



## KEY MESSAGES ON VICTIM ASSISTANCE ( 3 April 2020)

### **The victims are casualties, families and affected communities**

The term ‘victim’ refers to persons who, either individually or collectively, have suffered physical, emotional and psychological injury, economic loss or substantial impairment of their fundamental rights through acts or omissions related to the use of Explosive Ordnance (EO). Victims include people injured and killed, their families, and communities affected by EO.

### **Every year new casualties are reported, adding to the total number of victims**

More than 120,000 casualties have been recorded in the Landmine and Cluster Munition Monitor database in the period 1999–2018.<sup>1</sup> If we count the families of people killed and injured, the number of victims is much higher. In addition, 2018 was the fourth year in a row with exceptionally high numbers of recorded casualties due to landmines and explosive remnants of war (ERW)—including improvised types that act as antipersonnel mines, cluster munition remnants, and other ERW. Globally at least 60 million people live in contaminated areas.<sup>2</sup>

### **Legal framework**

Several international agreements oblige State Parties to provide assistance to mine and Explosive Remnants of War (ERW) victims: the *Anti-Personnel Mine Ban Convention (Art.6)*; the *Convention on Cluster Munitions (Art. 5)*; the *Convention on Certain Conventional Weapons - Protocol V(Art.8)*, the *Convention on the Rights of Persons with Disabilities (Art. 11)*.

### **Funding for Victim Assistance is inadequate to meet growing needs**

For the first time in seven years, funding dedicated to victim assistance as part of the global mine action budget increased in 2018. This resulted in better access to vital services for people injured, survivors, affected families and communities in humanitarian crisis, situations of protracted conflict, and in development contexts. The Mine Action Area of Responsibility calls on the donor community to turn this positive change into a trend. States Parties in a position to provide assistance should continue.

### **While effective mainstreaming of victim assistance in broader assistance frameworks (humanitarian, development, disability) is needed to ensure sustainability, this should be complemented with specific victim assistance earmarked funding to ensure that victims are protected and have access to services.**

The sustainability of victim assistance depends on an active role of the mine action community to facilitate and advocate for multi-sector support, as well as of human rights/development/humanitarian actors to provide evidence of its integration into their broader efforts in countries affected by explosive ordnances.

### **International Mine Action Standard (IMAS) 13.10 on Victim Assistance (VA)**

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<sup>1</sup> Landmine Monitor 2018, 49.

<sup>2</sup> *State of Play: The Landmine Free 2025 Commitment*, MAG & The HALO Trust (December 2017). 4.

The new International Mine Action Standard (IMAS) 13.10 on VA provide a broad overview of VA-related efforts as a pillar of mine action and provide guidance on the specific role played by mine action stakeholders. The MA AoR encourages all states to effectively translate the new IMAS on VA into National Mine Action Standards to better address victims's need and protect their rights.

### **Victim Assistance requires a continuum of services and a multisectoral approach**

It includes the actions to meet the needs of people injured, survivors, families of people injured and killed, and affected communities. Victim assistance includes but is not limited to the following elements: emergency and long-term medical care, rehabilitation, mental health and psychosocial support, and socio-economic inclusion (inclusive education, social and economic inclusion and social protection). Victim assistance also requires states to develop and implement laws and policies that promote the rights of victims and to collect gender, age and disability disaggregated data on casualties, the needs of survivors and indirect victims, and available services. VA requires a long-term commitment that should continue well after clearance work has been completed. As such, the ultimate responsibility to provide services for direct and indirect EO victims rests with state entities such as ministries of health, social affairs, education, labour and social protection.

### **Disability, gender and age considerations are key for an inclusive humanitarian mine action**

Disability, gender and age and other diversity factors may intersect and increase people's vulnerability; as such, these should be taken into account in the design and planning of VA efforts to ensure that services are adapted to the needs and realities of different groups and that the most vulnerable people are reached. Data on beneficiaries accessing services should be disaggregated by sex, age and disability, in short, SADD. Considering sex, age and disability also implies that casualty data is not only disaggregated by sex and age, but also by the type of impairment the person may have had prior to their accident with an EO.

### **Key Priorities for Affected States**

Mine/ERW affected countries should invest in emergency medical care; fill the gaps in access to rehabilitation and mental health and psychosocial support services (MHPSS); include survivors and indirect victims in decision-making; work together with education and livelihood actors to ensure access to school and employment, training, and other income-generation support activities, as well as develop Action Plans and Coordination Committees for Victim Assistance.

### **The UN and Victim Assistance: Leave no one behind**

The UN Strategy on Mine Action for 2019-2023 focusses on strengthening its advocacy and coordinating role for sustainable support to survivors, family members and communities directly and indirectly impacted by EO, consistent with the 2016 UN Victim Assistance Policy and relevant international humanitarian laws and conventions, as well as the UN global commitment to "leave no one behind".

### **Three Principles of Victim Assistance**

Victim Assistance is guided by three key principles. First, services supported with victim assistance earmarked funding should be provided in a *non-discriminator way, with services being* accessible on the basis of need, and not on the basis of the cause of the injury or impairment. Second, VA efforts should ensure *a human rights approach to victim assistance*. This means that the end goal of victim assistance is ensuring the survival of people injured, and the full and effective participation of survivors and indirect victims in society, on an equal basis with others. This entails the highest attainable standards of health, rehabilitation, mental health and psychosocial support, inclusive education, work and employment, full participation and inclusion in society and adequate standard of living and social protection. Third, *victim assistance should be integrated into development and humanitarian frameworks*.