

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

### **Meeting Report – 24 / 27 April 2007**

The Co-Chairs (Austria and Sudan) opened the committee's work on 24 April by presenting an overview of the status of implementation with respect to victim assistance and socio-economic reintegration objectives. It was emphasised that the *Nairobi Action Plan* aimed to enhance the care and rehabilitation of landmine victims, with a particular focus on those 24 States Parties that had reported responsibility for significant numbers of survivors. The key area of focus for the current review cycle is the aim to increase national efforts to enhance the care, rehabilitation and socio-economic reintegration of mine survivors, and to ensure that emphasis is given to age and gender considerations in all VA work. The inclusion of relevant health and rehabilitation specialists in at least 17 delegations to the intersessional meetings was welcomed. Co-Chairs also welcomed the participation of the Honourable Sulaiman KYEBAKOZE MADADA, Minister of State for Elderly and Disability Affairs of Uganda.

The Co-Chairs outlined four guiding principles relevant to the work on victim assistance within the framework of the Convention:

- 1) That assistance to landmine victims should not lead to the exclusion of persons injured or disabled by other means.
- 2) That victim assistance does not require new elements and disciplines, but should focus on ensuring that existing frameworks are adequate.
- 3) That victim assistance should be viewed within an overall human rights framework, rather than a charity-based social welfare framework.
- 4) That work on victim assistance also needs to be considered in the broader context of development.

The Co-Chairs informed the Committee that they had written to each of the 24 relevant States Parties to encourage them to share specific updates and plans for progress on victim assistance, with a particular focus on objectives to be met by the Second Review Conference in 2009. This correspondence followed up on the detailed questionnaire that had been circulated in 2005, which had represented an initial step in long-term planning and implementation processes. The need for SMART (Specific, Measurable, Achievable, Relevant and Time-Bound) national objectives remained relevant, and the quality of responses from States Parties continued to be mixed, with few offering SMART objectives. There remained a general need to mainstream victim assistance objectives within public health and social services systems, and to ensure the ongoing involvement by healthcare, rehabilitation and disability rights experts in the work of the Convention. Lack of financial resources was also identified as a hindering factor in terms of achieving progress. The Co-Chairs introduced their compilation document drawn from questionnaire responses and subsequent updates, entitled "Status of the development of SMART victim assistance objectives and national plans" and invited States Parties to make any amendments required.

Since 2005, Co-Chairs have recognised that the best way to achieve progress was to work intensively on a national basis. There was a need to support domestic processes, for example through targeted country visits to stimulate inter-ministerial consultation, coordination and interagency work. There was also a need to involve mine survivors more actively in the work of developing plans for victim assistance. National efforts were ongoing to develop SMARTer objectives and plans of action. Since the 7MSP, national workshops had been carried out in Albania, Angola, Bosnia Herzegovina, and Sudan. The process of developing a plan of action is also underway in Cambodia, El Salvador and Uganda.

In conclusion, the Co-Chairs noted that if a meaningful difference was going to be made in enhancing the well-being and guaranteeing the rights of landmine victims, then victim assistance must be seen as a concrete set of actions, for which States Parties hold ultimate responsibility, rather than an abstract concept.

#### *Updates from relevant States Parties on the status of implementation*

The following 19 of the 24 States Parties that have indicated that they hold responsibility to provide for the well-being of significant numbers of landmine survivors provided updates to the Committee: Uganda, Afghanistan, Bosnia and Herzegovina, Colombia, Peru, Nicaragua, Serbia, Burundi, El Salvador, Angola, Democratic Republic of the Congo, Thailand, Tajikistan, Yemen, Albania, Sudan, Cambodia, Senegal, and Chad. Interventions focused on progress made since the 7MSP.

Mine survivors representing the International Campaign to Ban Landmines also intervened to present the ICBL's guiding principles to provide a framework for all concerned actors to plan, implement, monitor and evaluate victim assistance.

Many States reported that they had commenced ratification processes for the newly-adopted Convention on the Rights of Persons with Disabilities. This Convention was seen as an important development in international human rights legislation, which had particular relevance in the context of victim assistance. Ratification of this Convention by all States Parties as soon as possible was encouraged. The need for mainstreaming of victim assistance within the broader framework of disability rights was noted.

States outlined progress made on the enhancement of national inter-ministerial coordination with respect to victim assistance efforts. It was noted in this respect that there was still a degree of duplication of work on a national level in many States, and that further efforts on communication and awareness-raising on work being undertaken were required. A general need to integrate survivor assistance programmes within the broader context of disability programmes was noted. The usefulness of centralised information points to raise awareness as to what rights and services were available was supported. This was particularly valuable in view of the reality that rural populations did not have the same access to services as urban populations. Concerns were raised about inadequate communication between government sectors and NGOs in some instances.

Some work had been done on the development of national casualty databases, although there was considerable variance in the information included. Work was also continuing on national indicator development.

A heightened awareness of the gender and age dimensions of victim assistance and socio-economic reintegration was evident. Issues in this respect included marital disruption and the high level of abandonment of women following landmine accidents in some countries. Several States identified professional training programmes as a key component of rehabilitation for young survivors. Some states also mentioned the importance of microfinance projects for the socio-economic reintegration of both women and young survivors.

The need for a full range of victim assistance provisions to be included in rehabilitation and reintegration efforts was emphasised. In addition to physical rehabilitation and socio-economic reintegration, mental health was identified as an integral component of survivor assistance. The

necessity of continuous psychological support commencing as early as possible after the accident was highlighted. The need to extend support to a victim's family was also identified.

Resource constraints were identified by many States Parties as a significant factor hindering national implementation of victim assistance and socio-economic objectives.

#### *Cooperation and assistance in providing for the care, rehabilitation and reintegration of landmine survivors*

Switzerland, Norway, Australia, Austria, Canada, and Japan updated the Committee on the provision of assistance for the care and rehabilitation and social and economic reintegration of landmine victims. Two organisations involved in the provision of victim assistance, UNMAS (on behalf of all UN agencies involved in victim assistance) and James Madison University, also gave updates to the Committee. Presentations focused on funding provided to victim assistance projects, primarily in the fields of capacity building, first response, peer support networks, and resettlement. The need for national legislation, building on the adoption of the Convention on the Rights of Persons with Disabilities, was also emphasised. There was a high level of support expressed for the Implementation Support Unit's specialised work on victim assistance.

The Committee's plenary session was adjourned until 27 April.

#### *Update on the Activities of Victim Assistance Experts*

At the resumption of the meeting on 27 April, the Co-Chairs briefed the Committee on the parallel programme for victim assistance experts which had been conducted over the course of the intersessional week. The participation of 17 victim assistance experts from the relevant States Parties and a number of landmine survivors was welcomed. The Co-Chairs explained that the parallel programme was intended to stimulate discussion and increase the knowledge of participants on key components of victim assistance. Particular emphasis was given to the place of victim assistance in the broader contexts of disability, health care, social services and development.

Thematic areas of focus were physical rehabilitation, psychological support and social and economic reintegration, legislation and policy, data collection, and the process of developing a comprehensive plan of action. Participants reported that it was very useful for States to exchange practical experiences. Some of the key issues reaffirmed by participants included: national ownership; building local capacities; sustainability of services; the need for a holistic approach to assisting mine survivors and other persons with disabilities; collaboration and cooperation between government ministries and other actors; inclusion of persons with disabilities in decision making processes.

Some of the key challenges reaffirmed by participants included: services not meeting the needs in terms of quality and quantity; lack of accessibility to or awareness of services; disability often not seen as a priority by policy makers; lack of political will to affect change; lack of capacity to address disability issues at all levels including within the governmental and non-governmental sectors; poverty and lack of development in affected communities hindering the economic reintegration of survivors; lack of donor support; lack of inclusion of persons with disabilities in

decision making processes; victim assistance not given the same priority as other pillars of mine action; and disability still seen as a charity issue rather than a human rights issue.

The parallel programme also included a meeting on resource mobilisation, which brought together representatives of the donor community, the victim assistance experts, NGOs, and survivors. This provided an important opportunity for all parties to raise awareness of challenges faced in both the implementation of programmes and in the allocation of resources to programmes.

The Co-chairs noted that there had been generally positive feedback from participants on the parallel programme, and that some suggestions had been made for future work. These included: further work on the economics of victim assistance; the prioritisation of victim assistance activities; issues of microfinance; creating a network of victim assistance experts; and formulating a checklist for establishing national plans of action.

A separate report on the parallel programme has been prepared.

#### *Update on the Convention on the Rights of Persons with Disabilities*

The fact that 77 States Parties to the AP Mine Ban Convention had already signed the newly-adopted Convention on the Rights of Persons with Disabilities was welcomed. Ambassador Don MacKay of New Zealand, who had chaired the negotiation process of the new Convention, gave the Committee a general introduction to the first human rights treaty of the 21<sup>st</sup> century. Prior to the Convention's negotiation, governments had argued that disability rights were already covered by general human rights provisions. However, theory had not accorded with practice with respect to disability rights, and a successful push had been made to negotiate a specific convention to codify the rights of persons with disabilities. Civil society involvement had been a key feature of the negotiation. What the Convention enshrined was a paradigm shift from treating disability as a social welfare issue to a human rights issue.

There were three key themes to the Convention: 1) inclusiveness in the community; 2) bringing about a change in attitudes and getting rid of stereotyping; 3) accessibility (in terms of physical access to buildings, brail signage, information and communication technologies, internet) and ensuring personal mobility.

It was noted that effective implementation would be the key to the Convention's success. Of the 89 State signatories to the CRPD, 77 are States Parties to the AP Mine Ban Convention, including 13 of the 24 States Parties reporting responsibility for significant numbers of landmine survivors; illustrating strong buy-in and recognition from States. The key was to ensure that States now quickly ratify the Convention. Landmine Survivors Network was commended for the information kit it had put together to assist States with the ratification process.

Simon Walker from the UN Office of the High Commissioner for Human Rights outlined the links between the AP Mine Ban Convention and the Convention on the Rights of Persons with Disabilities. It was possible to draw detailed parallels between the two conventions, particularly within the framework of the six elements of victim assistance, as agreed in the *Nairobi Action Plan* (NAP): 1. Understanding the extent of the challenge faced (NAP Action # 34 – CRPD Articles 31, 9, 21); 2. Emergency and continuing medical care (NAP Action # 29 – CRPD articles 25, 4(I)(i)); 3. Physical Rehabilitation (NAP action # 30 – CRPD articles 20, 26); 4.

Psychological support and social reintegration (NAP action # 31 – CRPD articles 26, 30); 5. Economic Reintegration (NAP action # 32 – CRPD articles 26, 27, 28); 6. Laws and Public Policies (NAP action # 33 – CRPD article 4).

In terms of cross-cutting issues, gender and age (NAP action # 35 – CRPD Articles 6 (women) and 7 (children)), Survivor inclusion (NAP action # 38 – CRPD Article 4(3)), and international cooperation (NAP action # 36 – CRPD Articles 4(2), 32) were also covered.

It was emphasised that the CRPD put the six victim assistance elements of the AP Mine Ban Convention into a stronger legal and policy framework, and would therefore help States in implementing victim assistance provisions. The CRPD supplemented the NAP by going into greater depth, and bringing a strengthened process to victim assistance work. For example in the field of data collection, there would be greater focus not only on the data, but also on the way in which it was collected and used, and on the accessibility of data to everyone. Work on economic integration would also include the protection of rights in the workplace. The CRPD would bring stronger monitoring mechanisms into place, for example in the identification of national focal points, and at international level, providing another forum through which States can engage in dialogue.

#### *Matters of a Thematic Nature Related to Victim Assistance*

Austria presented its recent initiative to convene a symposium entitled “Assisting Landmine Survivors: A Decade of Efforts” to mark the 10<sup>th</sup> anniversary of the Vienna meeting on the Convention for the Prohibition of Anti-Personnel Mines, on 12 February 2007

#### *Conclusion*

In closing, the Co-Chairs noted that it was clear that all States Parties were in a position to provide assistance to landmine victims. The situation for every state was different. Where plans existed, it was important to ensure that mine survivors had access to those services. In order to achieve real progress before the 2<sup>nd</sup> RevCon, priorities would have to be agreed upon. A special vote of thanks was offered to Sheree Bailey and Patricia Campbell, of the Implementation Support Unit, for their dedicated work on victim assistance.