

**Fourth Conference of the High Contracting Parties
to Protocol V on Explosive Remnants of War to the
Convention on Prohibitions or Restrictions on the
Use of Certain Conventional Weapons Which May
Be Deemed to Be Excessively Injurious
or to Have Indiscriminate Effects**

14 October 2010

Original: English

Geneva, 22-23 November 2010

Item 10 of the provisional agenda

Review of the status and operation of the Protocol

Report on victim assistance

Submitted by the Coordinator¹ on victim assistance under CCW Protocol V

1. Since the Protocol's entry into force, significant work has been undertaken on the issue of victim assistance by High Contracting Parties to Protocol V, in particular through the adoption of the Plan of Action and the launch of the questionnaire to the High Contracting Parties and observers (provided as annexes).

2. The Meeting of Experts under Protocol V from 21 to 23 April 2010 was a valuable opportunity to further the understanding of victim assistance as well as to examine implementation of article 8 paragraph 2 and the Plan of Action on the ground. High Contracting Parties were able to hear experiences from an expert panel on social and economic inclusion as a core component of victim assistance. High Contracting Parties also heard from experts about national experiences in Belarus, Bosnia and Herzegovina, Croatia, Georgia, the Lao Peoples' Democratic Republic, Peru, Senegal and Thailand.

3. The sessions on victim assistance at the Meeting of Experts revealed a wide interest and high degree of engagement by High Contracting Parties, observers and civil society. Interventions outlined serious commitments to address the humanitarian consequences caused by ERW by affected countries as well as donor States. The Coordinator was also pleased about the contributions of States, who do not suffer from ERW in territories under their control, but informed about their domestic efforts to implement the Plan of Action, including by outlining more broadly their national plans on the rights of persons with disabilities.

4. The expert panel included Mr. Firoz Ali Alizada from the International Campaign to Ban Landmines, himself an ERW survivor; Ms. Shukuko Koyama from the International Labor Organization; Ms. Anesa Kundurovic, Ministry of Foreign Affairs in Bosnia-Herzegovina and Mr. Christian Courtis from the Office of the High Commissioner for

¹ In accordance with the relevant decision of the Third Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War, as contained in paragraph 54 (b) of its Final Document (CCW/P.V/CONF/2009/9) the discussion on victim assistance, pursuant to article 8 (2) of the Protocol was coordinated by Ms. Stephanie Karner of Austria, who was assisted by Ms. Danijela Žunec Brandt of Croatia, as Friend of the Coordinator.

Human Rights. Presentations addressed employment creation in post-conflict societies, persons with disabilities in the work force and the barriers they are facing, peer-support and social reintegration through recreational activities and projects.

5. Both panelists and subsequent discussions highlighted the need to consult closely with victims as well as to involve affected families and communities in victim assistance efforts. In line with Action #1 of the Plan of Action on victim assistance, it was stressed that services should be provided in an age and gender-sensitive manner and taking the special needs of vulnerable groups into account.

6. In addition, presentations emphasized the need for a rights-based approach and stressed the need to ensure synergy between efforts under Protocol V and related instruments, such as the Convention on the Rights of Persons with Disabilities. In this regard, many emphasized the potential benefits that could be reaped from a closer cooperation and coordination between Amended Protocol II and Protocol V, since both are dealing with explosive violence and its effects. This fact was further reflected in a joint session on victim assistance, co-chaired by the Coordinator and the Coordinator on Improvised Explosive Devices under Amended Protocol II.

7. High Contracting Parties' commitment to victim assistance also manifested itself in an unprecedented high number of returns to the questionnaire. The value of the questionnaire in both informing about the challenges that High Contracting Parties are faced with as well as their national efforts in responding to these was recognized. The Meeting of Experts also benefitted from a presentation by the Friend of the Coordinator on the rationale of the questionnaire in establishing a common knowledge base and on Croatia's national experience as an affected country in gathering the relevant data. There was a general wish of High Contracting Parties for the submitted questionnaires to be made publicly available.

8. In the course of the Meeting and related consultations, the Coordinator discerned the following trends that may inform and guide future work on victim assistance under Protocol V:

(a) High Contracting Parties' efforts should correspond to the needs of ERW victims on the ground. The collection of relevant and reliable data, in line with Action #2 of the Plan of Action, is considered a prerequisite for this purpose. In addition, the active participation of relevant experts and ERW survivors at the Meeting of Experts has proven critical to ensuring deliberations on victim assistance are focused on the needs of victims on the ground.

(b) Victim Assistance is not only a rights-based approach, but the empowerment of victims should be recognized as a worthwhile investment into communities and societies at large. Services to those who have suffered from ERW should be rendered sustainable, *inter alia* by streamlining them into existing health care, disability or poverty reduction strategies.

(c) In recognizing the principle of non-discrimination, work under Protocol V should be informed by and streamlined with efforts under taken in other relevant fora. In this regard, Protocol V and Amended Protocol II could benefit from cross-fertilization, as both are addressing explosive violence.

9. Bearing in mind the rich discussions and the work undertaken under Protocol V this year, as well as under previous Coordinators, the Coordinator recommends to the Fourth Conference of the High Contracting Parties to Protocol V to take the following decisions:

(a) To continue the consideration of victim assistance in the context of the Meetings of Experts and the Conferences of the High Contracting Parties to Protocol V and to provide adequate time to addressing this important issue.

(b) To request that the Coordinator report annually to the Conference on High Contracting Parties on the state of implementation of article 8 paragraph 2 and the Plan of Action.

(c) To amend the template for reporting under Protocol V to include reporting on implementation of article 8 paragraph 2 and the Plan of Action, while limiting undue reporting burdens.

(d) To establish a web-category on victim assistance under the existing Protocol V website, providing statements, presentations and submitted questionnaires, in accordance with High Contracting Parties.

(e) To request that the Meeting of Experts consider the benefits of the Plan of Action for the wider CCW community.

10. The Coordinator takes this opportunity to thank the Friend of the Coordinator, Ms Danijela Žunec Brandt of Croatia, for her invaluable assistance.

11. The Coordinator further takes this opportunity to thank the Steering Committee of the CCW sponsorship programme as well as all contributors to the programme for enabling informed discussions on victim assistance.

12. Finally, the Coordinator thanks all delegations, observers, international organizations, non-governmental organizations and, most importantly, ERW survivors, for their valuable support and active contributions in moving forward this important work under Protocol V.
