

CCM VICTIM ASSISTANCE CONCEPT NOTE

Enhancing Implementation of Action 4 of the Dubrovnik Action Plan (Victim Assistance) up to the 8th Meeting of States Parties (8MSP)

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.”

In addition, in fulfilling their obligations under paragraph 1, States Parties must assess domestic needs in the above-mentioned areas and develop and enforce national policies. Also, States Parties must develop a national action plan, designate a focal point within the government for coordinating all matters relating to the issue, take steps to mobilize national and international resources, closely consult with and actively involve victims and their representative organizations and strive to incorporate relevant guidelines and good practices.

As at 8 November 2017, eleven (11) States Parties have, or have been, reported to have obligations under Article 5: Afghanistan, Albania, Bosnia and Herzegovina, Chad, Croatia, Guinea-Bissau, Iraq, Lao PDR, Lebanon, Montenegro, and Sierra Leone.

To guide States Parties to effectively implement the Convention during the period 1 January 2016 to 31 December 2020, at the September 2015 First Review Conference of States Parties to the CCM, States agreed to the five-year Dubrovnik Action Plan (DAP). 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 will provide 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 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).

2. Objectives

- Gather information of status of implementation of time bound-commitments (establishment of National focal point and/or National action plan)
- Facilitate increased exchange of information on good practices/implementation challenges
- Facilitate the dissemination of good practices in VA, also in the form of guidelines
- Increase coordination with Victim Assistance Coordinators of the Anti-Personnel Mine Ban Convention (APMBC) and the Convention on Certain Conventional Weapons (CCW) as well as the Convention on the Rights of Persons with Disabilities (CRPD)
- Strengthen joint approaches with CCM Coordinators on International Cooperation and Assistance

3. Strategies, activities and timelines

- Through letters, emails or bilateral meetings, target two (2) States (Guinea-Bissau and Sierra Leone) that have not yet designated a national focal point for VA - which is an objective set by the DAP in Action 4.1 (a) by the end of 2016;
- Through letters, emails or bilateral meetings, target four (4) States (Afghanistan, Guinea-Bissau, Montenegro, and Sierra Leone) that have not yet developed a national disability or victim assistance national plan which is an objective set by the DAP Action 4.1 (c) by no later than the end of 2018;¹
- Reach out to six (6) States Parties with current obligations under Article 5 to find out the extent of the challenges and key priorities with regards to victim assistance through letters and/or emails to respective focal points by 31 December 2017;
- Once finalized, promote the Guidelines on Gender and Diversity-Responsive Victim Assistance in Mine Action, which are being produced by the Gender and Mine Action Programme (GMAP) in collaboration with Handicap International;
- Continue to promote integrated approaches to victim assistance among States Parties and relevant operators;
- Organize a side event or workshop between CCM, APMBC and CCW coordinators as well as CRPD to enhance efforts to provide comprehensive victim assistance to States Parties with victim assistance obligations possibly in the margins of the 21st International Meeting of Mine Action National Programme Directors and United Nations Advisors held in Geneva in 2018;
- Consult with Coordinators on International Cooperation and Assistance to identify ways to relay States Parties' requests for assistance under Art. 5 to donor States and/or organizations with relevant expertise.

¹ In June 2017, in reply to an information request by Chile and Italy, the Permanent Representative of Montenegro to the UN in Geneva indicated that the elaboration of a national action plan on victim assistance was ongoing.

4. Expected Outputs by the 8MSP

- Two (2) States Parties with obligations under article 5 and no focal points designated yet have positively engaged in the process;
- At least two (2) States Parties that still need to develop a national plan have reported to have started the process;
- At least three (3) States Parties with obligations under Art. 5 have provided information with regards to challenges and key priorities in victim assistance;
- One (1) workshop or side event across Conventions was organized allowing for improved joint approaches to supporting States Parties with VA obligations;
- Contact has been facilitated between at least two (2) States requesting assistance for Art. 5 implementation and potential donors.

5. Estimated Budget

Limited costs, depending on the strategy adopted.

6. Strategy Implementers

- Ireland - Coordinator on Victim Assistance
- Italy - Coordinator on Victim Assistance
- CCM Implementation Support Unit

7. Potential Implementing Partners

- CCM Coordinators on International Cooperation and Assistance
- Victim Assistance Coordinators of AMPBC and CCW
- CRPD
- CCM States Parties with obligations under Article 5
- Cluster munitions victims and their representative organizations
- Donor States
- International NGOs / operators
- Aid agencies