

# **BFLGI**

**Baby Feeding Law Group Ireland**

**Response to the publication of the Working Outline of Ireland's  
National Plan on Business and Human Rights**

**Submitted to the Department of Foreign Affairs and Trade (Republic  
of Ireland) by the Baby Feeding Law Group Ireland and IBFAN Ireland  
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## Introduction

- The Baby Feeding Law Group Ireland (BFLGI) and the International Baby Feeding Action Network Ireland (IBFAN Ireland) are both members of the International Baby Feeding Action Network (IBFAN), a network of public interest groups working to reduce infant and young child morbidity and mortality.
- BFLGI and IBFAN Ireland are working to strengthen the Irish Government's commitment to the World Health Organization International Code of Marketing of Breast-milk Substitutes and subsequent World Health Assembly Resolutions and related international agreements.

BFLGI and IBFAN Ireland welcome the *Working Outline of Ireland's National Plan on Business and Human Rights* produced by the Department of Foreign Affairs and Trade. We were pleased to be given an opportunity to contribute to the document, believing that it must have at its core a commitment to upholding human rights as a means to protect child health and development.

Our response to the Working Outline relates to the three pillars of the UN Guiding Principles on Business and Human Rights in terms of:

- (i) The State duty to protect human rights
- (ii) Corporate responsibility to protect human rights
- (iii) The issue of access to remedy
- (iv) Ireland's domestic and international policies in terms of how Irish-made breastmilk substitutes and commercial infant foods are marketed abroad by commercial companies, including those working in partnership with state-funded agencies and with a particular focus on activities occurring in less developed countries.
- (v) The Rights of the Child as enshrined in the UNCRC and in particular with regard to Article 24

In its submission BFLGI and IBFAN Ireland highlighted the extent of state involvement in the development of Ireland's infant formula industry, domestically and abroad, and the necessity of balancing the requirements of industry and the requirement to work within the parameters of the World Health Organisation International Code of Marketing of Breast-milk Substitutes.

We are disappointed that there is no reference is made to this issue in the Working Outline, and we reiterate our recommendation that the National Plan on Business and Human Rights Plan make appropriate recommendations that are specific to the context of Ireland's infant formula industry and the Rights of the Child as enshrined in Article 24 of the UNCRC.

BFLGI and IBFAN Ireland also recommended that the National Plan on Business and Human Rights reflect the particular vulnerabilities of babies and infants resident in less developed countries.

We restate our suggestion for a requirement be placed on Irish formula companies and involved state agencies to register a list of those developing countries in which they are operating and be transparent on their marketing strategies and activities in the context of countries characterised by low education, high levels of communicable disease and conflict-affected areas.

BFLGI and IBFAN Ireland recommended that the National Plan on Business and Human Rights include a requirement that Irish-based companies involved in the marketing of breast-milk substitutes provide a publicly-available annual report on their marketing activities and their compliance with the World Health Organisation Code, both domestically and abroad. In addition, BFLGI and IBFAN Ireland recommended that a periodic external and independent evaluation be undertaken in this regard.

We believe that it is critical to make specific reference to these issues.

Mary Bird

Secretary

Baby Feeding Law Group Ireland

31<sup>st</sup> January 2016