

## **Conference Report**

**GSO-SUN Global Concluding Conference** 

Engaging in the SUN Movement: Prevention and Management of Conflict of Interest
16-17 February 2015
Geneva, Switzerland

**March 2015** 

#### Preface

The Global Social Observatory is pleased to share this meeting report on the GSO-SUN Global Concluding Conference: Engaging in the SUN Movement: Prevention and Management of Conflict of Interest, which was held in cooperation with the SUN Movement Secretariat on 16 to 17 February 2015 in Chavannes-de-Bogis. The report includes an Executive Summary, with highlights from the three panel discussions, the break-out sessions and concluding roundtable. The Executive Summary is followed by a detailed report of the background and objectives for the Conference and summaries of each session. Participants have shared their views on the revised GSO-SUN Reference Note and Toolkit for the Prevention and Management of Conflict of Interest and on the key messages and lessons learned from the GSO-SUN Enhanced Learning Exercises and from the overall project that were presented in a Synthesis Report prepared for the Conference.

The GSO hopes that participation in the Conference (and in the rest of the project) has resulted in an increased understanding of the relationship between the policy framework and tools in the revised Reference Note and Toolkit and their applicability to past and future experiences at the community, country or regional levels, as well as at the global level. Participants had the opportunity to identify and recommend steps for integrating the Reference Note and Toolkit and the key messages and lessons learned into the ongoing work of the SUN Movement in support of countries. Various suggestions are presented in the highlights sections, as well as in more detail in the full meeting report. The GSO understands that these recommendations are intended for inclusion of these materials into the emerging Communities of Practice and the SUN "Strategy 2.0". However, they also emphasize the importance of being country-driven and specific to the local context. Finally, the GSO is presenting a separate concluding report for the overall project to the SUN Lead Group, which will include the many recommendations from the Conference.

In general, the Conference reaffirmed the twelve key messages and lessons learned from the project that are featured in the Synthesis Report. They are also summarized in the meeting report in the presentation by Martin Gallagher, the Policy Advisor and Liaison to the GSO-SUN project from the SUN Movement Secretariat. Certain refinements on these key messages and lessons learned merit particular mention here, among six points, but they will be more fully developed in the separate concluding report for the overall project.

- 1. Having a written policy in place to address conflicts of interest includes the recognition that there needs to be a minimum set of rules for all stakeholders but also a recognition that the different interests and roles of each stakeholder need to be specifically articulated.
- 2. Applying the Reference Note and Toolkit to the immediate country setting requires local capacity-building, integrating policies into existing structures and regulations, and translation of materials into local languages. National workshops are recommended.
- 3. Building trust is essential for multi-stakeholder collaboration, but disclosure of interests can be difficult to implement. The Conference did include examples from other settings that can serve as a guide for this. The role of a neutral facilitator to bring diverse interest groups together was mentioned in several instances.
- 4. The challenge of finding a suitable role for the private sector was a dominant theme throughout the Conference. Experiences were shared on how to "unpack" what the private sector looks like in each setting and on defining the parameters for collaboration. This requires continuing and specific attention.





- 5. The Code on the Marketing of Breast-milk Substitutes was of particular concern to the participants. Guidance is sought on establishing consistent compliance with the Code as a central tenet for the SUN Movement in all country settings. This is an urgent matter.
- 6. Participants were also interested in monitoring and evaluation and identified ways to address this with support from civil society. They also recommended the development of online resources for information sharing and inclusion of reporting at global gatherings or forums.

These are only a few of the highlights and recommendations from the Conference, and the report provides much more detail on the richness of the discussion. The GSO encourages a continuation of the process of building trust among stakeholders and using the Reference Note and Toolkit as a means to the end of effective collaboration in support of the mission of the SUN Movement. The GSO thanks the SUN Movement Secretariat for its extensive engagement and support, the Gates Foundation for the main grant to the project and USAID, GiZ, UNICEF and GAIN for covering additional costs of the Conference. Most importantly, the GSO is deeply indebted to the generous sharing of views and interactive dialogue by all participants in this project.

Respectfully submitted by the GSO Team:

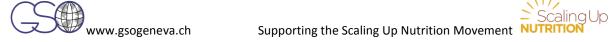
Katherine Hagen, Project Director Ralph Doggett, Deputy Project Director Michelle Botes, Administrative Assistant





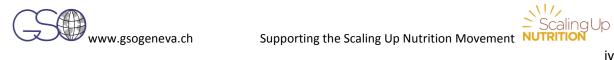
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## **Executive Summary**

The GSO-SUN Global Conference on Conflict of Interest in the SUN Movement was held from 16 to 17 February 2015 in Chavannes-de-Bogis, Geneva, Switzerland. It was the concluding event for a project led by the Global Social Observatory in partnership with the SUN Movement Secretariat (SMS) and Globethics.net, to develop a framework for the prevention and management of conflict of interest for the Scaling Up Nutrition Movement. Conference participants received a revised Reference Note and Toolkit on the prevention and management of conflict of interest in the SUN Movement, a synthesis report summarizing the key messages and lessons learned from the project as well as from four Enhanced Learning Exercises that were held in the course of 2014, and a summary ethics report.

The Conference started with a keynote address by Tom Arnold, SUN Movement Coordinator *ad interim*, who explained the context of the project, the GSO process and major lessons learned, the importance of new directions of thinking about sustainable development in 2015 but also of the importance of continuity by integrating the COI learning into the communities of practice. Katherine Hagen, the project director and GSO Executive Director, presented the revised Reference Note and Toolkit in terms of the lessons learned from the Enhanced Learning Exercises, highlighting three integral themes – strengthening the underlying setting for a policy framework on conflict of interest, emphasizing the building of trust among stakeholders, and improving the elements of the basic policy framework. Christoph Stückelberger, the Executive Director of Globethics.net, summarized the ethics report and provided an overview of the ethics perspective on the complexities of complying with such key SUN Principles of Engagement as transparency, dialogue and mutual accountability.

Martin Gallagher, SMS Liaison for the GSO-SUN project, wrapped up the opening presentations by highlighting the 12 key messages and lessons learned that were described in greater detail in a Synthesis Report. In summary, these include the centrality of the SUN Principles of Engagement, the importance of leadership at all levels, having written policies in place, adapting to national contexts, having a community focus, managing coherence at different levels of government, determining the role of the private sector, recognizing that all stakeholders have potential for conflicts of interest, filling the gaps in expertise, capacity and resources; working with national and local academic institutions, consistently applying the International Code of Marketing of Breast-milk Substitutes, and distinguishing between conflicts and conflict of interest. These served as the basis for the discussions and recommendations throughout the rest of the Conference.

Participants contributed to the deliberations through a series of three panel discussions, a breakout session with feedback to the full group, and an open-ended roundtable discussion. The first panel, moderated by Abdoulaye Ka, involved the insights from the country level; the second, moderated by Tom Arnold, involved the sharing of COI experiences in settings other than the SUN Movement; and the third, moderated by Ellen Piwoz, involved the insights from the various SUN networks — civil society, business, donor and UN. The challenges of government leadership, trust-building issues, the difficulties of involving the private sector, and capacity building were among the many subjects covered during the panel discussions. The breakout sessions gave participants the opportunity to work in six small groups to consider and report back to the full group on next steps in their own





activities and for the SUN Movement generally. Similar concerns were raised here about capacity building and defining stakeholder roles, along with adapting to local rules and local languages, and interpretations of the BMS Code. Highlights from each of panels and the breakout sessions are included below this summary to capture the main themes of the Conference, followed by a more detailed meeting report of the whole programme.

The Conference concluded with a final open-ended roundtable discussion moderated by Katherine Hagen and closing remarks from Tom Arnold. The roundtable session returned once again to the key messages and lessons learned from the Synthesis Report and elicited helpful suggestions on reinforcing the centrality of the SUN Principles of Engagement; on refining the ethical perspective and understanding for the difference between conflict and COI of several of these principles; on leadership, especially involving the coordination of COI policies in all networks; and on the legal implications of having a written COI policy in place. Capacity building, local diversity, and the special issue of how to interpret the BMS Code were also important themes in this final roundtable.

In his closing remarks, Tom summarized the outcome of the Conference as a strong endorsement of the key messages and lessons learned. Conference participants have embraced the centrality of the SUN Principles of Engagement while also recognizing that some revisions may be in order to take into account the issues that were raised in the panels and the open-ended roundtable. The focus has been on building trust, having written policies in place and on the importance of leadership at all levels. Diversity of national applications has also been emphasized, but there is also, Tom reminded the participants, an overall objective that is non-negotiable. Thus, the SUN Movement is looking to building effective stakeholder management in the wider context of our core international obligations. The challenge, concluded Tom, is extracting everything we have learned today and feeding these lessons into the next stage.

Here are the highlights from the panel and roundtables discussions. These are followed by the detailed meeting report.

# Highlights from Panel Discussion One: Lessons Learned from Country Perspectives

#### **Stakeholder Issues**

- Disclosure of interests is more complicated than anticipated different actors are protective of their identities and activities.
- Behavioural changes are needed from traditional ways of interacting as part of awareness raising.
- There is a need for clear definitions of the different roles for different stakeholders.
- Different stakeholders do not have the same understanding on conflict of interest.
- But all stakeholders contribute a piece of the puzzle as long as they agree on common principles and follow an ethical perspective in the process as well as in the outcome.

#### Challenges of government leadership

- Governments should take the lead to prevent conflicts of interest from arising leadership is important.
- Coping with resource imbalances is a challenge, even among different government sectors, but especially when it comes to dealing with the private sector.





 Persuading different sectors to work together is difficult when there is no impunity for not cooperating.

#### The role of the private sector

- Including and defining the role of the private sector is a major challenge, especially, but not exclusively, with regard to the Code.
- The challenge is how to define the role of the private sector beyond this issue to include food fortification, nutrition supplementation, policies in the workplace.
- The dilemma of excluding a stakeholder is that it breaks the rule of inclusive multi-stakeholder conversation. We should talk to all interested parties in an issue, grounded on mutual respect.
- There is a key role of third parties to facilitate trust building and dialogue to find a common objective.

#### **Capacity Building**

- We need to strengthen local capacities with training in SUN Principles, norms and conflict resolution; to systematize rules of engagement; and to better integrate the private sector into the conversation.
- We need the tools to "domesticate" how we manage COI including with local language and local engagement capacities.
- We need guidance from global networks to map the policies and guidelines at country level.
- We need success stories, champions for change and mentors.

## Highlights from Panel Discussion Two: Understanding Conflict of Interest in Different Contexts

#### **General observations**

- Embedding values in a code of business principles or a code of professional or academic practices can prevent and manage COIs.
- Multi-stakeholder collaboration starts with everyone self-declaring their interests and having a dialogue on the perceived interests of others.
- Annual declarations of interest are a regular practice in multi-stakeholder organizations.
- Some panelists emphasized the importance of treating all stakeholders equally. Others argued
  that one should "unpack" the objectives of each actor and set specific action plans and clearly
  identified roles for each one.

#### Different views continue to be expressed about involving the private sector

- Some say all financial interests should be treated the same, while others say that the private sector should be treated differently because its financial interests are different.
- Profits are one issue, but avoiding taxes is being raised by some NGOs as another important issue, which raises ethical concerns about paying one's fair share even where the practice is legal.
- Transparency is key, but some believe that the private sector is not transparent (while other actors are).





#### Other challenges

- Distinguishing between individual and organizational interests requires attentiveness when
  individuals are representing their own interests as well as the interests of a broader group of
  organizations.
- Too many rules on COI could result in stifling constructive dialogue.
- Some stakeholders can pressure others to compromise the objectives of a project in order to reach a multi-stakeholder agreement.
- Applying international standards at a country level, especially with regard to the Code, can be a challenge and depends on having the capacity or political will to apply them at the country level.

## Highlights from Panel Discussion Three: Lessons Learned from SUN Network Perspectives

#### **Common Messages for All Networks**

- Although everyone agrees that COI is a means to an end and not an end in itself, it is also a small but crucial step forward.
- Networking involves dialogue, trust and sharing, but it also involves obligations.
- One of the challenges in the prevention and management of COI is how to combine transparency with accountability – how to hold someone accountable who agrees to openness but then acts differently.
- Another challenge is how to handle COI BETWEEN networks. We need to define each actor's interests, and we need clear guidelines on this.
- On COI within the networks, we need to get better at it. For example, it is not clear who is NOT included. This is primarily a question WITHIN networks.

#### The UN Network

- The UN system has a wealth of tools for dealing with conflicts of interest
- As lead agencies are identified and agreed upon, this will reduce competition and tension among UN agencies.
- The establishment of MoUs between agencies that may be working on the same issue, such as micronutrients, is a common practice for avoiding conflicts of interest.

#### **The Donor Network**

- Donors are concerned now and giving more attention to capacity building for preventing and managing COI.
- Many projects supported by donors for scaling up nutrition at country level can't be sustained
  without drawing on the individual strengths and roles of different stakeholders, for example civil
  society to hold governments accountable, and the private sector to do large scale fortification.
- Internal donor agency practice usually includes disclosure as the first step; then self-reflection and trust.





• Potential COIs are inherent in all of us, and we need to acknowledge and manage them.

#### **The Business Network**

- We need to do some global unpacking of what the private sector looks like sectors, multinationals, SMEs.
- How to move business from an exclusive focus on a profit purpose to supplementing this with a
  nutrition and human purpose is one of the challenges to resolve when involving the private sector.
  In addition, business needs to recognize that everyone is looking to their acceptance of a
  responsibility to deliver what has been agreed.
- There should be a clear definition of whom to include and exclude in the business network.
- Everyone can ignore Code violators, but we still have to engage with them at some point.
- In the meantime, though, there is still a lot that businesses can do.
- How to deal with an association of companies that includes infant formula companies may not be so obvious and may need to be clarified, especially in a country that has not fully adopted the Code.

#### **The Civil Society Network**

- A major challenge for the Civil Society Network has been combining civil society advocates with civil society implementers. This has been resolved by having an accountability mechanism in place with clear roles and responsibilities – to make sure champions and rights are protected. Mobilizing different alliances and structures has at times required the role of an independent neutral facilitator.
- Civil society organizations are important to monitor COI between networks. We should think about this at global level.
- At the country level, civil society networks should have a strategy to support disclosure and challenging potential COI.
- Local leadership is important in country-level civil society networks, and this requires finding ways
  to accommodate international NGOs, but it also is a challenge to find ways to include national
  NGOs with no global affiliations.
- It is useful to have MOUs among civil society actors in a country to choose who will receive the money and to whom it is to be channeled.
- Capacity building with a national focus is important and should include finding mentors, champions, and leaders.
- Red lines should be clearly drawn in any written policy, including within a civil society network.
- Concerns were raised about CSOs not being part of the formulation of a country's multistakeholder working group in some cases.

#### **Additional Perspectives**

- We are suffering from an integrity deficit. Corruption is different from COI, but we should discuss how to include it in the further process.
- We need to have a discussion on COI issues between networks at the global level.
- The question was raised: What can the mass media role be? More attention to the mass media and social media was recommended.
- When there is a dynamic target population, what should be done to change the regulatory framework? Is it more effective to use the stick or the carrot?





## Highlights from Breakout Sessions and Open-Ended Roundtable

#### **National Action**

- Government has the lead to establish a policy framework, and this should be done through a neutral entity that can coordinate the different sectors.
- The importance of leadership, of having a written policy on COI and on keeping the focus on the purpose of the SUN Movement should be emphasized.
- There is responsibility for leadership in all of the networks, and this requires a combination of shared leadership and coordination of leadership to ensure that the focus is on the common objectives of the SUN Movement.
- National and institutional capacity is critical for creating awareness of COI and how to prevent and manage it.
- High–level commitment and institutionalization of the work plan are key for sustainability.
- Open dialogue is encouraged to engage all stakeholders.
- The COI framework should be integrated into existing structures.

#### **Understanding COI**

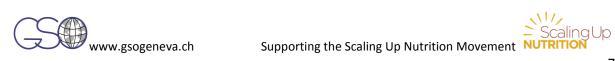
- The Reference Note and Toolkit should be translated into local languages.
- Guidance continues to be needed on distinguishing between conflict and conflict of interest.
- There should be a generalized definition of COI that addresses both inter-network and intranetwork COI and with a clear and definite action plan.
- There should be further elaboration on the meaning of the SUN Principles of Engagement to provide guidance on the roles and responsibilities of stakeholders regarding COI. The paper on ethics may have some useful elements that could sharpen many of the SUN Principles in this regard.
- Specific further elaboration is recommended on the SUN Principles of transparency, a rights-based approach and mutual accountability.
- National workshops may be useful for developing the framework for preventing and managing conflicts of interest, with a checklist to establish guidelines at the country level.
- There should be a minimum set of rules for all stakeholders, but the policy should also define all stakeholder roles and responsibilities.

#### Making it work

- Periodic reporting and monitoring should be mandatory.
- A neutral facilitator is useful to bring diverse stakeholders together.
- A platform should be established to identify the benefits to be gained from having a COI policy and to share experiences between countries. Annual global forums that already exist may also be used to discuss these issues.
- We should not use COI as an excuse for not acting.
- Clear guidance or a clear framework is needed to facilitate how to address the BMS Code in specific countries.
- Strong enforcement of a country's COI policy regarding the participating stakeholders is necessarily limited to internal procedures even where there is a written policy since this is not a policy that gives a cause of action to any external party.









### Introduction

The GSO-SUN Global Conference on Conflict of Interest in the SUN Movement was held from 16 to 17 February 2015 in Chavannes-de-Bogis, Geneva, Switzerland. It was the concluding event for a project led by the Global Social Observatory in partnership with the SUN Movement Secretariat (SMS) and Globethics.net, to develop a framework for the prevention and management of conflict of interest for the Scaling Up Nutrition Movement. This meeting report includes an executive summary with highlights from the main sessions, a brief description of the project, an overview of the Conference programme objectives and desired outcomes, and a detailed report of the speeches, discussions and recommendations made during the Conference. Annexes to this report provide information on the members of the Steering Committee who worked with the GSO throughout the project; the GSO, SMS and Globethics/local ethics project teams; the conference programme; and a list of the participants who attended the conference.

#### **Project Background**

In 2013, the GSO received a grant from the Bill and Melinda Gates Foundation to implement a consultation process on conflict of interest issues within the context of the SUN Movement. Requested by the SUN Lead Group, the intended outcome of the overall project was to provide a framework document that would serve as a point of reference for SUN Movement countries and participating stakeholders when addressing specific circumstances for preventing, identifying, managing and monitoring conflict of interest. The project was organized around four main phases:

- A mapping exercise and research paper on the existing knowledge regarding conflict of interest (completed in June 2013);
- Three interactive consultations held in Geneva in June, July and October 2013, with representatives from the multiple stakeholders in the SUN Movement to develop a Reference Note and Toolkit on the prevention and management of conflict of interest;
- A series of four Enhanced Learning Exercises in Ghana (April 2014), Kenya (May 2014), El Salvador (July 2014) and Indonesia (December 2014) to assess how the Reference Note and Toolkit can be applied to support work on conflict of interest at the country level, with country-specific case studies used to guide the discussions; and
- A Global Concluding Conference to review a revised Reference Note and Toolkit and a Synthesis Report on key messages and lessons learned from the project.

In the third and fourth phases of the project, the GSO added a focus on developing a community of practice around a complementary ethics perspective on conflict of interest. The GSO coordinated this with a partner organization with global expertise on ethics, Globethics.net, as well as through the engagement of four local ethics experts who participated in the Enhanced Learning Exercises and contributed to a global report that was presented at the Global Conference.

The GSO team worked closely with the SUN Movement Secretariat and a Global Steering Committee, drawn from the different SUN networks, to prepare the three consultations session in 2013. A total of 57 participants from the various SUN networks and SUN Member countries were involved in these





consultation sessions. In addition, the GSO contracted with two legal experts on conflict of interest to review the original Reference Note and Toolkit. For the Enhanced Learning Exercises, the GSO and SMS formed a partnership to work with local planning committees that were chaired by the country focal point in each host country – Ghana, Kenya, El Salvador and Indonesia. A total of 225 participants from 15 SUN countries attended these four ELEs.

Following the completion of the four ELEs, an expanded Global Steering Committee assisted with the preparations for the final Global Conference. In collaboration with the SUN Secretariat, the GSO prepared a revised Reference Note and Toolkit and a Synthesis Report to summarize the key messages and lessons learned from each of the ELEs and from the project as a whole. Globethics.net also prepared a report on the ethics perspective in consultation with the four local ethics experts who had participated in the ELEs. A total of 70 participants attended the final Conference, primarily drawn from participants in the previous consultation sessions and ELEs.

The original research paper from phase one, meeting reports from the three consultation sessions in phase two, and meeting reports from the four Enhanced Learning Exercises in phase three are all available on the GSO website <a href="here">here</a>. In addition the revised Reference Note and Toolkit, the Synthesis Report and the Global Ethics Report were all presented at the Global Concluding Conference and are also available on the GSO website in English, French and Spanish.

#### Conference Objectives and Expected Outcomes

With support from the Global Steering Committee, the GSO prepared a concept note for the Global Conference that laid out the following four objectives:

- To present the revised Reference Note and Toolkit in an interactive setting for SUN Focal Points and partners to provide their feedback;
- To present and discuss the key lessons learned from the GSO consultation process on Conflict of Interest issues within the context of the Scaling Up Nutrition (SUN) Movement;
- To identify and recommend steps on how the lessons learned and revised Reference Note and Toolkit can be reflected in the SUN Movement's ongoing work in support of countries; and
- To make recommendations for a concluding report from the overall Project to the SUN Lead Group

The conference programme (included as an Annex to this report) was organized to address these four objectives. The detailed meeting report that follows this introduction starts with a summary of the keynote address by Tom Arnold, SUN Movement Coordinator *ad interim*. This is followed by summaries of the presentations by Katherine Hagen, the project director and GSO Executive Director, on the revised Reference Note and Toolkit; by Christoph Stückelberger, the Executive Director of Globethics.net, on the ethics perspective; and by Martin Gallagher, SMS Liaison for the GSO-SUN project, on the key messages and lessons learned from the project that were also included in the Synthesis Report. These served as the basis for the discussions and recommendations throughout the rest of the Conference.

The programme included three panel discussions on lessons learned from the country perspective; COI experiences in settings other than the SUN Movement; and lessons learned from the SUN network perspectives. Participants then met in small break-out sessions to consider next steps in their own activities and for the SUN Movement generally. The conference concluded with a final open-ended roundtable discussion moderated by Katherine Hagen and closing remarks from Tom Arnold





The outcomes that were envisioned for this Global Conference were threefold:

- Participants have increased understanding of the relationship between the policy framework and tools in the revised Reference Note and Toolkit and their applicability to past and future experiences at the community, country or regional levels;
- Recommendations for integration of the Revised Reference Note and Toolkit into the emerging Community of Practice to promote improved multi-stakeholder engagement and alignment; and
- Recommendations to the SUN leadership on supporting the prevention and management of conflict of interest at the regional, national and community levels of SUN participating countries.

It is hoped that participants have achieved an increased understanding of the applicability of the Reference Note and Toolkit to their experiences. The report does contain many recommendations for integrating the Reference Note and Toolkit, as well as the overall trust-building approach to the prevention and management of conflict of interest, into the emerging Community of Practice. And there are also many recommendations that will be folded into the final GSO report to the SUN Lead Group. These have been captured in the highlights sections at the beginning of this report. What follows here is a more detailed report of each of the sessions of the conference.

## **Keynote Address**

#### Tom Arnold, Coordinator ad interim, SUN Movement

The GSO-SUN Global Conference was opened with a keynote address by the Coordinator *ad interim* for the SUN Movement and member of the SUN Lead Group, Tom Arnold. Mr. Arnold reminded participants first of all about the origins of the SUN mission to mobilize multi-stakeholder cooperation on under-nutrition among mothers and children around the world. Building on this background, he discussed three main themes – the focus and thrust of the GSO project, the work underway to develop the new "SUN Strategy 2.0", and the importance of placing the SUN Movement in the context of several global conferences that are happening in 2015.

Participants were also reminded that when the SUN Movement was launched at the United Nations in 2010, its mission was inspired by the confidence that the combined efforts of all interested stakeholders in each country can do more to address malnutrition than each stakeholder operating individually. This is the starting point, and the SUN Movement has grown to include 54 countries and the state of Maharashtra. Mr. Arnold thanked everyone attending this Conference from more than 15 countries for their active engagement.

The challenge faced by SUN Focal Points within the SUN Movement, is around governance. How can different stakeholders, he asked, with divergent backgrounds, ideologies and interests be brought together in this effort to achieve common goals? It has to be through credibility and trust. Issues around conflict of interest, if not addressed, can undermine credibility and trust and ultimately undermine our ability to deliver for the most vulnerable. SUN leaders and focal points have developed nationally agreed goals within each of the SUN member countries.





The first theme, then, is that the SUN Movement has reached out to the GSO to support the SUN Movement's efforts to address and manage conflicts of interest among the diverse stakeholders of the Movement by providing a space for all stakeholders within the Movement to discuss these issues and to develop guidance. The Lead Group specifically instructed the project to take into account the following underlying circumstances:

- The SUN Movement is not about compliance. All actions are voluntary. Other intergovernmental bodies have the mandate to articulate formal policies relating to conflict of interest in nutrition. Specific reference was made to the WHO's work on infant and young child feeding. This project should not replicate their mandates or policies.
- All stakeholders in the Movement have the potential for COI, not just one.
- There should be an extensive consultation process among the stakeholders involved in the SUN Movement to develop a guidance on COI.

As Tom noted, the GSO has undertaken an unprecedented discussion among stakeholders over the past 20 months, in consultations to develop the guidance documents and in enhanced learning exercises to examine their relevance to the SUN Movement.

While noting that the Conference would address the key messages and lessons learned, Tom felt it important to highlight some of them in his remarks. First, we all have recognized that the SUN Principles of Engagement are central. They reinforce the importance of engagement as an anchor for success. Second, the process has confirmed and reinforced our understanding that all stakeholders have the potential for COI. But we have also come to appreciate the importance of distinguishing between conflict and conflict of interest. Conflict, said Tom, involves fair negotiations and decision making as the outcome. Conflict of interest, on the other hand, can't be negotiated away and must be addressed in a clear and transparent way. The active engagement of participants from all the networks has been impressive, and the benefits are evident. The outcome of this process will be taken to the Lead Group for moving forward.

Second, the framework is there, and we must continue to support countries to work through this at national level. The SMS is looking at how to support this as it works further on the SUN Strategy and Vision for the next phase. The ICE has been engaged to focus on the effectiveness, efficiency and relevance of the SUN Movement. Its report has been shared with the SUN networks and other interested parties as of 19 January, and responses are due from these groups on 2 March.

The preliminary report from Makoro recognizes that the Movement should continue but it is important to look at weaknesses as well as its strengths. With regard to this particular project, the assessment has been that the GSO process has been both relevant and useful – a strong endorsement for addressing the multiple COI challenges facing the Movement. The SMS is invited to build on the work and to continue to develop the thinking on COI as it fits into the strategic planning for the next round of the SUN Movement. The final report from the GSO to the Lead Group is timely and important as an input for the updated Strategy.

Finally, the year 2015 has three major global conferences affecting the SUN Movement – in July on financing for development, in September on the Post-2015 Development Agenda, and in December on the Climate Summit in Paris. Most importantly, the new Sustainable Development Goals that are intended to build on the Millennium Development Goals are far more ambitious and universal. The Post-2015 Development agenda also seeks to revitalize a global partnership for development. We have broken new ground on partnerships over the past number of years, and we are all now looking at plans for the future, strengthening our practice guidance to work at the national level with practical





tools and understanding how they have evolved. The SMS will support countries through the communities of practice for stronger multi-stakeholder platforms and how best to reflect their work in an updated SUN Strategy.

## Introduction to the Reference Note, Toolkit and Synthesis Report

#### Katherine Hagen, Executive Director, Global Social Observatory

Dr. Hagen started her presentation by noting that this is the concluding conference for a project on developing guidance on the prevention and management of conflict of interest in the SUN Movement. She summarized the four objectives of the conference: (1) presenting the revised Reference Note and Toolkit that were developed in the first phase of the project, (2) presenting and discussing the key messages and lessons learned from the Enhanced Learning Exercises (ELEs) in the second phase of the project and from the overall consultation process, (3) identifying and recommending next steps, and (4) making recommendations to the SUN Lead Group. Her presentation included brief comments on the background of the project and the sequence of project activities. This was followed by an introduction to the revised Reference Note and Toolkit, reflecting the lessons learned from the Enhanced Learning Exercises. She concluded her introductory remarks by describing the plans for the rest of the conference.

The GSO, she stated, was pleased to work with the SMS to develop the concept note and subsequently to receive the grant from the Gates Foundation to facilitate the process of developing a guidance framework for the prevention and management of conflict of interest in the SUN Movement. Since its founding in 2004, the mission of the GSO has been to facilitate multi-stakeholder dialogue in a neutral forum to improve mutual understanding and to identify common ground for collaboration on global social and economic issues.

She explained that the GSO worked with a Steering Committee of SUN stakeholders to convene a series of three interactive consultation sessions in Geneva in the course of 2013. Participants from the field and from the global networks produced the key points for a Reference Note and Toolkit on the matter of preventing and managing COI. The Reference Note and Toolkit were reviewed by the Steering Committee and submitted to a legal review prior to their publication. This was followed by a series of four Enhanced Learning Exercises throughout 2014 that were conducted in partnership with the SUN Movement Secretariat and with the support of the country focal points and local planning committees in Ghana, Kenya, El Salvador and Indonesia. The four ELEs have also incorporated an ethics perspective to facilitate the development of a complementary community of practice on ethics in support of national multi-stakeholder platforms to combat malnutrition.

Following the four ELEs, the GSO prepared a Synthesis Report with SMS support to summarize the key messages and lessons learned from ELEs and from the overall project. Based on these key messages and lessons learned from the ELEs, Dr. Hagen presented the revised and updated Reference Note and Toolkit around three themes – (1) the basic framework for the Reference Note and Toolkit; (2) the enhanced emphasis on building trust and their implications on definitions, stakeholders and their respective roles; and (3) the implications for the model policy framework on prevention, identification, management and monitoring of conflict of interest issues, as well as the underlying importance of





capacity-building. Mr. Gallagher would later summarize the key messages and lessons learned from the perspective of the overall project.

Reiterating the message highlighted by Tom Arnold in his keynote address, Dr. Hagen reaffirmed that the Enhanced Learning Exercises (ELEs) had strengthened appreciation for the importance of adhering to the SUN Principles of Engagement. This included the three additional principles that had been added by participants in the original consultation sessions — on integrity, mutual accountability and "do no harm". She explained how the revised Reference Note took into account the need to convey a heightened priority on the centrality of the Principles by bringing them to the forefront of the Reference Note. She also noted the relevance of strengthening the dialogue on principles in the Enhanced Learning Exercises with an ethics perspective. The ELEs also reinforced the importance of working with existing legal sources, traditional mediation practices, a community focus and the need to strengthen inclusive leadership practices. These points have been strengthened in the Reference Note and Toolkit.

Turning to her second theme, she reported that the ELEs also emphasized the particular importance of building trust. Participants regularly asked for clarification about the distinction between conflict and conflict of interest. The revised Reference Note elaborates more fully on these concepts, as well as the relevance of potential and perceived conflicts of interest. Dr. Hagen also noted, in the matter of building trust among stakeholders, that there continued to be a challenge for determining how to include the private sector in national multi-stakeholder platforms. Even so, there was a broader issue, based on confirmation that the potential for conflict of interest applies to all stakeholders, of how to define the roles and responsibilities for all stakeholder groups and how to identify and manage conflicts of interest involving each stakeholder group. This was even an issue within stakeholder groups. Further guidance on these matters has been incorporated into the Reference Note and especially the Toolkit.

With regard to the third theme, Dr. Hagen presented a review of the refinements in the basic elements for a policy framework that have been made as a result of the lessons learned from the ELEs. The ELEs confirmed the usefulness of the proposed framework in the Reference Note and Toolkit, and this has not changed. The basic elements of the framework are featured in a flow chart showing the sequence for prevention, identification, management and monitoring of COI, as well as the underlying importance of capacity building. Greater emphasis has been placed in the prevention section on developing a written policy on COI early in the process and on starting small. In the identification and management sections, more attention has been given on how to apply the methodology for a risk-based approach and a due diligence scrutiny of possible COIs. In the monitoring section, the importance of continuous monitoring – and the capacity to engage in continuous monitoring - was raised by participants as another important concern, especially in settings of decentralized, community-based implementation of nutrition programmes. All four ELEs also produced suggestions for national or local capacity building to support national efforts to address conflict of interest. These included strong support for academic research and curriculum development, as well as local workshops and forums.

## **Conference Overview**

Katherine Hagen, Executive Director, Global Social Observatory





Dr. Hagen then reviewed the plan for the rest of the Conference. First, the key messages and lessons learned from the Enhanced Learning Exercises will be further developed from an ethics perspective with a presentation by Dr. Christoph Stückelberger, the CEO of Globethics.net. The introductory segment will then conclude with a summary of the key messages and lessons learned from the perspective of the overall project by Martin Gallagher, who has been the lead representative for the SUN Movement Secretariat in partnering with the GSO on this project. The rest of the programme for the Global Conference is structured to facilitate interactive panel discussions, break-out sessions and an informal roundtable session on these key messages and lessons learned.

The programme for the first afternoon will feature a panel that brings together some of the country Focal Points and government representatives to share the country-level perspective. The following day will start with a second panel on COI experiences and policy approaches in other settings. A third panel on perspectives from the various SUN networks will conclude the morning programme. After lunch, Conference participants will be invited to engage in break-out sessions to identify how to go forward with the Reference Note and Toolkit and Synthesis Report both at the country and network levels and at the global SUN Movement level. The Conference will conclude with an open-ended roundtable session on recommendations for going forward and in reporting the outcome of the project to the SUN Lead Group.

## The Ethics Perspective

#### Dr. Christoph Stückelberger, Executive Director, Globethics.net

The GSO has been collaborating with Dr. Stückelberger to strengthen the integration of an ethics perspective into the project, with his coordination and the participation of four local ethics experts in the ELEs. As Dr. Stückelberger explained, Globethics.net was founded 10 years ago to strengthen dialogue at global and national levels about ethics for responsible leadership. Ethics is all about having a serious dialogue based on values and virtues. Globethics.net has worked with the four local ethics experts who participated in the four Enhanced Learning Exercises to develop a common overview report that builds on the understanding of how to incorporate the SUN Principles of Engagement into a values-driven dialogue.

The overview report from the ethics team includes reflections on these Sun Principles. For example, as Dr. Stückelberger observed, everyone agrees that transparency is a good idea, but it is not always the case that people can agree to be transparent. There are many reasons why people will not reveal their interests. People also value inclusiveness and participation, but there are many obstacles to ensuring fairness or justice for all. And accountability? To whom is one expected to be accountable? To oneself? One's community? To the president or to the boss? Everyone has the freedom to act, but where are the limits? Honesty or integrity may be embraced but how to realize it? Is there an individual ethics or a community ethics? How do we combine and balance the two in order to avoid individualism and also oppression of the individual by the community? We need some help with rules to protect the community while providing scope for individual freedom to act.

Regarding dialogue, he continued, we are all a mix of good and bad intentions, good and bad interests. The basis for trust is for us to recognize that this applies to all of us, not just to dealing with the private sector. The challenge is how to overcome our biases and to understand our own weaknesses and strengths and the weaknesses and strengths of those with whom we interact. We also have to understand the differences in different dialogue "cultures". Settings where there are fears of





temptation or being cheated or being dominated may interfere with the free flow of open dialogue. And perception is often more important than reality.

The underlying message is that dialogue must be based on trust. We need to start with confidence and not with mistrust, especially between different groups of stakeholders. This requires everyone to engage in a responsible use of their power to contribute to a multi-stakeholder collaboration. Dr. Stückelberger noted that the network of local experts shared the recognition that there are key cultural differences in the use of power in the four ELEs. Transparency is especially violated where there are secret networks of power.

Ethics is also especially relevant for the public service and public leadership in these SUN platforms. The challenge is how to balance the cultural diversity while ensuring that it is cultural adaptation and not cultural relativism that prevails in the interpretation of the SUN Principles of Engagement.

## Engaging in the SUN Movement – Key Messages and Lessons Learned

#### Martin Gallagher, Policy Advisor, SMS

Martin Gallagher wrapped up the opening presentations with a presentation of the key messages and lessons learned from the overall GSO/SUN project. These should set the stage for the panel discussions and breakout sessions at this Conference. The objectives of this Global Conference are to discuss the key messages and lessons learned and to identify and recommend next steps for going forward with these key messages and lessons learned - at the country level, in the various SUN networks, in the work of the SUN Movement Secretariat and in recommendations to the SUN Lead Group. They are presented in the Synthesis Report, and Martin's presentation elaborated on the significance of each of the key messages and lessons learned.

- The centrality of the SUN Principles of Engagement as the ethical framework for the prevention and management of conflicts of interest has been reinforced by Tom and Katherine, and Christoph has elaborated on the ethical issues that emanate from several of these Principles.
- Leadership has been emphasized in the ELEs as important for ensuring transparency and inclusiveness through trust and consensus building. Consistency was also emphasized. Leadership is important in all of the networks, too. Some key messages from this lesson learned is that "leadering" starts from where you are, and taking on a leadership role creates more leaders.
- Written policies should be developed early and should be consistently applied and monitored.
  They should be in place as part of the broader terms of reference for the multi-stakeholder
  platform, with the recognition that it is preferable to prevent conflicts of interest from arising.
  Wide consultations and continuous communications should also be encouraged.
- One size does not fit all. The shape of multi-stakeholder collaboration can vary from country to country, and the mechanisms for addressing conflict of interest will differ from country to country.
   It should draw on the existing national laws and practices while also reflected international agreements and standards.
- A community level focus is important since most of the success in combating under-nutrition is through practical implementation of nutrition practices at this level. Priority should be directed to regular and clear communication with community leaders and for building trust with the mothers and children themselves.





- Decentralization of policy is a challenge for the consistent application of conflict of interest policies. This also applies at the regional level where discrepancies across countries within a region can undermine more robust national approaches or alternatively help to strengthen national responses.
- The role of the private sector has been highlighted by many as a challenge, and it continues to be an issue of trust for the other stakeholders to relate to the private sector. Building credibility and trust is necessary to deliver results.
- The project has helped us to recognize that all stakeholders have the potential for conflicts of interest, and the Reference Note provides a framework that can be adapted to all stakeholders at the national level as well as within each stakeholder group.
- Expertise, capacity and resources are needed at the country level and among the networks to implement and especially to monitor policies. Resource gaps do exist. Civil society has an important role to play in supporting governments.
- National and local academic institutions can contribute to capacity building, and this should be
  encouraged through the development of nationally-specific curricula and case studies as well as
  through relevant research on conflict of interest.
- The International Code of Marketing of Breast-milk Substitutes is a key international standard for
  infant and young child feeding. Its application remains a challenge for the management of conflict
  of interest since differences exist in national legislation and in the messages coming from different
  actors within the international community. Consistent and authoritative guidance is needed on
  this issue.
- Another continuing challenge is to recognize the difference between conflict and conflict of
  interest. As already mentioned by Mr. Arnold, conflicts can be resolved through transparent
  processes and open dialogue, but conflicts of interest cannot be negotiated away. The challenge
  is to understand the difference between the two and to prevent and manage the conflicts of
  interest that have the potential to undermine the common effort.

More commentary is available on these key messages and lessons learned in the Synthesis Report. In concluding this introduction, Mr. Gallagher reaffirmed that the Conference was intended to provide opportunities for participants to build on these key messages and lessons learned through a sharing of experiences and exploring ways of integrating them into their own activities and into the SUN Movement's communities of practice and future strategy development.

## Panel Discussion One: Lessons Learned from Country Perspectives

**Moderator**: Abdoulaye Ka - Government Focal Point, Senegal

Panellists:

Edith Tetteh – Government Focal Point, Ghana
Dr Hadiat – Government Representative, Indonesia
Bounthom Phengdy – Government Representative, Lao PDR
Chris Isokpunwu – Government Focal Point, Nigeria
José Marinero-Cortés – Ethics Expert at El Salvador Enhanced Learning Exercise

In the first round of discussions, Abdoulaye asked the panelists to address how the key messages and lessons learned that Katherine and Martin have summarized from the Synthesis Report relate to their





own experiences of bringing together actors from different sectors and stakeholder groups around scaling up nutrition. He invited panelists to highlight any that are particularly relevant to their experiences.

#### First Panel - Round One

Edith Tetteh started the discussion by remarking how difficult it has been in Ghana to swim against a powerful tide. Each sector has been protective of what they are doing and want to keep their identities. Disclosure is especially difficult because everyone wants to protect their interests and be acknowledged. We are now slowly raising awareness, and it has been a great awareness raising exercise.

Chris Isokpunwu followed by observing that each sector in Nigeria has been trying to get its attention and wants more money for its own activities, but they are starting to realize that SUN is more than that. By focusing on a common goal and highlighting the importance of the ten Principles, we will have less conflicts and they will be more easily resolved. Conflict of interest does arise where the private sector is involved, especially but not exclusively with regard to the Code. Mutual trust needs to be built with the ten Principles.

Pak Hadiat observed that the key in Indonesia is how stakeholders understand their roles and how they can coordinate the effort. The different stakeholders do not have the same understanding on conflict of interest. All of the key messages and lessons learned are important for the Indonesian experience. Coordinated strong leadership and clear definitions of who does what are important. There are different conflicts of interest from country to country and different levels of governance. The principles of integrity, do no harm, and transparency are important. A written policy and strong monitoring are also important.

Bounthom Phengdy shared her appreciation that conflict of interest is a new concept for the SUN Movement participants in the Lao PDR, and she has participated now in three events to familiarize herself with the concept. We are starting to use a multi-stakeholder approach such as with health, agriculture, education, planning and investment, poverty reduction programs, development partners, civil society and NGOs, but there are many challenges. How to let them know that it is not just the health sector that needs to be involved in solving malnutrition and how to manage COI. COI is everywhere but how do we let them know? We focus on communities with the highest prevalence of poverty in the remote areas, but it is very difficult with no new budget. Some sectors have larger budgets in agriculture or education, but some sectors have low budgets. The prevalence of micronutrient deficiencies like anemia is crucial for us to address in the under-five children as well as the most affected group of children under two. It is not easy to work together when some sectors have money and some don't. Privatizing is a solution, but business is identified with many Code violations, especially in hospitals.

José Marinero-Cortès spoke from the perspective of the ethics expert at the Enhanced Learning Exercise in El Salvador and provided more of an observer's perspective. He remarked that the whole process was a learning experience. First, he observed, we were all there at the ELE in July - all of us had a piece of the puzzle. No single stakeholder had the whole; everyone has their limitations. But everyone wanted to move forward and overcome these weaknesses, to open and expand the opportunities to contribute to the common goal. Second, we acknowledged that we must all agree on common principles, and the GSO Toolkit gives us the framework for building on these principles. Third, the ethical perspective is found in the process as well as the results.





The stakeholders, he continued, don't know yet what rules to follow. This is scary, but it is also an opportunity to create our own rules through participation. The importance is in the process as well as the objectives. We recognize, for example, that discussing BMS but excluding a stakeholder breaks the rule of multi-stakeholder conversation. Finally, the experience reinforced the key role of third parties to facilitate conversation to have trust. The conversations in El Salvador have not been possible without facilitation from SUN, GSO, and UNDP — who are all seen as independent third parties. We recognized as well that this facilitation could be achieved by including people from an academic institution.

#### First Panel - Round Two

In the second round, Abdoulaye asked the panelists to focus on the recommendations they would make to the SUN Lead Group for integrating the key messages and lessons learned into support for the development and implementation of multi-stakeholder platforms at country level. Again, each panelist was invited to identify which of the lessons learned and key messages need more attention within the Movement.

Edith: In Ghana some of our traditional norms can be the basis for COI. Whoever is at the top of the tree is expected to short-list those who are related to him. So in defining our terms again about what conflict is and what is COI, we can't be business as usual. We should reexamine the past and redefine our ways of working. All stakeholders must work together – we are all leaders. For 80 years Ghana has been fighting malnutrition individually, in our separate organizations. Food security is key to that effort, and in Ghana this is in the hands of the ministry of local government and rural development – not in agriculture or health. Key message is that we should be talking to one another, grounded on mutual respect

Chris: Starting with a legal analysis of the key messages, leadership is the key, but who takes the leadership? Which organization or individual should take the lead? Government should be seen to take the lead, and this could help to do away with COI. We have an example where a partner (from the private sector?) was chosen to take the lead in an agriculture/food security initiative involving multiple partners, but this was seen as too self-serving of the interests of that partner. In such situations, it must be the government in the leadership role. Another example involved a nutrition forum for which there was only one major funding source, which ended up dominating the outcome. This, too, was a problem. Yes, the private sector is needed as part of our multi-stakeholder efforts, but it is a challenge to determine what role they should play without the appearance of a conflict of interest tearing apart the other stakeholders. My message to the SMS is that we need capacity building and training on how to recognize and manage COI. We need to build awareness on what is COI and the ability to differentiate between COI and divergent interests. There needs to be individual capacity for each government to handle this, since COI can be different from country to country, and we need the tools to "domesticate" how we manage it.

Pak Hadiat: The SUN Movement is there to stimulate a strong commitment and active involvement on nutrition, and we recognize that coordination of stakeholders is very important at country level. We recommend togetherness principles for developing guidelines and making the distinction between conflict and COI. We are mapping the policies and guidelines to develop policy for country level implementation, and simple guidance is needed from the global networks to share lessons learned and provide COI guidelines for us to use. Our stakeholders should be involved in discussing the agenda as well as the role of the Code.





Bounthom: We need to train leaders on what is COI but also on how to work together on nutrition. All of the lessons learned from this exercise need to be included. We need to understand the COI documents and translate them into the Lao language. In particular, we need to try to stop violations of the Code. We want to update our policy and strategy on reducing malnutrition by involving all different levels of government plus the Lao women's union in this effort. We welcome the guidance from UNICEF on how to work on the Code and make it strong. In general, we recognize that all groups at all levels (central, provincial, district...) need training.

José: We should explore as many possibilities as we can to increase participation and dialogue but in this phase of the Movement we need to define priorities. I have three recommendations: First we need to strengthen local engagement capacities. Leadership for this requires a greater training in SUN Principles, norms and conflict resolution. Training should also be broader for everyone at the conference table. Second, we should devote time energy and resources to systematize rules of engagement. We have different norms for each sector, but why should this be so? A starting point is to know WHICH interests are COI from each of the parties. This understanding will help to condition the behavior of each party. Third, we need to find a way to better integrate the private sector into the conversation. It is clear in El Salvador that there is a robust civil society participation, but private sector participation is lacking and not very representative. A contribution should be made through procedural ethics for the involvement of the private sector. It may also be useful to see how this has been done in other countries, and maybe this can facilitate involvement.

Abdoulaye then opened the floor for group discussion.

#### First Panel - Group Discussion

Several observations and questions were raised from the audience on the importance of addressing the issue of disclosure. One participant related to the discussion that no one wants to admit or disclose their interests and agreed that this is a challenge for all concerned to be moving from norms of favoritism to fairness. The question is, are there any behavior changes yet? And are there any observed differences before and after the Enhanced Learning Exercises? Another participant asked if there has been any experience of using disclosure forums as proposed in the Reference Note and Toolkit? How has anyone managed the outcome from these disclosures?

Another concern raised by participants had to do with applying policies and common indicators to all stakeholders when there is no impunity for no change in their behaviour. Most of us are from the health sector, not agriculture or education. This is also an issue when the development partners talk about leadership but do not give us the space to lead. The various partners need to align in their networks at the global level to support their country networks.

This was picked up by another participant who observed that the partnership network at the global level has a big role to play. Different partners are developing proper networks at the global level. We agree that setting up a framework for multi-stakeholder collaboration is very much needed. The problem is at the local level. We have all recognized the challenges but not the solutions – such as getting agriculture involved. It has proven to be very complicated, and there is a lot of work ahead. Nutrition should concern everyone, but leadership is very important at the highest level to bring this about. We need more guidelines on how to set up networks – such as expansion of the business network beyond the food industry – but they are not very interested in nutrition. So what to do? We also need more champions for change at the country level, to ensure grass-roots engagement, sensitization.





Others spoke about the specific challenges of the private sector. One participant mentioned that progress was being made on applying the key messages and lessons learned within the SUN civil society organizations regarding the private sector. The point now is to look beyond private sector guidelines to sharing experiences from the learning route. Another participant raised the matter of including consumer associations in the national multi-stakeholder platforms. While they may be closely related to business perhaps, they should be there in a separate capacity, too. And, of course, COI is there, too.

On the other hand, a concern was raised about the Code (on Marketing of Breast—milk Substitutes) issue affecting the involvement of the private sector. It was noted that the SUN Business Network is working in 9 SUN countries, but the dialogue is so dominated by the Code that it dwarfs what they can do about the other issues – promoting nutrition-sensitive agriculture, food fortification, nutrition supplementation, policies in the workplace. How to define the role in the SUN Movement of the private sector beyond the Code is a challenge, but we also need to resolve the Code issue.

Earlier in the discussion from the floor, a participant had suggested that we should focus on how to share our successes. Success stories can help to inform solutions – using the COI document and the local language. Second, we need to address how we can sustain the system of applying the PIMM framework. The suggestion was made that having mentors in place was a better option than relying on monitoring. Mentors can inspire by example and by leading us in the right direction. These positive suggestions were reinforced by another participant who described the experience, initiated by the government, of dealing with two opposing groups on food sovereignty, civil society and the private sector. First, the two sides attacked each other. Then through facilitation, the two sides came to converge on nutrition as the most important objective for all. Recommendations came from academia, business, NGOs and ministries, and it worked well because there was convergence on this issue.

#### First Panel - Responses from Panellists

Edith: We are now trying to act. We thought before that this could not be achieved, but our awareness has been raised to act. We see vulnerable groups of women and children outside this system – they require grass-roots advocacy to change their eating patterns. We see the challenge of advocacy to change eating patterns.

Chris: The Process of applying the policy framework on COI is just beginning. How have the recommendations helped me? The challenge is to apply and understand and appreciate how to handle COI. And now we can move.

Pak Hadiat: First, not only government but all stakeholders are speaking in the same language and communicating with others. Second is the importance of capacity building. Yes mentoring is a main tool. We have established a task force on how to socialize issues in COI, but leadership is important and we need champions, including on how to solve under-nutrition, and how to empower communities.

Bounthom: We appreciate the progress that is being made through intervention and training. We are learning how to do prevention and management of COI and to work on indicators to monitor all of the process.





José: The disclosure tool is not yet used but important to follow up on the ethics recommendation regarding the distinction between partiality and impartiality. We are facing a huge challenge ahead on how to disclose interests and which ones should be disclosed.

#### First Panel - Summary

Abdoulaye summarized the first panel's main points as follows: The importance of leadership is shared at all levels; it needs to be contextualized to each country. The Reference Note and Toolkit should be disseminated and used in a rational way to help us with building partnerships, with monitoring and accountability and with developing capacity at local level, including with budget planning. Panelists have noted the importance of addressing the role of private sector — to air our fears — to account for their agendas. But we need to mobilize more resources for the nutrition effort, even if we don't feel comfortable with the private sector now. We note that the Code has come up, and we understand that this is the main issue to solve. Engaging the private sector is crucial for achieving the goal, but we are raising the question of what role for the private sector without COI tearing us apart. Improved engagement of the private sector can be facilitated by global networks.

The work we do also needs to be culturally sensitive, and this is a long-haul process. Some of our traditional norms foster COI, but all sectors and partners need to work together - with leaders at all levels. The recommendation is for everyone to talk to one another, effectively grounded on mutual respect. Leadership is the key for this, and whenever possible, government should take the lead as a first step to address COI.

Yes, the SMS should consider capacity building of the key actors on the existence and management of COI. The COI process, though, should be country-specific – translate documents into the local language and sensitize the stakeholders from the national to the grassroots level. We NEED to define priorities and strengthen communication. We need to systematize rules while acknowledging that the rules are different for different stakeholders.

## Panel Discussion Two: Understanding Conflict of Interest in Different Contexts

**Moderator**: Tom Arnold – Coordinator ad interim, SUN Movement Tal Sagorsky – Legal Expert and Reference Note/Toolkit Reviewer

Amos Laar – Senior Lecturer, University of Ghana and Case Study Co-Author

Anne Heughan – External Affairs Director, Unilever

 ${\it Carlotta\ Barcaro-Corporate\ Alliance\ Specialist,\ UNICEF\ Private\ Fundraising\ and\ Partnerships}$ 

(PFP)

Stineke Oenema – Program Officer, Food and Nutrition Security, ICCO

Dr. Eelco Szabo – Director, Legal Division GAVI

Dr. Badriul Hegar – Ethics Expert for Indonesia Enhanced Learning Exercise

#### Second Panel - Round One

Mr. Arnold opened the second panel discussion by reviewing questions for the panelists. The focus is on COI experiences in settings other than SUN. What kinds of issues have you encountered and what policies or practices have you developed? What challenges have you faced in implementing COI policies or practices?





Carlotta Barcaro: At UNICEF partnerships and collaborative efforts are increasingly multi-stakeholder in nature. Even the organization's engagement with the corporate sector has become more multifaceted in scope and modality, and often does involve several stakeholders and not only a bilateral dialogue between UNICEF and business. While business-related COI is still key, it needs to be acknowledged that COI is something related to all actors involved in a partnership. The management of COI is a precondition to achieve results and as such, it has to be addressed at the very inception of an engagement. At UNICEF we try to address potential COI even before an actual engagement, when evaluating potential partners, for example. As for addressing the issue within an unfolding partnership, emphasis is on dialogue. Dialogue is essential to ensure transparency of intensions and as precondition not only for a solid and meaningful governance system, but more fundamentally to maximize impact of a collaboration. Secondly, we address potential COI through considerations on the role that UNICEF is to play in the partnership. Whether it is a facilitating role or not, for example, may make a difference in terms of exposure to the issue. Third, engagement with the private sector varies in level and scope. So placing firewalls between those engagements that may have commercial implications and those that do not is also an important way to prevent COI.

Anne Heughan: Unilever has a presence in 194 countries – our best known products are tea, ice cream and soap. Internally, we are scaling up and embedding our values with a code of business principles supplemented with guidance on risk management and fair treatment. The challenge is to embed these principles into the business operations. Employees are required to sign off on the code annually, undertake online courses and report on any breaches to a code officer. For each partnership, an analysis is made on what are the benefits. Is there a clear advantage of working together? What difference can each partner make? We ensure that we get buy-in at all levels before going ahead. We set up a Foundation for supporting partnerships in 2012, and these have been established, to give a few examples, with UNICEF, Save the Children, World Food Programme, Oxfam and Population Services International. Partnerships require a lot of effort to succeed so we have developed a partnership toolkit to support colleagues in understanding issues they need to consider. Some of our top tips are (1) focus on identifying common objectives and what we can achieve together, (2) understand your partner and have an honest exchange regarding differences and respective goals, (3) be sensitive about branding and resolving this with openness and sensibility, (4) spend real time with the partner, and (5) claim joint credit for joint achievements. Scale, credibility and resources are all important issues to resolve in partnerships.

Amos Laar: The academic world is all about teaching, research and dissemination. Our role is to critique existing knowledge, generate new knowledge and disseminate same. To successfully do this, we form partnerships, and at times these ties come with interests that conflict. One example that was resolved amicably was a situation where a professor required students to purchase an expensive textbook that he had authored. When challenged about a perceived conflict of interest in his making a profit from the textbook, he was able to diffuse the perceptions through pedagogic and reconciling dialogue process. The amount was so minimal that it did not appear as a COI for him to use material which was indeed appropriate for the course. A more serious example of COI arose in another example. As a member of an organizing committee to prepare a conference on nutrition, we sought to invite the top 20 international nutrition scholars to the conference. But most of them had no funds to pay their way, and the committee accepted money from a food industry source to cover their expenses. However, this was not enough. So then a UN agency offered a substantial sum but refused to be associated with the food industry sponsor. The first step in this situation is the requirement for disclosure of these interests. However, disclosure, though a critical first step, is not sufficient.





Morally-binding codes or legally-binding guidelines may be needed. For example the UN Convention against Corruption can be invoked in some instances. But then again, these are not a magic bullet to the problem. For cultures do play a very important role in this. Of note, the best legal guidelines in one setting, could be socially useless in another.

Eelco Szabo: The Global Alliance for Vaccines Initiative (GAVI) has a diverse membership, including international organizations, the pharmaceutical industry from both developing and developed countries, research institutions and private foundations. As an Alliance for collaboration, COI is a reality in both the operations and decision-making of GAVI. COI is not wrong or unethical but must be addressed as we deal with the allocation and disbursement of resources. We have developed strategies for both personal and organizational interests, but for both we have a very narrow financial focus. Issues have arisen over direct and indirect COI, such as when a specific stakeholder is getting a direct benefit versus an indirect benefit to the whole group.

Annual declarations of interest are required, including for government representatives, and at each meeting, the chair asks if anyone has anything to add. There are different remedies for dealing with COIs including being barred from voting, being barred as well from talking, and even being required to leave the room (but this is rare).

The challenges we face at GAVI include managing the widely diverging views within the alliance members. Some members do think that anyone who gets money for doing his job is different from a pharmaceutical company getting profits, but this is not so. These are all financial interests. Another challenge is that each entity represents its organization but also its constituency group, and this may require deciding if the issues apply to the group or just to the entity. And the principle of self-declaration is sometimes difficult to manage since there are no sanctions. So dealing with non-compliance can be tricky.

Tal Sagorsky explained that she has worked as a lawyer on COI in many different setting – health, education, nutrition, and most recently violent extremism. She did the legal review and added input to the GSO-SUN Reference Note and Toolkit. In all these settings, the need is there to have a policy in place, but it is also important not to stifle dialogue in the process. Everyone has COI and that is why you've invited them to come – that is why you need a mechanism. So everyone should talk, self-declare and explain why they are joining and talk openly of perceptions of other people's interests as well. It is important to build up a level of trust through a policy that moderates COI issues and provides for compliance with certain standards. An annual disclosure form could be too much if all interests are listed, but it is useful for everyone to be expected to read it and sign every year. This is about perception.

Stineke Oenema works with ICCO for advocacy on food and security issues, which is a different kind of relationship from COI with partners, but here the focus is on COI with the private sector. COI can pose risks to achieving objectives, such as how to combine private sector interests on nutrition issues and especially the pressures from stakeholders. There is an inherent COI in making money for shareholders by developing healthy foods. There is even a systemic change in civil society, and even civil society groups are pushing us. This is not an easy issue and can compromise our objectives. Making money from selling nutrition products is one issue, but another is evading taxes. SUN is developing costing plans, but is it fair when a government has less tax revenues and COI is not addressed because the tax-evading companies are there? Transparency is key, but we work with the private sector and bump into the fact that they are not transparent. They are dealing with competition





with other companies, for example, and it is difficult to get transparency and fair information from a company under these circumstances.

The SUN principles are good but a confusing mix of individual and institutional principles. What is non-negotiable is a rights-based approach. But be careful. The primary goal of nutrition and food security lies with government developing a policy framework for others to work together. People are the rights holders and we can't dilute this by sitting together and trying to agree on a less ambitious objective. Multi-stakeholder platforms can dilute this sometimes. There are also different challenges globally and locally. The tendency is to bring it back to the country level, but one should make sure the country has the legal framework to deal with this. Does a country have a legal framework to deal with COI? Can we set a policy framework with the private sector at the table? And at the global level, is the SUN Lead Group a rights-based entity? This is a gray area. Can you set a policy framework at this level with the private sector as part of the Group? In Netherlands we are struggling with a MSP on land rights to be implemented at country level. We have adopted red, yellow and green lights with companies.

Pak Radiul Hegar - ethics expert from Indonesia: No institution has all of the solutions needed to solve the problems, but the government needs to focus on health care. Other stakeholders do have interests in this, too. Industry has a health interest in prevention and care. Insurance companies too. For professional organizations, collaborating with industry is an issue. Yes, the industry wants to promote products but when they collaborate with professional organizations, there is a moral obligation for CSR and ethical law and standards and local health care. Professional organizations have developed their own guidelines. The private sector was not involved in writing policy but it is OK to work with the private sector to improve the health of children. The industry can be subjected to scientific accountability in its research as long as it is not marketing its products. The industry can even provide grants for research. All MNEs should have CSR and financing to support it. In SUN, we all share a commitment to breastfeeding. New research on BMS is OK but the focus should be what is right for best nutrition. We need to sit together for specific guidelines on this – inclusive of ALL stakeholders

#### Second Panel - Round Two

Mr. Arnold as moderator: This discussion is relevant to SUN thinking about its future and this exercise is contributing to our work on SUN2. Let's focus now on how the key messages and lessons learned from the GSO consultation process apply to your experiences? Are they useful as a guide for going forward? What would you highlight as the key message for going forward?

Carlotta: Unpacking the difference between divergent interests and COI remains an important aspect of the exercise. The question is not about aligning diverging interests, but rather making sure that decision making, and actions to influence decision making, are approached through FAIR negotiations. Another aspect for primary consideration is the question of perceived COI. Perceptions and assumptions about COI inevitably affect the level of trust; perceived COI can have consequences as serious as material COI on the capacity to achieve results. Last but not least, let me share a concern about the point made on the implementation and interpretation of the BMS. Flexibility is important for countries to apply SUN Principles in a local context. However, the UNICEF view is that the universal dimension of the BMS Code, its binding nature, and its role as international standard at the basis of SUN should not be questioned. Any flexibility around it would undermine and contradict its very meaning, and its role within SUN.





Anne: First, it needs to be emphasized that we at Unilever are living and breathing our basic code of conduct. This drives all of our corporate policy. We need to consider and apply the broader frameworks and principles that are currently being discussed. For instance if we are referring to tax avoidance as part of a rights-based approach, one should link to work at OECD on the Base Erosion and Profit Shifting project they are doing for the G20. It is also important to recognize the dynamic process of engagement, and the WHO work on its framework for engagement with non-state actors.

Amos: First, trust is important. We can't overemphasize this. Second, mentoring should be emphasized, and capacity building should be a priority. We need to scale up our capacity for nutrition as well as for managing COI. Finally, the fear of ethics can be seen as a fear of God to inspire us to do the right thing.

Eelco: Trust can also be seen from a different side, which is to create trust in the PROCESS in how to deal with COI. We should incorporate the idea that everyone should be treated in the same way, but this is hard to do because not everyone agrees with this. Real care starts AFTER the written policy has been adopted. Personnel turnover is a challenge when the new people have not gone through the exercise. So this too is part of being attentive to the implementation process. Finally, though, COI is a tool to achieve collaboration for a goal and not a goal in itself.

Tal: SUN should focus on private sector. Don't demonize the private sector. All of us in the room have COI. There are both political reasons and processes for participating in any movement. Everyone should write down where they are coming from and have a dialogue on this.

Stineke: We are monitoring the voluntary guidelines on investment in agricultural lands. The CFS implementation for this is a multi-stakeholder partnership; the financial sector and NGOs are all at the table, struggling how to reach the objectives. The Land Tenure Guidelines are the key to recognize the importance of increasing food and nutrition security and not to facilitate one's investments. It is a misuse of power to diverge from this objective. It is not a situation of equal power. We need to unpack the objectives of each actor and set specific action plans for each one. It is wrong to see everyone as equals.

Badriul: We know the BMS Code is important at the global level and also know that it has different interpretations at country level. But still companies are not complying. We need leadership, trust, transparency but missing is how to deal with Code non-compliance by countries or by companies who sign on.

#### Second Panel - Group Discussion

The discussion from the floor did not raise questions of the panel but supplemented the session with additional insights. One participant reinforced the importance of having no distinctions between and within COI — government stakeholders, small and large NGOs, cottage industries and global companies. We should also recognize inter-COI issues and intra-COI issues. Furthermore, there are many good ideas on food fortification, but regulations are restricting going forward with food fortification. It is time to change the regulatory process.

Another participant observed that we could say no to working with the private sector but this is not very flexible. At country level we need resources, and we need to establish agreements. The government should be enabled to make agreements with the private sector, as long as it keeps its leadership among the parties. This Conference is showing us good ideas for us to take back on how to manage these agreements





A third participant from the floor praised the panel for raising a number of useful ideas on how to prevent and mitigate COI. Trust and mutual respect are reinforced by joint credit and leadership. GAVI has done well with strict principles because it has a track record on successful immunization campaigns and has built up a reputation. Both GAVI and the Global Fund have reportedly worked out the differences among their members and the distinctions between conflicting interest and COI with clearly identified roles for each member. Unilever has had a successful national-level hand washing campaign that suggests that embedding ethical issues within each company can indeed prevent and manage COIs.

Mr. Arnold wrapped up the session by noting that there are many successful experiences in other settings that have shown the importance of taking time to unpack the concept of COI, accepting the potential of COI among all stakeholders, paying attention to perceived COI, living and breathing a code of conduct, dealing with interests from a rights-based approach and not compromising on objectives. Transparency remains an issue for debate, and the challenge of unequal power, especially in relating to the private sector. Applying international standards at country level is another important challenge, and there is need for more reflection on the applied flexibility of the BMS Code.

## Panel Discussion Three on Lessons Learned from Network Perspectives

**Moderator**: Ellen Piwoz – Senior Program Officer, Nutrition Global Development Program, Bill and Melinda Gates Foundation

Claire Blanchard — Civil Society Coordinator, SUN Movement
Adan Kabelo — Business Network Representative, GAIN Kenya
Lina Mahy — Technical Officer, UN System Standing Committee on Nutrition (UNSCN)
Betsy Jordan-Bell — Nutrition Advisor, USAID
Peterson Kato Kikomeko — Civil Society Representative, Uganda
Atsu Ayee — Ethics Expert at Ghana Enhanced Learning Exercise

Ellen Piwoz opened the third panel discussion on lessons learned from network perspectives by asking each panelist to focus on their network and its experiences with conflict of interest issues. Is conflict of interest being addressed as a concern within each network? What COI issues are being addressed in the network in overall relation to the SUN Movement?

Lina Mahy: The UNSCN with the REACH partnership are co-facilitating the UN Network for SUN. All UN agencies have formal due diligence policies for dealing with conflicts of interest. There is also a wealth of tools for this, including the Guiding Principles on Business and Human Rights. We have also benefited from the work in the Human Rights Council and the Special Rapporteurs on the right to food and health as well as the Special Rapporteur on cultural rights. The latter has published a report on the impact of marketing on culture, including the impact of marketing of food on the local cultures of food and eating. Secondly, currently the WHO reform includes discussions on the framework of engagement with non-State actors. At the January 2015 Executive Board, a report by the Secretariat summarized the main issues raised by Member States: conflict of interest, due diligence, financial resources from private sector entities, oversight and management of engagement by Member States, secondments, the application of the provisions of the private sector policy to non-private sector entities, official relations, monitoring and evaluation and relations with particular industries. Transparency has been increased with a new registry for non-State actors that was posted on the





WHO website this Monday, 16 February 2015. The next steps in developing a framework for engagement with non-State actors include an invitation for Member States to submit specific proposals for amendments; compiling and making these proposals available to Member States by 9 March 2015; and an open-ended intergovernmental meeting from 30 March to 1 April 2015. The outcome of this meeting will be reported to the World Health Assembly in May.

Adan Kabelo: Last month, we started the SUN Business Network in Kenya. Before this, it was the Kenya National Food and Nutrition Alliance. Producers, regulators, and CSOs are involved, but it is chaired or hosted by business. Emphasis is on the importance of inclusiveness. The challenge is how to bring in the private sector with their "baggage". We assume that business brings more baggage. We all have equal responsibility, but some "baggage" has more influence than others. The challenge is how to move business with a profit purpose to a nutrition and human purpose. We should not demonize business, but there is a responsibility as chair to deliver what has been agreed. The legal context within the country addresses food fortification, the BMS Act, and the government policy framework. We can make a law but it can only be implemented with political will and impact.

Claire Blanchard: There are over 2000 organizations in 33 countries and still growing. It is tricky within the civil society network to have overlapping functions of advocates versus implementers, a watchdog role versus implementation. These are distinct roles, but the network at country level can include both. Having an accountability mechanism with clear roles and responsibilities has been our approach. There are countries like Zambia and Peru where this has worked. But it is a tricky relationship – we need to have a clear definition of the network and of each organization within the network. Good governance practices are the strong foundation for this, as we have learned in key learnings from a survey of 10 of 29 CSOs. An important role is to make sure champions and rights are protected - protection yes but also room to create. El Salvador, Mali, Nepal, Togo and X have shown that stronger governance comes with flexibility. Each has developed different alliances and structures. Peru, Mozambique are informal. Others are more formal. Many have found the need for an independent neutral facilitator to bring everyone together. The coordinator of the SUN Network plays this role.

Betsy Jordan-Bell: Donors are now looking at capacity building. Capacity is there at an academic level ready to lead on this issue. This has been more fully developed in other aspects of health than nutrition, and so we need more serious discussion within nutrition. The Accra Principles are guiding us, and inclusive partnerships are our challenge. We can't sustain the effort without civil society to hold governments accountable, and we also can't sustain the effort without the private sector. Large scale fortification can't be done without the private sector. We all have COI and should be clear about them. At USAID, we go through a checklist every year. I asked these questions – we should start from that. Disclosure is the first step; then self-reflection and trust. COIs are inherent in all of us, and we need to acknowledge and manage them.

Atsu Ayee: Looking at the country specific context, the journey has bumps and hiccups. Ethical leadership on values and norms is important. There is a close relationship to corruption in public office for private gains. We apply the agent theory defining COI as acting against the public interest. Networking is an intriguing venture. It involves dialogue, trust and sharing but also obligations. We look to a different distribution of resources and redistribution to deal with inequalities.

Kato Kikomeko: At the local level, we know that conflicts exist given that all organizations join the network with varying interests many of which may be secondary to those of the coalition. Failure of Organizations to understand differences in mandates has bred perceived COI and sometimes real COI.





Converging the varying interests has been a challenge; we need to have open dialogues with each other and refer to the SUN Principles to guide this. There is also a challenge of transparency and accountability. When someone acts differently from what he said or agreed in an open dialogue, how can we enforce that? High turnover is also a challenge. Capacity building is important. To manage COI, we agreed as a coalition to do our work based on the Uganda Nutrition Action Plan (UNAP). Based on the UNAP, the coalition activities can mainly contribute to achieving the objectives on nutrition advocacy and awareness, and this is what we mainly do as a coalition.

#### Third Panel - Questions from the Audience

Before moving to a second round with the panelists, Ellen as the moderator opened it up for questions from the floor. Several questions were raised. First, asked one participant, when there is a dynamic target population, how can one handle COI and nutrition rules in changing circumstances? Another participant returned to the issue of dealing with companies that have a problem abiding by the Code. As individual companies, they are targeted, but they also have links with other industries, and some of these groups are even funded by governments. If we truly believe in the Code, then let us not contradict ourselves. In the infant formula business we need to define each actor's interests. If they are too different from the overall objective, there is no point to collaborate. We have also talked about different experiences in marketing. We have had difficulty with different positions by government, and we need clear guidelines on this. Finally, a further question was raised on how to handle COI BETWEEN networks. How would the Reference Note and Toolkit be useful for this?

### Third Panel - Panellists' Responses

Betsy: At the global level, there are no Code violators in the Movement. It is up to the government at the country level to decide who is in and out. Civil society organizations are important to monitor COI between networks. We should think about this at global level. At the country level, disclosure and potential COI should be the strategy.

Claire: The first question is tricky. Should there be flexibility provisions to move with momentum in the target population? The private sector needs to talk at the country level, but we also need to do some global unpacking of what the private sector looks like – farmers and others. A learning route discussion was helpful. As for issues between networks at the global level, we need to have a discussion on that. An independent ombudsperson or SMS or someone that is not in any of the networks would need to facilitate.

Lina: Don't compromise on your strategic objective just for the sake of establishing a partnership; you need to assess when it may be useful to develop partnerships in different areas or different countries. Regarding intra-network COI, the UN Network is currently developing a UN Global Nutrition Agenda (UN GNA), which is intended to provide a common agenda for the next 5 years. It will serve as a framework and guidance for UN joint collaboration on nutrition. It will clarify the respective agency roles for identified priority actions. As lead agencies are identified and agreed upon, this will reduce competition and tension among UN agencies.

Adan: either one is in or out. There should be a clear definition of whom to include and exclude. Start with this. With regard to the first question on a changing target population and dealing with the legal terms of business regulation. The question: is this an effective stick or is it better to use a carrot? The profit motive means that the audience is consumers, not regulators, and they should have a say in the matter – but not from businesses.





Kato: Targeting of the strategy should determine the choice of intervention. Is the goal advocacy and awareness? Is one targeting macro-level policy leaders or community level? Change strategy should be directed to the micro level, but if the issue is related to the budget, the targets are decision-makers although it is important to amplify community voices to demand for improved service delivery. To manage COI between groups in a network, it is useful to have MOUs and to choose who will receive the money and to whom it is to be channeled. Our coalition (Uganda Civils Society Coalition on Scaling up Nutrition) has an MOU with fiduciary agents. Having regular meetings to track the journey of new experiences and to adapt MOUs, working towards a common results framework – this helps to manage COI and evaluate interventions.

Atsu: The Reference Note and Toolkit can serve as a complement to existing codes and legal frameworks. The dynamic nature of populations and groups can be addressed by using the basic sources.

### Third Panel - Further Group Discussion

The second round of comments from the floor did raise some questions or requests for comments for the panelists. One participant observed that panelists had noted that corruption is different from COI but proposed that we should discuss how to include it in furthering the process. It is a multistakeholder challenge for all sectors. We need explicit recognition and selective solutions to integrate this into next steps. Another participant observed that there seem to be differences in understanding within the each network, and it is not clear who within the network follows COI and who does not. This is a question WITHIN networks. Is there a mechanism in place to address this? A third participant asked what panelists would suggest when there is no civil society network and no working group to include civil society.

Participants also returned to the issue of the Code and its application at national level. One participant observed that it is clear that no one is working with Code violators at the global level. There is no expectation of including Code violators anywhere, and there is a global menu of suitable business categories. Country level planning has to work out the sectors with whom they want to work, but very few countries have articulated a role for business. Everyone can ignore Code violators, said this participant, but he continued that we have to engage with them at some point. In the meantime, though, there is still a lot that we can do. Another participant asked for suggestions on how to deal with a country that has not fully adopted the Code.

#### Third Panel - Further Responses

Ellen summarized questions. We have questions on corruption and on articulating a role for business at the country level. Third question on CS network and how to form one. And how to deal with an association of BMS producers.

Betsy: COI is relevant even without private sector. These are not new policies or ideas. Country-level policies exist for COI in other settings and can be applied here.

Claire: On COI within the networks, we need to get better at it. We are adopting a disclosure forum and now have stronger processes in place for all members. Cross-learning is key and we will be able to learn from each other among the countries. On Indonesia, we need to have discussion among the





CSOs as a network and to coordinate with governments and donors to see what role CSOs could play. On the Code, cross-learning is also key to see how different countries have done it.

Lina: Another way of improving collaboration, reducing competition and avoiding overlap for better efficiency is the establishment of MoUs between UN agencies that may be working on the same issue, such as micronutrients. The MoU avoids overlap and can help with resolving differences. COI is also being discussed among UN agencies through the UN Interagency Task Force for the Prevention and Control of NCDs. More than 25 agencies are collaborating on the prevention and control of NCDs. The TOR of the Interagency Task Force includes 3 paragraphs on COI.

Adan: On the matter of corruption, government has made a SUN commitment. It is the role of donors and others to ensure follow-through. Implementation of laws is important to ensure government does what it has committed to do. If there is no capacity in government to monitor compliance, what can we do is to help each other to do the monitoring.

Kato: One strategy is to initially get a few people who are committed together to think it through and then call on other stakeholders to share. We do not have to despise status of organizations based on how big or small; we may think that some small organizations come for financial gains yet these may actually do good work. Although big international organizations are championing lots of initiatives, the link to the local organizations is important. Well established organizations contribute to capacity development when locals are employed at national level. As locals employed in international organizations, it is our mandate to put the interests of our country men first. In doing this, the fears of international organizations being perceived as promoting their own interests will be reduced as well as local capacity built.

Once a law is in place, the challenge is enforcement, and for many countries it is selective enforcement. Where the private sector has been involved we need to have a policy document on public private partnerships and to open up the dialogue on policies and implementation. Capacity building can be applied to a phased approach.

Question from Terry: We are looking for a transformative way of working for different networks and for government leadership. In many countries, civil society organizations have no local leadership, and international NGOs are leading the process. The challenge is how to go to local leadership and how to involved national NGOs. We are really relying on international NGOs and the challenge is how to shift. Capacity building is needed to let us tap into LOCAL experts. Champions are also a possibility, but it can be risky if they are not supported and are instead used by detractors who then mess up the agenda. Another question is what can the mass media role be and how can they be involved with the issue of the Code.

Adan: I agree that local leadership is important. INGOs are a problem but if they rely on local leadership, it is OK. Skills development can even move into government. Small professional group in Uganda came together to form Action 4 Nutrition at the start. They agreed to be neutral and not compete for money, and they brought the INGOs on board.

Lina: I would like to see a greater role for the media in the SUN Movement. Local NGOs/Civil Society cannot compete with companies that can afford to pay the huge fees for advertising on media owned by large media corporations. But media can also help expose e.g. violators of the Code.

Ellen then suggested that the panel wrap up this session with brief one-sentence recommendations to the GSO.





Betsy: COI is a means to an end, but it is also a small but crucial step forward.

Claire – Capacity building with a national focus should include an exchange of learning, cultivation of mentors, leaders, champions and a role for the media. COP4 will be important. We need to make red lines clear with a written policy on COI.

Lina: Involve mass media and concentrate on capacity building.

Adan – Building local capacity needs to take into account the love/hate relationship between IOs, CSOs and governments. It is crucial to use local resources to influence government. We need success stories for inspiration. Consumers and the public must be engaged and educated on the legal framework on nutrition issues in order to decide for themselves.

Kato – We need functional systems and policies and an academic platform.

Atsu: Speak and tell the truth. We are suffering from an integrity deficit – not acting when it is our duty to give open and vocal support for public officials and overcoming the fear of victimization.

Lina – Involve the mass media, but also timing of the due diligence process is important. Due diligence should be done to prevent COI. It is important to first build capacity in countries in order to ensure that countries are ready and able to assess and manage COI.

#### Break-out Sessions: Consolidated Feedback from Session Rapporteurs in Plenary

Group 1 reported that confidence in the process should stimulate stakeholder action. Move the group towards action with a specifically crafted policy framework. This should include and encourage deliberation by all stakeholders. A single a framework at the country level could work, but it would have to be simple and adaptable. Meaningful commitment would look different in each country. National and institutional capacity is critical for creating awareness. High–level commitment and institutionalization of the work plan are key for sustainability. This should be included in the SUN Strategy 2.0. Basic qualitative reporting as an overall Movement is desirable rather than detailed reporting because there is too much diversity involved.

**Group 2** discussed the merits of preparing TORs for the various roles and responsibilities of the networks and the need for transparency. There should be a common definition that addresses both inter-network and intra-network COI to promote an understanding of COI that is agreed upon by all networks. Government has the lead to establish a policy framework, and it should be in the hands of a neutral body rather than a line ministry. Technical expertise should be developed locally to adapt the Toolkit to local circumstances. The group also recommended a checklist to establish guidelines at the country level and recommended a system of periodic reporting.

Group 3 (French) recognized that the Reference Note and Toolkit will help countries realize that COI exists, and there needs to be an open dialogue to engage all stakeholders and facilitate awareness. It will help everyone to realize what the general interest is in preventing and managing COI and to integrate it into the applicable legislation of the country. The process should take note of all interests. Capacities have to be built and start from what already exists nationally. Principles of engagement should be revised with due regard to the role of ethics. One should strengthen monitoring and reporting with indicators. It is important to strengthen management with COIs as well.





Group 4 (Spanish) agreed that the Reference Note and Toolkit can be used as a methodology to facilitate implementation of a COI policy for all different governments. All stakeholders are needed to make the system sustainable. It is necessary to have a minimum set of rules for all stakeholders and to have clarity. The government must be the mediator in all processes. Capacity training is very important—leadership and management are very important. A framework should be in place for managing the conflict of interests. Information technology could give more possibilities to inform about what the SUN movement is and what it does, and this is very important. It might be useful to have a simple tool to monitor the processes. There is also interest in having a framework that would deal with the issue of breast milk substitutes in specific countries.

**Group** 5 spent a lot of time discussing challenges of languages. In order to integrate all stakeholders it is important to have documents translated into local languages. Having a discussion on COI helps to acknowledge the differences in multi-stakeholder platforms, and there should even be a workshop for developing the framework for preventing and managing conflicts of interest. A neutral facilitator might be needed. The outcome of the process should be a group responsibility for its success, but it should also define all stakeholder roles and responsibilities. Sustainability would be achieved by highlighting progress and roadblocks. For developing resources and expertise- both domestically and with external resources – discussion should provide a platform to identify the benefits to be gained and to share experiences between countries. Some training and other capacity building may be needed. Financial resources are always an issue in a sense that we should look toward local solutions. Making people aware of issues and information dissemination is also important. Another point that has not been made so far but is important is that we should not use COI as an excuse for not acting. We should not let COI distract us from our work. For a monitoring framework, it may be useful to report on progress, trends, and issues in the annual SUN report. There should be a commitment to proactive work. How can the Movement support work toward identifying COI? The SUN Strategy 2.0 should consider provisions for sharing among others and for positive government support. But it should as much as possible not distract us from the real issue that it is necessary to have a minimum set of rules for all stakeholders and have clarity.

**Group** 6 supplemented what had already been presented by the other groups by agreeing that this exercise should not develop a separate process but should integrate the COI framework into existing structures. It could even be a new strategy, but conflict of interest is an instrument and should not operate as a goal in itself. The SUN Movement is the center because we want to serve people and improve nutrition. Online resources should be encouraged in which one can give updates and ask questions. One should also ask how we can use annual global forums that already exist to discuss these issues,

#### Overview of breakout sessions:

- There is energy in the room to go ahead
- Refining and going into more details from lessons learned to next steps capacity building, technical tools for putting into practice at the country level
- We want to serve people, and COI is a topic to reach this goal





## Roundtable on Recommendations for Going Forward

#### **Katherine Hagen**

Dr. Hagen explained that this concluding roundtable session is an open-ended opportunity for participants to raise concerns and suggestions, with broad reflections on recommendations for going forward with the outcomes of the project. The Synthesis Report identified a set of key messages and lessons that were presented by Mr. Gallagher in the opening session. Using this as a base, participants were invited to share their thoughts.

The initial set of comments focused on the first key message, the centrality of the SUN Principles of Engagement. Participants felt that the ten principles were important to keep at the center, and no one suggested that SUN needed more principles of engagement. Further elaboration on their meaning, however, attracted several suggestions and led to a lively discussion. One participant suggested that stronger language would be helpful on what is meant by COI as part of the Principles and for more guidance on roles and responsibilities. This links the key message on the centrality of the Principles with the additional key message of more attention needing to be given to distinguishing between conflict and conflict of interest. The ethics expert referred to the paper on ethics and asked if there might be some elements in the paper that could sharpen many of the SUN Principles on this point.

Another participant observed that some of the principles are directed to the process of engagement while others are directed to the behavior of participating individuals. The distinctions should be cleared up between the two. Additionally, the SUN Principle on a rights-based approach could serve to challenge stakeholders on their records on rights violations, above and beyond any specific reference to nutrition. It was pointed out in response, however, that a rights-based approach should take into account the point that states have the primary duty to uphold human rights and that other stakeholders, including the private sector, are expected to operate with a responsibility to respect human rights.

Discussion then moved to some of the other key messages and lessons learned - on the importance of leadership, on having a written policy on COI and on keeping the focus on the purpose of the SUN Movement. One participant pointed out that one should not confuse the SUN Movement with a "COI movement", and the Reference Note and Toolkit should be seen as a means to an end and that the prevention and management of COI should not be seen as an end in itself. Participants further agreed that the new SUN strategy should mention COI and recognize that it could exist. It should include a generalized definition of COI and should have a clear and definite action plan to ensure member countries that they need to put in place a framework for preventing and managing COI. Others mentioned that this should include clear guidance to facilitate how to address the BMS Code. In any case, countries should be encouraged or possibly even required to have a written COI policy in place.

Another participant raised a concern about the responsibility for leadership in all of the networks and questioned how this should be coordinated. There is a view of shared leadership, but there needs to be an understanding of who has leadership responsibility for what. Governments are in the lead and have the responsibility to ensure that the participants in the country-based multi-stakeholder platforms support the common objectives and avoid undercutting these common objectives with conflicts of interest. But who has responsibility within each of the networks? Leadership should, of course, be responsible within each network to prevent and manage COI, but coordination is also important to ensure that the focus is on the common objectives of the SUN Movement.





This led to a broader discussion of the legal implications of written policies and the importance of strong enforcement of these written policies. The policies should be binding for the members of the multi-stakeholder platform, but they can't be treated as legally binding for outside parties to challenge a SUN participant in an external proceeding. Strong enforcement of these policies, then, has to be limited to internal procedures.

Dr. Hagen closed this session by reviewing once again the points that participants had highlighted on the key messages and lessons learned. Helpful suggestions have been made on the providing clarity on the centrality of the SUN Principles of Engagement to COI, on refining the understanding for the difference between conflict and COI of several of these principles, on integrating the ethics perspective, on the implications of putting such an emphasis on leadership, especially involving the coordination of COI policies in all networks, and on the legal implications of having a written COI policy in place. The discussion, she noted, has also touched on the need and expectations for capacity building, on the continuing awareness raised throughout the Conference on ensuring consistency with the BMS Code but also on the respect for diversity of approaches and structures in the SUN Movement.

## **Closing Remarks**

#### **Tom Arnold**

All has been designed in this Conference in a way that everyone has felt that they had a voice and a contribution to make. People were drawing on their own experiences which is important. There has been a strong emphasis on practicality.

The discussion has strongly endorsed the key messages and lessons learned in the synthesis report. Lessons from this exercise have further highlighted the centrality of the SUN Principles. The focus has been on trust, and it may be helpful to revise the Principles a bit. The importance of having written policies in place and the importance of leadership at all levels have also been emphasized as part of that trust-building focus. We acknowledge that building trust is easy to say but not easy to deliver.

Partnering with a rights-based approach has been highlighted during the last open-ended roundtable, and diversity, too, has been emphasized. But we also have an overall objective that is non-negotiable. We can negotiate over conflicts and divergent interests but not when we are dealing with identifying and managing COI.

Where do we go from here? Our efforts need to be country-driven and specific to that context, but the Reference Note and Toolkit are a good base for further work in this direction. This has been a learning experience for us, and we recognize the importance of capacity building through tapping into the local expertise we have and of building stakeholder management with approaches for preventing and managing COI as an instrument for the overall objective. This learning and sharing of experiences should continue to be promoted, and the SMS is encouraged to follow up on how best to build the leadership we need and to refine the lessons we have learned.

It is important to put something together right away to keep the momentum going, but we are also caught up in defining what is the future vision for SUN. We should be building on the successes we have had and the learnings from this process to place the effort in the wider context of our core





international obligations. The challenge is extracting everything we have learned today and feeding these lessons into the next stage.

## **Extending Appreciations**

#### **Katherine Hagen**

Dr. Hagen concluded the Conference with appreciation to the SMS for partnering with the GSO and especially the leadership role taken on by Tom Arnold and the liaison role performed by Martin Gallagher and Breda Gavin-Smith. She also thanked the members of the GSO-SUN Steering Committee, the hosts of the four Enhanced Learning Exercises in Ghana, Kenya, El Salvador and Indonesia, and the GSO team of Ralph Doggett and Michelle Botes, supported as well by GSO interns Megan Anderson, Emily Siebert and Elise Smith. The project was made possible through a generous grant from the Bill and Melinda Gates Foundation, represented at this Conference by Ellen Piwoz. We thank her for her participation. The heightened interest in participating in this Conference required additional support, which was generously provided by the SMS itself for the translation and printing of documents; by USAID, GIZ, UNICEF and GAIN for help with participants travel and expenses; and by USAID for the interpretation services. Katherine thanked all of the sponsors who made this Conference possible. Thanks also to all of the participants at this Conference and in all of the project's events who have contributed their time and ideas to make this initiative happen. The GSO looks forward to preparing a report of this meeting and a final report with recommendations for going forward to the SUN Lead Group.





## **Annex A: GSO-SUN Steering Committee Members**

Berettapiccoli, Nina WFP and SUN Business Network de Marquez, Daysi SUN Focal Point - El Salvador de Regil, Luz Maria WHO and SUN UN Network Doggett, Ralph Global Social Observatory Easter, Kris USAID and SUN Donor Network

Gallagher, Martin SUN Secretariat Gavin-Smith, Breda SUN Secretariat

Germann, Stefan World Vision and SUN CSO Network

Hagen, Katherine Global Social Observatory

Heughan, Anne Unilever and SUN Business Network

Isokpunwu, Chris SUN Focal Point - Nigeria Ka, Abdoulaye SUN Focal Point - Senegal

Khanum, Sultana SUN CSO Network Steering Committee member

Mason, Frances Save the Children and SUN CSO Network

Nabarro, David UN Special Representative for Food Security and Nutrition

Peniston, Anne USAID and SUN UN Network

Pidufala, Oksana World Bank and SUN Donor Network

Schiffer, Kornelius GIZ and SUN Donor Network

Stückelberger, Christoph Globethics.net

Tench, Jonathan GAIN and SUN Business Network

Tetteh, Edith SUN Focal Point - Ghana

Truhina, Alina World Bank and SUN Donor Network van Liere, Marti GAIN and SUN Business Network

Vish, Prakash SUN CSO Network Steering Committee member

Viviani, Marilena UNICEF and SUN UN Network Wefwafwa, Terry SUN Focal Point - Kenya





## Annex B: GSO-SUN Project Teams

#### **Global Social Observatory**

Hagen, Katherine **Executive Director and Project Director** 

Doggett, Ralph Secretary Treasurer and Deputy Project Director Botes, Michelle Administrative Assistant and Event Coordinator

Consultant – Consultation Events Zolty, Barbara Samors, Bob Consultant – Consultation Events Maktabi, Tayeba Intern and Research Assistant

Trebilcock, Anne Legal Reviewer of Conflict of Interest Documents Legal Reviewer of Conflict of Interest Documents Sagorsky, Tal Consulting Translator for Enhanced Learning Exercise Montero, Olga

#### **SUN Movement Secretariat**

Nabarro, David SUN Movement Coordinator and UN Special Representative for

Food Security and Nutrition

SUN Movement Coordinator ad interim and Lead Group member Arnold, Tom

Gallagher, Martin UN Senior Liaison Officer – Food Security and Nutrition

Consultant Public Health Nutritionist Gavin-Smith, Breda

Chief of Staff Lasbennes, Florence

Babin-Pelliard, Delphine

Akoto-Danso, Kwame

**Policy Support Officer** 

Blanquer, Pau

Nguyen, Thuy **Advocacy and Communications Officer** 

#### Globethics.net

Stückelberger, Christoph **CEO** and Ethics Coordinator Howe-Lopez, Lucy Administrative Assistant

Ayee, Joseph Atsu Ethics Expert, Ghana Enhanced Learning Exercise Kobia, Samuel Ethics Expert, Kenya Enhanced Learning Exercise Marinero-Cortes, José Ethics Expert, El Salvador Enhanced Learning Exercise Hegar, Badriul Ethics Expert, Indonesia Enhanced Learning Exercise





## Annex C: Global Conference Programme

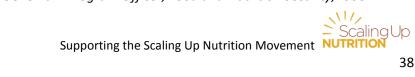
## Monday, 16 February

14:00	Registration
14:30	Opening introductions and Objectives of the Meeting  Katherine Hagen – Executive Director, GSO
14:45	Keynote Address Tom Arnold – Coordinator ad interim, SUN Movement
15:15	Introduction of Reference Note, Toolkit and Synthesis Report Katherine Hagen – Executive Director, GSO
15:30	The Ethics Perspective  Christoph Stückelberger – CEO, Globethics.net
16:00	Engaging in the SUN Movement – SMS Perspective  Martin Gallagher – Policy Advisor, SUN Movement
16:15	Coffee Break
16:30	Panel Discussion on Lessons Learned from Country Perspectives  Moderator: Abdoulaye Ka - Government Focal Point, Senegal Panellists:  Edith Tetteh – Government Focal Point, Ghana Dr Hadiat – Government Representative, Indonesia Bounthom Phengdy – Government Representative, Lao PDR Chris Isokpunwu – Government Focal Point, Nigeria José Marinero-Cortés – Ethics Expert at El Salvador Enhanced Learning Exercise
18:00	Reception

## Tuesday, 17 February 2015

08:00	Arrival Coffee
08:30	Panel Discussion: Understanding Conflict of Interest in Different Contexts
	<b>Moderator</b> : Tom Arnold – Coordinator ad interim, SUN Movement
	Panellists:
	Tal Sagorsky – Legal expert and Reference Note/Toolkit reviewer
	Amos Laar – Senior Lecturer, University of Ghana and Case Study Co-Author,
	Ghana
	Anne Heughan – External Affairs Director, Unilever
	Carlotta Barcaro - Corporate Alliance Specialist, UNICEF Private Fundraising and Partnerships (PFP)
	Stineke Oenema – Program Officer, Food and Nutrition Security, ICCO

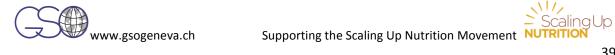




Dr. Eelco Szabo, Director, Legal Division GAVI

Dr. Badriul Hegar, Ethics Expert at Indonesia Enhanced Learning Exercise

09:30	Q & A Session
10:00	Coffee Break
10:30	Panel Discussion on Lessons Learned from Network Perspectives  Moderator: Ellen Piwoz – Senior Program Officer, Nutrition Global Development Program, Bill and Melinda Gates Foundation Panelists: Claire Blanchard – Civil Society Coordinator, SUN Movement Adan Kabelo – Business Network representative, GAIN Lina Mahy – Technical Officer, WHO and UN Standing Committee on Nutrition Betsy Jordan-Bell – Nutrition Advisor, USAID Kato Kikomeko – Civil Society representative, Uganda Atsu Ayee – Ethics Expert at Ghana Enhanced Learning Exercise, Ghana
10:30	Q & A Session
12:00	Lunch Buffet
13:00	Breakout Session: Integrating Conflict of Interest Prevention and Management into a Broader Community of Practice and the SUN Movement's Strategy 2.0  Moderator and Rapporteurs chosen by each group
14:00	Feedback from Session Rapporteurs in Plenary – preliminary recommendations Christoph Stückelberger – CEO, Globethics.net
15:00	Roundtable Session on Recommendations for Going Forward  Katherine Hagen – Executive Director, GSO
16:00	Closing with Consensus on Recommendations  Katherine Hagen and Tom Arnold





## Annex D: Global Conference Participants

#### Global

#### **Global Civil Society Network**

Blanchard, Claire CSN Coordinator Germann, Stefan WVI Khanum, Sultana CSO Steering Group Teklu, Mesfin WVI

#### **Global Civil Society**

Oenema, Stineke ICCO Cooperation

#### **Global Business Network**

Heughan, Anne Unilever Mehra, Divya WFP Spiegel, Kristina GAIN - Business Network Tench, Jonathan GBN Coordinator Tiley, Alba DSM

#### **UN Network**

Boukerdenna, Hala WHO - NHD Mahy, Lina WHO - UNSCN Viviani, Marilena UNICEF

#### **Donor Network**

Bowen, Martha Millennium Challenge Corporation Heeb, Marlene Switzerland Jordan-Bell, Betsy USAID Piwoz, Ellen Gates Foundation Schiffer, Kornelius GIZ

#### **SUN Movement Secretariat**

Arnold, Tom SUN
Babin-Pelliard, Delphine SUN
Campeau, Christine SUN
Cousins, Matthew SUN
Gallagher, Martin SUN
Gavin-Smith, Breda SUN
Khattak, Alam SUN
Lasbennes, Florence SUN
Mustafa, Thahira SUN

#### **COI Experts**

Barcaro, Carlotta UNICEF Sagorsky, Tal Legal reviewer Szabo, Eelco GAVI

#### **Ethics Experts**

Ayee, Joseph Atsu Ghana Hegar, Badriul Indonesia Marinero-Cortes, José El Salvador Stückelberger, Christoph Globethics.net

#### **Independent Consultants**

Kim, David, Consultant to SUN Movement de Mel, Ruwan, Consultant to SUN Movement





#### **East and South Africa**

#### Government

Bakunzi, Maureen Uganda Liana, Belinda Tanzania Musiimenta, Boaz Uganda Ndayihanzamaso, Jacquéline Burundi Okoth, Monica Kenya

#### **Civil Society**

Kikomeko, Kato Uganda Wakunuma, Mutale Zambia Wefwafwa, Terry Kenya

#### **Business**

Kabelo, Adan GAIN Kenya

#### **West Africa**

#### Government

Isokpunwu, Chris Nigeria Ka, Abdoulaye Senegal Tetteh, Edith Ghana Ngoran - Theckly, Patricia Cote d'Ivoire

#### Academics

Laar, Amos Ghana

#### **Civil Society**

Okwabi, Wilhelmina Ghana

#### **Business**

Quaye, Emmanuel GAIN in Ghana

#### **Western Hemisphere**

#### Government

Gamboa, Cecilia Costa Rica Hugo Gonzalez, Sergio Guatemala

#### Academia

Donis, Claudia Yolanda Guatemala Gallegos, Brenda El Salvador

#### **Civil Society**

Molina, Marta Guatemala Ulate, Erick Costa Rica

#### **Business**

Montero, Mario Costa Rica

#### Asia

#### Government

Chandradasa, Lalith Sri Lanka Hadiat, Indonesia Phengdy, Bounthom Lao PDR

#### **Civil Society**

Aritonang, Asteria Indonesia Lattana, Vanhlee Lao PDR Pambudi, Wiyarni Indonesia





Vish, Prakash India **Business**Samaradiwakara, Achala Sri Lanka

## **Global Social Observatory**

Hagen, Katherine Project Director Doggett, Ralph Deputy Project Director Botes, Michelle Administrative Assistant Anderson, Megan GSO Intern Seibert, Emily GSO Intern Smith, Elise GSO Intern



