



International Baby Food Action Network - IBFAN

Geneva Infant Feeding Association - GIFA



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### **Panel III: Obligations and responsibilities of TNCs and other business enterprises with respect to human rights**

#### **Subtheme 1: Examples of international instruments addressing obligations and responsibilities of private actors**

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Thank you Chairperson. I speak on behalf of IBFAN and Make Mothers Matter.

As already mentioned in the discussions, the process of elaboration of a UN Code of Conduct on TNCs, started in the seventies, had lamentably failed by the early nineties due to the opposition of developed countries. At the same time, the negotiations on other codes of conduct took place, among which the International Code of Marketing of Breastmilk Substitutes, mentioned in yesterday's panel discussion.

This International Code aims at protecting mothers, babies and the society as a whole against the commercial pressures of the baby food industry by ensuring people's access to unbiased and independent information. It also protects health professionals in their mandate to work for the best interest of the child. As mentioned by Leah Margulies in one of her articles, the International Code constitutes, in fact, a human rights instrument which protects specific rights enumerated in the UDHR as well as in several HR Conventions.

However, even though the International Code entails direct obligations for private actors, which were later reiterated in the General Comments 15 and 16 of the Committee on the Rights of the Child, IBFAN continues to document massive and systematic Code violations by the baby food industry. Non-binding mechanisms such as the Global Compact and the OECD Guidelines have proved to be absolutely ineffective in holding the global market leader accountable for its shocking and persistent Code violations despite IBFAN's repeated attempts to do so.

Today, the adverse impacts of food corporations on human health are dramatic. Unregulated and massive advertising of unhealthy food products and breastmilk substitutes is affecting billions of people. At global scale, about 40% of adults are overweight and 13% are obese, while childhood obesity is one of the most serious public health challenges of the 21st century. At the same time, more than 820'000 babies die annually because of suboptimal infant feeding. The burden of noncommunicable diseases associated with poor feeding practices is considerably rising among lower income countries and populations, and results in enormous financial and social costs.

In spite of this, food corporations keep on spilling out their aggressive advertisements for unhealthy food products and breastmilk substitutes. They have colonized not only our lands and waters, but also our minds and bodies through their misleading marketing strategies.

Therefore, we urge you to build on the International Code of Marketing of Breastmilk Substitutes to ensure that the future treaty enshrines marketing regulations for unhealthy products and breastmilk substitutes in order to allow people to make informed decisions about what they consume. This is a matter of people's sovereignty and this is a matter of human rights. Thank you.