

United Nations



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**The United Nations Policy on  
Victim Assistance in Mine Action  
(2016 Update)**

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## The United Nations Policy on Victim Assistance in Mine Action

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### **A. INTRODUCTION**

1. This Policy on Victim Assistance in Mine Action replaces the 2003 “*Mine Action and effective coordination: the United Nations policy - Sectoral policy: The scope of action of mine action centres and organizations in victim assistance*”. It reflects the significant changes in the legal and policy framework for victim assistance which have occurred since 2003, and prevails to language relevant to victim assistance contained in “*Mine Action and Effective Coordination: The United Nations Inter-Agency Policy*”, which was approved by the Inter-Agency Coordination Group on Mine Action (IACG-MA)<sup>1</sup> at the Principals’ level on 6 June 2005.

2. The words ‘shall’, ‘should’ and ‘may’ are used to indicate the intended degree of compliance with this Policy. This use is consistent with the language used in the International Organization for Standardization (ISO) standards and guidelines:

- (a) ‘shall’ is used to indicate requirements, methods or specifications that are to be applied in order to conform to the standard.
  - (b) ‘should’ is used to indicate the preferred requirements, methods or specifications.
  - (c) ‘may’ is used to indicate a possible method or course of action.
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<sup>1</sup> The IACG-MA is chaired by the Under-Secretary-General for Peacekeeping Operations at the Principals’ level and by the Director of the United Nations Mine Action Service (UNMAS) at the working level. Other members of the IACG-MA are the Office for the Coordination of Humanitarian Affairs (OCHA), Office of the UN High Commissioner for Human Rights (OHCHR), UN Office for Disarmament Affairs (UNODA), Food and Agriculture Organization of the UN (FAO), UN Development Programme (UNDP), Office of the UN High Commissioner for Refugees (UNHCR), UN Children’s Fund (UNICEF), UN Office for Project Services (UNOPS), UN Entity for Gender Equality and the Empowerment of Women (UN Women), World Food Programme (WFP), World Health Organization (WHO), United Nations Institute for Disarmament Research (UNIDIR) (Observer), and the World Bank (Observer).

## B. BACKGROUND

3. In 2012, the United Nations adopted the “**Strategy of the United Nations on Mine Action 2013-2018**” (hereafter referred to as the “UN MA Strategy”). Under its Strategic Objective 2, the United Nations committed to update the United Nations Policy on Victim Assistance, taking into account the new and stronger normative environment for victim assistance and persons with disabilities, and focusing on the integration of victim assistance into broader disability-related programmes and frameworks.

4. The humanitarian, socio-economic and environmental impact of mines and explosive remnants of war (ERW), including cluster munitions, continues to be a major source of concern worldwide. Mines and ERW maim and kill thousands of people every year resulting in women, girls, boys and men acquiring impairments that may also have long-term consequences for their families and communities. Mines and ERW prevent food and medical aid from reaching people in need; render agricultural land useless; impede the return of displaced people to their communities; and hinder already difficult relief operations and reconstruction efforts in many affected countries. The effects of mines and ERW can last for decades, hampering stabilization, peacebuilding, reconciliation, infrastructure recovery and the return to normal life, as well as slowing down local, national, and regional development.

5. Despite significant global progress in addressing the other pillars of mine action, notably with regard to anti-personnel mines and cluster munitions, victim assistance remains a difficult challenge to overcome by countries and other relevant actors. This Policy intends to generate a renewed impetus and commitment from the United Nations in support of mine and ERW victims.

6. In recognition of the central place of victims in the response against mines and ERW, the United Nations continues to fully commit to victim assistance as one of the five core components or pillars of mine action. United Nations assistance in mine action is, *inter alia*, conducted on the basis of resolutions of the United Nations General Assembly (UNGA), in particular the biennial UNGA resolution on assistance in mine action.<sup>2</sup>

7. Victim assistance is primarily an obligation of each individual state with respect to mine and ERW victims. In addition, countries that are States Parties to the following treaties shall comply with their respective provisions on victim assistance, including: the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (APMBC), under Article 6; Protocol on Explosive Remnants of War to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (CCW), under Article 8; and the Convention on Cluster Munitions (CCM), under its Article 5.

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<sup>2</sup> General Assembly resolution 70/80 of 9 December 2015 makes multiple references to victim assistance. The 15th preambular paragraph notes “...the updating of the United Nations victim assistance policy...”, paragraph 3(c) urges all States to provide “Reliable, predictable, timely and, where possible, multi-annual contributions...including those relating to...victim assistance...”, paragraph 6 encourages mine-affected States “...to proactively mainstream mine action, including victim assistance...”, paragraph 8 encourages States to “...take into account...the specific needs and requirements of victims...”, paragraph 9 urges all States “...to provide humanitarian assistance for victims...”, and paragraph 10 encourages States “...to support victims’ access to appropriate medical care, physical and sensory rehabilitation, psychosocial support, education and skills training and income-earning opportunities...”. The resolution identifies threats to civilians and in paragraph 3(d) urges States, as well as the United Nations system and other relevant organizations and institutions involved in mine action to provide “Necessary information and technical, financial and material assistance to locate, remove, destroy and otherwise render ineffective minefields, mines, improvised explosive devices, booby traps, other devices and explosive remnants of war, in accordance with international law, as soon as possible.”

### C. OBJECTIVES AND SCOPE

8. The development of this Policy is guided by the UN MA Strategy, whose Objective 2 requires that *“Comprehensive support is provided by national and international actors to mine and ERW victims within broader responses to injury and disability.”*

9. This Policy shall be effective immediately, and shall be reviewed in 2018 consistent with the dates of the current UN MA Strategy.

10. This Policy shall frame the work of the United Nations, in particular the entities of the Inter-Agency Coordination Group on Mine Action (IACG-MA) in support of mine and ERW victims.

11. The United Nations system should improve its contributions to an effective and coordinated response to realize the human rights<sup>3</sup> of mine and ERW victims and move towards a more systematic and broader approach. Building upon experiences and internationally accepted principles, the United Nations should maximise the use of available resources to support the fair and efficient development, promotion and delivery of improved services for mine and ERW victims. The United Nations may be involved in the direct delivery of victim assistance services.

12. More specifically, this Policy aims to:

- (a) define the principles and elements upon which victim assistance should be based;
- (b) ensure victim assistance is consistent with requirements of relevant international law;
- (c) identify, when appropriate, opportunities to support relevant national authorities and other actors to respond to their needs on victim assistance (e.g. capacity enhancement, inclusion into socio-economic recovery and development, preparation of national plans for victim assistance);
- (d) describe the roles and responsibilities of some United Nations entities in the area of victim assistance, based on their mandates and comparative advantage;
- (e) identify the requirements and opportunities for resource mobilization.

13. This Policy may also provide guidance to national mine action authorities, as well as international and local mine action operators and practitioners, in particular those involved in victim assistance.

14. The United Nations should act in partnership with relevant national bodies and in collaboration with civil society to promote support for persons with disabilities that is inclusive of mine and ERW survivors.

15. Victim assistance may be conducted in varying contexts, including in different phases of armed conflict and violence, such as emergency, stabilization, early recovery, post-conflict and long-term development or any combination of these, and sometimes may be addressed in situations of natural disasters. It should be adapted to address the human rights of mine and ERW victims in their specific contexts.

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<sup>3</sup> Whenever this Policy mentions the human rights of victims in mine action it shall be understood that their needs are also included.

#### **D. DEFINING VICTIM ASSISTANCE AND ITS COMPONENTS**

16. The definitions used in this Policy are informed by the International Mine Action Standards (IMAS), relevant instruments of International Humanitarian Law (IHL) and international human rights law, as well as by relevant resolutions adopted by the United Nations General Assembly.

17. As defined by IMAS, “mine action” refers to activities which aim to reduce the social, economic and environmental impact of mines, and ERW including unexploded submunitions. The objective of mine action is to reduce the risk from landmines and ERW to a level where people can live safely; in which economic, social and health development can occur free from the constraints imposed by landmine and ERW contamination, and in which the victims’ different needs can be addressed.

18. In the context of this Policy, the term “victim” shall refer to a person who has suffered physical, emotional and psychological injury, economic loss or substantial impairment of his or her fundamental rights through acts or omissions related to the use of mines or the presence of ERW. Victims include directly impacted individuals (including survivors), their families and communities affected by mines, ERW, cluster munitions or improvised explosive devices (IEDs) following conflict. The term “survivor” shall refer to a person who was harmed or injured as a result of a mine, ERW, cluster munition or IED accident and has survived the accident.

19. The United Nations considers that the rights of victims and survivors should be equally protected in keeping with the principles of impartiality, non-discrimination and neutrality.

20. For the purpose of this Policy “victim assistance” shall refer to all adequate age- and gender-sensitive support provided to victims with the purpose of reducing the physical and psychological implications of their trauma, and overcoming their economic loss, social marginalization or the impairment of the realization of their rights.

21. Acknowledging the evolution of this mine action pillar since its inception, victim assistance shall be understood to comprise the following areas or components:

- (a) data collection, including context analysis and needs assessment for services referral, as a starting point to understand the extent of the problem and the challenges ahead;
- (b) emergency and continuing medical care, including emergency first aid to the victim of the explosion and ongoing medical care other than physical rehabilitation;
- (c) physical and other rehabilitation, including physiotherapy, as well as assistive and mobility devices;
- (d) psychological and psycho-social support;
- (e) social and economic inclusion, inclusive education, as well as access to basic services and disability awareness;
- (f) establishment, enforcement and implementation of relevant laws and public policies.

22. The above-mentioned components shall not be seen in isolation or as separate sets of actions. They form the basis for a holistic and integrated approach for the realization of the human rights of the victims.

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## E. NORMATIVE CONTEXT AND GUIDING PRINCIPLES

23. This Policy is informed by relevant existing instruments of IHL and international human rights law, United Nations strategies and guidance documents, and by a number of general principles set out later in this section. They include the following:

- (a) The Geneva Conventions of 1949<sup>4</sup>;
- (b) The Convention on the Rights of the Child (1989);
- (c) The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction - referred to as 'Anti-Personnel Mine Ban Convention' – APMBC (1997) and its Maputo Action Plan (2014);
- (d) Protocol on Explosive Remnants of War to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (Protocol V to the CCW);
- (e) The Convention on the Rights of Persons with Disabilities - CRPD - and its Optional Protocol (2006)<sup>5</sup>;
- (f) The Convention on Cluster Munitions - CCM (2007);
- (g) The Strategy of the United Nations on Mine Action 2013-2018;
- (h) Mine Action and Effective Coordination: the United Nations Inter-Agency Policy (2005);
- (i) Assistance to Victims of Landmines and Explosive Remnants of War: Guidance on Child-focused Victim Assistance (2014)<sup>6</sup>;
- (j) United Nations Gender Guidelines for Mine Action Programmes (2010).

24. The following principles are considered and should apply:

- (a) **A rights-based approach:** Assistance to victims shall be about realizing the human rights of survivors and other victims in accordance with IHL and international human rights law. They should be entitled to the highest attainable standards of health, rehabilitation, inclusive education, work and employment, full participation and inclusion in society and the adequate standard of living and social protection.
- (b) **Non-discrimination:** Victim assistance shall be non-discriminatory and fully accessible and participatory. Victim assistance efforts shall not discriminate against persons injured or impaired in another manner or against or between victims; all of them shall be guaranteed equal rights.
- (c) **Neutrality, impartiality and humanity:** Respect of the fundamental principles of neutrality, impartiality and humanity shall be mandatory and essential. Priority for services and treatment of victims shall be based on need, with no distinction being made based on their civilian or military status.
- (d) **National ownership, and comprehensive and integrated nature of services:** Victim assistance is primarily the responsibility of each state. The United Nations aims at having victim assistance integrated into the frameworks of national and local public health, community-development, resilience and violence-prevention strategies developed by national authorities and local actors. Victim assistance may be an entry point for working with communities at various levels and ensuring participation and leadership
- (e) **Participation and inclusivity:** Mine and ERW victims, survivor organizations and Disabled People Organizations (DPOs), local communities and their leaders

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<sup>4</sup> Geneva Conventions of 12 August 1949 and their Additional Protocols of 8 June 1977.

<sup>5</sup> UNGA (A/61/611), December 2006.

<sup>6</sup> United Nations Children's Fund (UNICEF) November 2014.

should be consulted in the planning, implementation and monitoring of victim assistance services.

- (f) **Age- and gender-sensitive victim assistance:** Age and gender specificity and sensitivity should be mainstreamed in all aspects of victim assistance planning and programming. This should be executed in accordance with the United Nations Gender Guidelines for Mine Action Programmes, which also refers to Security Council resolution 1325 (2000) on women and peace and security.
- (g) **Accessibility:** Mine and ERW victims shall have access to the services they require. Barriers to the access to those services, such as physical obstacles, lack of access to information and negative attitudes towards persons with disabilities, shall be systematically addressed.
- (h) **Training:** Relevant United Nations personnel should be provided with training to ensure victim assistance is conducted with the requisite sensitivity and relevant expertise, as well as to be understood within the broader frameworks of rights of persons with disabilities.

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## F. GLOBAL-LEVEL SUPPORT TO VICTIM ASSISTANCE

### General

25. In the UN MA Strategy, it is specified that the United Nations vision is “a world free of the threat of mines and ERW, including cluster munitions, where individuals and communities live in a safe environment conducive to development, where the human rights of mine and ERW victims are met, and survivors are fully integrated as equal members of their societies”. The following specific activities are outlined under Strategic Objective 2:

- (a) advocating for the adoption, adherence to and implementation of laws and public policies that guarantee the rights of persons with disabilities including survivors;
- (b) providing guidance and technical assistance on evidence-based and cost-effective means to improve access to victim assistance services;
- (c) mobilizing and channelling resources for programmes, services and initiatives in support of mine and ERW, including cluster munitions, victims as persons with disabilities;
- (d) supporting the collection and use of age- and gender-disaggregated data into injury surveillance and information management systems;
- (e) facilitating and assisting in the provision of age- and gender-sensitive psycho-social support, social inclusion, economic reintegration, care and protection services to victims.

26. The United Nations shall monitor effective implementation of this Strategic Objective through the Monitoring and Evaluation (M&E) mechanism for the UN MA Strategy. In doing so, and subject to the availability of necessary resources, the United Nations shall compile and subsequently analyse age- and gender-disaggregated data and information on victim assistance services. The United Nations may also assess the socio-economic impact on victims of factors such as changes in employment, livelihoods, stigma or access to services.

27. In the event United Nations entities receive requests for support on victim assistance from governments, they shall be raised to the attention of the Chair of the IACG-MA for further consideration of its members.

### Advocacy

28. The United Nations shall specifically support mine and ERW victims as part of its global advocacy for mine action. Consequently, to promote and support victim assistance, including planning and programming, the United Nations should undertake the following activities:

- (a) advocacy in support of mine and ERW victims in all possible multilateral meetings and conferences, regardless of the framework and not limited to those indicated in paragraph 23 above;
- (b) promote the universalization and full implementation of, and compliance with the international norms most directly relevant to victim assistance, notably the APMBC, the CCM, Protocol V of the CCW and the CRPD;
- (c) raise awareness on the human rights of mine and ERW victims when observing United Nations International Days and in any suitable opportunity within the United Nations system;
- (d) promote and support discussions on victim assistance during annual international meetings of 'Mine Action National Programme Directors and United Nations Advisors' and during other relevant mine action fora in which IACG-MA members may be involved.

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## **G. COUNTRY-LEVEL SUPPORT TO VICTIM ASSISTANCE**

### **General**

29. The role of United Nations entities working in or in support of victim assistance in mine action at country-level should be defined at the onset of a programme, and should be reviewed regularly, at least once a year. The United Nations should consider the range, extent and level of support<sup>7</sup> that may be offered for victim assistance, based on local needs, capacities and resources.

30. Whenever feasible, victim assistance should be extended to persons with disabilities, in particular to those located in the affected communities.

### **Advocacy**

31. United Nations entities in-country shall advocate for national adherence and effective implementation of and the full compliance with victim assistance obligations within the instruments of IHL to which the relevant State is party. The United Nations shall also advocate for, promote and support the development and implementation of national laws and regulations based on relevant international norms.

32. The United Nations entities in-country should ensure that mine and ERW victims, in particular survivors, are not excluded from, but rather effectively benefit from programmes and projects in support of all persons with disabilities.

33. As part of its advocacy activities, the United Nations may assist in resource mobilization efforts in support of victim assistance. The United Nations shall encourage incorporation of national victim assistance projects in the annual Portfolio of Mine Action Projects.<sup>8</sup>

34. The United Nations endeavours to serve as a model for inclusive and equitable employment and shall encourage the hiring of mine and ERW victims, and their empowerment, including within United Nations in-country teams. Provided resources are available, the United Nations should ensure survivors and, in general, persons with disabilities are able to get physical access to United Nations buildings and facilities.

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<sup>7</sup> Support and assistance activities may include first aid, emergency medical care, physical rehabilitation, ongoing medical follow-up, psychosocial support, vocational rehabilitation and training, education, livelihoods programming for social inclusion and economic reintegration, community integration and support, employment generation, capacity development, physical mobility and accessibility, to cater for relevant needs of victims.

<sup>8</sup>The Portfolio of Mine Action Projects is a resource tool and reference document for donors, policy-makers, advocates and national and international mine action implementers. The country and territory-specific proposals in the Portfolio reflect strategic responses developed in-country to address all aspects of the problem of mines and ERW.



### **Data collection, disaggregation and dissemination**

35. The collection of age- and gender-disaggregated information about numbers, general and socio-economic profiles of mine and ERW victims, and about local capacity for provision and coordination of victim assistance shall be carried out by the United Nations in an appropriate manner. These profiles and a regularly updated context analysis should provide a baseline for evidence-based, well-targeted and effective programming.

36. Victim assistance data shall be provided to the United Nations M&E mechanism for the implementation of the UN MA Strategy and should be consistent with the requirements of the mechanism. Victim assistance data should include location and types of explosive hazards, mine and ERW injury incidence rates, the direct health consequences in addition to the socio-economic and human rights impact on the life of the survivor and his or her family, as well as on the affected community. The United Nations should integrate data on mine and ERW victim assistance within relevant health and disability-related reporting. Victim assistance data should also include needs assessment and service referrals.

37. Victim assistance assessment shall be carried out by personnel with relevant expertise. The United Nations shall assess the existence of local capacity for supporting mine and ERW victims and map relevant stakeholders and services available. In cooperation with government authorities and partner organizations, the United Nations should acquire and disseminate listings of available services and referral mechanisms in order to direct victims to the appropriate services.

### **Capacity enhancement**

38. In accordance with the principle of national ownership, the United Nations should support the enhancement of the capacity of states and local communities to ensure that services for victims remain available in the long-term and that states are able to comply with their respective national and international obligations.

39. The United Nations may provide expertise for the provision of capacity-enhancement assistance to affected countries in order to integrate assistance for mine and ERW victims into their national policy frameworks on health care, social services and disability-inclusive development.

40. The United Nations may support governments in the development of national plans and budgets for victim assistance. In-country United Nations entities may also, when required, assist in integrating victim assistance into reconstruction and national developments plans. In this regard, the United Nations shall encourage the inclusion of victim assistance plans into the United Nations Development Assistance Frameworks (UNDAFs).

### **Other areas of support**

41. The United Nations M&E mechanism for mine action should monitor the implementation of the Strategic Objective 2<sup>9</sup> and determine if:

- (a) there is collection, analysis and dissemination of data that is inclusive of victims and data is disaggregated by age and gender;
- (b) an affected state provides age- and gender-sensitive services<sup>10</sup> to ensure psycho-social support, social inclusion, economic reintegration and protection of victims;

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<sup>9</sup> Comprehensive support is provided by national and international actors to mine and ERW victims within the broader responses to injury and disability.

<sup>10</sup> Including medical care, physical and sensory rehabilitation, psychosocial support, education and skills training and income-earning opportunities and to provide those services to all, regardless of gender, age or socio-economic status.

- (c) there has been an increase in external support to and in national budgetary allocations from affected states for the provision of services to victims within a broader framework to address the rights of persons with disabilities;
- (d) an affected state has adopted and implemented a disability policy and a plan of action that incorporate all aspects of victims assistance.

42. The United Nations shall consult with victims, survivors organizations and affected communities on all aspects of victim assistance in which it is involved.

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## **H. ROLES AND RESPONSIBILITIES**

### **Roles and responsibilities of the United Nations**

43. This section presents core roles and responsibilities of some members of the IACG-MA with regard to victim assistance. In accordance with their mandates, areas of expertise and comparative advantages, including presence or not in a specific country or territory or their capacity to deploy.
44. The effective implementation of this Policy may depend on the availability of necessary resources, including financial means, as well as on the existence of conducive conditions at country level.

### **United Nations Mine Action Service (UNMAS)**

45. UNMAS is the coordinator of mine action within the United Nations system, and chairs the IACG-MA. UNMAS shall advocate for the development of assistance and programmes to support mine and ERW victims in collaboration with other partners. UNMAS should support efforts to mobilize required resources for victim assistance and may, whenever appropriate, directly support victim assistance projects through its country programmes. In its role as coordinator of the Global Protection Cluster (GPC) Mine Action Area of Responsibility (MA AoR), UNMAS should advocate for the inclusion of mine and ERW victim assistance in humanitarian programme cycles, when relevant. In addition, UNMAS should ensure that the human rights of mine and ERW victims are given appropriate attention and properly addressed in relevant United Nations statements, interventions or reports, including the Report of the Secretary-General on Assistance in Mine Action. UNMAS may extend its support on victim assistance to other explosive hazards victims, including those of IEDs.

### **Office for the Coordination of Humanitarian Affairs (OCHA)**

46. OCHA, in collaboration with IACG-MA partners, shall advocate for assistance and protection for mine and ERW victims. OCHA shall ensure information regarding the humanitarian implications of mines and ERW is included in humanitarian information products as relevant, and support the inclusion of victim assistance projects when HRPs or other humanitarian appeals, address the incidence of accidents from mines and ERW.

### **Office of the High Commissioner for Human Rights (OHCHR)**

47. OHCHR's monitoring of human rights violations and abuses shall include reports on deaths and injuries as a result of the use of mines and ERW (including age- and sex-disaggregated data) and shall produce analysis on both victims and perpetrators using mines and ERW in order to inform prevention measures (e.g. sensitization of populations, advocacy with parties to the conflict) and response to injured rights-holders. This is also in line with broader human rights monitoring, including civilian casualty tracking, and contributes to the implementation of human rights as well as the protection of civilians mandates in concerned United Nations peace operations. The OHCHR shall also monitor and promote the effective implementation of the Convention on the Rights of Persons with Disabilities and its Optional Protocol, which is particularly relevant for mine and ERW survivors, and shall provide secretariat

support to the Committee on the Rights of Persons with Disabilities, and to the Special Rapporteur on the Rights of Persons with Disabilities.

**United Nations Office for Disarmament Affairs (UNODA)**

48. UNODA shall provide substantive and organizational support for norm-setting in the area of disarmament and arms control. Within these processes, UNODA shall advocate for the needs and rights of victims to be recognized and fulfilled. In particular, the Implementation Support Unit to the CCW shall promote and work towards the implementation of the obligations concerning victim assistance under Protocol V on Explosive Remnants of War, and shall raise awareness on the numbers and needs of victims of other weapons.

**United Nations Development Programme (UNDP)**

49. Within its mandate, UNDP shall encourage national governments, including mine action authorities, to undertake the responsibilities specified in Section G of this Policy and collaborate with other line ministries and agencies to promote the rights of all persons with disabilities. It shall mobilize resources to enable the continuation and expansion of small scale, locally managed projects aimed at the economic reintegration of landmine survivors and other similar situations caused by conflicts and disasters.

**United Nations High Commissioner for Refugees (UNHCR)**

50. During and after conflict, the presence of mines and ERW threatens the safety and movements of refugees and internally displaced persons. In particular, mines and ERW may pose significant barriers to finding solutions such as voluntary returns to places of origin. UNHCR country operations shall coordinate closely with mine action and other relevant actors. In particular, where Protection Clusters exist, the Mine Action Area of Responsibility should ensure the provision of adequate services for mine and ERW victims. At the global level, greater advocacy and awareness on mine action shall be conducted jointly by UNHCR and UNMAS through the Global Protection Cluster (GPC).

**United Nations Children's Fund (UNICEF)**

51. UNICEF supports survivors and other victims of mines and ERW as part of its comprehensive support to children affected by armed conflict and to children with disabilities. Mines and ERW threaten children's rights to life, survival and development, including health care, education, nutrition, and safe water and sanitation, and can deprive them of a supportive family environment. In affected countries, UNICEF should support the development and implementation of national policies that integrate victim assistance effectively into mine action programmes and into larger development programming. UNICEF works with partners on mine and ERW risk education (MRE) so that children, families and their communities can live more safely in contaminated environments. UNICEF's support to strengthening injury surveillance systems contributes to the identification and assessment of the needs of mine and ERW survivors. UNICEF provides technical and financial support for the development of local and national strategies for assistance to survivors and contributes to the development of public and community health, disability and social reintegration strategies to recognize the rights of survivors and to render services accessible, particularly for children and women. During emergencies, UNICEF should proactively engage with partners to identify at-risk children, conduct emergency MRE, and support other risk reduction activities. At global level, UNICEF shall promote best practices in MRE, shall advocate for universal ratification and implementation of the APMBC, including the provisions for international assistance to mine-affected countries, and for other relevant instruments such as the CRPD, the CCM and the CCW.

**United Nations Office for Project Services (UNOPS)**

52. UNOPS, with its mandate, in the context of coherence and the furtherance of United Nations objectives, shall act as a service provider to the entities of the United Nations system, international aid and regional financial institutions, intergovernmental organizations, donor and recipient governments and non-governmental organizations, in implementing victim assistance

projects on behalf of members of the IACG-MA. UNOPS shall do so through project management, procurement and contracts managements, as well as in human resources management, including the related capacity development activities.

### **World Health Organization (WHO)**

53. WHO recognizes both the deleterious effects on health of mines and ERW and also the importance of the full and inclusive participation within the society of victims. While WHO does not operate standalone mine action programmes, there are several areas of work where its activities have relevance for mine and ERW victims. WHO guidance for facility based and community survey data collection is relevant for data collection. Similarly, WHO guidance on planning and management of trauma care is appropriate for all injury mechanisms, meaning implementation of this guidance will benefit those injured by mines and ERW. The WHO Global Disability Action Plan 2014-2021 commits WHO to a range of goals for persons with disabilities, including those with disabilities associated to injuries by mines and ERW. These include: removing barriers and improving access to health care, strengthening and extending rehabilitation, assistive technology, assistance and support services, and community-based rehabilitation for persons with disabilities, their families and communities, and collection of relevant and internationally comparable data on disability and related services.

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## **I. RESOURCES AND FINANCING**

### **Resource Mobilization and Allocation of Resources for Victim Assistance**

54. The United Nations should assist national authorities in identifying resources that are available at local, national and international levels to implement national plans of action for victim assistance. They may assist countries with this undertaking by, among other activities and when appropriate, promoting the integration of resource mobilization efforts within broader assistance appeals, and engaging with potential donors. Ideally this should be done in coordination with relevant United Nations entities and other actors involved in victim assistance. Communicating financial requirements related to victim assistance to donors is of particular importance when victim assistance has not yet been integrated into broader health, disability, humanitarian or development programmes and where mine and ERW victims are reliant on victim assistance dedicated funding.

55. The United Nations should identify where the inclusion of those needs and rights may be promoted, so that resources are allocated to priority areas. Prioritization also depends on the specific context of the country or community (e.g. humanitarian emergency, recovery or development).

56. Addressing the human rights of mine and ERW victims is a long-term endeavour requiring sustained financial support, provided through national and international resources and commitments.

57. Financial and technical support provided for the implementation of the CRPD by its States Parties has the potential to promote the human rights of mine and ERW survivors. The United Nations shall advocate for the inclusion of mine and ERW survivors as direct beneficiaries of international cooperation and assistance in support of persons with disabilities, within and outside the realm of the CRPD.

58. When relevant, the United Nations shall advocate for the inclusion of mine and ERW victim assistance in pertinent humanitarian programme cycles, and especially in humanitarian response plans (HRP). Financing tools may include the Central Emergency Response Fund (CERF) or the following Country-based Pooled Funds (CBPF): Common Humanitarian Funds (CHF) and Emergency Response Funds (ERF).

### **Funding Mechanisms for Victim Assistance<sup>11</sup>**

59. When funds are allocated in support of United Nations activities, the United Nations encourages donors, where possible, to channel funds directly to the United Nations agency undertaking the activity, in order to reduce transaction costs.

60. In order to implement this Policy, the United Nations requires reliable, predictable, timely and, where possible, multi-annual contributions from the international community, including through the Voluntary Trust Fund for Assistance in Mine Action (VTF) and other funds *inter alia*, the United Nations Partnership to Promote the Rights of Persons with Disabilities (UNPRD); the Trust Fund for Human Security (TFHS); relevant multi-donor or multi-partner trust funds; and other United Nations country-specific trust funds, where available.

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<sup>11</sup> UNGA A/RES/70/80 (2015) “3. Urges all States, in particular those that have the capacity to do so, as well as the United Nations system and other relevant organizations and institutions involved in mine action, to support mine-affected States, as appropriate, by providing: [...] (c) Reliable, predictable, timely and, where possible, multi-annual contributions for mine-action activities, including through national mine-action efforts and mine-action programmes of the United Nations and non-governmental organizations, including those relating to rapid response in humanitarian emergencies, victim assistance and mine risk education, especially at the local level, as well as through relevant national, regional and global trust funds, including the Voluntary Trust Fund for Assistance in Mine Action”.

## ANNEX ONE

### Glossary of Terms<sup>12</sup>

#### **Accident**

An undesired event, which results in harm.

#### **Advocacy**

In the context of mine action, the term refers to public support, recommendation or positive publicity with the aim of removing, or at least reducing the risk from, and the impact of, mines and ERW.

#### **Anti-personnel mines (APM)**

A mine designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons.

**The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction** (referred to as Anti-Personnel Mine Ban Convention, **APMBC**, Ottawa Convention, Mine Ban Treaty) Provides for complete ban on the use, stockpiling, production and transfer of anti-personnel mines (APMs) and on their destruction.

#### **The Convention on Cluster Munitions (CCM)**

The CCM prohibits all use, stockpiling, production and transfer of Cluster Munitions. Separate articles in the Convention concern assistance to victims, clearance of contaminated areas and destruction of stockpiles.

#### **Cluster munition**

A conventional munition that is designed to disperse or release explosive submunitions each weighing less than 20 kilograms, and includes those explosive submunitions. It does not mean the following:

- (a) A munition or submunition designed to disperse flares, smoke, pyrotechniques or chaff; or a munition designed exclusively for an air defense role;
- (b) A munition or submunition designed to produce electrical or electronic effects;
- (c) A munition that, in order to avoid indiscriminate area effects and the risks posed by unexploded submunitions, has all of the following characteristics;
  - (i) Each munition contains fewer than ten explosive submunitions;
  - (ii) Each explosive submunition weighs more than four kilograms;
  - (iii) Each explosive submunition is designed to detect and engage a single target object;
  - (iv) Each explosive submunition is equipped with an electronic self-destruction mechanism;
  - (v) Each explosive submunition is equipped with an electronic self-deactivating feature (Convention on Cluster Munitions).

#### **The Convention on Certain Conventional Weapons (CCW)**

The CCW is the "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects". The CCW has five parts, or "protocols". Only two of them are related to mine action. **Amended Protocol II** deals with landmines, booby-traps and other devices, and **Protocol V** deals with the problem of explosive remnants of war (ERW).

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<sup>12</sup> The terms used in this Policy are informed by the International Mine Action Standards (IMAS) as well as by relevant instruments of International Humanitarian Law (IHL). While this glossary is not intended to be comprehensive, it includes relevant and specialized terms used in this Policy.

### **Explosive Remnants of War (ERW)**

ERW are Unexploded Ordnance (UXO) and Abandoned Explosive Ordnance (AXO):

- *Unexploded Ordnance (UXO)* is an explosive ordnance that has been primed, fused, armed or otherwise prepared for use or used. It may have been fired, dropped, launched or projected yet remains unexploded either through malfunction or design or for any other reason.
- *Explosive ordnance (EO)* are all munitions containing explosives, nuclear fission or fusion materials and biological and chemical agents. This includes bombs and warheads; guided and ballistic missiles; artillery, mortar, rocket and small arms ammunition; all mines, torpedoes and depth charges; pyrotechnics; clusters and dispensers; cartridge and propellant actuated devices; electro-explosive devices; clandestine and improvised explosive devices; and all similar or related items or components explosive in nature.
- *Abandoned Explosive Ordnance (AXO)* is an explosive ordnance that has not been used during an armed conflict, that has been left behind or dumped by a party to an armed conflict, and which is no longer under the control of the party that left them behind or dumped then. Abandoned explosive ordnance may or may not have been primed, fused, armed or otherwise prepared for use.

### **Improvised Explosive Device (IED)**

A device placed or fabricated in an improvised manner incorporating explosive material, destructive, lethal, noxious, incendiary, pyrotechnic materials or chemicals designed to destroy, disfigure, distract or harass.

### **Mine/ERW risk education (MRE)**

Activities which seek to reduce the risk of injury from mines and ERW by raising awareness of men, women, and children in accordance with their different vulnerabilities, roles and needs, and promoting behavioral change including public information disseminations, education and training, and mine action community liaison.

### **Mine clearance**

The clearance of mines and UXO from a specified area to a predefined standard.

### **Persons with disabilities**

Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

### **Protocol V of the CCW on Explosive Remnants of War**

Under Protocol V, States Parties and parties to armed conflict are required to take action to clear, remove or destroy ERW (Article 3), and record, retain and transmit information related to the use or abandonment of explosive ordnances (Article 4). They are also obligated to take all feasible precautions for the protection of civilians (Article 5) and humanitarian missions and organizations (Article 6). States Parties in a position to do so should provide cooperation and assistance for marking, clearance, removal, destruction, and victim assistance, among other things (Articles 7 and 8). Protocol V entered into force on 12 November 2006.

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## **ANNEX TWO**

### **Acronyms**

**APMBC** “Anti-Personnel Mine Ban Convention” – (The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction)

**APM** Anti-personnel mines

**AXO** Abandoned Explosive Ordnance

**CBPF** Country-based Pooled Fund

**CERF** Central Emergency Response Fund

**CCM** Convention on Cluster Munitions

**CCW** “Convention on Certain Conventional Weapons” – (Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects)

**CHF** Common Humanitarian Fund

**CRPD** Convention on the Rights of Persons with Disabilities

**DPO** Disabled People Organizations

**EO** Explosive Ordnance

**ERF** Emergency Response Fund

**ERW** Explosive Remnants of War

**FAO** Food and Agriculture Organization

**GPC** Global Protection Cluster

**GPC MA AoR** Global Protection Cluster Mine Action Area of Responsibility

**HRP** Humanitarian Response Plan

**IACG-MA** Inter-Agency Coordination Group on Mine Action

**IED** Improvised Explosive Device

**IHL** International Humanitarian Law

**IMAS** International Mine Action Standards

**ISO** International Organization for Standardization

**M&E** Monitoring and Evaluation

**MRE** Mine / ERW Risk Education

**OCHA** Office for the Coordination of Humanitarian Affairs



**OHCHR** Office of the High Commissioner for Human Rights

**TFHS** Trust Fund for Human Security

**UNDAF** United Nations Development Assistance Framework

**UNDP** United Nations Development Programme

**UNGA** United Nations General Assembly

**UNHCR** United Nations High Commissioner for Refugees

**UNICEF** United Nations Children's Fund

**UNIDIR** United Nations Institute for Disarmament Research

**UN MA Strategy** The Strategy of the United Nations on Mine Action 2013-2018

**UNMAS** United Nations Mine Action Service

**UNODA** United Nations Office for Disarmament Affairs

**UNOPS** United Nations Office for Project Services

**UNPRD** United Nations Partnership to Promote the Rights of Persons with Disabilities

**UN Women** United Nations Entity for Gender Equality and the Empowerment of Women

**UXO** Unexploded Ordnance

**VTF** Voluntary Trust Fund for Assistance in Mine Action

**WFP** World Food Programme

**WHO** World Health Organization