



CCM VICTIM ASSISTANCE CONCEPT NOTE

Enhancing implementation of Action 4 of the Dubrovnik Action Plan (Victim Assistance) up to the 2nd Review Conference

1. Background to Work Plan Context

According to Article 5, paragraph 1 of the Convention on Cluster Munitions (CCM), “Each State Party with respect to cluster munition victims in areas under its jurisdiction or control shall, in accordance with applicable international humanitarian and human rights law, adequately provide age- and gender-sensitive assistance, including medical care, rehabilitation and psychological support, as well as provide for their social and economic inclusion. Each State Party shall make every effort to collect reliable relevant data with respect to cluster munition victims.”

This article applies to the assessment of domestic needs in the abovementioned areas and the development and enforcement of national policies. To this end, impacted States Parties must assess the needs of victims, develop and enforce national policies as well as a National Action Plan, designate a Focal Point within their governments in order to coordinate all matters relating to victim assistance, take steps to mobilize national and international resources, closely consult with victims and survivors and actively involve them and their representative organizations, and strive to incorporate relevant guidelines and good practices.

As at 31 October 2019, twelve (12) States Parties reported to have obligations under Article 5: Afghanistan, Albania, Bosnia and Herzegovina, Chad, Croatia, Guinea-Bissau, Iraq, Lao PDR, Lebanon, Montenegro, Mozambique and Somalia.

To guide States Parties to effectively implement the Convention during the period 1 January 2016 to 31 December 2020, States agreed to the five-year Dubrovnik Action Plan (DAP) at the September 2015 first Review Conference of States Parties to the CCM. The DAP elaborates the priorities established by the States Parties through the various actions to be undertaken and the expected key results to be derived from these actions.

Victim Assistance is addressed in Action 4 of the DAP, which provides the primary basis for the objectives, activities and expected outputs outlined in this concept note. Action 4 of the DAP encourages States Parties with victim assistance obligations under Article 5 to strengthen national capacity (4.1); increase the involvement of victims (4.2); share information (4.3); and provide support, assist and cooperate (4.4).

In November 2020, the CCM will hold the Second Review Conference of States Parties under Swiss Presidency. In this Review Conference, States Parties will be asked to agree to a new five-

year Action Plan in which key priorities for Victim Assistance (VA) will be established, upon consideration of the objectives achieved and further actions needed.

2. Objectives

- Gather information and encourage implementation of art. 5 obligations at national level
- Increase coordination of VA actions under similar Conventions
- Facilitate increased exchange of information on resources and good practices among key actors
- Support the President of the 2nd Review Conference in preparation of, and during, the Second Review Conference

3. Activities

As co-coordinators on Victim Assistance, the work of Spain and Mexico will focus on:

- Reaching out to States Parties with current obligations under Article 5, in order to encourage them to designate a National Focal Point for VA where non have been reported as well as to get clarification on the implementation of their National Action Plans (objectives set by DAP Action 4.1 (a) by 2016 and 4.1 (c) by 2018), through:
 - Bilateral meetings in the sidelines of relevant international conferences and meetings (e.g. 4th Review Conference of Ottawa Convention in Oslo, 23rd International Meeting of Mine Action National Directors in Geneva)
 - Visits to relevant Permanent Missions in Geneva
 - Démarches by Spanish and Mexican Embassies in relevant countries
 - Writing to relevant authorities of States Parties with victims
- Suggesting the organization of side events and/or workshops on victim assistance, possibly in the margins of other meetings and/or in coordination with relevant committees of similar Conventions.
- Encouraging, through letters, emails and/or bilateral meetings, timely submission of reports on challenges and key priorities on victim assistance (aiming at transparency under art. 7 of the Convention).
- Promoting among States Parties —either in bilateral meetings or through social media platforms— the following online guides on Victim Assistance:
 - [Guidance on an Integrated Approach to Victim Assistance](#)
 - [Guidelines on Gender and diversity-Responsive Victim Assistance in Mine Action](#)
- Creating an electronic database of National Focal Points of States Parties with obligations under Art. 5, in order to facilitate among them the sharing of information, best practices and lessons learned.

- Supporting and assisting the President in preparation of, and during, the Second Review Conference, reviewing the work done under the DAP, facilitating the development of the Action Plan for 2020-2025 and supporting other activities in the framework of the Review Conference.

4. **Outputs expected (by 2nd Review Conference)**

- All States Parties with obligations under Art. 5 have designated a National Focal Point.
- States Parties that still need to develop national plans have provided detailed information with regards to the status of their national action and disability plans.
- New synergies and joint approaches on VA have been found and shared among key stakeholders under similar Conventions.
- States Parties have exchanged information on good practices and developed new communication channels.
- States Parties are aware of the tools and resources at their disposal.
- Assistance has been provided to the Presidency and Coordinators of the Second Review Conference.

5. **Estimated Budget**

Limited costs, depending on the strategy adopted.

6. **Strategy Implementers**

- Spain – Coordinator on Victim Assistance
- Mexico – Coordinator on Victim Assistance
- CCM Implementation Support Unit

7. **Potential Implementing Partners**

- CCM States Parties and signatory States with obligations under Article 5 and other relevant Articles
- 2RC Presidency and Coordinators
- Coordinators of all CCM Committees
- Victim Assistance Coordinators of similar Conventions (AMPBC, CCW, other)

- Cluster munitions' survivors and victims and their representative organizations
- CMC, ICRC, civil society, international NGOs, aid agencies
- Donor States

8. Timeline of the Activities

- November 2019: Meeting with ISU to discuss priorities
- November-February 2020: Liaise with States Parties with obligations on designation of Focal Points and status of National Action Plans:
 - 4th Review Conference in Oslo (November)
 - Permanent Missions in Geneva
 - Embassies of Spain and Mexico
- First quarter 2020 (January-March):
 - Follow-up, if needed, with States that have pressing obligations under Article 5 CCM/ Art. 4.1 of DAP (January-February)
 - Contact with other VA Coordinators under similar Conventions
 - Reach out to key countries, focal points and other stakeholders for:
 - Introductions and involvement through bilateral meetings
 - Database of Focal Points
 - Spread of resources and guidelines on Victim Assistance
 - Prepare draft of Victim Assistance key priorities for Action Plan 2020-2025
 - Assist the President of the 2RC in the run up to the first preparatory meeting (March-April)
- Second quarter 2020 (April-June):
 - Prepare the 2RC Progress Report (May-June)
- Third quarter 2020 (July-September):
 - Assist the President of the 2RC in the run up to the second preparatory meeting (8 June 2020).
 - Finalize the 2RC Action Plan 2020-2025
- Fourth quarter 2020 (October-November): assess progress and outcomes and identify potential objectives to address in 2020-2021