

**Meeting of the States Parties to the Convention  
on the Prohibition of the Use, Stockpiling,  
Production and Transfer of Anti-Personnel  
Mines and on Their Destruction**

12 October 2017

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**Sixteenth Meeting****Vienna, 18-21 December 2017**

Item 11(a) of the provisional agenda

**Consideration of the general status and operation  
of the Convention****Assisting the victims: Conclusions and recommendations  
related to the mandate of the Committee on Victim Assistance**

**Conclusions and recommendations  
Committee on Victim Assistance  
(Belgium, Colombia, Croatia, Ecuador)**

**I. Introduction****A. Activities of the Committee**

1. On 26 January 2017, the Committee held its first meeting to discuss the work plan for the Committee for the year. During this initial meeting the Committee recognised that reporting remained a challenge in 2016. It further recognised that the Guidance on Victim Assistance Reporting developed by the Committee in 2016 should support States Parties' reporting efforts.
2. On 18 February 2017, the Committee convened an *Informal Discussion on Reporting on Victim Assistance Commitments under the Anti-Personnel Mine Ban Convention*. The Committee used the opportunity to discuss reporting practices and to present the Guidance on Victim Assistance Reporting developed by the Committee in 2016. The Committee also took the opportunity to underline the importance of the information submitted by States Parties in order for the Committee to execute its mandate, including assisting States Parties in making their needs known.
3. On 3 March 2017, the Committee's Chair, Colombia, addressed the Thirty Fourth Session of the Human Rights Council, Debate on the Rights of Persons with Disabilities. The Chair recalled the Maputo Action Plan's focus on equality and non-discrimination and the need to engage with broader national and international policies and frameworks related to disability, and other fora, with a distinct understanding that these commitments are anchored in a human rights context. The Chair also focused on the need to make measurable advancements in improving the lives of people with disability, including landmine survivors with an emphasis on positive measures to promote equality, especially in remote and rural areas.
4. On 20 March 2017, the Committee Chair wrote individually to representatives of States Parties with mine victims in areas under their jurisdiction or control that submitted information in 2016 and those that did not submit information in 2016 to recall the Maputo Action Plan commitments and called for States Parties to do their utmost to communicate relevant information, employing the Guide to Reporting and annexed sample report, by 30

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April 2017. The Committee Chair noted in its letter the importance of transmitting information by the deadline given the short timeframe between the reporting deadline and the 8-9 June 2017 intersessional meetings. The Committee Chair also informed the States Parties that the Implementation Support Unit (ISU), which is mandated to provide advice and technical support to States Parties on the implementation of the Convention, remained ready to support States Parties in fulfilling their Maputo Action Plan reporting commitments. The Committee made an effort to send letters to all 29 States Parties with a significant number of mine victims, including those that do not have a Permanent Mission in Geneva.

5. During a meeting of the Committee on 20 March 2017, the Chair of the Committee was mandated by Committee members to hold individual meetings with disability experts in Geneva to look at ways in which the work of the Committee could better integrate into other forums that are critical for advancing sustainable support to persons with disabilities, including landmine survivors. The Committee also modified its working methods in relation to the consideration of the reports submitted by States Parties by assigning to each Committee member responsibility for consideration of the reports submitted by specific States Parties.

6. On 18 May 2017, the Committee organised a meeting with the Committee on the Enhancement of Cooperation and Assistance in order to exchange views on working methods. The Committee on the Enhancement of Cooperation and Assistance informed on the implementation of the “individualised approach initiative”. The Committee on Victim Assistance underlined that as part of its mandate it will try to identify in its report the specific challenges of individual States Parties with a significant number of mine victims, in order to make these needs known to other States Parties and to the Committee on the Enhancement of Cooperation and Assistance.

7. Over the period of 11 April 2017 – 3 May 2017 the Chair of the Committee met with a number of disability and human rights actors in Geneva to further define common lines of action that can be taken to promote their joint objectives including a meeting with Mr. Stefan Trömel, Senior Disability Specialist, International Labour Organisation, Mr. Facundo Chavez Penillas, Human Rights and Disability Advisor, Office of the United Nations High Commissioner for Human Rights and Mr. Jorge Araya, Secretary of the Committee on the Rights of Persons with Disabilities. After these meetings, the Chair reported on a list of specific actionable items to be developed in further exchanges with disability and human rights actors.

8. Following the 8-9 June 2017 intersessional meetings, on 14 July 2017, the Committee wrote individually to representatives of States Parties that had submitted information on efforts made to implement their victim assistance commitments as well as to those States that had not submitted information to encourage them to submit updates or addition information based on the preliminary observation of the Committee.

9. On 17 August 2017, the Committee held a meeting with the Coordinators of Victim Assistance of the Convention on Cluster Munitions, Chile and Italy, and the Coordinators of Victim Assistance of Protocol V, Argentina and Chile, to discuss methods to build coherence on their approach in Victim Assistance. The meeting concluded that sharing best practices and information on initiatives would prevent duplication of efforts and would ensure that opportunities to further the mutual objective of victim assistance would be taken advantage of.

10. On 29 August 2017, the Chair of the Committee met with Ms Catalina Devandas Aguilar, Special Rapporteur on the rights of persons with disabilities, to discuss a number of matters concerning the work of the Committee, including how the work of the Committee can support efforts in promoting the implementation of the CRPD.

## **B. Methodology**

11. In line with its mandate of supporting States Parties in their national efforts to strengthen and advance victim assistance and in continuation of the Committee’s work in

2016, the Committee gave particular attention to the efforts by States Parties with mine victims to report on the following aspects of the Maputo Action Plan:

- Assessment of the needs of mine victims, the availability and gaps in services and support, and existing or new requirements for disability, health, education, employment, development and poverty reduction activities needed to meet the needs of mine victims, and to refer victim to existing services where possible.
- Time-bound and measurable objectives for the equal and effective participation of mine victims in society.
- Enhancement to plans, policies and legal frameworks to meet the needs of mine victim and on budgets allocated for their implementation.
- Enhancement of coordination with subnational entities and increased availability of and accessibility to appropriate comprehensive rehabilitation, economic inclusion opportunities and social protection measures for all mine victims.
- Enhancement of the capacity to ensure the inclusion and active participation of mine victims and their representative organisations in national action plans, legal frameworks, policies, implementation mechanisms and monitoring and evaluation.

12. In preparing its preliminary observations the Committee drew upon information submitted by States Parties in their Article 7 reports. Additionally, the Committee drew from information provided by the States Parties in response to the Committee's preliminary observations presented at the 8-9 June 2017 intersessional meetings.

### **C. Information provided by States Parties on victim assistance**

13. At the close of the Fifteenth Meeting of the States Parties, 29 States Parties had reported significant numbers of mine victims in areas under their jurisdiction or control. Of these, until, 15 August 2017, twenty-two (22) submitted Article 7 reports: Afghanistan, Albania, Bosnia and Herzegovina, Burundi, Cambodia, Chad, Colombia, Croatia, Ethiopia, Iraq, Jordan, Mozambique, Nicaragua, Peru, Senegal, Serbia, South Sudan, Sudan, Tajikistan, Thailand, Yemen and Zimbabwe.

14. Of these States, 19 submitted updated information on victim assistance activities in their Article 7 reports: Afghanistan, Albania, Bosnia and Herzegovina, Cambodia, Chad, Colombia, Croatia, Iraq, Jordan, Nicaragua, Peru, Senegal, Serbia, South Sudan, Sudan, Tajikistan, Thailand, Yemen, and Zimbabwe.

15. Of these, two States Parties – Sudan and Thailand– submitted additional reports on victim assistance to the Committee.

16. One State Party – El Salvador – submitted information on victim assistance efforts directly to the Committee.

17. Of the 29 States Parties that had reported significant numbers of mine victims in areas under their jurisdiction or control, at the time of writing, 9 had not submitted updated information on efforts to implement Victim Assistance commitments: Angola, Burundi, Democratic Republic of the Congo, Eritrea, Ethiopia, Guinea Bissau, Mozambique, Somalia, and Uganda.

## **II. Conclusions**

### **A. Conclusions of a general nature**

18. The Committee concluded that there has been a positive increase in the number of reports submitted by States Parties. Of the 29 States Parties that have indicated having a responsibility for a high number of landmine survivors, 22 have submitted reports compared to 15 in 2016. Of the 22 States Parties that submitted reports, 19 provided information on their victim assistance efforts within their Article 7 reports and an additional State Party provided information on progress in victim assistance directly to the Committee. This is an increase of five States reporting updates on victim assistance compared to the number of updates received in 2016. The Committee also concluded that in some cases there was a general improvement in the quality of the information submitted demonstrating stronger engagement in victim assistance. The Committee encourages States Parties to continue providing updated information concerning the implementation of the victim assistance commitments under the Maputo Action Plan. The Committee looks forward to continued engagement with States Parties.

19. The Committee concluded that few States Parties had reported information on the systems in place and activities carried out to assess the needs of mine victims, the availability and gaps in services and support, and existing or new requirements for disability, health, education, employment, development and poverty reduction activities needed to meet the needs of mine victims, and to refer victims to existing services where possible in accordance with Action 12 of the Maputo Action Plan. The Committee concluded that this is a key element of the Maputo Action Plan and would welcome information from the States on efforts and challenges to implement these measures.

20. The Committee concluded that while a number of States had reported having strategies and national action plans on disability and victim assistance in place, few States Parties had reported on time-bound and measurable objectives they seek to achieve through the implementation of national policies, plans and legal frameworks that will tangibly contribute, to the full, equal and effective participation of mine victims in society in accordance with Action 13 of the Maputo Action Plan. The Committee encourages States Parties to communicate, including through their annual transparency reports, on these efforts. The Committee further encourages States Parties to provide a copy of their National Strategies and Plan to the Committee.

21. The Committee concluded that additional information from States Parties on activities undertaken to ensure the inclusion, full and active participation of mine victims and their representative organisations in all matters that affect them, particularly as concerns national action plans, legal frameworks, policies, implementation mechanisms and monitoring and evaluation in accordance with Action 16 of the Maputo Action Plan would be welcome.

22. The Committee concluded that it would welcome additional information from States Parties on measurable improvements made in the well-being and the guarantee of rights of mine victims, challenges that remain and priorities for assistance. In this regard, the Committee welcomes States that provided information on the challenges faced by them in implementing their victim assistance commitments. The Committee concluded that providing this information is of particular importance in order for the Committee to better assist States Parties in making their needs known.

23. The Committee noted that funding for victim assistance efforts remains a significant challenge for States Parties in implementing their victim assistance efforts. In this regard the Committee encourages States in need of assistance to consider participation in the “individualised approach” of the Convention led by the Committee on the enhancement of Cooperation and Assistance.

24. The Committee concluded the importance of engaging human rights and disability actors to address the needs of victims in an efficient, effective and sustainable fashion as well as the importance of cooperation between disarmament instruments which have victim

assistance responsibilities to ensure that the different actors understand their specific role, highlight mutually beneficial opportunities and ensure that activities are mutually reinforcing.

25. The Committee concluded that reporting on victim assistance remains a challenge for some States Parties. The Committee further concluded the importance of the Committee hearing from affected States Parties regarding the challenges they may have encountered in reporting. The Committee further concluded the States Parties would benefit from reaching out to the ISU for guidance in reporting on their Victim Assistance commitments.

## B. Overview of information provided by the 29 States Parties that have indicated having a responsibility for significant numbers of landmine survivors

	<i>Article 7 report submitted in 2017<sup>1</sup></i>	<i>Information on victim assistance contained in the Article 7 report</i>	<i>Information on Maputo Action Plan victim assistance commitments provided in the Article 7 report</i>	<i>Information on Maputo Action Plan victim assistance commitments provided through means other than the Article 7 report</i>
Afghanistan	✓	✓	✓	
Albania	✓	✓	✓	
Angola				
Bosnia and Herzegovina	✓	✓		
Burundi				
Cambodia	✓	✓	✓	
Chad	✓	✓		
Colombia	✓	✓	✓	
Croatia	✓	✓	✓	
Democratic Republic of the Congo				
El Salvador				✓
Eritrea				
Ethiopia	✓			
Guinea-Bissau				
Iraq	✓	✓		
Jordan	✓	✓		
Mozambique	✓			
Nicaragua	✓	✓		
Peru	✓	✓	✓	
Senegal	✓	✓	✓	
Serbia	✓	✓	✓	
Somalia				
South Sudan	✓	✓	✓	

<sup>1</sup> Status by 15 August, 2017.

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	<i>Article 7 report submitted in 2017<sup>1</sup></i>	<i>Information on victim assistance contained in the Article 7 report</i>	<i>Information on Maputo Action Plan victim assistance commitments provided in the Article 7 report</i>	<i>Information on Maputo Action Plan victim assistance commitments provided through means other than the Article 7 report</i>
Sudan	✓	✓	✓	✓
Tajikistan	✓	✓	✓	
Thailand	✓	✓	✓	✓
Uganda				
Yemen	✓	✓	✓	
Zimbabwe	✓	✓	✓	

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