Civil Society Letter of Concern on FENSA “non-paper”

To
Dr. Margaret Chan
Director General
World Health Organization (WHO)
Geneva

Dear Dr. Chan

We, the undersigned, are from public-interest civil society networks and organizations who stand for a strong, independent World Health Organization (WHO) that does its work with integrity and deserves the trust of global citizens.

We write to express our concern about the “non-paper” titled “Implications of Implementing Framework of Engagement with Non-state Actors” that was issued by the Secretariat on 14 October 2015.

WHO Members States initiated the development of the Framework of Engagement with Non-State Actors (FENSA) to safeguard the independence, integrity and credibility of the WHO when engaging with ‘non-state actors’ (NSAs). FENSA was to provide a robust framework for engagement with NSAs to ensure the protection of the Organization from undue influence especially in its norms and standard setting functions.

The non-paper prepared by the Secretariat, portrays the implementation of FENSA as having “detrimental consequences on the work of WHO”, provides no constructive contribution to the new Member State-led process. We question the motives behind such a paper as it comes in the middle of negotiations. It is purported prepared on the basis of a decision of the World Health Assembly (WHA). Yet, we do not find any such decision reflected in the WHA resolutions or the list of decisions.

We are very concerned that the paper by the Secretariat can undermine further strengthening of a FENSA and prevent it becoming a truly robust framework, as the paper lists the potential ‘unintended consequences’ often in an exaggerated manner, as assumptions, without providing any empirical evidence to back up these claims.

A robust framework is essential to protect the integrity, independence and credibility of WHO as it carries out its essential norm-setting tasks. We refer here to your address at the Regional Committee of Europe on 15 September 2015, in which you stated:

“The new distribution of power raises an absolutely critical question for health in the sustainable development era. Who really governs the policies that shape our health? Is it democratically elected officials acting in the public interest? Is
While fully agreeing with your concern, we would like to point out that it is high time to take measures in the Organization to insulate WHO from corporate capture and other undue influences. It will be a step in the right direction if the final framework contains effective provisions for identifying risks of undue corporate influence, including conflicts of interest, and measures to avoid and when not possible, manage, such risks in a transparent and effective manner.

Moreover, currently, WHO does not have transparent and effective policies and tools to prevent such undue influences and risks. As you are aware, the Organization lacks a comprehensive conflicts of interest policy within which the existing tools could be implemented, and new ones identified and developed, including capacity building for WHO staff. Therefore, it is very disconcerting that the FENSA provisions on conflicts of interest contain conceptual errors, despite repeated attempts by public interest advocates to highlight these in the governing body debates and in NGO statements. It is urgent to fix those errors.

We call upon you to ensure that your Secretariat supports a constructive finalization of a FENSA that includes robust provisions to prevent undue influence from the private corporate sector, including corporate philanthropy foundations, and that the secondary interest of WHO to secure funding does not collide with the WHO constitutional mandate, a conflict of interest that global public health cannot afford.

We thus kindly ask you to ensure that the Secretariat act in good faith and protect the independence, integrity and credibility of WHO. We stand ready to support your efforts in that direction.

Signatures

1 ACT+ Alliance for Tobacco Control and Health Promotion (Brazil)
2 Action on Sugar and World Action on Salt and Health
3 Alcohol Policy Youth Network
4 All India Drug Action Network
5 All Nepal Peasants Federation
6 Alliance Against Conflict of Interest (AACI)
7 Anti Drug Abuse Association of Lesotho (ADAAL)
8 Arugaan Philippines
9 Asia Pacific Farmers Forum, South Asia
10 Asociacion Centro Feminista de Informacion y Accion – CEFEMINA
11 Associação Mama Mater/IBFAN Portugal
12 Association of Breastfeeding Mothers
13 Baby Milk Action
14 Bangladesh Breastfeeding Foundation

1 http://www.who.int/dg/speeches/2015/europe-regional-committee/en/
15 Berne Declaration  
16 Blue Cross Norway  
17 Blue Cross Thaba Bosiu Centre (TBC)  
18 Breastfeeding Network (UK)  
19 Breastfeeding Promotion Network of India (BPNI)  
20 Centre for Science in the Public Interest (Canada)  
21 CESTA Friends of the Earth El Salvador  
22 Corporate Accountability International  
23 Diverse Women for Diversity (India)  
24 El Poder del Consumidor (Mexico)  
25 FIAN International  
26 FIAN Nepal and National Network on Right to Food Nepal  
27 First steps Nutrition Trust (UK)  
28 Foundation for Research in Science, Technology & Ecology  
29 Global Policy Forum  
30 GNRTFN secretariat  
31 Haburas Foundation/ Friends of the Earth Timor-Leste  
32 Health Equalities Group  
33 Health Innovation in Practice (HIP), Geneva  
34 ICCO COOPERATION, India Office  
35 Initiative for Health & Equity in Society (India)  
36 Institute for Socioeconomic Studies - INESC (Brazil)  
37 International Baby Food Action Network (IBFAN)  
38 International Code Documentation Centre (ICDC)  
39 IOGT International  
40 Knowledge Ecology International  
41 La Leche League Great Britain (UK)  
42 Lactation Consultants of Great Britain  
43 Medico International  
44 Medicus Mundi International – Network Health for All  
45 Mother and Infant Research Unit, University of Dundee (UK)  
46 NCT(UK)  
47 Osservatorio Italiano sulla Salute Globale (OISG)  
48 People’s Health Movement (Global)  
49 REDES-FoE (Uruguay)  
50 Responsible Approaches to Infant Feeding (RAIF). New Zealand  
51 RIPESS Intercontinental  
52 Royal College of Paediatrics and Child Health (UK)  
53 SAAPA Lesotho  
54 Society for International Development –SID (Italy)  
55 South Asia Food Sovereignty Network  
56 South Asia Peasants Coalition  
57 The European Alcohol Policy Alliance  
58 The Housing and Land Rights Network  
59 Third World Network (TWN)  
60 UK Faculty of Public Health  
61 UK Health Forum  
62 WEMOS Foundation  
63 World Breastfeeding Tends Initiative  
64 World Obesity Federation  
65 World Public Health Nutrition Association  
66 Young Professionals Chronic Disease Network (YP-CDN)  
67 Youth Network No Excuse Slovenia