other activities that promote their economic independence and the development of their communities.
- Geography, cost, age, gender or social status do not present barriers to landmine survivors and other persons with disabilities in accessing economic reintegration support services.

The establishment, enforcement and implementation of relevant laws and public policies

- National legal and policy frameworks are effectively addressing the needs and fundamental human rights of mine victims and other persons with disabilities.
- Ratification/Accession to the Convention on the Rights of Persons with Disabilities and its Optional Protocol.
- Policy on accessibility to the built environment – buildings, transport, public places, etc – developed and implemented.
- Comprehensive information is available to survivors and other persons with disabilities on their rights and health, rehabilitation, economic and social services.

Process indicators

- An inter-ministerial plan of action for addressing the rights and needs of mine survivors and other persons with disabilities has been developed.
- All relevant ministries have been involved in the development of an inter-ministerial plan of action and are effectively cooperating in implementing the plan and monitoring its implementation.
- Persons with disabilities, including mine survivors, have been involved in the development of an inter-ministerial plan of action and their input is sought on an ongoing basis as it concerns implementation of the plan and monitoring of it.
- Relevant health, rehabilitation and social services professionals are always included on delegations to the Standing Committee on Victim Assistance and Reintegration and the annual meetings of the States Parties to report on problems, priorities and progress in the implementation of an inter-ministerial plan of action.
- Mine survivors are actively participating in meetings of the AP Mine Ban Convention.