

**STANDING COMMITTEE ON VICTIM ASSISTANCE
AND SOCIO-ECONOMIC REINTEGRATION**

Statement by the Co-Chairs

**Towards the Second Review Conference and beyond
29 May 2009**

Last Friday and Saturday, the Co-Chairs convened a victim assistance retreat which brought together 45 participants representing States Parties, international agencies, the ICRC, the IFRC, and the ICBL and other non governmental organisations. Experts included survivors, doctors, disability rights experts, representatives of relevant ministries and agencies in affected States, representatives of development agencies and service providers.

The retreat is possibly the first time that a fully inclusive and representative group of actors have come together to do some “big picture” thinking on victim assistance.

The purpose of the retreat was to take stock of what has been accomplished since the First Review Conference and to creatively and collectively develop strategies and priorities for the period after 2009.

Our motivation for hosting the retreat came from our predecessors, Cambodia and New Zealand, when at the 9MSP they reminded delegates that efforts to assist the victims will not end with the Second Review Conference and called on affected States, international agencies, NGOs, the donor community, civil society including survivors, to work together to develop sound strategies for the period following the Second Review Conference, based on the lessons learned and priorities identified since the First Review Conference.

Discussions at the retreat were organised under four main themes:

- The evolution of the status of victim assistance in the context of the Convention
- Challenges in fulfilling the Convention’s promise to survivors in 2009
- Actions to address the challenges in fulfilling the Convention’s promise to survivors in the period 2010 to 2014, and
- Maintaining a focus on victim assistance at the Second Review Conference and beyond.

The outcomes of the retreat were presented to the participants in the parallel programme for victim assistance experts yesterday to ensure as a wide consultation on the priorities and challenges for the period beyond 2009.

The experts identified 19 key challenges in implementing the victim assistance provision of the AP Mine Ban Convention. The challenges faced in 2009 are to a large extent identical to those faced in 2004 and likely will be the same as those to be faced in 2014. What is important is to ensure that measurable progress is made toward overcoming these challenges.

The experts also identified priorities areas at the national and international level that will require the sustained attention of the States Parties in the period 2010-2014. Within this framework key priority issues to be addressed within a *Cartagena Action Plan* include: inclusion; a holistic approach; accessibility; coordination and planning; capacity building; and international cooperation and assistance. Experts also stressed the importance of ensuring that the *Cartagena Action Plan* is fully implemented, particularly in rural areas.

The Co-Chairs are in the process of preparing a paper on the priorities and challenges based on the outcomes of our collective efforts. This paper will be presented this afternoon at the PrepCom.

The workshop had a discussion on the ways and means to promote coherent approaches between victim assistance and disability policies in order to make both more effective, and to foster implementation of these policies.

On the one side, the response to the needs of victims of explosive violence should be considered part of a broader response to those who have suffered injuries and to persons with disabilities.

On the other side, the specific situation of the victims of explosive violence is to be taken into account when designing and implementing policies towards persons with disabilities.

Different views were expressed about the situation in the field. Some participants considered that there was usually no discrimination in the treatment of victims of explosive violence and other persons with disabilities. Nevertheless, according to other participants, victim assistance is not always

seen as a priority neither in the context of mine action, nor in the context of general policies towards persons with disabilities.

The role of donors in the definition of projects was also touched upon if the priorities set by the donors are too “sectorial” it may have a negative impact on the sustainability and consistency of the policies.

A number of other questions were raised, which are closely linked to the challenges faced and the priorities identified for the Cartagena conference.

The workshop noted that the AP Mine Ban Convention has inspired the Cluster Munitions Convention (CMC) adopted in Dublin in 2008, and the VA Plan of Action adopted by the High Contracting Parties to the CCW Protocol V. These three mechanisms are largely similar as concerns key matters such as non-discrimination, the centrality of national responsibility, appreciation of the human rights and development contexts, the gender dimension, and the definition of victim and victim assistance. The CRPD provides an overarching framework whose implementation can help States to put into practice their commitments regarding International Humanitarian Law.

The participants agreed that there was scope for further thinking to ensure the coherent implementation of the different international instruments by the States which are bound by them. This could imply coordination concerning reporting, indicators, meetings, focal points, and other practical arrangements.

I hope that the workshop was a first step in the broader reflection which will continue in the coming months.

The retreat noted that the Convention on the Rights of Persons with Disabilities (CRPD) provides an overarching framework which, if implemented to its full extent, would see that States fulfilling victim assistance provisions in IHL would be doing most of what is required of them. In addition, the CRPD provides updated versions of concepts that could be instructive in ensuring that approaches taken in the context of IHL are as up to date as possible.

The President-Designate of the Second Review Conference has indicated the challenge now is to draft a new action plan that is relevant for the period 2010-2014 and based upon the reality of the Convention in 2009.

Through our collective efforts we are now in a position to assist the President-Designate.

Over the coming months, the Co-Chairs we will support the President-Designate to ensure that the review of implementation of victim assistance truly reflects the reality on the ground.

The Co-Chairs will also support the development of a *Cartagena Action Plan* that will facilitate implementation and monitoring to ensure progress in achieving the ultimate aim of victim assistance: the full and effective participation and inclusion of mine survivors, including men, women, boys and girls, in the social, cultural, economic and political life of their communities.

The Co-Chairs also look forward to working with the host country, Colombia, to support their efforts to highlight the abilities and capacities of mine survivors and other persons with disabilities and to ensure that the victim assistance issue is visible and understood by all delegates at the Second Review Conference.