



**FIAN International's Submission on Child, Early and Forced Marriage
To the Office of the High Commissioner for Human Rights for the preparation of its
Report to the Human Rights Council at its 26th Session in June 2014 Pursuant to
HRC Resolution A/HRC/RES/24/23**

I. Introduction

FIAN International welcomes the UN Human Rights Council's adoption of Resolution 24/23 requesting the OHCHR to prepare a report on the subject of child, early and forced marriage as well as the OHCHR's call for civil society submissions for the preparation of this report. This contribution seeks to provide information about the links between child, early and forced marriage, children's rights, women's rights throughout the lifespan and the realization of the right to adequate food and nutrition for all. We hope that the OHCHR will consider the following issues and recommendations during the preparation of its report on the subject.

The information contained in this submission is based, *inter alia*, on information obtained by FIAN through exchanges with affected communities during the course of our work, especially during the process of documenting cases of violations of the right to adequate food and nutrition and related rights, elaborating case strategies, and conducting workshops and seminars at the national, regional, and international levels, in which affected communities and experts from different regions of the world participated.¹

II. Our holistic understanding of the right to adequate food and nutrition

We, at FIAN, understand the human right to adequate food and nutrition as a comprehensive concept intrinsically linked to the full realization of women's rights, and within the conceptual framework of food sovereignty. As a result, and in line with the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the FAO in 2004, States should be held accountable to respect, protect, and fulfil the right to adequate food and nutrition in an integrated manner by ensuring that all structural causes of hunger and malnutrition are addressed all along the food chain and related governance and policy processes – from access, control, management and ownership of land, seeds, forests and water bodies, to food processing, marketing and promotion, protection in the workplace, and to decent income and consumption patterns, up until the very moment in which food is effectively consumed as a needed element for nutrition and health, individually or in community with others across their respective life spans. Understanding that this whole process is mediated by gender and power-biased social structures leads us to the realization that women's rights should be considered all along the food chain and throughout the lifespan. Ignoring the holistic reality of the human right to adequate food and nutrition, as part and as result of social processes, leads to the fragmented understanding of food and nutrition and creates gaps in human rights promotion and protection.

III. Linking child, early and forced marriage, children's rights, women's rights and the right to adequate food and nutrition

Understanding and addressing the links between women's rights, children's rights and the human right to adequate food and nutrition is fundamental for the eradication of hunger and malnutrition. Central to the realization of women's rights is the understanding of the role of harmful acts and practices committed against women and girls, when they are deprived of the totality of their rights and their freedom to choose how to live their lives, which in most instances act as a barrier to the realization of women's human right to adequate food and nutrition.² Child, early and forced marriages are harmful practices and a violation of

¹ More information on this topic and the links between women's rights and the right to adequate food and nutrition can be found in Anne C. Bellows, Flavio L.S. Valente, and Stefanie Lemke. (Eds.) *Gender, Nutrition and the Human Right to Adequate Food: towards an inclusive framework*. New York: Taylor & Francis/Routledge. (Expected date of publication: 2014).

² For a concrete example of the links between violations of the right to adequate food and structural violence, see FIAN International, *Alternative written report submitted on behalf of rural women in Gnita, Togo and Togo-based NGOs, FLORAISON, GRADSE and RAPDA-Togo, with the support*

human rights with significant intergenerational implications for the right to adequate food and nutrition of the girl, the woman, her children and her community.

The implications for the health and nutritional status, and thus for the realization of the right to adequate food and nutrition, of the girl who is subjected to child, early and forced marriage are dire. Child, early and forced marriage results in the deprivation of the human rights (e.g. their right to education, reproductive rights, etc.) of the girls and young women who are victims to these violations, and is linked to early and adolescent pregnancy, possibly associated with nutritional deprivation and stunting, risk of death, distancing from family, workload, and imposed obligations of child care and breastfeeding. Early or adolescent pregnancy places a severe burden on the nutritional well-being, growth, and development of the still growing girl, even if provided with an adequate diet because these have to compete with the nutritional demands of bearing a child. This scenario results in young women and girls who become pregnant at an early age, many of them already stunted, to become chronically undernourished, further stunted and anemic.³ Furthermore, the risk of maternal malnutrition and mortality in these young women is increased by three to four times in comparison to the risk for an adult woman.⁴ In fact, complications from pregnancy and childbirth are among the most important causes of death for girls aged 15-19 in low- and middle-income countries.⁵ Furthermore, pregnant adolescents are more likely than adults to have unsafe abortions, which contribute not only to lasting health problems, but also maternal deaths.⁶

For the child who is born as a result of a child, early and forced marriage and thus, many times, as a result of an early pregnancy, the realization of his or her right to adequate food and nutrition, and thus of other human rights, is severely impaired for his or her lifetime.⁷ The infant mortality and malnutrition rates associated with adolescent pregnancies are higher than those of adult pregnancies.⁸ Furthermore, adolescent mothers have a higher risk of having low birth weight babies.⁹ Low birth weight babies have a much higher risk of dying before reaching age 5, of developing more severe malnutrition, specially stunting¹⁰, and of developing chronic degenerative diseases in adult age¹¹. Low birth weight, wasting, stunting, and child malnutrition, has the further consequence of impaired cognitive development and malnutrition, including under-nutrition and obesity, in adulthood.¹²

IV. Analysis and recommendations

of FIAN International, to the Committee on the Elimination of Discrimination against Women, during its 53rd Session, October 2012, accessed January 26, 2013, http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/FIAN_JointNGOs_ForTheSession_E.pdf.

³ See United Nations Children's Fund (UNICEF), *Child under nutrition in India: a Gender issue*, 2009, accessed February 3, 2013, http://www.unicef.org/india/nutrition_5901.htm.

⁴ See United Nations Children's Fund (UNICEF), *State of the World Children – 2011*, accessed February 3, 2013, http://www.unicef.org/media/files/SOWC_2011_Main_Report_EN_02092011.pdf, 22.

⁵ See World Health Organization (WHO). *Women's health fact sheet*, accessed January 13, 2013, <http://www.who.int/mediacentre/factsheets/fs334/en/>.

⁶ See World Health Organization (WHO). *Women's health fact sheet*, accessed January 13, 2013, <http://www.who.int/mediacentre/factsheets/fs334/en/>.

⁷ For a specific country example of the impact of child, early and forced marriage on women's human rights throughout the life span, including the right to health and education, see Plan Nepal, Save the Children, and World Vision International, *Child Marriage in Nepal – Research Report*, 2012, accessed December 15, 2013,

<https://217.86.242.33/exchange/cordova/Posteingang/WG:%20OHCHR%20Call%20for%20Submission%20on%20child,%20early%20and%20forced%20marriage%20-%20Deadline%2015%20Dec%202013.EML/Child%20Marriage%20in%20Nepal-%20Report.pdf/C58EA28C-18C0-4a97-9AF2-036E93DDAFB3/Child%20Marriage%20in%20Nepal-%20Report.pdf?attach=1>.

⁸ See United Nations Children's Fund (UNICEF), *State of the World Children – 2011*, accessed February 3, 2013, http://www.unicef.org/media/files/SOWC_2011_Main_Report_EN_02092011.pdf, 22.

⁹ See World Health Organization (WHO). *Adolescent pregnancy fact sheet*, accessed January 13, 2013, <http://www.who.int/mediacentre/factsheets/fs364/en/>.

¹⁰ Stunting, or low height for age, is usually caused by continued insufficient nutrient intake and frequent infections, higher prevalence below age 2. Wasting, or low weight for height, is a strong predictor of infant or child mortality, and is usually associated with acute lack of adequate nutrient intake and disease. For more information, see United Nations Children's Fund (UNICEF), *Progress for Children: A World Fit for Children Statistical Review*, accessed February 5, 2013, http://www.unicef.org/progressforchildren/2007n6/index_41505.htm.

¹¹ See United Nations Children's Fund (UNICEF), *State of the World Children – 2011*, accessed December 12, 2013, http://www.unicef.org/progressforchildren/2006n4/index_lowbirthweight.html.

¹² See United Nations Standing Committee on Nutrition (UNSCN), *Sixth report on the world nutrition situation*, accessed December 12, 2013, <http://www.unscn.org/files/Publications/RWNS6/html/>.

Despite all of the evidence linking malnutrition to a low socio-economic status of women¹³, limited nutrition interventions that neglect structural causes continue to be a priority. For example, a number of interventions attempt – in a reductionist way – to improve adolescent girls’ nutrition, maternal nutrition during pregnancy and lactation, breastfeeding, and children’s nutrition during the first two years of life, without due attention to the human rights violations committed against these girls and young women throughout their lives, including child, early and forced marriage. There is a strong relationship among women’s nutrition and the intergenerational cycle of growth failure¹⁴, which from a human rights perspective, allows us to state that the main causes of the failure of public policies and programs to reduce child malnutrition primarily revolve around the lack of attention to the women’s rights dimension in the human right to adequate food and nutrition. The concentration of public programs on “after the fact” interventions such as nutrition rehabilitation, exclusive breastfeeding, and supplementary feeding, even if fundamental for the child, places the center of the responsibility for this on the household and on the mothers, and ignores the role of governments as duty-bearers, with the obligation to respect, protect, promote, facilitate and provide the right to adequate food and women’s rights throughout the life cycle. To aggravate the situation, policies tend to make women invisible, in particular when these ignore the diversity of women’s roles throughout their life spans and instead reduce them to that of motherhood. Women are, in many official documents, viewed as “future mothers” from conception or birth onwards, and are often not taken into account in policies and programs in other phases of life or if they decide not to become mothers. Insufficient attention is given to women’s nutritional status prior to conception and to the social conditions and role of adolescent pregnancy, which is often a result of child, early and forced marriage. This lack of public policy attention to the nutritional well-being of women and adolescent girls throughout their life spans results in the violation of their human rights, including the human right to adequate food and nutrition of women.

Policies and interventions aimed at addressing malnutrition need to place the emphasis on guaranteeing the needed social and legal protection against discrimination of women and girls, in particular against child, early and forced marriage. Policies need to capture the significant role that women’s good nutritional status, prior to/and independently of becoming a mother, has for the potential future offspring. Instead of solely taking on a medical sector approach and within that a clear prioritization for the curative approach that places the emphasis on disease, death, provision of health services, a more holistic approach should be prioritized – one that is more conducive to the promotion of health and prevention of malnutrition and that fosters policies that place the focus on the underlying structural causes, and on the role of the realization of women’s and girls’ human rights throughout the lifespan.

The promotion of girls’ and women’s overall rights across their life spans, which, among others, include access to self-determination and autonomy, education, productive resources, jobs, income, sexual and reproductive rights, adequate preventive and curative health care, fair and unbiased partnerships, reproductive-related information and services, not only enables women and girls to freely decide whether and when to become mothers, but it also has a positive impact on their overall nutritional status, their pregnancy outcomes and for their babies’ survival and health and that of their entire communities for present and future generations.¹⁵

¹³ For example, see The Guardian, *Land rights for women can help ease India’s child malnutrition crisis*, accessed December 12, 2013, <http://www.theguardian.com/global-development/poverty-matters/2012/jan/20/land-rights-india-women-ease-malnutrition>.

¹⁴ R. Shrimpton, “Maternal nutrition and the intergeneration cycle of growth failure,” in *6th Report on World Nutrition Situation*, UNSCN, Geneva (2010), 62-75.

¹⁵ For more information on the links between women’s rights and the right to adequate food and nutrition, please see De Schutter, Olivier. *Women’s Rights and the Right to Food*. Report presented at the 22nd Session of the United Nations Human Rights Council. [A/HRC/22/50], 2012. Accessed December 15, 2013. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/189/49/PDF/G1218949.pdf?OpenElement>.