

## **Engagement with non-State actors**

### **Report on the implementation of the Framework of Engagement with Non-State Actors**

**Report by the Director-General**

#### **INTRODUCTION**

1. In May 2016, the Sixty-ninth World Health Assembly adopted resolution WHA69.10 on the Framework of Engagement with Non-State Actors, in which the Director-General was requested, *inter alia*, to take all necessary measures, working with Regional Directors, to fully implement the Framework of Engagement with Non-State Actors in a coherent and consistent manner across all three levels of the Organization, with a view to achieving full operationalization within a two-year time frame and to report on the implementation of the Framework to the Executive Board at each of its January sessions under a standing agenda item, through the Programme Budget and Administration Committee. This document contains the fourth annual report.

2. A report on non-State actors in official relations with WHO, including proposals for admitting new entities, and on reviews of the status of existing official relations, is set out in document EB146/35 and will be presented under a separate sub-agenda item.

#### **ENGAGEMENT WITH NON-STATE ACTORS**

3. In line with its Thirteenth General Programme of Work, 2019–2023 and related programme budgets and building on its continued and successful collaboration with non-State actors, WHO is proactively promoting collaboration, mobilizing partnerships and encouraging the efforts of different health actors to respond to national and global health challenges. These engagements are being pursued to support Member States' efforts and to fulfil the Organization's mandate, and they have been reviewed and implemented in accordance with WHO's policies and rules including the Framework of Engagement with Non-State Actors.

4. As an enabling policy, the Framework of Engagement with Non-State Actors provides a firm basis for strengthening engagement; it helps to balance risks against expected benefits while protecting and preserving WHO's integrity, reputation and public health mandate.<sup>1</sup> During 2019, when considering engagements with non-State actors, the Secretariat has conducted numerous due diligence and risk assessments.

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<sup>1</sup> See paragraph 4 of the Framework of Engagement with Non-State Actors.

5. Some examples of the resulting engagements are included here. A Partners' Forum was organized by the Regional Office for the Western Pacific in July 2019. Held completely online, the Forum enabled the Secretariat to engage with non-State actors and provided an effective platform to encourage dialogue between stakeholders and partners on ways to make a positive impact on public health across the region. Participants discussed a white paper entitled "For the future: Delivering better health for the Western Pacific Region", which sets out a vision for WHO's work in the region for the next five years.

6. The Regional Office for South-East Asia is also taking a proactive approach to engagements with non-State actors and is fostering dialogue and interaction with all categories of non-State actors in a transparent and open manner, in line with the Framework. This approach is reflected in the participation of non-State actors in the Regional Committee for South-East Asia, where they have the opportunity to deliver statements and engage in side events during the session.

7. The Secretariat has been exploring approaches to reinforce WHO's normative mandate and is furthering discussion on the need to engage with different stakeholders including non-State actors, mainly in areas where WHO does not currently have evidence-based and quality-appraised guidance. In this regard, the Secretariat is discussing with non-State actors different methods and strategies by which the technical knowledge of these actors, many of whom constitute major nongovernmental organizations representing professional societies and leading experts in their field, can be harnessed to support WHO's normative and standard-setting function and deliver benefits for public health.

## **IMPLEMENTATION OF THE FRAMEWORK**

8. In line with the WHO transformation agenda, which calls for delivering on the Sustainable Development Goals through the Thirteenth General Programme of Work, the Secretariat has more closely aligned the functions of the specialized unit responsible for performing standard due diligence and risk assessment with those of compliance, risk management and ethics. This restructuring will make use of potential synergies and help to streamline the work of the Organization.

9. The implementation of the Framework and of the criteria and principles for secondments from nongovernmental organizations, philanthropic foundations and academic institutions approved by the Health Assembly in 2017<sup>1</sup> have provided clarity for the Secretariat on when and how to consider secondments from non-State actors. As in previous years, all proposed secondments from non-State actors for 2019 have been reviewed for compliance through a well-defined clearance process involving review across multiple areas of work.

10. To ensure consistent and coherent implementation of the Framework, guidance is being provided to staff, along with specific recommendations during the initial stages of engagement with non-State actors for proposed nil-remuneration contracts and for potential interns that may be financially supported by non-State actors.<sup>2</sup>

11. Building on the outcomes of previous staff training on the Framework, new training sessions have been developed and conducted. The revised training takes into consideration the needs and functions of different departments and regions, with the goal of developing a common understanding of the

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<sup>1</sup> Document A70/53; see also document WHA70/2017/REC/3, summary records of Committee B, fourth meeting.

<sup>2</sup> In the vast majority of cases, the non-State actors are either academic institutions or philanthropic foundations.

Framework as an enabling policy and sharing best practices and practical information on its use. A training of trainers approach has been tested and is planned to be used for future training.

12. There are also plans to integrate a briefing workshop on the Framework into the induction programme for Heads of WHO Country Offices and, subject to availability of resources, to adapt training materials for e-learning and develop specialized modules such as an introduction to the Framework and specific information relating to each of the four categories of non-State actors and different types of interaction, as defined in the Framework.

13. Training sessions for WHO designated technical officers for non-State actors in official relations have been developed and pilot tested with relevant WHO staff. Feedback and comments from the testing informed the new versions of the modules dedicated to official relations.

14. In line with resolution WHA69.10, the WHO Register of non-State actors has been enhanced, and profiles of non-State actors, engagements, as well as collaboration plans and annual reports of non-State actors in official relations have been updated and published. This process required a major effort and generated a heavy workload. An electronic workflow system would facilitate the process and ensure swift communication between non-State actors in official relations and relevant department involved.

15. In order to expand access by non-State actors and support a common understanding of Framework, the Handbook for non-State actors<sup>1</sup> has been translated into the six official languages of WHO for publication.

16. All 267 proposals for redesignation and new designation of entities as WHO collaborating centres received from September 2018 to September 2019 have been examined and due diligence and risk assessment performed.

17. In 2019, the specialized unit responsible for performing standard due diligence and risk assessment conducted over 1500 reviews, covering the three levels of the Organization, as well as hundreds of simplified reviews for low-risk engagements.

18. The Secretariat has led constructive discussions regarding access to essential medicines and health technologies and the practical implications of the Framework on potential engagements with non-State actors in this area. Examples of activities carried out to further the implementation of the Framework in 2019 include trialling the simplified assessment procedure for new engagements, which revealed potential challenges that could be faced, especially when non-State actors have complicated financial or organizational structures. These findings are being considered with a view to reinforcing a WHO corporate approach for the implementation of the Framework.

19. WHO-hosted partnerships have been also proactively implementing the Framework. Unitaïd, for example, has embedded the Framework into its operating model and overall risk management framework, with related assessments conducted at key points of its grant-making processes including on its calls for proposals to catalyse access to better health products for global health.

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<sup>1</sup> See: <http://www.who.int/about/collaborations/non-state-actors/Handbook-for-non-State-actors-on-engagement-with-WHO.pdf?ua=1>.

20. WHO offices in all regions are actively furthering the implementation of the Framework. In view of the important benefit that non-State actors can bring to global public health, all the regions are also increasing the awareness of staff on the importance and benefits of enhanced engagement with non-State actors in order to advance global health and the work of the Organization, while managing the associated risks through the processes established within the Framework. Common challenges identified across the regions when implementing the Framework include a lack of human and financial resources.

21. The Regional Office for Africa has consistently applied and supported country offices in applying the provisions of the Framework while engaging with non-State actors. The results of “partner perception” surveys conducted by WHO in 47 country offices indicate increasing expectations for WHO to strengthen relations with non-State actors. A training component on the Framework that was introduced during the functional reviews of 47 country offices has served as a catalyst to strengthen engagement with non-State actors. To promote better understanding of the provisions of the Framework, a document was developed to facilitate access for staff to useful tools, guidance and standard formats for each type of collaborative arrangement.

22. In accordance with resolution WHA69.10 (2016) and resolution CD55.R3 (2016), the Regional Office for the Americas/Pan American Health Organization continues to coordinate closely with the specialized unit responsible for performing standard due diligence and risk assessment for the coherent and consistent implementation of the Framework, while taking into account the legal status and Constitution of the Pan American Health Organization. To this end, the regional focal point regularly discusses implementation of the Framework and exchanges information to maintain a coordinated approach while streamlining processes. The regional focal point also continues to participate in meetings with focal points from other regions, and has provided input on training materials. Throughout 2018, the focal point kept staff informed on all applicable procedures. Relevant internal policies and procedures continue to be revised to promote smooth implementation without disrupting ongoing engagements.

23. In line with the Framework and its procedure for accreditation of regional non-State actors not in official relations with WHO, the Regional Office for Europe has recommended the accreditation of seven new non-State actors to participate in meetings of the WHO Regional Committee for Europe. The objective of this procedure is to enable regional non-State actors that are not in official relations but work closely with WHO to participate as observers, without the right to vote, in Regional Committee sessions and to submit written and oral statements. The Regional Office has actively encouraged non-State actors that work closely with its technical units and country offices to take advantage of this opportunity.

24. The Regional Office for the Eastern Mediterranean has been proactive and effective in applying the standard operational procedures governing the application of the Framework during emergencies. It is also performing simplified assessments applicable for engagements with non-State actors in non-emergency contexts. During the period from January to August 2019, more than 50 requests for assessments were received, primarily for the provision of financial and in-kind resources to WHO implementing partners, participation of WHO staff in meetings and events organized by non-State actors, technical collaboration and evidence gathering, and financial resources provided to WHO. Some specific challenges have been also identified, such as the need for more training and capacity-building at the Regional Office and the limited availability of public information on small or local non-State actors.

25. In response to the 2017 Report of the United Nations Secretary-General on repositioning the United Nations development system,<sup>1</sup> which called for a coherent and streamlined approach on due diligence standards and procedures across the United Nations system as part of stepping up the scale and scope of partnerships with the business community to accompany the requirements of the 2030 Agenda, WHO has actively participated in the consultative process and provided inputs to the United Nations Sustainable Development Group on a proposed common approach to prospect research and due diligence for business sector partnerships. In its contributions towards increasing harmonization, efficiency and transparency across the United Nations family, the WHO Secretariat has sought to ensure that the common approach respects the Organization's policies regulating engagement with private sector entities and its due diligence and risk assessment, which Member States have explicitly negotiated and approved through governing bodies.

26. In line with paragraph 3(6) of resolution WHA69.10, an initial evaluation of the implementation of the Framework of Engagement with Non-State Actors and its impact on the work of WHO has been conducted with a view to submitting the results, together with any proposals for revisions of the Framework, to the Executive Board in January 2020, through its Programme Budget and Administration Committee. The report is contained in document EB146/38 Add.2.

## **ACTION BY THE EXECUTIVE BOARD**

27. The Board is invited to note the report.

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<sup>1</sup> United Nations General Assembly Economic and Social Council, 21 December 2017. Repositioning the United Nations development system to deliver on the 2030 Agenda: our promise for dignity, prosperity and peace on a healthy planet. Report of the Secretary-General.