Part 2.ii: Victim Assistance Frameworks

Since entry into force, most States Parties to the Mine Ban Treaty with significant numbers of victims have made efforts to improve victim assistance, including through planning and coordination. Monitor findings indicate that activities that have had the most direct impact on the lives of victims so far have been those which are designed specifically to include victims and thus provide “targeted victim assistance”. For the most part “so-called” victim assistance funding is in reality funding for disability and development, with a focus on services that are needed by survivors.

Assistance through broader frameworks—such as national development programs, laws to protect or support persons with disabilities, and broader emergency humanitarian relief—has also been essential but, by itself, insufficient. Most often the benefits of these broader programs have been reported to the Monitor when victims were able to access such services because targeted victim assistance programs provided outreach, assistance with transportation, accommodation, or referrals.

States with mine victims hold the primary responsibility to uphold the rights of victims, but most have very limited financial and technical resources. It is essential that the states with the greatest needs and expectations of assistance will receive international support in some form, through the contributions of States Parties “in a position” to fulfill Article 6.3 of the Mine Ban Treaty. This is a legal obligation to victims, and it is also a vital promise to survivors and persons with disabilities in their communities, because for the most part this “so-called” victim assistance funding is in reality funding for disability and development, with a focus on services that are needed by survivors.

Many donor states are already reporting that they contribute to victim assistance through streams such as development aid for health and social services. It is, of course, a donor’s prerogative to decide where and how these funds should be spent—either bilaterally or through different multilateral channels. The key to fulfilling victim assistance commitments is ensuring that the assistance is effective and has an impact on the lives of victims, in addition to whatever other impact funding may have.

Funding through broader cooperation assistance that contributes to victim assistance currently goes largely unreported, because neither donors nor recipient states have taken steps to measure the impact of this assistance on victims. Tracking or mapping the impact of development assistance and other types of foreign assistance on the lives of victims is likely to require new initiatives and adjustments to how such assistance is monitored.

States Parties should demonstrate how development contributions enable states with mine/ERW victims or organizations in the recipient country to assist mine/ERW victims. They might also, or alternatively, report how the funds reach the most vulnerable victims and those people in most need in all places where victims live, including rural and remote areas. If the goals of international assistance are clear, states and survivors alike can consider whether the resources invested “are actually achieving
their desired ends.”

If it is not possible to determine if broader funding is reaching victims, states should, at minimum, show how the reasoning for providing broader funding — in relation to the development, CRPD commitments, health, welfare, infrastructure or any other investment — took into account the specific needs of survivors, families and communities among the target beneficiaries.

In order to make best use of the full range of resources, including those outside mine action, we still believe there needs to be dedicated victim assistance resources with a focus on enabling victims to access on an equal basis services that have been developed for the broader population. Such support should promote survivor leadership and promote the long overdue embracement of victims and their representative organizations among the national decision making bodies on disability and development issues.

A strongly supported global presence of civil society partners, particularly survivors’ representative organizations, will go a long way to ensuring that states can monitor and regulate the impact that their development contributions are having. So far, these sources have provided us with the best indicators for identifying where change has occurred, and for alerting us when changes in funding structures are having an undesired impact on support for victims.