Informal Consultation on WHO’s engagement with non-State actors

17 – 18 October 2013

Summary report

1. In response to Executive Board decision EB 133(2), the Director-General convened an informal consultation on WHO’s engagement with non-State actors on 17 and 18 October 2013. More than 320 representatives of Member States and non-State actors participated in the consultation in person or via webcast.

2. In her opening remarks, the Director-General drew attention to the need to establish a robust framework for engagement that protects WHO’s reputation, but is also transparent, open, and as inclusive as possible. She added that WHO’s engagement with non-State actors carries some inherent risks and that the key challenge is to identify these risks and balance them against the expected benefits, in a transparent manner, through due diligence. These consultations are expected to trigger an open dialogue among participants and provide input and guidance that will assist the Secretariat with a proposal for a “more detailed framework on WHO’s engagement with non-State actors” to be submitted to the Executive Board at its 134th session in January 2014.

3. In presenting the results of his consultations with Member States and non-State actors as a Special Envoy, Professor Thomas Zeltner reiterated that WHO’s engagement with non-State actors is a timely question and highlighted some of the problems which were identified with the existing mechanisms of WHO’s engagement, such as a lack of trust and clarity, inconsistency in the application of rules, the need for a clearer definition of roles, inclusiveness of all actors and the importance of establishing firmer foundations with non-State actors.

4. The participants reaffirmed that Member States will always have supreme decision-making authority. They emphasized that the aim of this reform is not simply to increase engagement but rather to improve the quality and value of engagement with non-State actors in the public health sphere, and to disengage where necessary. The participants also proposed that the value to public health should be emphasized when engaging with non-State actors.

5. It is generally understood that non-State actors include, inter alia, nongovernmental organizations, private commercial enterprises, philanthropic foundations and academic institutions. With respect to this understanding, the participants asked the Secretariat to propose a definition of non-State actors, to undertake an inventory/mapping of non-State actors with whom WHO currently engages, and to describe the types of engagements.

6. There was consensus among participants about the importance of strengthening due diligence procedures and applying them consistently and systematically to all non-State actors; management of risks, including conflict of interest; and increasing
transparency when engaging with non-State actors. The Secretariat was advised not to “reinvent the wheel” but to build on existing mechanism and to learn lessons from other institutions.

7. There was general support for the ideas of transparency register and the Secretariat was advised to work further and to provide further details on the proposals for strengthening due diligence, management of risks and conflict of interests and increase transparency.

8. The participants expressed concerns about the proposed public scrutiny of non-State actors before they engage with WHO and advised that the level of due diligence be tailored to the type of engagement.

9. The participants emphasized that in the next discussion they will appreciate a separation of the different operational procedures for the different types of non-State actors.

10. Although there was recognition of the importance of these issues, there were also differences of opinion with regard to the: various types of non-State actors; a typology of interactions with non-State actors; need and feasibility of differentiation specially amongst the NGOs.

11. Even though there was not enough time to discuss all the issues in the paper, there was convergence on the following issues concerning non-governmental organizations participation in governing bodies, including: The 24 hours rule for submission of NGOs statements before their delivery may be replaced by clear guidance on interventions; the affiliation of NGO participants to WHO’s meeting should be disclosed in the list of participants; the Secretariat could provide a dedicated webpage, where interventions from NGOs could be posted in advance of the governing bodies debates.

12. In his closing remarks, the Deputy Director-General complimented participants for the constructive dialogue and their productive contributions to the debate. Based on feedback received during the meeting, he highlighted actions the Secretariat will be taking before the follow-up meeting on WHO’s engagement, which will take place before the World Health Assembly in May 2014:

- Publish participants’ comments on the WHO website (to be sent not later than 25 October, to: nonstateactors@who.int);
- Propose a definition of non-State actors;
- Develop an inventory of WHO current engagement with non-State actors;
- Publish on the WHO website a list of all documents pertinent to the engagement of WHO with non-State actors;
- Continue consultations between the Special Envoy and Member States and non-State actors.