

**DIPLOMATIC CONFERENCE FOR
THE ADOPTION OF A CONVENTION
ON CLUSTER MUNITIONS**

CCM/PT/12

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Presidency Text transmitted to the Plenary on Victim Assistance

Preamble

The States Parties to this Convention,

[...]

Determined to ensure the full realisation of the rights of ~~victims of cluster munitions~~
all cluster munition victims and recognising their inherent dignity,

Resolved to do their utmost in providing assistance **to cluster munition victims**, for
the **including** medical care, ~~and~~ rehabilitation, **and** psychological **support** and **as**
well as for their social and economic inclusion of ~~victims of cluster munitions~~,

**Recognising the need to provide age and gender sensitive assistance to cluster
munition victims, and to address the special needs of vulnerable groups,**

Bearing in mind the Convention on the Rights of Persons with Disabilities which,
inter alia, requires that States Parties to that Convention undertake to ensure and
promote the full realisation of all human rights and fundamental freedoms of all
persons with disabilities without discrimination of any kind on the basis of disability,

Mindful of the need ~~adequately~~ to coordinate **adequately** efforts undertaken in
various fora to address the rights and needs of victims of various types of weapons,
and resolved to avoid discrimination among victims of various types of weapons,

[...]

Article 2
Definitions

For the purposes of this Convention:

“Cluster munition victims” means **all** persons who have **been killed or** suffered
physical or psychological injury, economic loss, social marginalisation or substantial
impairment of the realisation of their rights caused by the use of cluster munitions.
They include those persons directly impacted by cluster munitions as well as their
affected families and communities;

[...]

Article 5
Victim Assistance

1. 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** ~~for their~~ medical care, ~~and~~ rehabilitation, **and** psychological support **as well as for their** ~~and~~ social and economic inclusion. Each State Party shall make every effort to collect reliable relevant data with respect to cluster munition victims.

2. In fulfilling its obligations under paragraph 1 of this Article each State Party shall: ~~take into consideration relevant guidelines and good practices in the areas of medical care and rehabilitation, psychological support as well as social and economic inclusion.~~

- (a) **assess the needs of cluster munition victims;**
- (b) **develop, implement and enforce any necessary national laws and policies;**
- (c) **develop a national plan and budget, including timeframes to carry out these activities, with a view to incorporating it within the existing national disability, development and human rights frameworks and mechanisms, while respecting the specific role and contribution of relevant actors;**
- (d) **take steps to mobilise national and international resources;**
- (e) **not discriminate against or among cluster munition victims, or between cluster munition victims and those who have suffered injuries or disabilities from other causes; differences in treatment should be based only on medical or rehabilitative, psychological or social-economic needs;**
- (f) **closely consult with and actively involve cluster munition victims and their representative organisations;**
- (g) **designate a focal point within the government for coordination of matters relating to the implementation of this Article; and**
- (h) **strive to incorporate relevant guidelines and good practices including in the areas of medical care and rehabilitation, psychological support as well as social and economic inclusion.**