

# The Child's Rights to Quality Food for Children Residing with Their Mothers in Prison: Case of Mpimba Prison, Burundi

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## Abstract

The children's right to quality food is a key to the other children's rights especially the right to survival, development and protection and is a means to analyze by practical items the child's right to non-discrimination. Through the article 20 §2, a) African countries among which Burundi are obliged to assist parents in the implementation of certain children's rights in which the right to nutrition. While article 30 of the same regional instruments obliges countries to behave in childish favorite way when the mother is jailed, other instruments go far. Mandela's rules and Bangkok rules admit that a child may stay with her mother but this is done in accordance with the child best interest. The aim of this article is to analyze the way Burundi implements the children's right to her/his best interest in the context of being with their mothers during the time a mother is in prison in Burundi. Methodologically, we paid a visit to pregnant and breastfeeding women at Mpimba prison in Burundi. We conducted a survey with them targeting to inquire the context of children feeding practices at Mpimba central prison. Findings show that they are fed with only cassava/maize bread and beans without cooking oil. No porridge, milk, sugar, legumes or meat is said to be in children's diet from the penitentiary administration budget. While they should at list benefit or enjoy their rights equally to their peers outside the jail, the former are in dangerous situation and their quality food is counted on the volunteers and good-doers contribution.

## Keywords

Bujumbura, Mpimba Prison, Child Feeding Practices, Quality Food, Burundi

## 1. Introduction

Despite falling rates of poverty and child under-nutrition, the number of people living in poverty remains high the same as children suffering from under-nutrition (Melissa et al., 2020). The detaining power faces up to the need for a balanced diet for all, but the growing number of detainees and even pregnant women and/or women with children is a major problem and the need for a balanced diet for all is a major problem and the need for a balanced diet for all is a major problem and the need for a balanced diet for all is a major problem and the need for a balanced diet for all is a major problem (Ilunga Kazule, 2023; Sindyigaya, 2020; Sindyigaya et Nyabenda, 2022).

The foremost idea is that allowing children to stay with their mothers during their incarceration must obey the rules in their best interest described by Bangkok rules and Mandela's rules. Rules 49 of the Bangkok Rules provide that "Decisions to allow children to stay with their mothers in prison shall be based on the best interests of the children. Children in prison with their mothers shall never be treated as prisoners" (United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), 2014, r. 49). The same provision is found in Mandela's rules. According to them, we note that:

1) *a decision to allow a child to stay with his or her parent in prison shall be based on the best interests of the child concerned. Where children are allowed to remain in prison with a parent, provision shall be made for:*

- a) *Internal or external childcare facilities staffed by qualified persons, where the children shall be placed when they are not in the care of their parent;*
- b) *Child-specific health-care services, including health screenings upon admission and ongoing monitoring of their development by specialists.*

2) *Children in prison with a parent shall never be treated as prisoners (United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules), r. 29).*

In the African context, States and governments must undertake to provide special treatment to expectant mothers and to mothers of infants and young children who have been accused or found guilty of infringing the penal law but must establish special institutions for holding such mothers (*African Charter on the Rights and Welfare of the Child*, art. 30). This article does neither specifically precise the obligation to feed and nor determine the food quality to feed children. This means the obligation to feed children is searched in another angle when countries have to assist parents in the fulfillment of children's rights to house, to education, to food, to house and to clothes. A pint of view to follow up carefully is that the children's human right in the domain of nutrition choose to adequate food needs interpreting the special case of young children for they are vulnerable and need special diets correspondingly (Kent, 2006). There are many public policy issues relating to child feeding.

In that context, among other duties, States must assist parents and others

persons responsible for the child in case of need provide material assistance and support programs, particularly with regard to nutrition and health (*African Charter on the Rights and Welfare of the Child*, art. 20 §2. lit.a). The Convention on the Rights of the Child and the African Charter on the rights and welfare of the child insist on the right to quality food that they consider is the key to other children's rights such as the rights to survival, development and protection (Britto et Ulkuer, 2012; Sindyigaya, 2020, 2022, 2023). Developed countries set a standard to protect children's right to optimal nutrition influenced by World Health Organization and UNICEF in the Global Strategy for Infant and Young Child Feeding, endorsed and the World Breastfeeding Trends Initiative (WBTi), a tool for monitoring implementation of the Global Strategy feeding practices (Zakarija-Grković et al., 2020).

Child feeding practices call upon the obligation of the state to assure that mothers are well informed to broadly partake in the implementation of the child feeding practices conditions to help them sound well (Kent, 2006; Sindyigaya, 2020, 2023; Sindyigaya et Nyabenda, 2022). This is the reason of the Burundian lawmaker of the penitentiary billin Article 47. It highlights that pregnant woman or accompanied by their infants in earlier ages in prison must benefit from special facilities corresponding to their situation and must be informed about children's rights (*Loi n° 1/24 portant révision du régime pénitentiaire au Burundi*).

This article aims to search and analyze the way Burundi implement the child's right to quality food in the very moment they need it, especially when their mother are incarcerated, it means, cannot provide them. No doubt cannot be raised for it is clearly understood that children's right to food for infants residing with their mothers in jails depends hundred percent on the government budgets provisions.

## 2. Methods and Methodology

After requesting authorization from the general director of penitentiary affairs in the ministry of Ministry borne there, in total, there were 32 children from 31 imprisoned women (mothers). We got individual oral information after requesting and receiving their prompt consent. A semi-structured individual interview was then set up, based on questions developed by the research group. After a presentation of the research team to the mothers accompanied by children at Mpimba, we led the dialogue. During the visit, we, altogether got an interview with the officials and some police agents in charge of the security at MPIMBA prison to get a balanced point of view about the life of children in Mpimba prison in Burundi.

The analysis of the results was conducted using the SPSS tool and references with the Zotero tool.

## 3. Results

The quality of food these infants are fed does not mean they are infants needing

porridge or fruit. Children and mothers receive the same quantity of food made of 350 grams of maize or cassava flour not cooked, cooked beans equivalent to 350 grams a day for each person. They often get salt but not always. They do not get cooking oil. Children do not get fruits, meat, leaves, or milk. Only two mothers agree they get porridge for their children a few days randomly while officials of Mpimba prison tell children to get always porridge. We noticed, however, that the day we visited Mpimba prison, there was no porridge given to children.

#### 4. Discussion of the Results

As countries must feed children during their mothers' incarceration, lack of quality is a source of allergy as has been noticed in different countries (Fong et al., 2017). Not feeding children and with the best quality of food is linked to the lack of implementation of their rights (Sindayigaya, 2020, 2023; Sindayigaya et Nyabenda, 2022). While jail administration must keep in mind that children residing with their mothers are not jailed but rather should be kept as free children/men, their rights must also be considered in that hypothesis (Sindayigaya et Nyabenda, 2022).

While Burundi has not ever made a child's rights act yet (Burundi government, 2017), this situation is a source of big issues in the way of children's rights. Among these issues, we consider the lack of a Children's Quality Food Protection Act that has been legislated in different countries (Naidenko, 2020) to guarantee children's safety (Evanchuk et al., 2023; Maiz et Balluerka, 2016; Prentice et al., 2023; Sindayigaya, 2022, 2023; Sindayigaya et Nyabenda, 2022) especially in this earlier child age steps (Sindayigaya, 2020; Sindayigaya et Nyabenda, 2022). Considering the relationships among the home food environment, child/parent characteristics, diet quality, and measured weight status to mean parenting feeding style practices, food rules, frequency of eating out, food availability, and parents' perceptions of food, it is easily remarked that children's life depends upon the food quality (Couch et al., 2014).

Results showed that children's food while they reside with their mothers in jail is made of cassava or maize flour (See Table 1). This food is used as a substitute to wheat flour in developing countries especially in sub-Saharan Africa (Ajani et al., 2020; Sindayigaya, 2020; Sindayigaya et Nyabenda, 2022). While the pure wheat bread contained 10 grams of protein per 100 grams, the cassava based types of bread ranged from 1.3 to 4.5 grams of protein per 100 grams and even leaf meal contains 34 grams of protein per 100 grams (Masha et al., 2021). This to notice that quality of the food delivered to children residing with their mothers in jail in Burundi is weak or poor. This is what has been noticed that Africa has been characterized by inadequate supply of nutrients from roots, grains and tubers to maintain healthy body function low in protein then a factor of malnutrition (Anyiam et al., 2023).

Results reveal that there are no provisions for milk, fruits, or legumes (See

**Table 1.** Results of the survey conducted with mothers accompanied by their infants at Mpimba prison in Burundi.

Code N° of imprisoned woman	Quantity of maize or cassava flour in grams per day	Times children take porridge daily	Quantity of beans per child a day	Quantity of milk in liters per child a day	Weekly times children take fruits	Weekly legume regime per child	Daily quantity of palmolein quantity in liters per child	Daily quantity of sugar in liters per child	Daily quantity of salt in grams per child	Daily quantity of meat in grams per child
Woman 1	350	0	350	0	0	0	0	0	0	0
Woman 2	350	0	350	0	0	0	0	0	0	0
Woman 3	350	0	350	0	0	0	0	0	0	0
Woman 4	350	0	350	0	0	0	0	0	0	0
Woman 5	350	0	350	0	0	0	0	0	0	0
Woman 6	350	0	350	0	0	0	0	0	0	0
Woman 7	350	0	350	0	0	0	0	0	0	0
Woman 8	350	0	350	0	0	0	0	0	0	0
Woman 9	350	0	350	0	0	0	0	0	12	0
Woman 10	350	0	350	0	0	0	0	0	0	0
Woman 11	350	0	350	0	0	0	0	0	0	0
Woman 12	350	0	350	0	0	0	0	0	0	0
Woman 13	350	0	350	0	0	0	0	0	0	0
Woman 14	350	0	350	0	0	0	0	0	0	0
Woman 15	350	0	350	0	0	0	0	0	0	0
Woman 16	350	0	350	0	0	0	0	0	12	0
Woman 17	350	0	350	0	0	0	0	0	12	0
Woman 18	350	0	350	0	0	0	0	0	12	0
Woman 19	350	0	350	0	0	0	0	0	12	0
Woman 20	350	0	350	0	0	0	0	0	0	0
Woman 21	350	0	350	0	0	0	0	0	0	0
Woman 22	350	0	350	0	0	0	0	0	0	0
Woman 23	350	0	350	0	0	0	0	0	0	0
Woman 24	350	0	350	0	0	0	0	0	0	0
Woman 25	350	0	350	0	0	0	0	0	0	0
Woman 26	350	0	350	0	0	0	0	0	0	0
Woman 27	350	0	350	0	0	0	0	0	0	0
Woman 28	350	0	350	0	0	0	0	0	0	0
Woman 29	350	1	350	0	0	0	0	0	0	0
Woman 30	350	0	350	0	0	0	0	0	0	0
Woman 31	350	0	350	0	0	0	0	0	0	0

**Table 1**). It does not fulfill or join the best interest of the children that obliges governments (among which Burundi) to keep infants alongside their imprisoned mothers. It implies the special supplemental nutrition program for pregnant women, infants, and children food package that must be revised to include more fruits, vegetables, whole grains, and lower-fat milk (Tester et al., 2016). While it is being developed policies for universal free school meals that witness the potential contribution to positive child health (Cohen et al., 2021) targeting the best interest of children at school, the same situation might be implemented for infants with their mothers in jail. Their liberty must mean being punished by letting them starve in jail. The government of Burundi must replace, through their activities and financial support, food parenting practices. They are considered a key influence on children's dietary habits, with potential long-term effects starting in early childhood with children's overall diet quality (Mou et al., 2021). It has been proved that gaming is a good regulator of children's dietary programs (Chow et al., 2020) even though the Burundi penitentiary administration does not consider that it plays an important role (Sindayigaya, 2020, 2023; Sindayigaya et Nyabenda, 2022).

Burundi penitentiary administration does not consider feeding infants under their responsibility due to their mothers' incarceration with dairy products. Things are this way even though they are known as a best way to prevent obesity among children (Verduci et al., 2019) commonly detected in developed countries, but also the malnutrition and undernourishment of children in developing and poor countries (Bouras et Djareche, 2020; Mongbo et al., 2022). The quality of food is weakened by the lack of porridge, sugar and meat in the diet of the children residing with their mothers in jail. During the very earlier child period, feeding practices recommend a mixture many associated with breastfeeding with an emphatic look to the importance of professional guidance to more varied and healthy consumption patterns and the different food groups (Vasconcelos et al., 2021).

## 5. Conclusion

Based on the results from the survey conducted with pregnant and women accompanied by their infants at Mpimba prison in Burundi, results about children's food quality are dramatically weak and poor. The diet of the child is not corresponding to the needs of the stage of life in which the infants in early child ages are. Under the legal obligation to feed them the same as pregnant women with protein containing diet, it is not so in Burundi. The only diet available is made of cassava or maize flour noticed by former research by their poverty in protein tenure with beans. No sugar or porridge is meant to be the content of children's diet, no meat nor milk. Not only the quantity is meaningfully very few (noticing many essential or required elements are missing in the diet that is provided) but also the quality of food administered to infants residing with their mothers is a source of many negative critiques.

## Conflicts of Interest

The authors declare no conflicts of interest regarding the publication of this paper.

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