

Law and Our Rights

THE STATE OF THE WORLD'S CHILDREN 1998

Save Our Children From Malnutrition

by A H Monjurul Kabir

"To look into some aspects of the future, we do not need projections by supercomputers. Much of the next millennium can be seen in how we care for our children today. Tomorrow's world may be influenced by science and technology; but more than anything, it is already taking shape in the bodies and minds of our children."

plementation is helping bolster disease resistance in children and may soon become an important measure in helping reduce maternal deaths, around the world.

Malnutrition is not, as many think, a simple matter of whether a child can satisfy her appetite. A child who eats enough to satisfy immediate hunger can still be malnourished.

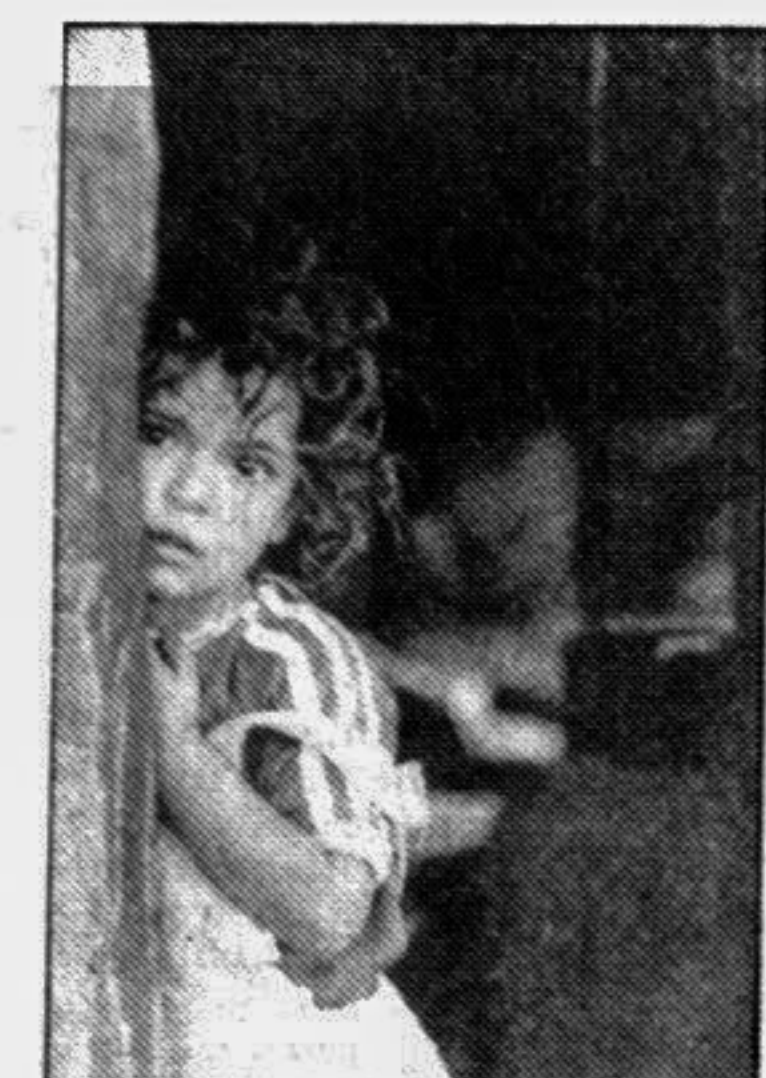
Malnutrition is usually the result of a combination of inadequate dietary intake and infection. In children, malnutrition is synonymous with growth failure — malnourished children are shorter and lighter than they should be for their age. To get a measure of malnutrition in a population, young children can be weighed and measured and the results compared to those of a 'reference population' known to have grown well. Measuring weight and height is the most common way of assessing malnutrition in populations.

Although many people still refer to growth failure as 'protein-energy malnutrition' or PEM, it is now recognised that poor growth in children results not only from a deficiency of protein and energy but also from an inadequate intake of vital minerals (such as iron, zinc and iodine) and vitamins (such as vitamin A) and often essential fatty acids as well.

The 1990 World Summit for children singled out deficiencies of three micronutrients — iron, iodine and vitamin A — as being particularly common and of special concern for children and women in developing countries. Recently, knowledge of the prevalence and importance of Zinc for child growth and development has placed it in that league as well. Vitamin D deficiency is now recognised as a major problem of children in countries such as Mongolia, the northern parts of China and some of the countries of the Commonwealth of Independent States that have long winters.

Highlighting the Causes

An understanding of the complex and subtle causes of malnutrition is important to appreciate the scale and depth of the problem, the progress achieved to date and the possibilities for further progress that exist.

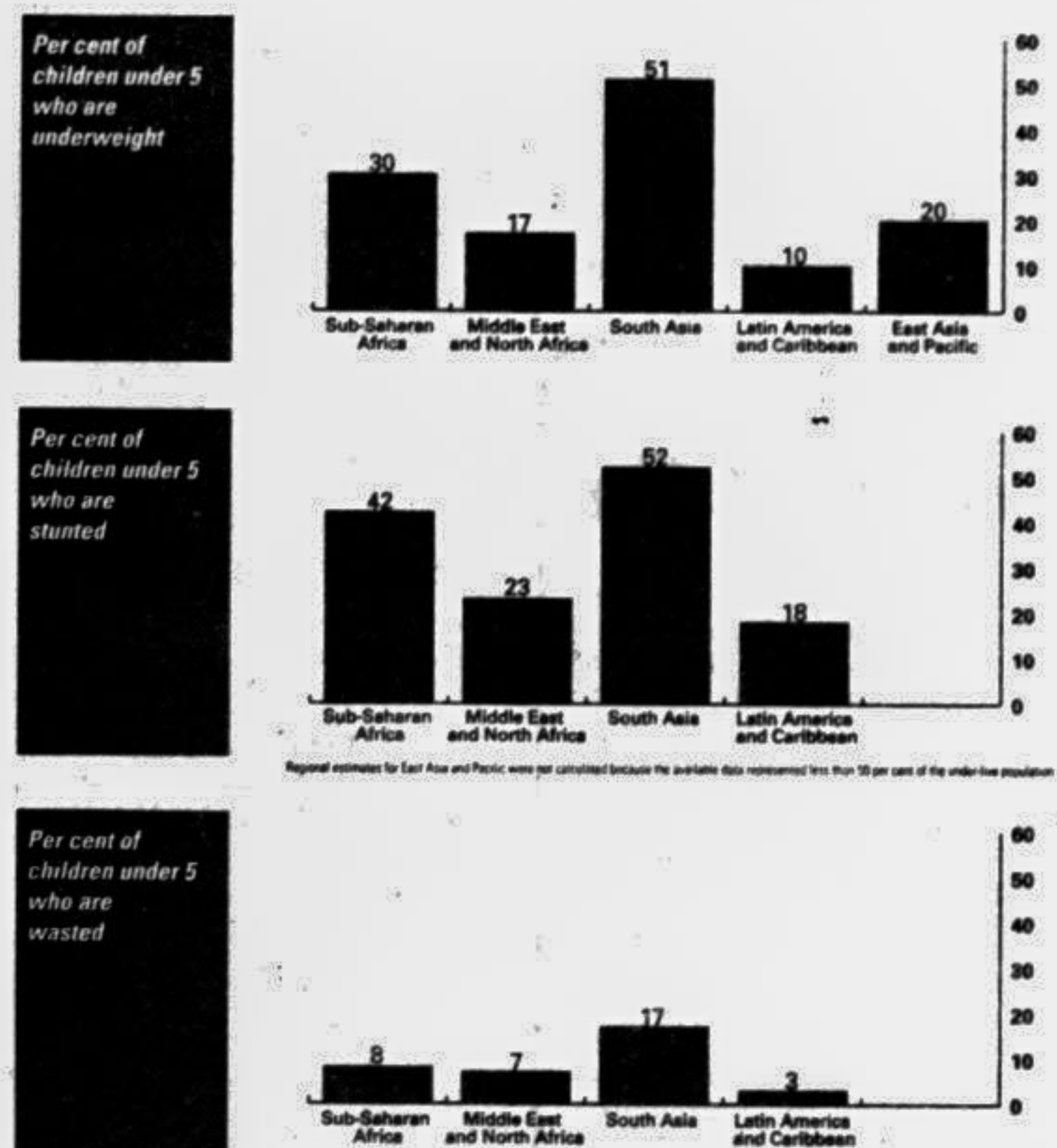


A complex inter play of factors such as household access to food, women's status, caring practices, disease and access to safe water, sanitation and basic health services affect a child's nutrition. A girl stands in the doorway of her home in Lebanon. Photo: UNICEF

TO look into some aspects of the future, we do not need projections by supercomputers. Much of the next millennium can be seen in how we care for our children today. Tomorrow's world may be influenced by science and technology; but more than anything, it is already taking shape in the bodies and minds of our children." — Kofi A. Annan, Secretary-General of the United Nations

UNICEF, the United Nations Children's Fund, was created by the United Nations General Assembly on 11 December, 1946 as the "United Nations International Children's Emergency Fund" to help the starving children in Europe. Now UNICEF is the only United Nations agency dedicated exclusively to children. And 'The State of the World's Children' is the prime annual report of UNICEF about the state of the children of this earth. Each year this report reveals ordinary but some of the most pressing truths based on a particular discipline or a specific point of view. In 'The State of the World's Children-1998' the prime focus is on nutrition.

Sound nutrition can change children's lives, improve their physical and mental development, protect their health and lay a firm foundation for future productivity. And children have the right, recognised in international law, to good nutrition. The world has the obligation to protect that right, building on both the great experience gained and the scientific knowledge achieved.

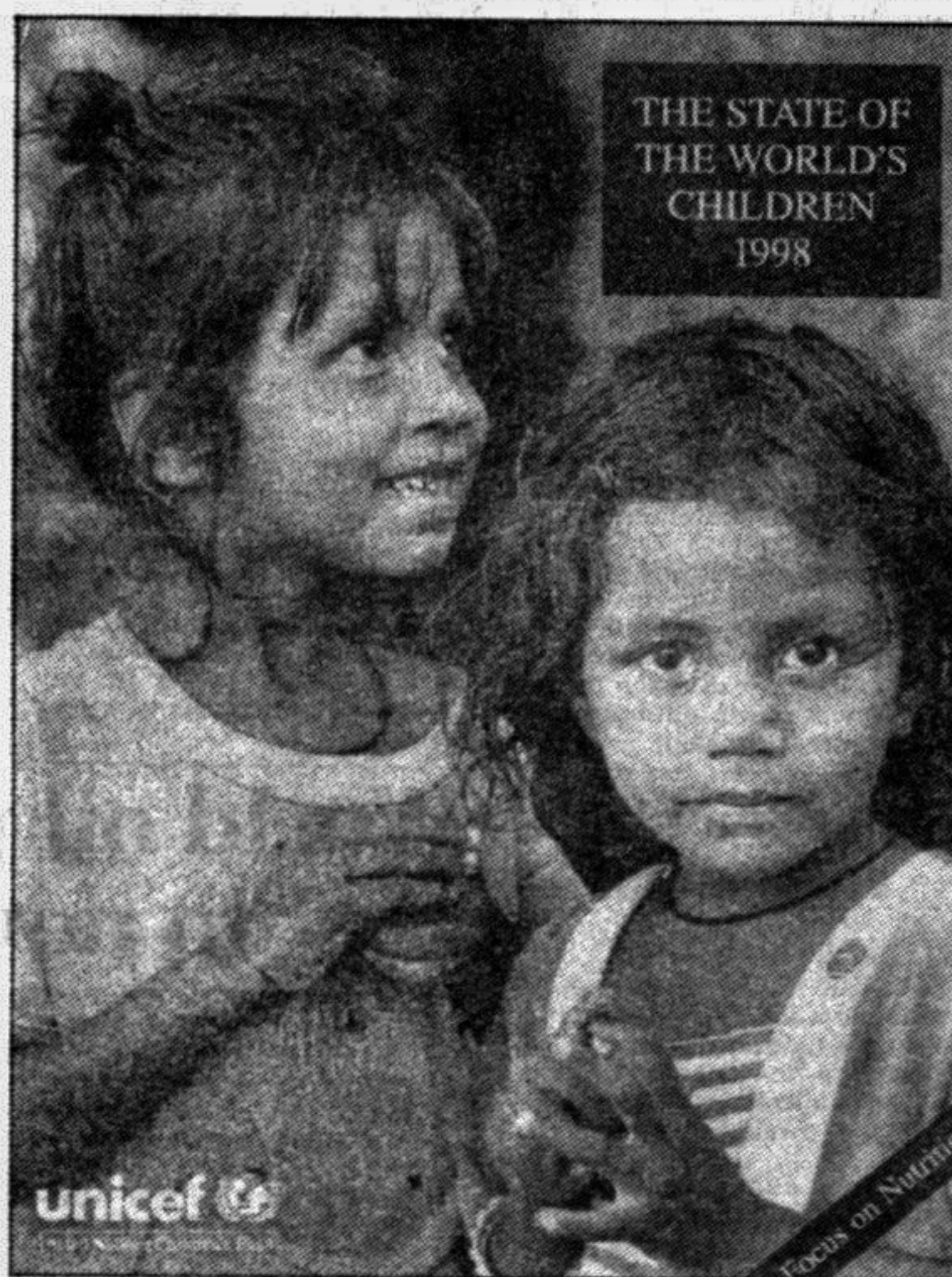
Child malnutrition across the globe: A regional comparison

Note: Malnutrition rates in these charts reflect moderate and severe levels of underweight (low weight for age), wasting (low weight for height) and stunting (low height for age). Data were compiled by UNICEF in 1997 based largely on Demographic and Health Surveys, Multiple Indicator Cluster Surveys and other national household surveys (1985-1995).

Malnutrition is rarely regarded as an emergency, the children are not facing famine and betray few or no obvious signs. Yet the largely invisible crisis of malnutrition is implicated in more than half of all child death worldwide, and violates children's rights in profound ways, compromising their physical and mental development and helping perpetuate poverty. More widespread than many suspect — with one out of every three children affected — malnutrition lowers the productivity and abilities of entire societies.

Over 200 million children in developing countries under the age of five are malnourished. Malnutrition contributes to more than half of the nearly 12 million under five deaths in developing countries each year. Often they also suffer the loss of precious mental capacities.

The State of the World's Children 1998 report details the scale of the loss and the steps being taken to stem it. Sentinels of progress are lighting the way: Nearly 60 per cent of the world's salt is now iodised, and millions of children every year are spared mental retardation as a result. Vitamin A sup-



malnourishment worsens. Children who enter their malnutrition-infection cycle can quickly fall into a potentially fatal spiral as one condition feeds off the other. Malnutrition lowers the body's ability to resist infection by undermining the functioning of the main immune-response mechanism. This leads to longer, more severe and more frequent episodes of illness.

Underlying Causes: Three clusters of underlying causes lead to inadequate dietary intake: access to food in a household; insufficient health services and an unhealthy environment and inadequate care for children and women. Malnutrition, clearly, is not a simple problem with a single solution. Multiple and interrelated determinants are involved in why malnutrition develops and a similarly intricate series of approaches, multifaceted and multisectoral are needed to deal with it.

Spotting Useful Lessons

There is no single prescription. In 'The State of the World's Children-1998', some useful lessons are spotted for consideration:

Solutions must involve those most directly affected. Problems must be assessed with the full and active participation of the families most threatened by nutritional problems and must familiar with their impact and causes.

A balance of approaches is necessary. Processes involving assessment, analysis and action — the 'triple A' approach — are essential for formulating appropriate 'bottom-up' solutions, particularly with respect to the ways in which programmes are organised, managed and monitored. A combination of top down and bottom-up actions may be best, as demonstrated by Baby-Friendly Hospital Initiative (BFHI) in promoting breastfeeding, experience with vitamin A supplementation efforts and progress in salt iodization.

Nutrition components work better in combination. Combining improved infant feeding with better household access to food and more accessible health services and sanitation is clearly more effective in reducing malnutrition than any one of these interventions alone.

Progress hinges on continuing research. Gains against malnutrition have depended on relevant research, but more is needed. Research institutions, both industry-based and academic, need to include the poor and their day-to-day nutrition problems on the research agenda.

Food production is important but not enough. Nutrition can be improved even in poor communities without increasing overall food availability. Increasing food production, while often necessary, is never enough to ensure nutrition improvement.

Everyone has an obligation to child rights. Children have a valid claim to good nutrition and government agencies and members of society including parents, have duties to realise this right. Advocacy, information, education and training are important strategies to create or increase this awareness.

Community and family based involvement is vital. If they are to care properly for their children, the poor must be

recognised as key actors rather than as passive beneficiaries of commodities and services.

Government policies must reflect the right to nutrition. Some national policies affect nutrition directly, such as salt iodization or immunisation programmes. Others like income and price policies, affect nutrition indirectly. With the ratification of the Convention on the Rights of the Child, governments have the obligation to respect, protect facilitate and fulfil the rights enshrined in the convention. All policies should therefore be analysed in terms of their real and potential impact on the right to good nutrition.

Save Our Children from Malnutrition

Some 56 per cent of Bangladeshi children under five suffer from moderate and severe malnutrition, 21 per cent of whom are severely underweight and studies show that more than 70 per cent of pregnant and breastfeeding women are also malnourished. Protein-energy malnutrition is the main problem but, as often happens, it occurs together with such conditions as iron deficiency anemia and vitamin A deficiency. **In Bangladesh, lack of food is not the main cause of malnutrition, the lack of proper caring practices for children and pregnant women is an important contributing factor.**

Malnutrition plays a role in more than half of the nearly 12 million deaths each year of children under five in developing countries, a proportion unmatched since the Black Death ravaged Europe in the 14th century. It blunts intellect and saps the productivity and potential of entire societies. Poverty, one of the causes of malnutrition, is also a consequence, a tragic bequest by malnourished parents to the next generation.

We must remember that however far-reaching the benefits of nutrition may be, ensuring good nutrition is a matter of international law, articulated in variously specific language in international declarations

and human rights instruments dating back to the adoption of the Declaration of the Rights of the Child in 1924.

Under the 1979 Convention on the Elimination of All Forms of Discrimination against Women, for example, states parties must ensure that women receive full and equal access to health care, including adequate nutrition during pregnancy and lactation. And the 1990 World Summit for Children, with a Plan of Action that recognised the devastating effects of malnutrition on women and their children, set specific nutritional goals for children and women, including access to adequate food during pregnancy and lactation; the promotion, protection and support of breastfeeding and complementary feeding practices; growth monitoring with appropriate follow-up actions; and nutritional surveillance.

But the right to nutrition receives its fullest and most ringing expression in the 1989 Convention on the Rights of the Child, whose 191 ratifications as of late 1997 make it the most universally embraced human rights instrument in history.

Under the Convention, which commits states parties to realise the full spectrum of children's political, civil, social, economic and cultural rights, virtually every government in the world recognises the right of all children to the highest attainable standard of



Nearly 40 per cent of all children under five in the world are stunted due to malnutrition. Many of them also face challenges in school as a result. Here, a contrast in stature is apparent between two girls the same age in Bangladesh. Photo: UNICEF

available technology and through the provision of adequate, nutritious foods and safe drinking water.

The world is obligated to ease child malnutrition on the basis of international law, scientific knowledge, practical experience and basic morality.

In fewer than three years we enter a new millennium. And it is in our power to create the future we want and to decide how it should be achieved. The rav-



Over a million pre-school-age children suffer from vitamin A deficiency, which affects immune-system functioning. Vitamin A supplementation is estimated to lower a child's risk of dying by 23 per cent. In Bangladesh, a boy receives a vitamin A capsule.

health, to facilities for the treatment of illness and for the rehabilitation of health — specifically including the right to good nutrition and its three vital components: food, health and care.

Under the Convention's pre-eminent guiding principle, good child nutrition is a right because it is in the "best interests of the child."

Article 24 of the Convention specifies that states parties must take "appropriate measures" to reduce infant and child mortality, and to combat disease and malnutrition through the use of readily

ages caused by malnutrition on individuals, families and societies are preventable. We must steer a path that will bring closer to us a safe haven for the children in future. To quote Kofi A. Annan again, **"The world knows what is needed to end malnutrition. With a strong foundation of cooperation between local communities, non-governmental organisations, governments and international agencies, the future — and the lives of our children — can take the shape we want and they deserve, of healthy growth and development, greater productivity, social equity and peace."**



Unsanitary living conditions cause illness that threaten children's health and growth. New research now suggests that growth is harmed in unhygienic surroundings even before acute occurs. In Egypt, a girl amid mounds of garbage and animal waste. Photo: UNICEF

LAW WATCH

Recognizing the Right to Nutrition

NUTRITION has been expressed as a right in international human rights instruments since 1924.

Among these are declarations, which are non-binding, and conventions and covenants, which are treaties carrying the force of law.

Some of these human rights milestones are noted below.

1924: Declaration of the Rights of the Child (also known as the Declaration of Geneva). Adopted after World War I by the League of Nations through the efforts of British child rights pioneer Eglantyne Jebb, the Declaration marks the beginning of the international child rights movement and is also the first international affirmation of the right to nutrition. The Declaration affirms that "the child must be given the means needed for its normal development, both materially and spiritually" and states that "the hungry child should be fed."

1948: Universal Declaration of Human Rights. This human rights landmark, adopted by the United Nations General Assembly, proclaims in article 25 that "everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services..." This article also affirms that "motherhood and childhood are entitled to special care and assistance."

1959: Declaration of the Rights of the Child. Adopted unanimously by the United Nations General Assembly, the Declaration states in principle 4 that children "shall be entitled to grow and develop in health" and that children "shall have the right to adequate nutrition, housing, recreation and medical services."

1966: International Covenant on Economic, Social and Cultural Rights. Adopted by the United Nations and ratified by 137 states as of mid-September 1997, this Covenant was the first to spell out states' obligations to respect people's economic, social and cultural rights. Article 11 affirms the right of everyone to an adequate standard of living, including adequate food, and the "fundamental right of everyone to be free from hunger." The Covenant also mandates states parties to take steps to realize this right, including measures "to improve methods of production, conservation and distribution of food."

1986: Declaration on the Right to Development. Article 1 of Declaration, which was adopted by the United Nations General Assembly, proclaims that the right to development "is an inalienable human right," with all people entitled to participate in and enjoy economic, social, cultural and political development "in which all human rights and fundamental freedoms can be fully realized." Article 8 calls for all states to ensure equal opportunity for all in access to health services and food.

1989: Convention on the Rights of the Child. The most widely ratified human rights treaty, the Convention establishes as international law all rights to ensure children's survival, development and protection. Article 24 mandates states parties to recognize children's right to the "highest attainable standard of health" and to take measures to implement this right. Among key steps, states are mandated to provide medical assistance and health care to all children, with an emphasis on primary health care; combat disease and malnutrition, within the framework of primary health care, through the provision of adequate nutritious foods, and safe drinking water and adequate sanitation; and provide families with information about the advantages of breastfeeding.

Ratifications: 191 states as of mid-September 1997, with only two countries — Somalia and the United States — yet to ratify.

1990: World Declaration and Plan of Action on the Survival, Protection and Development of Children. The unprecedented number of world leaders attending the World Summit for Children committed themselves to "give high priority to the rights of children" in the Summit's World Declaration. The Summit's Plan of Action set out the steps in seven major and 20 supporting goals for implementing the Declaration. Reducing severe and moderate malnutrition by half of 1990 levels among under-five children by the end of the century is the main nutrition goal.

The seven supporting nutrition goals are: reduction of low-weight births to less than 10 per cent of all births; reduction of iron deficiency anemia in women by one-third of 1990 levels; virtual elimination of iodine deficiency disorders; virtual elimination of vitamin A deficiency; empowerment of all women to exclusively breast feed their children for about the first six months; institutionalization of growth monitoring and promotion; and dissemination of knowledge and supporting services to increase food production to ensure household food security.

Pornography and Women Harassment Through Internet

by Abu Sayeed Khan

INTERNET communication is undoubtedly a technological revolution. It is treated as information of super highway, as well as Mega Bank of information. Through Internet communication we can go on an invisible world tour as we like. We can make networking of cross section of people all over the world. It has turned the world into a global village. The Internet users are being regarded as 'Netizen' like the 'Citizen's of yore.

The number of Internet users all over the world is at present 60 million, while in Bangladesh the number is near ten thousand. But even here it is increasing rapidly.

Like all good things, Internet eventually has its evils as well. The subject women harassment or violence against women is not external to the internet scenario. While we may say that what possible violence could be exercised and ultimately against women through the use of satellite and ultimately the internet, yet it is extremely clear that women harassment through internet is taking place by the introduction of E-mail, chat line and even through tourism, advertisement for brides, sex shows, pornography etc. Two types of violence against women that one fears are: (1) women are being harassed through the E-mail, 'chat' on internet relay channel and sex shows. These take many forms; inappropriate sexually explicit language, unwanted questions about one's physical appearance, threatening and hostile messages. There are very horrifying stories that one hears of being common on the internet: luring/kidnapping/enticing young girls through chat line. Another concern is the use of credit cards for sex shows which are sometimes even live shows. Not having any control over the internet, means that in all livelihood many local/expatriate users could access into the web site and through the use of credit cards enjoy (?) sex shows even indulging in fantasies which not only harms the participants but also other women at large including the user's families. (b) pornography is being made available in the cyberspace. Pornography is also violent towards and degrading of women. But there is another opinion in the western world, which is that pornography is not illegal for adults, but when children have access to pornographic materials it can be harmful to their development in the Global community. However US and European countries are trying to formulate a policy to protect the children. Here it may mention that children are also used in such trade, who are sexually and mentally exploited. So question is: what initiative can save them?

In response to the need to come down on Internet pornography, the US congress has passed Communication Decency Act, (CDA) 1996. The CDA states that "any comment, request, suggestion, proposal, image, or other communication that depicts or describes in term patently offensive as measured by contemporary community standards, sexual or excretory activities or organs, regardless of whether the users of such service place the call or initiated the communication" shall be fined \$250,000 or imprisonment for not more than two years, or both. But CDA has been under attack by the American Civil Liberties Union and other Organizations. The court also has given the opinion that the CDA limits the speech available for adults on the Internet and is therefore constitutionally impermissible. Now the fate of the CDA hangs on the decision of the Supreme Court. Bangladesh has also formed a committee regarding Internet and our Government is thinking of adopting censorship on Internet.

According to the Human Rights Watch, at least 20 countries are imposing some kind of restrictions on providers to censor on subject relating to sexually explicit or politically objectionable. In this respect, Vietnam is an exception, the Government of Vietnam has become the whole network service provider. It may be mentioned that it is not always possible to control the internet system. In the case of E-mail, the scope of harassment will remain open. Besides, censorship is to impose in collaboration with the providers. We apprehend that when the censorship is being considered for imposition in the case of pornography, it may extend to political and scientific issues as the Government succumbs to the pressure of fundamentalist group and for the sectarian outlook of the relevant authority.

In the next issue the writer will examine this intricate problem on the Bangladesh perspective