



Jakarta-Indonesia Enhanced Learning Exercise Prevention and Managing Conflicts of Interest in Multi-sectoral and Multi-stakeholder Platforms

Preface

Over 60 participants came together for the Enhanced Learning Exercise on the Prevention and Management of Conflicts of Interest in the Scaling Up Nutrition Movement, hosted by Indonesia at the DoubleTree by Hilton Hotel in Jakarta, Indonesia. The event took place on 3 to 4 December 2014. Multi-stakeholder representation included participation from multiple Indonesian government agencies, NGOs, UN agencies, academia, and the private sector. Additional multi-stakeholder representation came from Bangladesh, Lao PDR and Sri Lanka. Our thanks to the outstanding leadership of the Lead Group Member and SUN Focal Point in Indonesia, Nina Sardjunani, supported by a dedicated and productive local planning committee.

Summary of Major Outcomes

- The Reference Note provides perspectives on how conflict of interest may be defined given various considerations, such as individual versus institutional conflict of interest, whether the conflict of interest in question is perceived, potential or actual, or indeed whether a circumstance presents a conflict rather than a conflict of interest. The Reference Note also suggests different approaches for assessing whether or not there is a conflict of interest, including a due diligence approach, a risk based approach and a “due diligence” approach. Participants agreed that there needs to be a consensus definition to help the process of establishing policy and building trust.
- The seven original SUN Movement Principles of Engagement coupled with the three additional principles added as part of the GSO consultation process, are central to the establishment of a multi-stakeholder platform at country level. The essential principles are those emphasizing transparency, integrity, do no harm, rights-based approach, and in particular, trust with a broadened perspective.
- It is highly important to have a written policy that includes provisions for strong enforcement and monitoring. The written policy should include clear objectives and responsibilities of each party and provide for common performance standards
- The key challenges faced going forward include issues arising from the case studies addressed by the participants. These include:
 - Decentralization so as to provide for community engagement
 - Adhering to local standards while recognizing global standards
 - Taking into account regional differences and working toward harmonization
 - Establishing criteria for conflict of interest risk factors
 - Implications for CSR funding and management
- Ongoing reviews of policies and practices are important to ensure success, aided by the establishment and building of an evidence base.





- Country-level implementation “to-do” list:
 - Prepare a mapping of existing regulations
 - Prepare a mapping of who is doing what
 - Discuss the platform development agenda in every network
 - Prepare user-friendly guidelines
 - Empower a forum for the management of conflict of interest
 - Identify external budgeting options
 - Define and implement trial small-scale initiative chosen by country SUN Movement

Introduction

The Enhanced Learning Exercise in Indonesia was part of a project led by the Global Social Observatory to develop a framework for the prevention and management of conflict of interest within the context of the Scaling Up Nutrition Movement. In the first phase, three multi-stakeholder consultations were convened in 2013 to develop a Reference Note and Toolkit on conflict of interest. In the second phase, the GSO has been partnering with the SUN Movement Secretariat to conduct a series of four Enhanced Learning Exercises. Three Enhanced Learning Exercises were previously held on 1-2 April 2014 in Accra, Ghana, on 29-30 May 2014 in Nairobi, Kenya, and on 17 to 18 July 2014 in Salinitas, El Salvador. This event in Indonesia was the fourth and final Enhanced Learning Exercise.

The objectives of the Enhanced Learning Exercises were first, to bring together SUN Focal Points and partners at the country level to discuss their experiences in relation to preventing and managing conflict of interest; and second, to assess how the Reference Note and Toolkit produced in the first phase of the project can be applied through country-specific case studies to support work in this area at country level. A revised Reference Note and Toolkit will be presented at a concluding global conference for the project on 16 to 17 February 2015 in Geneva, Switzerland. There will also be a compendium of case studies and lessons learned for sharing during this conference. A concluding report from the GSO will make recommendations on strengthening multi-stakeholder collaboration in support of the objectives of the SUN Movement. The project is also facilitating the building of a community of practice for an ethical perspective on conflict of interest, to be integrated into a broader community of practice that is being developed in the SUN Movement to promote multi-stakeholder alignment. This ethical perspective is drawing upon a global expertise on ethics based in an GSO partner organization called Globethics, as well as through the engagement of a local ethics expert for each of the four Enhanced Learning Exercises.

Summary of Indonesia ELE

The Enhanced Learning Exercise started with an introduction and overview of the programme by Dr. Hadiat, Director for Health and Community Nutrition, Bappenas. The official opening and keynote address was delivered by Deputy Minister for Human Resources and Cultural Affairs, Bappenas, Nina Sardjunani, MA who is also the SUN Lead Group Member from Indonesia and SUN Focal Point for Indonesia. In her keynote address she combined the global perspective for the SUN Movement and the local context of responding to the challenges of under-nutrition with policies and an action plan for which a conflict of interest framework was needed to regulate the role of related stakeholders. She was followed by Dr. Katherine Hagen who explained the role of the Global Social Observatory in conducting a consultation process for the prevention and management of conflict of interest in the





SUN Movement; and by Mr. Kwame Akoto-Danso who explained the background of why the SUN Movement Secretariat (SMS) was supporting the process.

Moving to the substantive content that participants were to address, Dr. Dini Latief moderated a session that included an introduction by Dr. Katherine of the main subjects covered in the Reference Note and Toolkit that had been developed in the first phase of the consultation process. Mr. Ralph Doggett then summarized the lessons learned from the three preceding Enhanced Learning Exercises in Ghana, Kenya, and El Salvador. The local ethics expert for Indonesia, Dr. Badriul Hegar, gave a presentation on his interpretation of the ethical perspective on conflict of interest in the SUN Movement in Indonesia. This was followed by a presentation by Mr. Supriyadi Widodo on the three case studies that were intended to serve as the basis for applying the Reference Note and Toolkit to the specific circumstances of Indonesia, but also of Bangladesh, Lao PDR and Sri Lanka. A panel discussion concluded this substantive session by highlighting the concerns of collaboration, trust building and regulatory strengthening, and the need for dialogue to identify conflicts of interest and how to manage them.

In the afternoon of the first day, participants were invited to meet in three different learning circles to discuss specific questions in the context of the case studies. A first round of learning circles involved the question “What does conflict of interest mean?” in each of the case studies. Each group was invited to select a moderator and a rapporteur. Following the first round, the rapporteurs presented reports of their discussions back to the whole group, moderated by Professor Endang Achadi. A second round of learning circles involved questions on how to prevent conflicts of interest from arising through transparency and disclosure. The afternoon concluded with reports from the three groups back to the whole group, moderated by Dr. Arum Atmawikarta.

The second day opened with special remarks from Assistant Deputy of Nutrition Security and Environmental Health, Coordinating Ministry of Human Development and Cultural Affairs, Meida Octarina, MCN and Co-chair of Global SUN Business Network (Director Indofood), Axton Salim. Dr. Katherine delivered a recap of key messages from the first day and introduced the elements of the Reference Note and Toolkit on identifying and managing conflicts of interest. A panel discussion moderated by Dr. Bounthom Phengdy from the Lao PDR reflected on the importance of managing conflicts of interest through trust-building and finding experiences of good practices. The participants were then invited to consider in a third round of learning circles the elements of identifying and managing conflicts, with questions related to a risk-based approach, applying due diligence and reviewing the options for remedial action as they might be applied to the three case studies. Again, the responses were shared by the whole group in a plenary session, moderated by Dr. Dini Latief.

In the afternoon, the focus was on monitoring and capacity building. Dr. Katherine presented an overview of monitoring and capacity building from the Reference Note and Toolkit. A third panel discussion moderated by Esther Indriani from WVI South Asia and Pacific Region discussed the priorities and implementation of policies for monitoring and capacity building and recommendations for next steps. Dr. Hadiat then adjourned the ELE with closing remarks, expressing thanks to all of the groups who had contributed to the two days of deliberations.



Full Report of the Indonesia Enhanced Learning Exercise

I. Opening Session

Dr. Hadiat, the Director for Health and Community Nutrition, Bappenas, started the workshop with an introduction and overview of the Enhanced Learning Exercise on Conflict of Interest. He described the origin of the Scaling Up Nutrition Movement in 2010 at the UN General Assembly and the work of the Global Social Observatory in 2013 and 2014 in developing a Reference Note and Toolkit on Conflict of Interest to support the national Multi Stakeholder Platforms in Indonesia and elsewhere. He explained that the GSO has held workshops in Ghana, Kenya and El Salvador as well as Indonesia to provide participants with the clear understanding of what constitutes a conflict of interest, how to identify potential conflict of interest and how to prevent and resolve conflict of interest. Participants for the workshop were welcomed by Dr. Hadiat from the Expert Team and different sectors in government, private sector, civil society, UN system and donors in Indonesia as well as representatives from government, civil society and the private sector from Bangladesh, Lao PDR and Sri Lanka. He highlighted the expected outputs of increased understanding of the Reference Note and Toolkit, feedback on the usefulness of these documents to the local settings through a discussion of case studies and a report capturing the key lessons learned from the discussions. He concluded with a review of the full agenda for the two days, including provisions for three panel discussions and three rounds of learning circles.

In her keynote address, **Nina Sardjunani, MA** the Deputy Minister for Human Resources and Cultural Affairs, Bappenas, SUN Focal Point for Indonesia and member of the SUN Global Lead Group, inspired the participants with an in-depth background on the global scene, followed by a survey of the local challenges and the importance of a conflict of interest guideline for the SUN Movement in Indonesia. The Lancet Series from both 2008 and 2013, she explained, have reinforced the importance of focusing on the first 1000 days of life to reduce the impact of under-nutrition on child mortality and its irreversible effects on health, cognitive and physical development. As she observed, “Stunting is one of the greatest human inequities and social injustices of our time”. The SUN Movement was established to ensure the right to good nutrition for all mothers and children everywhere, in particular within the first 2000 days of life.

Deputy Minister for Human Resources and Cultural Affairs also reported on the Rome Declaration on Nutrition from the Second International Conference on Nutrition in November 2014 and the first ever Global Nutrition Report 2014, drawing on the documentation that 178 million children under 5 still suffer from stunting. With the prevalence of stunting in Indonesia above 40 per cent, addressing this is a high priority, where the geographical setting and wide disparities by district and city are among the challenges for putting a policy in place. The Presidential Decree No. 42/2013 calls for a National Movement to Accelerate Nutrition Improvement within the Framework of the First 1000 Days of Life and for convening multiple stakeholders and sectors at the national and sub-national levels in coordination with the SUN Movement. It is in this context that a conflict of interest guideline is needed. Ibu Nina expressed appreciation for this International Workshop – Enhanced Learning Exercise on Conflict of Interest to be held in Indonesia. She thanked all of the participants from ministries, private sector, civil society, professional organizations, academia, the UN system and donors for participating in this event and also welcomed the participants from Sri Lanka, Lao PDR and Bangladesh to “start gathering our efforts with new spirit and high accountability, for the future of our children”.





Dr. Katherine Hagen, Executive Director of the Global Social Observatory, thanked Director for Health and Community Nutrition, Deputy Minister for Human Resource and Cultural Affairs Bappenas and the participants for joining in this important effort to address the scourge of stunting by helping stakeholders to apply a framework for the prevention and management of conflicts of interest. She described the role of the Global Social Observatory (GSO) to facilitate multi-stakeholder dialogue in a neutral forum. The GSO was invited by the SUN Movement Secretariat to develop the Reference Note and Toolkit on conflict of interest through a consultation process with the multiple stakeholders of the SUN Movement. The GSO is pleased to be working with the SUN Movement and its partners in order to help think through this important issue. The Enhanced Learning Exercise is intended to be an interactive dialogue and learning experience for everyone.

Kwame Akoto-Danso, Policy Support Officer in the SUN Movement Secretariat, explained that the SUN Countries own and lead the SUN Movement by bringing together all stakeholders around nutrition. This is a voluntary commitment by all stakeholders that share the objective of delivering better nutrition for women and children. Conflicts of interest can occur in multi-stakeholder platforms when a personal or organisational interest is put before the collective interest. Addressing conflicts of interest can be a challenge and many countries have asked for support. The GSO work, on behalf of the Movement, has been oriented to helping the countries, through the development of the Reference Note and Toolkit. These documents are not mandatory; but they serve as a guide and orientation to allow the Focal Points and stakeholders to develop their own approaches based on the local context. Each country will determine its own framework.

II. The Reference Note, Toolkit, Case Studies, and Ethics Perspectives

a. The Reference Note and Toolkit

Following these introductory remarks, **Dr. Katherine** referred to the objectives of the ELE that Dr. Hadiat had presented in his introduction and proceeded to outline the contents of the Reference Note and Toolkit. The key message in the Reference Note is that while there are conflicts between institutions and between individuals, they are not always conflicts of interest. There is an important distinction between having conflicts over policy or procedure and dealing with conflicts of interest that undermine the common objective. In addition, all stakeholders have a variety of interests that have the potential to become conflicts of interest.

In the SUN Movement, governments have the leadership role in establishing a national multi-stakeholder initiative and therefore in the prevention and management of conflict of interest. Existing national legal and policy frameworks should be the starting point for developing national conflict of interest policies, but there are also the SUN Principles of Engagement and international standards that apply to all SUN member countries. She then introduced the four main elements of the Reference Note and Toolkit on prevention, identification, management and monitoring of conflicts of interest, with a supporting foundation of capacity building.

The programme for the ELE specifically includes a local ethics expert to facilitate the understanding of the interplay between ethical standards and conflict of interest. It also includes the introduction of three case studies to serve as the basis for the discussions. After the presentations of the ethics expert, Dr. Badriul Hegar, and of the three case studies by Mr. Supriyadi Widodo, the programme for the first day of the Enhanced Learning Exercise includes a first round of a panel discussion and





learning exercises on what conflict of interest means, followed by a second round of learning exercises on how to prevent conflicts of interest from arising. The other elements of the Reference Note are to be addressed on the second day of the workshop. For the first day's sessions, she described the basic definition of conflict of interest in the Reference Note and also introduced the provisions pertaining to the first element of prevention, which include putting a written policy on conflict of interest in place and providing for the expectations of transparency and disclosure of interests by all participating stakeholders.

Ralph Doggett, the GSO Deputy Project Director and Finance Director, completed the introductory presentations with an overview of the lessons learned from the past three Enhanced Learning Exercises in Ghana, Kenya and El Salvador. He clustered the lessons around five themes. First, regarding the buy-in to the proposed framework, participants in the past ELEs have emphasized the importance of the SUN Principles and the need to incorporate a conflict of interest policy at an early stage in platform development. Second, on the context proposed in the Reference Note and Toolkit, participants have endorsed the importance of working with existing laws and mechanisms, but greater emphasis has been placed on local traditions as the source for these, as well as the importance of harmonizing conflict of interest policies among communities in a decentralized system and among countries in a region.

On platform development, participants have identified the need for strong leadership for implementing a conflict of interest, building on wide consultations for consensus building, ensuring that each network also has a conflict of interest policy, establishing a review committee with local expertise, and the importance of starting small just to get things going. Fourth, on communication, all have agreed that the conflict of interest policy needs to be widely disseminated, the regular communication and consistent application to all networks in the national platform. Finally, in terms of going forward, participants have urged more information in the Reference Note and Toolkit on the distinction between conflict and conflict of interest, financial auditing, more guidance on the concepts of due diligence and the reasonable person test, and the role and protection of whistle-blowers. Participants have expressed the need for more case studies and guidance on what kinds of participants should be excluded.

b. Introducing the Ethical Perspective

Dr. Badriul Hegar, MD Ph.D and a former President of the Indonesia Pediatrician Association (IDAI) set the stage by discussing the importance of child health care equity and the commitment of his organization to improve the quality and coverage of child health care. The IDAI vision recognizes that no institution has the talent and resources to solve today's problems by itself. Professional collaboration programs are part of the effort, but is it also important to build child health programs with support from global health organizations, donors, governments and the people – professionals and academics, religious communities, private sector and NGOs. Even as the interests of stakeholders will differ, multi-stakeholder collaboration is needed to fight and prevent disease, diagnose health conditions early and have better disease management. While he observed that the IDAI position is that industry should not be involved in the development and implementation of guidelines, they should still be regarded as a partner. In fact, research partnerships are essential to the discovery and development of new medications and medical devices.

The IDAI fully supports the Code on the Marketing of Breast Milk Substitutes, and Dr. Hegiar mentioned some of the provisions regulating information and educational materials and disclosure of sponsorships. The IDAI's own general principles and guidelines for ethics and professional





conduct provide for partnerships as long as there is no marketing of a particular product. Facilities of health care system and scientific activities should not be used to promote products, although partners may be allowed to distribute information leaflets on products based on scientific evidence – but not the products themselves. The IDAI model shows how to link ethics with multi-stakeholder collaboration, and this can serve as a reference source for the deliberations on an ethical interpretation of how to prevent and manage stakeholders with different interests.

c. Introducing the Case Studies

Supriyadi Widodo presented three case studies for the Enhanced Learning Exercise. The first involved the co-creation of village-level midwife training centers by a multinational company that produces baby food, including infant formula (breast milk substitutes, or BMS) and that acquired the leading manufacture of BMS products in Indonesia. The training centers were being run in partnership with various stakeholders including midwives, pediatric associations, obstetrical and gynecological associations and NGOs. The company's website included indicators of success associated with the company's overall image among midwives and the rate of recommendation of the company's products made by the midwives.

The second case study linked a newly elected mayor of an Indonesian district with an NGO to support "child-friendly city programs" to improve the nutritional status of children in the district. The program is also supported by a "world-class baby food industry". Besides elementary schools, the program has included the construction of lactation facilities in various public places – in buildings painted with the same color as the brand of an infant formula product. A larger plan is to develop local government regulations for a child-friendly city, including regulations for a partnership mechanism with private companies and implementation of CSR programs. The regulations are to be developed by a technical team of government officials, experts and consultants, and funded by the NGO.

The third case study again includes a multinational baby food industry, but this time it involves a memorandum of understanding with a leading national women's group in Indonesia to train thousands of female community-based volunteers in 25 provinces. The MOU allows the company to promote its products. Again there are some buildings painted with the same color as the brand of the milk product, as well as in the training materials, although this time the product is a "grown up milk" targeted to children above 1 year old. There is also an awards program for the "best trained volunteer".

III. First Session on Distinguishing between Conflict and Conflict of Interest

a. Panel Discussion on preliminary COI experiences and response to case studies

Moderator: Dini Latief

Panelists: Dr. Bounthom Phengdy, Director of Nutrition Center, Ministry of Health, Lao PDR
Stefanus Indrayana GAPMMI (Indonesian Business Network)
Kornelius Schiffer, Global SUN Donor Network

The first panel set the stage for the first Learning Circles by reflecting on the implications of the case studies and ethics presentation for addressing conflict of interest. Dr. Bounthom Phengdy confirmed





that the case studies describe situations that are similar to theirs in Lao PDR, where stunting is at 44 per cent. Limited resources open up the possibility of private sector participation in training and the risk of interference. The director of a hospital may be interested in the same kind of child-friendly programs as a mayor. And the third case, too, is similar to the kinds of programs organized by the 1000 Days program with the Ministry of Health to motivate mothers to come for care. UNICEF has also been involved in an exclusive feeding campaign which has helped to bring breastfeeding up from 26 percent to 40 percent.

Speaking from the perspective of the food and beverage industry in Indonesia, Stefanus Indrayana observed that the high rate of malnutrition in Indonesia requires collaboration, as pointed out by Ibu Nina in her keynote speech. This suggests that trust building among all stakeholders is needed for constructive collaboration, including trust of the policy makers and regulators. The role and responsibility of each stakeholder should be laid out with sincerity and integrity to align the missions of the company and the government. The ideal is to find the “sweet spot” where the public and private interests intersect. In public private partnerships we should encourage talking with the same language from all points of view, and it may even be useful for each stakeholder group to have a focal point.

Kornelius Schiffer shared the perspective of the SUN donor network, starting with the appreciation for ethics guidelines to be in place at national and all subnational levels to prevent the promotion and distribution of breast milk substitutes in violation of the Code and the SUN Principles of Engagement. The first two case studies involve more serious Code violations than the third case study. But in all three, the challenge is to manage the conflict of interest, including a dialogue with business. Business is needed for achieving economies of scale, and this not only involves the management of the promotion of breast milk substitutes but also the availability of affordable nutrition for children as well as women of reproductive age, and especially the young and adolescent women. In terms of compatibility, one may ask if there is a referral system from the district and provincial level to the national level to identify conflicts of interest and how to deal with them.

In the ensuing discussion the participants included a critic of the SUN Movement from Bangladesh, who was opposed to the promotion of industrial food supplements for children and spoke in favor of relying exclusively on locally produced food. He also criticized the SUN Lead Group for including representatives of food companies and no representative from the “IYCF community”. The response to this criticism was that SUN Lead Group members serve in their personal capacity and not as representatives of the organizations with which they might be affiliated.

Others also spoke up to affirm the importance of independence from sponsors, including at research institutes, and the importance of resisting pressure to reduce the price of infant powder, as mentioned by a participant from Sri Lanka. One should start, said another participant, by defining the situation from what is on the ground. Otherwise, it can get too complicated. Government leadership in support of the SUN Principles of Engagement is also important.

b. First Learning Circles and Discussion on Defining Conflict of Interest

The first round of Learning Circles addressed the basic issue of distinguishing between conflict and conflict of interest. Three groups were formed, and each was invited to select a moderator and rapporteur. Each group handled this a bit differently, but all groups reported back to the full group following each round. The summary here for the first round presents the consolidated highlights from all three groups.





Participants discussed the case studies in terms of identifying where conflicts have been addressed – This was typically identified to be the lack of adequate government funding for initiatives that were deemed desirable for improving the nutrition of infants and young children, with the solution being to augment the services with private sector funding. Questions were raised about how one might define “conflict” as distinct from “conflict of interest” and further, about how to broaden the definition of conflict of interest to incorporate the risk of a potential or perceived conflict of interest. It was agreed to take note of these concerns and to return to definitions at the end of the Enhanced Learning Exercise.

In the group reports, most attention was directed to the first case study involving the training of midwives in remote areas of Indonesia, financed and co-created by a company promoting infant formula. It was generally agreed by all groups that the promotion of the company’s product in this context was a conflict of interest, especially if the training partnership poses the risk of undermining the basic mission of promoting breastfeeding. But it was also noted that existing government regulations did not prohibit this kind of partnering for training purposes as long as the Ministry of Health was informed. Reference was made to Regulation No. 33/2012 which took six years to develop and is subject to interpretation from different perspectives.

For the other two case studies, the second on partnering on child-friendly city programs and the third on training female community-based volunteers, similar concerns were raised about interpretation and enforcement in the context of both 33/2012 and a broader nutrition-promoting strategy in 42/2013. To address the potential or real conflicts of interest in these situations, participants reviewed which of the SUN Principles of Engagement might be most useful. The principles of transparency, mutual accountability and integrity were emphasized by all groups, while one put the highest priority on the principle of “do no harm” and added the importance of a rights-based approach. Another group also raised the need for emphasizing TRUST as a basic additional principle. An important message on the applicability of the SUN Principles of Engagement that came out of this feedback session is that the GSO documents should not treat them as reference material but rather as binding principles for all SUN Movement participants.

IV. Second Session on Prevention

a. Second Learning Circles and Discussion on Prevention

In the second round of Learning Circles, the three groups were tasked with the first element in the GSO framework on COI to focus on PREVENTION. Having a clear COI policy in place and applying the concepts of transparency and disclosure to prevent any potential conflict of interest from becoming an actual conflict of interest were emphasized. Participants applied these concepts to the three case studies to determine what was needed in each case to prevent a conflict of interest from arising and what kinds of disclosures of interests should be required. The groups were also asked to determine how useful it might be to have a written policy in place and what it should contain.

One key point made by the groups is that prevention can be accomplished by not having the partnering with the private sector in the first place. This includes revising the government regulations to prohibit such partnerships with companies that have a direct interest in infant formula or related products, but it also includes reallocating government funds to cover the needed training or activity. Of course, the loss of complementary resources for scaling up major programs is not necessarily the best solution in a resource-limited setting. So the groups also identified ways that



one might work within the existing partnering arrangements to communicate regulatory provisions clearly to all stakeholders through a circulation letter or clearly including guidance in the memoranda of understanding between the government and the private partners. Disclosure mechanisms and disclosure categories can be identified to address both financial and non-financial interests.

All groups agreed that a clear written policy was desirable and even have discussions with all groups about the policy. In terms of content, the policy should provide for all groups to identify the indicator or measure of success for the collaboration. The interests should be aligned with this indicator. It should be a clear responsibility of each party to align with the clear objectives of the program. Disclosure should include the motivations of each stakeholder in the collaboration. A healthy dialogue on what is the evidence base for the measure of success was also deemed to be important. There was quite a bit of discussion in the feedback session about what this evidence actually is and no clear consensus, but the key point is that the dialogue should be factually based. Monitoring of compliance with the clearly established common objectives was also brought up as a very important provision. Finally, the groups also recognized the challenges of harmonization in a decentralized system of governance, as well as regional harmonization. There may be different evidence-based needs from country to country, and from district to district within a country, but the framework for dialogue and disclosure is essentially the same.

V. Opening Session the Second Day

The opening session on the second day featured two guest speakers Meida Octarina, MCN from the Coordinating Ministry of Human Development and Cultural Affairs and Axton Salim, Director of Indofood and the Co-Chair of the SUN Business Network. Meida referred to the new regulation 42/2013 on accelerating improvement in nutrition. She noted that the Government was expanding the number of stakeholders to participate in the effort. It was also important to have coordination among the sectors of government to achieve the targets. She noted that multi-stakeholder collaboration itself does not constitute a conflict of interest.

Axton Salim, the Co-Chair of the SUN Business Network spoke about the role of the four global networks to support the SUN Movement. The Global Nutrition Report is an example of the kind of global support that the networks can facilitate. The SUN Business Network is drawing together business from both the food and non-food sectors, combining local companies with multinational enterprises. They are engaging in real partnerships to scale up the effort for nutrition. So far there are public commitments from 52 member companies, including Cargill, Ajinomoto, DSM and Unilever. The goal is to have 99 members by the end of 2015. The best practices and new intelligence from these efforts will serve as the strength of the SUN Movement.

Dr. Katherine then reviewed the key messages from the day before from the panel discussion and learning circles on defining conflict of interest and adopting policies for prevention of conflicts of interest as a preferred priority. First and foremost, this included the need for a consensus on the basic definition of what conflict of interest means for the SUN Movement. It was agreed that participants would return to this issue at the concluding session of the Enhanced Learning Exercise. Participants had also pointed out that the SUN Principles of Engagement should not be simply part of reference materials but should serve as binding commitments for all participants. Other important messages from the first day were the need to highlight trust above and beyond the SUN





Principles of Engagement, having clear objectives and responsibility for each party in a written policy, having common performance standards for all stakeholders, having strong enforcement and monitoring of compliance with these standards and relying on an evidence base for a constant review of the policy. Challenges of ensuring consistency in a decentralized political environment, of regional harmonization and of the interaction between global versus local standards were also raised by the participants on the first day.

VI. Third Session on Identifying and Managing Conflict of Interest

For this next round of the Enhanced Learning Exercise, Dr. Katherine introduced the elements of the Reference Note and Toolkit having to do with identifying and managing conflicts of interest. Participants were invited to use “due diligence” to apply the “risk-based approach” with four main categories for assessing the degree of significance of conflicts of interest. Managing actual conflicts of interest includes both having a procedural framework in place for acting on such conflicts of interest and applying the criteria for varying degrees of remedial actions. In the next round of the Learning Circles, the participants should respond to the questions on risk, due diligence and remedial action in the context of the three case studies. Supriyadi Widodo reinforced the importance of an ethical perspective in applying due diligence to this risk-based approach. Before going to the Learning Circles, however, the participants interacted with a panel to reflect on these elements for identifying and managing conflicts of interest.

a. Panel Discussion on Identifying and Managing Conflict of Interest

Moderator: Dr. Bounthoum Phengdy, Lao PDR
Panelists: Michelle Inkley, MCC
Mantha Samantha, Sri Lanka Business Network
Ir. Doddy Izwardy, MA, Indonesia Ministry of Health

Michelle Inkley described a major project funded by the Millennium Challenge Corporation on building partnerships in 5400 villages. This is a multi-sectoral community-driven development program responding to the demand for better health and education services, water, sanitation and hygiene services, the distribution of micro-nutrient supplements and overall capacity building. Trust and mutual respect are essential for people to work together from many sectors and with different interests, perspectives and values. All groups have shared interests in achieving healthier and more productive lives, and it is important to listen to what others have to say and to be open-minded to the views of others. Through such mutual respect, one can focus on what conflicts of interest might be and on the strategies to bring them to light and then to manage them. One does not want to derail the effort with perceptions of hidden corruption, but often the interests are not clearly perceived.

Another example of managing multi-sectoral collaboration came from Sri Lanka, as presented by ~~the~~ Mantha Samantha. She described a business module for something entitled “The Good Market”. The project began in 2012 in Colombo with 32 vendors seeking to deliver good markets for different stakeholders. The idea was that it should be good for business and good for the country. Dialogue was initiated among different groups with markets for vegetables, handicrafts and other products. The emphasis was on local products and services – to eat more locally and to protect local traditions.





Participants raised a number of questions in the context of these multi-stakeholder partnerships. What is the process for setting standards and for determining whether the stakeholders agree with these standards? In the Colombo case, the ethical business practices are established through the participating vendor, such as an agreement not to use any artificial colors. This led to a variety of views on trust and how to generate trust. Several participants expressed critical views about the reliability and impact of corporate social responsibility initiatives. The group was challenged to find some experiences of private sector response and collaboration on the ground. Reference was made to public-private partnerships in flour, oil and even palm oil. How to build trust? In SUN, there is an environment of openness and communication. The SUN Principles of Engagement are the same across countries but encounter difficulties in implementation that differ in each country.

Doddy Izwardy from the Ministry of Health joined the panel to discuss the government's strategy for breastfeeding to implement Regulation 33/2012. The Government is working with industry and trade departments to promote breastfeeding. This is part of the ten-step program for companies. The strategy seeks to reach the goal of 50 percent of women breastfeeding by 2025, working up from a current rate of 42 per cent. There are some conflicts here in terms of government oversight of infant formula practices. The goal is harmonization for all multi-stakeholders in the midterm plan 2015 to 2019.

Participants listened to the argument of some participants that governments can't build trust, that it has to be earned by each stakeholder. One also needs competence, said another participant. On the one side of things, the private sector is reluctant to work with government because of corruption, while civil society does not trust companies because they distort the facts in their own interests. So there are multiple directions to take into account in applying the challenge of building trust.

b. Third Learning Circles on Identification and Managing Conflicts of Interest

In the third round of Learning Circles, the three groups discussed how to manage conflicts of interests that have been identified in the three case studies. The groups applied the four-tiered risk-based approach from the Reference Note to each of the case studies and considered what it meant to review the conflicts of interest with due diligence. The options for remedial action from the Reference Note and Toolkit were also applied to the immediate situations.

Surprisingly, the groups classified the risk levels differently for the same case studies and wondered what this meant for the criteria. This was especially the outcome on the second case study dealing with partnering on "Child-Friendly City Programs", where one group considered it low risk and another group considered it at the highest risk level. These differences suggested that even where the limited facts are the same, the groups may choose to highlight different elements of each situation differently. One might find that instructing all branding-associated colors to be removed was sufficient, while another might argue that no child-friendly programs should be financed by a company associated with infant formula. The key is further dialogue.

Most of the remedial actions proposed by the groups had to do with better enforcement of the Code for the Marketing of Breast-milk Substitutes, stronger regulation, restricting promotion, and better monitoring mechanisms for all parties. Some interesting additional suggestions included developing a pooled fund for corporate social responsibility without any product branding and establishing a Forum for Consumer Protection. Another suggestion was to add the remedy of arbitration to resolve challenges of conflict of interest. In all cases, the groups favored the development of



innovative mechanisms and having an oversight committee to apply due diligence and risk-based assessments. Accountability through data tracking, channeling behavioral change, measuring progress as a whole and regularly reviewing results for the beneficial impact and level of importance were also embraced by the full group as important for the management of conflicts of interest.

VII. Fourth Session on Monitoring and Capacity Building

a. Panel Discussion on monitoring and capacity building

Moderator: Esther Indriani, WVI South Asia and Pacific Region

Panelists: Wiyarni Pambudi, Indonesian Breastfeeding Centre (Indonesia's CSO Network)

Elviyanti Martini, Head of Nutrition Unit, World Food Programme Indonesia

Dr. Bounthom Phengdy, Director of Nutrition Center, Ministry of Health, Lao PDR

Wiyarni Pambudi observed that monitoring is the critical element for a conflict of interest policy and that it needs indicators, adjusted to each country situation. Data are needed to assess hospitals and their compliance with the Code, but the key is to go after the violators, to strengthen enforcement. Conflict of interest is a new work for our decision-making methods, and we need to see how it can be incorporated. It is important also to evaluate the effectiveness of capacity for managing and monitoring a conflict of interest policy, and we are all operating with limited budgets for capacity building. Partnering with the WHO and UNICEF on how to monitor hospitals regarding their breastfeeding role is well received.

Elviyanti Martini from the World Food Programme in Indonesia suggested that one should start with a written policy. Trust is built on shared interests and values. She noted that the potential is high for conflict of interest in the kinds of procurement programs associated with the WFP. The condition for accepting donor funds is often an obligation to follow certification procedures, but even here there are hidden interests. Due diligence should be carried out before accepting any funding or going into partnership with anyone, and the follow-up should include rigorous monitoring every three months or so.

Discussion from the participants included the exchanges of information on monitoring systems. Indonesia has a monitoring system for nutrition but no conflict of interest policy yet. It will be important to have compliance with national regulations. Bangladesh has a new nutrition policy on IYCF that can be a model for others. Sri Lanka is in the draft stage of IYCF, but indicators and targets are there. Sri Lanka now has a SUN platform with an on-line reporting system providing access to data for all. They may now introduce a conflict of interest policy. Lao PDR needs to learn from Bangladesh regarding IYCF. Meanwhile, they are looking forward to a visit from David Clark of UNICEF and are working with the Minister of Justice for a plan to disseminate with the SUN civil society network on how to translate a strong legal framework. They are working with World Vision and CARE on this.

In Indonesia, enforcement of the IYCF policy is in the hands of the Ministry of Health. It is a strong law, and the issue is enforcement and how to monitor. They would like to share experiences among SUN countries. It would be nice to do some regional sharing in particular. This would include information on expected behavior change, factoring in risk assessments and mapping of who is doing what and where. Monitoring is mandated by the government on breastfeeding, but we need more specific regulation. We can also develop a checklist for all stakeholder groups and reach a





common agreement among all stakeholders on how to comply. We need to develop a monitoring mechanism, introduce some capacity building for further development and education tools and gather data and information linked to capacity building. And once again, we need clear indicators for monitoring.

The panel wrapped up this interactive discussion by noting that all SUN countries must agree on alignment with the WHO Code, and monitoring for this should be similar to all countries. Capacity building should engage more people with legal background on COI and provide training for lawyers on the role for monitoring and identify some transferrable skills. Capacity building should also be targeted for women's groups and also for media

VIII. The Next Steps

Dr. Katherine presented a review of the key messages from the two days, building on the summary previously offered in the overview of the first day. It had been agreed that participants would return to the issue of a consensus definition for what conflict of interest means for their participation in the SUN Movement in Indonesia, and of course in Bangladesh, Lao PDR and Sri Lanka.

General discussion among the participants then returned to this issue. Participants noted that there is a common interest in child welfare, and that clarity is needed on what regulations to follow to support this common interest. It is agreed that infant food – and not just infant formula - may harm welfare. The key is to promote healthy lifestyles and a positive tone. Concerns were raised that the basic definition did not have enforcement of monitoring in the definition. Others were concerned about the role of potential or perceived conflicts of interest and incorporating a risk-based approach.

After much discussion about these concerns, the group returned to the basic definition and agreed to accept it as the base from which each country can develop criteria on how to apply the definition and measure indicators for monitoring compliance. It was also understood that the accompanying text in the Reference Note does elaborate on applications to such circumstances as perceived or potential conflicts of interest and that these sections of the Reference Note can be more fully developed to clarify their relevance for interpreting the basic definition.

The review by Dr. Katherine then continued to identify the lessons learned from the Enhanced Learning Exercise for application to a revised Reference Note and Toolkit. These included the importance of trust and the centrality of the SUN Principles of Engagement. Issues arising from the case studies included the need for more detailed criteria for applying the risk-based approach, concerns about harmonization in a decentralized political environment, the interplay between global and country-level regulations, the importance of enforcement and monitoring of regulatory compliance, and the significance of constant review for an evidence-base for the policy. For the sake of capacity building and scaling up resources for achieving the objectives of the SUN Movement, there may be an appropriate role for CSR funding and management as long as the resources are pooled and separated from any promotion of brands.

These lessons will be integrated into the next phase of the GSO-SUN project to prepare a revised Reference Note and Toolkit for presentation at a global conference on 9 to 10 February 2015 in Geneva, Switzerland. Participants requested a chance to provide additional feedback to the process, and it was agreed that this meeting report would be disseminated to participants with provision for





receiving additional feedback by a realistic deadline for the work on revisions. The tentative deadline for this was Friday, 19 December 2014, but this has now been extended to Monday, 22 December 2014.

A final focus of this concluding session was on country-level implementation. Dr. Katherine presented some options for this, starting with the mapping of existing regulations and mapping of who is doing what on issues related to the common objectives. Country-level implementation depends in discussing the development of a policy on conflict of interest with every network and preparing simplified user-friendly guidelines for the policy. Empowering a country-level forum to manage conflict of interest can be implemented either through existing mechanisms or creating a new one. External budgeting options are important to explore to help with the costs of implementation, especially at the local level. The key is to start with small-scale steps and build from there. These ideas were only some of the suggestions for participants to consider as they explore ways to take the next steps on implementing the framework they have worked with in the learning circles at this Enhanced Learning Exercise.

IX. Closing of the Enhanced Learning Exercise

Dr. Hadiat graciously closed the Enhanced Learning Exercise by expressing his appreciation for the participation of the representatives from Bangladesh, Lao PDR and Sri Lanka and from all the diverse stakeholders from Indonesia. He thanked the Indonesian team for their work in organizing the meeting so efficiently on such short notice. He thanked the GSO/SUN team for their engagement with the participants and their useful guidance on the contents of the Reference Note and Toolkit on prevention and management of conflict of interest in the Scaling Up Nutrition Movement. Participants have taken advantage of the opportunities for feedback on how the documents might be applied to their respective countries, using the three case studies as the basis for the discussions. All are looking forward to the integration of the learning exercise to the revised Reference Note and Toolkit and to the country-level implementation of the basic framework in the near future.