

Afghanistan and Switzerland - 2006 Co-Chairs of the Standing Committee on Victim Assistance and Socio-Economic Reintegration of the Ottawa Anti-Personnel Mine Convention (Mine Ban Treaty)

**7th Meeting of the State Parties (7 MSP)
18 – 22 September 2006, Geneva**

**General status of implementation of the *Nairobi Action Plan*
in relation to Victim Assistance**

The strategy of the Co-Chairs to support the establishment of national objectives and plans of action is a continuation of the work started by our predecessors, Nicaragua and Norway. In 2005, a detailed questionnaire was sent to the 24 States Parties that have reported responsibility for significant numbers of mine survivors. The questionnaire was intended as a basis for action to encourage and support these States Parties in understanding what can 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 is now a much more solid basis for developing a clearer road map regarding what needs to be done before the Second Review Conference and how success pertaining to victim assistance will be measured in 2009.

However, it must be 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.

While the efforts undertaken in 2005 by relevant States Parties were impressive, the *Zagreb Progress Report* suggested that the quality of the responses was mixed. Few States Parties actually responded with objectives that were specific, measurable, achievable, relevant, and time-bound – SMART. Some States Parties detailed at length their status. However, even though this should have provided a sound basis for setting objectives, very little was put forward in terms of what the desired status would be in 2009. Other States Parties failed to spell out what is known or not known about their status. Some States Parties did not engage in the effort at all.

Another challenge identified in 2005 related to the conclusion drawn at the First Review Conference that “assistance to landmine victims should be viewed as a part of a country's overall public health and social services systems and human rights frameworks.” In many instances, the effort to develop victim assistance objectives has been led by demining officials with little interaction with those responsible for health and social services. In some instances the actual provision of victim assistance appears to be the responsibility of mine action structures, not health care or social service structures.

A further challenge related to the First Review Conference's understanding that “providing adequate assistance to landmine survivors must be seen in a broader context of development and underdevelopment.” Many States Parties have prepared Poverty Reduction Strategy Papers or national development plans to overcome broader development challenges, with most such documents containing objectives that are relevant to advancing the care, rehabilitation and reintegration of landmine survivors. However, in many instances the preparation of victim assistance objectives has not taken these broader national plans into consideration.

The needs to overcome these challenges and to monitor progress were identified in the *Zagreb Progress Report* as priorities in the period leading to the Seventh Meeting of the States Parties.

However, real progress will only be possible if these 24 States Parties proceed with the more complex task of developing comprehensive national plans to guide the fulfilment of their objectives. Furthermore, the States must ensure that these plans integrate mine victim assistance into broader health care and social service systems, rehabilitation programmes and legislative and policy frameworks.

As Co-Chairs, we recognized that the best way to assure progress in overcoming these challenges is to work intensively, on a national basis, with as many of the relevant States Parties as possible while providing some level of support to all 24 of these States Parties. With assistance from the Implementation Support Unit, a victim assistance specialist was recruited with funding provided by Switzerland. Our aim was that by the Seventh Meeting of the States Parties: those with good objectives would develop good plans; those with vague objectives would develop more concrete objectives; and, those that had not engaged, or had engaged very little, in the process of developing objectives and plans in 2005 would get engaged.

In 2006, some level of support was provided to all 24 relevant States Parties in the form of advice to consider in their efforts to establish SMART objectives and develop a plan of action. In addition, we ensured that intensive *process support* was provided to eight States Parties between February and August this year to advance their inter-ministerial efforts to establish better objectives and develop good plans. This intense *process support* involved country visits during which one-on-one meetings with officials from relevant ministries took place to raise awareness of the issue and to stimulate inter-ministerial coordination, and outreach to relevant international and other organizations to ensure that their efforts in support of the State Party were not being duplicated but rather were both incorporated into and incorporate mine victim assistance efforts. Mine survivors were also consulted.

The expected outcome of this activity was an improved capacity of States Parties to move forward in the process of setting their own specific objectives and developing plans of action that would lead to a tangible improvement in the services available to mine survivors and other persons with disabilities.

Significant progress has been made in strengthening objectives and developing or revising plans in Afghanistan, Albania, Guinea-Bissau, Tajikistan, and Yemen, with the engagement of relevant ministries and other actors. In Afghanistan and Tajikistan inter-ministerial workshops were conducted to bring together all relevant actors to discuss and consolidate improvements on objectives and the development of plans. Relevant ministries are actively engaged in the process of developing and implementing plans of action in other relevant States Parties, including in Thailand and Uganda. Engagement in the process has increased, including through participation in the work of the Convention by relevant specialists representing several States Parties at this meeting. As we listen to the interventions of States Parties there will likely be more examples of progress in meeting the aims of the *Nairobi Action Plan*.

It is clear that achieving the aims of the *Nairobi Action Plan* will require committed and coordinated efforts at the national level by all the relevant ministries and key actors in the disability sector to avoid duplication and to ensure a holistic approach to meeting the needs of the population, including mine survivors and other people with disabilities. However, our efforts to advance national planning and objective-setting through inter-ministerial coordination have shown that these are challenging tasks for States Parties. In many countries, there continues to be a lack of

communication and coordination between ministries and with other stakeholders. Often progress is hindered by a lack of capacity within the relevant ministries to give disability issues the attention that it warrants. Disability issues are often given a low priority in planning processes because other issues are considered more pressing. Of concern in many countries, is the lack of opportunities for people with disabilities, including survivors, to have a voice on issues that concern them. Political will is essential to overcome these challenges and create an environment where all the population enjoys equal opportunities and access to their rights.

In terms of some key lessons that became apparent to us during our term as Co-Chairs are:

First: 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.

Second: 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.

Third: These specific and measurable indicators of progress must 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.

Fourth: 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.

Fifth: Because victim assistance should be undertaken in the context of existing domains and not in the context of a relatively new field of endeavour called variously “humanitarian demining” or “mine action”, relevant officials and experts from relevant ministries must be engaged in developing specific, measurable and time-bound responses to the needs of victims. That is, an inter-ministerial process is essential.