

CCM VICTIM ASSISTANCE CONCEPT NOTE

Enhancing implementation of Action 4 of the Dubrovnik Action Plan (Victim Assistance) up to the 2nd Review Conference

1. Background to Work Plan Context

According to Article 5, paragraph 1 of the Convention on Cluster Munitions (CCM), “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 medical care, rehabilitation and psychological support, as well as provide for their social and economic inclusion. Each State Party shall make every effort to collect reliable relevant data with respect to cluster munition victims.” This article applies to the assessment of domestic needs in the abovementioned areas and the development and enforcement of national policies. To this end, States Parties must develop a National Action Plan, designate a Focal Point within their governments in order to coordinate all matters relating to victim assistance, take steps to mobilize national and international resources, closely consult with victims and survivors and actively involve them and their representative organizations, and strive to incorporate relevant guidelines and good practices.

As per the Review Document of the Implementation of the Dubrovnik Action Plan, there currently are eleven (11) States Parties have obligations under Article 5: Afghanistan, Albania, Bosnia and Herzegovina, Chad, Croatia, Guinea-Bissau, Iraq, Lao People’s Democratic Republic, Lebanon, Montenegro and Somalia.

To guide States Parties to effectively implement the Convention during the period 1 October 2021 to 31 December 2025, States agreed to the five-year Lausanne Action Plan (DAP) at the September 2021 second part of the Second Review Conference of States Parties to the CCM. The LAP elaborates the priorities established by the States Parties through the various actions to be undertaken and the expected key results to be derived from these actions.

Victim Assistance is addressed in Section VII of the LAP, which provides the primary basis for the objectives, activities and expected outputs outlined in this concept note. Section VII of the LAP encourages States Parties with victim assistance obligations to ensure adequate and disaggregated data collection and establish databases accessible to stakeholders (Action 31); ensure comprehensive national policies and legal frameworks developed in a participatory manner (Action 32); strengthen national capacity through the appointment of a focal point and the development of an action plan (Action 33); ensure efficient and effective health care to victims (Action 34); measures for social, economic and education inclusion of victims (Action 35); inclusiveness and participation of victims in development of policies, laws and programmes (Action 36); support comprehensive rehabilitation programmes (Action 37), and commit resources for this endeavor (Action 38).

Objectives

- Organize the work of the coordination committee and convey to the State Parties the importance of guiding their implementation practice with Section VII of the LAP, including the need to make use of the indicators for each action.
- Gather information of best practices and encourage exchanges of implementation of art. 5 obligations at national level
- Increase coordination of VA actions under similar Conventions
- Facilitate increased exchange of information on resources and good practices among key actors
- Establish linkages with other obligations of the CCM, particularly transparency and international cooperation and assistance
- Support the President of the 10th Meeting of State Parties in preparation of, and during, the meeting

2. Activities

As co-coordinators on Victim Assistance, the work of Mexico and Chile will focus on:

- Reaching out to States Parties with current obligations under Article 5, through their national focal points, in order to follow-up on the needs and processes to implement the actions established under the LAP, particularly through:
 - Having collected, and analyzed data disaggregated by gender, age and disability
 - report addressing the needs of cluster munition victims in national policies and legal frameworks, aligned to the Sustainable Development Goals.
 - Clarify the existence of measurable National Action Plans and ensure that victim assistance corresponds to the needs of victims and is integrated into broader policies, plans and frameworks related to disability, health, education, employment, development and human rights.
 - Provide emergency and continuing medical care to cluster munition victims, as well as having in place well-functioning rehabilitation, psychological and psychosocial services, which are accessible, age and gender-sensitive.
 - Efforts made to improve the socio-economic inclusion of cluster munition victims.
 - Inform of national laws and policies addressing victim assistance that have been developed with the inclusion of cluster munition victims, and promote that
 - cluster munition victims are included in their delegations.
 - Support the training of victim assistance professionals and ensure victims are cared for by qualified personnel.
 - Report on the committed resources to victim assistance and the use of alternative and/or innovative sources of financing.
- To this end, we will firstly transmit letter to the national focal points and civil society requesting their best practices and challenges on the implementation of Section VII of the LAP. This effort is to try to plan activities in the intersessional programme which are relevant to the stakeholders. It will also involve bilateral meetings in the sidelines of

relevant international conferences and meetings (e.g., MSP of Ottawa Convention in The Hague, International Meeting of Mine Action National Directors in Geneva); visits to relevant Permanent Missions in Geneva; démarches by Mexican and Chilean Embassies in relevant countries.

- Prepare a working paper on Victim Assistance that would help identify synergies with other legal and policy frameworks which share victim assistance objectives. (APLBC; Protocol V, among others). Acknowledging and deepening our understanding of these shared objectives in diverse instruments will allow us to strengthen and reinforce existing commitments. In the same vein, understanding how diverse instruments have been able to confront specific challenges can help us enhance our toolbox in a holistic manner, rather than duplicating efforts.
- As a follow-up to the establishment of the database on National Focal Points during the previous cycle, make use of it to provide relevant sharing of information, best practices and lessons learned.
- Taking on board the different responses to the above-mentioned letters, organize within the intersessional period a side-event that present the success stories of implementation and best practices with regard to those challenges that have been identified by the stakeholders themselves. The event should be coordinated with relevant committees of similar Conventions, the relevant ISU and other stakeholders. Encourage timely submission of reports on challenges and key priorities on victim assistance (aiming at transparency under art. 7 of the Convention).
- Suggesting the organization of side events and/or workshops on victim assistance, possibly in the margins of other meetings and/or in coordination with relevant committees of similar Conventions. In particular, carry out a session of presentation of best practices through national cases within CCM and other related conventions.
- Review the following online guides on Victim Assistance to make sure they are in accordance with the LAP:
 - [*Guidance on an Integrated Approach to Victim Assistance*](#)
 - [*Guidelines on Gender and diversity-Responsive Victim Assistance in Mine Action*](#)
- Supporting and assisting the President in preparation of, and during, the Tenth Meeting of State Parties, ensuring adequate publicity of the LAP, clarifying information regarding the LAP actions and support other activities in the framework of the Meeting of State Parties.

3. Estimated Budget

- Limited costs, depending on the strategy adopted.

4. Strategy Implementers

- Mexico – Coordinator on Victim Assistance
- Chile – Coordinator on Victim Assistance
- CCM Implementation Support Unit

5. Potential Implementing Partners

- CCM States Parties and signatory States with obligations under Article 5 and other relevant Articles
- 10th MSP Presidency
- Coordinators of all CCM Committees
- Victim Assistance Coordinators of similar Conventions (AMPBC, Protocol V, other)
- Cluster munitions' survivors and victims and their representative organizations
- Civil society, international NGOs, aid agencies
- Donor States

6. Timeline of the Activities

- November 2021: Meeting with ISU to discuss priorities
- November 2021 - August 2022: Liaise with States Parties with obligations on status of National Action Plans and other LAP actions:
 - APLBC Meeting of State Parties in The Hague (November)
 - Permanent Missions in Geneva
 - Embassies of Mexico and Chile
- November 2021: Letter to national focal points of victim assistance and other stakeholders requesting identification of main challenges on implementation of Section VII of the LAP.
- February 2022 finish review of the:
 - [Guidance on an Integrated Approach to Victim Assistance](#)
 - [Guidelines on Gender and diversity-Responsive Victim Assistance in Mine Action](#)
- First quarter 2022 (January-March):
 - Follow-up, if needed, with States that have pressing obligations under Article 5 CCM/ Section VII of the LAP
 - Contact with other VA Coordinators under similar Conventions
 - Assist the President of the 10th in the run up to the first preparatory meeting (March-April)
 - Start preparations of side event within the inter-sessional period.
- Second quarter 2022 (April-June):
 - Conclude the working paper on Victim Assistance that would help identify synergies with other legal and policy frameworks which share victim assistance objectives.
 - Organization of side event in the inter-sessional period.
- Third quarter 2022 (July-September):
 - Prepare the 10th MSP Progress Report (May-June)
- Fourth quarter 2022 (October-November): assess progress and outcomes and identify potential objectives to address in 2023-2024.