

The Anti-Personnel Mine Ban Convention

is a short reference to the:

CONVENTION ON THE PROHIBITION OF THE USE, STOCKPILING, PRODUCTION AND TRANSFER OF ANTI-PERSONNEL MINES AND ON THEIR DESTRUCTION

In 1997 the international community responded with unprecedented multilateral cooperation and called for determined action to rid the world of anti-personnel mines.

The Convention became the first multilateral arms control treaty to make provisions for the victims of a particular weapon system.

Since then, 164 States have agreed to,

“put an end to the suffering and casualties caused by anti-personnel mines, that kill or maim hundreds of people every week, mostly innocent and defenceless civilians and especially children, obstruct economic development and reconstruction, inhibit the repatriation of refugees and internally displaced persons, and have other severe consequences for years after emplacement.”

“Each State Party in a position to do so shall provide assistance for the care and rehabilitation, and social and economic reintegration, of mine victims...”

In the fulfilment of their promise to landmine victims, the States Parties to the Convention have come to understand that what they call victim assistance,

“...should be integrated into broader national policies, plans and legal frameworks related to the rights of persons with disabilities, health, education, employment, development and poverty reduction.”



Fostering Partnerships

provided national disability rights and victim assistance experts, decision makers and persons with disabilities including mine survivors, with opportunities to explore challenges and good practices in aligning victim assistance efforts with the Convention on the Rights of Persons with Disabilities (CRPD) and the Sustainable Development Goals (SDGs).

Fostering Partnerships

built upon the 2014 conference *Bridges between Worlds* and expanded on the work of the States Parties to connect the dots between the “*mine action community*” with efforts carried out by those concerned with the well-being and the rights of girls, women, boys and men living with disabilities regardless of the cause of their disability.



BACKGROUND

1. **Fostering Partnerships** was a global conference intended to increase the international community's understanding regarding the place of assistance to victims of anti-personnel mines and other explosive remnants of war (ERW) in the broader contexts of disability rights and development.

The conference was hosted by the Hashemite Kingdom of Jordan with the technical backing of the Anti-Personnel Mine Ban Convention's Implementation Support Unit (ISU). It was made possible thanks to the financial support of the European Union Council through Decision 2017/1428 supporting States Parties' efforts to implement the Convention.

2. Twenty years after the entry into force of the Anti-Personnel Mine Ban Convention – and on the eve of its Fourth Review Conference – it was timely to ask some fundamental questions. This with the view to strengthen collaboration and **foster partnerships** in victim assistance through a wealth of international efforts and instruments, including the Convention on the Rights of Persons with Disabilities (CRPD) and the *2030 Agenda for Sustainable Development*.
3. **Fostering Partnerships** aimed to build upon previous efforts to enhance cooperation among victim assistance, disability, healthcare, education, employment, human rights and development actors, and provide national experts, decision-makers and persons with disabilities including mine survivors, with opportunities to further explore challenges and good practices in aligning efforts to assist victims in the frameworks of the CRPD and the 2030 Agenda.
4. **Fostering Partnerships** addressed important questions such as,
 - » How far have we come in delivering the Convention's promise to mine survivors?
 - » What is the status of victim assistance and what is its relevance in today's world?
 - » How has international human rights law altered the landscape in which we carry out victim assistance commitments?

- » What are the main challenges that remain in carrying out victim assistance efforts?
- » What can be achieved in the next five years following the **Oslo Review Conference on a Mine-Free World?**

5. Expert panellists contributed to discussions during different thematic sessions on,

- » advancing integration of victim assistance into broader national policies and programmes;
- » placing inclusion, gender and diversity at the centre of efforts;
- » shaping policies and programmes through data collection;
- » improving emergency response and protection;
- » improving rehabilitation in mine-affected countries;
- » measuring impact;
- » improving psychological and peer support;
- » improving social and economic inclusion; and,
- » cooperation and assistance.

Delegates also had an opportunity to examine challenges and opportunities faced in assisting victims in regional discussion groups. This was done with a view to considering how victim assistance may be pursued through regional cooperation between States Parties following the Oslo Review Conference and implementation of the **Oslo Action Plan**.

6. **Fostering Partnership** was held from 10-12 September 2019 bringing together over 180 participants in Amman, Jordan. Hosting the Conference in Jordan was significant on several fronts. Jordan is one of the 30 States Parties that has declared having significant numbers of mine survivors. It is also one of 31 States Parties that has indicated having fulfilled its mine clearance commitments under the Convention and continues to strive to fulfil its obligation towards mine victims. Lastly, Jordan is located in a part of the world that has seen an increase in victims of anti-personnel mine and other explosive remnants of war.

7. All States were invited to *Fostering Partnerships* as it is recognised that all have a role in achieving the full and effective participation of girls, women, boys and men living with a disability on an equal basis with others in their communities. In total, 41 States attended the conference (36 States Parties and 5 States not party). Most were represented by officials with responsibilities related to disability rights, victim assistance or mine action more broadly.

8. There was sizable participation of relevant international and non-governmental organisations that work in the fields of disability rights, healthcare, rehabilitation, employment, academia and mine action in general represented by 40 delegations plus 2 Jordanian national structures. It was understood that participation and

expertise of international and non-governmental organisations was vital to the success of the conference.

9. Importantly, *Fostering Partnerships* benefited from the active participation and expert knowledge of more than **45** mine survivors and other women and men with disabilities.

CHAIRPERSON'S SUMMARY OF DISCUSSIONS



His Royal Highness Prince Mired Raad Zeid Al-Husseini served as Chair of Fostering Partnerships. Above Prince Mired with the UN Special Envoy on Disability and Accessibility (seen at his left sitting down), Mine Survivors Rights Advocate Tun Channareth; Ambassador of the EU Delegation to Jordan H.E. Maria Hadjitheodosiou; and, Convention President and Ambassador of Norway to the UN in Geneva H.E. Hans Brattskar. At the end of the stage, an empty wheelchair was kept in memoriam of Accessible Jordan Founder Aya Aghabi who died shortly before the Conference. She had been scheduled to take part in the opening panel.

10. The inclusion of a provision to assist the victims in the text of the Convention was the result of hard negotiations by survivors, interested States, international and non-governmental organisations. Nowadays, the international community considers any instrument of international humanitarian law dealing with conventional weapons as “incomplete” should it not include a provision to assist victims of the particular weapon being addressed.
11. Partnerships have been built with actors working in the fields of health, rehabilitation, education, employment, disability rights, development and poverty reduction. Tangible efforts to provide physical rehabilitation to survivors have been undertaken by States Parties with significant numbers of mine survivors. Many victims are receiving services to improve the quality of their daily lives but still more needs to be done especially in rural areas.
12. The recognition by the Convention's States Parties [and of other relevant instruments of international humanitarian law] of the importance of a human rights-based approach to assisting victims, as opposed to a charity-based approach or

medical model, is one of the most significant developments over the past 20 years. Translating this to action remains a challenge.

13. Assisting victims is not a standalone action needed in the immediate aftermath of an accident but also a long-term cycle of support required at different times over a lifetime. Therefore, the sustainability of efforts to assist victims and realise their rights is critical and dependent on integration into broader national policies, plans, programmes and legal frameworks, the CRPD and Agenda 2030 are two particularly relevant frameworks.

14. The CRPD provides all States with the highest accepted legal and normative standards as concerns disability rights. All articles of the CRPD are relevant to assisting survivors who have acquired a disability, and provide a sustainable approach to addressing their rights and needs. In many affected States, efforts to assist victims of mines and other ERW has improved access to services that have enhanced the well-being not only of survivors but of other persons disabilities, and broader community. **Nevertheless, a disconnect remains between efforts to implement the CRPD and efforts to address the rights and needs of survivors of mines and other ERW.**

15. The 2030 Agenda for Sustainable Development with the 17 Sustainable Development Goals (SDGs) provides a blueprint to guide our work. The aim of the SDGs to “leave no one behind” will only be realised through strengthening work and improving outcomes for persons with disabilities, including survivors. The rights of survivors and other persons with disabilities within those communities can be promoted through disability-inclusive development policies and programmes.

16. Comprehensively addressing the rights and needs of victims is beyond the capacity of a single entity. Therefore, fostering partnerships is essential for a multi-sectoral approach into broader national policies and programmes. To ensure sustainability of efforts, strong partnerships with disability rights and development actors can enhance the potential to assist survivors, the families of those killed and injured, and the broader community.



Fostering Partnerships greatly benefited from the vast expertise of the UN Secretary General’s Special Envoy on Disability and Accessibility, María Soledad Cisternas Reyes of Chile.

Even with full and effective integration, States Parties will continue to have obligations to assist the victims, and to report on those obligations under the Convention. It is acknowledged that more discussion is needed to ensure that integration into broader domains does not result in the “invisibility” of victims and survivors, or of their access to services and opportunities.

17. When integrating assistance to victims and survivors into broader domains, two principles adopted by the States Parties must be at the centre of efforts; inclusion, and a gender and diversity perspective. These are consistent with the guiding principles of the CRPD and Agenda 2030. Principles that guide implementation of the CRPD include respect for difference and acceptance of persons with disabilities as part of human diversity, equality of opportunity, and equality between men and women. The 2030 Agenda is grounded in the Declaration of Human Rights.
18. Enhancing dialogue with policy makers, community and religious leaders, and other influencers is essential to promoting inclusion and equal opportunities through challenging social norms, beliefs and practices around disability. The new United Nations Disability Inclusion Strategy that aims for sustainable and transformative progress on disability inclusion can be utilised in other forums to improve inclusion.
19. Quality and timely data is needed to ensure that resources are used in the most effective and efficient manner, determine if services and opportunities are accessible, and identify gaps in available services and opportunities. Nevertheless, collecting comprehensive disaggregated data remains a significant challenge due to lack of capacities and coordination, absence of a data unification system, different data collected by different stakeholders, and limited donor support. Tools, examples of good practice and expertise are available to assist States in enhancing capacities. It is acknowledged however, that survey without response is not productive.
20. **One in three direct victims of an explosion of anti-personnel mines and other ERW do not survive their injuries.** In many affected areas there is no emergency aid available or evacuation times are too long, there is a lack of trained first responders and safe transport, and limited access to blood transfusions and trauma surgery. Health facilities and hospitals in or near affected areas lack adequate supplies and equipment, and a suitably qualified workforce. Ongoing healthcare and referral to appropriate services is also limited. This could be improved by developing localised responses in partnership with development actors to create effective emergency response plans, adequate healthcare capacities, and mobile physical rehabilitation services.



21. Rehabilitation is a lifetime need with its aim of optimising a person’s functioning to live as independently as possible. Physical rehabilitation, primarily the provision of prostheses and assistive devices, is an area that has received considerable attention over the past 20 years. Nevertheless, **it is acknowledged that due to scarce resources and, in some cases, ongoing conflict, there is a substantial and ever-increasing unmet need for rehabilitation especially in low- and middle-income countries.** A key challenge in the provision of physical and functional rehabilitation is access to quality, sustainable and affordable services, particularly outside urban areas.

22. Services should be a part of the continuum of health under the leadership of the Ministry of Health. Assistive devices should be made available and exempted from tax like medical supplies, while services should be provided by a multi-disciplinary team of qualified professionals trained to international standards recognised by and paid by the government. **Rehabilitation 2030: A Call to Action provides guidance to all States on areas for action to achieve sustainable, affordable, accessible and quality rehabilitation services.** Psychological support (provided by qualified experts) and psychosocial support (such as peer counselling for survivors by survivors and other forms of social support) are key to successful social and economic inclusion.

23. Psychological and/or psychosocial support is needed in the immediate aftermath of an accident, during the rehabilitation process, and at different times during the lifetime of survivors and the families of those killed or injured. However, the needed support and follow-up is not always available due to a lack of funding, qualified personnel and training in many affected areas. In other cases this support is not seen as a priority. **Peer support is a cost-effective option for assisting survivors that can complement psychological support and should be integrated into primary health care.** Psychological and psychosocial services could be enhanced, strengthening partnerships with actors working on mental health issues, and sharing of good practice.



24. Access to sporting and leisure activities can have positive benefits to the psychological well-being and social inclusion of survivors and other persons with disabilities. **Sport not only builds self-esteem, respect and dignity but can change community attitudes towards persons with disabilities.** In most cases mainstream sports and leisure activities can be made accessible to the use of persons with disabilities including survivors.
25. Measuring progress has been difficult due to the complex nature of social and economic inclusion of survivors and other persons with disabilities and remains a significant challenge.
26. Survivor associations and organisations of persons with disabilities that are adequately resourced have proven effective in articulating their needs, building capacities, and empowering people to access opportunities. These types of organisations are often able to reach people in remote areas and at the grassroots level.

All mainstream initiatives to improve the social and economic inclusion of people living in vulnerable situations should be disability inclusive. Fostering productive partnerships with disability and development actors including with the private sector is essential.

27. Working across the various ministries, service providers, domains and donors makes identifying access to services and opportunities, and gaps and challenges in implementation, a complex and time-consuming process. **Currently, measuring impact is difficult in many affected areas due to the lack of baseline data.** Information is available through a range of reporting mechanisms and domains such as injury surveillance systems, the CRPD, the SDGs, the World Health Assembly, the ICRC and other service providers, and national level data collection on health, education and labour, as well as issue-specific surveys.

A centrally recognised and resourced national body is needed to collate data based on action plans and legislation in an ongoing and sustainable fashion. **However, a challenge for the States Parties is to make more visible and thereby less vulnerable, those who are largely invisible in broader data collection mechanisms.** In addition, it was suggested to States Parties reporting on victim assistance under Article 7 to take note of the important role of survivors' associations with regards to identifying needs, and gaps in access to services.



- 28. The Oslo Action Plan will be the Convention's first to include indicators.** It was proposed that indicators should require more than a yes or no response and should aim to measure, for example, the efforts made by States to ensure access to services. Development of national indicators should also be considered when States Parties develop or review national disability action plans such as those to measure improvements in quality of life and functioning.
- 29.** Accurately measuring the extent of cooperation and assistance on victim assistance is not always easy given the fact that in many cases funding for victim assistance is not earmarked as such. There is a lack of information on cooperation and assistance that benefits victims and survivors through broader domains, including services, opportunities, in-kind, and technical support provided by international agencies and non-governmental organisations. However, many mine-affected or now mine-free countries have identified funding as a significant challenge.
- 30. Many States have developed plans of action but some States have also reported lacking the financial, human and technical resources to implement them.** In addition, low priority is given to victim assistance in some mine action programmes due in part to shortages of financial resources for other activities such as mine clearance and a lack of qualified personnel to coordinate or implement activities.
- 31.** It is clear that, in many cases, available resources are insufficient to meet the needs and demands. Service providers at the community level, including survivor associations, are most impacted as they rarely have reserves to cover gaps in

funding. There is a need for long-term sustainable funding to ensure that victims and survivors have access to services and opportunities. **All States Parties should collaborate to identify opportunities for cooperation and assistance, including through partnerships with broader domains, exploring the potential of regional funds, and engaging the private/corporate sector to promote social responsibility and respect for human rights.**

32. Delegates meeting in regional groups – Africa (Sub Saharan), Asia, Europe, Latin America and Middle East and North Africa (Arabic speaking group) – identified challenges faced and shared opportunities for assisting victims and survivors.

Challenges reported include:

- » lack of information on needs;
- » limited services outside of capitals;
- » limited emergency response capacities in affected areas;
- » limited follow-up after medical care;
- » limited information about, and accessibility to, available services and opportunities;
- » lack of trained staff;
- » obsolete equipment and materials;
- » poverty;
- » discrimination and negative attitudes;
- » lack of state budget;
- » limited external support;
- » limited coordination between service providers, and between donors;
- » lack of systems for information sharing between non-governmental organisations and government;
- » limited capacities and lack of strong leadership for effective multi-sectoral coordination;
- » growing use of improvised explosive devices, and,
- » security concerns.

Opportunities to address the challenges that are currently being taken advantage of or were suggested include:

- » functional data collection mechanisms;
- » national ownership/leadership;
- » building capacities at local level with budget support;
- » effective coordination mechanism with relevant decision makers;
- » appropriate legislation adopted and implemented;
- » enhanced regional cooperation and links with regional organisations;
- » regional fund to mobilise resources; private public partnerships;
- » south/south cooperation;
- » mechanisms to exchange experiences, good practice and sharing of ideas;
- » enhanced opportunities for training and follow-up training for service providers;
- » ensuring assistance to victims through agenda of SDGs and CRPD; and,
- » strong commitments made by States Parties at the Fourth Review Conference in Oslo.



CHAIRPERSON'S CONCLUSIONS

- 33.** Considerable progress has been made during the past 20 years in raising awareness and understandings on what assisting the victims in the context of the Anti-Personnel Mine Ban Convention and other relevant instruments of international humanitarian law means in practice. Yet, it was not until 2006, with the adoption of the CRPD and its Optional Protocol that the international community codified in law a human rights-based approach to addressing the rights and needs of persons with disabilities -- including those who have acquired a disability as a result of the explosion of an anti-personnel mine or other ERW. The CRPD promotes a social model where persons with disabilities are subjects of human rights, active in the decisions that affect their lives and empowered to claim their rights.
- 34.** Victim assistance efforts have contributed in shifting understandings from charity approach and medical model to promoting a human rights-based approach. Efforts to assist the survivors have been instrumental in opening up a dialogue on disability issues where one may not have otherwise taken place. Effective resource mobilisation and initiatives undertaken have benefited broader populations beyond mine victims and survivors. Still, many survivors at the local level struggle to receive services. Governments often do not have the resources and capacities to provide services, particularly in rural areas.
- 35.** Remaining challenges include a lack of up-to-date and comprehensive data on prevalence and needs, accessibility to available services, lack of functional referral mechanisms, and limited capacities for effective coordination. Greater financial and technical support is needed for the implementation of national plans, including for enhancing access to services and opportunities in remote areas. Tools and other guidance have been developed to assist States in meeting their obligations to assist victims and survivors; however, opportunities for training on the use of this guidance are limited.

36. Affected States face obstacles in providing psychological and psychosocial support or peer support. Such a gap in services to mine victims can affect the impact and success of assistance to those individuals that suffer from severe lasting trauma. States can utilise the existing expertise and opportunities to fill in the gap, including by furthering the integration of such assistance into mental health policies and programmes.
37. Access to funding was identified as a significant challenge to the provision of services and opportunities. Fostering partnerships with disability rights, poverty reduction and development actors to mobilise resources makes more sense than competing for limited mine action funds. No matter the sources of funding, these should be invested in line with a rights-based, inclusive approach. While it is a government responsibility to provide services, innovative approaches could be explored such as the development of regional funds, and to engage corporate and private donors to support gaps in service provision and other opportunities. It is also important to encourage development cooperation that is inclusive of survivors and other persons with disabilities, and to ensure accountability among partners on the use of funds.
38. Instruments of international humanitarian law continue to refer to victims, with the term “victim” understood to include individuals directly impacted, their families, and affected communities. The term “victim assistance” could be construed as a charity rather than a rights-based approach, while the term “victim” is dated and can be perceived as disempowering to individuals. The terms “victim” and “survivor” may be well-understood in the disarmament community, but it may present a conceptual barrier to strengthening partnerships with disability rights actors. Clarity is needed as persons with disabilities have expressed concerns that the current terminology is sending mixed messages that mine victims and survivors have special rights, which does not align with the CRPD or human rights more broadly.
39. The States Parties to the Anti-Personnel Mine Ban Convention have evolved their understanding of victim assistance based on new instruments such as the CRPD. In taking a right-based approach, it may be time to rethink the terminology to more empowering terms such as **Mine Survivor Rights or Survivor Assistance**. A change in terminology would not change the agreed components of what is currently called victim assistance, including a focus on emergency response to improve capacities so that direct victims survive their accidents. Nor would it take away the need to assist the families of those killed and injured who may require psychosocial support and opportunities to support their wellbeing and economic inclusion.
40. Concerns have been raised that by focusing on survivor rights and survivor assistance, the broader definition of “victim” will be forgotten. But by strengthening partnerships with development actors to ensure that affected communities, and communities that are now mine-free, benefit from activities to achieve the SDGs,

this concern will be unfounded. Efforts to achieve SDGs that aim to end poverty, ensure healthy lives and promote well-being, ensure access to quality education, and promote productive employment and decent work, are particularly relevant the Convention's efforts.

41. All development efforts should be inclusive of, and accessible to, persons with disabilities, including mine survivors. This requires a twin-track approach; supporting disability-specific programmes to address targeted needs, and promoting and enabling the active participation and contribution of persons with disabilities in broader development programmes. Inclusive development offers a sustainable strategy to ensure the effective participation of survivors, the families of those killed and injured, others living in vulnerable situations and affected communities in all aspects of social, economic and cultural life.
42. There is still a long way to go before the Convention's promise to mine victims and survivors is fully realised. One of the main challenges identified in implementing relevant instruments of international humanitarian law and the CRPD is how to translate policy into practice to bring about tangible improvements in the quality of daily life of persons with disabilities. In many countries, survivors and other persons with disabilities continue to struggle to have their voices heard and to enjoy their basic human rights. Important opportunities are available to address the need for training of medical staff, UN agencies and other service providers to move away from the medical or charity models and gain a deeper understanding for the rights-based approach and potential to effect societal change and the removal of barriers.
43. The rights-based approach provides us with an end point to work towards; that is, a world in which everyone can participate in society on an equal basis with others. This provides a degree of measurability which is vital. Assisting victims and survivors must shift in focus and continue to become more and more measurable. From inputs and activities, to outputs and achievements to improve access to services and opportunities, and quality of daily life. This should be the norm not only in states currently undertaking mine clearance activities but also in those States that are now "mine-free".
44. The long-term sustainability of efforts to assist victims and survivors in mine affected countries is dependent on the integration of efforts into broader rights-based policies, plans, programmes and legal frameworks, and the economic development of the country as a whole. Many countries require external support to build the capacities to ensure the financial, technical and human resources necessary to provide quality services and opportunities that are accessible, affordable and delivered by a trained workforce, and to facilitate effective multisectoral coordination.

45. The Convention's Global Conference on Assistance to Victims of Mines and other Explosive Remnants of War and Disability Rights, ***Fostering Partnerships***, identified a variety of practical steps that can be taken over the next five years to enhance existing and foster new partnerships so that the promise to victims and survivors is integrated yet visible in other domains.
- a. Raise awareness of obligations to assist victims and survivors on the agendas of international, regional and national meetings related to the CRPD, human rights and SDGs.
 - b. Facilitate stakeholder dialogue at the global level among States Parties, and in affected States at the national level, to share experiences, good practice and challenges, and to ensure that disability rights and development agendas are inclusive of victims and survivors.
 - c. Engage decision-makers at the highest level in affected States on the issue of assistance to victims and survivors in broader domains of disability rights and development.
 - d. Improve data collection on prevalence, needs of mine survivors, and challenges faced, including by providing financial and technical support for the development of appropriate mechanisms to track the access of victims and survivors to services and opportunities in broader contexts of disability rights and development.
 - e. Work with the World Health Organization (WHO) and ICRC to address needs for assistive technology and healthcare in mine-affected States, such by developing a rehabilitation supplies list.
 - f. Engage with regional cooperation forums to advance south-south cooperation including exchange of experience in meeting the needs and addressing the rights of mine victims.
 - g. Promote and support collaboration between survivor associations and organisations of persons with disabilities at the national and local level and facilitate their inclusion in decision-making processes about policies and programmes, in particular those directly concerning persons with disabilities.
 - h. Advocate for enhanced policies towards inclusion of mine survivors and persons with disabilities. The United Nations Disability Inclusion Strategy can be utilised as a good practice in this regard.
 - i. Sensitise national medical staff, UN agencies and other service providers to move away from the medical or charity model to a rights-based approach, together with societal change and the removal of barriers.

- j. Foster effective partnerships with a broad range of actors at the international, national and local level in affected countries to facilitate progress in achieving the relevant Victim Assistance actions of the Oslo Action Plan.





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The ISU is the secretariat to the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. The ISU is mandated to support the States Parties to the Convention, in particular by doing the following:

- Supporting the Convention's implementation machinery and office holders,
- Providing advice and technical support to individual States Parties on the implementation and universalization of the Convention,
- Communicating and providing information about the Convention,
- Keeping records of formal and informal meetings under the Convention, and
- Liaising and coordinating with relevant international organisations that participate in the work of the Convention.

The ISU is directly accountable to the States Parties while being hosted by the Geneva International Centre for Humanitarian Demining. The ISU is funded on a voluntary basis by the Convention's States Parties.

Anti-Personnel Mine Ban Convention

Ending the Suffering and Casualties Caused by Anti-Personnel Mines



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