



Statement by Mr Anand Grover

**Special Rapporteur on the right of everyone to the enjoyment of the
highest attainable standard of physical and mental health**

High-Level Meeting of the UN General Assembly to undertake a comprehensive review and assessment
on the prevention and control of NCDs

10 - 11 July 2014

New York



Excellencies, Distinguished Experts,

Ladies and Gentlemen,

The adoption of the 2011 Political Declaration on NCDs by the UN General Assembly alerted the world to the alarming rise of NCDs, their devastating impact on human health, development and national economies. Three years on, the UN General Assembly is holding a crucial meeting to review and assess the progress made since. In this context, I would like to contribute to this important discussion by highlighting some critical issues raised in my last report to the UN Human Rights Council on unhealthy foods, NCDs and the right to health ([A/HRC/26/31](#)).

The 2011 Declaration recognizes the right of everyone to the highest attainable standard of physical and mental health. It also calls for greater measures at all levels to prevent and control NCDs towards the fulfilment of this right. It identifies cardiovascular diseases, cancer, diabetes and chronic respiratory diseases as NCDs responsible for a majority of deaths globally, while calling upon States and other stakeholders to take definitive steps to address the key, modifiable risk factors for NCDs, one of these being unhealthy diets.

While the 2011 Political Declaration aligns with many of the critical elements of realizing the right to health, it falls short of recognizing the key drivers behind NCDs. The Declaration calls upon States to strengthen individuals' ability to make healthier food choices and also to support the production and manufacture of foods that contribute to healthier diets, including through the greater utilization of locally sourced agricultural products and foods. Beyond influencing individuals' capacity to live and eat healthy, it is important to consider structural changes to food systems including the modern day food environment, which has made unhealthier, highly-processed foods more available, affordable and acceptable than healthier ones. Such changes were enabled by the policies and processes of globalization like food trade, foreign direct investment in the food industry and the relentless marketing of unhealthy foods. This has resulted in an environment where there is high exposure to and consumption of unhealthy foods. It is not only necessary to recognize these changes but also to ensure that legal and policy options seek to develop an environment where there is lower exposure to unhealthy foods and promote and facilitate access to healthier and local options. States must decide on regulatory approaches that best suit local conditions to regulate and reduce the consumption of unhealthy foods.

A number of States have formulated and adopted fiscal and other policies to address obesity and diet-related NCDs, including policies such as taxation of sweetened beverages and high-fat foods and subsidization of healthier food products. The General Assembly should encourage States to take similar measures to protect public health and promote the right to health. Decisions of measures that impact the food environment must necessarily be arrived at by involving the affected populations whether in schools, workplaces or public institutions.

From my interaction with States, it is clear that low and middle-income countries would like to see a greater international cooperation to address diet-related NCDs, including through capacity-building and technical assistance to develop nutritional standards for foods. This aspect must be emphasized in the outcome document. In this regard, the upcoming second International Conference on Nutrition (ICN2), taking place 19-21 November 2014 in Rome, provides a unique opportunity for States to discuss and agree on the food system solutions and mechanisms needed to move forward in tackling diet-related NCDs, and commit to act upon them.

The 2011 Declaration also recognizes the WHO's role, as the primary specialized health organization, in leading and coordinating global action against NCDs. Similar to the target and indicator approach of the MDGs, the WHO has developed a global monitoring framework for the prevention and control of NCDs which encompasses 9 voluntary global targets to be achieved by 2025 with 25 indicators to measure progress towards them.

While this approach has helped consolidate political will towards health-related MDGs, it does not go far enough. The activities of transnational food and beverages companies, which account for one third of the food sales and are increasingly implicated in the global obesity and NCD epidemics needs to be regulated more closely. Their accountability for right to health violations leaves much to be desired. In this context, I welcome the recent resolution by the UN Human Rights Council, which moves in the direction of formulating international, legally binding standards on businesses with respect to human rights. It is also open to the World Health Organization to use its mandate as a treaty-making body to negotiate a framework convention on unhealthy diets, recognizing the inextricable link between unhealthy foods and NCDs as it has done for the Framework Convention on Tobacco Control. A specific binding framework convention on unhealthy diets would be more effective in responding to the global NCD disease burden. I call upon General Assembly to take this upon consideration in their outcome document.

The high-level meeting now has the opportunity to further the right to health of everyone by calling upon States to take decisive, multi-sectoral actions to address the global burden of NCDs. I hope that the recommendations of my recent report [\(A/HRC/26/31\)](#) on unhealthy foods, NCDs and the right to health are considered and acted upon towards this end.

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