

**NINTH MEETING OF THE STATES PARTIES TO THE CONVENTION ON THE
PROHIBITION OF THE USE, STOCKPILING, PRODUCTION AND TRANSFER OF ANTI-
PERSONNEL MINES AND ON THEIR DESTRUCTION**

**Geneva, Switzerland
24-28 November 2008**

**General status of implementation of the *Nairobi Action Plan*
in relation to victim assistance**

**Statement by New Zealand
on behalf of the
Co-Chairs of the
Standing Committee on
Victim Assistance and Socio-Economic Reintegration
(Cambodia and New Zealand)**

27 November 2008

Mr President
Excellencies
Distinguished delegates
Ladies and Gentlemen

As Co-Chairs, Cambodia and New Zealand have continued the work of our predecessors to ensure the successful implementation of the Convention and to facilitate concrete progress in achieving the aims of the *Nairobi Action Plan*, with particular focus on the 26 States Parties that have reported responsibility for significant numbers of landmine survivors.

Efforts undertaken by all Co-Chairs since 2005 are based on the logic that the ultimate responsibility of meeting the rights and needs of landmine survivors within a particular state rests with that state.

With funding provided by Australia, Austria, New Zealand, Norway and Switzerland, the ISU assists the Co-Chairs to support national inter-ministerial processes to enable those States Parties with good objectives to develop and implement good plans, to help those with unclear objectives to develop more concrete objectives, and to assist those least engaged in developing objectives and plans in 2005, 2006 and 2007 to get engaged.

Progress is being made to varying degrees by all relevant States Parties. While not all have initiated an inter-ministerial process, all have engaged in the process to some extent. The Co-Chairs' report on the status of implementation details the engagement of relevant States Parties in the process of applying the understandings in relation to victim assistance agreed to at the First Review Conference.

The Co-Chairs provided or offered some level of support to all relevant States Parties in 2008, often in the form of advice. Advice is based on the understandings agreed at the First Review Conference that victim assistance efforts should not exclude any person injured or disabled in another manner; that assistance should be viewed as a part of a country's overall public health and social services systems and human rights frameworks; and, providing assistance should be seen in a broader context of development and underdevelopment.

At the request of relevant States Parties, in-country *process support* is also available to advance the State's inter-ministerial efforts to establish better objectives and develop and implement good plans. Since 2006, *process support* visits have been undertaken in 24 of the 26 relevant States Parties, including 12 in 2008.

Many of these States Parties will provide an update on their progress so I will only highlight some of the developments since the Eighth Meeting of the States Parties:

- Jordan clarified through the Article 5 extension request it submitted in March 2008, that it too has a responsibility for significant numbers of mine survivors. In addition, Iraq clarified through its

initial Article 7 transparency report that it also has a responsibility for significant numbers of mine survivors.

- In response to Action #39 of the *Nairobi Action Plan*, at least 24 health, rehabilitation and social services professionals and other experts from 21 relevant States Parties are participating in the 9MSP. At least 3 delegations of States Parties include survivors. I am also aware of at least 16 other experts with disabilities, including survivors, who are playing an important role, both here in Geneva and in their countries, in advancing the aims of the Convention. Over the past few days, these experts have again participated in a parallel programme which focused on issues such as physical rehabilitation, economic empowerment, psychosocial support, inclusion, accessibility, and disability coordination mechanisms. I take this opportunity to thank all the facilitators of the various sessions for their support of this initiative. A separate report on the parallel programme will be available in due course.
- In response to proposals made in 2007 by victim assistance experts, a victim assistance resources section in the Convention's Documentation Centre has been established.
- As of 24 November, 113 of the 136 State signatories to the Convention on the Rights of Persons with Disabilities are States Parties to the AP Mine Ban Convention, including 16 of the 26 States Parties reporting responsibility for significant numbers of landmine survivors. The CRPD entered into force in May 2008. Seven of the relevant States Parties have ratified the CRPD.
- As Co-Chairs we sought to overcome the challenge of establishing clear measures and indicators of progress in the pursuit of the victim assistance aim of the Convention. To assist the States Parties in the period leading up to the Second Review Conference, a set of indicators were developed which could be used in a variety of ways to indicate relative degrees of progress in fulfilling key aims in relation to victim assistance. The indicators are based on relevant actions in the *Nairobi Action Plan*. Such indicators will serve as a useful complement to States Parties' own objectives to assess progress in assisting the victims. The Co-Chairs will also work with relevant States Parties to draft a report on the status of victim assistance in their respective State for presentation to the Second Review Conference. These reports will provide greater clarity on efforts to achieve the aims of the *Nairobi Action Plan* at the national level.
- To advance the issue of victim assistance, two documents were produced: *A Guide to Understanding Victim Assistance in the Context of the AP Mine Ban Convention* and *Victim Assistance in the Context of the AP Mine Ban Convention: Checklist*. These documents are available in English, French and Spanish.

The experience of implementing the understandings agreed to by the States Parties at the First Review Conference and the framework developed for victim assistance in the context of this Convention has inspired efforts to ensure that the rights and needs of survivors of explosive remnants of war, including landmines and unexploded sub-munitions, are properly addressed under other disarmament instruments. This is a positive development. However, it will be necessary to avoid duplication of efforts when implementing the various victim assistance provisions if we are to efficiently and effectively address the rights and needs of all persons with disabilities, regardless of the cause of the disability.

While progress is being made it continues to be of concern that the potential for progress in some States Parties is being hindered by a lack of financial resources to develop and/or implement plans. It is worth remembering that achieving the aims of the *Nairobi Action Plan* is not only the responsibility of States Parties with significant numbers of survivors. States Parties in a position to do so also committed to provide assistance for the care, rehabilitation and reintegration of mine victims.

In some countries, we hear from survivors that the development of a plan of action has given them hope that something will be done, that their situation will improve, only to have those hopes dashed when they later learn that there is no funding to implement the planned activities.

While progress has been slower than many would want or expect, it is progress none the less. There is potential to build on this progress to fulfil the promise of the Convention to mine victims. The *Geneva Progress Report* includes several priorities for the period leading to the Second Review Conference. I will conclude by highlighting just one:

In fulfilling their responsibilities to landmine survivors, relevant States Parties should establish priorities according to what is achievable and what will make the greatest difference.

They should ensure that their ministries of finance budget for the costs of services for persons

with disabilities. States Parties in a position to provide assistance should support the building of national capacities in the areas that are priorities for the recipient State.

Efforts to assist the victims will not end with the Second Review Conference. It will be necessary to develop sound strategies for the period following the Second Review Conference, based on the lessons learnt and priorities identified since the First Review Conference. Affected States, international agencies, non governmental organisations, the donor community, civil society, and survivors themselves, must continue to work together. Only then can we do our very best to improve the quality of daily life of mine survivors, victims of other war-related injuries, and all persons with disabilities.