



Boys, girls and adolescents surviving an accident by MAP, UXO and IEDs, are subjects of rights, which require comprehensive and specialized assistance according to the phase of the life cycle through which they are.

GUIDE FOR COMPREHENSIVE ASSISTANCE TO BOYS, GIRLS AND ADOLESCENTS LANDMINE VICTIMS

Guidelines for the constructions
of plans, programs, projects
and protocols



Programa Presidencial para la Acción
Integral contra Minas Antipersonal
Presidencia de la República

**PROSPERIDAD
PARA TODOS**





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GUIDE FOR COMPREHENSIVE ASSISTANCE TO BOYS, GIRLS AND ADOLESCENTS LANDMINE VICTIMS

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ANTIPERSONNEL MINES: A CRIME AGAINST BOYS, GIRLS AND ADOLESCENTS

Antipersonnel Mines are one of the proscribed weapons in humanity that have caused more damage to thousands of victims worldwide. These artifacts do not distinguish age, color, gender, culture, economic status, politics and religion.

In Colombia's internal conflict, this weapon is used by illegal armed groups, guerrillas of FARC and ELN, claiming the lives and maiming the dreams of children, indigenous communities, elderly, as well as humble soldiers and police officers, preventing the use of the land and access to goods and services.

From 1990 to April 2014, there have been 10,721 victims of these weapons, of which 235 are girls and 828 boys, which means 10 percent of the national total.

Child population as a direct victim of landmines is the most vulnerable group given their natural characteristics such as curiosity, ingenuity and constant movement makes succumb to this threat. Nevertheless, the affectation is not only direct but also indirect, when a family member or community suffers the consequences of these artifacts. This problem affects children worldwide.

As an affected State that has developed initiatives regarding a child-focused victim assistance, and willing to share their experiences, Colombia, together with Austria, as Co-Chairs of the Standing Committee on Victim Assistance of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Antipersonnel Mines and on their Destruction, worked during 2013 in the areas of childhood and adolescence, understanding that although different countries with the problem have advanced significantly in the support and assistance of its victims, there are still great efforts that should be made to mitigate the negative impacts that affect particularly boys, girls and adolescents, violating their fundamental rights.

After several meetings and discussions, taking into account the experience of the countries concerned and the technical expertise of the community of the Ottawa Convention, Colombia produced a *Guide for Comprehensive Assistance to Boys, Girls and Adolescents Landmine Victims*, which is available in both English and Spanish, in print and online versions that can be found in www.accionescontraminas.gov.co and www.apminebanconvention.org.

This document, unprecedented in the history of Comprehensive Victim Assistance, hopes to serve as a reference and support for the States, international organizations and NGOs with competence and responsibility in the matter, to find a guide for the construction of Protocols Policies, Plans, Programs and Projects.

This is a contribution made by Colombia to encourage alternatives aimed at improving the living conditions of children and adolescents, who directly or indirectly have become victims of these explosive devices.



In the fight against the criminal use of antipersonnel mines, I believe that the role of any state is to prohibit its use and express its solidarity with the victims of these cruel murderers. The State, at all levels, should be more demanding with the ban on the use of these devices which generate a violation of Human Rights. Therefore, those who are still using them must commit to not continue placing landmines, at the same time that facilitate humanitarian demining and contribute to strengthening actions for better comprehensive assistance to victims.

Every war has its limits and when it violates the right of civilians to live in peace, it threatens the integrity of boys, girls and adolescents.

I am sure, from our possibilities, that we all have done something to improve the conditions of assistance and attention for children and adolescents victims. However, there is much to discuss yet, to design and to implement, and we will continue working to ensure that no more children fall victims of these explosive devices. We must all work together to make antipersonnel mines a theme of the past.

ANGELINO GARZÓN

Vice-President of the Republic of Colombia



INTRODUCTION

Assistance to landmine victims¹ has been a constant concern among the States Party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (Ottawa, 1997). Article 6.3 of the Convention urges States party to provide assistance for the assistance, rehabilitation and reintegration of landmine victims, opening the door to the design and implementation of actions addressed to improve their life conditions.

In the spirit of the Convention, the first Review Conference (Nairobi, 2004), in Measure 35, obliges States to ensure that all activities of assistance to victims provide special attention to *questions of age and gender*. In the same vein, the second Review Conference (Cartagena, 2009), in Chapter IV 13, commits States party to undertake "(...) to provide landmine victims with appropriate assistance, taking account of *matters related to age and gender*, through a holistic and integrated approach that includes emergency and continuing medical care, physical rehabilitation, psychological support, and social and economic inclusion in accordance with applicable international humanitarian and human rights law, in order to secure the full and effective participation and inclusion of these persons into the social, cultural, economic and political life of their communities."

Within this framework of rules, while a number of countries with the problem have made significant progress in assistance and attention for their victims, there remains the challenge to redirect national efforts specifically addressed to boys, girls and adolescent (BGA), whose lives have been affected by the inhumane consequences of these explosive devices, in a clear violation of their fundamental rights. Therefore, assistance to BGA, as direct or indirect victims of

¹ Assistance to victims is composed by pre-hospital attention, hospital attention, social and economic reintegration and; laws and policies, health and the oversight of social welfare and research (Handicap International 2002, cited in GICHD 2010)



landmines², has been the principal motivation to unite the world to provide general reflections on the situation of this population group.

In order to arrive at a joint approach as to how to understand and deal with the problem, this document has been constructed on the basis of inputs obtained during the Experts Workshop on assistance and attention to victims³. It is a guide that compiles all the information obtained, and pursues the important task of providing guidelines for the construction of national protocols, plans, policies, programs and projects in this area, to guarantee the rights of BGA victims, and work for action in their reparation.

Therefore, based on shared experiences during the course of the Workshop, it was possible to discern four major dimensions which prove fundamental to any analysis of assistance and attention for direct and indirect BGA landmine, that is: the BGA themselves, the family, the community and the State. Further, it was possible to identify a series of variables which make up each of these dimensions, and which deserve the closest attention of States party to the Ottawa Convention and other actors whose fields of competence in the area and level of political influence is highly relevant.

Hence, this document is organized into the following sections: Chapter 1, Approaches; Chapter 2: Dimensions (BGA, family, community and State); Chapter 3: The flow of assistance and attention; Chapter 4, Follow-up, monitoring and evaluation; and Chapter 5: Conclusions and recommendations.

The idea of starting this Guide with a Chapter dedicated to **approaches** is due to the need to make a reading of the text on solid cross-cutting bases, which can provide a more holistic interpretation of assistance and attention to BGA landmine victims. Therefore, the approach of human rights is presented as the "umbrella", which overarches the other approaches, and which is oriented through an integrative view of human development. This leads down to the differential approach, which allows the heterogeneity of BGA, their families, the community, and even the State which governs them, to be recognized. Likewise, the Do No Harm and the biopsychosocial approach are relevant in this guide, given that the first approach starts with the requirement of avoiding a harmful impact which might re-victimize an individual or a group; and the second one recognizes that a human being possesses biological, psychological and social factors which are perfectly at one with each other, such that a change to one of them will affect them all.

The second Chapter refers to the **Dimensions** identified during the Experts Workshop. The first of the four Dimensions has been the central motivation which led to the preparation of this Guide: **BGA landmine victims**. This Dimension starts with the recognition of the child and adolescent group as subject of rights, must be guaranteed comprehensive assistance by specialized

²In this document, a "BGA landmine victim", is (a) direct: that is, a boy, girl or adolescent (BGA) suffering an accident from a landmine (antipersonnel mine, unexploded ordnance or improvised explosive device); and/or (b) indirect: that is, someone who lives in a household in which one of its members has suffered such an accident. References to "he", "his", and "him" throughout include "she", "her" and "hers".

³ The Expert Workshop was held in Geneva, Switzerland, on 30 and 31 May 2013. This event had the participation of States responsible for a significant number of landmine victims, as well as the Implementation Support Unit of the Convention on the Prohibition of Anti-Personnel Mines (ISU), the United Nations Children's Fund (UNICEF), Handicap International, the International Campaign to Ban Landmines (ICBL for its acronym in English).



professionals in their particular life-cycle characteristics. Their health, education, culture, recreation, protection and participation are without doubt rights of all human beings; but they have a more prominent importance among this population, as part of their overall development process. Therefore, each of them will be analyzed in this Chapter, as fundamental variables in the process of assistance and attention to this group, as identified in the Workshop.

Further, the **family** and its respective variables analyzed become a second Dimension in this Guide. The family is considered to be a social organization, within which values are transmitted, and forms of behaviour are developed which can subsequently be seen in the relation of the subject with his environment. Therefore, the family is the principal source of support -or the principal obstacle- in the process of comprehensive assistance to the BGA affected by some explosive devices. As will be seen in the course of that Chapter, an understanding of the family as a systemic dimension of assistance and protection entails an analysis of the social organization based on variables identified: family cohesion, roles, capacities and participation.

The community, as the third dimension of assistance and attention to the BGA landmine victims, becomes a highly significant one, since it is with the community that barriers are created to stop appropriate access, participation, and the offer of services to that population. Although these barriers are not easy to change, the capabilities of the survivors can transform the elements which will allow positive interactions with the environment. Therefore, this Dimension contains an analysis of variables such as the social fabric, participation, mindsets, leadership, and social mobility.

The State is the fourth Dimension. This Chapter will make an analysis of the role played by the State, through its government apparatus, as the principal guarantor of the rights of BGA landmine victims. Therefore, it will show how planning becomes an imperative in decision-making and the achievement of specific targets and objectives, before, during and after the formulation and implementation of policies, plans, programs and strategies. It will be complemented through the principles of the term *governance*. This in turn implies the recognition of a transparent State which works to combat corruption, and which engaged in participatory planning with the victims of this victimizing event. Likewise, it will show how the dimensions described above are related to each other, and starting from variables such as shared responsibility and synergies, converge on a meeting-point.

Chapter 3 follows this study of *approaches, dimensions* and their respective variables, under the title **Dimensions, Variables and the Flow of Attention for BGA landmine victims**. This Chapter is particularly important, since it provides the opportunity to analyze the integral relationships and the synergies which are to be found between the Dimensions and their variables, during the various stages of the flow of comprehensive assistance for BGA, in the context of the principles established in the Ottawa Convention. There will be a graphic presentation -a flow diagram- for attention, which will enable the route to be followed by a BGA, step-by-step, and places emphasis on particular actions to be taken into account at each of these steps.

Fourth, this Guide provides a Chapter on **follow-up, monitoring and evaluation**, offering some general guidelines so that the elements identified in the Workshop (Dimensions and their respective variables), will have instruments for measurement and Information systems; and will



also take account of the costs and expenses they generate. The intention here is that they can be adapted and incorporated into the preparation of national protocols, and have the basic tools to determine an appropriate way to make any necessary adjustments promptly along the way.

The fifth and final Chapter of this Guide is comprised of conclusions and recommendations following the analysis made in the rest of the document.

This brief description of the Chapters contained in this Guide seeks to provide an overview of the effects on BGA, and of the actors who, within their individual fields of competence, play a fundamental role in securing the rights impaired. Therefore, this document aims to become a starting point for national discussion and analysis of the States party, in order to turn these general guidelines into particular topics affecting these contexts; and in general, to generate synergies between actors who engage in comprehensive anti-landmine action. It is highly relevant that this Guide should motivate governments to generate State policy in the matter, to be maintained over time, even with changes.



CHAPTER 1:

APPROACHES

1. Approaches.

The approaches in this Guide are defined as a system of concepts, which act as a starting-point to construct the conception of the Dimensions and variables presented here. The approaches are therefore considered to be cross-cutting positions, which provide orientation for the comprehensive assistance to BGA landmine victims.

1.1. THE HUMAN RIGHTS APPROACH

The approach on rights is an integrating vision of human development, because it revolves around the concept of human dignity, and is therefore guaranteeing the conditions without which a person cannot exercise citizenship.

The approach represents a qualitative leap forward in our approach to the imperatives of humanitarian intervention (...) It aims to guide comprehensive action against mines to guarantee human development of the survivors and the communities affected by those devices. This, on the understanding that the development is held to be "an inalienable right by virtue of which all humanity and all the people have the right to participate, contribute and enjoy economic, social, cultural and political development" (Resolution 41/128 of the United Nations General Assembly, 1986)"⁴

The approach on human rights adopted in this Guide seeks to establish legal and political mechanisms which will influence institutions, and therefore, the everyday social life of the individual, based on a new ethic of human development; it seeks to establish an order, revolving around the creation of social relations based on mutual recognition, respect and transparency; and its primary purpose is to give pride of place to guarantee of human rights, understood to be "the demands of freedom, privilege or benefit, directly linked to the dignity or intrinsic value of every human being, recognized as legitimate by the international community, as being congruent with ethical and legal principles which are widely shared, and therefore, are considered to deserve the protection of the law internally and internationally."⁵

In general terms, the rights-based approach considers that the first step in the empowerment of excluded sectors is to recognize that they hold rights which demand that the State comply with its obligations of respect, guarantees, performance, promotion and protection of rights, eliminating social and political structures that hamper individuals from realizing themselves, especially the members of groups which have become invisible. By introducing this concept, the logic of

⁴ Medina, Claudia (2007). National regulatory framework of attention to landmine victims: the approach on rights and differential in PAICMA. Powerpoint presentation. International seminar on assistance to landmine victims. Medellín, August 18-21, 2009

⁵ Ombudsman's Office, Colombia, 2001



processes of policy preparation can be made to change, so that the starting-point should not be the existence of individuals who need to be assisted, but the comprehensive protection of the rights of the subjects who hold them. The management of actions taken in this field is not considered to be merely the compliance with a moral or political mandate, but the road chosen to make legal, imperative and enforceable obligations effective, as established in international law, starting with the participation of the public in general in policy formulation.

From this point of view, a human rights-based approach favours human development which, like the one as in the United Nations Charter, the Universal Declaration of Human Rights, and binding terms of human rights treaties, is designed to promote and protect rights; and all of this, by virtue of human dignity which, with the consecration of human rights, are an essential element of the individual person, who then becomes "an end in himself", with bodily and spiritual needs that deserve attention.

The relationship between rights and human development carries special significance when considering early infancy, childhood and adolescence as stages in the life-cycle. Therefore, the Convention on the Rights of the Child, as a United Nations Convention, describes rights which all boys and girls all have, and establishes the basic rules of their welfare and development. After a process of more than 30 years, the Convention – adopted in 1999 - became "the first universal code of children's rights, which implies that it is mandatory in countries that adopt it; contains 54 Articles, which bring together all matters relevant to the rights of children into a single treaty. Those rights can be divided into four categories: the right to survival, development, protection, and participation"⁶. The Convention on the Rights of the Child recognizes that boys, girls and adolescence have human dignity, and have the status of persons. In Hierro (2004) cited by Galvis (2006) the Conventions supposes that boys and girls have the status of "citizens in development". Therefore, from the convention onwards, it can be discerned that during early infancy, childhood and adolescence, boys and girls have a capacity to participate in the life of their communities, using their own languages, and contributing to social development⁷.

Further, the Convention states that "In all measures regarding children taken by public or private institutions for social welfare, the courts, the administrative authorities or the organs of legislature, a prime consideration to be attended is the interest of the child" (Convention on Human Rights, Article 3)⁸

For most BGA, an accident entails a consequent disability, and therefore, this approach on rights takes account of the mandate of the Convention on Human Rights of Persons with Disabilities.

From this point of view, certain pointers have been taken as relevant to the development of this guide:

- a) Each action designed and implemented for BGA should be considered as an opportunity to ratify their direct participation as persons with disability, with appropriate methodologies

⁶ UNICEF (2013) UNICEF, únete para la niñez. Downloaded July 14, 2013 at <http://w ww.unicef.com.co/derechos-de-ninas-y-ninos/>

⁷ Galvis-Ortiz (2006) *Las niñas, los niños y los adolescentes. Titulares activos de derechos*. Bogotá Ediciones Aurora p. 28

⁸ Office of the UN High Commissioner for Human Rights (2013) *Convención de Derechos del Niño*. Downloaded on July 14, 2013 at <http://www2.ohchr.org/spanish/law/crc.htm>



to the proper development in their life-cycle;

- b) Disability itself, centred on individual cases, is not an element which will allow societies to be transformed. The human and social development of the individual becomes possible in the process of the opportunities provided by public policy, and the realities of governments;
- c) Actions will have greater impact, and possibilities of monitoring work in national and international networks, and with the participation of persons with disabilities; and
- d) It is essential to work for institution-building and the approach on human rights.

In the context of dignity, the rules of the game today demand certain preconditions or mandatory requirements for compliance, in order to materialize equality of opportunity in real life. These preconditions are: a) ensuring access by persons with disabilities to information about the services to which they are entitled, b) provision of medical care as required, c) the offer of rehabilitation services as appropriate, and d) the provision of rehabilitation services as appropriate, the provision of services and means of support needed, and e) an awareness among the public in general, in particular the competent authorities, of life conditions and needs of the persons with disabilities, in issues of childhood and adolescence. It is important to add an access to specialized pediatric services that will match the characteristics proper to each group, from a differential approach.

This Guide identifies the BGA who have survived with disabilities, immersed in a political context that needs their participation. The issue compromises the principles and values of the political and economic ideology of the State, demanding social change, which in this context becomes a matter of human rights. On that basis, disability stands out as an issue of interest in the field of public policy, since its analysis forces us to think of it as a social problem, with strong economic, social and cultural implications which affect and compromise the development and quality of life of all members of society.

In this way, the surviving BGA must have a context that foster the development of their personalities as political subjects who can generate solutions in their role as citizens with shared responsibility, and clear rights and options for active participation: they too are formers of the social fabric, from which it might may be hoped that there is a starting-point for future social mobilizers and managers.

Finally, since, from the point of view of human rights, the definition of a guarantee of rights is made effective through the State, and specifically by the passage of laws and the acts of administration, and is materialized in the implementation of intersectoral plans, programs and actions which have been appropriately designed, budgeted and appraised, and the State must to guarantee a life of dignity and for inclusion of the BGA survivors in society, education, the family and production for that population. That is, it is hoped that the view taken by this Guide will help to forge future leaders, ready to execute propositive actions in the transformation of the surroundings, for the benefit of a world for all (universal design).



1.2. THE DIFFERENTIAL APPROACH.

The differential approach allows us to recognize diversity of conditions, in which, when one group of persons belongs to different population groups, this may affect their development, welfare and quality of life. The design of plans must consider attention to them; and their particularities must be reflected in political strategies that develop programs and projects adapted to the needs and cultural processes of each population group.

The State has the challenge of building public policy, designing positive actions to develop the differential approach on the agenda of the various State agencies, with actions that will strengthen recognition, representation and inclusion of the ethnic and cultural groups in historic conditions of vulnerability and which together form the nation, making them more visible.

If actions are to be taken involving the flow of assistance and recovery from damage to restore the physical, psychological and mental integrity of the victims, it is essential to recognize the vulnerability and biopsychosocial impact suffered by the BGA group, taking account of gender, ethnic group, age group, and the presence of a disability.

Indeed, international law, amongst other things, recognizes the differential needs for the protection of victims of displacement and refugees, and the specific needs of boys, girls, the elderly, women, and ethnic minorities.

"The differential approach in public policy today is an ethical imperative, since there are groups which have historically been excluded, either because of their participation or way of life, for reasons of ethnic difference, ethnic origin, gender, gender identity, life cycle and disability; and today, they lay claim to the exercise of citizenship based on recognition and redistribution, from the free choice to lead the type of life that matches their preferences and capabilities; this has brought about processes of self-assertion in terms of the option to be different, without losing the capacity to enjoy and take part in other human options. In other words, the right to exercise citizenship from the point of view of difference in scenarios of participatory democracy, of the egalitarian inclusion of citizens of both sexes on the political scene, and in decision-making, in the spheres of intimacy, and private and public issues (Castells 1997, cited by Baquero, M. I.:...1)."

The "subdifferential approach" is a variant on the differential approach, referring to populations which have more than two conditions which affect their access to the full exercise of their capabilities and opportunities. For example, a girl with some kind of disability from a landmine, whose situation requires measures of reparation, protection, attention and assistance, which must take into account her ethnic, cultural, social and gender particularities, that is, all the factors generated by the conditions which she has to face in exercising her rights, in contrast to the rest of society – and the capacity for resilience and the social response of her own community. The subdifferential approach should be taken into account in the comprehensive assistance for BGA, since cases such as that given here are common in the States party to the Ottawa Convention.

This approach on comprehensive assistance for the BGA landmine victims makes it possible to characterize them in terms of their particular factors of gender, age, ethnic origin and disability, identify the specific rights of each of these groups, the situations of vulnerability and disadvantage



in the context of society as a whole, and finally, to implement propositive actions to prevent, protect and restore the rights.

In the same way, the consideration of the stage in the child's life-cycle introduces variables which must be recognized when considering the differential approach. In particular, the impact of an landmine accident has different consequences to comprehensive development, depending on the stage at which it happens. An intervention in early childhood, for example, has a greater opportunity and lower cost in the provision of appropriate attention, in favour of comprehensive development. But in later childhood and adolescence, specific interventions will be required which will involve the social debt which the community has acquired, in the generation of conditions for the optimal development of each BGA.

1.3. THE DO NO HARM APPROACH.

Every action planned in the assistance for the BGA victim must start from the basis that it will not produce any harmful impact that will re-victimize the individual or group. There must be a deep knowledge of the heterogeneity and complexity of social, political, economic and structural contexts, which are form the surroundings of the subject.

The Do No Harm approach seeks to make it possible for decisions to be made and guidance to be given which are appropriate to each relationship with victims, even in complex situations, and will always be thought of in the context in which the victims live and move. Action must avoid the possibility that new situations in which the victims suffer aggression, stigmatization, disregard, or even the finger of suspicion, could arise, since this helps to make the damage suffered a re-victimization, now deeper and more acute.

1.4. THE BIOPSYCHOSOCIAL APPROACH.

With this approach⁹ a human being possesses biological, psychological and social factors which are so perfectly united that a change in one of them will affect all the others.

In biological terms, human beings are open systems, permeable to changes with environment, but at the same time limited by their biology. In psychosocial terms, as behaviour, cognitive, affective and motivational, processes which do not take place in compartments, but are way of understanding and comprehending world around us, in a constant encounter with the other.

Therefore, the biopsychosocial approach invites professionals involved to adopt the biomedical perspective, in a processes of recovery and rehabilitation, to consider the psychological and social processes, in a comprehensive understanding of the individual, and further, to move forward from the individual to the family, the community, and the environment.¹⁰

⁹ Local model for basic biopsychosocial attention for landmine victims and populations at risk. Medellín, August 2009

¹⁰ Ibid.



From this point of view, it is important to remember the dynamics of health-illness (promotion, prevention, recovery and rehabilitation) depending on a number of factors, such as health services, culture, education, employment, and working conditions, personal habits and social support networks, the primary psychosocial environment (the family), physical environment, and individual, community and institutional capabilities.¹¹

In the case of the adverse effects on BGA, an additional line is required which arises from the biopsychosocial approach, which receives the name of "integrating approach":

Here, different perspectives in the subject-collective encounter can be blended together, and the principal characteristic is the way in which the psychosocial approach interprets the effect of the damage, which is related to the way in which BGA has been deprived of reference points, links and affections, because of his surroundings. The familiar surroundings of daily life were violently altered, and the human dignity of those who formed part of it (and him) has been impaired. In methodological terms, this psychosocial effort requires the articulation of four components:

- The satisfaction basic needs (productivity, health, housing, education, nutrition), since psychosocial actions of a clinical or therapeutic nature, whether individual or collective, are insufficient and ineffective if the individual cannot overcome the circumstances that compromise security, and generate extreme economic needs.
- An articulation of individual, family and collective action as part of psychosocial work. This entails integration of the subject into a social, political and cultural context.
- Recognition of the BGA as suffering from twin conditions: subject impaired-victim, and social agent-subject of rights.
- An intervention in vulnerabilities rather than any action in assistance for needs is essential, and work must begin from a recognition of the resources and capabilities of the victims themselves.
- Work in sensitization and social support, addressed to the receiving population, public servants, and society in general ¹².

When we speak of psychosocial attention, the centre of attention is not some illness or mental disorder: it is the impact of serious violations of human rights and international humanitarian law that lie at the centre of the debate, and of the psychosocial attention to the victims. To that extent, attention to the victims implies different forms of action or psychosocial attention, since, while a strategy for comprehensive attention should be continued, it will also be necessary provide a different connotation to that action.

From this approach, mental health acquires a fresh perspective, because it must seek to understand and establish forms of attention that recognize that psychosocial impacts derived from the impairment of rights has its origin in conflicts of an economic, political and social order, and not in individuals or communities, although the outward expression of the impact can be caused

¹¹ Ibid.

¹² Ibid.



by its particular characteristics. This involves an important challenge for professionals involved, because it embraces a wider perspective, and the need to establish the connection between emotional suffering and the impairment of rights. Here, new areas of mental health needs to be involved in the work, such as the access to truth and justice; and finally, there must be the appreciation that actions must contribute to the reconstruction of the dignity of the victim. While the containment of emotions and psychotherapeutic interventions are necessary and important, they must be complementary to other psychosocial actions, and must have the final purpose, as Bello says, of securing freedom and dignity¹³.

In the specific case of the BGA victims, the efforts made to restore their rights must make clear exactly how they will be effective in terms of time and space, in order to avoid a process which re-victimizes the person who is entitled to them, and for whom they were created. Plainly, then, each and every person who forms part of these historic spaces of the victims' quest for help, has also constructed the mindset of assistance in whatever he needs, and this makes it important to ensure that the new process, addressed to the possibility of access to comprehensive reparation, should include the power to re-code all these spaces, not as a favour by the State or as a private initiative, but as a political and democratic obligation¹⁴.

¹³ Cited by the Colombian Ministry of Health PAVSIVIC

¹⁴ Ibid.



CHAPTER 2

DIMENSIONS¹⁵

2.1. BGA LANDMINE VICTIMS

One of the crucial dimensions in this Guide refers to BGA landmine victims. The basis of development of this dimension lies in the consideration of the BGA as a subject of rights, amongst which are the right to receive comprehensive assistance by specialist professionals that match their stage in the life cycle.

In other words, it means the recognition of dignity, which forms part of the human being even before he is born, and throughout his development: but it also means that childhood is a social category, and a structural and active component of life in society. Society faces the challenge of re-thinking its forms of representation of BGA, or "re-recognizing them", as persons with the status and dignity of subjects. As a consequence, there is a need to transform social practices and relationships. Understood in this way, *recognition* implies the construction of conditions for all contexts of the social formation of children and adolescents, so that they become spaces to favour comprehensive development and the responsible exercise of rights.

In this way, it is very important to point to the characteristics proper to each phase, and their importance in the structure of any action plans for the welfare of the BGA.

In the womb, and during the first six years of life, solid foundations are laid for the development of the human being, such that conditions and circumstances of the child are decisive in their comprehensive physical, social, emotional and cognitive development. Boys and girls in early childhood acquire an appropriate culture, and ways of living and being in the world, and relations established with their surroundings. Between the ages of 6 and 11, approximately, the traits formed in early childhood are in a phase of consolidation, at the same time as the body and mind prepare themselves to experience a period of change and discovery in adolescence. This is a stage of rapid increase in the ability to make classifications, grouping, association, labelling, planning and reviewing information to convert it into long-term memory, and use it in problem-solving. Therefore, this is a propitious stage for the development of cerebral functions that determine knowledge. In adolescence, the identity of subject as a social being and an individual are consolidated, and build the capacity to analyze, choose and impose a new order that represents

¹⁵ The development of the Dimensions presented, and their related variables, is based on the relationship between the subject and his surroundings. It is also therefore part of the systemic approach that inter-relates three systems – the microsystem, the mesosystem and the macrosystem. Serrato (2010) defines them thus: The microsystem is established with the subject himself and his most immediate surroundings, that is, his appearance, temperament and relationships with the closest significant social core (family, partner, carer, friends etc.) The mesosystem refers to the interaction of the subject with the community. The macrosystem is formed by cultural and political values of his society, economic models and social conditions that influence the other two systems. Therefore, this Guide makes the Dimensions of BGA and Family part of the microsystem, the community is the mesosystem and the State is the macrosystem.



and projects him. It is a situation which creates tensions for the subject himself and for others. It is a stage which materializes physical, psychological and intellectual changes, which should be the object of public policy, so that there will be opportunities and capabilities which can be taken up for good use in social development.

From the point of view of the life-cycle in the context of violence in which the BGA has suffered an accident, the damage and other adverse effects, in holistic terms, hamper growth and the apprehension of the world around the victim, in turn causing a series of other consequences in biological, cultural, psychological, social and historical factors associated with the BGA's comprehensive development. The situation of vulnerability brought about by the situation of being a survivor blocks and distorts the possibility of learning, understanding and interacting with the environment, and this has a negative influence on continuous construction of "world" and upsets the steady, progressive completion of each phase of the life-cycle. From this point of view, the family, the community and the State, that is - "the grownups" have an obligation – a duty - to understand their needs and to establish channels of communication which see BGA not as "a little person", weak and incapable, but on the contrary, as an active subject of rights, able to offer an opinion on matters involving his or her diversity.

So, starting from the universal guarantee of human rights, and particularly the rights of children, the social purposes of the State are achieved more efficiently by guaranteeing the rights of BGA, in particular those who have been harmed by armed conflict. The guarantee and restoration of rights also contributes to the consolidation of the essential unit of society - the family -and further, strengthens civil society, such that the conditions required for rights to be guaranteed are promoted in the framework of shared responsibility.

The investment in this population group is a major contribution to the generation of human and social capital, which is the sole source of economic growth, and according to economic theory, offers increasing yields. It is the investment that generates important returns for society, because future health costs will be reduced, the quality of education will improve, there will be better social cohesion, and there is a significant reduction in disparities.

The development of this dimension has been determined by using some variables discussed in the Geneva Workshop for assistance to BGA landmine victims held in May 2013.

First, assistance is determined by the actions required for health, comprehensive rehabilitation and psychosocial attention to the BGA. Then, education is developed as a prime variable in the development of social capital through the universe of educational processes and their inclusion in government agendas.

Next, there is a description of the importance of including issues of culture and recreation in actions planned for human development of BGA landmine victims.

There is also a statement of the importance of comprehensive protection variables specific to BGA, as a fundamental strategy which must be present in plans, programs, projects and protocols proposed for them.



Finally, we draw attention to the importance of participation and the creation of spaces set aside for the full exercise of communication with BGA.

2.1.1. HEALTH, COMPREHENSIVE REHABILITATION AND PSYCHOSOCIAL ATTENTION.

The consequences of violent attacks on children are incalculable, the effects of being a survivor of a landmine accident destroys mindsets and environments, creates tensions in the family and breaks it up, taking the social fabric with it; it has a negative impact on the quality of life, and on the psychosocial behaviour of those affected by violence in their lives.

To this, we must add the presence of disabilities among BGA landmine victims, which makes them among the weakest and most unprotected of all victim groups. It demands that the State and society should mount assertive and rapid action to respond to constitutional guarantees for them as subjects of special protection, because they are boys and girls, and have some kind of disability, and because they are survivors, and in some cases, may belong to some ethnic group that merits special protection.

From the standpoint of health, actions are associated with rescue, pre-hospitalization attention, emergency care, and clinical processes, including competent surgical action, followed by continuous medical attention.

In general, health systems have important gaps in specialized services for injuries produced by explosives, and in this case professionals lack the special skills and the protocols specific to children and adolescents.

The provision of appropriate services has a profound impact on immediate and long-term consequences for the recovery of landmine victims. The pediatric specialists for BGA are very thin on the ground in all the States party, and is even more difficult to find doctors who have specialist knowledge of landmine wounds. The evidence shows that resources are too scanty, and infrastructure is too poor, to provide an adequate response to injuries and consequences of landmine accidents.

It is therefore a challenge for the States party to design actions which will respond to the specific needs of BGA victims. Indeed, this is one of the objectives of this Guide, since by developing dimensions and variables, we suggest the incorporation of these concepts and approaches in order to make procedures and action plans and projects operative and practical so that they will enhance the benefits of assistance to the BGA.

The wounds caused by landmines can be defined as among the most complex and dramatic of all. They are dirty and contaminated, and they compromise several members and organs at the same time. The shockwave embeds pieces of metal and plastic into the victim's body. Soil, pieces of clothing and shoes, fragments of bone and shrapnel penetrate limbs, almost invariably leading to amputation.

Hips, genitals, arms, legs, eyes, trunks and heads are also struck by shrapnel, while the shockwave tears tissues to pieces, coagulates them, and causes severe burns.



Perhaps no weapon used in conflicts around the world is as indiscriminate and persistent in its effects as the antipersonnel mine. Thousands of children have died at play, walking to school, or helping their parents in work around the home.

The wounds and their consequences for BGA naturally cause a greater impact, because their life expectancy is longer, and the situation of vulnerability in their surroundings often limits their interaction in education, the community and the family. This increases the likelihood of discrimination and exclusion.

This situation is aggravated with the high proportion of BGA who become disabled, since intervention for the recovery of their independence in the activities of daily life and future development requires a comprehensive and timely offer. And they also require constant follow-up, monitoring and checkups with technical aids which vary with the physical and mental development of each BGA.

Here, we must remember the description in the International Convention on the Rights of Persons with Disabilities, in which emphasis is placed on (amongst other things) the fact that actions generated for disabled BGA must be focused on developing their capacity to act, and this implies that the person is a subject of rights, dignity and identity. It means that there must be an *a priori* guarantees of comprehensive development.

That is to say, the guarantee of rights in the case of the disabled BGA landmine victims is intimately related to the dignity of all aspects of their lives and the recognition of their different capabilities. It implies "necessary adjustments" to achieve comprehensive development and complete inclusion.

Special attention should be paid to the fact that the rights of disabled BGA are materialized directly or indirectly by their parents or carers, who are their tutors until they reach the age to take civil and political decisions. This "power" may become a positive or negative thing, since it is these adults who enforce those rights, and therefore, grant them, claim them or deny them. It is therefore very important to work with the tutors in enforcing the autonomy of the BGA and the need for communication and dialogue, so that the BGA is constantly kept informed, and can participate in decisions.

The parental skills required to look after children vary from culture to culture and social group to social group. They are affected not only by culture, religion, child-rearing practices and educational level, but also by the structure of society itself, the health system and social policy.

It is therefore important to note that the BGA are entitled to receive comprehensive rehabilitation which includes elements of therapy, education and management elements, so that they can achieve autonomy for the construction of a life project in the context of inclusion in the family medium, and in education, society and the community. Therefore, governments must pay special attention to the principles of equality, opportunity, accessibility and belonging, in order to achieve the expected results.



Finally, and in order to complete the holistic view of assistance to BGA landmine victims, there is basic biopsychosocial attention, which addresses its efforts to thinking of a range of different health processes, including mental health. They are promotion, prevention, recovery, reparation and rehabilitation.

So, basic biopsychosocial attention takes place in the context of actions to promote health and the quality of life, and to prevent the risks of disease or death due to accidents caused by a landmine accidents in communities or groups at risk. It also involves accompaniment in the mental health of the victim and the victim's family in the early stages of the accident (pre-hospital and emergency), with interventions focalized on the psychological impact on all of them, in a continuous process for recovery and mitigation of damage produced in mental health (biopsychosocial rehabilitation); through to actions designed for the psychosocial reintegration of the victim.

This situation is all the more explicit when it is noted that as part of the attention to BGA victims of the conflict, psychosocial attention should address the construction of links centred on trust, the construction of a new meaning for identity, the consolidation of subjects of rights, the configuration of a project of citizenship, the strengthening of family ties, the formation of scenarios for a culture of peace, the building of experiences and situations of grief, pardon, reconciliation and reparation, the construction and strengthening of social networks and the configuration of a new way of looking at the victimizing event through recreational, cultural or sporting spaces for emotional discharge. All of these will allow the BGA to express and recognize their experiences, and give them a meaning, so that, as their understanding moves forward, they will come to transform the situations which have caused them pain.

In operative terms, the key to this variable lies in not making each aspect described here into a separate compartment in the life of the BGA, but on the contrary, strategies for comprehensive assistance must be drawn up to bring all the aspects of life together in the design the synergies required to provide a systemic view of actions implemented.

In the case of the survivors, special emphasis must be placed on the approach on reparation through actions, and the possibility of transforming conditions of the environment based on personal resources, developed with comprehensive assistance. In other words, personal resources must be strengthened, but at the same time work must be done to guarantee the non-repetition of the victimizing event, and spaces must be opened up for appropriate participation by children and adolescents, taking account of specific contexts and particular cultural features, such as the individual's potential and weaknesses (seen from the perspective of risk factors, vulnerability, protection and resilience), in the context of comprehensive assistance.

2.1.2. EDUCATION

This variable seeks to draw attention to the guarantee of the right of the BGA landmine victim to education, with the implementation of accessible, good-quality and equitable services. Therefore, it seeks to strengthen education, including, indeed, the differential attention approach in the implementation of projects for initial, basic and intermediate education, and the preparation for adult life and access to higher education. Further, families, carers and teachers must engage in actions which strengthen them to act as agents of the right to education for the BGA, in



accordance with the special educational needs which they in particular have.

From this point of view, education, in addition to being a right tied to the full development of the person, has a decisive influence on opportunities and the quality of life of the individual, the family and the community. The effect of education on the improvement of income levels, personal health, changes in the structure of the family (with relation to fecundity and participation in economic activities by members of the family, amongst other things), the promotion of democratic values, civilized coexistence and the autonomous and responsible activities of the individual, have all been widely demonstrated¹⁶.

This Guide therefore confirms education as part of development (ED), that poses a challenge in the ***promotion of awareness of global citizenship***. This means that each citizen, where ever he lives, forms part of a global society, and needs to know that he is responsible, together with his fellow citizens, for the fight against exclusion, which is the root cause of any type of inequality or injustice¹⁷.

This is a matter of keeping a constant eye on justice and human dignity. In this sense, education for development poses an invitation to *changes in individual and collective behavior*. It reminds us, on the one hand, that our decisions affect our lives and those of others; and on the other, that *we as citizens have the power and capacity to influence the development of this world with solidarity, and we must use that power responsibly*¹⁸.

It endows individuals and groups with *resources and instruments* (to do with cognition, affection and attitude) which allow them to have an influence on reality, to transform its more negative aspects.

It favours sustainable human development in the individual, in the community, both locally and internationally: the guarantee of the right to education should be seen in the framework of the strengthening and implementation of good-quality pedagogical models, guidelines and orientation with quality for comprehensive attention and diversified attention to BGA, implementing practices, cultures and policies which are inclusive and addressed to all pedagogies, so that education will come to be addressed to development, and with an inclusive and universal nature.

The importance of guaranteeing **all BGA** with particular education needs access to and permanence in the education system must be recognized. This must be achieved through the promotion and implementation of flexible and relevant educational models which will be the driving force in the development of strategies for the enrolled, semi-enrolled and non-enrolled. At the same time, it must promote access and permanence in the education system with a

¹⁶ See ECLAC (1997, 2000b) and MacMahon (2000) or the comprehensive review in Muñoz Izquierdo (2003). Also, note that the education of the individual is not simply the result of formal education systems but also of a broad interaction of factors and agents: therefore, education should also be seen as a collective responsibility.

¹⁷ UNESCO Regional Office for Latin America and the Caribbean et al. *Objetivos de desarrollo del milenio: una Mirada desde América latina y el Caribe*. 2006

¹⁸ Ibid.



differential approach, through the broadening and strengthening of the delivery of complementary educational support, ensuring that it is totally free, and providing food and nutrition support, school transport, school materials, and with subsidies conditioned on attendance at school; and there must be actions for the promotion of enjoyment and learning of science and technology as a criterion of quality in educational processes for children and adolescents, encouraging the development of actions to strengthen the capacity for decision-making among adolescents, with the promotion of opportunities that will allow them to aspire to higher education, and other possibilities in their adult lives.

In this way, education must address itself to total learning, in which skills and knowledge are integrated into attitudes and values necessary to promote the full development of BGA.

So, education systems must address universality of the concept of the human being and citizenship, whatever the biological and functional situation of the BGA. This will enable the schools to provide the development of the capabilities considered necessary for them to develop as citizens with full rights and duties in the society in which they live, achieved through a teaching-learning process, and a necessary commitment of the schools to real life. The process is represented by learning to learn, which, in its many versions, is defined as discovery, creation, invention of the means to allow the person to continue with processes of assimilation and intellectual adaptation intermittently, not only among children of school age, but also as individual "permanent learners".

This is a matter of acquiring the strategies and skills of thinking that allow new knowledge to be related to existing knowledge, in order to construct a new knowledge applicable to different contexts. The purpose is to ensure that the strategies learned and the skills acquired will enable students to become autonomous persons, to be able to organize themselves, take decisions, wonder about the why and the wherefore of things, able to look for information wherever they are, and to make them critical, autonomous and independent.

It should be noted that in plans, programs, projects or protocols which in some regions of States party, where there is an armed conflict or war, the schools are used as a means of pressure: mines and unexploded ordnance are planted or simply left around them, and the natural curiosity of the BGA potentially increases the possibility of an accident. Therefore, comprehensive action against mines, from humanitarian de-mining and mine risk education, are essential elements in guaranteeing the education of children.

2.1.3. CULTURE

This variable starts from an understanding of the importance of the recognition of the singular characteristics of BGA, allowing them to construct their own identities in accordance with their needs and the particular circumstances of development, and cultural, ethnic, racial, religious and territorial belonging, so that they will be valued and respected without discrimination of any kind¹⁹.

¹⁹ Mayor of Bogotá. POLITICA DE INFANCIA Y ADOLESCENCIA EN BOGOTÁ, 2011-2021 P. 66



From this point of view, and as a major variable for this Guide, is most important that multiculturalism, that is, the presence of plurality, the existence of difference, and the coexistence of difference differences, be properly appreciated. This is the evidence of a changing world, and of the break from a homogeneous and uniform order: it is the appropriation of the diversity of the human being as a centre for policy and actions which are drawn up from different sectors and institutions and developed to improve their quality of life²⁰.

So it is, that the identities that BGA construct cannot be abstracted from social and cultural transformation, since this is a reflection of their emotions and of the way in which they deal with circumstances surrounding the individual, family and community as consequences of the victimizing action. Their appreciation is a basic step in the identification and analysis of the characteristics of BGA, allowing a greater understanding of their interests, needs and realities, and their way of seeing their surroundings, and relating to them.

In this way, the BGAs' right to the free development of personality is guaranteed in the same way as the development of autonomy is promoted, in relation to their decision-making as citizens. The proposal is that work should be done on intergenerational relations, in order to achieve this purpose and set up appropriate communications channels for dialogue. There must be opportunities, mechanisms and networks proper to the encounter, recognition, and respect for one's peers, for the expression of personal singularity and thus, to ensure that society will discourage all expressions or behaviour reflecting discrimination due to expressions of singularity, and of one's own opinions and aesthetics.

If we are to ensure that culture will become a tool for comprehensive development, encouragement must be given to participation on conditions of equity, in order to prevent discrimination and to generate conditions for the full exercise of rights and their restoration in cases where they had been impaired.

So, the identities of the BGA should be constructed on the basis of their particular needs and their cultural, ethnic/racial characteristics, and in the exercise of their rights.

The cultural practices²¹ of the BGA, which include their own languages and aesthetics, are recognized through this variable, as a product and expression of culture and modes of being, in which they express their forms of behaviour, of construction of intersubjectivities, of the relationship with others, and the justification of their place as BGA in the daily life of the place where they live.

In this way, the Guide suggests that a channel of information and communication should be introduced for interaction with the BGA and between the BGA and society, so that all will keep abreast of new perceptions, manifestations and trends which mark the construction of identity, and for the permanent construction of possible forms of dialogue with the BGA.

²⁰ Ibid.

²¹ Ibid.



2.1.4. RECREATION.

BGA learn at play, and develop with culture, physical activity, recreation and sports. Therefore, this variable has become an important means of assistance for reparation for the BGA survivors.

The idea is centred on the fact that in early childhood and up to adolescence, children enjoy sports and games, recreation, parties, physical activity, and the practice of recreational, competitive and popular sports; and these activities become possibilities for expressions of the exercise of citizenship and enjoyment of the environment.

Cultures use recreation to transmit values, rules of conduct, the settlement of conflict, the education of the young, and the development of a wide range of facets of their personality. At individual level, the role of games and sports develops intellectual capacity, and potentiates other human values such as affection, sociability, motricity, etc.

Knowledge cannot really be required if it is not based on a global experience in which the entire personality of the person learning is compromised. This is the synergy which recreation has for education; games and sports are an important factor, which potentiate physical and psychic development of the human being, especially in childhood. Child development is directly and fully linked to play: in addition to being a natural and spontaneous activity to which children dedicate all the time, children can use it to develop their personalities and social skills, their intellectual and psychomotor capacities and in general, represent experiences which teach them to live in society, to discover their possibilities and limitations, to grow and mature. Any capacity that a child has is more effectively developed at play than in anything else²²

In relation to the population group under study, protected and exclusive infrastructure needs to be provided, along with access to play, art, physical activity, recreation, sports and culture, so that the BGA survivors will have full enjoyment of this right, offering the significant experiences in cultural life and in the enjoyment of the history and culture of their surroundings and its heritage. For this, children with disabilities must make the "necessary adjustments", to develop their capacities from recreation, in all stages of their life cycle.

2.1.5. PROTECTION

At all stages of the life-cycle, development does not follow a single pattern, and obliges adults responsible for the care and education of BGA to guarantee their rights, promote their participation in civic life, and engage in a specific exercise of recognition of the particular features and diversity of expression for each of them²³.

If we look at this as a dimension, it covers the decisive factors in the guarantee of children's rights. "from earliest infancy through to adolescence": the rights to life, physical integrity, care and love. Indeed, it proposes the importance of generating capacities and capabilities in BGAs to relate themselves securely to the whole range of actors and environments around them, and encourages

²² Elkonin, D.B. (1990). *Sicología del juego*. Madrid. Pablo del Rio

²³ Mayor of Bogotá, op cit



self-protection by BGA from risks of natural origin and conflict, strengthening the capabilities of adults responsible for their care, to identify, prevent and mitigate risks, attend to emergencies and to recover after an event²⁴.

The actions developed under the responsibility of the State in this direction seek to ensure that children, at all stages of their life-cycle, feel secure and safe and that their lives are being protected; the objective is to strengthen the capabilities of families and carers particularly, as the primary effective link in the child's development, and shared responsibility for the guarantee of the rights of children and adolescents, as builders of a culture of care.

From this point of view, the generation of training and installed capacity in communities and families is very important, because these groups are the first to respond to landmine accident. Given the persistence of the threat caused by these devices, and in order to attend appropriately and promptly to the communities affected by them, strategies for comprehensive attention to victims must be intensified. The family and the community are the First Responders and must be given guidance in the different risk situations which they will have to face. The objective is centred on the provision of proper attention in the moments following an accident, which become a decisive factor in minimizing side-effects and maximizing the probabilities of survival, once the victim of a landmine has been taken to a specialized centre. To that extent, it is essential to train communities living in high risk areas on the protocols which they should follow in situations of this kind.

Capabilities must be developed which will allow them to contribute to the construction of a safe and secure context for children from earliest infancy to adolescence, to the eradication of violence in favour of peaceful forms of conflict resolution, and to the promotion of appropriate spaces and environments to match the characteristics of the BGA, offering security for a life of physical integrity, and civic coexistence.

2.1.6. PARTICIPATION.

The BGA landmine victims, as social subjects, have the possibility of participating and influencing their present and future. They are recognized as subjects and holders of rights, active in the process of development and permanent evolution, with a specific personal identity: it involves biological, psychic, social and cultural development in expansion, which must be appreciated and respected equally at each stage of the life-cycle, taking account of ethnic or racial origin, culture, religion, origin, particular features of development, disability, or any other condition or biological, social or political situation (amongst other things), with a specificity which they steadily acquire on the way to sharing and recognizing others as valid²⁵.

UNICEF defines children's participation as "the process of sharing decisions which affect one's life and the life of the community in which one lives. It is the means by which a democracy is built and it is a standard against which democracies should be measured" and follows this with a complement, that it is "a gradual process of learning, which passes through different stages, in

²⁴ Ibid,

²⁵ Mayor of Bogotá, op cit.



which children share decisions that affect their own lives and those of the community. Participation is a means and not an end in itself, a fundamental component through which we build democracy and exercise the rights of citizenship, understanding that to be inclusive, in which groups relate to each other in a situation of equality"²⁶

The participation of children and adolescents helps them bring meaning to their singularity, and to build their identities on the basis of the construction, their life in public matters. So, "the grownups" have an obligation to promote mechanisms of deliberation, oversight and social control and make them sustainable, in order to guarantee the participation of BGA in the context in which they evolve, the strengthening of the networks of social support, their capacity to contribute to the common good; and to make it possible to obtain spaces for formation in the responsible exercise of their rights.

The essential point here, in relation to BGA landmine victims, is to provide guarantees of participation with equality of opportunity, and to redouble efforts so that this process will take place, based on formation and the development of capabilities that will enable them to influence issues that affect them.

2.2. THE FAMILY.

Understood as the "natural and fundamental element of society [that] has a right to protection from society and the State" (Universal Declaration of Human Rights, Article 16), the family is a form of social organization (Marjorie, 1991; Cicerchia, 1998), that represents the vital core of any society, to which collective subjects belong in the context of a rights-based approach.

This political and universal recognition is highly relevant, since it has orientated the States party, to work together with the family, in order to design and implement social policies which are directly focused on improving the conditions of those who form it. At the same time, for the purposes of this Guide, it offers the possibility of analyzing the situation in the family after a landmine accident, and the conditions to which BGA victims go through, in the guarantee of the effective enjoyment of their rights, and as an integral part of this vital core of society.

Given the particular differences between one family and another (ethnic group, race, culture, religious belief, and even political or social ideology), it is possible to find different types of family, in which ties, links and values are constructed which will later be decisive in the determination of their behaviour as social actors. There is a broad classification of different types of family, such as core family (father, mother, children); single-parent families (only a father or mother, and children); the extended single-parent family (father or mother, children and members of the family); the unipersonal family (a single person), the extended family (sharing the home with other members of the family) and same-sex families (fathers or mothers of the same sex with children).

Although the core family has long been considered the paradigm or paragon family, and the model

²⁶ Martínez, Martha Participación infantil en el tiempo libre. Reflexiones y experiencias: una mirada desde los adultos y la infancia. Madrid. Plataforma de organizaciones de infancia. 2000



of the family which public policy planning rests in many parts of the world (ECLAC, 2004), this Guide starts from the point that many types of families can be identified, recognizing that there may exist as many again, not mentioned here. The intention here is to establish a starting-point for national analysis and discussion when constructing protocols for assistance and attention to BGA landmine victims, as derived from this exercise. The differences between families makes each unique, and the identification of type and composition will lead to a decision to take action in accordance with particular realities.

It should be noted that sociology has said that the status of the family as the *vital core of society* is based on its function of the link between the individual and society. It implies a fundamental responsibility of the family to receive, form and protect the new being, and to facilitate the process of his incorporation into society, that is, the process of "reception" and "delivery" of the subject into society. In other words, the individual is born as an isolated biological being, and becomes a social being (Osorio: 1992).

Therefore, this great responsibility of reception and delivery means that the axiological component is almost generally present in the bosom of the family, regardless of the culture involved. This is due to the fact that internally, the family becomes a space for coexistence and solidarity, with competence to transmit values and lessons necessary to guide the behaviour of the subject in society. It is therefore the family that encourages ethical and moral rules, which will be assimilated and/or transformed by the subject in his relations with his environment²⁷. If, however, and despite the rules transmitted within the family, the result is that the subject behaves unacceptably in the eyes of the law, the law in each country will censor the person according to its legislation.

Likewise, the family is a scenario in which there are ties and links (attachments) and their breakup (detachments) between its members are built. By nature, we human beings have feelings (positive or negative) for those around us during the process of physiological growth. Therefore, the experts say, in the face of loss of one of its members, the depth of grief will match the emotional tie established. If there is no tie, the loss may become simply a negative event.

As we shall see later with regard to the role of *family cohesion* in the process of attention to a BGA landmine victim, families find themselves immersed in crisis situations which may affect the BGA's comprehensive development. In some cases, there arise situations of excessive level of protection, which stop the BGA from taking part in academic, social and sporting spheres, because the parents are afraid of and discrimination which might be caused by it. In others, there is an internal detachment of the family, and the family with the BGA, which may lead to the BGA being abandoned.

Likewise, when we analyze the variable roles, processes of dysfunctionality in the family will be identified, and many families affected by landmine accidents have gone through such processes. That is, there is a change of roles of the BGA in the life-cycle to which they do not belong, producing transcendental changes in the functions of family members. Families will work well or badly in reaction to events, depending on their possibilities, and that depends on their capacity to

²⁷ Comprehensive Inclusive Rehabilitation Model: From the Assistance to Social Inclusion (2010)



adapt, and the resources they have acquired in the course of their life-cycle (Smilkstein, 1978)

Further, and on the basis of contributions by Nobel Economics Prizewinner Amartya Sen, the variable *capabilities* allows the functioning and capacity to contribute to processes of assistance and attention to be identified in relation to BGA landmine victims. As we shall see later, with regard to the role played by the family cohesion in assistance and attention processes to a BGA landmine victim, this can lead to reparation and comprehensive rehabilitation of the victims, and improve their welfare and quality of life.

Finally, in the analysis of participation, we will see how this has become a civic right which assumes the duties and responsibilities derived from it. At the same time, there will be an analysis of the way in which victims' associations or support groups become mechanisms for individual and family reparation and transformation, and a joint way of looking for solutions in the sphere of public affairs.

This overview of the situation shows that the family plays a fundamental role in the processes of comprehensive rehabilitation of BGA landmine victims, and is the principal support - or obstacle - on the road to physical recovery and social inclusion. In cases where another member of the family (particularly the father or mother) is the direct sufferer, the comprehensive development of the BGA may also be affected, as will be analyzed later in this Chapter.

In the light of all this, an understanding of the family as a dimension in assistance and attention to BGA, and further, as a part of the system where there is also a convergence of dimensions such as community and the State, demands a reading of the family, from the individual and collective point of view. That is to say, on the one hand we must see the family as a support for the process of assistance and comprehensive attention to the BGA, and as the unit affected by the occurrence of an event to one of its members. And on the other, we must read its heterogeneity in the context of a human rights-based approach. This means that the issue must be approached transversely from different points of view: first, an analysis of the functioning of the family based on the structure of social organization and vital core of this society. Second, the members of the family must be understood as collective but individual subjects in terms of their particular characteristics. Third, we must understand that the family is more than the sum of the subjects who share the same home. The family is itself different, given the functions, roles and behaviour of each of its members.

For a substantial and profound development of national protocols in assistance and attention for BGA landmine victims based on the general lines presented in this Guide, the variables identified that characterize the family need to be developed; and these variables were identified in the course of the Workshop; family cohesion, roles, capacities and participation. This must be done with the hope of achieving actions in reparation and no-harm transformation, when engaging in comprehensive work with family.

2.2.1. FAMILY COHESION.

Family cohesion has been identified as "the degree to which members of the family are interested in it, committed to it, and help each other" (Moos: 1976), becoming as a fundamental element for



a family to maintain harmonious ties and links for within itself. From this, it might be inferred that the greater the family cohesion, the higher the degree of union within the family; and the lower the degree of that cohesion, obviously, the greater the rupture of relations within the family. The concept is highly significant for the purposes of this Guide, since a landmine accident can raise interest, commitment and mutual help to highly beneficial levels, or generate the contrary effect, such as dissent and detachment.

International experience has shown how family cohesion suffers a radical change after a landmine accident. In some cases, there are extreme degrees of unity, and in others, cohesion tends to turn into disunion. The Guide does not pretend to offer a study dedicated to family psychology, however the situation may clearly be analyzed through contributions to the subject made by Salvador Minuchin (1979), who has established the existence of two subsystems of the functioning of family limits, that is, the breaking of ties (detachment), and agglutination (attachment).

From this point of view, the detachment of ties reflects the individual need to establish wide distances and a high level of emotional separation; while excessive attachment where the individual forms very strong ties with other family members. According to Minuchin, most families are in one of these subsystems, and sometimes the situation turns into an unhealthy and pathological dependences and independences for them.

In the Workshop, it was shown that where the BGA directly suffers a landmine accident and survives, there were identifiable levels of attachment by the parents that tended to generate harmful overprotection for the BGA. It is important to remember at this point that a high proportion of survivors are permanently disabled (and this becomes one of the worst adverse effects suffered by the victim); this makes the problem more acute, and leads the family respond to the situation in one way or another. Therefore, as a means of prevention against rejection and discrimination, parents limit and reduce the BGA's participation in different spheres of society.

One of the main consequences of this overprotective attitude can be seen in levels of lack of enrolment in schools among BGA landmine victims, the school being understood to be the main space for the comprehensive development of the BGA. Although the evidence shows that this situation mainly affects girls, there is a general fear among parents of mockery, disturbing comments by schoolmates, and a lack of accessible spaces in school buildings. In these cases, the parents prefer that their children should engage in domestic or productive work, in which they, the parents, can maintain total control of the situation. This point will be analyzed in greater detail later, in the variable *roles*.

The situation becomes more complex, because most cases involve poor subsistence-farming families, who, in order to protect their children against new accidents or injuries caused by prosthetic limbs during long walks to reach a rural school, hamper not only the child's right to education, but also the right to free development and recreation and sports, proper to their stage in the life cycle.

International evidence also has allowed it to be shown that this excessive attachment by the parents can form obstacles to access to specialized health services, and in the event of disability, to rehabilitation processes. Just as with the school, the parents are afraid of confronting the BGA



with the environment that caused him harm, and choose not to send the child to distant medical rehabilitation centres. Even then, it does not mean that excessive attachment by the parents is always the root cause of lack of access to those health services. There are cases where the same strong attachment causes the parents to look at options for comprehensive rehabilitation for the child, but they find that the way is blocked by the fact that they cannot afford it.

In countries with armed conflicts still in progress, overprotection, together with the constant fear of their environment, has caused families to engage in mass displacement, mainly to capital cities. They are looking for better opportunities, but in most cases, the result is simply increased poverty.

So, education, sports and health are three of the principal rights impaired as a result of a landmine accident, and poverty makes the situation more acute. First the possibility of survival of an accident, and a timely process of comprehensive and inclusive rehabilitation is limited. Second, the BGA is hampered in the development proper to his age and life-cycle, and forces him to abandon the main activities which allow him to acquire social competences to match his age. The evidence shows that most child victims who took part in some physical activity before the accident ceased to do so afterwards, and their participation is thus limited²⁸.

Despite this, excessive family attachment does not arise in all cases after a landmine accident. In many situations, situations of detachment are also seen among the parents or the children themselves. International work has shown how excessive levels of detachment lead to a rupture in the family. This situation can be analyzed from two points of view: the abandonment of the home by the mother and father; and the abandonment of the entire family, on the other.

In many cases, the inability to provide support to a child, and the search for assigning blame within the home, means that family relationships deteriorate to the point of physical abandonment, in most cases by the father. The situation increases the levels of violence towards the children, and, as we shall see later- a change of role in terms of the life-cycle to which they belong.

In other cases, there is a complete abandonment of the child, who is placed in the custody of competent agencies of the State. For example, situations of this kind are particularly evident in some ethnic communities, in which their cosmic vision implies a relationship between body and soul, and a disability means that some of the soul has been lost with the missing limb. This means a break of links within the family, in which the BGA becomes unworthy to belong to the family and the community, and is abandoned. Although no research on this matter has been found, experiences elsewhere in the world show this to be so, emphasizing the heterogeneity of families.

This X-ray of the situation shows in general what happens to family cohesion when the family undergoes an experience in which one or more of the BGA who belong to it are the direct victims. Therefore, the development and deeper analysis of the situation by countries with the problem, and other actors involved in assistance to victims is necessary. It will help to provide a better approach to the subject matter required for the preparation of protocols adapted to their own national contexts, and addressed to the design and implementation of action without damage, for reparation and transformation in the lives of the BGA. At the same time, it will enable the internal

²⁸ Taken from “*Concept paper*” presented by Colombia and Austria during the Workshop.



elements of attachment and detachment created within the family, during a process of assistance for the BGA, so that it may be possible to work on biopsychosocial support for all members of the vital core of society from the moment of an accident forward.

2.2.2. ROLES.

As can be seen at the beginning of this Chapter, the family is a social organization, formed as the vital core of any society, and which is more than a simple sum of its parts; this is so because each of the members has individual and particular characteristics which make him or her different within the family. Therefore, if the family is to work properly, the members must each have specific functions in accordance with the stage of the life-cycle of which they are, such as playing, studying, working, educating, transmitting values, and so on.

In cases where these functions suffer a disturbance, that is, a person who must assume functions in the life-cycle to which he or she does not belong, we can speak of an alteration of family functions, or "family dysfunction", which upsets the family's internal balance. The set of functions are what we understand as their role within the family, or what sociology has defined as the "set of rules, conduct and rights, as defined in terms of society and culture, which are expected of an individual (social actor), to be observed or exercised in accordance with social status acquired or attributed" (Giner, Salvador and Emilio Lamo de Espinosa, 1998). In this way, and without forgetting the heterogeneous nature of family, authors such as Osorio (1982) say that in general, the family model gives rise to four roles in the core family: husband-wife, father-mother, son-daughter, brother-sister.

We now present the observation and identification achieved during international exchange of experiences at the Workshop, which provided a general view of how BGA suffer a radical change in the role of son-daughter and brother-sister.

In the case of a BGA who is the direct victim of a landmine accident, the conditions relating to the role which he formerly performed within the family are seriously affected. As has been seen earlier, as of the moment of a landmine accident, the life of the BGA has been harmed not only in physical terms, but also in the interactions within the family, generating attachments and detachments which may turn out to be harmful to comprehensive development. For example BGAs engaged in academic activities who suffer a landmine accident often stop going to school because the parents fear rejection or discrimination: this impairs the BGA's right to education.

Education is particularly important because it is understood to be the cornerstone of development in countries, and the space for the BGA's effective enjoyment of rights such as recreation and sports, and it is the worst affected. The dynamics within the family lead to the imposition of roles in the life of the BGAs, which do not match their stages in the life-cycle. International experience has shown how girls tend to exchange books for kitchen implements, since many of them have to take on duties in the household. Although there was evidence of school desertion is more common among girls than boys, it is the boys who undergo a change of functions culturally related to female gender-roles, such as duties in the household.

Another issue of vital importance relates to recreation and sports. Here, we must emphasize the



active role played by the BGA prior to an accident, and the passive role after it. International evidence has shown how the rights of children in terms of free recreation are impaired by the accident. Children limit their participation in recreational and sporting activities, mostly due to excessive overprotection by the parents. In many cases, a previously active role becomes a sedentary one, in which video-games and television are the main forms of recreation.

This clear evidence of a dysfunction, or alteration of functions of a life-cycle, is also apparent among the indirect victims in families where the mother or father suffers the accident and is disabled. So, the children have to assume leadership of the family (the role of the "man in the house"). For example, in some contexts in which a landmine accident causes the displacement of the family, the children have to contribute to the household income and production in the place where they are received, thus raising levels of child labour. The girls also have to take on domestic duties and look after their younger siblings, representing roles of another's stage in the life-cycle (that of mother). In both cases, once again, there is an impairment of the right to education, recreation and leisure time.

It is therefore extremely clear that functions proper to the stage in the life-cycle of a BGA landmine victim change from the roles of son-daughter and brother-sister as a result of the accident, and they are forced to deviate from the normal course of childhood and adolescence. They pass from being children to what we call "little adults". The BGA, as one of the serious consequences of a landmine accident, come to perform functions and roles not proper to them.

Therefore, the most important conclusion is that an understanding of roles in the way presented here implies a reading of the functions of the subject from the angle of gender and stage in the life-cycle, in the context of a human rights-based approach, particularly those of BGA landmine victims. This is due to the fact that families are composed of subjects of rights of different kinds with different levels of status, and roles which determine their behaviour.

So, the development of national protocols derived from this Guide and adapted to the context of each country, demands a very careful exercise in which the different stages in the life-cycle of BGA are examined²⁹ as subjects of rights. That is to say, the examination must include the particular characteristics of the process of growth of the BGA through to an age (which may vary between 18 and 21, depending on the country), and which changes the family functions of BGA landmine victims, altering their life-cycle roles, and impairing their rights as citizens.

2.2.3. CAPABILITIES.

The idea of approaching *capabilities* as an integral part of the Dimension of *family* is based on the fact that the (previously defined) organization of society has relevant capacities to contribute to the processes of assistance and attention to BGA landmine victims. These capacities may lead to reparation and comprehensive rehabilitation, and at the same time, bring about improvements in welfare and quality of life. It is therefore highly convenient to make a reading of this topic from

²⁹ On this point, we should mention the significant contributions of UNICEF, which has divided the stages in the life cycle of BGA into the age-ranges of 0-5, 6-9, 10-13 and 14-17. Within these categories, other specific identifications can be made based on local realities to contribute to the development of national protocols.



the point of view of the contributions made by Amartya Sen, whose most revolutionary work has been precisely on the topic of capabilities.

In his "capabilities approach", Sen establishes a framework of analysis, which can be used to assess the welfare and quality of life individual, involving freedoms as a way of living a worthwhile life. Although he recognizes that "low income is clearly one of the principal causes of poverty", he tells that welfare and quality of life cannot be subject to that alone (making a strong criticism on utilitarianism and merely economic approaches). For Sen (1995, 1990, 1992, 1993, 1995) welfare can be understood by considering the quality of life, which he considers as a set of interrelated *functionings*, as things to which the individual may assign a value for doing or being, and *capabilities* -fundamental freedoms- to choose and be able to live one or another kind of life.

So some functioning valued by the individual may be limited to very basic things, such as to be properly fed and to be in good health; while others relate to more complex things, such as being happy and participating in society. The capacity of the person consists of the freedoms which allow him to obtain a range or combination of functions. Therefore, the capability is a type of freedom to achieve different lifestyles and choose different functions (Sen: 2000). From this point of view, the quality of life depends on what the individual is capable of choosing or obtaining, and the way in which he is able to live, not necessarily circumscribed by economic factors.

Based on this, it would be easy to generate a whole relational study between the capabilities approach and assistance and attention to BGA landmine victims. That is not the object of this Guide though, we can analyze the situation in general at this point.

As observed in the interpretation of the family as a systemic dimension of assistance and attention to BGA landmine victims, it is important to understand the concept from an individual and from a collective point of view, as well as in terms of heterogeneity. In other words, it should be analyzed as support for the process of assistance and comprehensive attention to the BGA, and as the core unit affected by the occurrence of an event to one of its members (each member being different, by reason of age, gender, ethnic group, culture, and so on).

The Workshop showed that there was one almost universal issue: BGA landmine accidents mainly affect humble families with low levels of education, living in poverty. Clearly, poverty makes it very difficult for a family to support its children in the improvement of conditions of assistance and attention that will bring them welfare and quality of life. Nevertheless, Sen's contributions help us to understand that the capabilities of the family to support the BGA landmine victims cannot be entirely associated with the primary goods which they have, but with the freedoms which will give the victim the possibility of recovery.

The family plays a fundamental role, since it has to help to obtain and choose the functionings which will promote the welfare and quality of life of BGA landmine victim as a subject of individual and collective rights. That is, it must support the idea that BGA must choose their functionings based on real freedoms, such as eating, playing, studying (basic) on the one hand; and participation in society and being happy (complex) on the other. The family is the scenario in which values are transmitted and behaviour of the subject in his surroundings is developed. Therefore, the development of capabilities - fundamental freedoms – of children will bring them

to be and to feel that they have obtained reparation by improving their welfare and quality of life.

Further, if we look at family as a social organization with collective rights, that is, as affected by the occurrence of an accident to one of its members, it is society which should work to obtain the widest possible freedoms and secure and select basic and complex functionings to underpin full participation in society, politics and economy. In this way, processes of reparation and transformation for the collective subject of rights will be possible, in the context of a society that does not exclude, but which includes the family and understands that the heterogeneity of all families is the vital core of society. Not for nothing have the people of the world declared their determination to promote social progress and to raise the level of life in a broader concept of freedom (Declaration of Human Rights, 1948).

For all these reasons, and based on Sen's analysis, we may conclude that the welfare of the social State depends on freedoms which its subjects have, individually and collectively; and with those freedoms, they achieve functionings that they value. In other words the freedoms are those that they need to achieve the life-project they want. Capabilities - fundamental freedoms - available to family to support processes of assistance and attention to BGA landmine victims must be the sum total of the functionings which will really bring dignity to the victim as a human being and promote his social inclusion. Therefore, this Guide directs efforts to the construction of national protocols which will promote capability-building in the family to support its own process, and that of the BGA in strategies designed to secure reparation and comprehensive rehabilitation in the guarantee of rights.

2.2.4. PARTICIPATION.

When referring to issues of participation by the families of landmine victims - which were at the heart of interventions by participants at the Workshop - we must admit that there was almost uniform agreement that participation is related to human rights. Therefore, and taking the contributions of several authors³⁰ and the findings of the Workshop, this Guide understands participation as *a right and a duty which citizens have individually (object) and collectively (family), to influence the matters that interest them and be able to transform their environment.*" This simple definition will allow the approach to the role to be played in by participation of the family in guaranteeing the rights of BGA survivors of a landmine accident.

This means that individual participation is at all times a right and responsibility of the citizens, and is the clearest way in which individuals may relate to others, be heard, and make their demands and interests effective as builders of public affairs (influence). To this extent, the individuals participate in the public context of national political processes. Participation may also arise from different schemes of association. Some citizens play an individual part (individual right), for example, those aspiring to public office, while others do so through associations (collective right) (Ortiz, 2006).

Here it is important to note that although the Ottawa Convention is an international roadmap

³⁰ For example, see the studies of Carole Pateman (1970), Martin Gerald et al (2001) and Marian Barnes et al (2007)



binding on the States party, it does not specifically establish any participation for victims and their families, in guaranteeing compliance with itself. However, the Cartagena Action Plan of 2009, as the second Review Conference, in Measure 27, calls for "the assurance of the inclusion *and full and active participation of the landmine victims and their representative organizations*", and of others interested in activities related to assistance for the victims, in particularly with regard to the *national action plans, legal frameworks and policies*, mechanisms for application, oversight and evaluation". Further, it is important to remember that everyone has the right to freedom of peaceful assembly and association (Universal Declaration of Human Rights, Article 20).

This Measure has promoted participation by direct and indirect landmine victims in some national contexts, on the understanding that they know best about their own realities, and must be part of the process of the construction of public policy (actors-builders of public affairs). It calls for the implementation of "bottom-up" approaches to participation. International experience has shown how important this is in the drafting of policies, plans, programs and projects, empowering families at the same time giving them a greater likelihood of success. It is only through work on the ground and with the families, that problems arising in assistance and attention to BGA victims can be solved.

Similarly, evidence from some countries has shown how, once the stages of grief naturally caused by a landmine accident have been overcome, families tend to look for spaces of participation where they can have an effective influence on the guarantee of the rights of the BGA, and improve their comprehensive development. So, in some cases, the families - usually the father or the mother - get together with others who have been affected by a similar accident, and form the so-called Victims' Associations.

These Associations are formed for support and cooperation among peers, that is, families which for different reasons have been affected by landmine accidents, and seek to join efforts, to overcome the negative experience, and to provide solutions to their demands as a matter of public action. They are groups of associated families with rights, but also with duties, and they share responsibility with their surroundings³¹. The key to participation lies in knowing how to participate, and this requires the subjects to understand their social and political role, and demand their rights while at the same time being aware of their civic duty in shared responsibility to maintain those rights. For example, there are families that use the right to participation through the Associations, and maintain their duty to share information with their equals, working for the general rather than specific interest.

In this context, and although there are still needs for support in processes of strengthening the associations that will lead to the formation of citizens with rights, duties and shared responsibilities, there is no doubt that family participation through such scenarios is the key to progress in securing the guarantee and effective enjoyment of the rights of BGA victims, (particularly in the stages of rehabilitation and inclusion), because it is an important source of support and joint work. Different experiences show that family participation in the Victims' Associations has become a fundamental tool of reparation, and it transforms grief into feelings of relief through the support of the family members.

³¹ See Serrato (2011), a contribution through an integral, inclusive rehabilitation model



Following this recognition of the family as a constructive unit in public affairs through its participation in society, we should note the role of the State in this area.

At the beginning of this Chapter we defined the family based on the principles established in Universal Declaration of Human Rights as the "natural, universal and fundamental group unit of society, and is entitled to protection by society and the State". Therefore, it is important to note that the protection of the State should continue to promote space in which the family participate in the relationship with the State (government-institutions and family). In other words, the State must be brought closer into a deep relationship with family, as a means of improvement of civic capabilities and the strengthening of the effective enjoyment of rights. Some experiences have shown that the relationship leads to results in reparation which have transformed the lives of those affected, with accompaniment of specifically-designed strategies. A Chapter ahead is dedicated to the study and analysis of the State as a systemic dimension of assistance and attention to landmine victims.

Finally, and in the light of all the foregoing, we must conclude that family participation is evidently a civic matter in the context of individual and collective rights and duties. Therefore, this Guide understands that family participation is basic in terms of full use of citizenship, without neglecting relations of responsibility and shared responsibility of the family with its surroundings. Therefore, the Guide is designed to help the future preparation of national protocols, with the participation of that vital core of society. It is addressed to processes of transformation reparation, resilient to reconstruct the public society, strengthen leadership, create capacity, and include children.

2.3. THE COMMUNITY

The dimension of *community* is essential, because it describes the surroundings in which the interactions of BGA take place, and therefore the community represents the individual interests which find collective identities in relation to a common habitat; in this way, the community is a historical and dynamic construction through which individuals develop a sense of belonging, which acts as the true framework for considering and solving conflict.

In the midst of armed conflict, the concept of community brings together shared interests, which act as a base for regulating conflict, establishing a context and certain limits in order to take on the differences between neighbours or colleagues in a given way, when such differences directly affect collective interests. It is the sort of road collectively travelled, which allows the existence of common frustrations, aspirations, successes and the assignment of values. It may come to the point where collective reparation is needed as the result of the consequences of violence, and the damage done by the public order situation which whole regions have experienced in common. There are certain more or less similar social and cultural characteristics, or one or more geographical areas, which act as a collective reference point.

Therefore, the community is a collective cultural process in which codes, symbols and mindsets are shared, giving a meaning to certain common interests and experiences, establishing frontiers which allow things shared to be taken up, and to deal with situations of conflict.



The community represents dynamic processes that change with circumstances of time and place, and it has certain elements which make communication fluid and rapid through expressions, sounds, gestures, or graphic elements, which have a special meaning for a given community. They are associated with values and the rules of the game socially accepted or rejected, with elements of collective subjectivity that embody the aspirations or frustrations associated with the assignment of value and the rules of the game -accepted or rejected-, as expressed through more or less general ideas or reference points regarding what is wanted.

Now, the community, as any processes, is something which is constructed day by day, and so may become stagnant or undergo strong mutations, or come to an end. The best way of doing away with a community use to forget about its culture, understood to be the set of mediations (codes, symbols, mindsets), that operate in the relations of one human being with another, with their fellows, and with their surroundings³².

Thus, the community is fundamentally a mode of social relationships, among intersubjective actions constructed on affection, community of purpose and values, and the uncontested expectation of loyalty and reciprocity; the community is a well rounded example of social action, a theoretical construction which is in some way more the product of emotion than of reason³³

G. Murray defines community as “(...) A group of persons occupying a given area of society, which takes part in a system of interests and activities which is broad enough to include almost all its social relationships.”³⁴

This dimension in the Guide becomes a laboratory of external conditions needed by a BGA landmine victim. Many conditions of one's surroundings become barriers to access, participation, and the offer of services. Those conditions are not easy to change, but the resources of the survivors may transform and potentiate the elements which will bring about positive interaction.

The social environment is a dimension, which lies between State and the individual, allowing the development of elements of social movements which enables leaders to influence the construction of public policy, starting from the needs of the BGA.

2.3.1. THE SOCIAL FABRIC

This variable becomes an indicator of the functionality of the community in regions hard-hit by the war or armed conflict. One of the most evident cracks in society appears when its fabric is torn, because the joint development of the community is halted, creating mistrust, insecurity and lack of cohesion; and this in turn impedes the joint constructions of society.

The social fabric regulates and determines the conditions of participation and collaboration between individuals, families and groups, in open spaces of interchange in its broadest sense, for

³² DIEGUEZ Alberto J. and GUARDIOLA ALBERT Maria P. Reflexiones sobre la Comunidad. De lo comunitario a lo local. De lo local a la mancomunidad. Argentina, 1998.

³³ G. Gonzalez, Fuertes. Psicología comunitaria. Editorial Visor. Spain, 1988 p. 13

³⁴ Introducción a la sociología, cited by C. Gomez.Gavazzo 1959 p. 12



expressions of affection, communication, and the acquisition of the most basic form of human integration, based on learning and the practice of values.

In this context, it is essential to have a proper understanding of the concept of social fabric, and to appreciate its function in the complex web of societies, clearly defining actions which directly influence its solidity or weakness, and finally, to guide strategies of social redemption of the consequences of conflict.

Today, the term "social fabric" refers to significant relationships which determine particular forms of being, and produce, interact and protect themselves in the ambit of the family, the community, at work, and in civic matters. It acts as an intricate series of relationships and actions between individuals, families, communities, and between them and their institutions, so that there is mutual feedback through a complex structure of intercommunicated vessels.

The social fabric is a component of behaviour which brings together individuals, and enables a group, culture, tradition or nation to be identified, or makes it possible to establish the rules for interaction. Society is an expression of the social fabric of its citizens; it is born, it grows, it develops and is expressed through them; it is an asset for the individual and the group, whose size can indicate the existence of a greater participatory, and a more united and coherent community.

The strength of social fabric is synonymous with solidarity and respect for the rights of members of the group, and the conditions necessary to build an environment favourable to the creation of common goals for the benefit to all.

The weakness of the social fabric is the product of feelings of defenselessness, exhaustion and fear which arise from real or imagined threats adverse to social cohesion (changes of habit, changes in security situations, economic or social crisis, or crisis of values) and this becomes fear of "the other", of those who are different, or into an attitude of being permanently on the defensive.

A large number of authors agree in identifying insecurity as a reason for weakness in the social fabric. They say that in addition to an impairment of quality of life, insecurity generates feeling of uncertainty and defenselessness that grow deeper over time, forcing the individual to be aware of "the other", as different, as something to be afraid of, or something better not to be associated with, or worse, with whom it is not appropriate to have ties of friendship or solidarity that might prove compromising; or indeed, that insecurity causes families to change their leisure habits, and individuals to change their social participation.

Relations in the immediate circle are interwoven within the community and the neighbourhood. While the social fabric is formed from the core family, it is consolidated in the relations between families and with neighbours or in relationships of youth groups, students, workplaces, and so on, which are basic for the development of the individual, and the organic growth of a society with firm and strong links between individuals and groups.

In concordance with their own interests and objectives, individuals and families participate in different groups, which, although they collaborate with the development of autonomy, facilitate connections and the identification of interests in terms of solidarity, reciprocity, leadership, and



respect for the other, giving rise to rules for coexistence which collaborate with the formation of a healthy social fabric.

By allowing individuals and families to come together due to some need or goal to be achieved, the community, because it interests them in some common objective, the community plays a transcendental role in integration and the maintenance of identity and social cohesion, which are the substance of basis of the social fabric.

For the purposes of this Guide, we draw attention to the need to repair the social fabric before starting any intervention in the community. Only when the threads of trust and solidarity are in place can common goals being met.

2.3.2. SOCIAL MINDSETS

This variable has been proposed in the development of the Guide for the interpretation and knowledge of social realities, initially at individual level, as a method of approach to social realities and to knowledge.

Depending on the force and the reading of realities with appropriate knowledge and information, individual mindsets become part of the collective mindset, and this potentially has an influence on discrimination, exclusion, and non-integration of what happens in that context.

From this point of view, it is not valid to ask whether the interpretation of realities made by one individual is valid for oneself, but whether it has some value for the social group. When we speak of structure of cultures, we recognize that values and rules should be shared by a certain number of members, in order for them to be configurators. Otherwise, the values and rules will be no more than valid to a given individual.

A social mindset which reflects the social interpretation of this portion of social realities of a given collective is flexible, because it is so by nature. The paradigms considered above, on the contrary, have a solid and rigid appearance, transmitting this idea as the substantive characteristic they should have.

If society adopts and gives pride of place to individual rights as the basis for collective rights, and if in the face of cultural rigidity we find ourselves up against globality, multiculturalism, instant communications and universal media, we can coherently think of mechanisms and flexible frameworks of interpretation that will be able to help us understand situations which are in a permanent state of flux.

One fundamental point to remember is the socializing capacity, in its strict sense, of social mindsets.

Mindsets start from cultural things, but are also the material of the warp and weft of the social fabric.

Social mindsets will be precisely those collective representations which govern the systems of



identification and social integration, and which make social invisibility visible.

This relates to "visions of the world", with meta-history, myth and cosmology, but they do not form a founding archetype, so much as a transitory form of expression, an indirect mechanism of social reproduction, as the substance of history and culture. It also relates to "stereotypes" (in which effects of collective identification are generated), but they go beyond the simple description of types of role, because precisely they break up the linearity that articulates meaning.

At all events, social mindsets have a primary function, which could be described as the generalized composition and distribution of instruments of perception of social realities constructed as if they really existed. It is as if social mindsets are related to the instrumentation of access to what is considered to be reality, with specific coordinates in space and time.

But beyond instrumental considerations, social mindsets provide the members of a given society with the categories of social phenomena

The power of symbols, or the power to produce meaning, puts ideas to work, carried along by certain social mechanisms, and it penetrates the heads of those subject to it. The maximum possibility is that those ideas succeed in becoming social evidence, that is, something which is not open to doubt for the simple reason of being something which "from which" reality is interpreted or read".

2.3.3. PARTICIPATION.

Community participation is understood as a collective awareness by the entire community of factors which hold up growth, through critical reflection and the promotion of associative and organizational forms that facilitate the common weal; that is to say, it aims to engage the community in the analysis and solution of its own problems, needs and resources, in order to formulate projects and activities, to execute joint projects between communities and institutions, and for the evaluation of activities undertaken in each project.

Participation has three different watersheds. On the one hand, participation within the community, that is, community participation, through which the community organizes itself against adverse circumstances, or simply in order to achieve greater welfare and thus achieve the development of that community. And civic participation, through which a closer relationship is established between the community and the authorities, that is, it is a form of collaboration to ensure that voices, which have not had the opportunity to express themselves, will now be heard.

For this Guide, the importance of participation is based on the fact that citizens express their needs, demands and suggestions to the authorities, and identify needs, formulate solutions, execute, evaluate and implement follow-up, making their contributions in accordance with their possibilities, and community action.

Through orderly and organized civic and community participation, we take the first step up the ladder to achieving the development of the State for development itself.



Communities can form part of decision-making in an organized manner, giving priority to actions based on their needs and available resources in coordination with governments. This is the most reliable way to involve the least-favoured social subjects in the definition of strategies and the distribution of benefits.

Participation enables the public to collaborate in the improvement of the community's public services. The main requirement for community participation is that the community should be organized to work as a team, and to work with other organizations.

One very assertive tool for community participation is the participatory diagnosis, and proposals made as a result of it for plans, programs, projects and protocols,. It is the way for a BGA landmine victim to have the opportunity to be informed, to analyze, to draw conclusions, to organize the power of decision at all times, to be aware of what others think, to offer their contributions in the execution of joint work. The important thing in all this is to incorporate pedagogical methodologies, which will allow them to be heard, and most importantly, to interpret meanings, in order to validate the participatory exercise.

A participatory diagnosis becomes a very rich process of learning, and a dynamic orientation for education, bringing knowledge within the reach of the public, and asking everyone to offer their support and contributions.

We always tend to associate education with schools, but there is another very valid school: the life of the members of a community itself. There is always useful knowledge and experience to face up to situations and solve them.

A participatory diagnosis is a good road to follow to do away with lack of communication, and lack of experience and knowledge among the members of the community. As a conclusion, we might define diagnosis as the procedure used to establish the nature and magnitude of the community's problems or needs.

A diagnosis also is a hierarchical tool, that is, it places needs or problems in order of importance, as a function of the advantages which they will bring, and the greater the advantage and the larger number of persons affected by it, the higher the priority that should be given to this problem or need.

The diagnosis should include the resources available to the community, people who can work, cash that can be put together to deal with the solution to the problem, or to determine what a national or international organization could help to solve it.

This participatory exercise helps to motivate the community to identify its realities, and to increase its levels of awareness of its own transforming role.

2.3.4. LEADERSHIP.

For this Guide, leadership is considered to be of a community nature, but part also of the design of individual programs which approach the issues of personal agency or management of the individual's life, to sow the seeds that might generate a capacity to have a positive influence and



coordinate effort and resources of the group of individuals, in order to achieve goals, introduce changes, or make ideals sustainable for the collective benefit.

The objective is to use the strategies designed in programs, projects or protocols to detect those BGA who are by nature leaders, in order to potentiate their skills, and further, those who by nature have not been endowed with these characteristics, and to encourage leadership among them as a skill for them to manage their own lives.

These skills are implanted in the capability to influence at particular moments of individual or group development, when available to facilitate the achievement of individual or collective purposes. So, leadership is put forward in this Guide as a skill or capability of a BGA to influence, motivate and allow others to attain the goals that they have set themselves.

The skills that should be developed in a community leader to secure these assertive strategies required for assistance to surviving landmine victims are the following:³⁵

- An understanding and a capacity to analyze social, political and cultural realities of the survivors.
- The capacity to motivate community participation, in this case, taking account of diversity and differential approach in the group represented.
- The ability for organization and teamwork, facilitating the definition of objectives, a systemic view of problems and solutions, the establishment of channels and codes of communication, and finally, an assertive distribution of responsibilities and activities within the community.
- The capacity to articulate with other community groups.
- The ability to influence action to strengthen collective identities that seek reparation and transformation of a shared context.
- The ability to encourage the discovery of other BGA leaders or peer facilitators of processes.
- The ability to encourage spaces of participation which will influence issues within the sphere of action, through interrelationships and negotiation with State entities and other actors of civil society.
- The capacity to influence in the raising of levels of assistance and inclusion of members of the community that they lead.
- The ability to capture and manage resources and manage them efficiently, and in the case of the BGA, capacity to exercise oversight, monitoring and follow-up of the use of resources.

These points reflect the abilities which this Guide proposes should be part of formation and specific training to encourage active participation by leadership, in order to promote social mobilization.

³⁵ Vargas Emigdio Antonio, powerpoint presentation LIDERAZGO COMUNITARIO, Venezuela 2010



2.3.5. SOCIAL MOBILIZATION.

For this Guide, social mobilization is a product of the encouragement of effective and influential participation, fostered by collective leaders who have underpinned a participatory process of collective action among social groups of survivors. They are designed to promote, contribute to and move forward in alternative proposals and alternative critical proposals which will help to improve social order with justice and equity; and at the same time, the creation of strategies which create synergies between local and global action and between individual and collective needs, including those of diversity and plurality.

The fostering of these elements among BGA victims is a task for the "grownups", and the society which is involved in these issues. The road is long and in the process of development, but it merits a community of action against mines which is aware, informed and comprehensive, working for common goals, and able to form groups which move forward in community projects that produce influential mobilizations recognized by other sectors in Colombia and abroad.

Social mobilization is a means³⁶ and a tool to promote social transformation, and contribute to it and drive it forward. It is a tool to secure equality of rights and solidarity (...). Social mobilization is a collective action in which information and prior formation plays an important role, for collective protection to be able to take place and to produce collective positions and arguments.

Another substantial element is networking, the creation of alliances, the fostering of synergy, in order to avoid the splintering of objectives which may mean losing sight of common goals through systemic and strategic visions.

The most important point about social mobilization is not its public manifestation, but the collective process which goes on within the community, creating ties of solidarity, affection, loyalty, and recognition; and that, in the last analysis, is what contributes to the generation of a critical mass of individuals, the generators of reparation and transformation.

UNICEF³⁷ has referred to the component of social mobilization as that which aims to act on those things which the public and the institutions consider unacceptable and intolerable, that is, situations that affect a guarantee of the rights of children, the rights of BGA, and promotes their comprehensive protection. It is expected that reference-points of rejection and denunciation will be built up, to deal with situations which impair children's rights, such as child labour, violence, the commercial sexual exploitation of BGA, the recruitment and use in criminal groups, amongst other things, which are a complement to civic agreements to guarantee their rights and the promotion of their development. At the Geneva Workshop it was reported that there was an increase in the numbers of BGA landmine victims who had become disabled and were more exposed to all the circumstances mentioned, and it is therefore necessary to increase actions in comprehensive protection. There is a need for a strong mobilization of society in general to provide a decisive rejection of the situations of re-victimization.

³⁶ Red de educación para el desarrollo y educación popular de organizaciones de América Latina, África, Asia y Europa. POLYGPNE 2008

³⁷ UNICEF. Working for and with adolescents, 2002



In UNICEF, social mobilization has been defined as a process which involves and motivates a broad section of allies at national and local levels, with regard to raising levels of awareness and demanding the achievement of a defined development objective through personal dialogue. As part of this process, the members of institutions, community networks, civic and religious groups, and others coordinate and collaborate to set up dialogues with specific sectors of the population to whom they wish to direct specific messages. In other words, the objective of social mobilization is to facilitate change through the action of a number of leaders of interrelated and complementary efforts.

2.4. THE STATE.

Given its evolution over time, the State has been the object of constant analysis, and this has meant that many scholars differ on its conceptual base. Since this Guide does not have the room (or the intention) to mount a debate on the current formal concepts of political science, we understand the State broadly to be "a particular type of governing political organization, characterized by the element of territoriality, and by the existence of an administrative organ which monopolizes the legitimate use of physical violence" (Weber, 1968), and that it has the capacity to establish rules which will govern life in society, through the government apparatus.³⁸

This definition entails the need to draw an immediate distinction between State and government, both terms used constantly here, and which on many occasions tend to be confused with each other. The government is not the same as the State. The government is transitory, it changes, and is transformed, while the State remains the same. In general terms, the government is the structure which exercises the diverse activities of the State, commonly called State powers (state functions). Better said, it tends to identify itself with political activities, since it is composed of a set of individuals who possess the temporary authority to direct, administer or manage the State.

Based on this distinction, we should emphasize that when we refer to "State policy", we refer to policies which are permanently implemented, so that they will last over time, without being affected by one or more changes of government and administration. Therefore, "government policies" are those which reflect the particular interests or criteria of a given government, and they are valid as long as that government stays in power.

For all the foregoing reasons, we can determine that in addition to the fundamental role played by the dimensions of *family* and *community* in the guarantees of the rights of BGA landmine victims, the State - through the government apparatus - becomes a highly relevant actor. Its status as the authority to establish the rules which govern life in society, through the government, makes it the principal guarantor of the rights of its citizens, obviously within the context of a set of responsibilities shared with the family and the community.

Therefore, for a right to be materialized, it needs a holder - the person who exercises it - and a guarantor, who is responsible for seeing that it is protected by the various parties responsible, and

³⁸ Understood as legally defined institutions that form the State and instruments available to those in government to influence the governed.



oversees and inspects it to ensure that it is not violated. In the case of the BGA landmine victims, the holders of the right are the BGA, and the scope of their title to it, is defined by international regulation, as interpreted by governments in State or government policy. For example, the international Convention on the Rights of the Child of 1989, as the main instrument in this matter, has encouraged States party to generate a series of initiatives in regulation to ensure that the principles established in it are observed.

This demonstrates the importance of the State in assistance and attention to BGA landmine victims. So, this Chapter will evaluate three variables identified at the Workshop, which are of vital importance when seeking a deeper understanding of the dimension of the State as a vital element in the guarantee of the rights of the BGA, with actions in reparation and transformation, which will lead to better welfare and quality of life for them.

First, planning and governance are a process of advance decision-making to achieve some desired future, taking account of the present situation and internal and external factors that may influence the achievement of objectives set. This brings to prominence thoughts about the participation victims in the processes of State planning, before, during and after policies are drafted. At the same time, and to generate an initial conceptual framework, the principles established in the word *governance* will be analyzed in general terms. This implies recognition of a transparent and participatory State that works to combat corruption, and that establishes State policies based on the overriding issues of life in society.

The second variable will address the analysis of the principles of shared responsibility, in which both the family and the community, as well as the State, play a decisive role in the assistance and attention to BGAs, working for improvements to their quality of life. The primary responsibility for ensuring that this right is materialized for its citizens lies undoubtedly with the State: all the same, it is an exercise shared with the family and the community. By accepting the Convention and the Universal Declaration of Human Rights, States expressly committed themselves to guarantee, promote and oversee human rights.

Finally, in discussing the variable of synergies, we will see how joint work implies the development of actions through the work of two or more public or private actors, on the understanding that when they act together the impact of their actions will be greater than if they did not. From the field of sociology, for example, synergy is normally applied to the dynamic relations between nations, or social classes, or individuals. There has been a wide of initiatives, for which efforts are made at implementation in governments, in order to achieve internal synergies. But initiatives of this kind are not possible if the work with other actors is not strengthened.

In synthesis, the State's guarantee of rights implies that the State, through its government administration, has a responsibility to direct the provision of services required, ensuring that they are universal; and to enable the family and the community to perform its complementary responsibilities; to oversee the exercise of rights, and to create mechanisms for restoring those rights where necessary. It is highly important that this Guide should motivate governments to generate state policies that will be maintained beyond their own terms of office.

2.4.1. PLANNING AND GOVERNANCE.



Planning has been a constant object of study by a wide range of authors. In this Guide, it is defined as "process of an early decision-making to achieve a desired future, taking account of the present situation and internal and external factors which may influence the achievement of objectives set." (Russell, 1970; Jiménez, 1982). This means that planning is a process with three defined moments: before, during and after. In other words, it is an attempt to plot a better course, with premeditation, leading from the present, and intended to obtain or prevent some specific future state of things. Therefore, planning optimizes public spending at the same time as making the actions of the State more efficient and more effective as a promoter and agent of the guarantees of the rights of citizens.

With regard to assistance and attention for BGA landmine victims, this simple definition is significant to the extent that it is equivalent to decision-making, attempting to design and implement policies, plans, programs and projects to achieve desired objectives. It takes place in the context of a budget, defined in advance by the planner-State, which should work for the welfare and quality of life of the victims. Planning, in public terms, therefore becomes a fundamental element in the guarantee of the rights of BGA victims and their families, with actions in design for operation and transformation of their lives.

Nonetheless, decision-making cannot be the business solely of the State through the government apparatus. Rather, it is a joint and participatory process involving the victims themselves and their families. The benefits of participation with the direct beneficiaries, working through "bottom up"³⁹ approaches, have been widely described in many theoretical fields: its emphasis is on issues related to transparency, sustainability, the effectiveness of decision-making, and so on. Therefore, from the practical point of view, Chapter 2 of this Guide explained how international experience has shown that family participation in the drafting of policies, plans, programs and projects empowers the individual and contributes to individual and collective reparation.

While some countries have made progress in this field, these same experiences made it possible to see how there are still major challenges to involve the family in decision-making, and particularly, to involve the BGA, since they are usually not taken into account.

Given that decision-making and planning are vital elements of its content, the use of the term "governance" may act as the basis to establish a conceptual framework in relation to the importance of the State as a systemic dimension of assistance and attention to BGA victims. This Guide is not intended to start a broad political or theoretical debate in relation to the term, but will use it in its basic sense, as a conceptual reference point for the preparation of national protocols.

Although governance as a concept is the product of a constant academic debate on the transformation of the State, and of analytical and prescriptive discourse on the part of a range of

³⁹ The "bottom-up" approach means that local actors participate in decision-making and the selection of priorities to be pursued locally. Experience has shown that this approach should not be considered as an alternative or counter-proposal to the "top-down" approach of national or regional authorities but rather a combination, acting with them in order to achieve the best overall result.



actors, it would be important to note that its use and applicability has become a significant focus of study in public administration and public policy. For the United Nations, the spirit of the concept is so significant that it has forged a term which makes a distinction between two types of governance: on the one hand, good governance, and on the other, Democratic governance⁴⁰.

According to the United Nations, *good governance* "promotes equity, participation, pluralism, transparency, the responsibility and the rule of law, so that it is effective, efficient and lasting (...) The greatest threat to good governance combats corruption, violence and poverty, all of which weaken transparency, security, participation and the fundamental freedoms" (in Sen's terms, capabilities). For its part, democratic governance "fosters development, dedicating its energies to influencing tasks such as the eradication of poverty, the protection of the environment, the guarantees of gender equality, and the provision of sustainable sources of subsistence. It guarantees that civil society can perform an active role by establishing priorities, and making the needs of the most vulnerable sectors of society known."

So, according to this approach, governance is an ideal of governability, which entails an approach to the individual by the government apparatus, strengthening its legitimacy through the establishment of strategies based on the knowledge of the direct beneficiaries of policy. If they involve landmine victims and provides them with the possibility not only of having a voice, but also that the voice will have an effective influence on decision-making, policies, plans, programs and projects will have greater possibilities of being successful, and "will bring significant achievements in government policy" (Goldfarb and Henriksen, 2002), which in turn will favourably affect welfare and quality of life.

So, what is required is that actions be designed for governments to invest in national policies in the context of participation and transparency, through the use of national planning tools.

One of the most important instruments of policy planning is the National Development Plan, which becomes the tool for programming, because it establishes a guideline for action by government and the local populations. Some define it as a social pact between the community and the State for planning the development of countries. Therefore, it contains a plan for the government which those in power will develop during their period of office with policies, plans, programs, projects and goals to be achieved. Therefore, the national development plan should consider the issues of assistance and attention to BGA for the allocation of budget funds. With actions like this, the welfare and quality of life of children will be possible.

In the spirit of governance, the drafting of these plans suggests a transparency of process which combats corruption in some countries, and helps to optimize and allocate the use of public budgets (this indeed, was an transcendental issue that came out of the Workshop). Therefore, the State-led planning, which involves the landmine victims helps to generate synergies between actors and needs, give continuity to processes, take advantage of the knowledge of the individuals, and to understand people's needs. In time, it will also legitimize actions (transparency and accountability), and strengthen the creation of government alliances with the community, families, victims, and other relevant actors.

⁴⁰ Also, in some literature, 'good government' (good governance) and governance (democratic governance)



All of this suggests that governance is not a matter solely for State actors, but also involves a series of representative actors, whose influence on decision-making is significant. The international community is one such actor. Later in this Chapter, we will see how the complementary and decisive support of international cooperation is fundamental to the achievement of goals established in these instruments of participatory planning.

Therefore, this Guide seeks to contribute to the development of actions by the States party to the Ottawa Convention, designed to guarantee the right and duty of participation not only of families in general, but also of BGA landmine victims and their families in particular, in the planning of policies, plans, programs and projects which are of interest to them. It stresses the need to involve children and young, in decision-making for the design of strategies intended to provide functional and appropriate rehabilitation, through participatory strategies. This implies strengthening and creation of national strategies intended to implement appropriate methodologies for participation by direct and indirect victims, matching their stage in the life-cycle, and based on their heterogeneity.

In this way, the actions led by the government apparatus to secure the participation of the victims in the planning processes must promote transparency and shared responsibility as mechanisms to combat corruption, violence and poverty, and at the same time, foster national development. Likewise, it is of the greatest importance that government action, generally expressed in government policy, will be translated into State policy, enduring over time, and with continuity of process. This implies the recognition of assistance and attention to BGA landmine victims as an overarching issue on the public agenda, as a continuous, non-temporary policy. This will make it possible to work for the guarantees of the rights of this important group in society, to make action more effective and enduring over time.

2.4.2. SHARED RESPONSIBILITY.

It is not only the State, as the governing political organization, that is responsible for working for the welfare and quality of life in processes of assistance and attention to BGA landmine victims, in the context of transparent and participatory governance. The family, the community, and indeed international cooperation, are responsible too. That is to say, every citizen (from the range of systemic dimensions presented here) has a degree of responsibility with regard to the guarantee of the effective enjoyment of rights.

As noted, important links and ties are formed from the basis of the family to provide reparation to the BGA landmine victims, strengthening capabilities to improve their welfare and quality of life. On the basis of the community, actions designed to generate the victims' inclusion in different spheres of life are strengthened. And the State allocates budgets and designs policies, plans, programs and projects involving the BGA victims and their families. All of this, brought together, means the recognition that actions must be implemented in articulation between these various *Dimensions*, and designed to generate welfare for the BGAs and improve their quality of life as victims.

Therefore, if we are to understand shared responsibility as a variable characteristic of the



Dimension *State*, an analysis needs to be made from three points of view. First, from that of the primary responsibility of the institutions forming the State in respect of guarantees of the rights of victims, the protection of their lives and processes of comprehensive rehabilitation. Second, there is the role which the family and the community must play by working with the State in processes of reparation and transformation of this important group in society. Third and last, there is the complementary role of international cooperation as donor, which contributes to the strengthening of policies, plans, programs and projects emanating from national development plans and cooperation strategies.

The first of these three approaches intrinsically suggests a strengthening of articulation and coordination of the institutions forming the government apparatus. It is not only the responsibility of a specific entity to work for the guarantee of the rights of BGA landmine victims, leading to reparation and comprehensive rehabilitation, and facilitating improvements in welfare and the quality of life. Given the BGA's stage in the life-cycle there are a number of institutions with different fields of competency to perform articulated work. Therefore government sectors as important as health, education, recreation, sports, social integration, culture, justice, and others, are involved, depending on the various social and political context of the country. Therefore also, the need arises to generate strategies to coordinate government agencies, which must act within their fields of competency to develop action actions with shared responsibility to provide reparation to BGA victims and their families.

Further, with regard to tripartite shared responsibility (family-community-State), we must make reference to the 1969 American Convention on Human Rights, and to the 1989 Convention on the Rights of the Child. The former, in Article 19 states that "*Every child has the right to measures of protection which his condition as a minor requires from the family, society and the State*"; and the latter, in Article 5, states that "*The States party will respect the responsibilities, rights and duties of parents, or as the case may be, of the members of the wider family and community, as established by local custom (...)*" No doubt, many local regulations on this matter provide for this shared responsibility. Therefore, these two examples of international norms show us how the various actors form the systemic dimensions analyzed in this Guide, have some degree of responsibility in the systems and attention to the BGA victims.

Finally, with regard to international cooperation⁴¹, the Ottawa Convention indicates the importance of the help which can be supplied by States party in the assistance and attention to victims. Article 6.1, states that "Each State Party has the right to seek and receive assistance, where feasible, from other States Party to the extent possible.

And in Section 3 of the same article, we find: "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 and for mine awareness programs. Such assistance may be provided, inter alia, through the United Nations system, international, regional or national organizations or institutions, the International Committee of the Red Cross, National Red Cross and Red Crescent societies and their International Federation, non-governmental organizations, or on a bilateral basis."

⁴¹ Understood as different actors such as donor countries, bilateral and multilateral organizations, and local and foreign NGOs



Likewise, it is worth mentioning the Declaration of Paris (2005), the main document dealing with international cooperation, which establishes a spirit of mutual responsibility between donors and partner countries⁴². It recognizes the complementary role of actions taken by States in particular issues, and both partner-countries and donors undertake to "jointly assess through existing and increasingly objective country-level mechanisms, mutual progress in implementing agreed commitments on aid effectiveness, including the Partnership Commitments" (Article 50). This declaration offers a highly significant interpretation, since the role of international cooperation goes beyond the disbursement of funds for specific projects, and places it in a scenario of shared responsibility and involvement, such that it leads to complementary actions to secure the rights of BGA's.

A reading of the Ottawa Convention and of the Declaration of Paris enables us to identify how the various actors engaged in international cooperation are called upon to encourage actions designed to influence public policy and the allocation of resources within political, social and economic institutions and systems. This means that they must engage political influence so that the issues which interest this Guide should be included in government agendas and in State policies to secure stability and sustainability (politically, this is known as *advocacy*, and was frequently referred to during the Workshop).

Based on the foregoing, we should note that this Guide seeks to evidence the shared responsibility which the various actors have in matters of assistance and attention to BGA landmine victims, in order to identify supporting networks which will contribute to their welfare and quality-of-life. If we ignore the scope and importance of shared responsibility in play in the various spheres of society, there will be indifference, and the entire blame for the impairment of BGA's rights will be heaped on the State. The situation is different when all actors know and recognize the level of their commitment and their responsibility as part of the solution.

2.4.3 SYNERGIES

In the variable of shared responsibility, the apportioning of responsibility between the family, the community and the state has been clearly defined within the process of assistance and attention, along with the role played by international cooperation in securing the objective. This means joint work aiming for joint results, with the intention of improving the conditions of life of the BGA victims. Therefore, its analysis should be closely linked to the synergies developed among the actors.

The word *synergy* is derived from the Greek "*syn*" (with, together) and *ergon* (work). It implies the development of actions in the work of two or more public or private actors, on the understanding that if they act together, the impact of their actions will be greater than if they did not. In the field of sociology, for example, it is normally applied to the dynamic relations between nations or social classes or individuals. There are a range of initiatives that governments have tried to implement in order to secure internal synergy, but these activities will not be possible if work with other actors is not strengthened.

⁴² The Declaration understands "partner-countries" as the countries receiving official development aid.



In this line of thinking, we should make a brief analysis of the synergies from the same points of view analyzed above, that is, first, from the primary responsibility of the institutions forming the State; second, from the role which the family and the community have to work with the State in achieving processes of reparation and transformation of BGA victims; and third, from the complementary role of international cooperation, for policies, plans, programs and projects emanating from development plans, and aligned with national policies.

It is of the greatest importance that the various agencies forming the State apparatus should generate synergies that will work for articulated action in reparation and transformation of the lives of BGA victims. As noted, and given the point in the life-cycle of the which BGAs have reached, there is a series of institutions with different fields of competency in sectors such as health, education, recreation, sports, social integration, culture, justice, and so on, who all need to work together. Therefore, in the context of the principles established in the term *governance*, the institutions should work for synergies which will lead to greater and better efficiency in the use of resources.

Synergies are fundamental and necessary in the role of the family and the community for their work with the State in processes of reparation transformation for BGA victims. It is in the family that the values which guide the behaviour of subjects in the community are constructed, and this means that the involvement of the social organization in participatory processes with other members of the community is highly significant for the welfare and quality-of-life of the young. And further, and again applying the principles of governance, in addition to the State guarantee of the right of civic participation, joint work should be strengthened in spaces for decision-making that involve BGA victims and their families, through appropriate methodologies.

Third, observation of situations in other countries shows that if a very large number of different actions aim at the same objective, the result usually tends not to generate the desired impact which joint work could achieve. Therefore, applying the principles of harmonization and alignment (Declaration of Paris, 2005), both donors and partner-countries must engage in joint work which whose result is the development of policies, plans, programs and projects addressing the same objective, and following the guidelines established by the receiving countries, based on the identification of their own needs.

Given the particular dynamics of the various States party, these synergies may be deeper, and may merit a fuller analysis. Therefore, it is precisely in the development of the national protocols for assistance and attention to BGA victims that this analysis must be more specifically made, with deeper penetration of issues relevant to such national contexts.



CHAPTER 3

DIMENSIONS, VARIABLES, AND THE FLOW OF ATTENTION FOR BGA VICTIMS

Survivors of a landmine accident most probably suffer from physical injuries which bring with them some very important psychological and social effects. A large percentage of BGA cases are disabled, causing them major difficulties in relation to others, and daily life; and in many cases, they also have to face social stigma, rejection, and exclusion.

Survival of the explosion of a landmine has consequences much greater than overcoming a physical loss, which has been described as equivalent to losing a husband, wife, or a child. Further, society often makes that trauma worse, in a number of ways - casting blame on the victim himself, expressing fears and superstitions, casting horrified looks at the sight of a body with a disability, and considering the victim to be an inferior person in all ways. Therefore, in addition to the requirement of medical care to deal with a permanent disability, the landmine victims also need support to be included in society, which in many cases rejects them.⁴³

The biopsychosocial impact on a person in the face of a "traumatic" event such as a landmine accident will depend on the contribution of three elements: the type of event, its subjective nature, and the response of institutions, the community and the family response to that situation. Therefore, one cannot be sure of an identical reaction by all subjects to the same event. However, it is possible to secure a perception of "a change of life", which in most cases means that there is a detriment to personal, family and community life in conditions of dignity⁴⁴.

There are responses to the experiences in relations with the family, the community and institutions; it is a social dimension of impact, which is interlaced with the psychological or "intimate" dimension in relation to the particular interpretation of the event and its consequences to the body, relationships with a partner, relationships within the family, and so on. An abrupt change in the body produces a psychological response with regard to one's own body, and "the social body", which is so named by others, that is, the social status of the body as "disabled".

The family of a person who has suffered a landmine accident is affected by a "moral" feeling, since they have become yet another victim of armed confrontation; and there is a pragmatic effect too, since the daily routine which offered security and trust has changed; the change of gender roles, and emotional strain, for example. In work with the victims, the work of the family and with the family is crucial. They are living through an unexpected crisis, which requires a process of making forced changes, and gaining the strength needed to move forward along the new course in life. Also, the attitude of the family is crucial to the physical and psychological recovery of the person who has survived the accident.

⁴³ Handicap international. Landmine victims assistance. Word Report 2002 op cit.

⁴⁴ Suarez de Toro, Juan Manuel. La protección especial de las personas con discapacidad por el derecho internacional humanitario, 2010.



The stigmatization and re-victimization are social and institutional mindsets and practices which are recurrent among the victims of violence and armed confrontation. Their new situation is subject to a sort of moral suspicion, in which the entire responsibility falls on the victim, shutting out or losing sight of the structural dynamics of war. A survivor also faces a sort of judgment as to whether he is really in need, or just an impostor-beneficiary of policies for attention and reparation. Ignorance or indifference of the approach on rights leads to new violations of rights and dignity. It has been seen that these social and institutional practices in turn promote a person branded as a victim (victimized), as an alternative solution to efforts to make his suffering socially valid.⁴⁵ Therefore, flows of assistance for BGA victims must be designed from the moment of the accident until they have psychosocial assistance and inclusion into education and production is completed. This flow should include the activities to be undertaken in each stage, the entities responsible, procedures, and benefits for survivors.

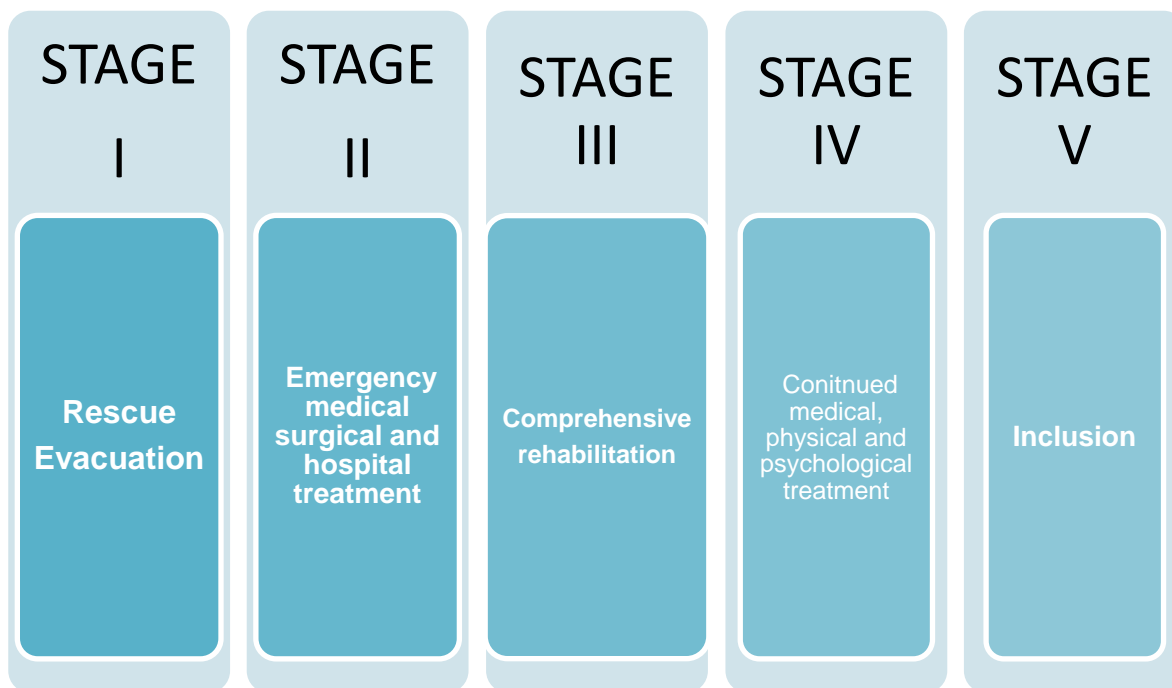
In the context of the effective enjoyment of rights, comprehensive assistance to BGA victims is an element which goes beyond an offer of medical and surgical services, rehabilitation, psychosocial treatment, education, etc.. It should become a scheme for overcoming the disadvantages derived from landmine accidents, which are an obstacle to human development, that is, for access to fundamental rights.

For this Guide, an attempt will be made to match the stages of the flow of assistance and variables to be taken into account, so that the approach of assistance will be systemic and not fragmented by existing offer, but as a minimum common standard which would serve as a starting-point in the preparation of local assistance procedures.

The following is a proposed flow diagram for assistance for BGA victims.

⁴⁵ IMAS 04.10 2nd Ed, January 1, 2003. Norma 3,226

FLOW OF COMPREHENSIVE ASSISTANCE FOR BGA LANDMINE VICTIMS.



➤ STAGE I

○ RESCUE

From the *Dimension* of the BGA, particular attention must be paid to physical integrity, because those around them must secure integral protection for the exercise of their rights in the context of psychosocial attention for the survivor.

Rescue manoeuvres must be framed in terms of appropriate attention by the family or the community, that is, the formation of the "First Responder", becomes particularly important. The minutes or hours of care for the BGA become the difference between life and death; and in the case of survival, they also become the difference between amputation and a wound, and the consequences of a disability.

In relation to the *Dimension* of the **family, capabilities** must be created to take up the accident from formation as *First Responder*, and the family must receive emergency psychosocial attention, to be able to assume the shared responsibility for the comprehensive protection of the BGA.

The **community** must be formed as a **First Responder** in pre-hospital attention, and as part of the preparation for these events the community must have information and knowledge of the flow of



attention, the agencies responsible for each phase, and the mechanisms of communication to contribute to the management of information in each event. Also, as part of the preparatory actions, of the community working through **community leaders**, support groups must be formed to manage these contingencies.

The State must generate programs for the formation of First Responders, with work on synergies with local government and rescue centres, and the generation of projects to potentiate them, and the design of rescue procedures for BGA.

- **EVACUATION.**

Here, time is the worst enemy of the prognosis for a BGA victim. Assistance at the time of evacuation should be given by pediatric specialists, with physical resources suited to the age of the child or adolescent. Special care should be given to the **protection of personal integrity** and the maintenance of stability in vital signs, until arriving at a centre of assistance. The BGA must receive emergency psychosocial social attention, and priority should be given to his assistance over and above older people.

The family. Must work for the **comprehensive protection** of the BGA, and receive emergency **psychosocial attention**.

The community plays a fundamental role in the follow-up of the management of information and reference and counter reference of the victim.

The State must have pediatrics specialist at hand for appropriate treatment, with responsibility for the follow-up and monitoring of the victim from sources in the area. At government level, there must be planning and a design of a budget for programs, projects and procedures for evacuation of BGA's.

- **STAGE II**

- **ATTENTION TO EMERGENCIES, AND MEDICAL, SURGICAL AND HOSPITAL SERVICES.**

BGAs: Pediatric specialist attention and assistance following prepared procedures, to incorporate early diagnosis of the consequences of injuries caused by explosives, stabilization, appropriate diagnosis, psychosocial attention, comprehensive protection, information on procedures and prognosis.

FAMILY: Generation of capacity for decision-making to match the situation, roles, psychosocial attention and the generation of strategies for physical and mental health for the carer, work on family cohesion.

COMMUNITY: Work on strengthening of the social fabric, networking, community accompaniment of the family affected, collective mindsets.

THE STATE: Design of procedures to attend to emergencies, surgical care, and for the pre-prosthetics stage of the victim in each stage of the life-cycle. Strengthening of reference and counter reference, and budget planning for assistance and attention to BGA victims.



COMPREHENSIVE REHABILITATION.

BGA. Functional rehabilitation process, for the prosthetics and post-prosthetics stages, delivery of best- quality technical assistance to match the victim's lives cycle, specialize pediatric attention at rehabilitation centres, information and participation in the treatment and achievement of targets, psychosocial attention.

FAMILY: As this is a long-process, work must be done on family cohesion, with management which matches roles in the generation of capabilities for the care of the BGA affected, and for the physical and mental health of the carer. It is important to work for the **participation** of the family in targets for the treatment of the BGA, and need to be informed of progress and the prognosis indicated for the victim.

COMMUNITY: Work in the strengthening of **social fabric** through networking, community accompaniment of the family affected, and **collective mindsets**.

THE STATE. Design of intersectoral models of comprehensive rehabilitation, generation of procedures for the care of BGA, **budget planning** for attention in comprehensive rehabilitation and continuity of treatment throughout the life cycle.

➤ STAGE IV

○ CONTINUED ATTENTION

The success of this Stage lies in the follow-up on monitoring of the evolution of BGA victims for a change of technical aids, and for surgical and medical attention, corresponding to their life-cycle.

The institutional offer for this should be available close to the place of residence of the BGA. This assistance must be given with the quality and special skills necessary for an optimum evolution of the consequences of the accident.

Here, the State plays a fundamental part in this stage, since its policies for assistance and attention to BGA victims must guarantee continuity of services and their quality.

➤ STAGE V

○ INCLUSION

This Stage brings together all the variables mentioned in this Guide, in order to secure the inclusion of the BGA in education, the family, the community, and in productive and social matters. The State has an obligation in the achievement of this objective, to engage in participatory exercises in order to arrange work with shared responsibility for the construction and implementation of public policy, which will allow the establishment of plans, programs, projects and procedures, and set up installed capacity in the various communities in order to make action plans sustainable, as proposed for the benefit of the total inclusion of the BGA affected.



The Stages should be worked on in terms of respect for the cosmic visions of the local people, without forgetting the transverse nature of the focal points expounded at the beginning of this Guide.



CHAPTER 4

FOLLOW-UP, MONITORING AND EVALUATION

We have so far highlighted the way in which the Geneva Workshop enabled four major *dimensions* to be recognized, as forming the fundamental basis of an analysis of assistance and protection for BGA landmine victims. These are: BGA, the family, the community and the State. Further, the Workshop identified a series of variables, which comprise each *Dimension*, based on the experiences indicated, and made them operational.

However, the exercise cannot be said to be complete until a line has been established for follow-up, monitoring and evaluation. Parameters need to be set for the elements identified in the workshop to be incorporated into the preparation of national protocols, and the basic tools must be in place to make a prompt definition of adjustments needed. Therefore, this Chapter presents some general guidelines to approach the point, to serve as a baseline for each State to be able to adapt them to its particular contexts.

For this guide, follow-up and monitoring are understood to be two interdependent concepts, which are complemented by an evaluation to be applied with at a prudent time after implementation and initiation of the procedures and of the policies, plans, programs and projects eliminating from them.

According to UNICEF:

Monitoring is the routine follow-up of priority information of a program, its progress, activities and results. Monitoring tries to answer the question "what are we doing?", while evaluation asks "what did we do?". The combination of information is a normal aspect or part of the daily work of the monitoring process. Monitoring tracks inputs and products through a system of recording, reporting, observation and enquiry (...). With this, it can be established whether the project or program is being executed as planned. The information compiled is used to take decisions designed to improve management and execution of the project⁴⁶.

Among the many issues which will no doubt generate national debate at the time of identifying the most appropriate way to translate these guidelines into specific actions in follow-up, monitoring and evaluation, the following are proposed here:

First, it is imperative to develop social indicators, understood to be *instruments for the measurement of welfare* (ECLAC: 2005). There are a number of approaches to the notion of welfare which condition the design and use of the type of indicator, and which may be analyzed and discussed in terms of national context. However, as noted in the earlier Chapters, this Guide proposes that they be understood on the basis of the contributions of Nobel economics prize

⁴⁶ Fragment from IMAS Educación en el riesgo de las Minas Guía de Mejores Practicas (UNICEF 2005)

winner Amartya Sen⁴⁷.

The design and implementation of these instruments of measurement enables us to improve our knowledge of different aspects of the life of BGA victims and their family and community surroundings, and in terms of government, or of the changes which are taking place. Therefore, the information obtained in the social indicators will help to provide solutions and decision-making in matters of public policy supported by empirical evidence, and intended to secure the effective enjoyment of rights.

Chart I presents an example of the general characteristics which the social indicators might have, based on a defined variable in assistance and attention to BGA landmine victims.

Chart I- Indicators of assistance and attention for BGA landmine victims.

BGA	Participation	<ul style="list-style-type: none">• Recognition of the differences between individual BGAs based on life cycle, age, gender, ethnic group, race, culture, etc (differential approach)• Recognition of participation as a civic right.• Involvement of BGA landmine victims in the scenarios of discussion and decision-making
family	Participation	<ul style="list-style-type: none">• Recognition of differences between individual BGAs, based on their life cycle, age, gender, ethnic group, race, culture, etc (differential approach).• Strengthening the victims associations.
Community	Participation	Community support networks for families affected by landmines.
The State	Planning	Principles of governance and participatory planning. Strengthening and creation of scenarios for community discussion with an influence on policy decision-making.

Second, the strengthening and development of **National Information Systems**. In other words, there must be a set of elements which allow the set of data forming the information required to engage in specific aspects of decision-making, to be compiled, managed and handled⁴⁸.

The range of literature on this matter agrees on the identification of four basic activities in Information Systems:

⁴⁷ Sen says that individuals are in continuous interaction, changed by preference and complying with moral and cultural obligations imposed by their beliefs; and may have reasons for pursuing objectives other than their own welfare. Quality of life, he says is not determined by “profit” but by capabilities, the characteristics of the person that allow him to “function” in the world and attain a fuller life.

⁴⁸ An information system performs 4 basic functions:

- Information input. The system acquired the information it needs.
- Information storage. In computer or physical files, to hold the information
- Information processing. Transformation of stored information into information useful in decision-making
- Information output: a capacity to produce processed information or export information inputs



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This requires the establishment of specific modules to perform follow-up and monitoring of the conditions of BGA after an accident has occurred, among both the direct and the indirect victims. In this way it will be possible to work for the guarantee of their rights - in the context of the principles of shared responsibility - depending on their life cycle, and on the flow of attention being given. This will help to produce an evaluation at any given time of the conditions of life of BGA victims. It is important that this Guide should motivate not only the creation of the National Information Systems for follow-up, monitoring and evaluation of BGA, but also be available to international information systems. In this way, the world may have an information system which will record both new cases and world statistics with the support of the international community.

Finally, **costs and expenses**. In the field of administration and management, costs can be understood to be the disbursements incurred in the process of making a product or the provision of service (raw materials, and piecework, salaries, public services); and expenses are identified as the disbursements incurred by the administration of a company (stationery, telephones, maintenance, training). Likewise, an expense is an outflow of money which is "not recoverable", unlike costs, which are. This is because the outflow is intended to obtain a return, and this makes it an investment which is a recoverable outflow of money, but one which obtains profit.

From this point of view, it would be worth analyzing costs and expenses from two points of view: as costs and expenses which are generated by the implementation of a model of follow-up, monitoring and evaluation for national protocols (and the plans, programs and projects generated by them); and as costs and expenses that contribute to the comprehensive development of the BGA, and the guarantee of their rights.

The first of them refers to the use of economic resources, so that human resources can design and implement a model for follow-up, monitoring and evaluation in their information systems (or implement a system, if none is available), to match needs. They provide a constant observation of the situation of BGA landmine victims and the possibility of making updates and changes. Here, it is highly important to have the support of international cooperation both in terms of resources, and in the exchange of significant experiences on the subject.

The second category seeks to implement a module which will enable contributions to be made to turn expenses into costs, in order to improve the conditions of life of the BGA. In other words, Information Systems possessed by States party and other actors can offer with the possibility of making analyses and evaluations as to how the expenses generated by a landmine accident affect the life of BGA directly or indirectly (prosthetics, special health services, education, recreation and sports), and how they can be turned into "recoverable" costs (including access to inclusive education, spaces for recreation and sports, programs that facilitate the social inclusion of BGA and it his family, amongst others).



This is undoubtedly not a minor issue, and it implies that countries will need to discuss and analyze it. Therefore, what this Chapter presents is intended to motivate these discussions, so that they can be reflected in State policy to guarantee the sustainability of action, all in accordance with the context in which this Guide can be turned into protocols for assistance and attention to BGA landmine victim.



CHAPTER 5

CONCLUSIONS AND RECOMMENDATIONS

This guide for comprehensive assistance to BGA landmine victims has enabled a general and overall diagnosis to be made of the situation. It has contemplated for dimensions, each with a series of variables, so that they will provide articulated orientation to the analysis of assistance and attention to those victims.

The exercise has only been possible as a result of empirical information shared at the Workshop with countries affected, and with relevant actors in comprehensive action against landmines; and of the review of literature which has enabled us to the dimensions and the variables identified, and make them operative. The findings offer the clear conclusion of the need to continue to join in national and international efforts addressed to the design and implementation of policies, plans, programs and projects that seek to improve the welfare and quality of life of the BGA victims, in the context of the principles established in the Ottawa Convention and subsequent Review Conferences.

Therefore, we here present a series of conclusions and recommendations in the hope that they will serve as a technical guideline for translating this guide into national protocols in their particular context.

Conclusions:

1. *BGA landmine victims must have equitable, differentiated conditions, appropriate to their ages.* Where the equitable conditions of intervention are not provided with different and appropriate actions for their situation and stage in the life cycle, their right to dignity, respect and the free development of their personality, to integrity, and to be heard, to participation and to comprehensive development are all impaired. This is tantamount to denying them the right to a better life and to grow up in a fair world: it will break up the social fabric, and therefore deny the possibility of achieving sustainable human development for the State.

2. *The generation of interventions must be appropriate to the needs of BGA landmine victims.* That means that interventions must start with reflections and analysis of the situation in which those involved live, and of the society in which the young in our countries are growing up, and the way in which this situation of violence marks a more difficult future for children and holds up their comprehensive development. It is not easy to change their surroundings, but preventive action and individual, family and general social interventions can be intensified, with the intention of minimizing the damage caused by the victimizing event, and providing the tools to transform whatever generates exclusion.

3. *Comprehensive assistance for BGA landmine victims must start from a greater understanding of social and economic conditions of exclusion and social marginality in which they live.* With this, it will be possible to specify the implementation of public policy, plans, social programs and



protocols to guarantee the effective enjoyment of life rights.

4. *The family plays a fundamental role in the process of comprehensive rehabilitation of BGA landmine victims.* International evidence showed how the family can become the main source of support or an obstacle on the road to the physical recovery and social inclusion of the BGA, affecting their comprehensive development.

5. *Landmine accidents can create links and ties of attachment and detachment within families.* In certain cases, there are situations of extreme overprotection which hamper the participation of the BGA in academic, social and sporting spheres, because the parents are afraid of potential discrimination. In other cases, there is internal detachment within the family, and between the family and the BGA, which may lead to abandonment.

6. *Landmine accidents entail a radical change of the roles of BGA.* In many cases, the direct BGA victim ceases to engage in recreational and sporting activities, and increases his use of television and other sedentary activities. And among indirect BGA victims, particularly the girls, there is a tendency to get to engage in domestic work and in caring for siblings. In both cases, there is a tendency to abandon studies, clearly impairing the right to education.

7. *The family has functionalities and capabilities that contribute to reparation and comprehensive rehabilitation of BGA victims.* These capabilities may lead to reparation and comprehensive rehabilitation, at the same time as providing improvements to welfare and quality of life.

8. *Victims' Associations or support groups are a tool for collective participation, and a mechanism for reparation and individual and family transformation.* The associations arise from the need of the families to look for spaces of participation in which they can have an effective influence to guarantee the rights of the BGA, and to improve their comprehensive development. Further, they seek to join forces in order to overcome the negative experience of the accident.

9. *The actions that generate the social fabric help to propitiate spaces of consensus and negotiation within the family as the primary unit, and subsequently through interaction with others, that is to say, in social groups such as those formed by the community with those that the boy or girl interacts.* Therefore, the family, the community and the State are perfect scenarios to potentiate proposals for self-determination and identify alternative solutions to the conflict; both of them will contribute to the transformation of social processes for the growth and development of BGA and the family in a just and equitable State for all.

10. *Actions with this BGA population must be addressed to inclusion.* In other words, actions must be designed to contribute to a life of dignity, and from that point of view, a life with equality and the freedom to choose what one wants to be and do, considering that this is a guarantee of differentiated treatment in accordance with each BGA's capabilities.

11. *BGA landmine victims with disabilities as active and not passive actors.* For the BGA population with disabilities, the BGA must be at the centre of efforts to construct inclusive societies, not only as beneficiaries, but also as agents of change. That is to say, the BGA must be uniquely qualified to provide information which will make it known whether their needs are being satisfied or not.

12. *The management of the crosscutting nature of disability among BGA requires an effort in the permanent intersectoral coordination between agencies, governments, the community and family.* This entails an understanding that there is a complex situation, in which the individual, his environmental and social conditions, and a plurality of actors in the State, the family and society are all involved. Comprehensive attention must therefore come from various sectors in order to avoid risks generated by that situation, and to provide structural solutions to the needs of the BGA in the context of human and social development.

13. *The State is the principal guarantor of the rights of BGA victims, in the context of responsibilities shared between the family and the community.* While the State has the primary responsibility of guaranteeing and overseeing the rights of BGA, there must be articulated work with shared responsibility in the dimensions of family and community. All of this together should work for reparation, welfare, and the improved quality of life of BGA victims.

14. *Planning and governance are the best expression of the participation of victims in the advance decision-making, for the design of policy, plans, programs and projects.* This implies the recognition of a transparent and participatory State which works to combat corruption, and establishes State policies based on the demands and needs directly expressed by landmine victims.

15. *The family, the community and the State, together with the support of international cooperation, must generate synergies to achieve common goals.* The action taken by the various actors all aim at the same objective, and so will tend to generate greater success in impact.

16. *Follow-up, monitoring and evaluation of the dimensions and variables proposed is fundamental.* In this way, it will be possible to control the dimensions and variables identified through the use of instruments and measurement and information systems.

Recommendations

1. To encourage the development of social projects in which children are the leading actors, and they are guaranteed the right to be heard and to participate as active actors.

2. One good point of help for the inclusion of BGA landmine survivors is to establish strategies for family development through the formation of productive networks so that adults can generate the income required to sustain the family, and open up more opportunities for the BGA.

3. It will be necessary to design and implement models of intervention with participatory methodologies for assistance to BGA victims to approach on the local context, and incorporate protective factors for protection and comprehensive assistance.

4. It will be necessary to stimulate participation of civil society, particularly BGA survivors, in decision-making in public affairs, and to support the social demands which require the effective observance of responsibilities and shared responsibilities generated for the effective enjoyment of rights.



5. A translation of the general guidelines given here into national contexts means that a reading has to be made of the family, from both the individual point of view and from the collective point of view. That is to say, the family must be seen as support for the process of assistance and comprehensive attention to the BGA, and as a victim of the accident to one of its members. And second, a reading must be made from the point of view of heterogeneity, in the context of the approach on rights: the subject must be broached transversely, from different angles. First, an analysis of the functioning of the family based on its structure as a social organization and the vital core of society. Second, the members of the family must be understood as collective but also individual subjects by reason of their particular characteristics. Third, it must be understood that the family is more than the sum of its members. The family is in itself different, given the functions, roles and behaviour that correspond to each of its members.

6. Psychosocial support must be supplied provided to all members of the family, allowing for individual and collective reparation and transformation.

7. There must be promotion and encouragement for the creation of schools and inclusive spaces of recreation and sports. This does not mean building more schools or more playgrounds, it means that existing spaces must be adapted to inclusive action working for the biopsychosocial welfare of BGA landmine victims and their families.

8. There must be promotion of the creation and strengthening of Victims' Associations, as a mechanism for participation by the victims, and for individual and collective reparation of members through work among equals.

9. Strategies for information, education and communications must be strengthened so that the community and families will appropriate them in the respect for and recognition of BGA victims, as subjects of rights and for the development of skills and abilities to intervene promptly and appropriately to the impairment of the rights of children with specific measures of protection.

10. A very powerful strategy to support interventions from the community is networking, which strengthens the social fabric, and also, the member-organizations become collectively capable of generating participatory processes, comprehensive visions, intersexual interventions, transdisciplinary approach, and interinstitutional consultation.

11. Work must be done to establish State policies in the area of assistance for BGA victims, involving the creation of plans, programs and projects with the greatest possible level of sustainability.

12. Harmonization of national regulations with the rights prescribed by the Convention on the Rights of the Child, and the establishment of national public policy for BGA victims, which may provide opportunities for education and work as a preventive measure against other forms of damage which they may cause.

13. Definition of public policy, plans, programs and projects addressed to the strengthening of the family as a unit of intervention and the central point of social and economic development, as the



base of the BGA population, and as the link to their community.

14. Stronger tools and mechanisms for participatory planning with BGA victims' families in policies, plans, programs and projects.

15. Design and implementation of appropriate methodologies for the participation of BGA in decision-making spaces.

16. Encouragement for complementary support with shared responsibility of international cooperation through the production of policies, plans, programs and projects in assistance for BGA victims.

17. Intervention in the education system is of vital importance, so that the institutional education plans (PEI) can potentiate an education for development, able to generate conscious attitudes of shared responsibility among the public, and the mentality that when a society acts to exclude groups or individuals, it is losing opportunities as a whole.

18. Design, implementation and strengthening of a line for follow-up, monitoring and evaluation of dimensions and variables identified. A useful tool must be designed and implemented for the monitoring and evaluation of observance of the rights of BGA, and allow follow-up to be made of the actions taken in this context, in order to establish whether the life of the BGA is being transformed, or on the contrary, whether his situation is the same or worse, due to the lack of concurrent actions by the family, the community and the State.

19. One fundamental challenge is to supervise and evaluate the effectiveness of programs based on intervention models, not only to produce better results in survival, development, protection and the participation of BGA, but also in transforming attitudes, practices, policies, laws and programs to support the observance of the Rights of the Child.



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