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**12th Meeting of States Parties to the Antipersonnel Mine Ban
Convention**



Opening Remarks by Ms. Navi Pillay

United Nations High Commissioner for Human Rights

Monday, 3 December 2012

Palais des Nations in Geneva, Room XIX

(10 a.m.)

Chairperson,

Excellencies,

Ladies and Gentlemen,

It is with great pleasure that I address you at the 12th Meeting of States Parties to the Antipersonnel Mine Ban Convention, and I welcome this opportunity to highlight the link between the Convention's promise to survivors, and broader efforts to guarantee their human rights.

This is also an important occasion to take stock of progress made in protecting and promoting the human rights of persons with disabilities. Today, on 3 December, we celebrate the International Day of Persons with Disabilities. Persons with disabilities make up an estimated 15 per cent of the world's population, of whom 80 per cent live in developing countries. The Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol were adopted in December 2006. Since then, 126 States have ratified the Convention, and 76 have become parties to its Optional Protocol. The steadily growing number of ratifications of the two instruments demonstrates the strong commitment of the international community to the goal of building a society in which persons with disabilities fully enjoy all human rights and fundamental freedoms on an equal basis with others – that is, a 'society for all'.

When survivors of mines and other explosive devices acquire a disability, they fall under the scope of the CRPD. In calling for an inclusive society in which persons with disabilities can participate on an equal basis with others, the CRPD offers an essential legal framework for ensuring that the fundamental human rights of survivors are at the heart of any mine action programme.

The CRPD embodies a human rights based approach to disability – one that is not driven by charity or compassion alone but rather by respect for the dignity, equality and freedom of the human person. It respects, supports and celebrates human diversity by creating conditions that allow for meaningful participation of all persons with disabilities in their communities and demands their empowerment. In this sense, it embodies a paradigm shift in the way we view persons with disabilities, from a charitable or medical approach to disability, to one which is firmly rooted in human rights.

Chairperson,

Allow me to recall that the Antipersonnel Mine Ban Convention expresses in its preamble the wish of its States parties "to do their utmost in providing assistance for the care and rehabilitation, including the social and economic reintegration of mine victims." There are at least four ways in which the CRPD is of particular relevance in the context of victim assistance under the Antipersonnel Mine Ban Convention.

First, the CRPD reinforces the commitment made by States parties to the Antipersonnel Mine Ban Convention to establish, enforce and implement laws and public policies relevant for protecting survivors and their communities. The CRPD establishes obligations to adopt all appropriate legislative, administrative and other measures to

implement the rights of persons with disabilities, to repeal laws, regulations or practices that constitute discrimination against persons with disabilities, and to mainstream the rights of persons with disabilities in all policies and programmes. It further promotes awareness-raising and training on the rights of persons with disabilities for professionals who work with them.

Second, the general principle of the CRPD to strive towards full inclusion and participation of persons with disabilities in society supports the promise of the Anti-Personnel Mine Ban Convention to ensure social and economic reintegration of survivors. Participation in decision-making processes affecting an individual's life is at the centre of a human rights based approach to disability. The CRPD requires, as a matter of law that States involve and consult with persons with disabilities and their representative organisations in all decision-making processes concerning them.

Third, victim assistance under the Anti-Personnel Mine Ban Convention calls for data collection and information management to understand the extent of the challenges faced. This provision is complemented by article 31 of the CRPD, which creates an obligation for States parties to collect appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the human rights of persons with disabilities.

Fourth, the CRPD creates an obligation to designate a focal point and to establish a coordination mechanism within the Government to facilitate implementation of the Convention, with a view to monitoring progress. The integration of victim assistance into broader disability monitoring mechanisms helps ensure the sustainability of efforts at the country level.

Excellencies,

International treaties do not exist in a vacuum. Both international humanitarian law and international human rights law strive to protect the lives, health and dignity of individuals. The CRPD is the main international human rights treaty to promote and protect the human rights of persons with disabilities. It is essential in identifying the appropriate measures needed to implement obligations under the Antipersonnel Mine Ban Convention, especially with regard to providing assistance to survivors, their families and communities.

I take this opportunity to encourage all States parties to the Antipersonnel Mine Ban Convention to ratify the CRPD, in particular those that are mine-affected and therefore carry a responsibility towards mine survivors, their families and communities. I congratulate Afghanistan, as one of the countries with the largest number of mine survivors, for ratifying the CRPD in September, and welcome the recent decision by the Albanian Parliament to ratify the Convention.

As a member of the United Nations Inter-Agency Coordination Group for Mine Action, my Office is committed to supporting the new United Nations Mine Action Strategy and the inclusion of a human rights based approach to victim assistance. My Office will also be contributing to the plans of the Coordination Group to revise, in the course of next year, the United Nations Policy for Victim Assistance.

In April this year, on the International Day for Mine Awareness, the Secretary-General and myself joined the nearly 4'000 people around the world and "lent my leg" in a campaign to show support for survivors.

The International Day of Persons with Disabilities, celebrated today in all parts of the world, is a good occasion to restate our commitment to the promotion and protection of the rights of countless women, men and children who have acquired a disability due to mines and other disastrous explosive devices.

The 1997 Landmine Convention is an essential pillar in our joint efforts to build a more civilized world and one more respectful of human dignity and human rights. And I truly believe in the power of joining our efforts to ensure that all persons, including persons with disabilities, enjoy full respect of their human rights and fundamental freedoms on an equal basis with others.

I wish you a fruitful meeting.

Thank you.