Taking action to protect children from the harmful impact of food marketing
A child rights-based approach

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Overview

1) Background & global recommendations
2) Importance of a child rights approach
3) A comprehensive approach to protect children
4) Effective elements in existing policies
5) Countering opposition
The global rise of unhealthy food environments

• Millions of children worldwide are eating **too much unhealthy food**, which has become a leading cause of death and disability globally

• Food environments, including **how foods are marketed**, play a critical role in influencing children’s diets

• Children are **highly exposed** to marketing, which is:
  • Pervasive
  • Powerful
  • Primarily for unhealthy foods

“There is **unequivocal evidence** that the marketing of unhealthy foods and sugar-sweetened beverages is related to childhood obesity”

- WHO Commission on Ending Childhood Obesity
Background & global recommendations

2010
WHO Recommendations on the Marketing of Foods and Non-Alcoholic Beverages to Children

2012
WHO Framework for Implementing the Set of Recommendations

2016
WHO Commission on Ending Childhood Obesity
Importance of a child rights approach

The Convention on the Rights of the Child (CRC) obliges States Parties to ensure that children’s rights are respected, protected and fulfilled.

The Committee on the Rights of the Child has noted that the food industry spends billions of dollars on persistent and pervasive marketing strategies to promote unhealthy food to children – and such marketing should be regulated.
Importance of a child rights approach

- Food marketing negatively affects many of the rights enshrined in the CRC including:
  - health
  - adequate nutrition
  - privacy
  - freedom from exploitation

- The CRC calls for putting children first: the best interests of the child as a primary consideration

“States must take all necessary, appropriate and reasonable measures to prevent business enterprises from causing or contributing to abuses of children’s rights. Such measures can encompass the passing of law and regulation...”

- CRC General Comment 16

“Recognizing that industry self-regulation is ineffective, Governments should impose strong regulatory systems to ensure that the food industry does not violate citizens’ human rights to adequate food and nutrition.

-Special Rapporteur on the Right to Food 2016.
A comprehensive approach to protect children

All policies should aim to reduce both the exposure of children to marketing and the power of that marketing.

Define marketing types, techniques and channels to be restricted based on the broad WHO definition.

The policy should consider the best interests of all children.

Define foods to be restricted from marketing based on independent, evidence-based criteria.
Effective elements in existing policies

<table>
<thead>
<tr>
<th>Policy example</th>
<th>Country</th>
</tr>
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<tbody>
<tr>
<td>Protect all children</td>
<td>Ireland, Republic of Korea, Turkey</td>
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<tr>
<td>Adopting a broad definition of marketing to children</td>
<td>Chile</td>
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<tr>
<td>Including a broad set of marketing communication channels</td>
<td>Quebec, Canada</td>
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<tr>
<td>Covering a broad set of persuasive techniques that appeal to children</td>
<td>Peru</td>
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<tr>
<td>Applying a strict nutrient profile model</td>
<td>Turkey, Chile</td>
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<tr>
<td>Adopting an effective enforcement mechanism</td>
<td>Quebec, Canada</td>
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Adapted from a forthcoming WHO/UNICEF publication
## Countering opposition

<table>
<thead>
<tr>
<th>Common arguments</th>
<th>Counter argument</th>
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<tbody>
<tr>
<td>Parents and caregivers are responsible for what their children eat. This should not be decided either by the government or by businesses.</td>
<td>The predominance of marketing of unhealthy foods undermines dietary recommendations. Marketing negatively influences food values and preferences, and undermines efforts of parents and other caregivers to encourage healthy eating.</td>
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<tr>
<td>There is no proof that the marketing of unhealthy food and beverages is linked to children’s health outcomes, such as overweight and obesity.</td>
<td>A large body of consistent and independent evidence has determined that marketing influences children’s food preferences, purchase requests and dietary intake, and ultimately impacts their health.</td>
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<tr>
<td>The food industry is better placed than the government to reduce the harmful impact of food marketing: the adoption of industry-led, self-regulatory pledges is more efficient and less costly than the imposition of mandatory restrictions of business practices.</td>
<td>Research has established that voluntary actions by industry, such as pledges to promote food “responsibly” to children, contain significant gaps that prevent them from reducing the exposure of children to unhealthy food marketing.</td>
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<td>Sweeping restrictions are excessive: they limit business activity too much and infringe on the ability to market food to adults. A stepwise approach, starting with more narrowly defined approaches, would be better.</td>
<td>Stepwise approaches may be perceived as representing small and cumulative gains over time, but research has shown that they can have counterproductive effects and can lead to an increase (rather than a decrease) in children’s exposure to such marketing.</td>
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<td>Marketing restrictions are unlawful.</td>
<td>Governments that have ratified the CRC have an obligation to ensure the enjoyment of the highest attainable standard of health for all children. In upholding this right, they have a broad margin of discretion in determining how to do this most effectively, including through use of regulations.</td>
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Conclusion

Importance of law and policy to create healthy environments

Evidence shows that self-regulation has little positive effect and may simply serve as a way for industry to delay successful government approaches

Restrictions on food marketing are a necessary step to improve children’s diets and help prevent child and adolescent overweight and obesity

There are strategies to overcome opposition

Without action, we risk violating several child rights outlined in several international frameworks, particularly the rights to adequate nutrition and health
Thank you