

Colombian Supreme Court protects right to health in historic ruling

Langue Undefined

The Supreme Court gives reason to health and defends the right to information and informed consumer consent.

The court orders the Superintendency of Industry and Commerce (SIC) to lift the censorship and publish a commercial developed by “Educar Consumidores” (“Educating Consumers”) showing the harmful effects of sugar-sweetened beverages on human health.

The ruling recognises the right of consumers to “access to information on the positive or negative consequences that consuming a certain product may have on their physical and mental integrity”.

In August of 2016, Educar Consumidores and the “Alianza por la Salud Alimentaria” (“Alliance for Healthy Food”), composed of more than 30 civil society organisations, launched the awareness-raising campaign “Tómala en serio” (“Taking it seriously”) that sought to show the harmful effects of the daily consumption of sugar-sweetened beverages.

A few days after the campaign was launched, in flagrant violation of national and international regulations that protect freedom of expression and which require the provision of clear and accurate information for the protection of health, SIC ordered that the campaign be taken off the air.

In addition, SIC also demanded to screen any information that Educar Consumidorres sought to transmit in relation to the consumption of sugar-sweetened beverages. Consequently, Educar Consumidores was forbidden from publishing information related to this matter in traditional or digital media and social networks, without the prior authorisation of SIC.

After a fierce legal defense, on 5 April 2017 the Supreme Court of Justice of Colombia ruled in favour of Dejusticia and other organisations of the Alianza por la Salud Alimentaria that sought to defend the right to free access to information. In ruling STC-4819-2017 the Court protected access to information, informed consent, and due process, that had been violated by the SIC's decision.

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Full press release (in Spanish) & more information via the links below.

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[1] https://old.ncdalliance.org/sites/default/files/Comunicado_de_Prensa_10Abril2017.pdf

[2] <http://bit.ly/2nDuQ6e>

[3] <http://www.educarconsumidores.org>

[4] <http://alianzasaludalimentaria.org>