

DRAFT Report: Third Consultation on Conflict of Interest in the Scaling up Nutrition (SUN) Movement 16 October 2013, Geneva, Switzerland

Introduction

The Global Social Observatory (GSO), an independent forum for multi-stakeholder dialogue is facilitating development of a Reference Note on Conflict of interest in the Scaling Up Nutrition (SUN) Movement. This country-led movement brings together countries burdened by under-nutrition; a broad range of stakeholders from multiple sectors in-country; and a global coalition of networks to contribute to significant and sustained reductions in undernutrition and improvements in the health of current and future generations. Based on a recognized need to develop a Reference Note on conflict of interest for the SUN Movement in a neutral and interactive setting, the GSO has been working closely with the SUN Secretariat and a Steering Committee drawn from the SUN Networks to bring together a diverse group of participants. The process for developing this Reference Note has included a series of three consultation events to which the GSO has invited participants associated with all five of the SUN Networks: governments that have affiliated themselves as members of the SUN Movement; as well as the networks representing civil society, business, donors and the United Nations system. The GSO has also reached out to the global health professionals' associations.

The first consultation event, which was held in Geneva on 13 June 2013, established the way forward for the development of a Reference Note. Distinctions were made between different types of conflict of interest (real, perceived and potential) and the broader area of divergent policy interests, as well as the linkages to the SUN Movement's Principles of Engagement. Participants reviewed potential elements to include in a Reference Note, with the GSO committing to prepare a draft outline for the next consultation event.

The second consultation event was held in Geneva on Thursday, 25 July 2013. Participants were invited to build on the elements in a proposed model for preventing, identifying, resolving, and monitoring conflict of interest, as well as for building capacity around the issue (the "PIRM+C" model). The discussions provided guidance for transforming these elements into a Reference Note. The agenda, list of participants and meeting report from the first and second consultations are posted on the GSO website at www.gsogeneva.ch.

The third consultation event was held in Geneva on 16 October 2013, with the objective of final adoption of the Reference Note that was prepared by the GSO in collaboration with the Steering Committee. The GSO also prepared an Executive Summary and identified a list of items for an Annex to deliver case studies and other learning materials. Participants at this third event reviewed the sections of the Reference Note on prevention, identifying, resolving and monitoring conflict of

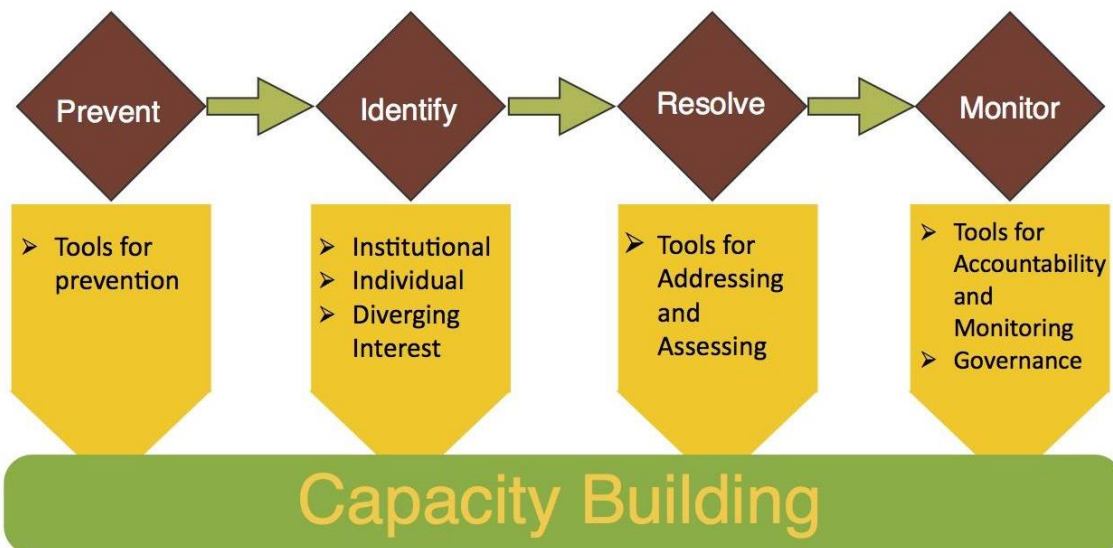
interest, as well as on capacity building. They also contributed suggestions for the Annex. What follows is a report of this third consultation event.

The Reference Note will serve as a “living document”, to be used in a series of “enhanced learning events” that will be carried out by the GSO in 2014. These exercises will help to further refine the Reference Note and build the inventory of tools and mechanisms in the Annex. A final report encompassing the Reference Note and the results of the learning exercises will be presented to the SUN Lead Group in early 2015.

The Opening Plenary

Dr. Katherine Hagen, the GSO SUN Project Director welcomed everyone and provided an overview of the agenda and the structure of the consultation. She explained that the nature of the consultation was intended to be a workshop for adopting and refining the Reference Note, in contrast to the café politique format of brainstorming exercises in the previous two consultation events. She outlined that there would be three sessions, each one starting with a basic introduction to one or two of the elements of the Reference Note. This would be followed by a panel of country-level participants to discuss the application of the Reference Note to specific country contexts, and then an open workshop for all participants to contribute their views. There would also be a fourth session for participants to meet in smaller working groups, modeled on the café politique format, to encourage informal exchanges on what might still be missing in the Reference Note.

Summarizing the results from the first and second consultation events, Dr. Hagen reminded participants of the following “PIRM+C” model which had been introduced at the second consultation and which serves to visualize the main elements for a conflict of interest policy.



The Reference Note also encompasses important messages from the participants at the two previous consultations. First, it is understood that national governments are at the center of the SUN Movement and that the Reference Note is intended to assist governments as they are called

upon to actively manage conflict of interest issues in the Movement. Second, the Reference Note describes the importance of the consistent application and enforcement of existing laws and regulations including international treaties, conventions, codes and resolutions. The underlying basis for assessing individual and organizational behavior around conflict of interest remains the SUN Principles of Engagement, including an additional three principles that were developed as part of the consultation process. These are to act with integrity and in an ethical manner, to be mutually respectful, and to do no harm. Dr. Hagen reminded participants of the ten principles, as summarized below.

Adapting the SUN Principles to Conflict of Interest Situations

- 1 **Be transparent especially about intentions and impact**
- 2 **Be inclusive**
- 3 **Be rights-based**
- 4 **Be willing to negotiate**
- 5 **Be predictable and mutually accountable:**
- 6 **Be cost-effective**
- 7 **Be continuously communicative**
- 8 **Act with integrity and in an ethical manner**
- 9 **Be mutually respectful**
- 10 **Do no harm**

The first part of the Reference Note reflects the consensus on these points, while the second part of the Reference Note integrates the views expressed in the first two consultation events on the main elements, as illustrated by the PIRM-C model, for a conflict of interest policy. The focus of the third consultation was on this part of the Reference Note.

Opening Statement: Dr. David Nabarro

Dr. David Nabarro started by thanking the GSO for its work, emphasizing the importance of the independent and authoritative forum that the GSO provides for this endeavor. He then provided some background to the SUN Movement and progress to date. The Movement started three years ago with the recognition that malnutrition undermines economic and human development and that a government led multi-stakeholder approach which focuses on results is necessary. He emphasized that the Movement is unique in that countries lead the process with other stakeholders aligning behind governments. There are a growing number of governments interested in joining the SUN Movement---to date 43 countries have signed on as members, while the State Government of Maharashtra, India, is a SUN partner.

In three years, the Movement has already achieved significant measurable results. By joining, country leadership commits to putting good nutrition at the heart of its national health policy, while at the same time pursuing “nutrition sensitive” development approaches across sectors. Dr.

Nabarro acknowledged that while joining the movement garners recognition, there is no prize for joining and it requires hard work. This includes overcoming the challenge of getting diverse sectors of government to work together. It also means reaching out to the many stakeholders outside of government in civil society, the UN system, academia and the private sector to bring them into a multi-stakeholder space for action and addressing the inevitable differences of opinion, and suspicion that arise.

Dr. Nabarro said that this was why the process that GSO had agreed to undertake was so important. The GSO ensures an independent process for addressing how to respond to these challenges, and participants have a document, the Reference Note, that lays out the key elements to prevent, identify, resolve and monitor conflict of interest. He explained that he had discussed the Reference Note with the Chair of the SUN Lead Group, who offered the advice that participants should think hard about who will use the materials, including at the local level. It should be clear, precise, and useful for the relevant audience and serve the purpose of improving the way that all stakeholders can work together in a transparent manner. The workshop sessions should focus on what is needed to make the Reference Note a living and working document.

Session One: Preventing Conflicts of Interest

Dr. Hagen introduced the first session by summarizing the central messages on preventing conflicts of interest in this section of the Reference Note. The priority needs to be directed to preventing conflicts of interest from arising or at least to mitigate their impact when they do. Transparency is the starting point. First, transparency applies to governments, who need to have open and transparent policies for the active management of conflicts of interest; and second, it applies to all stakeholders through the disclosure of all interests that may be relevant. The Reference Note emphasizes that governments should develop their policies in consultation with and apply them to all possible stakeholders, and that these policies should be linked to the SUN Principles (seven plus three). On disclosure, the Reference Note recognizes that disclosure can encompass difference categories of interests (financial, personal or professional) and can range from simple affirmations of no conflict to detailed disclosure forms.

For the first discussion, panelists representing governments, civil society and business were asked to reflect on this section of the Reference Note in connection with a set of prepared questions, which follow. They were encouraged to share information on processes and mechanisms already in place in their country to prevent conflict of interest situations and to refer to examples of conflict of interest that they have already experienced or believe are likely to occur in order to identify what is needed to anticipate and prevent them.

Questions for Session One:

1. Is there currently a process in your country for preventing conflict of interest? If not, how and by whom would a process for preventing conflict of interest best be implemented in your country?

2. What kind of open and transparent policy on conflict of interest do you need for your country SUN Movement Platform to make it possible for you to prevent conflict of interest to the fullest extent possible?
3. What types of disclosure of interests should be included in your policies?
4. What types of materials would best support your needs in this area?

The discussion on these questions was aided by the following panelists:

Dr. Edith Tetteh – Ghana Focal Point

Mr. Basant Adhikari – Nepal country representative

Mr. William Chilufya – Civil Society, Zambia

Mr. Kato Kikomoko – Civil Society, Uganda

Ms. Sabine Seggelke –DSM,. Representing the business network

With thanks to Kris Easter from USAID and the SUN Donor Network who served as rapporteur for this session, the following are some of the key points that were raised by the panelists and the open workshop with participants. As it was the first session, several points were also directed to the Reference Note as a whole. These are listed first, followed by the points that relate to the section of the Reference Note on the prevention of conflict of interest.

For the Reference Note in general:

- Participants in SUN Movement countries do not necessarily know or appreciate what conflict of interest means. The Reference Note can help with communicating what it means in the context of the SUN Movement.
- The basic elements identified in the Reference Note need to be applied with both consistency and flexibility without deviating from the key principles. Conflict of interest policies based on these elements, should be adapted for local use, using local terms/language. There should be opportunity for people on the ground to discuss and localize the message.
- There needs to be sensitivity to the difference between “competing interests” and conflict of interest. This competition of interest occurs frequently between and among groups in a multi-stakeholder initiative, such as competition for who will get funding, and who will get credit for an initiative.
- Having an evidence-based approach is important as this helps to transcend subjective disagreement. This should include local science and work within cultures, especially regarding local food practices and food security.
- The Reference Note also needs to incorporate a human-rights based approach at each step.

- The Reference Note needs to be focused, clear and transparent, avoid ambiguity, and be widely disseminated and accessible to all. In some cases there are documents and frameworks already in place, which could be more widely used by promoting their connections to the national SUN platforms and this Reference Note. Awareness building on the Reference Note and on existing policies and frameworks will be an important next step.
- Guiding documents for countries need to be authoritative, rather than authoritarian and come from the country leadership in order to be taken seriously. It is essential to work with local partners and in local languages.
- There needs to be user-friendly guidance material, capacity-building and tools (potentially even computer simulations) that help predict where risks might occur so that stakeholders can anticipate and try to prevent them.

For the Reference Note on Prevention:

- As reflected in the Reference Note, the Principles of Engagement should be the foundation of all interactions among SUN stakeholders and are key to preventing as well as managing conflict of interest.
- For prevention to be effective, there needs to be a clear structure of governance, including agreement on the terms of reference for each stakeholder and clarity on how each stakeholder will be involved in SUN. Putting in place multi-stakeholder platforms, MOUs or clear terms of reference can be useful starting points. Clear lines of demarcation among stakeholders can help determine what is official and what isn't, particularly for countries where extended family relationships are common among officials or other stakeholders.
- Countries should have in place their own food and nutrition legislation that forms the basis for transparent policies and initiatives, thereby providing clarity for stakeholders and helping to prevent conflict of interest from arising. This includes legislation that ensures quality control and minimum standards for food imports, even for food aid taking into account the internationally agreed upon policies and normative regulations.
- Trust building is a key component at all levels. It is important to disclose private and secondary interests as this builds trust amongst stakeholders. In addition, regular meetings of stakeholder platforms will build trust and increase mutual learning.
- Policies and a good framework to prevent conflict of interest are extremely useful as they would make it easier to work with partners, ensure consistency on programs and policies, and help the development of long-term strategic decisions.
- Self-regulation by members of the movement should be encouraged and will help with disclosure of possible conflicts of interest. However, as it is not always effective or sufficient, there may also be a need for enforcement through sanctions, as laid out in the Reference Note.

Following the rapporteur's summary, Dr. Hagen noted a consensus on this section of the Reference Note but observed that participants had also raised some thematic points about the overall Reference Note. First, the concept of "competing interests" should be included, as distinct from the concept of "divergent interests", and second, the importance of citing both an evidence-based approach and human rights based approach should be fully integrated into the document. Participants also proposed several useful ideas for an effective implementing strategy for the Reference Note.

With regard to the elements of the Reference Note on prevention, although participants appeared satisfied with this section of the Reference Note itself, there were several points about the kinds of tools, case studies, templates and related practical materials that should be included in the Annex to the Reference Note. The GSO has already identified an outline of helpful items for the Annex on how governments might develop a written policy on conflict of interest if they don't already have one in place (multi-sectoral engagement in the process, of course, but also sample policies and a checklist of key elements for a policy) and on disclosure (disclosure options, types of interests to disclose and templates of disclosure forms). The observations and suggestions from participants will add to this preparatory work with an appreciation for what participants have identified for local, community-specific needs.

Session Two: Identifying and Resolving a Conflict of Interest

Dr. Hagen presented the elements in the Reference Note for both identifying and resolving conflicts of interest. First, on the element regarding the identification of conflicts of interest, it was explained that the Reference Note distinguishes between divergent interests and real conflicts of interests. It introduces the further concept of a risk-based approach for assessing the degrees of seriousness of conflicts of interest. The Reference Note describes the "reasonable person" test, and includes in paragraph 39 an example of a risk analysis typology for identifying the kinds of conflicts of interest with varying degrees of importance:

- Marginal risks that are not likely to affect the project;
- Risks that might affect the project but are manageable;
- Risks that give rise to concern and a need for advice;
- Risks that are certain to cause damage.

The Reference Note continues with linking this risk-based framework to a due diligence approach that places the responsibility first on the individual to identify and take action on any conflict of interest and second on the other participants in the SUN Movement to apply a consistent standard with established procedures for identifying conflict of interest.

In the section of the Reference Note on resolving conflicts of interest, the central message is that every effort should be directed to inclusiveness and minimizing the scope and duration of any exclusionary remedies. The Reference Note offers examples of measures for resolving conflict of

interest with a sliding scale of remedies, ranging from voluntary action to exclusion, but emphasizing that exclusion should be the last resort. The Note also contains guidance on having procedures in place for resolving issues of conflict of interest and an option for external mediation where there is no consensus.

Questions for Session Two:

1. What do you need to develop a risk-based approach for identifying and resolving conflict of interest?
2. Is the typology in paragraph 39 useful for the needs of your country?
3. What tools or mechanisms do you need to facilitate due diligence to ensure that conflict of interest is identified and resolved in a timely, fair and transparent manner?
4. What kinds of procedures and remedies are most appropriate for resolving conflict of interest based on your country context?

The discussion on these questions was aided by the following panelists:

Dr. Edith Tetteh – Ghana Focal Point

Dr. Chris Isokpunwu – Nigeria Focal Point

Ms. Muniirah Mbabazi – Civil Society, Uganda

Dr. Prakash Vish – Civil Society, India

With thanks to the panelists and to Miriam Yiannakis from World Vision and the SUN Civil Society Network who served as rapporteur for this session, the following are some of the key points related to identifying and resolving a conflict of interest that were highlighted by the panelists and the open workshop with participants:

- Panelists were in agreement that the risk based and due diligence approaches outlined in the Reference Note, including the risk analysis typology contained in paragraph 39, were very relevant and useful for them. Participants agreed that they need to analyze whether there is indeed a conflict, and if so, where it comes from, how serious it is, and whether there are historical lessons for resolving this conflict.
- Identification of conflicts of interest can be a difficult task, highlighting the importance of the stakeholders adhering to the Principles of Engagement, particularly transparency and integrity. The Annex should contain examples for each of the four typologies of risk and illustrative case studies of how the risk-based approach can be applied.
- Applying the “reasonable person test”, it is necessary to distinguish between intentional and unintentional conflicts of interest. Some conflicts of interest may result from misunderstandings or be based on language differences. In many countries, individuals (such as medical

professionals) may not be aware that certain actions constitute a conflict of interest and need to be included in awareness raising on the many aspects of conflict of interest.

- With regard to the criteria for identifying and resolving conflicts of interest, participants returned to the challenge of accommodating local diversity while also applying a global yardstick. The Reference Note should be clear about this.
- Procedurally, too, participants recognized that Issues of conflict of interest need to be addressed promptly. Participants identified different ways of doing this. Some suggested that they should be addressed by a standing committee associated with the country-level multi-stakeholder platform. Others suggested that there should be a separate committee with rotating members, as a standing committee itself might have conflicts. While the Reference Note does recognize the need for local adaptations, participants agreed that it would be useful to have illustrative mechanisms and procedures for identifying and resolving conflicts of interest in the Annex.
- In determining remedies to conflicts of interest, it is important to “hasten slowly” and tread cautiously. As laid out in the Reference Note, the goal should be inclusiveness to the extent possible. The SUN Movement is a team effort. If a stakeholder deviates from the group strategy, members should intervene to help keep them and the Movement on track. Remedies should bring them back in line in a constructive way, using a diplomatic and collaborative manner.

At the conclusion of this session, Dr. Hagen recognized a consensus on the sections of the Reference Note applicable to identifying and resolving conflicts of interest. Further scrutiny of the sections should be directed to making sure that the language emphasizes the importance of flexibility for accommodating the local application of a “global yardstick”. Participants took note of some examples of materials that should be included in the Annex to supplement the Reference Note and to provide guidance to countries and stakeholders. These materials should address the interplay between a global yardstick and local needs for both the procedures and the criteria for identifying and resolving conflicts of interest. They should include case studies and locally-derived examples of good practice within a multi-stakeholder partnership, as well as models for resolving conflict of interest in a timely, fair and transparent manner.

Session Three: Monitoring and Capacity Building

The third session combined a review of the remaining elements of the Reference Note on both monitoring and capacity building. It was pointed out that participants in the previous consultations in June and July had emphasized that the element of monitoring is applicable to all of the other elements of the Reference Note. Therefore, the Reference Note states that governments should have a monitoring mechanism and process in place to ensure that all policies and procedures for preventing, identifying and resolving conflicts of interest are applied consistently and effectively. The Reference Note further suggests that monitoring should include both (a) regular assessments of compliance with conflict of interest policies and (b) the impact of conflict of interest policies. In both

cases, monitoring should be based on agreed upon standards of measurement. The Reference Note also suggests that external monitoring may be appropriate in some circumstances.

This session also included a review of the Reference Note's recommendations on capacity building as a continuous learning loop. The Reference Note suggests that guidance tools would need to be developed for capacity building of country focal points and network facilitators. The plan for the Annex to the Reference Note includes developing capacity building tools drawing on an inventory of case studies, practical examples and successful outcomes. The enhanced learning exercises to take place in 2014 and other learning platforms would also be important components of the capacity building process. In addition, mechanisms are being explored so that synergies and support from global SUN networks and SUN Movement Secretariat could be optimized, including the option of a global mediation service.

Questions for Session Three:

1. Is there currently a process for monitoring the effectiveness of the conflict of interest policy in your country? If not, how and by whom would the process of monitoring the policy best be implemented in your country?
2. What types of materials would you need for monitoring the policy?
3. What would country focal points and other key stakeholders need to ensure that conflict of interest policies and procedures are adopted and implemented to the fullest extent?
4. What type of training would best serve your needs?
5. To what extent would you like to see external monitoring or mediation services?

The discussion on these questions was aided by the following panelists:

Mr. Basant Adhikari – Nepal Country Representative

Dr. Bounthom Phengdy – LAO PDR Country Representative

Dr. Sultana Khanum – Civil Society, Bangladesh

Mr. Johnathan Tench – GAIN, Business Network

With thanks to the panelists and to Marilena Viviani from UNICEF and the SUN UN Network who served as rapporteur for this session, the following are some of the key points related to monitoring and capacity building that were highlighted by the panelists and the open workshop with participants:

- As discussed in the Reference Note, it is preferable to use existing mechanisms, agencies and resources for monitoring, wherever appropriate. The Annex should include examples of existing

models for monitoring. In addition, it is also proposed to look at the experience gained and tools used by such groups as Transparency International as possible examples.

- There is overall agreement that monitoring is important. However, participants expanded on the focus of the Reference Note on the responsibility for governments to monitor their policies. Participants suggested that it is important to agree on who will do the monitoring. One participant stated that the government itself should be responsible for monitoring its conflict of interest policy, as described in the Reference Note. Others emphasized that the monitoring body should be independent of the implementation body and even independent of the government itself. Some participants stated that the monitoring body should be multi-stakeholder in nature. Nonetheless, it was understood that whoever is monitoring should also be subject to checks to ensure accountability.
- Participants also discussed the need to be clear about what exactly needs to be monitored: Is it the presence and handling of conflict of interest within a particular country? Or is it the effectiveness of implementation of a policy on conflict of interest? Answers to these questions will influence the type of monitoring tools and indicators that any national platform or action plan would decide to develop. One approach suggested by participants is to start with a mapping exercise to identify what the current conflicts of interest are and to assess their impact on the national programme.
- Procedurally, participants expressed concerns that once a roadmap for monitoring is established, it should be clearly communicated to all stakeholders. Transparency will be enhanced by the timely and accessible posting of documents and meeting reports. The monitoring process should encourage stakeholders to see each other as allies and to learn from each other; it would also be important to adopt a multi-sectoral approach to this. Self-monitoring will play an important role to ensure transparency.
- Many countries have no formal mechanism in place to monitor the effectiveness of any conflict of interest policy. Thus, at national and sub-national level, capacity building for staff will be needed.
- Capacity building is necessary, but clarification is needed as to: What does that mean? Who is involved? How is it funded? What are the best practices (model procedures, tools, experiences) and how can these be catalogued so they are best shared among countries in the SUN Movement?
- Capacity building should be viewed for both the short- and long-term and on different levels in different sectors to ensure effective implementation of all elements of the Reference Note. Capacity differs between levels and capacity building should be broad enough to apply to grassroots organizations.

At the conclusion of this session, it was agreed that the section of the Reference Note on monitoring will need to be edited and expanded to reflect many of the points raised during this session about a

monitoring function outside of a governmental process and about how decisions need to be made about what and who needs to be monitored. There were also requests for specific information on monitoring to be added to the Annex.

The proposals on capacity-building are well taken as they help to identify where the next phase of the GSO project should be directed. The section of the Reference Note on capacity-building, while brief, will not undergo significant revision. Instead, the suggestions here and in the next phase of the project will be directed to building up the capacity-building materials in the Annex.

Participants during this session had also observed that the Reference Note should establish a regular review system for the operation of the Reference Note itself and be periodically revised as needed, due to the dynamic nature of the nutrition sector. They also urged that there should be a media campaign, including social media, to educate a wider audience on the SUN Movement initiatives and the role of the Reference Note.

Session Four: Working Groups and Concluding Plenary

In this concluding session, participants were organized into three parallel working groups using the café politique format to discuss any additional points that should be considered with regard to the Reference Note but also to the accompanying Annex, and any additional follow-up activity. Following the working groups, participants returned to plenary where a panel consisting of working group facilitators and rapporteurs summarized the discussions in each group. Participants then discussed how these points might need to be integrated into the final version of the Reference Note or included in the Annex and other related follow-up materials.

The following are some of the key points that were highlighted from the three working groups and the plenary discussion which followed:

On the Reference Note itself:

- As emphasized in the Reference Note, all stakeholders should use the SUN Principles of Engagement to guide decisions related to conflict of interest and it should be the foundation of all interaction within the Movement.
- The SUN Movement is centered on bringing people together for a common cause. Thus, the Reference Note should continue to focus on a positive approach to being inclusive, even as it describes the elements for preventing and managing conflicts of interest. The Reference Note should be seen as part of a much larger process for embracing multi-stakeholder engagement within SUN. It should not necessarily be seen as the starting point for countries new to the Movement.
- As discussed earlier in the day and reinforced here, there needs to be sensitivity to the difference between “competition of interest” and conflict of interest. This competition of interest occurs

frequently between and among groups in a multi-stakeholder initiative, and includes competition for who will get funding, and who will get credit for an initiative. The language needs to be reflected in the Reference Note.

- The matter of having a stronger emphasis on using an evidence-based and human-rights based approach at each step was also emphasized in this concluding session, particularly in identifying and resolving conflicts of interest.
- Further discussion by participants on the Reference Note's emphasis on inclusiveness included the need to make clear what the criteria are for SUN membership as well as the process for dealing with stakeholders that break the rules. Should they at least be allowed to be re-included, as recommended in the Reference Note? It was suggested that inclusiveness at the country level should be decided by the country as this increases the sense of ownership within the Movement.
- The importance of confidentiality was raised as it applies to the provisions in the Reference Note for when and if anyone comes forward with reports of conflict of interest. Participants also elaborated on the Reference Note regarding confidentiality in matters of disclosure, by observing that an organization or individual may wish to protect sensitive information in some circumstances.
- It is important to ensure that the language in the Reference Note is accessible to others who are not necessarily native English speakers, even while recognizing that it will be translated into other languages.

For taking the next steps:

- In order to ensure the combination of consistency with a global yardstick and flexibility to apply the elements of the Reference Note to a national conflict of interest policy, it will be important to have good generic tools that countries can use, including tools that are adaptable for local use.
- There is a need for country-level champions. A strong political commitment is critical to success. The Reference Note, however, should not take the place of government policies as they are both needed.
- There is a need to be clear in communicating to the target audience. The tool kit in the Annex can change over time. There is a need for clear definitions on terms such as "do no harm" even though these terms may be very subjective and open to debate.
- As it is related to one of the principles, further emphasis in moving forward with the Reference Note should be placed on building trust, as it is a key to the effectiveness of this multi-stakeholder Movement.

- Participants have also raised specific issues that will need to be addressed. Some participating organizations, for example, may be in compliance with SUN Principles in one country because they are obliged to comply with local legislation (e.g. on marketing of breast milk substitutes) that is even more stringent than the WHO Code on the Marketing of Breast Milk Substitutes, but they may not be in compliance with the Code elsewhere. The Reference Note should provide the framework for countries to resolve issues like this.
- It should also be possible for conflict of interest issues to be raised from outside the Movement. It is important to keep cohesion within the Movement, but transparency is important for trust-building and does mean that disagreements will be visible.
- It is useful to have available trained mediators to help resolve conflict of interest issues and play a capacity-building role to pass these practices along to country representatives, which would help in building national capacity.
- There is need to address potential resource gaps in capacity building. It should be determined what kind of capacity countries need. Ideally these efforts should be “locally owned” with countries providing as many resources as possible, but external support should be available to supplement this if needed.
- Although the Reference Note focuses on country level conflict of interest, there is support for adapting the document to be applicable at all levels of the SUN Movement. There may be a need to further outline strategies for dealing with conflicts of interest that may occur at the global level.

Closing Remarks by Dr. David Nabarro

Dr. Nabarro started his closing remarks by asking the question of whether we are moving forward in all of our efforts related to food security and the SUN Movement. The response, he said, is a resounding “yes”; however, it remains complicated. He emphasized the importance of what the GSO is doing on tools and skills for building trust in a multi-stakeholder partnership. The tools that are being developed within the “PIRM &C” model in the Reference Note are essential. He acknowledged that getting it right is key, but we may not get it right the first time around. So it has to be a work in progress that we can revise and adjust as we accumulate experience. Dr Nabarro then provided a structure for consideration throughout the process, organized around the concepts of Recognition, Context and Authority.

- Recognition (of conflict of interest)
 - Often un-recognized conflict of interest may exist. We need to be sensitive to that.
 - We should differentiate between the three C’s: Common interest, competing interest and conflict of interest. Common interest is why stakeholders come together, what we hope for;

competing interest is what often happens; and conflict of interest (when competing interests aren't checked) is most harmful.

- It is important to get the language right, translating documents into understandable phrasing and language and to engage all actors.

- Context

- The Reference Note includes the concept “Do no harm”. This is a definitive principle.
- And the other SUN Movement Principles of Engagement as expanded upon through the consultations you have had in this process.
- We are also committed to certain global instruments, including most importantly the Code for Marketing of Breast Milk Substitutes, supplementing these Principles.
- National policies and laws are also definitive.
- And we should ever be mindful of local rules at the provincial level that might take priority over national laws.

- Authority

- Rules matter, and everyone needs to understand them.
- Precedents influence what's going on now, so they are important to understand.
- Mutual accountability is based on the rules for behaving well together. This is when the “reasonable person” test becomes important.
- Trust, openness and transparency are also part of the concept of authority.
- Visibility is important because secrecy breeds suspicion.
- Therefore, there needs to be a legitimate space for expressing suspicion and addressing conflict.
- Protection needs to be assured for those who speak out.

Dr Nabarro concluded his remarks with the statement that the SUN Movement is a “movement of movements” in that it is made up of many distinct country Movements. It is important to understand this in order to understand how the Reference Note will be used. Globally, we have a responsibility to guide national actors with the end goal of them taking their Movements into their own hands.

Closing Remarks by Dr. Katherine Hagen

Dr. Hagen closed the meeting by expressing thanks to all of the participants for their important contributions to a pragmatic understanding of what is needed to refine the current draft of the Reference Note and then to implement the Reference Note in specific country settings. She provided an overview of the next steps that will be taken.

1. A meeting report on the consultation event will be distributed to participants.
2. Participants have agreed to the elements of a conflict of interest policy as laid out in the Reference Note as a basis for going forward. The Reference Note itself will be modified to include the specific points raised today on competing interests, on reinforcing the importance of an evidence-based and a human rights-based approach and expanding on the section on monitoring.
3. The updated Reference Note will be circulated to participants. It will also be placed on the GSO website and open for further feedback from interested parties.
4. The main supplemental work will be directed to the Annex. The preliminary outline for the Annex will be further refined by the suggestions from participants today, and the Annex will also benefit from future learning exercises. The revised Annex will be available for further comment on the GSO website.
5. The GSO will work with the SUN Movement Secretariat on a “roll-out” strategy for disseminating the Reference Note among SUN countries. This will incorporate the many useful suggestions from participants on the strategy for awareness building and adapting to local situations.
6. The GSO will organize a series of “enhanced learning exercises” in member countries in the course of 2014. These will be organized in consultation with the Steering Committee and in close coordination with interested governments and stakeholders.
7. There will be a further progress report to the Lead Group before their next meeting in April 2014. These will include further thoughts on several recommendations contained in the Reference Note for follow-up by the Lead Group and for sustaining support for active management of conflict of interest policies in the SUN Movement.
8. The GSO will present a final report to the Lead Group at the conclusion of the project in February 2015.