

*September column*  
**Claudio Schuftan**



*Ho Chi Minh City*, This month I celebrate Olivier De Schutter, (above right) who since May 2008 has been the United Nations special rapporteur on the right to food. As much as his predecessor, Jean Ziegler (also making an emphatic point, above left), he has engaged along much the same lines as have many commentaries published in *World Nutrition*. He is a true champion of the principles of public health nutrition. He invigorates me, since I feel him agreeing with what I say in my columns (or is it the other way around?).

I highlight three issues in this month's column, all as seen by the UN special rapporteur. These are on the Scaling Up Nutrition (SUN) initiative; on the Global Alliance for Improved Nutrition (GAIN); and on current food systems (1,2).

The right to food  
**KEEPING THE ACTORS HONEST**

Olivier De Schutter's background gives him an extraordinary vision of what goes on in the world. As a child and then as a young man, he lived and studied in India, Saudi Arabia, Rwanda and Belgium. Among other appointments, he is a professor at the University of Louvain in Belgium, and has a distinguished career as a human rights lawyer. You can access his curriculum at [www.perso.cpd.ucl.ac.be/ods/cv.php](http://www.perso.cpd.ucl.ac.be/ods/cv.php).

***On SUN – need to address structural drivers***

The Scaling Up Nutrition (SUN) initiative seeks to promote targeted action and investment to improve nutrition for mothers and children in the 1,000-day period from pregnancy to the age of 2. It is in this period when better nutrition can have a life-changing impact on a child's future.

On the SUN initiative, originally launched in 2009, Olivier De Schutter acknowledges it has gained momentum since the presentation of its first 'Framework' in April 2010. In addition to encouraging governments to adopt national plans to scale up nutrition, SUN includes the establishment of partnerships linking civil society and the private sector to government. Private sector interventions include the production of fortified food products, and building local capacity through the transfer of knowledge and technology. These partnerships also claim to promote nutritionally healthy behaviour, to shape work environments allowing women to ensure good nutrition for themselves and their children, and to ensure that lower-income groups can access nutritionally valuable products. Some of these partnerships are supported by GAIN as pointed out below.

While welcoming the progress made, the special rapporteur has called for an explicit alignment of SUN initiatives with human rights, including the right to nutrition. He is concerned that interventions aimed at improving nutrition and targeting pregnant or lactating women and children under two years old, while vital, do not become a substitute for addressing the structural causes of undernutrition or inadequate diets. He has further gone on record about the need to monitor the private sector which I think is an absolutely indispensable call in the case of SUN. (See <http://info.babymilkaction.org/node/550>).

***On GAIN – need to promote more than self-reliance***

A public-private partnership, GAIN was launched in 2002 at a special session of the UN General Assembly. It has since established links with 600 companies and is engaged in 36 large projects in more than 25 countries to improve access to missing micronutrients in diets. According to GAIN promoters, it reaches nearly 400 million people with nutritionally enhanced food products.

Olivier De Schutter has formally requested that GAIN ensures that its interventions 'include a clear exit strategy to empower communities to feed themselves'. He goes on 'In this regard, donors should make their support to GAIN conditional upon such a requirement of a clear exit strategy' (1). In particular, he finds that RUTF

(ready- to-use therapeutic foods), fortificants, and infant formulas, are inappropriate and can lead to malnutrition, and that the marketing of these food substitutes and related products can contribute to major public health problems.

He has written a letter to GAIN in which he says: ‘From my discussions with the GAIN representative at Codex Alimentarius, I understood that GAIN accepted that the 2010 World Health Assembly Resolution WHA 63.23 effectively prohibited claims on complementary foods, because currently few countries specifically allow them’. GAIN states that its policies and programmes are consistent with WHO’s *Global Strategy for Infant and Young Child Nutrition* (2) and that it fully supports the implementation of the *International Code of Marketing of Breast-milk Substitutes* and subsequent World Health Assembly resolutions.

However, he goes on, ‘GAIN then proceeds to misinterpret WHA63.23 by turning the important “prohibition unless permitted” proviso on claims into one that “permits unless prohibited”. This is not a trivial difference: In the absence of a clear prohibition, those charged with assessing whether claims made on infant formulas and complementary foods are permissible will find such provisos unworkable’.

Let me explain. The World Health Assembly resolution referred to, agreed to in 2010, urges members states ‘to end inappropriate promotion of food for infants and young children and to ensure that nutrition and health claims shall not be permitted for foods for infants and young children, except where specifically provided for, in relevant *Codex Alimentarius* standards or national legislation’. This follows a 2002 resolution urging member states ‘to ensure that the introduction of micronutrient interventions and the marketing of nutritional supplements do not replace, or undermine support for the sustainable practice of, exclusive breastfeeding and optimal complementary feeding’.

The message is clear. The rapporteur is worried that instead of helping to stamp out promotional claims, to improve the quality of all baby foods, and to ensure full and frank labeling that informs in a responsible way, GAIN is confusing and undermining governments’ resolve to implement the resolution effectively. He rightly fears the result will be weak controls that will permit thousands of promotional claims for all types of processed foods.

Readers need to know that GAIN widely partners with the private sector. One reason that corporations partner with GAIN, is to reach the ‘bottom of the pyramid’. This refers to potential customers who are too poor to constitute any kind of market in the short term. Olivier De Schutter thinks that GAIN-supported initiatives are

liable to bar the emergence of sustainable and equitable solutions in which people are served by local producers. True, some GAIN projects do build the capacity of local partners so they eventually could continue in the long term without external support. But as he says, such interventions should include a clear exit strategy.

### ***On current food systems – a disorder in need of a fix***

In his statements, Olivier de Schutter also points out that existing food systems have failed to address hunger, and at the same time have also created food supplies and thus dietary patterns that cause overweight and obesity and related serious diseases. He states that a transition towards sustainable diets can be achieved only by supporting diverse farming systems (and thus impoverished farmers) that are ecologically sustainable and that ensure adequate non- or minimally processed food accessible to all. The adoption of a human rights framework, he insists, serves to ensure that short-term answers do not thwart long-term solutions.

This next paragraph could equally have been written by me, but I paraphrase the rapporteur: Current inequitable food systems do not reduce rural poverty. They are deeply dysfunctional. A change of course is urgent. In wealthy countries where farm subsidies remain at high levels, the current system is one in which taxpayers pay three times for a system that causes ill-health and disease. Taxpayers pay for subsidies that encourage the agribusiness to sell highly processed foods at the expense of making fruits and vegetables available at lower prices. Taxpayers also pay for health-care systems in which chronic non-communicable diseases are an unsustainable burden.

This said, I side with the commentaries and papers of Carlos Monteiro and Geoffrey Cannon on ‘The Food System’. In the global South, undernutrition and micronutrient deficiencies remain burdens. But the food supplies of these countries are now becoming increasingly processed, and traditional and long-established dietary patterns are being displaced (3,4). Food systems need to be reshaped. Strong political will and a sustained effort across a number of years are necessary for such a transition.

## The right to food **WHAT THEN IS TO BE DONE**

In line with all this, Olivier De Schutter, in his position as UN special rapporteur, has gone on record making a series of recommendations (5). These are highly consistent

with what I understand the World Public Health Nutrition Association stands for, or at least what many *WN* contributors have proposed:

***Nation states should***

- Adopt national strategies for the realisation of the right to adequate food; which is to say, guarantee the right to adequate diets for all. setting specific targets and time frames for action.
- Pass domestic legislation to implement the International Code of Marketing of Breast-milk Substitutes and ensure their effective enforcement.
- Adopt regulations on the marketing of ultra-processed food products, so as to reduce marketing of foods high in saturated fats, *trans*-fatty acids, sodium or sugar to children and restrict marketing of these foods to other groups.
- Impose taxes on soft drinks, and on the type of products mentioned above. in order to subsidise fruits and vegetables, improve access to them, and to mount educational campaigns on healthy diets.
- Review the existing systems of agricultural subsidies taking into account their negative public health impacts.
- Increase support to farmers markets and urban and peri-urban agriculture through fiscal incentives and by ensuring appropriate infrastructure to link local producers to the urban consumers.
- Complete the reform of the Standing Committee on Nutrition, in order to ensure that adequate attention is paid to nutrition throughout the United Nations system under multilateral guidance by governments, with adequate participation of civil society including farmers' organisations.

(As things stand right now, we all ought to be aware that this last recommendation is really in jeopardy. We in public health nutrition must not lower our guard on this).

***The private sector should***

- Comply fully with the International Code of Marketing of Breast-milk Substitutes and abstaining from promoting breast-milk substitutes, even where local enforcement is weak or non-existent.
- Ensure that food and nutrition interventions give priority to local solutions and are consistent with the objective of moving towards sustainable diets.
- Ensure that workers are paid living wages, and that farmers are paid fair prices for their products.

- Shift away from the supply of foods high in saturated fats, sodium and sugar and towards healthier foods, and phase out *trans*-fatty acids in food processing.

### ***The World Health Organization should***

- Forcefully promote adequate diets and include human rights principles of accountability, participation and non-discrimination, including in the design of a comprehensive global monitoring framework to address chronic non-communicable diseases.
- Prepare recommendations for a set of voluntary global targets for the prevention and control of non-communicable diseases. (Here, my own view is that voluntary targets are a dead-end proposition).

### ***SUN should***

- Base all proposed interventions on the human rights principles of accountability, participation, and non-discrimination fitting them under national strategies for the realisation of the right to food in order to improve their contribution to sustainable, long-term solutions.
- Take appropriate steps to ensure that such interventions strengthen local food systems and favour the switch to sustainable diets. (I would add here that the conflict of interest issue of Big Food corporations needs much closer scrutiny and decisive action).

In this wicked world, it has been wise for the UN to appoint a special rapporteur on the right to food, and good that Olivier De Schutter, and Jean Ziegler before him, is and has been in that post.

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### ***References***

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- 3 Monteiro C, Gomes F, Cannon G (2010) Can the food industry help tackle the growing burden of under-nutrition? The snack attack. *American Journal of Public Health* 2010, **100**: 975-981.
- 4 Monteiro CA, Cannon G. The impact of transnational 'Big Food' companies on the South: a view from Brazil. *PLoS Medicine* **9**(7): e1001252. doi:10.1371/journal.pmed.1001252. Published 3 July 2012.
- 5 Human Rights Council 19th session. Oral intervention by Olivier De Schutter, special rapporteur on the right to food, Palais des Nations, Geneva, 6 March 2012.