U.S. Comments on the draft Work Programme of the UN Decade of Action on Nutrition 2016-2025

The United States welcomes the opportunity to review the first draft work programme of the UN Decade of Action on Nutrition, 2016-2025, and to share general reflections on the document. We find the draft programme to be helpful and comprehensive. However, we note the need to allow flexibility in implementation with voluntary Member state commitments and accountability mechanisms and to focus on national level policies given the different contexts among Member States’ respective nutrition policies and programs. Also, while we agree that the Decade of Action should focus on fostering international dialogue on the menu of actions, policies and resources that can contribute to improved nutrition globally, we caution against the inclusion of prescriptive policy statements in this work programme. The document should therefore avoid any language that could be interpreted as legally binding, such as “shall,” “agreed,” and “will,” and substituted for alternative verbs (“seek,” “aim to,” etc), and it should be clarified that any “commitments” arising from implementation or accountability mechanisms will be voluntary in nature.

In addition, the human rights language in the document needs to conform to the language of relevant human rights treaties, and the text should accommodate the fact that not all WHO member states are necessarily party to each of those instruments. We are concerned that the document implies obligations upon States through instruments that not all States are party to. For example, we would request that references to “the right to (adequate) food” be replaced with “more effectively promote the progressive realization of the right to an adequate standard of living, including adequate food.” Likewise the reference to “adequate sanitation as a human right” should be reframed as sanitation and safe drinking water being essential to the right to an adequate standard of living and to the enjoyment of the highest attainable standard of health (we would be happy to furnish some proposed alternatives that would address these topics in ways that more are consistent with legal instruments that are agreed).

With respect to the Action Areas proposed in the document, the United States would like to offer the following comments:

1) **Antimicrobial Resistance (paragraph 23 and Table 1):** We agree with prioritization of antimicrobial resistance (AMR) on the global stage, however, we do not believe that it is desirable or necessary for AMR’s inclusion in this particular work stream as there is a multitude of very focused work on the AMR occurring in other forums.

2) **Codex (paragraph 34):** We do not agree that the role of Codex is to ensure that international trade respects and promotes health and nutrition; its official mandate is to protect the health of consumers and assure fair practices in food trade.

3) **Action Area 4: Trade and investment:** We believe that the document should focus on the high-level point that coherence between trade and nutrition policy is important, and that governments and relevant organizations should continue to identify opportunities to achieve nutrition targets and pursue nutrition policies while also promoting trade and investment and respecting international trade obligations. We do not support statements in the work programme as to how trade policy or trade organizations should contribute to achieving these objectives, or references to specific trade agreements, such as the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).
4) **Taxation (paragraphs 35 and 57 and Table 1):** Robust evidence is needed to support any taxation or pricing policy recommendations that might result from the Work Programme. We recommend that further study of the taxation/pricing of particular foods and beverages include a thorough examination of all relevant scientific studies, and that additional studies are necessary in this area before drawing conclusions as to the efficacy of these types of policies.

5) **Animal Source Foods (Table 1):** We are concerned about the call to move away from intensive farming systems, which may not be appropriate in certain circumstances, and would prefer instead simply noting the value in supporting small farms.

6) **Table 1:** We would recommend the inclusion of a recommendation for countries to consider establishing public private partnerships to develop and implement nutrition policies and programs to support national nutrition objectives.

We also have the following questions:

- With regard to *global food and nutrition targets* in paragraph 35, are these referring to the UN Sustainable Development Goals, if not, then please clarify.

- Paragraph 45 states “Commitments from Member States and regional political and economic communities will be formalized through a communication between the Head of State or Minister and the Director-Generals of either FAO or WHO, or both.”
  - Does this mean that FAO and WHO will be securing extra-budgetary commitments at a Ministerial meeting or reaching out to leaders directly rather than securing commitments through permanent representatives and country representatives?
  - Given that there is no funding to support coordination activity, how will the International Organization partners be soliciting commitments?
  - How will FAO’s budget reduction in “de-emphasizing” the work in nutrition education, food composition and Minimum Dietary Diversity affect this implementation plan?