

Gustave Laurie 3 July 2008 p.m.

The United Nations, Victim Assistance and ERW

**Article 8 Assistance and Cooperation
Paragraph 2**

Each HCP in a position to do so shall provide assistance for the care and rehabilitation and social and economic reintegration of victims of ERW.

Such assistance may be provided inter alia through the UN system, relevant international, regional or national organizations and institutions, the ICRC, National Red Cross and Red Crescent Societies and their International Federation, NGOs or on a bilateral basis.

Vision of the United Nations

The vision of the UN is of a world free of the threat of landmines and ERW, where individuals and communities live in a safe environment conducive to development and where the needs of mine and ERW victims are met and they are fully integrated into their societies.

Therefore, victim assistance is embodied in our vision for mine action and it refers to both mine and ERW victims. Within the UN, we don't make any distinction between mine and ERW victims, and we don't promote a separate approach for different kinds of victims.

Guiding Principles

The following are some guiding principles for the UN with regards to victim assistance, including ERW victims

- + Victim assistance is a mine action pillar, but the UN does not call necessary for the establishment of victim assistance programmes within the national mine action programmes.
- + Broad definition of victims (survivors, families and communities).
- + National ownership. The affected countries have the primarily responsibility for victims of ERW, but given that most of them are developing countries, the role of international cooperation and assistance is key in addressing their needs.
- + The UN promotes the integration of victim assistance programmes into broader national Public Health and Social Services.
- + National Mine Action Programmes could still have a role in victim assistance. Even when victim assistance programmes are fully integrated in national structures other than mine action, the mine action programmes could play a role in collecting data on victims. Data gathering is an essential step in dealing with the problem and, therefore, in its solution.
- + Rights approach. The UN supports a human rights approach to survivors of mines and ERW. Therefore we encourage states to use the Convention on the Rights of Persons with Disabilities (CRPD) as a framework for addressing the needs and the rights of survivors.
- + Non discrimination.
- + We also support the integration of victim assistance programmes in national development planning.

(Sara Sekkenes' Paper) ~~XXXX~~

Ideas:

A separate Form for Victim Assistance.

Portfolio

Taking into account the repeated calls for enhanced victim assistance in different fora, the UN Mine Action Team has promoted a particular emphasis in victim assistance projects in our annual Portfolio of Mine Action projects. This portfolio is a tool prepared mainly by UNMAS, UNDP and UNICEF. Projects are identified by country portfolio teams, comprising national and local authorities, NGOs and UN entities are represented. 27.15% of the projects in the 2008 portfolio are dedicated to victim assistance programmes, the highest percentage to date. The 2008 portfolio includes projects in Albania, Angola, Azerbaijan, Bosnia and Herzegovina, Burundi, Cambodia, Chad, Colombia, Croatia, Democratic Republic of Congo, Egypt, Eritrea, Ethiopia, Iraq, Lao PDR, Lebanon, Mauritania, Russian Federation (Chechnya), Senegal, Sudan, Tajikistan, Uganda, Yemen and Zambia.

This is to highlight the relevance of victim assistance programme to the United Nations.

Gustave Laurie 3 July 2006 p.m.



Victim Assistance in development context

Under Article 8 para 2 of Protocol V each High Contracting Party in a position to do so is under the obligation to "provide assistance for the care and rehabilitation and social and economic reintegration of victims of explosive remnants of war".

This implies both the needs for medical and lifelong physical care and rehabilitation and in assisting victims of ERW to reintegrate productively into their communities.

In many, if not in the majority of ERW affected countries, contaminated communities are largely found in rural often marginalized areas that already face difficulties in making ends meet with dire livelihoods and scarce resources available to make a living. Individuals that fall victims to ERW are even further challenged as they often no longer can sustain their income generating activities.

This is even further aggravated in most commonly occurring cases when the head of household and breadwinner is injured or killed. The whole family and again as commonly occurring, the extended family suffers not only from the loss or injury of a family member but also loss of income to sustain the household.

These ERW victims will face lifelong difficulties in reintegrating socially, economically and psychologically into society. When children are affected they furthermore risk exclusion from early age as they will no longer be able to access school facilities making it virtually impossible to position themselves as productive members of society with the necessary training and skill-sets usually acquired through education and training. And the victims themselves are those who best will be able to describe the situation they are in and the support that may alleviate the situation they are in, today and in the future.

This context is more common than not. Rarely do ERW victims from developing countries have access to modern care and rehabilitation facilities, sophisticated prosthesis technology and institutional social networks to assist in training and career change possibilities. This is understandable given the development challenges and many other priorities these countries experience and also some of the important lessons that have been learned over the last decade; i.e. that states having responsibility for victims will in many instances need support and cooperation by other countries and international organizations and institutions to meet the obligations set out by the PV.

It does however also emphasize the importance to link all efforts under Protocol V to the broader development context. This is why it is of such importance to include victims and their

representatives in the implementation of victim assistance and consult the affected communities when addressing the needs and rights of victims of ERW.

This is imperative if we are to achieve an integrated approach in which clearance and the release of suspected land will ensure a decrease in the number of new ERW victims and we will start seeing the vision of a world free of the threat of landmines and ERW, where individuals and communities live in a safe environment conducive to development and where the needs of mine and ERW victims are met and they are fully integrated into their societies.