

International Baby Food Action Network (IBFAN)

142th session of the Executive Board



Agenda Item EB 5.5 Engagement with non-State actors (EB142/28, EB142/29)

BFAN and many other public interest NGOs have consistently expressed concerns about the unresolved conceptual problems of FENSA, whose COI definitions mirror the flaws in SUN's Guidance on Conflicts of Interest. SUN confuses conflicts of interest with disagreements and differences, depending on Trust and Collaboration rather than caution.

Not wanting to repeat concerns expressed in other agenda items, we look forward to FENSA being opened up to public and expert input and scrutiny in the initial evaluation due in 2019.

FENSA follows decades - long debates about how WHO should appropriately approach its engagements with the private sector, and in particular with public-private hybrid entities. OECD COI Guidelines describe sponsorships and lobbying as particular "at risk areas" for conflicts of interest - yet these issues are woefully absent.

As we feared, the Non-State Actors (NSA) terminology is creating many problems, as is the level of due diligence in the approval of NSA Official Relations applications. Providing different colour badges for NSA types would be at least one step towards transparency. Similarly, all participants, including those with public badges, should be listed. In what appears to be a growing trend, Senior members of ISDI - an NSA that lost its Official Relations status in 2013 - are attending this EB. At the Codex meeting in December - dozens of industry representatives (far more than in the official ISDI delegation) attended with Public Badges and were not listed. We urge Member States to ensure their delegations to WHO and Codex are free from commercial influence.

We welcome the assurances given by Dr Tedros and Dr Axelrod that WHO will be safeguarded. In order to achieve this, we urgently suggest that WHO enlists COI experts to correct the wrong COI conceptualization in FENSA. If a corrected version could be ready by the forthcoming WHA, MS would then more safely proceed with COI in nutrition.

Thank you

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