



REPORT SUMMARY: NUTRITION AND THE RIGHT TO FOOD

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UN SPECIAL RAPPORTEUR ON THE RIGHT TO FOOD, HILAL ELVER

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INTRODUCTION

Malnutrition, in all its forms, has become a universal challenge. Today, nearly 800 million people remain chronically undernourished, more than 2 billion suffer from micronutrient deficiencies, and another 600 million are obese. These three forms of malnutrition coexist within most countries, communities and even individuals. Ensuring the right to adequate food extends far beyond merely ensuring the minimum requirements needed for survival and includes access to food that is nutritionally adequate. Increasingly, the right to adequate nutrition is being recognized as essential to the right to food and the right to health.

MALNUTRITION IN ALL ITS FORMS paras 6-9

Malnutrition includes undernutrition, micronutrient deficiency and conditions associated with excess intake and nutritional imbalance.

Undernutrition results from consuming too few essential nutrients, caused by either insufficient food intake or repeated infectious diseases. The most basic undernutrition is protein energy malnutrition, which, in its acute form, leads to wasting--an irreversible condition if not identified and addressed. Chronic undernutrition is caused by sustained poor dietary intake or repeated infections during the first 1,000 days of a child's life and can lead to stunting. Stunting is irreversible and leads to shortness in stature, immediate and long-term morbidity and mortality, and problems with cognitive functioning.

Micronutrient deficiency describes a condition in which there is a lack or shortage of vitamins and minerals. Also referred to as "hidden hunger", it increases vulnerability to infection, birth defects and impaired development and can lead to premature death. For example, iron deficiency leads to anaemia, vitamin A deficiency weakens the immune system, and iodine deficiency interferes with brain development.

"Unbalanced nutrition" occurs when the body is exposed to too much dietary energy and leads to overweight and obesity. It may result from eating too much or too many of the wrong things, as well as insufficient exercise, and can lead to an increased risk of heart disease, hypertension, diabetes and diet-related cancers.

Women

paras 10-11

Women are more vulnerable to malnutrition than men because of different physiological requirements. Women require 35 per cent less dietary energy per day than men, but they need at least the same amount of nutrients.

Children

paras 12-17

Children receiving appropriate nutrition during the first 1,000 days of life are 10 times more likely to overcome life-threatening childhood diseases. According to WHO, malnutrition is the underlying contributing factor in 45% of all child deaths. At the same time, there are 41 million overweight children under the age of 5. WHO recommends breastfeeding within one hour of birth and exclusive breastfeeding for the first six months of life; 823,000 children's lives could be saved yearly if all children between 0 and 23 months were optimally breastfed.

UNDERLYING FACTORS OF MALNUTRITION

A. Economic and Social Determinants paras 18-20

Poverty, social exclusion, gender inequality, low socioeconomic status and lack of control over productive resources, for example, land-grabbing and seed patenting, are all major contributors to malnutrition. Similarly, malnutrition is aggravated by poor sanitation and the absence of safe drinking water and adequate housing, as well as a lack of education, health and social protections.

B. Impacts of Food Systems paras 21-23

The current industrialized food system employs practices that undermine the nutritional value of food. Mono-cropping depends heavily on chemical inputs such as synthetic fertilizers and pesticides, while animals grown on factory farms are given growth hormones and antibiotics. The food processing industry uses preservatives, artificial colourants, additives and other chemicals in order to enhance the appearance, flavour and shelf life of food products. Ultra-processed foods may also contain high levels of sodium, sugar, trans-fats and saturated fats, so that they are energy dense yet lacking in nutritional value.

C. Unhealthy eating habits and non-communicable diseases paras 24-28

Diets based on highly processed “denatured” foods contribute to non-communicable diseases, which are shortening the human lifespan. According to WHO, such diseases are collectively responsible for almost 70 per cent of all deaths worldwide, and this is expected to rise to 75 per cent by 2020. Increased meat, sodium, sugar and fat consumption are causing diets to become less healthy, and data suggests that average sodium and sugar consumption is well-above minimal needs.

D. Trade liberalization and foreign direct investment paras 29-31

Trade liberalization and foreign direct investment (FDI) by transnational corporations in the processed food industry have increased the availability of ultra-processed foods on the global market. The removal of policies to protect domestic markets has strongly stimulated production of certain unhealthy foods, as well as their availability and cost. Countries that embrace market deregulation experience a faster increase in unhealthy food consumption.

E. Aggressive Marketing paras 32-34

Persistent advertising campaigns, discount offers, exclusive contracts with food outlets and pricing and packaging strategies are all used to drive demand. Some companies even fund scientific research, manipulating results in support of their products, or add minimal amounts of healthy ingredients to enable them to present their products as “healthy.”

F. Product-based approaches to malnutrition paras 35-37

Nutrition policies should be multidimensional and avoid promoting isolated interventions to fight malnutrition, including “medicalized” and product-based approaches focusing on ready-to-use therapeutic foods. Such measures have been criticized as unsustainable “technical” solutions to social problems. Fortification initiatives do make an important contribution to efforts to achieve food and nutrition security, provided they form part of a comprehensive strategy that addresses the social, economic and cultural determinants of food systems.

SHORTCOMINGS OF GLOBAL GOVERNANCE paras 46-49

While ambitious targets have been set to ensure global governance of nutrition, much more is needed to live up to the challenge of sustainability while providing each person with enough food to live a healthy and productive life, as targeted by the SDGs. Despite the potential success of the Goals, nutrition is mentioned in only 1 of the 169 targets, and overweight and obesity are not mentioned. More importantly, whether the SDG targets have the innovation necessary to ensure a successful shift towards sustainable food systems and provide the framework for global governance of agriculture, food, nutrition and health seems doubtful.

There are also concerns that the accountability system of the Rome Declaration on Nutrition is unclear and that its policies are fragmented. Owing to its multi-sectoral nature, as well as the long-term impact of malnutrition on human development and invisibility of some of its consequences, accountability is complex.

PRIVATE SECTOR INVOLVEMENT paras 50-56

Today's nutrition governance lacks effective mechanisms to regulate private sector involvement in nutrition programmes. The corporate influence on national and international food and nutrition policy spaces has become increasingly visible as programmes seek multi-stakeholder arrangements. Both the SDGs and the Second International Conference on Nutrition mention the importance of "multi-stakeholder partnerships" with private sector participation.

The private sector has significantly exerted its influence over nutrition governance through public-private partnerships, which may blur the line between public interest and financial gain. Involvement by the private sector may be driven by direct financial returns, such as tax breaks, market penetration and positive public relations, and increased corporate influence in nutritional policymaking.

Increasingly, philanthropic foundations are investing in global nutrition initiatives. Recognizing the financial constraints faced by many countries, it is imperative to establish a monitoring and accountability system to ensure that private foundations operate within the human rights system, rather than fulfilling this responsibility on a voluntary basis.

HUMAN RIGHTS APPROACH & STATE RESPONSIBILITY

paras 57-66, 74-92

Dealing with global nutrition challenges through a rights-based perspective is not only desirable but also obligatory under article 11 of the ICESCR and article 25 of the UDHR. While nutrition support in the past was often considered charitable action, it is increasingly regarded as a result of a failure to protect an essential human right, attributed largely to a lack of sufficient nutrition governance and accountability. Applying a human rights-based approach to nutrition facilitates the implementation of procedural rights, such as participation, accountability, non-discrimination and transparency. The Second International Conference on Nutrition confirmed that embedding nutrition in a human rights agenda made issues of governance and accountability central to effective implementation.

To promote meaningful change, actions must also be directed at the food system level to make systems more “nutrition sensitive”. It is imperative that global food systems move away from agro-industrial production methods that are responsible for dietary monotony and reliance on ultra-processed food. Instead, systems must support food sovereignty, small-scale producers and local markets, and be based on ecological balance, agro-biodiversity and traditional practices. Food sovereignty allows peoples to define their own policies and strategies for sustainable production, distribution and consumption of food. Globally, the majority of food is supplied by local farmers. Therefore, efforts to combat malnutrition should support smallholder farmers and promote nutrition-sensitive production.

Agroecology ensures food and nutrition security without compromising the economic, social and environmental needs of future generations. It focuses on maintaining productive agriculture that sustains yields and optimizes the use of local resources while minimizing the negative environmental and socioeconomic impacts of modern technologies. It is imperative to support ambitious research initiatives to establish the scientific basis for claiming that agroecology is capable of nutrition-sensitive production while promoting local livelihoods and the environment.

State initiatives, including nutrition labels, advertisement restrictions, and taxation on unhealthy food products have also proven to be successful deterrents and have helped the public make informed decisions about food purchases and consumption.

SELECTED RECOMMENDATIONS

 para 99

With a view to respecting, protecting and fulfilling the right to adequate food and nutrition, the Special Rapporteur recommends that:

(a) Member States should embrace the UN Decade of Action on Nutrition as an opportunity to achieve ambitious nutrition targets and ensure the right to adequate food and nutrition.

(b) The CFS should ensure the participation of all partners during the Decade, in particular, rights holders and representatives of vulnerable groups. Affirmative measures should be adopted to ensure a “level playing field” allowing civil society to play active roles in discussions and negotiations.

(c) International regulations should be implemented to curb the unchecked actions of powerful economic actors that have lately been flooding global markets with junk food. In this regard, negotiations within the Human Rights Council to establish a legally binding instrument to regulate the activities of transnational corporations are greatly welcomed.

(d) The Guiding Principles on Business and Human Rights should be implemented to ensure corporate responsibility of the food and nutrition industry and enforce the rights of victims to redress human rights violations, including cross-border cases.

(e) International trade and investment agreements should be re-evaluated to ensure that they do not undermine health and nutrition policies.

(f) States should ensure the political and financial commitments needed to shift from current industrial agricultural systems to nutrition-sensitive agroecology that is healthy for people and sustainable for the planet.

(g) States should adopt an initiative similar to the WHO Framework Convention on Tobacco Control to regulate the food and beverage industry and protect individuals from the negative health and nutrition effects of processed foods;

(h) States should expand the international human rights framework protect women’s right to adequate food and nutrition, beyond pregnancy and breastfeeding.