

CMC Statement on Victim Assistance
Convention on Cluster Munition Intersessional Meetings
28 June 2011, Geneva, Switzerland



Thank you chair/cochair.

My name is Thoumy Silamphan. I am a CMC campaigner from the Lao PDR and a cluster munition survivor. On behalf of the CMC, I am pleased to have the opportunity to speak on the issue of Victim Assistance today, together with my colleague from Lebanon.

CMC campaigners from affected countries know that cluster munitions continue to kill and injure in 2011 as they have for decades. Eleven months since the entry into force of the Convention, it is time to hear what has been achieved so far under Article 5. This Article covers victim assistance, and reflects the commitment that states have made to bring about positive change in the lives of survivors. Let us remember that Article 5 of the Convention on Cluster Munitions was based on the experience of the Mine Ban Treaty, from victim assistance in its action plans and from the Convention on the Rights of Persons with Disabilities.

With this in mind, and given efforts in recent years to link these different conventions, states have had ample opportunity to begin implementing the victim assistance provisions of Convention on Cluster Munitions. Action #23 of the Vientiane Action Plan calls on states to integrate the implementation of victim assistance under the Convention on Cluster Munitions into coordination systems already created for other relevant conventions, including the Convention on the Rights of Persons with Disabilities.

Today we expect to hear from states about coordination efforts for victim assistance, and especially how they ensure that their victim assistance coordination focal point has the authority, expertise and adequate resources to carry out its task, as set out in the Vientiane Action Plan.

We are also eager to hear states report on Action #20 of the Action Plan, which calls on states to increase capacities to assist cluster munition victims **in 2011**, as national and international resources become available. Just as importantly, we need to hear about the steps taken to mobilize those national and international resources, as called for by the Convention.

States have committed to take **immediate action** to increase availability and accessibility of services under Action #25. This includes **immediate action** to increase access to services in remote and rural areas and to remove barriers. Almost a year after entry into force, states should be reporting and discussing how these actions have been implemented and can be advanced.

I now pass the microphone to my fellow campaigner.

My name is Raed Moked, I am a CMC campaigner from Lebanon and a cluster munition victim, because I am the father of a 5-year-old boy who was killed by a cluster bomb.

As my colleague from Laos has mentioned, improving the accessibility and quality of services is a key commitment of the Vientiane Action Plan. In so many affected countries, emergency medical care, physical rehabilitation services and economic inclusion programs remain out of reach for many survivors, their families and members of affected communities. In particular, peer support, an effective type of psychosocial support, is rare to non-existent in Laos and Lebanon as well as in Afghanistan and Iraq and in states not party, such as Serbia and Vietnam. We want to hear about improvements and about efforts to ensure that implementation is both age and gender appropriate.

A key first step in ensuring appropriate services where and when needed is the collection of relevant data. States Parties committed to collect all necessary data, disaggregated by sex and age, and to assess the needs and priorities of all cluster munition victims **within one year** of entry into force. As we know, cluster munition victims as defined by the convention include families and

communities. But so far, states have been reporting only on those people who were killed and injured by cluster munitions remnants. In order to address the needs of all cluster munition victims, states will need to collect data that will inform their efforts to implement services for all cluster munition victims including those people killed and injured during cluster munition strikes as well as the families and communities of all people directly affected.

Laos, as we know, was the most heavily cluster bombed country in the world, so the number of victims must be far beyond those counted among the mine/ERW casualties counted in the national survey. The people of Lebanon were heavily affected by the use of cluster bombs. Most recently, in 2011, people in Libya became cluster munition victims during strikes. The needs of these people, the families and their communities must also be recognized and addressed.

States should report how data has been made available to all relevant stakeholders and contributes to national injury surveillance and other relevant systems for use in program planning and implementation.

Within one year of the Convention entering into force, each state should have reviewed national legislation in order to ensure laws and regulations protect the rights and meet the needs of cluster munition victims. With only a month to go for most States Parties, we expect reporting on this will be presented during this meeting.

States Parties could put more detail on victim assistance in Form H of Article 7 transparency reporting. More detail on this can be found in the fact sheet outside the room. We congratulate D.R. Congo for submitting a voluntary report which included information on victim assistance. We encourage other signatories and states not party to do the same. We look forward to broader discussion on best use of the more comprehensive reporting format.

Finally, most states at this session do not have experts on their delegations let alone representatives of disabled persons organizations or cluster munition victims. Yet according to the Vientiane Action Plan, cluster munition victims

should be included in all convention-related activities. Intersessional meetings are one of the most significant opportunities for the participation of cluster munition victims at the international level, as this is where the most work gets done.

We expect to see more survivor participation at the Meeting of States Parties in Lebanon in September, where we will also be waiting to hear about concrete steps for implementing Article 5 of the Convention through the Vientiane Action Plan framework and in line with other international humanitarian and human rights laws.

Thank you.