

Taking action to protect children from the harmful impact of food marketing

A child rights-based approach

Jo Jewell

Nutrition Specialist
UNICEF HQ

Acknowledgements

Katherine Shats
Legal Specialist
UNICEF HQ

Katrin Engelhardt
Scientist
WHO HQ

unicef 
for every child



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

Background & global recommendations

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



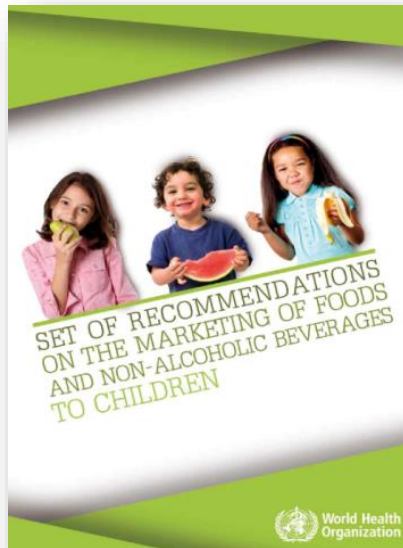
“There is **unequivocal evidence** that the marketing of unhealthy foods and sugar-sweetened beverages is related to childhood obesity”

- WHO Commission on Ending Childhood Obesity

Background & global recommendations

2010

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



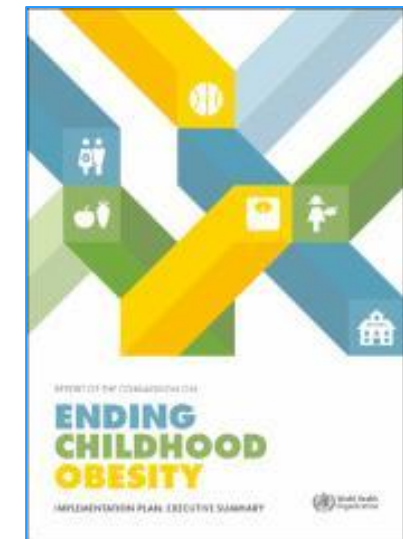
2012

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

*“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.

*“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



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



Policy example	Country
Protect all children	Ireland, Republic of Korea, Turkey
Adopting a broad definition of marketing to children	Chile
Including a broad set of marketing communication channels	Quebec, Canada
Covering a broad set of persuasive techniques that appeal to children	Peru
Applying a strict nutrient profile model	Turkey, Chile
Adopting an effective enforcement mechanism	Quebec, Canada

Adapted from a forthcoming WHO/UNICEF publication

Countering opposition

Common arguments	Counter argument
Parents and caregivers are responsible for what their children eat. This should not be decided either by the government or by businesses.	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.
There is no proof that the marketing of unhealthy food and beverages is linked to children's health outcomes, such as overweight and obesity.	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.
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.	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.
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.	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.
Marketing restrictions are unlawful.	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.

Adapted from a forthcoming WHO/UNICEF publication

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

unicef 
for every child

