

**Statement on Victim Assistance**

**First Review Conference of the Convention on Cluster Munitions**

**Dubrovnik, 9 September 2015**



Thank you Madam President.

Respecting the rights and meeting the needs of cluster munition victims should not be complicated. Collectively, States Parties with the obligations and international and national partners that do much of the measurable work on the ground are improving efforts each year. Together, we have increasingly improved our understanding of the steps that need to be taken under the Convention on Cluster Munitions.

When drafting the Convention, states took the elements of victim assistance and codified them as binding obligations in international humanitarian law. At that time, victim assistance had already been developing for almost a decade and all States Parties came into the Convention with a good understanding of what the commitments to cluster munition victims meant in practice. A large amount of knowledge has been shared over the past five years since the Vientiane Action Plan was adopted, including special sessions on assessing challenges, applying a rights-based and integrated approach to victim assistance, and cooperation with NGOs. I will share a few thoughts about this.

**First**, victim assistance under the Convention on Cluster Munitions has close ties with the Convention on the Rights of Persons with Disabilities (or CRPD). This thread runs from its preamble, through its rights-based obligations, and into its actual implementation. In many countries, the national structures established under the CRPD do not have the adequate capacity yet to fulfil the needs of persons with disabilities. Initiatives on victim assistance under the Convention on Cluster Munitions play an important role in coordinating services for persons with disabilities, ensuring access and in filling gaps faced by survivors.

For example, I work for COPE in Lao PDR, and our goal is to ensure rehabilitation services in partnership with the governmental Center for Medical Rehabilitation. Many of the people we serve were harmed by cluster munitions or explosive remnants of war, but the overall majority was impaired through other causes. COPE supports all persons with disabilities, no matter what caused their impairment. This is the case in most similar programs worldwide. And so, while it is important to recognize the close link between VA in the CCM and the CRPD, it is equally paramount to understand that a given country's ratification of the latter does not absolve it from realizing its victim assistance obligations. Hence, continued VA coordination, planning and earmarked funding is vital!

Here is a concrete example of progress needed. In my country, in XX and XX provinces, COPE staff made assessments and gave information on where to get rehabilitation to many people in very remote communities. But our data shows that a lot of them never made it to the rehabilitation centers: it is too

far without transport or they are too poor to pay for the ride. We know this is also the case in many other countries.

**Second**, while dedicated funds are needed, key actors now understand that VA is part of existing sectors, such as health, education or work and employment. Having signed on to the CCM, states are obliged to ensure that sectoral strategies and subsequent programs and activities in affected countries also respond to the needs of victims. States in a position to provide international cooperation and assistance need to ensure cluster munition victims are being reached as beneficiaries of their efforts in all relevant sectors.

**Third**, ensuring the active involvement of victims and their representative groups in all processes that affect their life is one of the commitments of the Convention. When you make sure that the representative organizations can actively participate, you fulfil a major obligation. Organizations of survivors and other people with disabilities have a vital understanding of the needs of their members, because they work in their communities. They are willing to actively participate in the planning, implementation, monitoring and evaluation of services. Similarly, your partners in civil society, including members of the CMC and other national and international organizations, are available to work with states at the national level to provide input into the development of action plans and set goals as needed.

**Fourth**, the Cluster Munition Monitor reports are full of useful information and data. We recommend that states and donors use this information and the support of civil society when preparing to implement the Dubrovnik Action Plan and when preparing Article 7 reports.

**Finally**, it is the states themselves that must take the responsibility to lead on victim assistance. National ownership is essential to ensure the sustainability of the measures taken. But, states entered this convention as a partnership. A partnership between affected states and other States Parties, and also a collaborative effort between states and organizations representing survivors, their families, and persons with disabilities. To date we have seen the benefits of this cooperation confirmed. In the future we need to see the partnerships stronger and the resources for action secured.

We call on all states, those with cluster munition victims and all those in a position to provide support through international cooperation, to use this Review Conference to make this happen.