

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

**Status of implementation of the Convention
in relation to victim assistance**

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

3 June 2008

Our primary aim as Co-Chairs of the Standing Committee on Victim Assistance and Socio-Economic Reintegration is to support progress in the fulfilment of the commitment that all States Parties made in the *Nairobi Action Plan 2005-2009* to enhance our efforts in regard to the care, rehabilitation and reintegration of landmine survivors.

The *Nairobi Action Plan* contains eleven specific action points with respect to victim assistance. The *Nairobi Action Plan* commits, particularly those States Parties with the greatest numbers of survivors, to do their utmost to develop or enhance capacities to address the rights and needs of mine survivors.

In addition, the *Nairobi Action Plan* contains the commitment of those in a position to do so to provide assistance to States Parties with clearly demonstrated needs, and, the agreement that all States Parties will monitor and promote progress in achieving the victim assistance goals and ensuring the effective participation of mine victims in the work of the Convention.

Our support, as Co-Chairs, to ensure progress in the establishment of SMART national objectives and plan of action is a continuation of the work started by our predecessors, Nicaragua and Norway in 2005, Afghanistan and Switzerland in 2006, and Austria and Sudan in 2007.

I will just take a few moments to refresh your memories of this aspect of the work of the Standing Committee.

The Final Report of the First Review Conference of the Convention noted that the ultimate responsibility of meeting the needs of landmine survivors within a particular state rests with that state, and that no external actor can define for it what can or should be achieved by when and how in meeting the needs of these survivors.

In 2005, under the Co-Chairship of Nicaragua and Norway, a detailed questionnaire was sent to the 24 States Parties that had reported responsibility for significant numbers of mine survivors as a basis for action to encourage and support these States Parties in understanding what could or should be achieved by December 2009 by and in these States.

Responses to these questionnaires were summarized in a lengthy annex to the Sixth Meeting of the States Parties' *Zagreb Progress Report* and hence have become part of the Convention's permanent record. As a result, there was a much more solid basis for developing a clearer road map regarding what needed to be done between 2005 and the Second Review Conference and how success pertaining to victim assistance could be measured in 2009.

However, the *Zagreb Progress Report* acknowledged that the questionnaire was not an end-product but rather an initial step in a long-term planning and implementation process as it concerns victim assistance.

We are pleased that progress is being made as all relevant States Parties have engaged, to some degree, in the process.

However, it continues to be a concern that the potential for progress in some States Parties is hindered by a lack of financial resources and in some cases, capacity in relevant ministries, to develop and/or implement a national plan of action.

Since the Eighth Meeting of the States Parties, Jordan clarified, through the Article 5 extension request it submitted in March, that it too has the responsibility for significant numbers – hundreds or thousands – of mine survivors.

In other developments, at the request of victim assistance experts participating in the April 2007 Standing Committee meetings, a Victim Assistance Resource section has been established in the Convention's Documentation Centre, and a checklist to assist States Parties in developing SMART objectives and a plan of action for victim assistance has been finalised. The Co-Chairs thank the experts and other victim assistance partners for their considerable inputs during the drafting of the checklist.

While progress is being made, challenges remain which require the priority attention of the States Parties in the period leading to the November 2008 Ninth Meeting of the States Parties:

- As noted in the *Dead Sea Progress Report*, there continues to be a need to deepen understanding of commitments made in the *Nairobi Action Plan* and the work of this Standing Committee among relevant officials and experts working on disability issues at the national level and States Parties and relevant organizations should do more to ensure that landmine survivors are effectively involved in national planning and contribute to deliberations that affect them.
- States Parties need to ensure efficient and effective use of resources, particularly where capacity and resources to develop and implement objectives and national plans are limited. Better collaboration between mine action centres and relevant ministries and other key actors in the disability sector is essential.

And,

- Success in victim assistance also means understanding victim assistance in the broader contexts of development and seeing its place as a part of existing State responsibilities in the areas of health care, social services, rehabilitation, vocational training and human rights.

Since 2005, all Co-Chairs have recognized that the best way to assure progress in overcoming these challenges is to work intensively, on a national basis. The Implementation Support Unit, with funding from the friends of victim assistance, continues to assist the Co-Chairs to provide some level of support, often in the form of advice, to all 25 relevant States Parties. In addition, at the request of these States Parties, in-country *process support* is available to advance the State's inter-ministerial efforts to establish better objectives and develop and/or implement good plans, or to provide clarity on the status of victim assistance.

Since the 8MSP, *process support* visits have been undertaken to Afghanistan, Cambodia, Ethiopia, Tajikistan and Thailand, with at least another 9 *process support* visits planned before the 9MSP in November.

In keeping with the commitment made under Action #37 of the *Nairobi Action Plan* to “monitor and promote progress in the achievement of victim assistance goals,” the 2007 Co-Chairs presented the “*Mid-Term Review of the Status of Victim Assistance in the Context of the AP Mine Ban Convention and the Nairobi Action Plan in the 24 Relevant States Parties*” to the 8MSP. This document was based on the 2005 questionnaire and updates and revisions provided by the relevant States Parties.

The Co-Chairs encourage all relevant States Parties to review the information presented in this document and provide updates or clarifications so that this document can be updated for the 8MSP.

In conclusion, I will reiterate two of the key lessons learnt in efforts to implement the victim assistance provision of the AP Mine Ban Convention:

- If a meaningful difference is going to be made in enhancing the well-being and guaranteeing the rights of landmine victims, victim assistance must no longer be seen as an abstraction but rather as a concrete set of actions for which specific States Parties hold ultimate responsibility; and,
- If progress in victim assistance is going to be made, progress must be defined as something that is specific and measurable, with specific measures logically needing to be determined by individual States Parties based on their very diverse circumstances.

These specific and measurable indicators of progress should be time-bound, particularly to take into account that an unambiguous assessment of success or failure will be expected at the Second Review Conference in 2009.