

Response to Online Consultation

Safeguarding against possible conflicts of interest in nutrition programmes: “Approach for the prevention and management of conflicts of interest in the policy development and implementation of nutrition programmes at country level”

The **World Public Health Nutrition Association** (WPHNA) is a professional association that brings together people with a common interest in promoting and improving public health nutrition. Our members, from more than 65 countries, form a global network and have created a dynamic forum to exchange views to support each other in our work. We welcome members at all stages in their careers, and from all parts of the world.

Key among WPHNA’s functions is to:

- Strengthen its members’ professional competence and status;
- Promote the exchange of relevant information, knowledge and ideas;
- Monitor, analyse, comment and advocate to improve public health nutrition policy and practice;
- Position PHN high on the global and national development agendas;
- Act decisively on the ethical and political advancement of PHN;
- Support action for a sustainable food system and healthy diets;
- Link PHN with human rights and social justice;
- Promote a clear position on avoiding conflicts of interest.

We support the ongoing action by WHO to develop a process to prevent and manage conflict of interest in nutrition policies and programmes at country level.

We welcome the opportunity to participate in the online consultation on the Discussion paper, although we have found the consultation period far too short for meaningful discussion and feedback amongst our members on the fine details of the papers and Tool. These comments are based on contributions from and endorsement by the Executive Committee.

We have noted however that very important and well justified inputs, critiques and suggestions made to WHO in preceding months by PICSOs we work with have not been incorporated into the draft being circulated for comments. It is not clear to us what kind of pressures have been responsible for this.

We note that the proposed approach is aligned with the FENSA which whilst it may be administratively appealing and familiar to countries it runs the risk of COI related to public health nutrition becoming lost in the broader principles of risk management. In particular a focus on risk management tends to be more outward than inward focused. As well as examining the risks and conflicts associated with what outside actors may want, the process and tools must also encourage public actors to look at potential conflicts within, and in particular between their mandates and prime functions and their secondary interest to be adequately funded.

It is therefore critical to differentiate nutrition COI within the risk management framework and to clearly link the process with examples of internal COI related to nutrition that countries may experience with corporate actors and philanthropic foundations offering substantial financial support of programmes. Otherwise there is a risk of weakening any existing safeguards at the national level and thus promoting measures that increase rather than reduce risks of undue outside influence.

Several PICSO's working as we are towards achieving the right to access to food that promotes health, have voiced their concern that FENSA is not fully informed by COI experts therefore it embraces inaccurate COI concepts that mirror those put forward by multi-stakeholder initiatives such as SUN.

We also note that the poor conceptualization of COI used in other debates (FENSA, Scaling up Nutrition - SUN, ICN2, UN Decade of Action on Nutrition) is still found in this document. Some of these concerns are stated in the 2016 report of the WHO technical consultation (TC) on 8-9 October 2015 in Geneva, (pp.4-6). WPHNA suggests to include references and arguments well recognized by legal experts on COI, as well as inputs by academics with vast experience in working critically on these issues from a public interest-centered perspective. Some of these experts attended the TC and raised these same concerns over the redefinition of the COI concept.

The text reflects a contradiction between an effort to safeguard policy and programming endeavours in nutrition and a simultaneous reaffirmation of flawed multi-stakeholder (MS) and Public-Private Partnerships (PPPs) initiatives. The latter two have COI intrinsically built- into them that go against decision-making in the public interest, thus leading to perceived if not real COI. For this reason we believe that MS and PPP initiatives, should not be promoted as the rule nor as a default mechanism in nutrition and public health interventions.

Just as the WHO Framework Convention on Tobacco Control (FCTC) article 5.3 recommends that Parties to the Convention should not endorse, support or form partnerships with or participate in tobacco industry activities described as socially responsible, we suggest a similar approach pertaining to companies with products, practices, and promotion of unhealthy ultra-processed foods, SSB and baby milk and follow on formulas. Given that these products are highly engineered so as to create and sustain dependence, they should be seen as the problem, not part of the solution. We believe that companies that produce and promote these products should be listed along with tobacco industry amongst excluded entities.

The Tool itself is complex involving many steps and value judgements. The appendices, whilst informative may be discouraging due to the large amount of information contained. Public actors may need coaching to build their confidence to use the tool. A trial of the tool with a range of countries and contexts will be important to determine its utility and effectiveness in preventing and managing COI.

Margaret Miller
President
World Public Health Nutrition Association
Charles Darwin House
12 Roger St
London WC1N 2JU United Kingdom
secretariat@WPHNA.org
<http://wphna.org/>