



Anthony Lake, Executive Director, UNICEF

Jasmine Whitbread, CEO, Save the Children Alliance

15th July 2011

OPEN LETTER re: Civil Society concerns about the Children's Rights and Business Principles Initiative.

Dear Anthony Lake and Jasmine Whitbread,

With warm appreciation of our long collaboration with UNICEF and Save the Children in the three decade long struggle to protect child health, we are writing now on behalf of IBFAN and several other non-governmental organizations and concerned individuals to express our unease about a new initiative that has come to our attention, namely the *Children's Rights & Business Principles Initiative* (CRBPI) being formulated jointly by Save the Children, UNICEF and the Global Compact Office. We know that many other partner organizations share our concerns, but need more time to get clearance for a clear position.

First, we would like to say that IBFAN supports the idea that the UN should adopt a set of principles on children's rights and business, and understand that this initiative is a genuine attempt to scale up action in this important area. However, we are concerned that the CRBP as formulated and timed has such fundamental flaws that it will actually do more harm than good.

The CRBPI seems to be an incentive-driven initiative which *expands the role of business* by expecting it to 'support' or 'protect' child rights – rather than, as appropriate in the human rights framework, 'respecting' them. The Initiative has, no sanctions for failure to comply with its core principles and provisions.

Furthermore the CRBPI is being instigated in partnership with the Global Compact Office (GCO), a body that has been severely criticized in the evaluation by the Joint Inspection Unit (JIU) of the UN System in 2010 and which lacks "*a proper regulatory governmental and institutional framework*" or an "*articulated mandate*". The JIU evaluation shows the GCO to be ineffective and lacking in accountability and transparency. It also focuses on self-assessed voluntary measures rather than on State Parties' obligations to regulate the impact of business on child rights.

IBFAN's experience over two years of trying to use the so-called Global Compact '*Integrity Measures*' to call for the review and exclusion of a company that systematically violates the principles has shown the Global Compact to be worse than ineffective: it is used for public relations purposes by corporations to divert attention from ongoing bad practice.

We fear that the development of the CRBPI at this time, pre-empts and undermines the forthcoming Committee on the Right of the Child (CRC) General Comment on Business and Children's Rights which should underpin and set the framework for all action on children's rights in this area. The CRC is, after all, the backbone of UNICEF's work.

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We know that IBFAN's work over three decades to bring in legislation to protect child rights will be made far more difficult if this initiative takes off. As the 2008 Euromonitor International Report on baby food marketing states: "*companies are fighting a rearguard action against regulation on a country-by-country basis.*"¹ The last thing that is needed now is for the UN and Save the Children to advocate discredited and ineffective self-monitored voluntary approaches.

In the light of our concerns, which are more fully outlined in the attached paper, we would like to urge you to disengage from this process and to instead lend your full support to and invest resources in the process of formulation of the CRC General Comment.

In the hopes that this letter will be given serious consideration,

Yours sincerely

Joyce Chanetsa, Convenor, IBFAN



Ina Verzivolli, Human Rights Project Officer, IBFAN/GIFA

Patti Rundall, OBE, Policy Director, Baby Milk Action, IBFAN

Lida Lhotska, European Coordinator, IBFAN

Dr. Arun Gupta, Regional Coordinator IBFAN Asia,

Flavio Luiz Schieck Valente MD MPH, Secretary General, FIAN

Margaret Kyenkya, 1st Infant and Young Child Advisor for UNICEF NYHQ, currently managing health and nutrition projects in Uganda

Laurie True, Executive Director of the California WIC Association, Davis, CA, USA.

Charlie Powell, Campaigns Director, Sustain Children's Food Campaign

Prof. Andrea Vania, ECOG President, European Childhood Obesity Group.

Atta ul Haq, CEO, Youth Association for Development (YAD) Pakistan

Utta Reich-Schottky, Vorsitzende der Arbeitsgemeinschaft Freier Stillgruppen (AFS)

Kibaya Robert, Executive Director/Founder, Kikandwa Rural Communities Development

Organization - KIRUCODO, Uganda

MQK Talukder, Advisor of the Bangladesh Breastfeeding Foundation and Chairman of the Centre for Child and Woman Health.

¹ *Euromonitor International, 2008, Global Packaged Foods: Market Opportunities for Baby Food to 2013*



International Baby Food Action Network
Red internacional de grupos pro alimentación infantil
Réseau international des groupes d'action pour l'alimentation infantile
c/o GIFA Geneva Infant Feeding Association
Association genevoise pour l'alimentation infantile

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CRC:

Jean Zermatten, President
Marta Mauras Peres, Coordinator of the general comment on business and child rights
Yanghee Lee, former president