

**CONVENTION ON CLUSTER MUNITIONS  
FIFTH MEETING OF STATES PARTIES  
SAN JOSÉ, COSTA RICA, 2-5 SEPTEMBER 2014**



**Summary on Victim Assistance, and mentions of civil society**

**VICTIM ASSISTANCE**

*States Parties with victims*

**Afghanistan** mentioned amendments needed to discriminatory articles of its disability law that still must be aligned with the principles of the Convention on the Rights of Persons with Disabilities, and spoke about increased pension for war victims and improved inclusive education. **Albania** presented updated data on casualties and noted that medical care and physical rehabilitation were available to all survivors and other amputees regardless of cause, though more resources were needed. **Bosnia and Herzegovina** said the process for registering cluster munition victims was still in progress and announced completion of the review of its 2014-2019 sub-strategy on victim assistance.

**Iraq** reported that survey of survivors of landmines, cluster munitions and other explosive remnants of war started in 2012 was completed in three governorates and ongoing in a fourth one. If security conditions allow, survey should be completed within the next two years. Iraq is in the process of creating a governmental body in charge of disability issues. **Lao PDR** announced progress in reducing the annual number of casualties from mines and explosive remnants of war, noting that there is still a long way to go toward providing support for survivors: the victim tracking system has so far registered some 9,000 survivors in IMSMA, and in February a strategy on victim was adopted. **Lebanon** reported 448 victims from the 2006 war, 29% of them children. It reported that the government gives partial coverage for the needs of victims depending on available funds. While donors provided for training for survivors, proposal-writing training, mobility aid and prosthetics, the significant lack of funding was exacerbated by presence of a large number of Syrian refugees.

*Signatories with victims*

**Colombia** offered to share its successful experiences and highlighted its recent work on victim assistance including the development of a national VA plan, hosting global meetings like Bridges between Worlds (<http://bit.ly/1iwnGqb>) and the development of a guide for assistance to children/adolescent victims (<http://bit.ly/1xu0Qr3>). **DR Congo** reported that data collection was not sufficient or systematic, and that there was no significant funding in 2014 after funding from Japan ended in 2013. DR Congo said it was high time that psychological support was made available to victims. **Somalia** regretted that victims in the country did not receive proper assistance due to the lack of services.

### *Non-signatories with victims*

**Tajikistan** said that some 200 people had died or been injured by cluster munitions on its territory, and that a range of assistance was being provided to survivors including medical care, physical rehabilitation, pensions and economic inclusion opportunities. Tajikistan noted the active participation of some survivors in promoting the Convention on Cluster Munitions and the Convention on the Rights of Persons with Disabilities. **Thailand** shared its experience of implementing victim assistance through broader frameworks closely connected with the Convention on the Rights of Persons with Disabilities and through the establishment of a fund for persons with disabilities. It explained for example that national hospitals cared not only for Thai citizens but also for neighbors. Thailand further offered to share its expertise with neighboring states.

### *Other speakers*

Incoming Co-Coordinator **Australia** announced its intention to focus on facilitating practical measures to implement victim assistance provisions. It welcomed suggestions for topics to make progress on over next two years, including how to use scarce resources to fulfill the promises of the convention and how to integrate victim assistance into broader programs to ensure its sustainability. Australia further explained that victim assistance has been a significant part of its assistance to mine action (about 20%), and that it would now prioritize funding programs that deliver assistance through broader frameworks. **Austria** called for more efforts to connect the dots and integrate victim assistance mechanisms. Similarly, **Belgium** recommended to further develop synergies with other instruments to maximize progress. **Ecuador** said that obligations on victim assistance should be interpreted in the framework of the Convention on the Rights of Persons with Disabilities.

The **Holy See** recalled that bureaucratic and administrative decisions should be at the service of victims and affected communities, and that our collective concern should be about human dignity. **Italy** said the rights of persons with disabilities was a key theme of its Presidency over the European Union, and spoke about its Development Cooperation Disability Action Plan. Current Co-Coordinator **Mexico** stated that it intends to resume a victim assistance support program that addresses rehabilitation and socioeconomic inclusion in a triangular cooperation framework, and called on other states to support the initiative. **Spain** shared its hope that more and more states would support victim assistance in order to help sustain progress made so far.

While recognizing the right of states to be bound only by instruments they have joined, the **European Union** requested that synergies with the Convention on the Rights of Persons with Disabilities be used when implementing victim assistance obligations under the Convention on Cluster Munitions.

The **UN High Commissariat for Human Rights** emphasized that survivors must be listened to and included in decisions that concern them, and it shared the view that victim assistance must be systematically integrated into broader development efforts. The **UN Inter-Agency Coordination Group on Mine Action** declared that the voices of survivors and victims must be heard as states develop policies and programs to address their needs. It also advocated for assistance to victims to be mainstreamed into in broader programs.

The **International Committee of the Red Cross** noted that while some states saw improvements on victim assistance, in most states persons with disabilities and survivors lack the care and assistance they need. The ICRC further referred to the seminar on victim assistance organized jointly with the African Union earlier in 2014 -- while meeting recommendations are yet to be adopted by the African Union, it was seen that such regional events are a means to encourage progress on the topic.

Umarbek Pulodov spoke on behalf of the **CMC** to address some of the questions put forward in the San José Progress Report. He reminded States Parties of their legal obligation to assist victims of cluster munitions in a non-discriminatory way, and revealed that no discrimination by States Parties in favor of cluster munition victims was identified by the Monitor. On the contrary, research shows that victim assistance has made more resources available for people with disabilities in communities affected by cluster munitions and explosive remnants of war. Special efforts are needed so that victims are not left behind in accessing specialized health care or securing employment, and networks of survivors also work against discrimination to ensure victims can access services on an equal basis to others.

#### **MENTIONS OF CIVIL SOCIETY THROUGHOUT THE 5MSP**

**Australia** emphasized that it financially supports advocacy, and recognized the tireless work of the CMC. **Austria** paid tribute to civil society organizations and to the ICRC that work hand in hand with states to promote the convention. **Chile** thanked the CMC for its support on universalization. **Ecuador** said this traditional partnership, including with the CMC, would help universalization and implementation. **El Salvador** thanked all NGOs working at the national and international levels, and said the role played by UN agencies and civil society was one of the key principles of the convention. Both the **Holy See** and the **ICRC** hailed the achievements that are a result of the partnership between states, governments, international organizations, the UN and civil society. **Italy** congratulated civil society for its fundamental role. **Japan** thanked civil society for its efforts yielding concrete progress on the convention's goals. **Lao PDR** thanked NGOs for their support. **Mali** mentioned the work of the CMC. **Niger** thanked the CMC and expressed support for its tireless efforts to universalize the convention. **Peru** said the participation of NGOs and civil society was precious for the convention. It also explained its intention to continue cooperating with them, including at the First Committee.

Numerous states such as **Costa Rica, Ecuador, New Zealand, Switzerland, Zambia** and others, as well as the **UN Resident Coordinator** referred to Monitor data in their statements or presentations.